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ESSAYS

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Co-editors:

Ladislav Cabada & Šárka Waisová
E-mail: ladislav.cabada@mup.cz; sarka.waisova@mup.cz

Executive Assistant to the editors:

Helena Bauerová
E-mail: helena.bauerova@mup.cz

English language editing:

Damien Galeone

Home Page

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Editorial Office

Metropolitan University Prague, o. p. s
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Relations of Poland and the Baltic States with Belarus: Geopolitical Ambitions, Historical Symbolism and Dynamics of Migration[1]

ANTON BENDARZSEVSZKIJ

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Abstract: *The current paper analyses the background of the relationship of the Baltic States and Poland with Belarus. The Baltic states together with Poland were advocating a decided foreign policy towards the political system of Alyaksandr Lukashenka in the last fifteen years, which applied through the financial support of political opposition, the support of NGO-s and media outlets, attraction of Belarusian students and qualified workforce and firm political actions. This policy culminated during the latest political crisis, following the presidential elections of August 2020. This paper analyses the historic roots behind the respected countries' relationship, important domestic factors influencing the decision making, dynamics of migration in the recent years, the geopolitical ambitions of Poland and the strategic factors, perceiving Belarus a security threat for the region.*

Keywords: ***Belarus, Baltic states, Lithuania, Latvia, Estonia, Poland, Russia, Central Europe, Lukashenka***

Introduction

When the 9th August 2020 presidential elections in Belarus ended with mass protests across the whole country and a violent law enforcement response, Poland and Lithuania were among the first countries to react. Belarus's closest

1 The publication was supported by the University of Pécs, Szentágothai Research Centre, Research Centre of Historical and Political Geography and PADME Foundation.

neighbours condemned the use of force against the protesters and did not accept the results of the elections, which, according to official data, were won by the sitting president, Alyaksandr Lukashenka, who has led the country since 1994. The response of Poland, Lithuania, and the rest of the Baltic countries was predictable: in recent decades, they have been the main bastions for the Belarusian opposition, supporting democratic institutions in the country and voicing the need for systemic changes in Belarus in the international arena. These four states also criticized the slow response of Brussels to the situation, demanding tough actions against Lukashenka's rule.

The goal of this essay is to explore the relations between Poland and the Baltic states and Belarus. While the officially expressed intentions of the above-mentioned countries in their relations to Belarus refer to European values and the support of democracy, it has been argued that there are other, even more important factors in the background. As this essay will argue, the main reasons underlying Poland and the Baltic states' support for the Belarusian opposition against the government of Lukashenka lie in a combination of strategic factors, geopolitical ambitions, deep historical roots, and symbolism, as well as domestic political factors.

The second chapter of this article briefly explores the common historical past of the region, going back to the Grand Duchy of Lithuania and the Polish-Lithuanian Commonwealth, as well as the attitudes toward the common past among the population of the region. The next section explores the domestic implications of the Belarusian situation, as well as historical symbolism. The fourth chapter identifies the strategic and security background of these relations, including the geopolitical ambitions of Poland and the Baltic states, and the institutionalized tools used by these countries in regards to Belarus. The fifth part explores the main trends in migration from Belarus to neighbouring EU states in recent years, whether in terms of work-related or political emigration. The introduction of the so-called Karta Polaka in 2009 has definitely accelerated the migration flows, while the events following the presidential elections of 2020 led to a shift in the composition of the migration flows, from individuals to small and medium-sized enterprises (SMEs). Finally, the last two chapters describe the political actions of Poland and the Baltic states following the 2020 elections, and their economic consequences in the first half of 2021.

In order to identify the main possible factors in relations between Poland, the Baltic states, and Belarus, the author employs descriptive analysis, while for some of the chapters (Belarusian migration; brain drain; economic consequences) he relies on quantitative analyses. For these quantitative analyses, the main sources of data were the National Statistics Committee of Belarus (Belstat), related divisions of United Nations (UN) statistics, and data from the World Bank. Related literature was used for the background information, while for

the chapters describing recent events the author used sources from Belarusian, Polish, and international media, and from local think tanks.

Historical roots

In order to understand the relationship of the Baltic states and Poland with Belarus, we have to look at the historical roots of the region. The whole territory of the modern Belarus was once part of Grand Duchy of Lithuania at its peak in the 15th century, and while the name of the state came from its founding nation, after the integration of Slavic territories (such as the Principality of Polotsk) number of Belarusians exceeded the Lithuanian nation by far. By the 14th century, the share of ethnic Lithuanians was just 10–14 % of the overall population (Wiemer 2003: 109). In reality, the Grand Duchy of Lithuania was more an alliance between Balts and Slavs, in which the Slavs and their language dominated (Astapenia 2018). In 1569 the Grand Duchy of Lithuania united with Poland, creating the Polish-Lithuanian Commonwealth, and the Poles became the majority population of the new union state. Over five hundred years of statehood suddenly came to an end in 1795, when Russia, Austria, and the Kingdom of Prussia divided its territory between themselves.

At the same time, it is also important to note that while in Lithuania and Poland these centuries of common history with Belarus are mostly described as the rule of Poles and Lithuanians, in Belarus and Ukraine the emphasis is on the allied, coequal aspect of their common history.

Later, in the nineteenth century, the romantic references to the times of the Grand Duchy of Lithuania inspired both Lithuanian and Belarusian national revival movements, stemming from the same historical roots. The national historical symbols of Lithuania, Latvia, Poland, and Belarus have very much in common: the white-red-white flag, used now mainly by the Belarusian opposition, resembles the Latvian red-white-red and the Polish white-red flag, while the national coat of arms, 'Pahonia', is a variant of the historical coat of arms of the Grand Duchy of Lithuania, used also by Lithuania. Based on these historical roots, the populations of the Baltic states and Poland show a common sympathy towards the people living in Belarus, which can be measured using various opinion polls.

There is also a significant Polish minority living in Belarus – nearly three hundred thousand ethnic Poles, i.e. three per cent of the population of Belarus, while there are around one hundred thousand Belarusians living in Poland and Lithuania (see Chart 2).

The attitudes towards the common Polish-Lithuanian-Belarusian historical past have recently overshadowed the common history of Belarus and Russia, for the first time since surveys began. According to a recent opinion poll conducted at the beginning of 2021 among the Belarusian population by the Polish Centre

for Eastern Studies (OSW), 40 % of the respondents believe that Belarus should rely on the historical heritage associated with the Grand Duchy of Lithuania, rather than on the heritage of the Soviet Union (28 %).[2]

The same poll showed a positive view of Belarusians regarding Polish and Lithuanian nationalities. The two came on the fourth and fifth place after Russians (96.2 % of the respondents expressed their positive view), Ukraine (85.5 %) and Germans (85.3 %). Polish nationality received 82.9 % of positive responds, while Lithuanians 76.2 %.[3] The positive view on the individual countries is lower compared to the nations, and it especially true for Ukraine as a state (70.5 % of positive responses compared to 85.5 %).

Domestic factors and historical symbolism

Because of the above mentioned historical past the situation in Belarus has pronounced domestic political dimension: the actions of the local decision-makers are closely monitored by their voters. On the one hand, these countries have a long common history with Belarus, dating back to the time of the Polish-Lithuanian Commonwealth; on the other, Belarus is a close neighbour and an important trading partner.

Therefore, the symbolism of the situation as regards human rights and democracy is often emphasized by leaders in Poland and the Baltic states: according to the analogies, Belarusian people are fighting for their rights and democratic freedom – just like in the 1980s and the early 1990s, when Poland and the Baltic states gained their independence from the Soviet Union.

This symbolism was made apparent during the anniversary of the 'Baltic way', on 23 August 2020. On this day in 1989, 25 per cent of the population of the Baltic states – nearly two million people – joined hands, connecting the three Soviet republics in a 670-kilometre-long chain. The goal of the peaceful demonstration was to show to the world that the people of the Baltic states desperately wanted freedom and sovereignty. In 2020, on the 31st anniversary of the event, more than fifty thousand people connected the Lithuanian capital, Vilnius, to the Belarusian border, showing their solidarity with the Belarusian protesters.[4] The Lithuanian president, Gitanas Nauseda also joined the demonstration. For the Baltic states and Poland, the protests which started in Belarus in August 2020 after the presumably rigged presidential elections symbolized

2 'Belarusians about Poland, Russia and themselves'. Public opinion poll. Centre for Eastern Studies (OSW), 29 January 2021, available at: https://www.osw.waw.pl/pl/publikacje/komentarze-osw/2021-01-29/bialorusini-o-polsce-rosji-i-sobie (21 March 2021).

3 Ibid.

4 'Baltic nations form human chains in support of Belarus protests.' Deutsche Welle, 23 August 2020, https://www.dw.com/en/baltic-nations-form-human-chains-in-support-of-belarus-protests/a-54667005 (22 March 2021).

the rebirth of Belarus as a European nation, reminding them of the events in their own countries thirty years ago.

In an August article, Polish Prime Minister Mateusz Morawiecki also made symbolic comparisons between the events in Poland forty years ago, and the suppression of freedom in a European country. "*We must make solidarity a project for the whole of Europe, and that is why solidarity is our proposal for the coming decades of development.*" – written Morawiecki in the article published by different European media outlets (Morawiecki 2020).

Since both the population of Poland and those of the Baltic states have vivid memories of their Soviet past and their independence movements, the only possible political standpoint is to firmly oppose the current Belarusian government – viewed as a successor of the previous Soviet system.

Geopolitical ambitions and strategic factors

Poland and Lithuania have clear geopolitical ambitions in the region. From their perspective, bringing Eastern European countries under the umbrella of the Euro-Atlantic system will result in several benefits. Firstly, it is a question of security, since it would result in the creation of a safe zone along the borders. Securing the eastern periphery of the European Union is one of the primary security policy goals of these countries. Secondly, there are important economic reasons. The Baltic states and Poland have busy seaports, and good relationships with democratic, open market economies would further boost their trade flows. Moreover, in perspective, Eastern Europe is a huge market to which their goods can be exported. Poland is also experiencing a labour shortage at present, and is therefore interested in attracting a well-qualified workforce from Belarus and Ukraine. And third, potential Eastern European allies would give them leverage in the EU. With the process of the EU enlargement, the centre of gravity of the union would move to Central Europe, increasing the importance and the political weight of the Visegrád Group and the Baltic states.

With the above-mentioned aims in mind, several geopolitical projects have been launched in the region in recent years:

- **The Eastern Partnership** is an ambitious project initiated by Poland in 2009, aimed at building a "common area of shared democracy, prosperity, stability, and increased cooperation".[5] Six countries were involved in the initiative, including Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine.
- **The Three Seas Initiative**. Supported mainly by Poland (and the United States), this project aims to connect a bloc of countries situated between

5 European External Action Service, available at: https://eeas.europa.eu/headquarters/headquarters-homepage/340/europe-and-central-asia_en (21 March 2021).

Western Europe and the Russian sphere of interest. In the current form it is a forum of twelve countries (Austria, Bulgaria, Croatia, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, and Slovenia) along a corridor between the Baltic sea, the Black sea and the Adriatic Sea. The idea goes back a hundred years, and was reinitiated by Warsaw after 2015.

- **The Lublin triangle** is the newest cooperation format in the region, created on 28 July 2020 during a meeting of the ministers of foreign affairs of Lithuania, Poland and Ukraine in Lublin. The goal is to coordinate the three states' activities within international organizations, support the Euro-Atlantic integration of Ukraine, and counter potential Russian aggression (Bornio 2020).

As summarized by Laurynas Kasčiūnas, a member of Lithuania's Seimas in 2019*: "We have two approaches to Belarus in Lithuania. First, we understand that this is an authoritarian regime, but we need to open the doors to the West so that Lukashenka balances between West and East. Second, Lukashenka is already in the East, the only question is the length of the chain of his dependence on the Kremlin. Minsk has been trading its sovereignty for 25 years and will continue to bargain"* (Kruglova 2021).

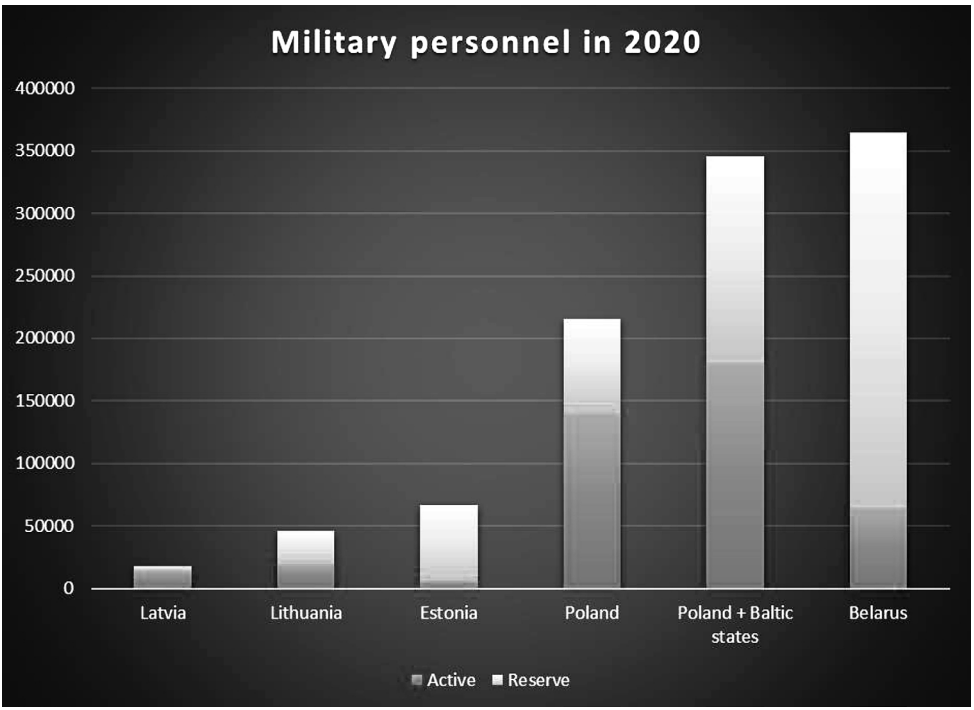
Strategic factors

Since the integration of Belarus into Russia's various institutions, the country is viewed by its Western neighbours as a potential threat. Belarus is now perceived as Russia's closest ally – economically, politically, and in terms of military cooperation. Minsk is a member of the Russian military organization, the Collective Security Treaty Organization (CSTO), a member of the Russian-Belarusian Union State, and part of the Eurasian Economic Union (EEU), a block consisting of five countries, which is also led by Russia. The aim is to counter Russian influence and potential Russian aggression, and both Poland and Lithuania will do everything to support the opponents of Lukashenka and help the democratic transition of Belarus.

The Belarusian Army is equipped with modern Russian arms. Belarus has a conscription military service: together with its reserves, its personnel exceeds 360,000 soldiers – more than Lithuania, Latvia, Estonia, and Poland has altogether. The military cooperation between Russia and Belarus is regulated in both the Union State Treaty and the CSTO treaty. In case of military intervention, or a military threat from a foreign country, they are obliged to help each other.

In August 2020, Belarus accused Poland of destabilizing the situation in the country with the aim of occupying its Hrodna region in the northwest. This is the region with the densest Polish minority – over two hundred thousand eth-

Chart 1: Military personnel of Belarus, Poland and the Baltic states.



Source: open source data provided by the respected countries' defense ministries.

nic Poles live there. The conflict continued to escalate through August 2020, and Minsk started a large-scale military exercise near the border of Lithuania and Poland. The state television broadcast intimidating news about a possible NATO intervention, potential air strikes, and the partitioning of the country.

Minsk accused the West of waging a hybrid warfare against Belarus by supporting the opponents of the government, mobilizing ethnic minorities, acting in the information space, and concentrating NATO forces along the borders. This was also a message to Moscow: Belarus is in danger, it is counting on Russia's help, and Lukashenka is the only one able to prevent the country falling into the hands of the West. Poland denied the accusations of military actions and interference in the internal politics of Belarus, and asked for a non-violent resolution of the situation and a peaceful dialogue with the opposition. Jens Stoltenberg, secretary general of NATO declared that there was no reinforcement of the organization's military forces in the region, and Lukashenka's accusations of NATO were but an excuse to strike against the opponents of his regime.[6]

6 'President Lukashenko claims NATO has aggressive plans against Belarus'. EuroNews, 29 August 2020, available at: https://www.euronews.com/2020/08/29/president-lukashenko-claims-nato-has-aggressive-plans-against-belarus (21 March 2021).

For the region, the situation in Belarus is also extremely important because of the country's geographical position. There is a narrow, 65-kilometre-long corridor connecting Poland to Lithuania and the rest of the Baltic states, the so-called Suwalki Gap. This is a tough-to-defend, flat piece of land. On the other two sides are situated the Russian enclave of Kaliningrad and Belarus. In case of hostile strategic manoeuvres, this corridor could easily be occupied, and the Baltic states would thus be cut off from NATO and the rest of the European Union.

Map 1: The Suwalki gap.

Source: 'Scenarios for Central and Eastern Europe in a Russia-NATO conflict'. Geopolitical Intelligence Services (GIS), 19 April 2017. Available at: https://www.gisreportsonline.com/scenarios-for-central-and-eastern-europe-in-a-russia-nato-conflict,defense,2193,report.html (22 March 2021).

Institutionalized tools – NGOs and political organizations

There are several tools in the arsenal of Poland and the Baltic states. Vilnius is a home for numerous Belarusian institutions, NGOs and opposition media outlets, which can be explained by historical reasons and its geographic proximity: the Lithuanian capital is just 170 kilometres from Minsk. The Belarusian European Humanities University, which was banned from the country by the authorities in 2004, is also operating from Vilnius, attracting many Belarusian students. Nowadays the Lithuanian capital is one of the most important meeting places for the Belarusian opposition, and the residence of the opponents of Alyaksandr Lukashenka.

Warsaw is the other important bastion of the opponents of Lukashenka. Since 2006 Poland has been offering governmental scholarships to Belarusian students, who cannot study at home for political reasons (Kastuś Kalinoŭski

scholarship). Several Belarusian media outlets are operating from Poland and Lithuania: Nexta, Belsat, Nasha Niva, Charter-97, Evroradio. After the start of the mass protests in August 2020, the coordination of the opposition and the distribution of the news from the streets was done by these media outlets, either from Warsaw or Vilnius. The largest political media outlet, Nexta had around 500,000 subscribers in Telegram in the end of July. By the end of August its auditory has grown to 2.1 million – considerable numbers for a country of 9.5 million population.

Organizations acting in opposition to Alyaksandr Lukashenka's regime can be divided into two groups: donors, who provide grants and other support to NGOs and initiatives across Eastern Europe and the former Soviet states, and organizations working directly for political transformation in Belarus. The international donor organizations have offices across Eastern Europe. Some of them used to operate in Belarus, but were banned from the country, like NDI and IRI, which moved to Vilnius after being expelled. Most local organizations, created mostly by the Belarusian nationals, are in majority operated from Warsaw or Vilnius, while some of their colleagues are located in Belarus. See the Annex for a detailed list of NGOs and political organizations related to Belarus.

Belarusian migration to Poland and the Baltic states

After the collapse of the Soviet Union, statistics indicated that 1.76 million Belarusians lived abroad.[7] This was more due to the heritage of the Soviet Union than the deliberate travel preferences of the population. The number of Belarusians living abroad in the last three decades gradually decreased, and was only 1.48 million by 2019.[8] However, important changes took place during this time in the dynamics of the migration flows from the country. The number of Belarusians living in Russia, Ukraine, and Poland (the top three destinations) decreased steadily until a turning point around 2010. After that, the number of Belarusian emigrants started to increase again, mainly as an effect of the international economic crisis of 2008–2009.

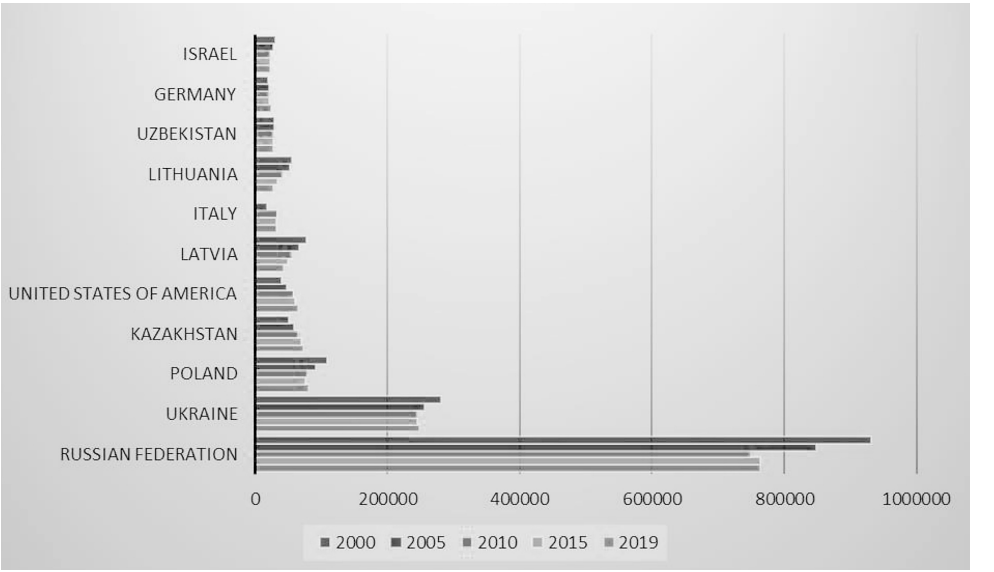
The number of the Belarusians living in the Baltic states has also significantly dropped in the last decades. Back in 2000, Latvia and Lithuania were among the top five destinations, while in 2019 Latvia was the sixth country by the number of Belarusians living there (a 45% drop from 77,000 people in 2000 to 43 000 in 2019), and Lithuania was the eighth on the list.[9] At the same time migration

7 International migrant stock 2019. Department of Economic and Social Affairs, Population Division, United Nations. Available at: https://www.un.org/en/development/desa/population/migration/data/estimates2/estimates19.asp (21 March 2021).

8 Ibid.

9 Ibid.

Chart 2: Total migrant stock from Belarus between 2000 and 2019 in the top ten most frequent countries by 2019 data



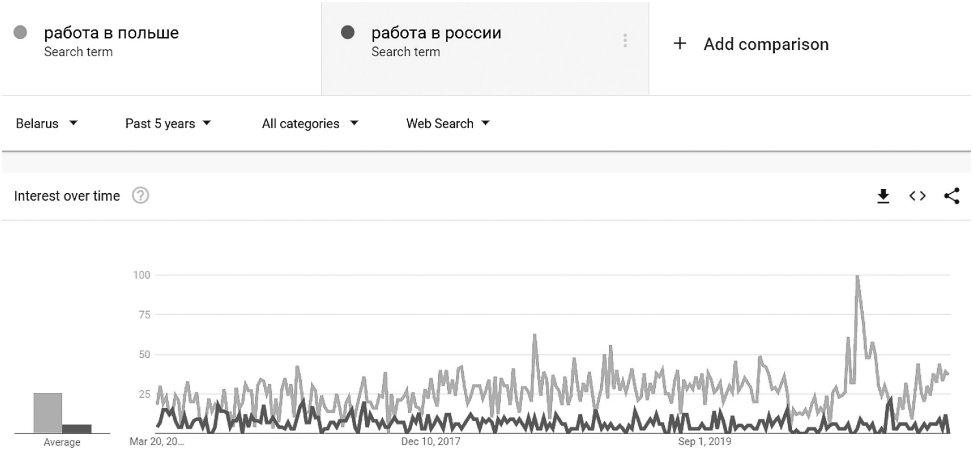
Source: International migrant stock 2019. Department of Economic and Social Affairs, Population Division, United Nations. Available at: https://www.un.org/en/development/desa/population/migration/data/estimates2/estimates19.asp (21 March 2021).

flows to Kazakhstan, the United States, the Czech Republic, Italy, Sweden, the United Kingdom and France have drastically increased. Italy had the highest, nineteenfold increase in twenty years in the number of Belarusians living there (from 1,674 in 2000 to 31,526 in 2019).

Recently, the dynamics of migration flows are changing in favour of Poland and the Baltic states, and this is the result of their well-advised migration policy. The global economic crisis of 2008–2009 and the political repressions following the 2010 presidential elections increased the interest of Belarusians in their Western neighbours. The Russian occupation of Crimea in 2014 and Western European sanctions have further worsened the economic and working conditions in Russia (and as a consequence also in Belarus). Poland and the Baltic states implemented specific policies in response, attracting young working-age people and students from Belarus through a simplified visa regime, abolishing the obligation for seasonal workers to obtain work permits, financial support, and other incentives (Daneyko 2018). Up until 2020 the most frequent sectors for the Belarusian work force were construction, infrastructure and agriculture. In recent years, more Belarusians have worked in Poland than in Russia—at least according to Google search results.[10]

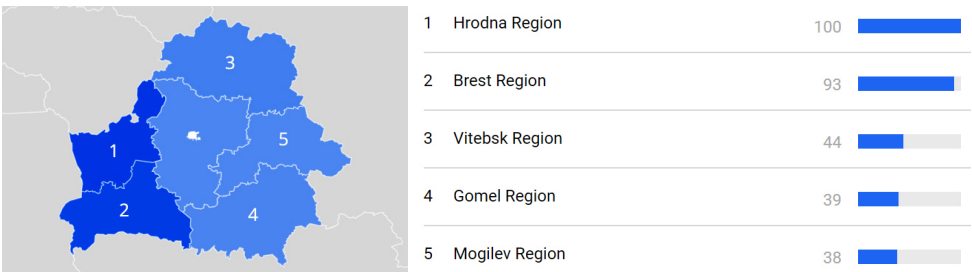
10 Based on the data from Google Trends, https://trends.google.com/trends/?geo=by (22 March 2021).

Chart 3: Google search comparison in the last five years between 2016–2021. The blue line shows search by 'work in Poland', while the red line indicates 'work in Russia'



Source: Google Trends, https://trends.google.com/trends/?geo=by (22 March 2021).

Chart 4: It can also be observed that an interest in working in Poland is characteristic mainly of the Western regions of Belarus.



Source: Google Trends, https://trends.google.com/trends/?geo=by (22 March 2021).

Karta Polaka

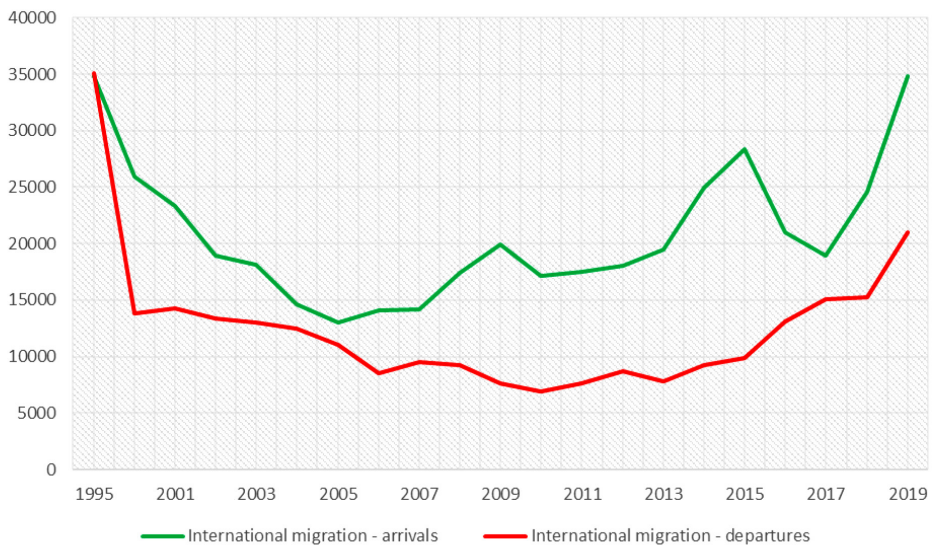
The so-called *Karta Polaka*, or Pole's card was introduced back in 2009, and proved to be a successful geopolitical tool of Poland to influence people in the Eastern-Europe with Polish origins. It was a document stating the 'Polish ancestry' of individuals who could not obtain dual citizenship in their own country. Officially, it was created for ethnic Polish minorities, but it became available for anybody who had vague Polish roots. After its introduction, several thousand people declared their Polish identity, while Belarus – and even some of the Baltic

states – protested against this practice. During the last decade – and especially after the 2010 elections – claiming Polish origin became for Belarusians the easiest way to travel to the European Union.

The holders of the *Karta Polaka* can travel freely to Poland, they do not need a work permit, are eligible for free education and even some other benefits, like 37 % discount on public transport in Poland. Some 43 % of the cardholders are Belarusians (their number exceeds 100,000 thousand people), while altogether with Ukraine the share of the two countries' residents owning Pole's card reached 91,4 % (Kostetskiy 2020).

After several years, Belarus reacted to the introduction of the Pole's card. In 2011, the Belarusian Constitutional Court stated that it was a violation of international norms and law, and in 2012, Minsk adopted a new law forbidding the country's administrative staff to apply for the card (Kostetskiy 2020). However, after the normalization of the relationship with Poland in 2014, and Alyaksandr Lukashenka's shuttlecock policy vis-à-vis the West, no more recriminations were directed against the Pole's card.

Chart 5: Migration in and out of Belarus between 1995 and 2019.



Source: Statistics on migration. National Statistics Committee of Republic of Belarus. Available at: https://www.belstat.gov.by/ofitsialnaya-statistika/solialnaya-sfera/naselenie-i-migratsiya/migratsiya/ (20 March 2021).

According to the latest data of the National Statistics Committee of Belarus, Belstat, in 2018 Poland was the fourth most popular migration destination for Belarusians with 765 emigrants, coming after Russia (6,732), Ukraine (1,411) and Turkmenistan (1,118). Among the Baltic states, Lithuania was on

the ninth place with 338 emigrants leaving for the country as per the official statistics.[11]

However, it is important to note that international statistics give numbers by far higher than those of the Belarusian National Statistics Committee. The Russian Ministry of Interior registered 134,690 Belarusians, who came to work in 2018, while the Polish administration of foreigners reported 3,900 Belarusians, receiving permanent residence in the country (Rybchinskaya 2020).

Brain drain policy after August 2020

The migration flows have significantly increased since the presidential elections of August 2020. According to the data of the Belarusian Ministry of the Interior, in the two months until October more than ten thousand people left Belarus for Poland, and nearly five hundred for Lithuania or Latvia.[12] In the beginning the migration was mainly of a political nature – political leaders and activists fleeing the country in fear of repressions, then students and teachers, and others who opposed Alyaksandr Lukashenka's regime. Lithuania and Poland facilitated entry to their territory from the start. Despite the ongoing restrictions and closed borders due to the COVID-19 pandemic, political emigrants could enter these countries with simplified visa conditions, and students were offered scholarships at Lithuanian and Polish universities (Hodasevich 2020).

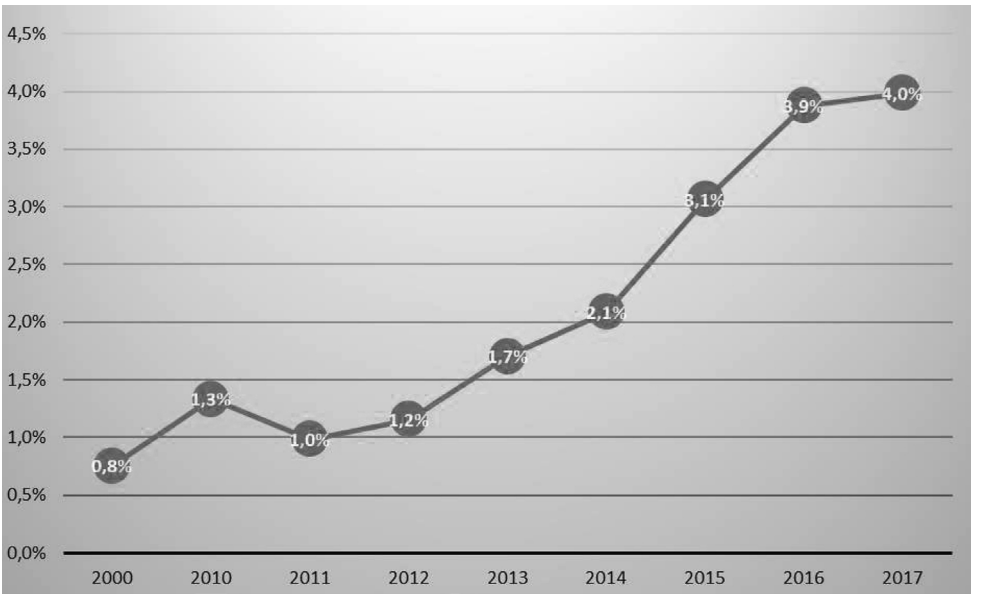
After several weeks of protests, which affected different spheres of business life, Poland and Lithuania developed new policies to attract Belarusian specialists, private businesses, IT companies, and start-ups to their countries. At the end of September 2020, Poland announced a new programme, called 'Poland Business Harbour', offering financial help for start-ups, help with relocation and to find new office locations, and quick visa permits for families of the companies' employees (Vatnik 2020). Lithuania offered similar incentives: English-language services, administrative help, simplified visa regulations and financial support (Seputyte – Kudrytski 2021).

The information and communications technology (ICT) sector plays an ever-increasing role in Belarus. The country introduced special laws to boost its tech sector relatively early, in 2005, in order to attract new investments, to open large tech parks, and to support IT companies to operating in the country (Bendarzsevszkij 2020: 22). In 2016 Belarus attracted over 169 million USD in foreign investments (Radu 2019), and over the last years the share of the ICT

11 Statistics on migration. National Statistics Committee of Republic of Belarus. Available at: https://www.belstat.gov.by/ofitsialnaya-statistika/solialnaya-sfera/naselenie-i-migratsiya/migratsiya/ (20 March 2021).

12 'Begun told about the Belarusians, who went to work in Ukraine, Poland and the Baltic countries' (Бегун рассказал о белорусах, выехавших на трудоустройство в Украину, Польшу и страны Балтии). BELTA News Agency, 21 October 2020, available at: https://www.belta.by/society/view/begun-rasskazal-o-belorusah-vyehavshih-na-trudoustrojstvo-v-ukrainu-polshu-i-strany-baltii-411979-2020/ (20 March 2021).

Chart 6: ICT services export share of total export (%) in Belarus, 2000–2017.



Source: World Bank.

sector in total exports exceeded 4 %.[13] World famous companies like EPAM, Viber, PandaDoc or World of Tanks started in Belarus.

Just four months after the beginning of the political crisis, at least forty IT companies moved almost 900 employees to Vilnius, Lithuania, while another thirty companies planned to do so, according to Bloomberg (Seputyte – Kudrytski 2021). According to Seputyte – Kudrytski (2021), Lithuania already has the fastest growing financial technology (fintech) sector in the European Union, and the arrival of experienced specialists and various IT companies is giving its economy a big boost.

Political actions

Following the events on the night of the presidential elections on 9th August 2020, the Polish Prime Minister, Mateusz Morawiecki, was the first high-ranking politician in the EU to publicly condemn the situation in Belarus. "*The authorities have used force against their citizens, who are demanding change in the country. We must support the Belarusian people in their quest for freedom*" – declared Morawiecki in a statement.[14]

13 Data from World Bank

14 'Poland calls for extraordinary EU summit following tainted Belarus election'. Euractiv, 10 August 2020, available at: https://www.euractiv.com/section/europe-s-east/news/poland-calls-for-extraordinary-eu-summit-following-tainted-belarus-election/ (22 March 2021).

The response of the Baltic countries quickly followed: Lithuania, Latvia, and Estonia did not recognize the results, and called for new, free, and fair elections. The presidents of the three countries and Poland also decided to hold regular consultations on the situation in Belarus. Shortly after the first days of the protests, the four presidents appealed to the Belarusian authorities to stop the violence, release the arrested protesters, and start a peaceful dialogue with the opposition.[15] A concrete action plan was also presented to Alyaksandr Lukashenka, proposing the creation of a 'round table' working on national reconciliation with the representatives of the authorities and those of the civil society. Five days after the elections, on 14th August, Morawiecki called for new elections.

One week after the elections and in reaction to the ongoing protests in the country, on 18th August, the Seimas of Lithuania interrupted its summer holidays to unanimously accept a resolution on Belarus (Epifanova 2020). The resolution did not recognize the election results or Alyaksandr Lukashenka as the legitimate president; it called for new elections and for a mediatory EU mission in Belarus. In the meantime, Sviatlana Tsikhanouskaya, the main opponent of Lukashenka in the 2020 elections, left the country to settle in Lithuania. On 20th August, Lithuanian Prime Minister Saulius Skvernelis invited Tsikhanouskaya to his office and publicly referred to her as 'the national leader of Belarus'.[16]

As mentioned in the previous sections, Lithuania has also opened its borders to anybody, seeking political asylum, and has created a special fund to support the victims of police violence (Karmazin 2020). Poland and also Ukraine followed Lithuania's example, and opened their borders to Belarusian political emigrants, despite the ongoing COVID-19 pandemic.

On the second week of the protests, the Baltic presidents tried to organize a meeting with Alyaksandr Lukashenka, but received a refusal.[17] One week later the Baltic countries made a new try on a lower level, proposing a meeting between their prime ministers and ministers of foreign affairs, and their Belarusian counterparts.[18] Minsk refused for the second time. Thus, the diplomatic attempts of the Baltic states to find a peaceful solution to the Belarusian situation failed.

15 'Four presidents call on Lukashenko to renounce violence' (Четыре президента призвали Лукашенко к отказу от насилия). RBC, 13 August 2020, available at: https://www.rbc.ru/politics/13/08/2020/5f355c9e9a7947778e09ff45 (22 March 2021).

16 Personal Facebook profile of Saulius Skvernelis, available at: https://www.facebook.com/permalink.php?story_fbid=2048001001999905&id=814777171988967 (22 March 2021).

17 'Presidents of Lithuania, Latvia and Estonia want to come to Belarus' (Президенты Литвы, Латвии и Эстонии хотят приехать в Белоруссию). EurAsia Daily, 20 August 2020, available at: https://eadaily.com/ru/news/2020/08/20/prezidenty-litvy-latvii-i-estonii-hotyat-priehat-v-belorussiyu (22 March 2021).

18 'Belarus denied entry to the prime ministers of Estonia, Latvia and Lithuania'. (Белоруссия отказала во въезде премьерам Эстонии, Латвии и Литвы). EurAsia Daily, 27 August 2020, available at: https://eadaily.com/ru/news/2020/08/27/belorussiya-otkazala-vo-vezde-premeram-estonii-latvii-i-litvy (22 March 2021).

On 26 August, Lithuania was the first country in the EU to present a list of sanctions against Belarusian officials connected with the current situation. The list contained 118 names: commanders of the Special Forces, the Ministry of the Interior, the State Security Committee (KGB), the presidential administration, the central election commission, etc.[19] President Alyaksandr Lukashenka was also on Lithuania's list. Estonia quickly followed, adopting legal sanctions against Belarusian officials, 'in coordination with Lithuania and Latvia'.[20] Officials present on these lists were banned from entering the Baltic states, and if they had bank accounts in the EU, these were frozen. On 20 November, the Baltic sanction list was extended, increasing the number of named individuals to over 150 (Mischenko 2020).

Lukashenka accused the West of interfering in the internal affairs of Belarus, calling their actions 'diplomatic carnage' and information warfare against the country. In response to Lithuania's list of sanctions, he promised countersanctions, including the redirection of trade flows through Lithuania. These threats were fulfilled at the end of 2020, as discussed in the next chapter.

Lithuania and Poland preceded the EU in their response to the situation in Belarus. The two countries were several steps ahead of Brussels, followed by Latvia and Estonia. Linus Linkevicius, Minister of Foreign Affairs of Lithuania, even criticized Brussels for its slowness, when 'immediate actions are needed'.[21] The first round of EU sanctions against Belarus was adopted one month after the Baltic states, on 1 October 2020. Then a second round (19th November) and a third (17th December) followed, designating 88 individuals and 7 entities in total.[22] Sanctions in sports also followed, including the removal of Belarus from the joint organization of the 2021 Ice Hockey World Championship. It was originally intended to be co-hosted by Belarus and Latvia, but after the events in Belarus, the International Ice Hockey Federation (IICF) announced on 2th February that Latvia would be the sole host of the championship.

19 'Lithuanian Foreign Ministry proposed sanctions against 118 Belarusian officials' (МИД Литвы предложил санкции против 118 белорусских чиновников). Evropeyskaya Pravda, 26 August 2020, available at https://www.eurointegration.com.ua/rus/news/2020/08/26/7113611/ (22 March 2021).

20 'Estonia was the first to impose sanctions for events in Belarus' (Эстония первой ввела санкции за события в Белоруссии). RBC, 27 August 2020, available at https://www.rbc.ru/politics/27/08/2020/5f4779209a7947db2b219d76 (22 March 2021).

21 'Lithuania asked EU to react quicker on the crisis in Belarus' (Литва призвала ЕС быстрее реагировать на кризис в Беларуси). Evropeyskaya Pravda, 27 August 2020, available at https://www.eurointegration.com.ua/rus/news/2020/08/27/7113657/ (22 March 2021).

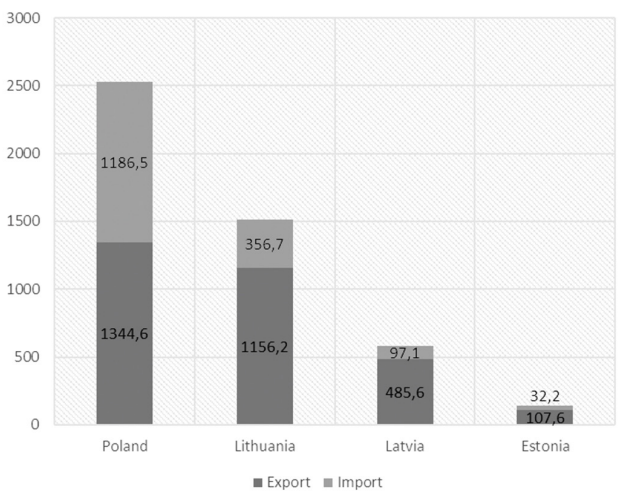
22 'Belarus: EU imposes third round of sanctions over ongoing repression'. European Council of the European union, 17 December 2020. available at: https://www.consilium.europa.eu/en/press/press-releases/2020/12/17/belarus-eu-imposes-third-round-of-sanctions-over-ongoing-repression/ (22 March 2021).

Economic consequences

Among the four countries, Lithuania had the most to lose: Belarus is one of its most important trading partners. Since Belarus is a land-locked country, it needs gateways to overseas markets. There are several options: Poland, Lithuania, Latvia, and Russia (though the last route is the longest). In recent decades, Belarus has deliberately diversified its trade flows through different ports in the region, making this an important political tool. The Baltic states were even competing with one another for Belarusian freight. When Lithuania called for sanctions after the 2010 presidential elections, Lukashenka threatened to redirect all trade flows towards the ports of Russia. In August 2020, he made the same threats again.

For Belarus, Poland is the fifth most important trading partner: in 2019, their trade turnover was 2,621 million USD,[23] while the trade with Lithuania reached 1,444 million USD in 2019 (eighth place for Belarus). For Lithuania Belarus is crucial for other reasons: Belarusian cargoes have accounted for more than 30 percent of cargoes transhipped at the Klaipeda seaport since 2014 (Melyantsou 2020). The port-related traffic generates nearly 18 % of the country's GDP. Latvia is in a very similar position: Belarusian products also account for 30% of overall cargo transit through the country (Melyantsou. 2020).

Chart 7: Belarusian trade with the Baltic states and Poland in 2018 (million USD)



Source: Melyantsou 2020.

23 Export.by, https://export.by/poland (22 March 2021).

The Belarusian threats of 2010 to redirect transit flows from the Baltic sea ports did not have significant consequences ten years ago, but Minsk handled the situation differently this time. On 19 February 2021, a new agreement was signed with Russia on a 'take or pay' base, redirecting a big share of Baltic ports' transit to Russian seaports.[24] According to the agreement, Russian ports will handle in total 9.8 million tonnes of Belarusian petroleum products exports between 2021–2023, starting with 3.5 million tonnes in 2021.[25] On 5 March 2021, the first trains with Belarusian cargo departed for Russian ports, as per the agreement. For Belarus, the redirection of the transit flow from the Baltic seaports is not an economically rational decision: it was evidently dictated by political reasons. Lithuania and Latvia will lose traffic and revenues, Belarus will pay extra for the logistics, and Russia profits most from the conflict.

The current conflict between Poland, the Baltic states, and Belarus may lead to other serious consequences for the region: Belarus is an important transit hub for Chinese and Russian goods, which either enter the EU through the country, or make their way to distant destinations through the Baltic seaports. If Minsk limits these transit routes, and redirects them or makes the transit difficult, it may halt the economic growth of the region, and decrease or even halt foreign (especially Chinese) investments.

However, it is also important to note that Russian ports and infrastructure currently do not have the capacity to transport and handle the totality of Belarusian goods (Belarus currently exports around six million tonnes annually by sea (Manenok 2021), in addition to nearly 11 million tonnes of petroleum products per year[26]), but it may as well change in the future.

Conclusions

The Baltic states and Poland took clear leadership within the EU in their response to the Belarusian political crisis, following the August 2020 presidential elections. Poland, Lithuania, Latvia, and Estonia were among the first countries to officially condemn the Belarusian authorities, calling for new elections and introducing political sanctions one month before the EU's joint response. However, this firm riposte to the political situation in Belarus is not new: the same criticism against Alyaksandr Lukashenka and his system had already been expressed during the presidential elections of 2001, 2006, and 2010 – all followed

24 'Russian ports are ready to accept any type of cargo from Belarus' (Российские порты готовы принимать любые грузы из Белоруссии). Prime, 19 February 2021, available at https://1prime.ru/state_regulation/20210219/833084068.html (19 March 2021).

25 Ibid.

26 'Russian ports are ready to accept any type of cargo from Belarus' (Российские порты готовы принимать любые грузы из Белоруссии). Prime, 19 February 2021, available at https://1prime.ru/state_regulation/20210219/833084068.html (19 March 2021).

by EU sanctions. However, after deteriorating for a few years, relations were normalized every time, and sanctions were lifted in the end. While Lukashenka was trying to manoeuvre between Russia and the EU, the decision-makers in Brussels and Washington were seeking to keep the country as far as possible from Russia, and made concessions and compromises. However, when the time came for the next elections in the country, marked again by repressions and violence, the whole process started from the beginning.

At the same time, the rising of the Belarusians as a nation against 'communist--like' oppression carries strong symbolical meaning for Poland, Lithuania, Latvia, and Estonia, and therefore will be further used by different political forces, appealing to their domestic voters. The region's common historical background is emphasized not only by the Baltic states and by Poland, but also – more and more often – by Belarusian opposition movements.

The geopolitical ambitions of Poland, which wants to be a regional power at the Eastern frontier of the EU, also require bringing Belarus into the European zone of influence through a democratic transition. There are important strategic and military interests at stake, according to which Belarus will be a threat to NATO and the Baltic states as long as it has strong ties with Russia. The membership of Minsk in the Russian military organization (CSTO) and other political and economic groups (mainly the Union State and the Eurasian Economic Union) could jeopardize the basic security conditions of the Baltic states.

There are also important economic factors at stake, as both Latvia and Lithuania are economically dependent on Belarusian freight passing through their ports. Further deterioration of the relationship with Belarus will result not only in the redirection of Belarusian trade flows to Russian ports (as has already happened from February 2021), but might also pose difficulties for Chinese and Russian goods being sent to Poland, the Baltic states, and Ukraine through Belarus.

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Annex

International donor organizations working on Belarusian direction:

- Eurasia Foundation (EF) – founded in 1992 after the collapse of the Soviet Union by Bill Frenzel, it is aimed to support the development of civil society, private enterprises and local democratic institutions.
- German Marshall Fund (GMF) – established during the cold war era in Germany, GMF now plays an active role in rising leaders and supporting civil society in the former soviet states.
- Open Society Foundations (OSF) – probably the biggest network and funding base for the Western democratic initiatives in Eastern Europe and CIS countries, founded by George Soros in 1979. The network has several local institutes and organizations aimed directly at Belarus or Ukraine.
- MacArthur Foundation (MAF) – one of the biggest private US foundations, operating since 1978 and supporting economic, political, ecologic, and etc. initiatives across the globe. In the post-soviet countries the financial support is mostly granted to security initiatives, economic development and for the operation of the free press.
- Freedom House – one of the oldest American organization devoted to the support of democracy around the world since 1941.
- Ford Foundation – founded in 1936, the foundation is supporting democratic values and social institutions across the world.
- National Endowment for Democracy (NED) – founded in 1983, its main goal remains the support and strengthening of the democratic institutions worldwide.
- The National Democratic Institute (NDI) – founded in 1983 after NED, it operates under its umbrella and has loose affiliations to the US Democratic Party.
- International Republican Institute (IRI) – also founded in 1983, its main goals are the support of freedom and democracy. It is affiliated to the US Republican Party.
- Friedrich Ebert Stiftung (FES) – German political foundation supporting freedom, democracy and solidarity, established in 1925.
- Konrad Adenauer Stiftung (KAS) – German political party foundation associated to the CDU party and established in 1955.

- Friedrich Naumann Foundation for Freedom (FNF) – German foundation supporting liberalism across the globe, established in 1958. Their local office is located in Ukraine, aimed at both Ukraine and Belarus.
- Heinrich Böll Stiftung – German political foundation associated with the German Green Party and established in 1997.
- Solidarity Fund (Fundacja Solidarności Międzynarodowej) – a foundation supporting foreign policy of Poland, and aimed at supporting independent media, democracy and human rights organizations. Between 2012–2017 they supported over 100 different projects in Belarus.
- Freedom and Democracy Foundation (Fundacja Wolność i Demokracja) – Polish organization established in 2006 with a goal of supporting democratic changes in the countries of former Soviet Union, and supporting Poles in the East.
- Polish aid (Polska pomoc) – Polish initiative started in 2011 and aimed at supporting Polish initiatives abroad. Among others, they are supporting Belarusian independent media outlets like Evroradio and BelSat.
- Batory Foundation – established in 1988 by George Soros in Poland with a mission to build an open, democratic society. According to some sources, this foundation was responsible for forming an overall EU policy towards Belarus in the beginning of 2000-ies.
- Grupa Zagranica – its not an organization, but more of a platform of Polish non-governmental organizations involved in international development cooperation, democracy support, humanitarian aid and global education. However, because of the coordination of the whole network, their role is important.
- Casimir Pulaski Foundation – a think-tank, specializing in foreign policy and international security with focus area in transatlantic relations, Russia and post-Soviet sphere. In 2017 they led a computer simulation on the consequences of a military conflict between Russia and NATO on the territory of Belarus.

Local organizations:

- Belarusian Institute for Strategic Studies (BISS) – founded in 2008, operating in Vilnius.
- Barys Zvozskau Belarusian Human Rights House – founded in 2006, operating in Vilnius. Currently it unites 9 other organizations under its roof:
  - Belarusian Association of Journalists (BAJ)
  - Belarusian Helsinki Committee (BHC) – one of the oldest human rights organisations in Belarus, founded in 1995. Famous Belarusian leaders like Vasil' Bykau, Sviatlana Alexievich (Nobel prize in literature 2015), Ryhor Baradulin, Radzim Harecki, Henadz' Buraukin are among its founders.
  - Human Rights Center Viasna – established in 1996, it is a national NGO with the central office in Minsk and regional organisations in the majority of Belarusian cities.
  - Human Rights House Foundation
  - Legal Initiative – founded in 1996, with the aim to build a rule of law state in Belarus and enhance the legal culture of the population.

  - Belarusian PEN Center (founded in 1989)
  - Francišak Skaryna Belarusian Language Society (founded in 1989)
  - Lev Sapieha Foundation – one of the oldest public Belarusian organizations, established in 1992. The organisation aims to facilitate the process of establishment and development of democratic reforms in Belarus.
  - Supolnasc Center
- Human Rights House Foundation (Norway)
- European Humanities University (EHU) – one of the most important centre of the Belarusian opposition, supported by most of the above-mentioned international donor organizations, operating in Vilnius.
- Fund for Belarus Democracy (FBD) – created by the GMF to directly support Belarusian citizen initiatives.
- European Endowment for Democracy (EED) – connected to the EU's Eastern Partnership project and created in 2013.
- For Freedom Movement – association of Belarusian democratic forces, established by Yury Gubarevich in 2006.
- Centre for European Transformation (CET) – established in 2010 and part of EuroBelarus consortium.
- CASE Belarus (Center for Social and Economic Research Belarus) – established in Warsaw in 2007.
- Institute of Political Studies "Political Sphere" – established in 2009 and operating in Vilnius.
- Belarusian Analytical Workshop (BAW) – established in Warsaw in 2012 by professor Andrey Vardomatsky and providing sociological and political surveys and research ever since.
- Belarus Security Blog – established in 2011 by a group of experts with a mission of analysing the field of national security of Belarus.
- Eurasian States in Transition Research Center (EAST Center) – established in 2016, the researchers are based in Vilnius, Warsaw and Belarus.
- Belarusian Center for European Studies – an organization bringing together researchers and experts, who stand for the European choice for Belarus.
- Ostrogorski Centre – a non-profit organisation dedicated to analysis and policy advocacy on problems which Belarus faces in its transition to market economy and the rule of law
- Center for New Ideas (CNI) – created in 2012 with a goal for political, modern transformation of Belarus.
- Belarusian House – operating in Warsaw, with the mission of coordination of different Belarusian oppositional forces.

Anton Bendarzsevszkij *has MA degrees in History and Media and Communications from University of Pécs, Hungary, while he was also studying Political Science at University of Leicester, UK. Currently Anton is completing his PhD degree at the*

Geopolitical PhD program at the University Pécs. From 2009–2016 Anton was leading the post-soviet department at Kitekinto, Hungarian foreign policy news outlet. Between 2015–2019 he was the director of Pallas Athene Innovation and Geopolitical Foundation (PAIGEO), the organization founded by the Central Bank of Hungary. He was also leading the Foundation's Research Institute, publishing articles and policy papers in the foundation's magazines and website, supporting Hungarian geopolitical research and higher education, and organizing conferences and other academic events. From the beginning of 2020 Anton is writing articles and analyses in the topic of foreign affairs for one of the biggest Hungarian newspaper, Magyar Nemzet and weekly magazine Mandiner. From November 2020 he became the leader of the geopolitical research group at Danube Institute, a Hungarian think tank established in 2013. From June 2021 he was appointed as director of research at Danube Institute. Anton is specializing in the internal- and foreign policy of the post-soviet countries, focusing on Russia, Ukraine and Belarus, in addition to energy security and security politics. He is a regular guest of different international conferences and forums dealing with these topics. Since 2011 he is providing a regular expertise on Hungarian media outlets as the expert of the post-soviet countries. E-mail: anton.bendarjevskiy@gmail.com.

Together, but Still Separated? Migration Policy in the V4 countries[1]

VIKTOR GLIED AND ŁUKASZ ZAMĘCKI

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Abstract: *The migration policies of the V4 countries present many similarities that seem to be the effect of congruent historical and economic determinants. During the migration crisis in 2015–2016, the Visegrad states partially coordinated their political communication using the same communication panels, which strongly impacted domestic political relations. The V4's approach was a refusal of the open-door policy promoted by Germany and Sweden, and the European Union. Our main findings are that the migration crisis strengthened the cohesion among V4 countries, although the source of this cohesion was clearly a populistic stance toward the possible implications of uncontrolled migration (migrants and refugees). This communication style and the resulting political tensions were reflected in the V4 states' resentment based on a sense of shared historical experiences rooted in Central European location and shared experience of the repercussions of communism. In this sense, a strong commitment to the idea of a sovereign nation-state, and a reluctance towards postmodern values are also important factors. This study charts the changes in V4 migration policy since 2015, highlighting the crucial developments in V4 countries' negotiations with the European Union. It also deals with the foreign and domestic effects of the migration crisis and the V4 states' discourse of migration, which was complemented by a debate on the future of the EU that became especially important in Hungary and Poland.*

Keywords: ***Visegrad Group (V4), migration, crisis, populism, European Union***

Introduction

Central argument of this paper is that from 2010 onwards, European co-operation needs to face a complex crisis (Dinan – Nugent – Paterson 2017: 1).

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Instead of politically and economically deepening the Community, we can hear about financial rescue packages, a two- and three-tier Europe, lagging regions, the crisis of liberal democracies, the crisis of legitimacy and democracy in the European Union (EU), axiological crisis, terrorism, the failure of multiculturalism, the rise of populist anti-immigration forces, unrest, and the insufficient degree of the integration of those arriving in the European Union. Although the EU has always experienced progress and development in the wake of crises, one of the most vocal challenges has been the "migration crisis" over the last years. Due to the horrors of the Syrian and Iraqi civil wars, hundreds of thousands of refugees set out for Europe after 2013 in the hope of survival, peace, and a better life. The influx of migrants hit an unprepared EU and as a consequence, divided the whole continent both politically and socially.

Member States have reacted differently to the complex crisis. The European Commission did not take note of migratory pressures for a long time (until April of 2015), while the former socialist countries that joined the EU in 2004 sought to draw domestic political benefits from crisis, sharply criticizing Brussels' hesitation. Migration as a new political topic was pronounced, as European politics and the topic of migration mutually captured each other by the 2010s. Certain political forces have sought to forge political capital out of social concerns caused by increasing migratory pressure and anomalies of cohabitation. Although the issue is exceptionally diverse, politics builds upon the most basic fears, evoking instincts in the European population that lie within the *fear/threat – security – protection/defence* triangle. Therefore, the migrant crisis was quite effectively thematised and securitized by Central European and Balkan governments, creating a complex narrative that provided a parallel reality along with reality and fiction, misrepresentation, and concealment, all in all, a one-dimensional explanation bubble that is an acceptable and traceable interpretive framework for the average news consumer. These explanations focus on the coexistence with Muslims, the relationship between the Islamic religion and Christianity and the compatibility of different cultures. Populist, Eurosceptic, and anti-immigration voices have played a major role in this discourse and their success can be explained by the fact that two or three decades after the democratic transition, indifference, disenchantment, and the overwhelming need for radical reforms pervaded Central European public opinion.

The paper analyses the political debates that have arisen within the European Union concerning the migration crisis that began in 2015, primarily through the political lens of the two "opinion leaders", i.e., Hungary and Poland within the Visegrad Four[2] (Visegrad Countries – V4). It seeks to scrutinize elements of this prolonged debate, examining the ways in which the challenges of migration and integration have risen to the level of the political agenda, and also

2 Poland, Hungary, Czech Republic, Slovakia.

looking at how the V4 countries have defined their positions differently from the core countries of the EU. Furthermore, the study explores the highlights of the migration crisis and the ensuing political discourse, and it seeks to explore how the tension between Brussels and the V4 countries escalated during the complex response of the EU to the crisis.

The debate included, on the one hand, a profound difference in attitude, stating that in 2015 *"who was a refugee in Brussels, a migrant in Budapest and Warsaw"*, and, on the other hand, the leaders of the EU and the V4 states, and occasionally those of Austria and Italy used conspicuously different communication strategies in terms of style and semantics.

Elements of political populism and nationalism, which appeared at the level of both words and actions, were central in their double speak and behaviour. The title of this study, *"Together, but still separated"* refers to the fact that although the Visegrad countries coordinated their positions on mass migration and various other issues (e.g. the crisis in Ukraine and Russia's role in it, or the explosions in the Czech Republic in 2014), there were differences in their reactions to them. In order to understand how and why the debate escalated to the point where it challenged even the future of the whole EU, we must interpret and explain the V4 countries' mentality and political rhetoric of their political leaders. Overall, the paper explores the political rhetoric and discourse used by the V4 states, focusing on the role of Hungary and Poland – the two countries that have gone the furthest in criticizing the way the EU operates.

Theory and practice in the context of V4

As the political steps of the V4 countries and the migration measures of the EU and the V4 have been examined in a number of studies, this paper applies discourse analysis to study the success of the political communication of the V4 governments and, therefore, the success of populism, in different dimensions of reality's interpretations.[3] In this context, the study cannot ignore the elements of populism and nationalism that markedly affected the communication of the V4. The study analyses official government statements and parliamentary debates representing the governments' position during the migration crisis in all V4 countries, and it also examines all joint statements of Visegrad Group. Statements were collected from publicly available databases in the national languages of the V4 states.

As a basic method, we employ the language use and the goal-driven use of symbols described by Murray Edelman (1967). The result of this analysis indicates that this discourse creates a sense of an effective and dynamic Visegrad co-operation instead of a lenient, hesitant and incapable Brussels. We also

3 For an analysis of the legal aspects and the tensions between EU law and national laws of the V4, see Mohay 2021 in this volume.

relied on Harold Lasswell's (1949) work on the language of politics, Kenneth Burke's (1969) study of political action, and Erwin C. Hargrove's (1998) narrative analysis, in which he examines elements of reality explanations. Overall, our study finds that the fundamental semantic element of the discourse of V4 countries was the need to protect the Central European population from the effects of the mass migration of different religions and cultures. While invasion and mass migration are the so-called *dangers* (Karyotis, 2012), the word *protection* builds on people's need for security and their instinctive fear which among the population of the region – especially in Hungary and Poland – are embodied in a high degree of xenophobia (Szalai – Gőbl 2015). These fears indicate the importance of preventive action for the public, thereby legitimizing the actions of a proactive party. The V4 governments' appropriation of the definition of actors involved in the migration process, and the creation, shaping and transmission of their own narrative, are also part of the discourse building all elements around the concepts of *threat and security* (Balzaq 2011). It is worth noting that according to Pew Research Center polls, both nations – Hungarians and Poles – were among the most concerned societies in Europe, afraid that an influx of refugees will increase the likelihood of terrorism and therefore it is a significant threat to their country.[4] In connection with border protection and building a fence, the Hungarian government's discourse was partly based on the historical concepts of "Hungary, the Fortress of Christianity" and the "Bastion of Europe" (Pap – Reményi 2017: 240; Pap 2020: 149), which are strongly present in Hungarian political thinking and can add visual elements through well-known novels and films, and by creating a cognitive connection with maps, statistics and figures (Allen 2007). One can observe a similar narration in Poland – Poland's mission is to uphold the Christian foundation of society (Jarosław Kaczyński speech on 10 November 2019[5]) and immigrants bring diseases (Jarosław Kaczyński speech on 12 October 2015[6]) among other threats (Jarosław Kaczyński speech on 16 September 2015[7]).

All this is perfectly in harmony with the Copenhagen School's securitization model, which identifies migration as a threat and a security challenge (Buzan – Wæver – Wilde 1998). Official Hungarian narratives deliberately build on the

4 Poushter, Jacob (2016): European opinions of the refugee crisis in 5 charts, Pew Research Center: available at https://www.pewresearch.org/fact-tank/2016/09/16/european-opinions-of-the-refugee-crisis-in-5-charts/ (12th December 2016)

5 Prończuk, Monika (2019): Kaczyński: Poland has a "historical mission" to support Christian civilization, Notes from Poland: available at: https://notesfrompoland.com/2019/11/12/kaczynski-poland-has-historical-mission-to-support-christian-civilisation/ (10th November 2019)

6 Cienski, Jan (2015): Migrants carry 'parasites and protozoa,' warns Polish opposition leader, Politico.eu: available at https://www.politico.eu/article/migrants-asylum-poland-kaczynski-election/ (2nd January 2016)

7 Sejm Rzeczypospolitej Polskiej. (2015): Sprawozdanie Stenograficzne z 100. posiedzenia Sejmu Rzeczypospolitej Polskiej w dniu 16 września 2015 r., available at https://orka2.sejm.gov.pl/StenoInter7.nsf/0/A8CA0F4060DE3B1CC1257EC200722812/%24File/100_a_ksiazka.pdf (11th January 2016)

previously mentioned background knowledge of society. The Hungarian Prime Minister calls himself a "captain general of the borders" fighting the Ottoman armies, defending not only Hungary but also Germany and, in general, the Christian world against "Muslim invasion". In Polish right-wing parties' narratives, Poland is a defender against threats coming from "the expansion of other cultures," and it is symptomatic that during debates about immigration and the refugee crisis, the figure of king Jan III Sobieski, who stopped the Ottoman invasion at Vienna in 1683, is recalled.[8] The Slovak party SMER, in power during the migration crisis, used the slogan "We protect Slovakia" in the election campaign, and politicians in both Slovakia and the Czech Republic linked the issue of migrants with terrorism.

Communication did not lack elements of populism. There have been extremely effective arguments against migration, blurring the concepts of legal and illegal; of irregular and mass migration; and of refugee and economic migrant. Populism, populist rhetoric, and populist political attitudes serve extremely diverse purposes: fundamentally mechanisms of the technology of power. Populism dominates the agenda with its themes, subordinating everything to political communication. It creates and shapes alternative narratives, taking a series of tactical steps that build on the fury, frustration, resentment, or even the "people's" need for revenge (Müller 2016). Eatwell and Goodwin have a similar view (2018: 8), saying that populist leaders like Viktor Orbán profess in their rhetoric that they want more democracy, more power to the ordinary people, however, they introduce a new approach to democratic values (i.e. "illiberal democracy") and multiculturalism, arguing that real democracy means that we, Christian Europeans preserve and protect our culture, our religion and our civilizational achievements. From this point of view, the term "liberal" indeed includes everything that causes democracies to gradually lose the support of the population. Eric Kaufmann (2019: 226–227) asserts that the mass migration flow that began in 2014 gave a significant boost to populist parties[9] (as well as mindset), and these parties were able to build a complete political-economic crisis around the existing migration phenomenon, thereby exploiting a pre-existing concern that strained European host societies below the surface of political correctness.

8 Sejm Rzeczypospolitej Polskiej. (2015): Sprawozdanie Stenograficzne z 100. posiedzenia Sejmu Rzeczypospolitej Polskiej w dniu 16 września 2015 r., available at https://orka2.sejm.gov.pl/StenoInter7.nsf/0/A8CA0F4060DE3B1CC1257EC200722812/%24File/100_a_ksiazka.pdf (11th January 2016).

9 Various studies show the probable impact of the migration crisis on the increase in support for radical right-wing parties in Europe, possibly due to its media coverage, and, to a lesser extent, increased personal exposure and interactions of Europeans with immigrants – cf. e.g.: Barone, Guglielmo – D'Ignazio, Alessio – de Blasio, Guido – Naticchioni, Paolo (2016): Mr. Rossi, Mr. Hu and Politics. The Role of Immigration in Shaping Natives' Voting Behavior. Journal of Public Economics 136(C): 1–13; Halla, Martin – Wagner, Alexander F. – Zweimüller, Josef. (2017): Immigration and Voting for the Far Right. Journal of the European Economic Association 15(6): 1341–1385; Steinmayr, Andreas. (2020): Contact versus Exposure: Refugee Presence and Voting for the Far-Right. The Review of Economics and Statistics: 1:47.

Our study draws on Canovan's (1999) definition of populism as a content-wise incomplete set of reactions to perceived or real events that affect basic emotions, which are simply articulated, aimed at polarization and political gain. All of this is heavily imbued with an exclusionary identity politics, the creation and use of the distinction *We* and *Them*, whereby populists constitute the people, the nation, and anyone who expresses a different opinion is simply not part of the group, but part of a fallen political elite, potentially an alien and a traitor (Bayer 2008:42). According to Taguieff (1995), the emphasis is on the image of the people "endangered by a stranger" and on a critical and radical anti-elitism. These elements of populist rhetoric all appeared in the discourse of V4 governments in some form.

East and West both "respond" – Similarities and differences in communication

From the end of 2014, a wave of hundreds of thousands of migrants reached the Balkan states and Hungary. People from various regions of Asia and Africa, but mainly from Syria, Iraq, and Afghanistan, migrated towards Western Europe via Turkey, Greece, Macedonia, Serbia and Hungary. It is estimated that more than 1.5 million people made their way to Europe via the Balkans (Glied 2020). According to the statistics of Hungarian authorities, 132.000 people were registered to cross the border by 31 August 2015, but according to the police's statistics, many more, almost 400.000 people crossed the Hungarian-Serbian, Hungarian-Romanian, and Hungarian-Croatian borders by September 2015 (Glied – Pap 2016).

The issue of migration, complemented by related topics such as the coexistence of different cultures, has dominated the European political agenda since the early spring of 2015. Recognizing the potential for instant political profit, large-scale politics deftly positioned the migrant crisis and created additional interpretations alongside already existing ones, causing a revival of the debate on immigration and terrorism. Instead of preparing for and dealing effectively with the problem, there was a communication battle that intrinsically blocked rational initiatives and an honest dialogue at a European level.

However, the influx of migrants in the Balkans and Central Europe posed a severe problem of overburdening national and EU level asylum systems. The principle of the European community's migration policy had long been characterized by solidarity. However, as a result of the accelerated and intensified migratory pressures at the turn of the 20th – 21st century, member states often lacked shared commitment, fair "burden-sharing," and cost-sharing for border control. The EU should have developed a common, forward-looking, and effective migration policy capable of strengthening co-operation between member states and mitigating the challenges posed by immigration at the beginning of

the 2000s, but this did not happen (Glied 2020). Experts and politicians argued against creating a common immigration policy claiming that migration should remain primarily a nation-state competence, as immigration is geographically unevenly distributed within Europe and has different social and economic effects that Community policies cannot address.

The migration crisis of 2015–2016 deeply divided European public opinion. Fault lines emerged to various extents among European core states, however, most markedly between Central and Eastern European countries that joined the EU in 2004 and Western European states (Trauner 2016). A group has emerged within the EU that has developed its own proposals and called for alternative migration and asylum policies. The Visegrad Four coordinated their positions along their shared challenges. The obvious differences in migratory pressure became blurred, and the intention to curb massive, irregular, and illegal migration already brought short-term political benefits, especially domestic ones. Among the sharp critics of EU crisis management, the Hungarian government was at the forefront, criticizing the slowness of Brussels' decision-making and urging effective protection of the Community's external borders. It has become clear that the debate over the management of migration goes beyond this issue, and it is evident that there must be an honest and comprehensive discourse on the functioning of the European Union and the future of the Community. The discourse on migration and coexistence is constantly gaining new momentum due to terrorist actions, the rise of populist anti-immigration parties, tensions between newcomers and host societies, and the apparent failure of multiculturalism.

The migration crisis has triggered politically motivated action on two levels, and it has also created a new narrative (Bauerová 2018: 113–114). One level of political action is the strengthening of the cohesion of V4 countries who have a history of nearly 700 years of co-operation. The crisis created political goals that helped the group to define themselves and create a common political will. Another level of political action is the ongoing debate between the V4 countries and the EU, with the V4 countries' argument for the need to protect common values such as Christianity and the sovereignty of states. Researchers (Hanley, 2012; Stępińska et al. 2017; Naxera 2018; Havlík 2019; Naxera et al. 2020) agree that the governments of the V4 countries (ANO2011, Smer-SD, Fidesz-KDNP, Law and Justice (PiS)) began to use similar elements in their communication after 2015 with similar political success.

Looking for common features of the Central European political attitude, we can define three discursive segments:

1. *Ideological determination:* a sense of shared historical experiences including the difficulties of being a Central European state (existing between two empires), the communist past, the regime change and the difficulties of subsequent periods (frustration stemming from the sense of "being a loser") (Krastev 2007:62);

   a. feelings of revulsion against national minorities (Roma minority, Hungarian minority, German minority, etc.);
   b. the decline of liberal democracies unable to provide answers to challenges, and as a result, a need for a new, alternative direction.
2. *Communication style featuring particular markers of populism and demagogy:* themes include the will of the people as opposed to the technocratic elites of Brussels and forces that control them (George Soros and NGOs aided by foreigners supporting/helping migrants; migrants in Budapest and Warsaw, refugees in Brussels) (Kacziba 2020);
   a. the protection of common European values and Christianity; the impossibility of harmonious coexistence with other religions and civilizations, especially with Islam;
   b. the EU's democratic deficit – "the decisions are made over our heads";
   c. common European solutions that are effective but respect national sovereignty (Bauerová 2018:101).
3. *The nature of the discourse:* one-sided, addressed directly to and referring to the people; it is characterized by doublespeak, in other words, politicians communicate different content for their citizens and EU forums;
   a. Simplified messages and a proactive, competent attitude that can be interpreted within the threat – danger (migration, migrants) – security – protection (government, state) matrix (Glied 2020).
   b. V4 governments prefer to use the word "crisis" in their communications, which the media also adopted (Pachocka 2016:102).
   c. On the one hand, this has been applied to the phenomenon of mass migration, i.e. an influx of refugees at Europe's borders, and, on the other hand, to the structural problems of the EU, which have also raised questions about the Community's future.

This discourse has gradually created parallel communication dimensions. The gap between the position of Western and Eastern European states is defined by significant historical and cultural differences resulting in distinctly different political thinking. Summarizing the historical events and political attitudes behind these differences, we can identify several fault lines that determine the European perception of mass migration, the interpretation of the problem itself, and the nature of the proposed solutions.

1. Colonization and the maintenance of the colonial system in the 19th and 20th centuries meant an almost infinite amount of raw materials and labour at a low price for France, Great Britain, Belgium, and the Netherlands.
2. Rejection of the inclusive and open Willkommenskultur mainly represented by Germany and the selective migration sacrificed on the altar of solidarity.
3. Rejection of the compulsory refugee relocation mechanism/scheme, in other words, the *quota*.

4. Strengthening the external border protection of the European Union, rethinking contradictory agreements of border protection, law enforcement, migration and asylum-seeking that are dysfunctional in a crisis, putting the common European migration policy on a new footing.
5. Rejection of the new EU migration pact and the solidarity advocated by Brussels.

In order to understand the significant differences in opinions, we must first explore the attitudes that have defined the successful Eastern European policy of the rejection of migration and migrants. What we are interested in is the ways in which a topic not traditionally present in Central European political discourse could become a defining domestic political element and part of public discourse through political communication. Some elements of this topic are common in all V4 countries, while others can be interpreted exclusively in Hungarian and Polish relations. In this study we deal with the latter.

According to Strnad (2018), the V4 countries showed an unprecedented unity during the migration crisis, which signifies a common identity, a common political orientation. All this stems from their perceived common historical ordeals and from being stigmatized by Western member states of the EU who criticise the V4's policies for not respecting the rule of law and for being toxic, illiberal, nationalist, prejudiced and Eurosceptic. Since the beginning of the crisis, the political attitudes of the Visegrad countries have changed several times, which is reflected in the fact that they have been variously called V2 + 2 (the Czech Republic and Slovakia + Poland and Hungary) and V3 + 1 (referring to Slovakia's unique, individual policy).

Kořan (2012) points out that V4 co-operation stems primarily from the fact that the EU made decisions about foreign policy issues concerning them without consultation, thus the migration crisis created an opportunity for real joint action. It was also an important aspect that Hungary, located on the migratory route, played a more significant role than its real political and economic weight would allow both in the protection of the external borders of the EU and in influencing other Visegrad countries. A related analysis also revealed that Brussels did not welcome any dissenting opinions, complaining that the "new" entrants of Eastern Europe are interested in maintaining rather than resolving the crisis through constructive solutions. It was also suggested that the tone of Poland and Hungary is unacceptable to Brussels, and that the two countries' offensive and arrogant language use sets back real debates rather than advancing them. The Czech Republic and, most importantly, Slovakia, however, used less harsh terms and were open to agreement. Brussels argued that the V4 co-operation is only temporary, based on a specific topic with no common ground other than the rejection of migrants. However, the leaders of the Visegrad countries have repeatedly emphasized that their joint action is guided not only by fictional aspects but also by very real political goals, even

if they envisage achieving them differently. Their intention was clear: to change their role of a policy taker who follows the decisions taken in Brussels for the role of a policy shaper whose voice and requests are taken into account.

Political success is influenced by several factors (FitzGerald et al. 2019: 8), and the relevant literature defines two basic areas/groups of such factors. One area is related to political effectiveness, i.e., what a political entity manages to accomplish compared to its original goal (McConell 2010; Elster 2015). In our case, political success means the efficiency and effectiveness of political communication regarding domestic political goals (increasing the popularity of governing parties and dominating public discourse), i.e., making the issue of migration an important part of the political agenda. On the other hand, political success also means the strengthening of the pressure group of the V4 countries within the EU to offer an alternative and a reference point for other countries, and to be able to influence community policy, forcing it to change.

Changes in V4 migration policies

The Trends of Visegrad European Policy project,[10] which sought to reveal the changes taking place in 2015–2016 using an online survey, helped unravel the changes in the V4-EU relationship. Responses showed that the majority of the V4 countries had the impression that the EU and Germany, in particular, were responsible for the escalation of the migration crisis. Responses also revealed an East-West fault line, the differences in the policies of the old member states and Central European countries, and a network of relations in which the Czech Republic and Slovakia form a pole more committed towards Germany, while Hungary and Poland are more interested in strengthening V4 co-operation, although they all see Western European countries as their partners. Except for the Slovak respondents, the populations of the other three countries were dissatisfied with their country's ability to assert their interests within the EU.

In order to interpret properly the migration and asylum policies of the Visegrad countries, we find it worth examining the volume of migratory pressures. Hungary is located on the so-called Balkan (or Eastern Mediterranean) route, which was exposed to high levels of Asian and Middle Eastern migration, while Slovakia and the Czech Republic are not directly transit states. In Poland, refugees mainly from the Ukrainian crisis sought refuge. This can be traced in the number of applications for asylum filed in 2015[11] and 2016[12].

10 Dostál, Vít – Végh, Zsuzsanna (2017): Trends of Visegrad European Policy. AMO, Prague, Konrad Adenauer Stiftung. https://trendy.amo.cz/trendy2017/home (14th November 2018).

11 Asylum in the EU Member States. https://ec.europa.eu/eurostat/documents/2995521/7203832/3-04032016-AP-EN.pdf/790eba01-381c-4163-bcd2-a54959b99ed6 (Downloaded 21th November 2020).

12 Asylum applicants in the EU. https://ec.europa.eu/eurostat/news/themes-in-the-spotlight/asylum2016 (2nd January 2021).

Table 1: Number and changes in numbers of applications for asylum (2015–2016) (Expressed in percentage in 2015)

Number of applications for asylum	2015	Change compared to 2014 (%)	2016
Hungary	174 435	+323	28215
Slovakia	270	+18	100
Czech Republic	1235	+31	1200
Poland	10 255	+83	9780

Source: Eurostat, 2016. Asylum in the EU Member States Record number of over 1.2 million first time asylum seekers registered in 2015 – Syrians, Afghans and Iraqis: top citizenships. https://ec.europa.eu/eurostat/documents/2995521/7203832/3-04032016-AP-EN.pdf/790eba01-381c-4163-bcd2-a54959b99ed6 (17 March 2019)

Following the catastrophe on the Mediterranean Sea on 19th April 2015, which caused the death of hundreds of North African migrants, the European Commission declared a refugee crisis, focusing on the need for all EU member states to play a part in dealing with the influx of refugees. A relocation quota was first mentioned then, which would have distributed a total of 60.000 asylum seekers among EU member states, considering the host country's GDP, population and unemployment rate. The European Commission then swiftly adopted on 13 May 2015 a document to manage the crisis caused by mass migration. The *European Agenda on Migration*[13] has identified four areas where specific action is needed. Western and Eastern countries of the EU agreed that it is necessary to identify and reduce the causes of illegal migration, and to protect the external borders. There has been, however, serious disagreement in terms of assistance, asylum and migration policy, which has led to incompatible positions over time. The first debate took place immediately after 27th May, with the EC launching its first act to manage the migration crisis, including the urgent relocation of 40.000 beneficiaries of international protection from Italy and Greece and 20.000 from outside the EU.[14]

Important decisions were made at the EU summit on 25–26 June 2015[15] in order to manage the migratory pressure, but Donald Tusk, President of the European Council and Angela Merkel, Chancellor of Germany, saw the enforcement of a mandatory relocation (distribution) quota as the key to the solution, even though the problem escalated beyond the need to accommoda-

13 A European Agenda on Migration. Brussels, 13th May 2015. https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/communication_on_the_european_agenda_on_migration_en.pdf (12th December 2015).

14 European Commission makes progress on Agenda on Migration. https://ec.europa.eu/commission/presscorner/detail/en/IP_15_5039 (3rd October 2016).

15 European Council, 25–26 June 2015. https://www.consilium.europa.eu/en/meetings/european-council/2015/06/25-26/ (3rd March 2017).

tion of a few tens of thousands of asylum seekers. While the adoption of the quota met with serious resistance – Hungarian Prime Minister Viktor Orbán called it downright insane – heads of state and governments agreed that the solution would be to help end the civil war in Syria and Libya thus solve the problems that triggered mass migration in the first place. During the summer of 2015, more migrants arrived in the Balkans and Hungary via Greece than ever before. That year, Hungary received the second largest number of applications for asylum, only second to Germany (441.800), but if we compare the number to the country's population, Hungary also preceded Sweden, Austria, Finland, and Germany. Thus, it is not surprising that the most heated dispute erupted in Hungary and between Hungary and the EU.

The emerging individual policy of the V4 countries took shape during May--June 2015 in joint statements and programmes (Juhász 2018: 34). A summit closing the Slovak Presidency of the V4 countries was held in Bratislava on 19th June 2015, where Prime Ministers made the Bratislava Declaration,[16] criticizing the European migration strategy, emphasizing that the planned strategy does not take into account the interests of all EU member states, their diverse geographic challenges, the migratory pressure along the Balkan route, and the difficulties posed by the mandatory nature of the relocation mechanism (quota).

At their extraordinary summit in Prague on 4 September 2015, the V4 heads of government clarified their position on the migration crisis. The joint statement[17] emphasized that the migration crisis was a European problem that needed to be addressed at a European level. They added that in order to avoid maritime accidents resulting in the deaths of thousands, the problems of refugees must be resolved at the original source of the problem, but at the same time, the protection of external borders must be strengthened. The Czech Republic, Slovakia and Poland pledged solidarity to Hungary, a country exposed to the highest migratory pressures. The Czech Republic and Slovakia expressed their willingness to provide a railway corridor for migrants passing through Hungary to Germany. Viktor Orbán emphasized in several statements that a common and acceptable solution to the migration crisis must be found. This was reaffirmed at the V4 Summit in Prague on 3rd December[18] where participants drew attention to the ineffectiveness of common policies and the fact that the Schengen Convention became dysfunctional. At the meeting, the possibility of creating a so-called "mini-Schengen" arose, with the participants stressing that this does not serve the European integration.

16 Bratislava Declaration of the Visegrad Group Heads of Government for a Stronger CSDP, 19 June 2015 in Bratislava, http://www.visegradgroup.eu/calendar/2015/bratislavadeclaration (13th May 2018).

17 TRUST. Joint Statement of the Summit of Heads of Government of the Visegrad Group Countries. https://www.visegradgroup.eu/download.php?docID=279. Prague, September 4, 2015. (2nd August 2017).

18 Joint Statement of the Visegrad Group Countries, Prague, 3rd December 2015, http://www.visegradgroup.eu/calendar/2015/joint-statement-of-the-151204 (17th October 2017).

Migrants entered the Schengen zone without hindrance before the completion of the 175 km long fence system (border barrier) on the Hungarian-Serbian border (15th September 2015), and before strengthening the Bulgarian fence and introducing stricter border protection measures in Macedonia. However, after restrictive measures were introduced, migration flow shifted towards less resistance on the roads towards Romania, Croatia, Slovenia, as well as Italy. Authorities were unable to enforce immigration rules; the masses passing through the Balkans and Central Europe wanted to reach Western Europe (mainly Germany), even people who had been granted asylum in one of the countries mentioned above wanted to leave as soon as possible (Glied – Pap 2016).

At the end of the summer of 2015, Central European/Balkan and Western European political positions and rhetoric on the future of migrants became radically divided. In the spirit of traditional political correctness, Western politicians focused on solidarity and common solutions, while front-line countries demanded the halting of migration, easing pressure, and closing the borders. The European Commission presented its second package of proposals on 9th September 2015 to alleviate the crisis. The package required the distribution of 120.000 refugees (plus those 40.000 people who entered in May) to be resettled urgently.[19] The failure of the plan was signalled by the fact that by the end of 2016, only a few thousand people had been relocated. The Commission raised the idea of a hotspot system (controlled border crossing points) to be set up in the front-line countries during September and October, thus speeding up asylum procedures.[20] Angela Merkel and other Western European leaders spoke about the humane treatment of refugees and solidarity within the EU, while Viktor Orbán called for immediate action and summarized his plan at the end of September[21]: common border protection, a system of selective immigration, partnership with sending and transit countries. The reception of the package was ambivalent in European political circles. It became clear that the crisis could not be resolved without Turkey, and it was also clear that Greece, Italy and Hungary needed help to strengthen the EU's external borders.

Of the many meetings and conferences held between 2015 and 2021, and of the packages of measures and the proposals aimed at resolving the refugee crisis, only a few provided real answers. One of them was the commitment of the EU's member states to increase their political and financial role in curbing migratory flows through Turkey to the European Union. The EU committed € 3 + 3 billion to Turkey to improve the situation of the large number of refugees

19 Migrant crisis: EU ministers approve disputed quota plan. 2015. 09. 22. https://www.bbc.com/news/world-europe-34329825 (17th January 2016).

20 Refugee Crisis: European Commission takes decisive action. http://europa.eu/rapid/press-release_IP-15-5596_en.htm (22nd January 2016).

21 Index. Megmagyarázzuk Orbán 6 pontját. 23. 9. 2015. https://index.hu/belfold/2015/09/23/megmagyarazzuk_orban_6_pontjat/ (27th December 2015).

in the country. Another such step was the building of the fence system on the Turkish-Bulgarian, Turkish-Greek, Macedonian-Greek and Hungarian-Serbian borders, which physically slowed down the transition of illegal migrants. Viktor Orbán said that he did not like the idea of the border barrier, but as long as there is no better solution, it will stay there. Even left-wing representatives acknowledged that the Hungarian government's communication regarding migration was so dominant that it created a sense that only a political communication distant from European values can bring political benefits.[22] Important elements of their communication included Brussels' impotence in connection with migration; the failure of an inclusive and integrative political attitude, and the dangers of the coexistence with the Islamic religion.

The quota and the deepening of the crisis

The quota was the proposal that defined the political agenda for the longest period. Hungary did not make an official offer to take in those entitled to asylum (1294 people). Poland was also reluctant and finally rejected the quota (5082 people). The Czech Republic (1591 people) made the same decision, taking over 12 people from Greece (Juhász 2018:36). In June 2017, the EC initiated an infringement procedure against these three Visegrad countries. Although Slovakia also rejected the quota and, like Hungary, challenged the Council's decision, it agreed to relocate 16 people. The tone of Bratislava, holder of the rotating EU presidency in the second half of 2016, was moderate and Slovakia showed willingness to compromise and implement measures of solidarity within other versions, but jointly. V4 proposed the option of a so-called effective (flexible) solidarity, which would make solutions dependent on the size of the influx of migrants.[23] Essentially, each member state could choose the way in which it would contribute to a common European settlement: either opting for a financial contribution, intensified border assistance, or the taking in of refugees. A statement to this effect was adopted on 21st November 2016 by the Interior Ministers of the V4 countries in Warsaw,[24] but the initiative was rejected by the majority of EU countries including Malta holding the rotating presidency at the time.

One of the priorities of the V4 countries was the protection of external borders, but it was emphasized from the outset that this could not be imagined without controlling and regulating mass migration. To this end, it was consid-

22 Lengyel Tibor: Ilyen áron nem akarok választást nyerni. https://www.origo.hu/itthon/20151112-lendvai-ildiko-mszp-kovacs-laszlo-tisztujitas-osszefogas-menekultek-valasztas.html (4th February 2019).

23 New Pact for Europe. National Report, Slovakia, 2017. Slovak National Reflection Group. https://www.newpactforeurope.eu/documents/NPE-FINAL-report-Slovakia-online-version.pdf?m=1512482527& (11th April 2018).

24 Joint Statement of V4 Interior Ministers on the Establishment of the Migration Crisis Response Mechanism. In Warsaw, November 21, 2016. https://www.visegradgroup.eu/calendar/2016/joint-statement-of-v4 (2nd May 2017).

ered necessary to set up and coordinate a hotspot system, which would have been operating in the countries of origin and distribution, and as a second-level filter at the EU's external borders to determine whether a migrant is eligible for asylum or not. By 2015–2016, the Balkan corridor had been stabilized, and in January 2016, the idea of launching a co-operation program with Macedonia and, through Frontex with Greece was raised. The program included mutual assistance in border protection and counter-terrorism.[25]

Within the European Union, the Visegrad countries took similar political positions on the migration crisis, while Austria, Slovenia and Croatia also agreed with them merely on certain issues. The political communication of these governments was partly similar, and like Hungary, they also exploited the refugee crisis in their domestic party politics. At the same time, these countries differed on a number of important issues, such as their individual relationship with the European Union, the implementation of certain Community policies, or the assessment of Russia's growing influence in the region.

By the summer and autumn of 2016, Hungarian communication on migration policy – and the Hungarian Prime Minister himself – had become a point of reference for European radical-populist parties. The Dutch, French, German and Austrian elections were approaching, and anti-immigration parties' potential coming to power – which the Hungarian Prime Minister openly hoped for – became an important issue. Anti-immigration and anti-Brussels communication panels, complemented by the theory of networks funded by George Soros transporting refugees to Europe, also appeared in the Macedonian, Romanian, Croatian, Serbian, Slovak, Czech, Polish and Moldovan political rhetoric.

The crisis also affected Austria. After some hesitation, Vienna announced in January 2016 that it would tighten its border control. Chancellor Werner Faymann said his country would temporarily suspend the Schengen Agreement, and would check all those crossing the border and reject economic migrants. However, this was no longer enough for Austrian voters. With a change in party preferences and the 2017 election victory of Sebastian Kurz and the Austrian People's Party, a centre-right, highly immigration-critical party came into power in a Central European country fully committed to the West. Chancellor Kurz's views on migration issues were very similar to those of the Hungarian government. Austria's situation, however, differs from the Visegrad countries and thus from Hungary in that more than 700.000 immigrants live in Austria, who have a serious social weight and thus waging a virtual war against them can pose a real political risk.[26]

25 Joint Declaration of Ministers of the Interior. Meeting of Interior Ministers of the Visegrad Group and Slovenia, Serbia and Macedonia. 19. 1. 2016. https://www.visegradgroup.eu/calendar/2016/joint--declaration-of (26th November 2017).

26 It is also an important factor that Vienna has traditionally paid more attention to Berlin than to the Visegrad countries regarding political and economic issues.

As the debate on the mandatory resettlement quota remained on the agenda in Brussels, on 15th April 2016, the Hungarian Prime Minister announced another ten-point Action Plan in Lisbon called "Schengen 2.0".[27] Just as in the previous package, a number of proposals were clearly unacceptable to the majority of the member states, thus, once again, we must consider the initiative primarily a means of communication. This time, Hungary was not alone since Slovakia also announced that it would try to prevent the implementation of the refugee quota through legal measures. From this campaign, the Hungarian government expected domestic political reinforcement, which could be successfully communicated on the European stage as well.

More efficient management of migration, harmonization of asylum procedures and the unification of standards determining the conditions of admission are constantly on the agenda in the European Union. The *Second Amendment to the Migration Package* published in July 2016[28] was immediately rejected by the Visegrad countries, who feared it would abolish member states' competence on various issues and would ignore social attitudes and customs regarding immigration policies as well as differing asylum regulations. The proposal continued to include the unification of the relocation system, which was in itself sufficient to strengthen the unity of the protesting countries. It is not a coincidence that the proposal never reached a serious stage of negotiation due to the resistance of the V4 countries, although the issue remained on the agenda.

While in 2015 the V4 countries voted in favour of a common European solution, stressing the need to address the problems where they arose and uniformly rejecting the mandatory relocation quota, the 2016 Warsaw Summit strengthened the critical tone of the Visegrad countries, and their communication focused prominently on the inevitable internal reform of the European Union. According to Viktor Orbán, *"in the field of fundamental values – such as national traditions, Christianity, security – there has already been an agreement among the Visegrad countries."*[29] At the same time, it is revealing that there was no mention of Russian-Central European relations, which were treated as a sensitive topic.

At the Central European Summits in March and June 2017, the previously drastically different positions of the V4 countries and Western European member states started to get closer, and the negotiations took place in a much calmer atmosphere. Viktor Orbán stated that *"it is not easy to be a good European as a Central European, as the countries of the region have different historical heritage*

27 Orbán will tour EU capitals with his K'Schengen 2.0' plan. 2016. 04. 18. http://www.euractiv.com/section/justice-home-affairs/news/orban-will-tour-eu-capitals-with-schengen-2-0-plan/. (1st February 2018).

28 COM(2016) 468 final 2016/0225 (COD) Proposal for a regulation of the European Parliament and of the Council establishing a Union Resettlement Framework and amending Regulation (EU) No 516/2014 of the European Parliament and the Council. European Commission, Brussels, 13rd July 2016.

29 Orbán: Az EU drámai helyzetbe jutott. [EU got in a dramatic situation] 2016. 07. 21. https://mno.hu/kulfold/orban-az-eu-dramai-helyzetbe-jutott-1353019, (14th January 2018).

and different instincts on several issues, and different traditional values".[30] These thoughts refer to earlier statements of the Hungarian Prime Minister, in which he drew attention to the fact that Central European countries had never had a colonial empire, so throughout history they did not have to face mass immigration of different religions and cultures, therefore, they did not commit colonial crimes, unlike some Westerner countries that may feel a historical remorse. Budapest continued to oppose the introduction of the quota, but other Central European leaders also took a similar stand. The Polish Prime Minister Beata Szydło stated on 28th March 2017 that *"Eastern EU member states will never accept the dictates of Brussels and will not give in to extortion."* The Czech Prime Minister also firmly refused to link discussions of resolving the migration crisis with the disbursement of EU funds. The Slovak Prime Minister Robert Fico stated, *"This is blackmail that the Slovak government rejects."*[31] In response, on 13 June 2017 the European Commission initiated legal action against Hungary, Poland and the Czech Republic after the three Central European countries refused to implement EU decisions on the compulsory distribution of refugees.[32] The EC decided to initiate the infringement procedure after the Visegrad countries announced that they would not implement the 2015 refugee quota agreement. In September 2017, the Court of Justice of the European Union dismissed the action brought by Hungary and Slovakia for the annulment of the second quota resolution. Hungary claimed that the migration crisis could not be resolved but only postponed by relocation quotas. The biggest tension was still caused by the question of the quota. Hungary continued to maintain its position that *"Westerners want to get rid of their unwisely admitted migrants by distributing them among countries that have defended themselves and not allowed them in, such as Hungary"*.[33] Viktor Orbán responded to the steps taken by Brussels on 22 June 2017 during the EU summit. The main topic of the two-day meeting was the management of illegal migration. There was a consensus among member states on the need to protect the EU's external borders and to stop illegal immigration, and to work together with sending and transit countries.[34]

30 Orbán: nem könnyű jó európainak lenni. [It is not easy to be a good European] 9. 3. 2017 https://mno.hu/belfold/orban-nem-konnyu-jo-europainak-lenni-1389465, (17th January 2018).

31 EURACTIV. Visegrád Four slam 'blackmail' by Brussels on migrants. https://www.euractiv.com/section/justice-home-affairs/news/visegrad-four-slam-blackmail-by-brussels-on-migrants/ (2nd January 2018)

32 EU opens sanctions procedure against Hungary, Poland and Czech Republic over refugees. 13. 06. 2017 http://www.euractiv.com/section/justice-home-affairs/news/eu-opens-sanctions-procedure-against--hungary-poland-and-czech-republic-over-refugees/ (18th March 2018)

33 Orbán beszólt Macronnak. [Orbán teases Macron] 22. 06. 2017. http://www.napi.hu/magyar_gazdasag/orban_beszolt_macronnak_videoval_.642203.html. (15 March 2018)

34 Az EU-csúcs legnagyobb eredménye az unió védelmi dimenziójának erősítése. [The biggest achievement of the EU summit is the strengthening of the Union's defense dimension.] 2017. 23. 06.2017. http://www.kormany.hu/hu/a-miniszterelnok/hirek/az-ules-legnagyobb-eredmenye-az-unio-vedelmi-dimenziojanak--erositese (26th March 2018).

It is still unclear what the future of the quota will be but the argument that the mandatory relocation mechanism has failed has repeatedly appeared in the communications of the Hungarian, Polish and Slovak governments. In October 2018, the question of the quota re-emerged, and Angela Merkel said she was unaware of a solution that would permanently abandon the system of mandatory relocation, although Donald Tusk quasi admitted that the mechanism would not be enforceable.[35] Sebastian Kurz argued that mandatory solidarity should be strengthened, which would entail the allocation of EU funds to the joint protection of external borders.

Pact on Asylum and Migration – A possible solution, but for what purpose?

In the absence of agreement, on 23rd September 2020 the Commission presented a new Pact on Asylum and Migration[36], which promised better and faster procedures throughout the whole system and attempted to strike a balance between solidarity and a fair distribution of responsibilities among member states. The draft recognizes that the current migration system is not working and that a predictable and reliable migration management system is needed. An important part of the pact is the pre-accession screening of those wishing to enter the EU, as well as the introduction of health and safety checks and fingerprinting with fast procedures on the borders. The second pillar is the fair sharing of responsibilities and solidarity, i.e., member states must act responsibly and in solidarity with each other. In the event of migratory pressure, each member state is obliged to provide their share of solidarity, that is, a so-called flexible contribution from member states. In addition, the EU will seek mutually beneficial partnerships with third countries and speed up the return system and related legal procedures. The latter is an important element, as in seven out of ten cases the migrant turned out not to be entitled to reside in the territory of the EU.

What divides the member states more than anything is the relocation mechanism in any form. While the Visegrad countries, Austria, Slovenia and the Baltic states reject any kind of quota, the Mediterranean countries would make it compulsory to distribute refugees, and the core states would like to break the deadlock and push for a compromise that could be an effective solution. The V4 countries insist that migration should be handled outside the EU and that in

35 Barigazzi, Jacopo – Herszenhorn, David M. (2017): Tusk to ask EU leaders to declare mandatory refugee quotas 'ineffective'. Politico. 7 December 2021. www.politico.eu/article/donald-tusk-to-ask-eu-leaders-to-declare-man-datory-refugee-quotas-ineffective/ (4th November 2019).

36 COM(2020) 609 final. European Commission. Migration and Asylum Package: New Pact on Migration and Asylum documents adopted on 23rd September 2020. Brussels. https://eur-lex.europa.eu/legal-content/HU/TXT/HTML/?uri=CELEX:52020DC0609&from=EN (4th February 2021).

the return system guarantees should be applied that will create the conditions for the deportation of illegal residents within the EU. However, the proposal was challenged both by human rights activists and opponents of the hotspot system raising issues such as the nature of detention during the inspection period or the costs of maintaining an external hotspot system.[37] At the end of 2020, Hungary and Poland were threatening to veto the new EU budget and the recovery fund for weeks, saying legitimate payments could not be tied to the rule of law. Positions were not drawing nearer at the beginning of 2021, but rather moving apart, thus it seems that the Community will still not be able to establish a common migration policy.

Two cases: Hungary and Poland

Among the V4 countries, the Hungarian government was the most critical of the EU's immigration policy. The Hungarian political communication featured all elements of populist demagogy in connection with the 2015 migration crisis. Hungarian government rhetoric, focusing on the crisis of European liberal democracies and the incapability of the European Union, basically repackaged the debate of "national Europe" vs. "federal Europe", centering around the communication panel of Berlin–Brussels vs. Budapest + the Visegrad Four, and Brussels vs. the effective protection of Europe and the European borders (Glied 2020). In this narrative, the Hungarian and Central European position emphasizing order and defence is in opposition to the German position, which proclaims freedom and equality and claims to be the preserver of European values.

During the migration crisis, the terrorist attack against the editorial staff of the French satirical magazine Charlie Hebdo in January 2015 was the first time the Hungarian prime minister spoke out and made anti-immigration statements saying economic immigration is bad and should be stopped.[38] Following the Bataclan massacre in Paris in November 2015, the Hungarian government further intensified this communication. The Prime Minister said there was no doubt about the link between immigration and terrorism, claiming that *"all the terrorists are basically migrants; the question is when they migrated to the European Union"*.[39] According to Orbán, the West is at war with Islamists in the Middle East, so it is not surprising that its enemies are sending fighters with migrants

37 Thym Daniel: European Realpolitik: Legislative Uncertainties and Operational Pitfalls of the 'New' Pact on Migration and Asylum. 28th September 2020. EU Immigration and Asylum Law and Policy. http://eumigrationlawblog.eu/european-realpolitik-legislative-uncertainties-und-operational-pitfalls-of-the--new-pact-on-migration-and-asylum/ (31st January 2021).

38 Orbán: Gazdasági bevándorlóknak nem adunk menedéket. [Orbán: We do not provide asylum for economic migrants] 1. 11. 2015. http://index.hu/belfold/2015/01/11/orban_gazdasagi_bevandorloknak_nem_adunk_menedeket/ (24th April 2016).

39 Kaminski, Matthew: 'All the terrorists are migrants'. Politico. 23. 11. 2015. https://www.politico.eu/article/viktor-orban-interview-terrorists-migrants-eu-russia-putin-borders-schengen/ (22 September 2019).

coming here. The first step of the government's communication was to raise awareness, in which the government linked migration to security challenges and terrorism, criticizing the cumbersome decision-making of the EU, Brussels' migration policy that is based on lenient and liberal principles, and Berlin's unconditionally inclusive Willkommenskultur approach (Pap – Glied 2017). There was also a consensus that the integration of a large number of Muslims is almost impossible. Viktor Orbán and Czech head of state Miloš Zeman had the same opinion on this question. They also criticized the policy of multiculturalism, seen as harmful, which determined the coexistence of host societies and newcomers. They emphasized that former colonialist countries left chaos and disorder everywhere, and recruited millions of employees from former colonies after World War II. Colonial powers are the ones responsible for chaos and uncontrolled immigration; at the same time, migration and integration problems are already affecting the whole of Europe with varying degrees of intensity. These issues all appeared in the Hungarian government's communication.

The Hungarian government gradually raised the stakes and directed its communication towards extreme rhetoric. On 24th February 2016 the government announced their decision to hold a referendum on the obligatory *relocation quota* as their next step. The anti-quota referendum proposed by Viktor Orbán (an opportunity for powerful communication). The government basically built the referendum campaign on two narratives. The first one focused on blaming Brussels, and thus the liberal European elite was seen as unable to protect themselves and find a real solution in the crisis. Their slogan was 'Send a message to Brussels to make them understand,' i.e., Hungary shall pioneer in making the leading politicians of Europe explicitly admit that their migration policy (or the lack thereof) and multiculturalism have failed.[40] The other direction in the government's communication reinforces the civilisation narrative aiming to support the already existing attitude towards the mostly Muslim migrants. The referendum on the quota was held on 2nd October 2016. However, the referendum was invalid, as less than 50% of those eligible to vote participated[41] and the amendment of the constitution was not approved by the National Assembly either. Although the European Commission argued that the referendum and its political message were contrary to EU decision-making mechanisms and pan-European solidarity, the Hungarian government continued their anti-quota and anti-Brussels campaign (Glied – Pap 2016; Kacziba 2020).

40 Kingsley, Patrick: Hungary's refugee referendum not valid after voters stay away. https://www.theguardian.com/world/2016/oct/02/hungarian-vote-on-refugees-will-not-take-place-suggest-first-poll-results (18th May 2018).

41 The number of votes required for a valid referendum was 4.1 million, while in the end 3418387 valid votes were cast (41.32%). The share of 'no' votes was 98.36 %, while 1.64 % voted 'yes.' The high number of invalid votes shall also be highlighted (6.17 %). http://valasztas.hu/hu/ref2016/1154/1154_0_index.html. (25th August 2017).

During the migration crisis, Poland was the only Visegrad Four country that saw a significant change of governments, which fundamentally modified the narrative of the migration crisis. Until November 2015 Poland was ruled by the centre-right coalition of the Civic Platform (PO) and the Polish People's Party (PSL) (both parties are members of the European People's Party) but on 16 November 2015 Beata Szydło's government formed by the Law and Justice party (PiS; member of the European Conservatives and Reformists) was sworn in.

The right-wing transition of the government in Poland contributed to a stronger cohesiveness of the V4's attitude towards the migration crisis. The preceding government of PO and PSL led by Ewa Kopacz had taken a more favourable position towards the EU refugee relocation mechanism than the other V4 governments. When on 22nd September 2015 the Council of the European Union voted on the relocation mechanism, Poland, as the only member of the Visegrad Four, voted in favour (Romania voted against, and Finland abstained from voting) (Pachocka 2016). In the national debate, PO and Prime Minister Kopacz often raised solidarity arguments referring to Poland's historical traditions and humanitarian values. The official position of the PO-PSL government adopted in June 2015 was an emphatic opposition to the mandatory mechanism of relocation and resettlement programs. The Polish government underlined the lack of precision of the distribution logic and the proposed indicators and pointed out a failure to consider the Eastern direction of migration (from Ukraine), nevertheless there was an indication of the government's willingness to cooperate voluntarily in EU mechanism.[42]

The government's narrative became more and more assertive with the deepening parliamentary campaign ahead of the elections in October 2015. Prime Minister Kopacz emphasized the need for state control over the refugee entry process to ensure Poles' safety (Pędziwiatr – Legut 2017). The opposition party PiS made the migration crisis an important topic of the electoral campaign boosting Poles' fears of refugees in one of the election commercials.[43]

Presented as the future prime minister after a possible PiS electoral victory, Beata Szydło strongly rejected the requirement of the relocation of around 10.000 refugees to Poland. With the electoral victory, the rhetoric of right-wing politicians did not change, and the issues of citizens' security were emphasized, particularly after the terrorist attacks in European cities (e.g. Paris in 2015 and 2016). Regarding the international public opinion, the argument

42 Stanowisko Rządu względem „A European Agenda on Migration": available at http://orka.sejm.gov.pl/SUE7.nsf/7bfa211dcbf982c7c12578630035da9e/a5f0b9201f4aa3c4c1257e62002f3e04/%24FILE/Stanowisko%20Rzadu_pozalegislacyjny_2015_240_ostateczny.docx (3rd January 2021).

43 Do you want them to still decide about your security? https://www.youtube.com/watch?v=CwsLmngZOBA&t=33 s. Even stronger anti-refugee rhetoric appeared in the PiS commercial in the campaign ahead of the local elections in 2018 – https://twitter.com/i/status/1052530980190334977. It is worth emphasizing that immigration issues are a novelty in the election debates in Poland, (13rd January 2021).

of Poland's considerable effort to accept a million refugees from Ukraine was raised.[44] In the political discourse, the terms of "refugees" and "economic immigrants" were intentionally used interchangeably. The government's actions aimed at postponing the possible moment of accepting refugees. Anita Adamczyk (2017) notices a number of changes in the law after PiS's victory, including the law granting protection to foreigners within the territory of the Republic of Poland and the act on the Pole's Card. Migration issues were also an important background for the adoption of the law on anti-terrorist activities and the adoption of several ordinances of the minister of the interior and administration.

The government's actions and constant emphasis on citizens' security as an essential value (Podgórzańska 2019) were symbolically supported by the Sejm of the Republic of Poland. On April 12016, the Sejm adopted a resolution on Poland's immigration policy opposing "any attempts of establishing permanent mechanisms of allocating refugees or immigrants in the EU".[45] On 20th May2016, a resolution was adopted "on the protection of the sovereignty of the Republic of Poland and the rights of its citizens." The resolution aimed to counteract attempts to "impose a decision on Poland concerning the immigrants who have arrived in Europe" and warned of the risks "to the social order in Poland, the safety of its citizens and the civilisation heritage, as well as the national identity."[46] The rhetoric of PiS politicians went even further: from suggesting that the German government caused the crisis when promoted an open-door policy and suggesting the reluctance of Syrians to fight for their own country and looking for a better life in Europe, by emphasizing concerns for the security of Poles, to suggesting that refugees transmit the parasites (Wiącek 2017).

After the parliamentary elections in Poland in 2015, the Visegrad Four regained its vigour in terms cohesion, which the PiS government welcomed as a "recovery of the group." The group's joint statement on the migration crisis on the 25th anniversary of the formation of V4 was a symbolic act.[47]

Poland presented a typical example of securitization of immigration issues, as the concerns raised do not come from real threats, but merely from constructed beliefs about these threats. Various commentators note that Poland is one of the most ethnically homogeneous countries in the world and the migration crisis

44 European Parliament. (2016): Situation in Poland (debate): available at https://www.europarl.europa.eu/doceo/document/CRE-8-2016-01-19-ITM-010_PL.html (13rd January 2020).

45 Sejm Rzeczypospolitej Polskiej. (2016): Uchwała Sejmu Rzeczypospolitej Polskiej z dnia 1 kwietnia 2016 r. w sprawie polityki imigracyjnej Polski: available at http://orka.sejm.gov.pl/proc8.nsf/uchwaly/18_u.htm (4th April 2019).

46 Sejm Rzeczypospolitej Polskiej. (2016): Uchwała Sejmu Rzeczypospolitej Polskiej dnia 20 maja 2016 r. w sprawie obrony suwerenności Rzeczypospolitej Polskiej i praw jej obywateli: available at http://orka.sejm.gov.pl/proc8.nsf/uchwaly/548_u.htm (11th April 2019).

47 Visegrad Group. (2016): Joint Statement on Migration: available at https://www.visegradgroup.eu/calendar/2016/joint-statement-on. More on the Visegrad Group stance toward migrant crisis see: M. Pachocka (2016). (15th May 2018)

has not left its mark on the country, not even to a slight degree as in Hungary. Nevertheless, migration issues have become a source of fierce political debate.

Conclusion

The migration crisis strengthened the cohesion of the V4 countries, although the source of consistency was a populistic stance towards migrants and refugees. An even stronger sense of unity was built after the political changes in Poland at the end of 2015. A new V4 identity seems to be created, which is in opposition to the core values of the EU – not only regarding migrant issues but also in terms of these countries' definition of the rule of law, preservation of the sovereignty of states and the preference of more traditional values to progressive ones promoted in the Western-European countries. The Visegrad Four countries and their ruling parties (ANO2011, Smer-SD, Fidesz-KDNP, PiS) began to use similar elements in their communication after 2015 and with comparable political successes. Essential elements of their narration are:

- opposition to the quota system in terms of the relocation of refugees;
- rejection of the Willkommenskultur and blaming Germany for causing the crisis;
- emphasis on the need to strengthen the EU's external borders;
- populist style of communication with citizens regarding the migrant crisis, opposing the EU and having a double speak in communication
- Deeper tensions with the EU are located in:
  - V4 states' resentment based on a sense of shared historical experiences rooted in Central European location and shared experience of the communist era's repercussions;
  - A belief that the struggle with the communist ideological occupier was conducted on behalf of the whole of Europe;
- As a result of the above, a solid commitment to decision-making sovereignty of state;
- experience of political and economic transition and reluctance toward postmodern values.

The V4 states have the grievance of being stigmatized by Western members of the EU and want to be treated as equal partners. The migrant crisis and the associated tensions generated not only a specific communication style but also lead to the rise of far-right groups in all V4 countries.

The V4 countries seemingly showed unity during the migration crisis; their history of closeness and co-operation contributed to this, but the direct reason for tight co-operation was pragmatic: political disagreement with the EU backed by their citizens' concerns, which, as a result, strengthened support for ruling parties. People's fear of refugees was easier to create in Central Europe due to

the region's specific culture and concerns about negative socio-economic effects. At the same time, the members of the V4 countries expressed differing views on issues affecting the functioning of the European Union, such as the rule of law. The engine of the V4's political co-operation was Poland and Hungary, which still lasts, while Slovakia and the Czech Republic already pursued different policies on a number of issues. In a word, these four countries indeed stood together but still remained separated during the emigration crisis. Although the Visegrad Group has a unified voice concerning migration, there is serious disagreement among them over the future of the EU.

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***Viktor Glied**, PhD in political science, assistant professor at the University of Pécs, Hungary. He is historian and political scientist. His research interests cover eco-policy, civil society, Hungarian and international history in the 20th–21st centuries and migration issues. He is the author and editor of several academic books and studies, furthermore member and contributor of researches that examine different aspects of political science, migration and sustainable development. E-mail: glied.viktor@pte.hu.*

***Łukasz Zamęcki**, PhD in political science, assistant professor at the Faculty of Political Science and International Studies, University of Warsaw. His research interests cover comparative politics, democratization and de-democratization processes, contentious politics, Hong Kong politics. He is the author and editor of several academic books, dozens of scientific papers and chapters in collective works. Involved in a few research projects (also as a head). E-mail: lzamecki@uw.edu.pl.*

Central European Ideas and Policies about International Circular Migration from Hungarian Angle[1]

SÁNDOR ILLÉS

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Abstract: *The author tries to investigate the thoughts and politics in literature about international circular migration in the lights of European Union (EU) initiatives related to Visegrad Four Countries (V4) with special attention to Hungary. The cross-border circular flows have become relatively frequent during life stages of people differentiated by previous migratory experiences, and next aspirations. The popularity of international circular migration erected from the hypothesis of 'triple win solution' without any empirical verifications. Basically, two sorts of circular migration system exist: homogenous and heterogenous. The homogenous human circular migration system consists of the same kind of moves with similar time rhythm from statistical angles. It seems to us that the practice of life-long international circular migration characterises few long-term circulators. However, the heterogenous circular migration systems combine with other spatial mobility forms function during whole individual life cycle due to one of the symptoms of human beings. The main aim of the contribution is to explore some elements of similar ideas and politics on international circulatory flows interfered between Western and Eastern Europe. Moreover, we propose some old-new innovative solutions for V4 to reform the rigid EU migration policies.*

Keywords: ***international circular migration, circular mobility policies, EU criticism, EU reformism, Visegrad Group, Hungary***

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Introduction

The spatial patterns of the multiple and repeating migration have been emerging in the arena of international migration due partly to the rapid development of transportation technology and telecommunication. The rigid distinctive function of the state borders has been eroding as a long-term trend (Lévai 2011). The relatively free movement of individuals between countries has become a reality the within supranational integrations like the European Union (EU) so the probability of inner circulation of the EU citizens has been growing (Gellérné-Lukács 2018; Gyeney 2020). The principle of free movement of people with some legal and practical barriers have worked within the EU. Naturally, this basic right of the EU citizens was not extended to the third-country nationals staying with the community. However, the emergence of circular schemes needs to be the development of the quasi-free movement across outer borders. The moving freely means, for example, the possibility of return not only to the country of origin (basic right of citizens) but also to the receiving country without usual administrative restrictions. In the other side of the coin, the emigration from a country of departure is a general human right, however, the right of immigration to another than home country is not. This reflects the dialectic nature of immigration-emigration relationship because every emigrant is an immigrant, as well (Waldinger 2017). The inner European circular schemes are functioning spontaneously within the community. Pilot projects on the temporary and circular migrations tried to introduce the multiple crossing of borders for the third-country nationals who were out of the principle of free movement. However, the requirements of first return to sending country was overemphasised and the legal promise of return to receiving country which was necessary for the development of circular system was forgotten (EU 2008). This contradiction was one of main initial faults led to the unsustainable pilot projects on international circular migration at EU level. The discovery of possibilities of international circular migration policies within Visegrad Four Group (V4) context is one of the main tasks for the author from the angle of a future oriented applied research.

The circulation is not a brand-new concept in literature (Standing 1984; Chapman and Prothero 1985; Prothero and Chapman 1985; IOM 2008; Constant et al. 2013; UNECE 2016). The bureaucrats of the European Union (EU) have introduced the notion of 'temporary and circular migration' as a 'wonder drug' for the common international migration policy making at community level for one and half decades. Based on the 'triple-win mantra' the concept dispersed to different stakeholders in and outside Europe. Without rigorous definitions and detailed statistics what served for the evidence-based policy creation, several pilot projects started on the theme of 'temporary and circular migration' for the financialization of the EU (EC 2011). In parallel with this process embedded in the externalisation of migration politics, several pro-

jects started for the clarification of the ideas and their next implementations to community laws (Çağlar 2013). The emphasis on temporary character fettered stakeholders in a very narrow topical arena (EU 2002). They included the international commuting as pendular migration in legislative actions and ignored the permanent international migration, which were further relevant aspects of circulation/circularity (EU 2007). As a side effect, the international circular migration with temporary character had close relation to the negative connotations of past temporary workers schemes with the exploitation of guest workers and the phenomenon of precarity (Doomernik 2013; Standing 2014).

The argumentation above stresses that part-whole relation does not reflect the relationship between international migration policy and international circular migration one (McLoughlin et al. 2011; Triandafyllidou 2013). According to formal logic the migration policy could be the parcel of circulation policies due to the migration policy has part-character whereas the circulation policy consists of wholes. However, the migration politics dominate over the new-born circular migration politics. We may state that formal and informal migration politics have principal effects to circulation politics because of the linear time order. In general, any impacts work each direction could be conceptualised as an interaction than one-way effect in the complex reality.

The remainder of the paper is organised as follows. First, we depict the international migration policies with special attention to the possible innovations related to the circular migration within the EU context. Later, we turn to the arena of territorial mobility approaches and policies in V4 countries for comparability reasons. The country case studies reflect the heterogenous migratory situations and policy practices and the highly changeable national opinions on the initiation of the Commission of EU. Diminishing the degree of abstraction, we provide some empirical findings coming from Hungary mirroring the necessary dimensions of the official national statistics of the long-term international circular migration. In the concluding chapters we made discussions and conclusions, in which we stress the utilisation of the mirror-statistics at different international levels as an age-old requirement of the UN and the EU. Moreover, we propose a new general legal status for mobile people, namely circulator as a scientific innovation ahead not only for V4 but also for worldwide scope.

Migratory and circulatory policies in EU

The principle of free movement of people with some legal and practical barriers have worked within the European Union. Naturally, this basic right of union citizens was not extended to the third-country nationals staying within the community. However, the emergence and development of circular schemes needs to be a quasi-free movement across outer borders. In analogy to the distinction stated by the European Commission (2011: 21), we identify two different perspectives

on non-nationals as viewed from the destination country. They differentiate between non-national circulators residing in the country of destination (*'inwards circulation'*) and non-national circulators settled in the origin or third country (*'outwards circulation'*). From a methodological point of view, the analytical value of these two perspectives is equivalent. For practical reasons, due to the data accessibility we decided to utilise the so-called 'spatially inward' perspective in the Hungarian research series.[2] The European Union restricted the concept of international circular migration to third-country nationals and the compulsory phase of their return to country of origin. However, the well-founded critic of this unsustainable conceptualisation and the false externalisation of EU migration policies (Glouftsios 2018) are beyond the scope of this paper.

According to the mass portion of recent literature on human circular migration, the temporary migrations were strongly interconnected with circular migrations as a whole in the new century. This meant that the short-term duration of stay was overestimated over long-term stay. The inherently multiple return character of circulation was pushed into the temporary arena by EU context. This diffuse conceptualisation put enormous effect on European Union experts, officials and it emerged in soft laws (EU 2002, 2007). The popularity of circular migration erected from the hypothesis of 'triple win solution'. It meant that international circular migration was good for all bodies involved at the same time: the sending country, the receiving country and the migrant himself/herself. Unfortunately, the popular term circular migration has developed a buzzword in European and global scientific, political, and administrative circles since the new century due to the mantra surrounding it. The transnational promise of 'triple win solution' has been failing to deliver (King and Lulle, 2016).

The problem was that the international circular migration with 'triple win mantra' and the international temporary migrations with negative guest--worker's heritage were twinned in phrases, namely 'temporary and circular migration' (EC 2011). So, the structural-conceptional and the functional conflicts were hidden. All in all, the unsustainable thinking and practice on international circular migration emerged in EU circles. It was indisputable that the phenomenon of international circular migration with temporary periods (from three months to twelve months, one by one) were more numerous than permanent ones (more than one year, one after the other). Continuing the search for further relations in a linear way, international circular migrations with temporary periods were less numerous than international pendular migration or commuting (from one day to three months stay period each). We can see that the volumes of phenomena were close connections with the length of defining

2 'Spatially outward' perspective would be more useful in the investigation of the international circulation of Hungarian nationals, for example. It is true in all individual V4 countries, too. The statistical bodies of V4 group collect data on emigration of own nationals. However, it is not necessary to register the return of citizens due to the basic right of own citizens.

periods. The bigger rhythm of time meant the less mass.[3] The undividable conceptualization and practice of circular migration and temporary migration has emerged in the European Union (EC 2011) caused some confusions due to circular migration. If temporary migration is a first-rank type of migration and it has an inseparable hierarchic correlation between 'temporary and circular migration', it would be logical at first sight that circular migration would be a new first-rank type of migration similar to its so-called antecedent (pair), namely temporary migration.

In this paper we argue against this sort of conceptualisation of circular migration. The oversimplification of circular migration as a type or form of migration bears inevitable conceptional, analytical, and practical problems in migration studies and practices. The proponents of type (Weber and Saarela 2019; Monti 2020) forgot that circular migrations were encompassed into a completely new entity, namely a system. They often muddled different types in a general one or the type of latest element of recurring migration series, which was observed. Later they generalised the last observed part on the whole system. They did not consider the systematic nature of elements and the necessity of *hierarchical classification* in circular migration studies. Labelling a general type without deep analysis may attract false ideas and practices. Minor faults come from the shortcomings of conceptualisation in which final type of migration measured was generalised on the whole system. They may overestimate one of the characteristics of circular migration, namely self-resemblance (Weber and Saarela 2019). The self-resemblance comes from the special combination of previous multiple selection mechanisms. On one side self-selection happens on the other side the migrant is selected by others (Illés and Kincses 2018). It is possible to analyse circular migration by its any last phases and to try to influence over next elements. However, we are aware of the necessity of the introduction of exact serial numbers, the core distinguishing tools of circularity.

In this article, we launched into a fierce polemic against the narrow EU conceptualisation on the circular migration. In this section we try to synthetize the characteristic differences between the recognition of circular migration as a system compared to an event (a type). From analytical and practical reasons, firstly, we argue for the conceptualization of system nature of multiple return migration, namely the circular migration as a whole entity. Secondly, the last phase of any circular migration system can be recognised as a simple event of migratory process which could be typified as a part of the system. In other words, the individualised migrations by serial numbers could be classified by usual migration types. The last individual migration with serial number could

3 From the point of view of circularity, we may put once more possibility of comparison that was out of the scope of this article. What are the quantitative relations between international commuting with intrinsic circularity and repetitive international touristic moves from three months to one day within different territorial frames?

be classified lots of migration types. But this is not valid for a whole circular migration system due to their potentially mixed motivational elements. Only the classification of the last sequence of system has the most recent importance from practical purpose. For instance, the migrants' actual legal status would be a dimension of classification in the receiving country.

The circular migration is nothing else than a multiple return migration where the 'type-system dilemma' could be multiplied mechanically with the increase of the serial number of last migration, based on linear thinking. At first, it seems us that the picture of circular migration may become more blurred compared to the return migration from this lens. However, the system nature fortifies at the expense of type side with the multiplication of returns (moves). In our opinion, according to the latest separate move of circular migration can be conceptualised as type with three restrictions. First, we may guess that all the previous moves have the same character by the interest of last receiving country.[4] Second, the perspective of last sending country could be very variegated landscape in the question of judging the type. This aspect may often be precluded. Third, the circulators on their own may classify their moves as different types due to inherently multiple motivational patterns of the migratory phenomena. This possibility might often be ruled out. The three restrictions mentioned above remain in force if we connect serial numbers to all individual moves within the circulatory systems. The last serial number on its own echoes the force of system character. The bigger is the serial number the more robust is the system nature of circular migration. If the serial number becomes lesser and lesser the type-nature would fortify (system nature could weaken) till moves the third as minimum requirements of circular migration.

We argue that international temporary immigrations[5] is not inherent pattern international circular immigrations. The serial numbers of any systems identify them more precisely than the temporariness. It may end within sending, receiving or third countries. The final areas vary different territorial units or transform one another in any spatial mobilities of individuals. In this article we provide empirical evidence on international permanent (long-term) circular migration as a homogenous system from inward perspective. So temporary and changeable criterions of circular migration is not universal. The *stability* is a fundamental feature of international circular migration opposite of the temporary change, besides the aspirations of movers interconnected with the effects of international migration policies. The circular migration is more than the simple series of ephemeral migration in the era of globalization when international statisti-

4 Yes, if it relates to the homogenous system. No, if it relates to the heterogenous system.

5 Maximo Livi-Bacci (2012: 104–107) proposed a philosophical change (from prosthesis to transplant) in the view of immigration. He introduced the notion of 'temporary fix' which meant that the circulators split their lives among at least two countries. The temporary fix resonates quasi stability (inclusion) during immigrant status without the final end, citizenship.

cal consensus exists on the rhythms of temporary migration and permanent migration crossing national borders inspired by the United Nations (1998).

Our knowledge is scarce about the mechanisms underlying (economic--societal-political context surrounding) international circular migration. We stress on that the leading mechanism for the development of circularity pattern is the possibility of relatively free movement of people, one of the principles of the EU (Gellér-Lukács et al. 2016). The other general mechanisms fuelling circular migration has not been discovered yet. In this contribution we concentrated only on a scientific-political challenge: the event-system dilemma of human circulation. All in all, international circular migration on one side must be conceptualised as a system. On the other side, the parts of international circular migration with serial numbers could be recognized as an event (a type) which could by typifies usual frames and manners in migration studies and migration policy practices. Double nature echoes the common part and parcel between the system and event conceptualisations. In other words, it means a kind of the dialectic nature of circulatory moves.

Territorial mobility policies in V4 countries – case studies

We are aware that the short-term international immigrants, international commuters, and international tourists are further parts of internationally mobile people with multiple return character **(**Williams, Hall 2002; Hall 2005) beyond long-term immigrants. Typical form of international temporary migration is the seasonal work abroad. The usual type of international repetitive tourism is the life in second home situated in seaside, mountain or elsewhere (Bódis and Michalkó 2017). In both examples, the change of seasons provides the rhythm or cycle of activities. The intrinsic characteristic of international commuting is the pure circulation between home and workplace in foreign country. The non-daily commuting as a form of circulation mirrors the multiple movement feature of circulation (see Prothero and Chapman' s model /1985: 2/). The rhythms of long-distance commuting give classic examples of multiplicity and return. The concept of international long-distance commuting is not a part of the international tourism. However, if we accept the confused term of 'international tourist for professional motivation' where a tourist is accommodated at least one night in the receiving country, we must accept that international long--distance commuters may be labelled as 'international tourist for professional motivation'. These natural persons utilise transport facilities, travel routes and touristic accommodation between the home and host countries – if we accept Gábor Michalkó' s disputable idea on 'tourism supra-structure' (Michalkó 2012) which is more than tourism infrastructure (Tóth et al. 2014). All in all, some tourism scholars try to jeopardise the inherent topical part of travel studies, employment studies and migration studies, too. From the multidisciplinary

point of view the concept of tourism supra-structure could be refused than accepted in the absence of wide scientific debates.[6]

The V4 countries were partially encompassed by their similar historical developments after feudalism (Szűcs 1983), plus geographical neighbourhood and cultural proximity with large variety of individual peculiarities (Everett and Redzic 2020). After the change of regime around 1990 they have become receiving and transit country beyond the long tradition of sending areas during the socialist epoch from the point of view of international migration flows. They were getting closer and closer due to the emigration of highly skilled citizens (brain drain) and the immigration of skilled and unskilled foreigners at the same time period. Common outer forces were experienced from 2004 till 2011 when free movement of persons were restricted by the postponement mechanism to the direction of some old European Union countries except for Ireland, United Kingdom, and Sweden (Gellér-Lukács et al. 2016). The starting points of new emigration flows and their volumes were very diverse amongst V4 countries (Waterbury 2018). The quasi refugee-migrant-tourist flows provided the third common migratory phenomenon in 2015–2016. Opposite of the extremely different level of transit flows, the rising populism combined with xenophobia, the direct linking of mixed flows and terrorism, and lastly the fears of Islam both on state policy and social security levels developed as the common denominator of Visegrad Four Regional Group (Bauerová 2018). The COVID-19 pandemic has been serving the fourth common experience from 2020 with widespread spatial mobility consequences within and beyond the borders of V4 countries.

The EU fear from large scale international moves and the EU promises

After the collapse of former Soviet regimes, the well-founded fears developed in Western countries against the mass inflows of Eastern Europeans labelled as modern time exodus or peaceful invasion (Cabada 2020). The migratory pressures were diminished with the help of the promise of Euro-Atlantic integration and the introduction of pro-immigration policies for some selected Western European countries.

The general deal is as follow. V4 countries uncritically accepted and supported the idea and practice of Europeanization provided by the more powerful body, the old EU member states according to their own interest. The unequal general deal contained an undirect promise of external Europeanization for V4 countries in the Western Balkan and Eastern Europe during the next rounds

6 The actualised joke below highlights the predator like behaviour as the fundamental problem.
What is tourism? – asks the Jester.
Tourism is everything. – answers the King.
You are right, Lord.

of extension (Ágh 2019). Migratory deal meant that V4 countries accepted the emigration of their talent and skilled workforce to old member states. Based on the original promise, the citizens of V4 countries were replaced by immigrants originated from foreign policy partner countries (Prague Process 2019, 2020).

Budapest Process initiated a regional dialogue to the East neighbours of the EU-15 member states in 1991. This non-binding consultative process tried to gate the mass East-to-West international migration flows. Moreover, this partnership--like mechanism provided a chance for first-round candidate countries to fulfil their interest after their accession. This was a promise for a quasi-empowerment of accession countries under the umbrella of the idea of Europeanization. In fact, the dialogue processes were characterized by non-symmetrical interdependence, where the EU side was the more powerful player at any stage of so-called dialogues. The Istambul Declaration on a Silk Routes Partnership for migration, as a special partisan action (Turkey became the Chair and Hungary was the Co-chair), finalised the Budapest Process in 2013. It meant a geographic re-orientation initiated by Hungary and in parallel, an empowerment of Turkey, a candidate country from the second part of last century (Prague Process 2019). The EU administration utilised an 'old Machiavellian trick' with the starting of Prague Process and they indirectly contributed to the development of mixed flows to the core of Europe in 2015–2016. From the angle of the subject matter of this paper, international circular migration, we must mention that the actions of Budapest Process did not use the EU innovation of 'triple win solution' what were strong correlation with of the facilitation of 'temporary and circular migration' to third countries emerged in the EU circles from 2005.

Prague Process such as a new regional dialogue, that has been functioning since 2014, was a manifesto for own projects based on good practices in the topic of East-to-West international migration. Prague Process made the migratory themes into the general development policies in the direction of Eastern partner third countries. As an innovative initiation a handbook prepared on managing labour and circular migration in September 2014. This was a partial compendium of the state of art of circular migration concentrated mainly on policy documents at the expense of well-founded scientific contributions. It stressed the definitional problems of circular migration and the necessity of reliable data gathering with longitudinal methods. For instance, it mentioned a general misunderstanding, namely 'circular' has often become synonymous with 'return'. This was a critique towards the rigid EU positions for return of third country nationals without the utilization of the effective mechanisms promoting circularity (multiple-entry document, the portability of social rights.). The authors of the handbook recognised the spontaneous or unregulated form of circular migration patterns have always had a long tradition in Scandinavian countries as a well-functioning system. However, the handbook also argued for organising Circular Migration Schemes (CMS) in the light of the former

official EU position. CMS „can either take place within concrete programmes or schemes regulated by the states involved or through enhanced mobility and the facilitation of spontaneous migration (eg Sweden)" (Prague Process 2014: 41). On one side, the authors did not consider the importance of long-term international circular migration more than one year duration), on the other side they criticized several countries what considered the circular migration as an advanced form of seasonal migration (duration to range from three to six months).

It was interesting that international circular migration within the EU member states remained out of the scope of interest of the handbook in parallel with inner brain drain from the point of view of the peripheral and semi-peripheral EU countries. The non-managed East-to-West international migration in combination with brain gain for core countries lost in the heterogenous flows of 'free movement of people' principle. Attila Ágh (2019) analysed the uncritically accepted and supported Europeanisation processes. He mentioned that the utilisation of so-called 'neoclassical hybrid' served as a 'self-colonization' mechanism for Central European countries. After approximately three decades, a historical correction was needed in order to overload the 'old taboo' precisely the 'neoliberal hybrid' as a necessary price for bright future in Eastern and Central Europe. In our opinion, several old taboos have been existing in economic-social-political-cultural spheres. From the point of view of this paper, the promise of 'free movement of people' within community was the so-called 'anti-taboo' what overlapped the unequal power relations between centrum and periphery countries. The dominant East-to-West migration flow was one of the symptoms of unequal relations at the expanse of periphery (see for example the emigration of skilled workers, medical personnel encompassed the notion of brain drain). The new generations of twenty-first century needs to reconceptualise the 'anti-taboo' of free movement of people which mainly is unidirectional and contributes to the distortions in democracy in sending countries. 'Free circulation of people' conceptualising as a migratory system may replace the old unidirectional term. In other words, the brain-drain and brain-gain dichotomy will be overload 'brain circulation' as the interconnecting back and forth moves of individuals. This sort of paradigmatic change may fulfil the interest of peripheral countries of EU, too. Moreover, it will result a new sort of Europeanisation based on the general European values crystallising.

Poland

The Poland was a traditional emigration country till 2008–2009. At about 2 million Poles left the country after 2004 accession to the EU. The share of foreign-born population, as a crude indicator of international migration stock, was only 2 % at the first of January 2019. It meant the smallest proportion in the

context of V4 countries. Approximately 76 thousand relatively new long-term third-country immigrants arrived in Poland in 2018 opposite of 313 thousand short-term third-country immigrants. The permanency ratio of third-country immigrants (76 000/313 000) was extremely low in Poland 0.24 among the V4 countries (OECD 2020). It echoed that the international migration policy of Poland preferred the short-term migration to long-term ones. So, the short-term and seasonal circularity overlapped the long-term circularity in hidden circular migration policies related to third country nationals. In order to counterbalance this old-fashioned guest-worker system what replaced Polish emigrants they introduced so-called 'Card of Pole' worldwide for return of nationals. Moreower, for instance 13.3 % positive decision took place in first-asylum applicants in 2018.

The large majority of Ukrainian citizens arrived with the help of „the declaration of the intention to entrust work to a foreigner" system introduced in Poland allowed entrepreneurs to employ migrants without the need to apply for a work permit". This was a simplified procedure of spatial mobility for third--country nationals. The quasi-liberal demand-driven system had a temporary pro-migrant character, allowing internationally mobile peoples to enter the Polish labour market rather easily (Górny and Sleszynnski 2020). However, the number of 1824 thousand one-time, seasonal and circular movers were starting to transform into long-term migrants in an spontaneous way (Mateusz and Aivaliotou 2020). The striker border control has been temporarily established at Schengen-border, however, 30-day permit and declaration extensions immediately happened due to Covid-19 pandemic. Opposite of the world economic crisis of 1973, the guest workers were guarded in Poland in order to pay 3-month extra solidarity allowance from the state budget and invited to newcomers and returnees.

Czech Republic

The highest proportion of foreign-born population with 8% was measured in V4 context mainly due to the Slovak citizens (more than one-third of aliens). In 2018 56 thousand new immigrants arrived on a long-term or permanent basis including status changes and EU citizens from free movement space. Opposite of Poland very few short-term immigrants arrived in Czech Republic with 6.1 thousand people in which the majority were international students the remaining 2.6 thousand were temporary and/or seasonal workers. The absolute numbers reflected that the estimated third-country migrant permanency ratio at least ten times higher than in Poland. The Czech economy did not depend on third-country workers due to the numerous intra-EU posted workers (31 thousand in 2018) and its successful integration to European space. We must mention that Czechia the only country within Visegrad Group without external

Schengen borders. Few first-time asylum applicants were registered in which 9.6 % positive decision happened (OECD 2020).

Similarity to other V4 members, the country has no specific policy instruments promoting either circular migration of foreign citizens, or of Czech nationals. However, it did not mean that Czech Republic did not utilise indirect measures for the highly qualified workers, key personnel of factories, foreign students and research staff of universities. Moreover, it extended the geographical scope of potential source countries. The pole of potential Slovak workforce has been exhausted and Ukrainian's quota has been introducing since 2016. The employers looked for their future workers directly in Ukraine and based on their proposals the state provide employee cards (Frank 2020). The main idea of international migration policy was the flexibility to respond to the inner labour market needs. Due to the geographical location of country, the outward circularity mainly functioned on the local levels in border areas, especially to Germany, in an attempt to facilitate the cross-border commuting of Czech citizens (Prague Process 2014).

In the times of Covid-19 pandemic the permit of seasonal workers was extended. The state searched for new one thousand qualified foreign workers in the construction industry and machinery manufacturing. The nation state also compensated the foreign employees of companies that face economic downturn due to Covid-19 (OECD 2020). Similarity to Poland, the legality of residence was ensured for overstayers via online and telephone services.

Slovakia

The country had the average share of foreign-born population (4 %) at the start of 2019. Seventeen thousand new long-term third-country citizen immigrants arrived in Slovakia in 2018. At the same time 400 international students and 3100 temporary and seasonal labourers were received. The exact third-country migrant permanency ratio was 4.9 (17 000 / 3 500). It was a twenty times higher ratio than Poland. We can suppose that Slovakian immigration policy advantage the long-term international migration and indirectly circulation to short-term ones from the direction of the third countries. Similarity to Czech level, 14 thousand intra-EU posted workers were employed mainly in temporary basis. The level of positive decisions of first asylum applicants was extremely high (38,9 %) in 2019 (OECD 2020). We may add that just as Czechia, the Slovak Republic is not a target country of refugees. Plus, the transit routes of the asylum seekers to the heart of Europe avoid these countries.

Slovakia suffered from internal brain drain of V4 countries at the advantage of Czech Republic (Bleha and Sprocha 2020; Frank 2020). Beyond the emigration of highly skilled workers, large number of young people leaved the country to study abroad. More than half of the foreign students were Slovak citizens in

Czech Republic. Labour market test is needed for all work permit applications. More restrictive immigration policies combined with the high level of xenophobic attitude of inhabitants resulted the 'Municipality Consent' document for all resident permit applications. On one side it could be recognised as the empowerment of municipalities, on the other hand it is a sort of protestation of local inhabitants against the newly created hostels for guest workers in the areas of foreign investments.

Slovakia followed the practice of neighbouring countries. In March 2019, the police control including medical check-up was introduced at the borders. The international airports were closed, and international rail and bus transport was suspended at the first stage of Covid-19. Some liberalisation measures took place, namely the introduction of online system for the application of residence permit and the Antibureaucratic Act of January 2020.

Hungary

The share of foreign-born population was 6 % in 1st of January 2019. The absolute number of new long-term third-country nationals was 40 thousand during 2018. The mass of short-term migrants consisted of 5.2 thousand international students, 7.4 thousand temporary and labour migrants. The third-country permanency ratio located somewhere between the Czech and Slovak levels with 3.17 (40 000 / 12 600). The number of 17 thousand intra-EU posted workers meant a relative level what oscillated between the high Czech, Slovakian and the low Polish indicators (OECD 2020).

The largest discrepancy existed between the anti-immigrant rhetoric and pro-immigrant reality into the political circles in Hungary. The growing number of immigrants arrived from third countries in order to replace the emigration flows of nationals to the core EU countries. 'Migration Strategy 2014–2020' was adopted by Orbán government in 2013 which is still formally in effect (Tálas 2020). It declares that for national economic and demographic reasons it is important to encourage a wider range and number of migrants legal from the EU and the ethnic Hungarians from the neighbouring countries. A so-called 'regulated openness' functions for third-country nationals who can contribute to the economy as investors, highly qualified professionals and those who fulfil skill shortages. Beyond using the EU instruments (for example Blue Card) for attracting the highly skilled third-country workers and investors, the government introduced a special scheme, a so-called 'Settlement Bond' provided by the Hungarian state which was extremely advantageous for the third-country long-term immigrants for circulatory purposes to and from home and EU countries.

Janus-face processes were induced in the question of asylum seekers and refugees. On official verbal level of governance, the harsh refusal of asylum seekers took place. In the real world, the right-wing governments accepted al-

most exactly as many as refugees between 2010–2017 as did the former left-wing governments between 2002–2009 (Tálas 2020). Moreover, more recently, the share of positive decisions was 8.5 % amongst the first-time asylum applicants in Hungary which was a relatively high transit country level compared to other non-transit V4 countries (OECD 2020). The effects of the mass quasi-migrant--refugee-tourist flow started in 2015 and developed a furious common platform in V4 countries beyond reciprocal Brexit-like regulations. The V4 countries rejected the mandatory migration quotas introduced in 2015. However, all decisions presented by the V4 group were not legally binding. The four states implemented individual state level migration policy. Significant differences appeared in the practices (Bauerova 2018; Panke et al. 2020). Slovakia was the only one that did not face a complaint of European Commission as it had accepted some below-quota refugees (Blecha and Sprocha 2020). Czech Republic supported the Slovak proposal for the concept of 'flexible solidarity'. During 2015–2016 at about 2.8 thousand Afghan, Syrian and Iraqi international transit migrants were measured in Czech Republic. Nearly all of them continued their route to Germany and few of them were accepted as refugees (Frank 2020). Poland accepted some Christian refugees from Syria (Bauerova 2018). Finally, in September 2017 the European Court of Justice refused the complaints of Poland and Hungary.

The 175 km-long border fence was built and the closure of refugee camps in parallel with special transit zones were created. These resulted an extremely rigid Hungarian asylum policy (Pap and Reményi 2017). In May 2020, the European Court of Justice ruled the practice of retaining asylum seekers for excessively long periods in 'transit zones' to be deprivation of liberty in Hungary. As a response, the Hungarian government closed the transit zones on its borders to Serbia. The remaining asylum seekers were moved to the reception centres. Future asylum applicants must generally be submitted to the Hungarian foreign missions in neighbouring countries (OECD 2020) excluded illegal corporeal presence in the country before application. As an epilogue, the body of FRONTEX moved out from a Schengen country, Hungary in 2021.

Empirical crumbles on long-term circularity – Hungarian implementation

The following analytical part serves as an empirical example for the usefulness of *reconceptualization* of the term, international circular migration. It means the division of immigrants by serial numbers. So we provide the direct passage through traditional international migration data in Hungary. In so doing lots of countries would produce international circular migration data utilising the connection of individual migrants.

It is highly disputable, that the same person's first, second, third and so forth immigrations could be classified the same migration type (or subtypes structures at multiple classification) in their life course. Return migration is a migration type and a complete migration unit with two moves in the case of one principal centre of life. If the type's conceptualisation relates only the second migration element of return migration it is not so problematic. However, the first element of return migration, the emigration is eliminated and remained a little unknown. The return is a kind of denial of previous aims of emigration from the point of view of first sending later receiving country (dialectic of failure–success motivations). All in all, the type-like conceptualisation of return migration overestimates the role of the second receiving country (home country). In the same time the home country's viewers underestimate the importance of the first receiving country. They may demonstrate falsely the unsuccessful story of the first emigration combining with the success of return. They suggest that the first voting by feet is an individual fault and the return is the correction of previous bad decision of own nationals. The success-success, the success-fault and the fault-fault versions are forgotten, and the balanced valuation are missing. We can see that the return migration may be one of the antecedents of outward circular migration of own citizens. On the one side previous move existed, on the other side next move of migrants will be more probable to happen back than forward. So, the system conceptualisation seems more valuable for researchers than the assumptions of type or completed cycle from analytical, methodological, and relatively independent measurement angle. But the conceptualisation of return migration as a type or completed cycle would be very useful for the first sending entity (home), often for countries from practical or often direct political point of view. The argumentations above can illustrate the quasi-double nature of return migration, in other words both its type (completed cycle) and system characteristics.[7]

Naturally, lots of cross-border repetitive moves with peculiar time periods develop into the systems of international circular mobilities. For instance, the subject matter of this paper, international permanent circular migration provides an example. We may consider the circulatory system with homogenous migratory components. Similar homogenous circulatory systems develop from multiple commuting, touristic move, and temporary migration, as well. These notes are valid in internal or international context, as well. In all cases the separate spatial processes were encompassed into the migratory units.

In this section, we *analyse* a portion of Hungarian research over the observation period 2006 to 2016 in order to illustrate the distinction of migrants and

7 We must mention that the simplest circular migration system with three moves can be interpreted as a double return (White 2014). The conceptual challenge emerges the individual's first, second and so on return migrations if one centre of life exists. Double return signs the possibility of two centres of life if the individual migrates three times between two countries.

circulators by ranking via serial numbers of individual moves. The inevitable utilization of ranking was our second motivator beyond the quasi-battle against the official EU conceptualisation. Thirdly, we proved the quantitative interchangeability between traditional international migration statistics and newly made international circular migration data. As the researchers of a member state, we have provided empirical evidence since data of 2006 to broaden the originally and officially narrow EU scope for the international implementation and comparison. Based on the researchers' geographic-demographic-statistical knowledge and experience in migration studies we created a serial of macro--statistics on international circular immigrants. The one-year data and time series originated from national data bases (harmonized by UN /1998/ recommendations) with the help of unique statistical data processing techniques (Illés and Kincses 2018). "A circular migrant is a person who has crosses the national borders of the reporting country at least 3 times over a 10-year period, each time with duration of stay (abroad or in the country) of at least 12 months" (UNECE 2016: 19). Moreover, we proved that macro-statistics on the topic of international circular migration could be developed in a country (Hungary) with less than 25 years recent international immigration history and where personal identification number (PIN) has not existed (Weber and Saarela, 2019). One of the main advantages of our own research is to explore the direct passage from the usual international migration data to the circular migration ones. In so doing lots of countries would produce international circular migration data utilising the connection of individual migrants. To tell the truth, I had a quasi-founded illusion about the potential comparability in the next future: "International comparisons are also necessary to develop conceptual frameworks and models to explain this particular human mobility behaviour. The method used in this study to analyse international circular mobility can be used in other country cases and thus enable comparative studies. Nevertheless, for such studies, comparable and reliable data sources are needed to be developed at national and international levels. Academic and policy debates on international circular mobility and movers will underline the importance of this particular movement pattern and eventually may lead to suitable datasets to be produce" (Illés 2015: 159).

Statistical practice

To illustrate one of the statistical-demographic solutions of the problem of event--system dualism, the core of this paper, we provide empirical facts stemmed from our implementation of the highly theoretical concept, circular migration. The Hungarian research flood on international circular migration has been starting since 2007 motivated by the protestation against the narrow conceptualisation on EU preferred term 'temporary and circular migration' (EC 2011). We proved

that permanent circular migration data have been extracted from available international migration datasets, harmonised by United Nations (1998).

Table 1. Number of all immigrant and circular immigrant, and share of circulator, by gender from 2006 to 2016 in Hungary

Year	All immigrant	Circular immigrant	Share of circulator (%)
		Male	
2006	10 684	1 820	17.0
2007	12 753	1 904	14.9
2008	20 972	2 321	11.1
2009	14 589	2 150	14.7
2010	13 446	2 433	18.1
2011	12 576	1 901	15.1
2012	11 550	1 665	14.4
2013	12 029	2 561	21.3
2014	14 923	3 820	25.6
2015	14 733	4 200	28.5
2016	13 515	4 115	30.4
Together	151 770	28 890	19.0
		Female	
2006	8 683	1 536	17.7
2007	9 854	1 560	15.8
2008	14 575	1 766	12.1
2009	10 993	1 686	15.3
2010	10 438	1 799	17.2
2011	9 938	1 453	14.6
2012	8 790	1 274	14.5
2013	9 221	1 831	19.9
2014	11 081	2 723	24.6
2015	11 054	2 894	26.2
2016	10 288	2 956	28.7
Together	114 915	21 478	18.7

Year	All immigrant	Circular immigrant	Share of circulator (%)
		Together	
2006	19 367	3 356	17.3
2007	22 607	3 464	15.3
2008	35 547	4 087	11.5
2009	25 582	3 836	15.0
2010	23 884	4 232	17.7
2011	22 514	3 354	14.9
2012	20 340	2 939	14.4
2013	21 250	4 392	20.7
2014	26 004	6 543	25.2
2015	25 787	7 094	27.5
2016	23 803	7 071	29.7
Total	266 685	50 368	18.9

Source: Hungarian Central Statistical Office and the authors' own calculation

The number of 266.685 immigrants arrived in Hungary, in which 50.368 natural persons were circulators during the eleven years investigated. So, the degree of circularity was 18.9 per cent among all immigrants. According to the literature signals we found more male (56.9 %) immigrants than female counterpart. The gender composition of circulators was approximately the same level (57.5 %) with male surplus. In other words, the force of gender selectivity of circulators did not differ from each other between 2006–2016. This general picture was modified a little bit by time periods. The gap between two sexes diminished slightly from pre-crisis period to post-crisis amongst all immigrants. However, the gender gap increased the same interval among circulators at the expense of women. It meant that the male circulator dominance grew between 2006–2016 came mainly for the more significant male's crisis resistance from 2009 to 2012 (Illés and Kincses 2018).

We extended the database on 'international circular migration'. We cross--tabulated the items by possible dimensions (age, sex, family status, country of citizenship, place of residence in Hungary) and made the indicators in eleven year-period till 2016. The share of international permanent circular migrants within all immigrants in Hungary was one of the main indicators reflecting the degree of foreigner's circularity. All in all, it was 18.9 per cent within all immigrants in the period of 2006–2016. A quasi-equivalent indicator can be found

related to Germany. In 2010 10.7 % of resident third-country nationals had crossed the border at least three times during their lifetime. We hypothesized with great probability that the force of circularity was even higher within temporary circular schemes than 10–20 %. Based on German panel data, former guestworkers' circularity was about 60 per cent (Constant et al. 2013, p. 65). Moreover, we were sure that the degree of circularity was the highest, exactly 100 per cent in international commuting systems due to its intrinsic recurring moves of the same person. However, we may guess that the international repetitive tourism constitutes the lowest portion within international tourism flows compared to other forms of international circular mobilities. The following analytical part serves as an empirical example for the usefulness of reconceptualization of the term, circular migration. It means the division of immigrants by serial numbers. The main advantage of our own research is to provide the direct passage through traditional international migration data in Hungary and beyond. In so doing lots of countries would produce international circular migration data utilising the connection of individual migrants. Below, we examine the spatial distribution of the first-time immigrants and circulators by serial numbers between 2006–2016 based on the freshest data available. The cross-tabulation of all immigrants divided by serial numbers combined with the gender and country of citizenship variables inspire us to create several findings. We would like to stress in advance, that the structures and dynamics will reflect more stable patterns of circulators compared to all immigrants and the first-time immigrants, as well.

Irrespective of the gender difference (see table 1), we finalize our empirical investigation with the time related changes, the dynamics of the *degree of circularity*. The pre-crisis period may be labelled as 'the epoch of newcomers' with the fall of share of circulators within immigration flows. The economic prosperity gives the first-time immigrant more advantage than the circulators. The crisis effect was a linear diminish for newcomers, but hectic changes for circulators. In the first two-year period the circularity increased opposite of next two-year. The post-crisis interval became 'the golden age of veteran immigrants' with the continuous growth of circularity. In absolute terms the first half of the prosperous time also favoured first-time immigrants but with the saturation of labour market their number started to fall. All in all, we found two controversial economically prosperous intervals before crises and after crisis from the point of view of the degree of circularity.

We provided a sort of information on sending countries investigating on their own international circular emigrants above. Further insight into the processes of long-term international circular migration might also be gained from the sending countries' lens. However, it is difficult to measure international circular migration from outward perspectives and performing cross-country comparison (Engbersen et al. 2013; Krisjane et al. 2016; Mikó 2019; Strockmeijer et al.

2019) is even more complicated due to the lesser quality of emigration data than immigration ones on national level. A possible solution remains for international organizations continues to collect country specific data on international circular immigration. Later they create so called *'mirror statistics'* developing the innovative practice of United Nations (2016) on the simple bipolar flows of international circular migration by serial numbers.

Conclusions and discussions

Multiple displacements from one home to another have become increasingly frequent during the epoch of globalisation. However, migratory movements have become more fluid and dispersed nowadays with the increase of intensity rates in different areas and societal strata (Górny 2017; Parreño-Castellano 2021). Circular migration is only a fraction of territorial mobility systems (Kincses 2020a). The closure of circular migration in temporary migration arena was a conceptual fault because its proponents overlooked permanent circular migration. The permanent migration had longer tempo than temporary one from the point of view of time intervals. The terms temporary and temporariness were blurred. Moreover, the practical disadvantages have developed from the simplified concept of circular migration. The rigid temporary frame of circulation attracted the shortcomings of guest worker schemes as the representation of international temporary migration (Doomernik 2013). So, the proponents were caught in one's own trap. Scholars argued against the antihumanitarian rotation system of labour based on temporary migration scheme (Standing 1984). In fact, the circular and rotational systems are completely different from each other. The final unit of these two systems were the same: the individual. However, the individuals are changed in the rotation cycle/system, but the same person moves within circular cycle/system. In the long term, it is possible that a rotated individual may return to the receiving country, but she/he is treated as new immigrants before substitution with someone else, a human being, who must be exploited from the economic aim of productivity/efficiency. With the utilisation of the rotation scheme new and newer workers could be employed and could be exploited without considering the interest of workers in order to maximize the employer's financial profit (Standing 2014).[8] In order to avoid the shortcomings of guest worker and rotation systems a *new legal status* must be created and implemented at global, regional, national and local levels, namely *circulator*.[9] The previous concepts of 'denizens' or 'local

8 Similar to the development of capital concept with originally economic nature (Kaufmann et al. 2018), it would extend the concept of profit.

9 We hope that the potential new status will be not a simple extension of the European lexicon of circular migration in the context of growing xenofobic attitude and rhetoric in receiving countries (King and Lulle 2016), amongst V4 states. Our original proposal, the creation of circulator status is a classical multidisciplinary and multisectoral challenge (Montanari and Staniscia 2016). The potential responses will be articulated among broad variety of researchers investigating spatial mobilities and any stakeholders

citizens' and so forth have not fulfilled the requirements of natural persons from below nor politicians elected from above.

Circular migration is nothing else than a multiple return migration where 'type-system dilemma' could be multiplied mechanically with the increase of serial numbers of last migration, based on linear thinking. At first sight, it seems to us that the picture of circular migration may become more blurred compared to return migration from this lens. However, the system nature fortifies at the expense of type side with the multiplication of returns (moves). In our opinion, according to the latest separate move of circular migration can be conceptualised as type with three restrictions. First, we may guess that all the previous moves have the same character by the interest of the last receiving country. Second, the perspective of the last sending country could be very variegated landscapes in the question of judging the type. This aspect may often be precluded. Third, the circulators on their own may classify their moves as different types due to inherently multiple motivational patterns. This possibility might often be ruled out. The three restrictions mentioned above remain in force if we connect serial numbers to any individual moves within circulatory systems. The last serial number on its own echoes the force of system character. The bigger is the serial number the more robust is the system nature of circular migration. If the serial number becomes lesser and lesser the type-nature would fortify (system nature could weaken) till moves the third as a minimum requirement of circular migration.

The conventional EU conceptualisations of circular migration were *too narrow and too rigid.* It emphasised one side of circularity at the expense of another. It has been causing lots of false doctrine in science on circulatory characteristics. Circular migration would be a form or type or process or system. The blurred concept has been leading policymakers astray since 2012 mainly in European Union. All in all, the international circular migration in one side must be serial numbers could be recognized as an event (a type) which could by typifies usual frames and manners in migration studies and migration policy practices. Double nature echoes the common part and parcel between the system and event conceptualisations. In other words, it means a dialectic nature of circular migration.

Two interconnecting moves performed by the same people between two territorial units are interpreted as return spatial mobility If we discover these two moves separately from one another we would classify them the same mobility types or not. The conceptualisation of *return migration* as a new migration type is highly disputable due to its dual/dialectic nature.[10] More generally, this kind of dilemma may extend to all multiple mobilities. For instance, the type of previ-

making socio-spatial policies. So, the clear distinction between repeat tourist, long-distance commuter, second-home owner, seasonal circulator, short-term circulator, and long-term circulator would be an inevitable task ahead of scholars and practicians, too.

10 Roger Waldinger (2017) devoted a section for dialogue about the dialectic relation between emigration and immigration stemming mainly from the at least dual perspectives of the same process of migration

ous emigration and forthcoming migration back to home may completely differ from one another. At the same time, the type-approach is not refused entirely because this reflects one side of the reality. But we are aware of the previous side of the coin, too. More precisely, the former emigration was neutralized by term 'return' from the point of view of home country. So, this is, why the return migration has become the initial point of the recognition of 'event-system or type-system dilemma' during the investigation of repetitive migrations.

Opposite of return spatial mobilities the onward-type of multiple moves need at least three regions. As a special case, the *serial migration* consisted of three interconnecting moves made by the same people onward direction. It must be conceptualized as a part of multiple migration systems without return (Ossman 2013). The international *circular migration* should be viewed as interlinked processes just as the return and serial migration. In general, the circulation is a system of spatial moves of individuals with multiple return characters. In this article the international circular migrants are nothing else than the returnees to Hungary. The pioneer immigrants are not circular immigrants. However, they serve as a useful reference group for the in-depth analysis besides the heterogenous mass of all immigrants. People who receive the legal immigrant status from central governmental body twice, three-times and more become only circulators according to the author's concept.

In general, two sorts of human circulation systems exist: *homogenous and heterogenous***.** The periodicity of individual's moves differs from each other in the heterogenous system. This leads us to the complex systems of mobilities where from tourism via commuting to migration a lot of kinds of human spatial mobilities connect one another or work in parallel within an individual' s mobility history during his/her lifetime.[11] The homogenous human circulation system consists of the one kind of moves made by the same persons with similar time rhythm from statistical angles within the stages of individual's life course. Based on the Hungarian and other research on homogenous system (White 2014; Weber and Saarela 2019; Monti 2020), it seems to us that the practice of *life-long international circular migration* characterises few circulators. We may hypothesize with great probability that there are limits of sustainability of homogenous circular migrations (Lévai 2011). The emergence of circular migration is more frequent some life stages differentiated by age, previous migratory experience and next aspiration. We may hypothesise with high probability, that the same conclusion could be valid in homogenous circular system of tourists, commuters and temporary migrants. However, the heterogenous circular mobility system

in his article. Besides the event-system dilemma, the failure and/or success continuum was stressed about the recognition of return migration.

11 The concept of 'enfolded mobility' (Williams et al. 2011) allows us to interconnect several moves produced by several movers forming a multiple human network (Kincses 2020b) without non-people network (Fawcett 1989).

may function during whole individual life cycle due to one of the symptoms of human beings on move.

According to some crumbs of our research results discussed in the light of relevant literature and practice we state that the *three possible perspectives (inward, outward, hybrid)* of the exploration of international circular migration are equivalent to each other from general methodological point of views. However, under the effects of the research subject, aim, scope, area and time, privileged perspective might exist from practical angles, in social reality. Homogenous circular migration data was provided by the Hungarian example of this paper where some long-term international migrants became circulators with the help of longitudinal methodology. We utilized inward spatial perspective and concentrated on foreign citizens staying immigrant status in Hungary from 2006 till 2016 from practical approach. The linkage of individual data resulted first-time immigrants and circulators by serial number of last immigrations. The cross-tabulation by available dimensions (age, sex, family status and so forth) will provide a large variety of empirical analysis from quasi-national interest. However, the cross-tabulation of the first-time and the circular immigrant data by country of citizenship might also have the matter of real international statistical interest. Based on the recent practice of UN and other international organizations about long-term international data gathering, new data collection system could develop if individual countries produce non-circular and circular immigrant data by serial numbers (Martin 2011).

What is interesting here as a wide spectrum of challenges may be foreseen (Pap et al. 2018). The circulator as a natural person and the circulation as an event-system like process could be recognized within lots of spatial mobility forms and large variety of defining areas, as well.[12] The legal formalisation is the task of representants of law. However, it would be useful to cooperate with other migration experts come from the social sciences. For instance, the creation of the circular migrant status engages with the issue of multilevel governance of migration, one of the local-regional-global migration research agendas (Zsótér and Tóth 2014; King and Lulle 2016; Zorko 2018; Triandafyllidou and Richard-Guay, 2019; Durnik, 2020; Panke 2020).

12 If we do not identify the circulator with his/her last serial number (serial number would be an event or cycle in round figures) we ignore his/her previous migration history with multiple selection processes and/or we may project his/her next migrations with the help of his/her complete migration practices. If we conceptualise international circular migration without serial numbers as recent event-like process the past is blanketed in fog, the present becomes clear, and we may guess further migrations with a little chance. In other words, the conceptualisation of international circular migration as types of migration, for example, child, pupil, student, worker, pensioner sorts of moves might generate false starting point of scientific thinking, social-territorial planning, and policy making. We may state with great probability that utilising unfound and highly disputable ideas (for example the narrow EU concept of 'temporary and circular migration') to modify any spheres of reality may generate next problems beyond social sciences and real lives (unsuccessful, contra-productive actions; social imbalances; individual tensions/cataclysms).

Short conclusion

We would like to stress two old-new proposals for V4 to contribute to the reform of the rigid EU migration policies. The old solution embeds into official statistics. The reliable data of country of citizenship allows the production of so-called *'complete and/or partial mirror immigration statistics'* in bilateral and/or multilateral relations (Poulain et al. 2006; Hansen et al. 2011; UNECE 2016: 20). The added value will be the indirect information of emigration from countries, regions, continents. Meanwhile, with the use of inward perspective of immigration, the requirements of outward perspective will be fulfilled by mirror statistics. Our second and original suggestion is the creation of *'the new legal circulator statuses between citizens and immigrants/commuters/tourists'* on different spatial levels.

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Sándor Illés *is the director of Active Society Foundation, Budapest, Hungary, in which he is the leader of Migration and Mobilities Research Group. He is a geo-demographer with a population geography background combining with migration studies expertise. He was the founder and former head of Migration Statistics Section of Hungarian Central Statistical Office. He was the secretary of Demographic Committee of Hungarian Academy of Sciences. His major research interest is the interdisciplinary theme of international migration. He deals with retirement migration, circular migration, and migration politics nowadays. His most recent ambition is the investigation of multilevel governance of international circular migration. He has published more than ten books and more than twenty papers in quality international journals. E-mail: Dr. illes.sandor@gmail.com.*

Centralisation in one step. Centralisation and decentralisation in Hungary from a public services perspective[1]

LÁSZLÓ KÁKAI

sciendo

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Abstract: *It is very difficult to group countries and state structures according to the extent of their decentralisation or the model they follow in the spatial distribution of power.*

The strengthening of local municipalities and the almost continuous evolution of their role reflects the steady downsizing of public services provided by the state and the extension of market circumstances. Until the economic crisis in 2008, the importance of state redistribution increased in almost each of the developed countries, more and more nation state functions were centralised under the authority of international organisations, and the "curtailment" of national governments' authority occurred in tandem with the strengthening of the local state, i.e. municipalities.

The study exploring the issue of centralisation and decentralisation does not seek to unearth the relationship between the two concepts, but to examine from the point of view of consumer satisfaction how such a hastily implemented reform is able to respond to consumer demands.

It also examines how those concerned by the financial and political changes, i.e. the population perceived this most important structural transformation of the period since the transition in 1989. Can it be verified from the consumers' point of view that the transformation of the local municipal system improves the quality of service provision? The study reviews the process and social reception of the largest-scale administrative reform in Hungary post-1989 (with a primary focus on public services) using data from an extensive survey (representative of settlement type and sociodemographic variables).

1 Research for this paper was supported by the following grant: EFOP-3.6.3-VEKOP-16-2017-00007 "Young researchers from talented students" – Fostering scientific careers in higher education.

Keywords: ***Local government, centralisation, decentralisation, local public service structures, Hungary***

Introduction

Despite significant changes in the Hungarian system of public law (whose order of magnitude can be compared to the regime change) post-2010, the fundamental modification of the local government system and the spatial structure of the state have not attracted much professional debate or social or municipal opposition. The study outlines the main frameworks of this transformation as well as its implications on the delivery of public services. The study does not primarily seek to assess how centralisation compares to the previous allegedly more decentralised system of local government, but how the centralised decision-making system has modified the tasks of local governments and how local residents perceive these changes.[2]

The outbreak of the Covid-19 pandemic in Hungary and the restrictions triggered by the epidemiological crisis situation in the aftermath of the global recession may provide valuable insights into the process of "re-centralisation" in Hungary. Crisis situations in general highlight the need for centralised decision-making, as turbulent situations demand instantaneous responses and rapid decisions, accentuating the role of central governments. A review of the methods and measures employed by individual governments in the framework of crisis management may yield useful insights. Hungary provides an interesting example of crisis management, having already performed extensive centralisation in the system of public administration (ranging from health and education to local government) in the pre-pandemic period. Our interest lies not so much in the specific methods of crisis management employed in a centralised country but in the government's willingness to seek partners under the pretext of the epidemic crisis or further centralisation.

Theoretical frameworks and problematisation

The public administration and/or state and municipal reforms implemented in Europe over the past decades can basically be grouped according to the often contradictory responses given to the questions about the re-definition of the role of the state and the economic efficiency of public services (Kákai, 2009: 134–135). A wide array of theories may provide the theoretical underpinnings of

2 The survey raised questions about functions ensured by local governments either before or after the reform.

the fundamental question of the study, ranging from the study of local autonomy to the strand of financial federalism, used extensively to understand the process of centralisation-centralisation.[3] The theory of financial federalism,[4] gaining wide popularity over latest fifty years is particularly helpful in the scientific understanding of the centralisation/decentralisation process (Musgrave, 1959). The central element in the focus of initial theories was decentralisation (Szalai, 2020: 424) as the only factor capable of limiting the centralisation of power owing to the fact that local governments could provide more flexible and more controllable public services that met actual consumer preferences (Tiebout, 1956; Oates, 2005).[5] Later, the theorems of information economics with their origins in the science of economics were incorporated into the frameworks of fiscal federalism as new elements, owing to which the stress shifted from the effectiveness of financial relations between governments to local income and resource generation (Vígvári, 2009: 709). At that time, the provision of public services was progressively replaced by the local economy organising and development role of municipalities. These theoretical trends dominated the '70s and the '80s as well, fostering the emergence of several trends dealing with local politics, such as the localist approach or the new theory of better or community choice as well as the thesis of the dual state or the theory of relations between the local state and society that together provided the theoretical framework of the almost continuous[6] transformation (Kákai, 2013) of local municipal systems.

The classic models of fiscal federalism required revision over time (Dafflon-Madies, 2011). The optimum of centralisation/decentralisation is conditioned by highly complex, spatially and temporally variable factors, which renders the establishment of universal laws problematic (Charbit, 2011). It is a well-established fact though that any extent of decentralisation of tasks and responsibilities has to be accompanied by a transfer of the necessary resources, since the absence of financial autonomy calls decision-making autonomy into question. This implies that own revenues and central budgetary transfers are prevalent in all advanced states with a multi-level system of financial governance and can be arranged into different models according to their respective proportions. The authors of the so-called 'decentralisation index' have already distinguished between administrative, political, decision-making, qualitative and quantitative financial and executive decentralisation and found that

3 Economic issues such as access to government public services, local taxes, and representative local government structures are of particular relevance to the present research (Lapidoth, 1997: 184–193).

4 This depicts the phenomenon of government units engaging in economic interactions with one another to articulate various public service preferences.

5 These theories postulate the existence of various local public goods and services, which are characterised with spatially heterogenous demand. The authors categorise all public services as such whose production is locally anchored.

6 From the '60s to our days.

economically well-performing countries tend to show a greater level of decentralisation.

A change in attitudes was provoked by a series of mainly financial crises that culminated in the global financial crisis of 2008. The reason for this was that the nascent smaller and cheaper states were unable to tackle their problems efficiently. In this case, a small and cheap state was co-terminous with a weak one. As for governance-like, 'hybrid' state systems, criticism was mainly triggered by the lack of transparency and democratic legitimacy (Peters and Pierre, 2006). Consequently, the so-called 'neo-Weberian state' concept stressed the enhancement of state functions as compared to the past, the requirement of providing quality services in a professional way, the extension of citizen and public administration consultations and the spread of result-based attitudes. 'Returning' to the Weberian heritage practically emphasised a reinforcement of state functions and the importance of regulative and control functions of public administration, as well as of public services. Although the model cannot be regarded as a new paradigm of governance, in many countries it has brought about significant shifts, relegating the prestige and field of prevalence of New Public Management into the background (Dreschler and Kattel, 2009).

To sum up the above approaches, individual theories have not crystallized around the special features of centralisation/decentralisation, but rather the deterioration or amelioration of the local delivery of services and corresponding consumer satisfaction in a centralised decision-making and financing system. The conceptual framework of the centralisation/decentralisation dichotomy has remained quite stable in recent decades, leading to a profusion of similar aspects, arguments and counter-arguments in the different comparisons (Begg et al. 1993, Linder 2002). There has been growing consensus on the decisive role of context. Based on the advantages and disadvantages enumerated in the literature, the nature and extent of decentralisation corresponding to certain times and areas appears to be a question of professional and political judgement. Decentralisation is context-dependent, its benefits are not automatic, and decentralisation and centralisation can refer to a whole range of *de jure* or *de facto*, administrative or political processes (Hutchcroft, 2001).

In Hungary, there were two options that facilitated the durable maintenance of the balanced regulatory result (Weingast, 2009).[7] The first was the option of economies of scale which emphasises the differentiation of tasks between units of local governments of various size. The other solution was that smaller municipalities provide the service functions exceeding their order of magnitude within the frameworks of consciously organised integration entities. Practically, these were the two ways by which the municipal structure, which was apt to

7 Integration of the exercise of functions, both from the point of view of the organisation of public administration and in terms of the politics of public administration.

give a framework to the domestic financial, historical and settlement structure challenges and endowments, had to be found.

Methodology of the research

The research analyses the relations of local governments. Its main objective is to clarify and analyse the role of the state in public services and public service delivery. International academic debate is often centered around identifying the government model that meets the evolving challenges of globalisation, and the provision of efficient, short- and long-term cyclical responses to complex social, economic, cultural and developmental problems.

The applied methodology for examining the above issues rests on two pillars. One implies the collection of secondary information (desk-based research), i.e. the processing, systematisation and analysis of existing data and information. For the purposes of the research, a population survey was ordered by the National University of Public Service.[8] The survey was based on a sample of 1,500 inhabitants that was representative in terms of settlement size, level of education, gender and age group[9] (Kákai, 2019). The study investigated public perceptions of the availability of local public services, the subjective expectations associated with the objective conditions characterising the public service system. Its aim was to unearth individual perceptions of the centralisation of government in public services, i.e. the importance that individuals attach to whether a given service is provided by the state, local government, non-profit or for-profit organisations and whether they notice the difference between the quality of public services and the identity of the service provider.

In the sampling for the purposes of the questionnaire, the main priority was to ensure that the surveyed settlements are representative of the full spectrum of Hungarian settlements. The analysis was primarily focused on public services that were represented in the case of the analysed settlements.

Frameworks of public administration structures

Geographical division is highly contingent on the size of the states and their population but first and foremost, on the political-ideological objectives and system of conditions of social organisation and direction (Hajdú, 1994). Concerning their constitutional legal status, tasks, authority and organisational system, municipal systems show a very diverse picture in Europe. In terms of the constitutional position and role of the local-territorial municipality and the central-local relation systems, international literature distinguishes three big

8 The research was implemented within the framework of the flagship project no. KÖFOP-2. 12. -VE-KOP-15-2016-00001, entitled "*Public service development basing good governance*".

9 The research was implemented between 18th July 2018 and 18th August 2018.

country groups (Hesse, 1991) of developed democracies[10]: the French or Napoleonic, the Anglo-Saxon and the mixed or continental model. John Loughlin (2001) provides further precision of this methodological framework by dividing and distinguishing between the systems built on German and Scandinavian traditions. Later, Loughlin (2007) refines his typology of local governments focusing on the transformation of state models and the interactions between various levels of government. He distinguishes between three stages of development: the first i.e. the era of the welfare state was dominated by the national level, marked by administrative decentralisation, and territorial actors were 'agents' of central government. With the partial crisis of the welfare state and the emergence of new, neoliberal forms of governance and actors, the trends of reform processes became more diverse. This period saw the (primarily) local-level decentralisation of public services. The third era shifted the balance between the public and private sectors and the various governmental tiers in favour of regions. The role of territorial actors in development policy became more prominent. The trend was therefore one from hierarchy to equality between levels, from uniform to asymmetric solutions, and in terms of content, from administrative deconcentration to political decentralisation, from public services to economic development.[11] The contours of the post-2010 era were somewhat blurred due to the emergence of so-called Neo-weberian elements (Dreschler, 2009). The question (extending beyond the scope of the study) is whether the process can be characterised as a mere correction or a radical and wholesale reversal of the governance model of the neoliberal era, with the generalisation of centralisation setting the stage for a new era of reform (Pálné, 2014: 22).

According to this classification, Hungary created its state structure by mixing French and German traditions. The creation of the Hungarian constitution and governmental structure was highly influenced by the public administration and legal structure of the German Federal Republic. At the same time, concerning the structure of the public administration-organisational system, Hungary's constitution and governmental system was not federal; rather, it was uniform or Unitarian.[12] Nevertheless, the act on self-governance, passed in 1990,

10 It is important to emphasise the fact that this distribution is not only apt to describe territorial structures.

11 The change is also detectable in the international literature, since local government systems were distinguished fundamentally by their competences, fiscal position and power relations even as late as 2006 (Heinelt – Hlepas, 2006). In addition, there are also comprehensive analyses (Swianiewicz, 2014) that complement the typology by Hesse or Laughlin with further aspects (e.g. number of elected local and regional authorities, functional and financial decentralisation, subsidy system, municipal debt, power relations, mayor's position, local electoral system, etc.), from the perspective of Eastern European countries. Other works that quasi 'measure the degree of decentralisation/local autonomy' can also be mentioned here (Ladner et al. 2019).

12 This means that the constitution acknowledges the right of self-governance of the settlements, however, it does not give any content details, not even in terms of municipal tasks. This model assures a narrower scope for local authorities (e.g. the operation of municipalities can only be regulated by act, thus the

established a strong and decentralised system of territorial municipalities[13] that had the following main features (Soós and Kákai, 2010):

- Decentralisation without enforcing subsidiarity;
- Despite the constitutional status, maintaining a strongly centralised system through the allocation of state-controlled resources;
- Adopting Napoleonic traditions, i.e. one settlement, one local government principle, which resulted in a fragmented system of local governments.

Asserting the above characteristics seemed easier since municipal decentralisation had no strong traditions in Hungary. Forceful centralisation was dominant not only in the state socialist era between 1950 and 1990 but in most of the earlier periods of state development as well.

Between 1990 and 2011, in a practically unique way, the Hungarian municipal system assured a very wide range of rights for local governments and the institution of local governance was entrenched by a so-called 'cardinal' act (demanding qualified majority), along with legal regulations put down in the constitution. These laws strengthened the autonomy and sovereignty of local authorities (within domestic legal frameworks). The only supremacy above their activities was legal supervision but even that was enforceable only with juridical approval. In terms of the legal conditions determined by the constitution and the Act on local governments passed in 1990, the local municipalities (that were either settlement or regional authorities) had a wide range of obligations in service provision (obligatory tasks), a large scope of action (voluntarily undertaken tasks and entrepreneurial activities) and a high level of financial independence (possibilities of having own incomes, normative central financing, being provided with properties or the possibility of starting business activities).

The paper presents the operation of the system and the strengthening of its internal contradictions, as well as the issue of centralisation and decentralisation by introducing the changes in two particular fields. One is the financial environment of the municipal system and the other is the direct contribution of local authorities to public service provision. The latter is a substantial issue because in terms of municipal capacities, it is important to present the scope left by the sectoral regulations for the local (settlement) decision-makers and the extent to which they can determine the conditions of providing local public services.

Relations between financial and municipal (public) tasks

Concerning municipal tasks, the Hungarian municipal system belonged to those with a wide range of responsibilities and general authority. The Act on

charging of taxes, the method of their collection as well as the authority and income resources of local governance).

13 Perhaps the term *decentralised Unitarian* is more precise.

local governments passed in 1990 regulated the issues of tasks, competences and functions in its very first chapters. By local public affairs charged on the local authorities, the legislator referred to the provision of public services for the population and to the practising of power in a municipal way. Thus, the function of local authorities is clear: organising public services and practising public power (regulatory and authority) rights.

The general range of the substantial public services provided by local authorities are laid down in the Act on local governments to this day. Until 2011, institution-focused public task provision was typical to Hungarian municipalities. Some of these were stipulated as obligatory tasks (although not acknowledged as civic rights), while others were described as optional or voluntary tasks. The other part of public services includes the organisational system of human public services. This set covers the institutions of public education, culture (museums, archives, cultural centres, etc.), healthcare and social care.

The set of municipal tasks has in fact permanently been extended during the last twenty years[14] and the chief reason for this is that the sectoral laws have the right to impose obligatory tasks on local governments and to extend the content of the functions specified in the Act on local governments.[15] As a consequence of competence regulation, municipalities had become overloaded with obligatory tasks by 2010, against the backdrop of permanently changing normative supports that mirrorred the changing regulations on task provision.

Meanwhile, duties could also be transferred from the municipal side to the governmental sector without any restraint. This occurred in many instances in terms of mid-level functions where, instead of county municipalities, decentralised state organs and institutions were granted authority. There was a continuous transfer of tasks, several functions were moved from the municipality to the state sector (e.g. public transport, nature and environmental protection, sports, the protection of built heritage, trade and market control, consumer protection, agricultural and land administration, etc.). In human public services, functions developed in parallel within municipal and state organs (e.g. education, pedagogical services, family care, guardian affairs or the central hospitals in healthcare, etc.) The role of county development commissions became formal and most of their competencies in decision-making 'shinned up' to the regional commissions. Hence, the counties were ousted from tender calls and had no possibility to maintain infrastructure (water, sewage or waste).

14 According to the Report no. 0012 of 2000 of the State Audit Office of Hungary, the central government burdened 3,464 functions and responsibilities on the municipalities between 1995 and 1999, which were regulated in 351 legal measures (including 133 acts), available at: https://www.asz.hu/hu/jelentesek/osszes-jelentes-2000-ev/2/, 24th February 2020.

15 This practically meant that 23–27 percent of state expenditure was used at the local level, the equivalent of 12–13 percent of the GDP (Horváth et al. 2014: 337). By international comparison, this was a strong expenditure decentralisation (the average in the 27 EU countries was 17 percent).

The processes presented above clearly indicate that one of the problems of the municipal system having operated between 1990 and 2010 was system-level and resulting from the attempt to implement a mixture of the Northern European and the Southern European models (Torma, 2012). Namely, a fragmented settlement system was burdened with too many tasks and too high a level of service quality criteria. Our domestic municipalities were responsible for a wide range of tasks, similarly to the Northern European model which, in principle, meant that the cities with hundreds of thousands of inhabitants had almost the same rights as tiny villages with a few hundred people. Meanwhile, most of the Hungarian local authorities had a low population[16] similarly to those in Southern Europe but contrary to them, our domestic municipalities were in charge of a wide range of public services and the mid-level municipalities – small regions and counties – received only the 'rest'of the tasks and were facing a continuous decrease of state support.

The Act on local governments passed in 2011[17] effected considerable changes in local public service structures and municipal responsibilities. After the decentralisation experiment, the new central approach showed token strong centralisation in the spirit of a neo-Weberian[18] philosophy.[19] The process started with the appointment of government commissioners at county level and was later completed with the creation of the new constitution, the new act on local governments, the re-tailoring of the central and local governments' task system and the reform of the finance system. The transformation of the municipal system can be taken as a local public task centralisation process implemented within a decentralised structure. The new regulatory system bringing about a strong centralisation of public service provision was closely connected to the financial consolidation of local authorities.[20]

16 According to the data of 2018 by the Central Statistical Office, in 55 percent of the local municipalities, the population was below 1,000 and was less than 5,000 at 37 percent (1165). All this means that in 92 percent of the settlements, the population was under 5,000, available at: https://uni-bge.hu/PSZK/Szervezeti-egysegeink/oktatasiszervezetiegysegek/PENZUGYT/dokumentumok/Kozpenzugyek/2019.Onkormanyzatok.pptx, 24th 2020.

17 Act. No. CLXXXIX. on the local governments of Hungary (Mötv.).

18 The core of this and its difference from New Public Management (NPM) is that while NPM strives to make the state switch over to market operation principles, the neo-Weberian model focuses on reconsidering the role of the state in terms of strenghtening it.

19 In this spirit, the requirement of qualitative services and their professional provision, the extension of citizen and public administration consultations and the dissemination of result-based attitudes were given a stronger emphasis than in the previous governmental periods.

20 The crisis of the US mortgage market erupting in 2009 played a significant role in this, leading to a weakening of the Forint exchange rate, which was further exacerbated by the post-2010 economic policy, considerably raising the amount of credit due to the large open foreign currency position. As a result, the government had to take action. It assembled a debt consolidation package for debt management. In its framework, a total of 277 municipalities with more than 5,000 inhabitants had their debts of cca HUF 610 billion assumed by the state in June 2013 (Vasvári, 2020). In the two categories of municipalities (under 5,000 inhabitants and above), the state took over a total of HUF 694.2 billion

Post-2010, one of the elements of the changes in local governments' subsidies received from public finances was the introduction of so-called earmarked financing. Accordingly, local governments received a part of central budgetary financing as a difference of average planned expenditure and expected revenue (Horváth et al. 2014: 339). Although the shift to labelled financing was not 100%, the process implied a switch from the earlier normative financing system built mainly on unrestricted spending to a cost-oriented system of restricted spending.

In 2013, general support adjusted to the obligatory tasks of local governments was provided in the fields of municipal administration, settlement operations (street-lighting, public cemeteries, maintenance of public roads and green area management), specialist social care (institutional care) and public education (Tállai, 2014). In the case of social, children's welfare and cultural functions, task financing was not applied. From 2014 onwards, the system of task financing was extended to children's catering as well.

Owing to the changes in the legal regulations, larger settlements have greater authority.[21] A new category of 'district town' was introduced; these settlements fulfil (mainly small regional public service) tasks for the whole district.

Table 1: Division of local tasks since 2011

Public service/task	Responsible for supply		
	Local authority	County self-government	State
local roads	■		
national public roads			■
health care at basic level, outpatient clinic	■		■
hospitals			■
public education, secondary schools			■
training institutions			■
kindergarten education	■		
cultural services, museums	■		
libraries	■		
social care	■		■
housing	■		

Public service/task	Responsible for supply		
	Local authority	County self-government	State
sport and youth affairs	■		
local transport service	■		
regional transport service			■
water supply	■		
potable water and sewage management	■		
waste collection	■		■
regional development		■	
rural development		■	
spatial planning		■	■
economic and tourism development	■		■

Source: Based on research by Pfeil, E. (2019: 55-57).

debts out of a total volume of credits of HUF 1182.46 billion at the end of 2012. This led to a significant improvement of the budgetary position of local governments post-2011, available at: http://hazaeshaladas.blog.hu/2012/11/05/onkormanyzati_adossagatvallalas_tenyleg_nullszaldo, 10th June 2015.

21 The model calculations made by Ilona Pálné Kovács et al. (2014) proved "the bigger the settlement, the more services provided" connection that shows bigger leaps in the population categories of 2,000 and 10,000 people; this picture is in line with the rules of the obligatory responsibilities allotted to local governments (Mezei, 2014). available at: http://docplayer.hu/5950391-Zarotanulmany-a-hazai-onkormanyzatok-finanszirozasi-helyzeterol.html, 2nd July 2018.

As indicated by the data collected and analysed by Pfeil (Table 1) the circle of mandatory tasks of local governments in Hungary was spectacularly reduced after 2010 and especially after 2014, in connection with the transformation of large public utilities and infrastructures.[22] To sum up the changes, in the fields of energy, water and public sewer supply, waste and settlement management, the operation of public roads and local public transport, state contribution has become dominant. As a result of competence re-organisation, the range of tasks that local governments are obliged to fulfil has considerably narrowed. This phenomenon is clearly visible at both municipal county and settlement levels. County municipalities were deprived of all their public service functions (cultural centres, libraries, museums, archives, etc.), except for the task of regional development, which was strengthened. However, as underlined by the analysis of Gálosi-Kovács and Haffner (2017) county governments have only a formal position in the formulation of regional development plans, disposing primarily of administrative functions.[23]

Apart from nursery school education, the basic tasks of public education were removed from the set of local public affairs. In the field of cultural services, the maintenance of museums was moved from county responsibility to the settlements. Similar processes were implemented in the case of public libraries. Essential changes were implemented in terms of social and healthcare institutions of human public services. Apart from basic social and healthcare services, all the tasks were moved under state responsibility. Previously, secondary grammar and technical schools, hostels, museums, libraries, archives, institutions providing special healthcare and elderly care homes were transferred to central authority and the belonging properties were nationalised.

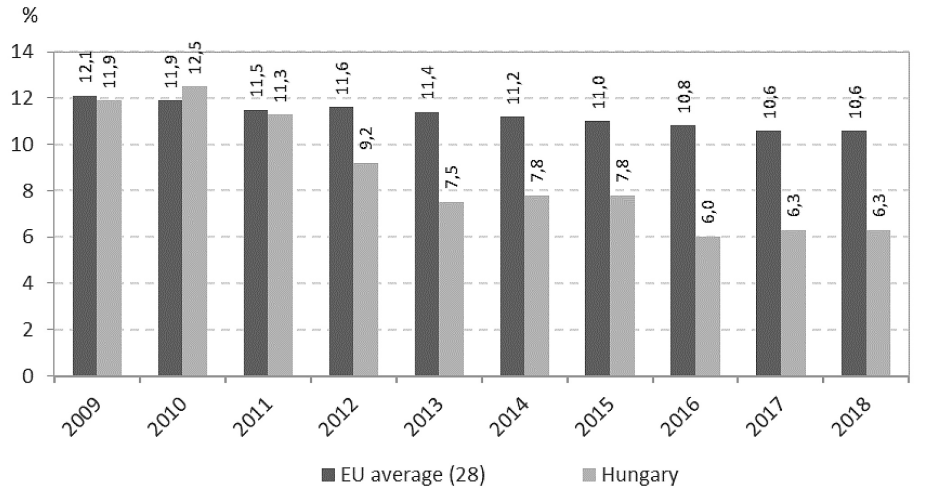
The reorganisation of governmental tasks has entailed a drastic modification of local government expenditure (Figure 1.). In macroeconomic terms, from a public finance point of view, the change effected by the government measures altered the role of local governments in the system of public finances, modifying [24] (in Hungary's case, reducing) the extent of decentralisation and narrowing the circle of mandatory tasks of local governments (Sivák, 2014: 305). In 2012, the ratio of local government expenditure to GDP was only 9.2 percent, compared to 12.5 percent in 2010 (Horváth et al. 2014: 125). This trend has been ongoing. By 2018, the share of local government expenditure was a mere 6.3 percent.

22 Since the year 2010, in the course of the fundamental transformation of the decentralised system, the amount of tasks performed at the locality decreased by 29 %.

23 The ambiguity of the situation is illustrated by the legislation entering into force during the COVID-19 epidemic, according to which county municipalities were granted new powers only in the field of development and planning, while municipalities remained charged with the provision of municipal public services despite being deprived of one of their major sources of revenue (business tax) (Balázs – Hoffman, 2020: 14).

24 This indicates Hungary's shift from its position of a highly decentralised country to one of the most centralised compared to other OECD countries (OECD, 2019).

Figure 1: Evolution of local government expenditure as a percentage of GDP between 2009 and 2018



Source: Calculated on the basis on Eurostat data (2018) (Bordás et al., 2020: 94).

As a result of the changes, the bases of the general power grounding the responsibility and authority of the municipalities weakened and the principle of decentralisation and subsidiarity was strongly restricted as compared to the years before 2010. The centralisation process triggered profound changes in the provision of public services for the local population – they affected a substantial share of local public affairs.

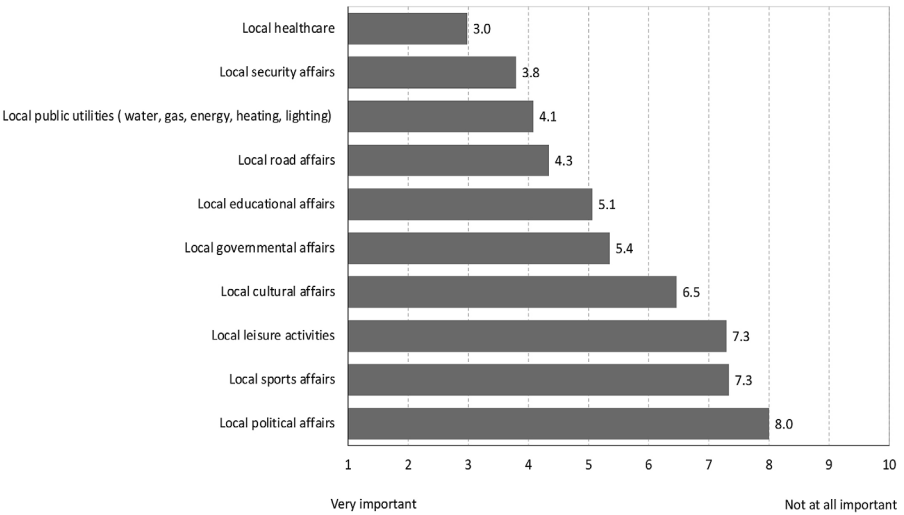
The population's attitude to changes

The Act on local governments passed in 2011 transformed the local public service structures and municipal tasks considerably. The question is how the population has responded to all this. What characterises their perceptions of the municipal system? In their everyday lives, do they notice the difference between local public services, their quality and the identity of the service provider? This is especially interesting in light of the fact that according to the value surveys made from the transitional era until recently, the Hungarian population tends to underestimate the costs (tax expenditure) of state intervention and expects/anticipates/demands state intervention and redistribution also in terms of issues where (Csontos et al. 1996), in general, it would be more effective, cheaper and perhaps fairer to involve private or business resources (Tóth, 2010).

In ranking public services in terms of their importance, we have found that the main priorities of the population are issues related to local health services, local public security, and the development of local utilities and local roads

(Figure 2.). Issues related to education and municipal affairs are of secondary importance. Cultural affairs, leisure activities and sports are of low importance. Issues related to local politics are at the bottom of the list.

Figure 2: How would you rank local employment issues?



Source: Based on KÖFOP-2.12.-VEKOP-15-2016-00001 calculation by Kakai 2019.

The ranking order basically corresponds to a hierarchy of needs. Public services considered to be the most important by people are those demanded by the population on a daily basis, fundamentally affecting their everyday lives and routines. Their significance considerably outweighs that of public services related to education, culture and social life.

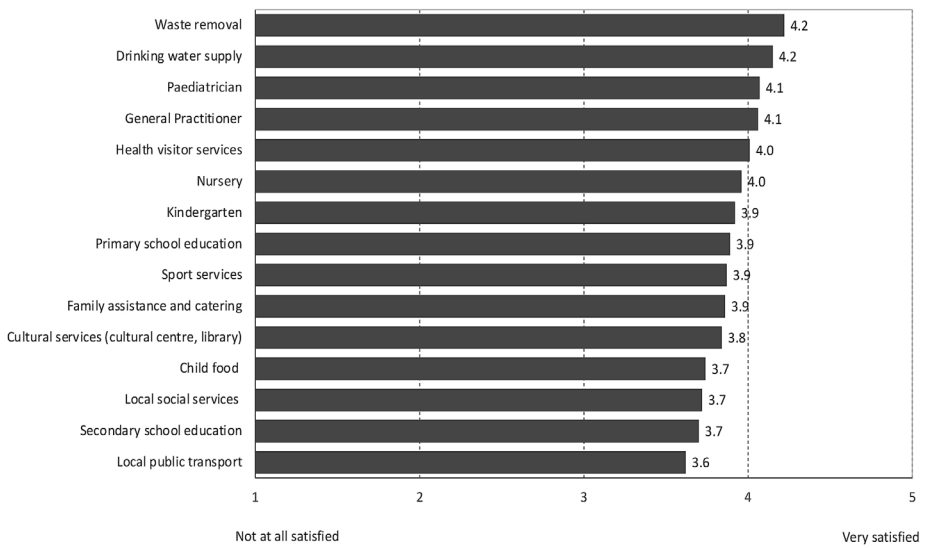
This is consistent with Abraham Maslow's psychological theory of the hierarchy of needs (Roóz and Heidrich, 2013), according to which human needs follow a hierarchical structure. Physiological or basic needs, i.e. needs related to subsistence constitute the bottom level of the Maslowian "pyramid of needs". At the second tier of the pyramid are safety needs: i.e. the preservation and safeguarding of acquired assets. These are followed by social needs stemming from out nature as social beings. Social needs refer to needs for love and belonging. The satisfaction of these needs relies on maintaining kinship and social ties corresponding to people's interests and mentalities. The top of the pyramid comprises the need for self-actualisation. Certain individuals have a desire to make the most of their abilities and talents.

The fact that local political issues occupy the bottom tier of the list of priorities clearly indicates that in contemporary Hungary only a small segment of

citizens regard active engagement with public affairs as a vital and essential psychological need. A retreat from politics and public life is also detectable at the local level, although in most settlements this area no longer, or does not necessarily constitute the scene of party politics. In small settlements, the world of local governments is traditionally (or should have been) overtaken by independent politicians or civilians. However, national party politics overwhelmingly present in medium-sized and large settlements often penetrates this level as well. Hence, a disillusionment with national party politics (in the Anglo-Saxon terminology, the world of politics) also leads to a withdrawal from local politics.

The answers reveal an interesting contradiction relating to the assessment of the quality of services. According to the data, the classification of the quality of public services ranges between good and mediocre in almost all areas. Whether it is an accurate reflection of respondees' opinions or just an attempt to resolve a cognitive dissonance is hard to assess (Figure 3.).

Figure 3: How do you rate the quality of the following services in your area of residence?

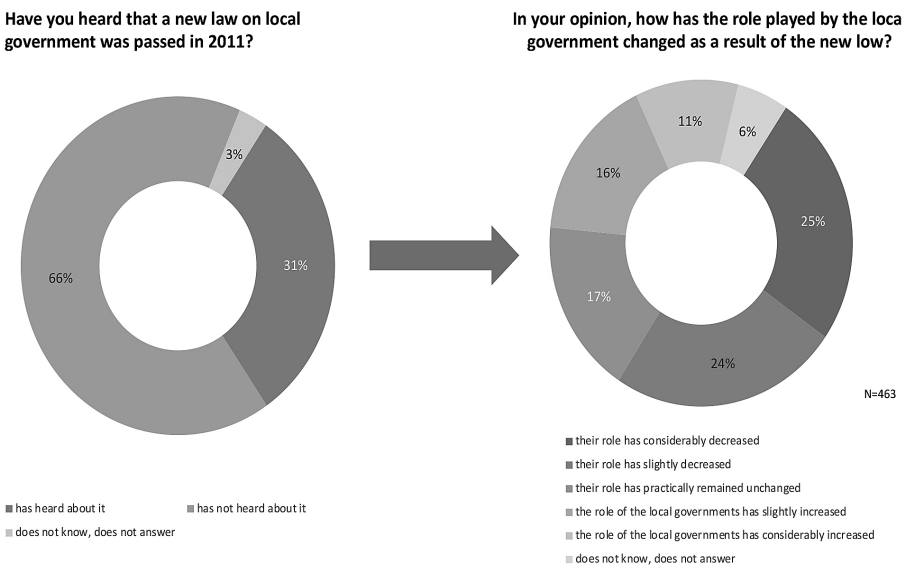


Source: Based on KÖFOP-2.12.-VEKOP-15-2016-00001 calculation by Kakai 2019.

Are people really satisfied with general practitioner care or do they merely contend that it is of the highest attainable quality locally? While our research data does not corroborate this fact, it is quite telling that respondents rate the quality of secondary education as mediocre, an area that shows an above average service mobility.

Political processes and local services reflect the fact that only a third of the participants in our survey confirmed that they were familiar with the Act on local governments adopted in 2011. Those with no prior knowledge of it, on the other hand, were also aware that the law had curtailed the powers of local governments (Figure 4.).

Figure 4: Have you heard that new law on local government was passed in 2011? In your opinion, how has the the government's role changed as a result of the new law?



Source: Based on KÖFOP-2.12.-VEKOP-15-2016-00001 calculation by Kákai 2019.

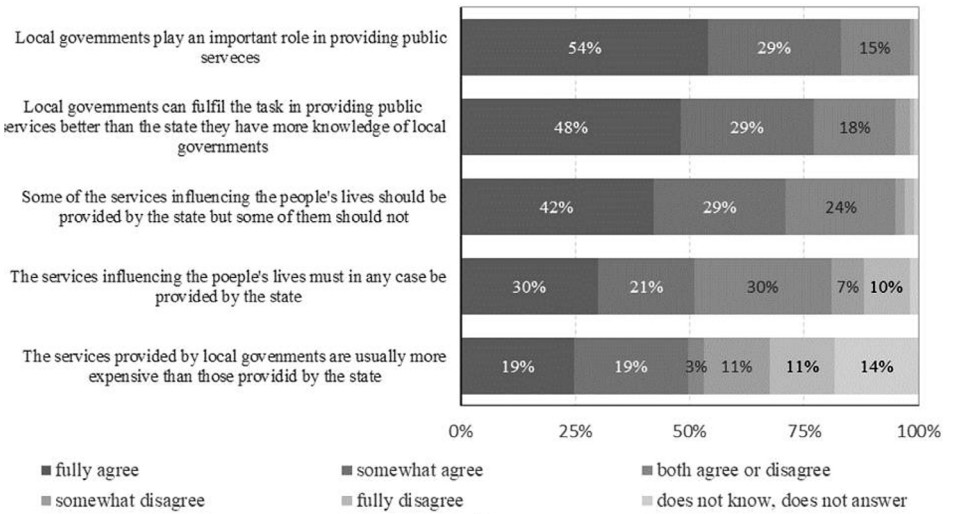
The evaluation of the effects of the modification of the law points to an interesting ambiguity in the responses. When requested to assess the qualitative change of the delivery of local services within their respective settlements, respondees' opinions suggested a non-variance in the respective services. This practically indicates that the modification of rules fundamentally transforming the delivery of local public services has not impacted the nature of services accessible for citizens or their perceived quality in the long term.

However, a shortage of information does not neccessarily imply that on the basis of their everyday experiences and life situations citizens are unable to develop their own views and ideas on the limitations of the role of local governments and the state in public service delivery.

When asked about what role local governments play in public services or whether tasks can be fulfilled better by the state or local government, in most

cases, they opt for the latter (see Figure 5). According to most respondents, municipalities play an important role in the delivery of public services. They are more competent in fulfilling these tasks due to their awareness of local needs.

Figure 5: Local government or state?[25]



Source: Based on KOFOP-2.12.-VEKOP-15-2016-00001 calculation by Kákai 2019.

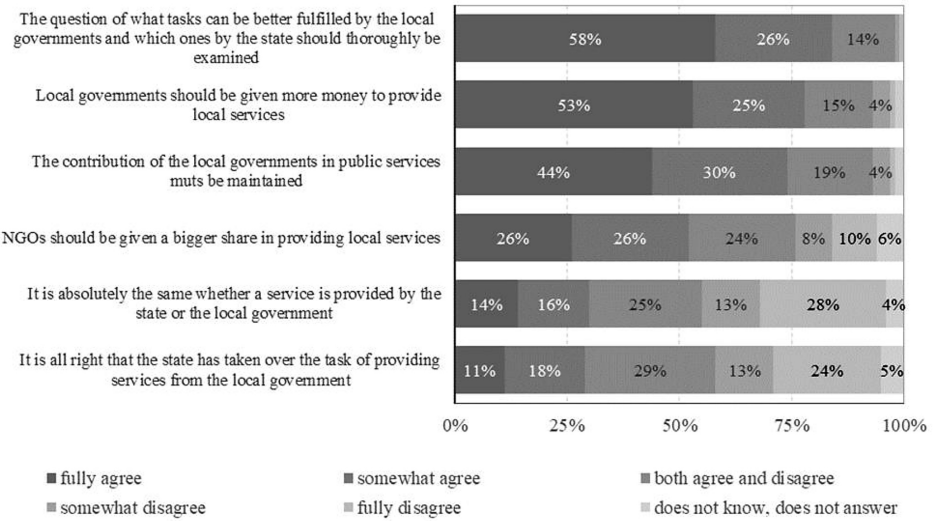
Nevertheless, the respondents acknowledge that some tasks must be performed by the state and that responsibilities must be carefully distributed between the two agents (see Figure 6). Also, they have definite negative opinions about the over-extension of the state and the centralisation of municipal tasks.

In case we take the opinions worded in the questions as the statements of a Likert-scale and simply summarize them,[26] we will see that centralisation in

25 The question was: Many people think that services that affect people's lives should be provided by the state, while others do not think that the state should provide such services. Please indicate your opinion about this issue. Indicate your answers as you would do in school, with a 5 meaning you fully agree and a 1 meaning you fully disagree.

26 This analysis method treats the eleven statements as having equal importance, showing the primary atmosphere in connection with the examined topic. However, because of the high number of hesitant persons, it is worth investigating the finer opinion structures and interconnections hiding in the background. By means of a factor analysis, we have discovered two, clearly separated opinion dimensions behind the eleven attitude questions. The first one includes the statements examined from a quality and efficiency perspective whether it is the local government or the state that should provide local services. The second group includes the questions concerning task division from the financial and cost efficiency aspects. With the help of the two factors created this way, we were able to perform a cluster analysis and examine the patterns appearing along these opinion dimensions in Hungarian society, along with the type and size of the groups characterised by these patterns.

Figure 6: Local government or state?[27]



Source: Based on KÖFOP-2.12.-VEKOP-15-2016-00001 calculation by Kákai 2019.

the field of public services (i.e. clear and strong state presence in every area) has a very small supporter base (Kákai, 2020: 81).

Regarding quality and efficiency aspects, those explicitly opting for decentralisation show a clear preference for local municipalities in terms of public service provision. These make up 39 percent of the people questioned (see Figure 7).

The method of analysis divided the originally very large group of hesitant persons into several parts. One of these groups was all for decentralisation in service provision but preferred the state in terms of the financial issues of public services. This constituted 25 percent of the questionees.

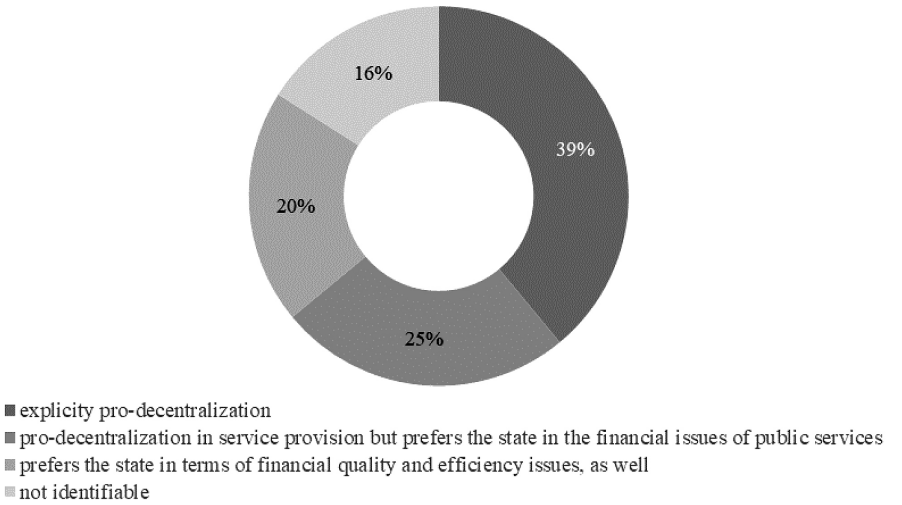
The other group was a pro-centralisation group that trusted the state more than any other entity in terms of the financial issues of public services and that, albeit not very strongly, also favoured the state in terms of quality and efficiency aspects. This type of thinking characterised 20 percent of those interviewed.

The answers of 16 percent were incomplete and thus impossible to categorise explicitly or did not match clearly the opinion structures of any of the groups.

One of the reasons for rejecting strong state contribution may be bad experiences. Since the act on local government was passed in 2011 and the state withdrew tasks from the local governments, both education and healthcare have

27 The question was: „I am going to read you some statements about the changing role of local authorities in public services. Please tell us your opinion about each of these. Indicate your answers as you would in school, with a 1 meaning you fully disagree and a 5 meaning you fully agree."

Figure 7: Municipality or state? – groups created by means of factor and cluster analysis[28]



Source: Based on KÖFOP-2.12.-VEKOP-15-2016-00001 calculation by Kákai 2019.

been seen in a negative light (see Figure 8). 21 percent think that the circumstances have declined since the organisation of primary and secondary level education were taken over by the state and the majority thinks conditions have remained the same (which, with regard to the long-lasting negative judgement of education, is also problematic). Only 13 percent think there has been any improvement. The changes having taken place in the operation of hospitals have been judged even worse. Here, 40 percent think that conditions have definitely declined since 2011. Forty three percent think that there have been no changes, which is also problematic regarding the fact that healthcare had already long been judged as rather poor.

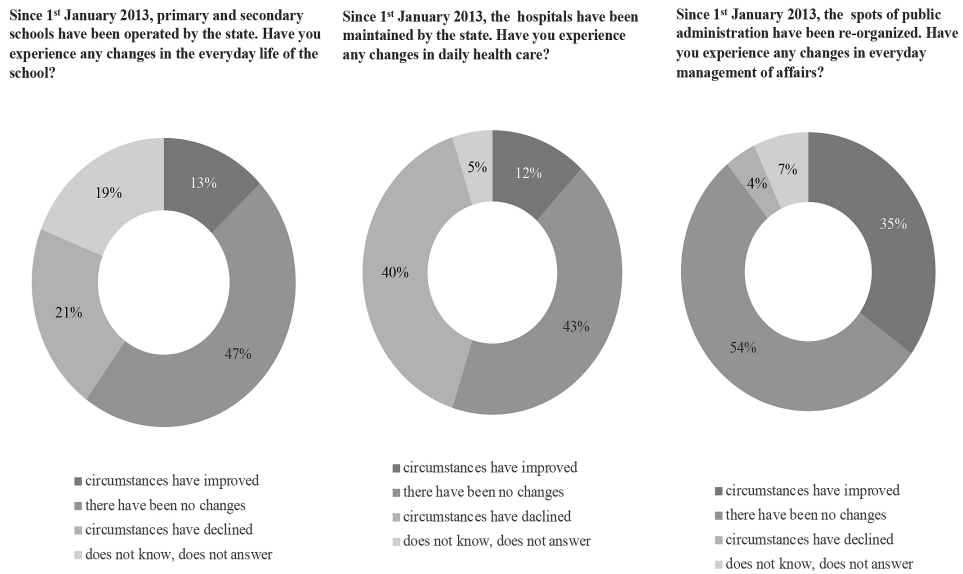
The only field where the balance of changes is somewhat positive is public administration. Here, 35 percent see improvements but the absolute majority of respondents (54 %) still see unchanged conditions in this field (see Figure 8).

The negative experiences from the past give a clear explanation of why people reject further extensions of the state withdrawing functions from local governments (see Figure 9).

When we asked people how the quality of the given service would change if local governments had no authority in public services, we were met overwhelmingly with negative opinions.

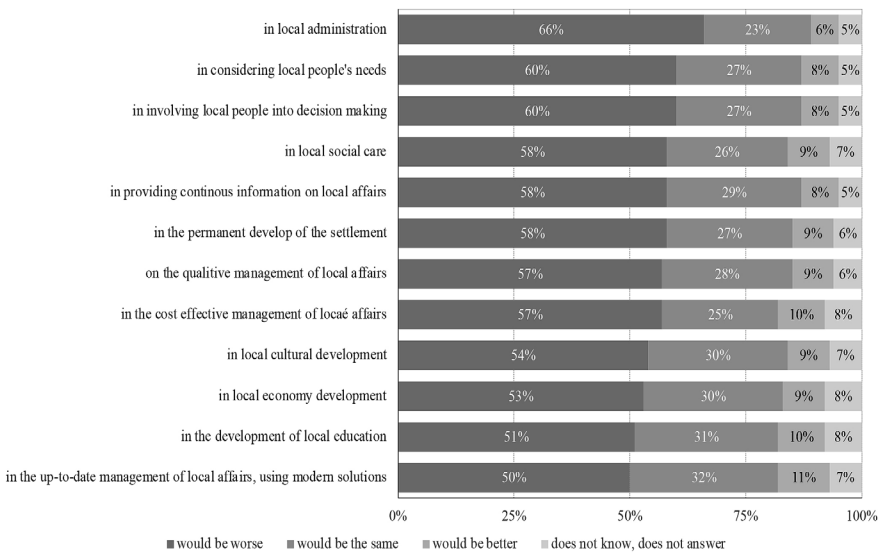
28 The questions were based on a clustered analysis of the 12 statements in Figures 5 and 6.

Figure 8: Since 1 January, 2013, ...have been operated by the state. Have you experienced any changes in everyday life?



Source: Based on KÖFOP-2.12.-VEKOP-15-2016-00001 calculation by Kákai 2019.

Figure 9: The transformation of the role of local governments is a popular topic these days. In your opinion, if local governments did not play any role in the fields listed below, would their quality be better, worse or the same as it is today?



Source: Based on KÖFOP-2.12.-VEKOP-15-2016-00001 calculation by Kákai 2019.

Those envisioning decline had absolute majority in each field. Only an insignificant portion thought improvement was possible.

Further centralisation is definitely seen in a bad light; the majority of the respondents thought that if the state took over the management of a certain field, the quality of related services would decline.

By means of factor analysis, we also tried to identify some latent structure in the attitudes concerning the twelve opinions in terms of this question.[29] The cluster analysis confirmed that those who are pessimistic about such changes (50 % of respondents) are equally pessimistic in all areas. Those who do not expect change (27 %) hold the same view in all areas. Those who expect an improvement (9 %) expect this in all areas.

The data indicates a disconnect in people's perception of a concrete locally delivered service and their representation of the given service in general. They are more satisfied with local conditions that are familiar to them, and more satisfied than with general conditions. There is an evident dichotomy: "our general practictioner is fine, but there has been a general decline in the quality of GP care", "our school has problems, but is basically alright, however, the state of primary education is deplorable".

Special legal order and/or toward deepening centralisation

The point of departure for the emergence of the coronavirus and its management by the government is the introduction of a "special legal order" adopted by Parliament on 11 March 2020, followed by several instances of the declaration of the "state of danger" during the three waves of the Covid-19 outbreak. The local organisational and financial implications of these provisions for local governments have impacted all regional and local authorities. These include a curtailment of the competences of the councils of representatives and their delegation to mayors, the lord mayor and the presidents of county assemblies.[30] In the meantime, mayors were given considerable room for maneuver in tackling the crisis situation (Balázs – Hoffman, 2020). In the absence of additional legislative support, mayors addressed the crisis in very different ways, for example, in case the mayor was lacking a stable majority, he used his power to circumvent the opposition (reduction of councillors' fees, unilateral modification of the rules of procedure, granting new titles, bonuses, authorising investments, etc.).

The shift to centralisation is clearly illustrated by the regulations curtailing the scope of action of local authorities and their involvement in epidemic

29 This, however, was not possible since all twelve aspects appeared in the analysis as belonging to the same dimension.

30 The most plausible explanation is that the Hungarian legal system modelled the state of danger on natural disasters, to which governmental bodies are unable to provide sufficiently rapid and prompt responses.

management. Notably, Government Decree No. 140/2020 (21. 4. 20) exempting taxpayers from the payment of tourism tax and Government Decree 92/2020 (6. 4. 20) transferring vehicle tax revenues collected by local authorities to the central budget.[31] More importantly, Government Decree No. 135/2020 (IV.17) introduces a new legal instrument declaring any municipality that undertakes economic development and job-creating investments with a value of at least HUF 100 billion[32] as a "priority economic zone".[33]

The difficulties of local governments were compounded by the loss of their investment-related business tax revenues and their transfer to county governments.[34] The measures clearly indicate the government's attempt to downsize the financial resources of local governments. The first important step was the government's proposal on "special economic areas", which would divert the investments exceeding HUF 5 billion from settlement municipalities[35] to county governments (that are currently insignificant) so that everything, from imposing taxes to renaming streets, would be taken over by the counties. As the next measure, the government has taken away vehicle tax incomes[36] from the municipalities and "channelled" them into the fund established to support pandemic defence. The measure, originally meant to be temporary was included in the budget of 2021 as well, the numbers of which indicate that the government confiscates this type of tax from local governments for good. In parallel to this, next year's budget contains another important change, i.e. a quadruple increase of the municipal tax called "solidarity contribution". Hence, the government seeks to improve the situation of the central budget after the coronavirus in 2021 by re-allocating appr. HUF 150 billion at the expense of the settlement municipalities.

To compensate them for the loss of their revenues, the government conducted negotiations with municipalities on a case-by-case basis, leading to uniform outcomes in that it proposed to subsidise the future investments of local governments but not their material expenses.[37]

31 In both cases, revenues withdrawn from municipal budgets were registered in the accounts by central government as contributions to mitigation of the effects of the pandemic.

32 Around 300 million euros.

33 This has already been extended to the municipalities of Göd and Mosonmagyaróvár (both led by opposition coalitions). Pursuant to a recent amendment to a decree by the Constitutional Court (Decision No. 8/2021 (III. 2.) the government is obliged to compensate the loss of municipal revenues.

34 This, however, does not represent a case of pure centralisation since it did not involve a re-centralisation of competences and property by the state but their transfer to territorial governments. However, the dominance of governmental parties with a majority in territorial governments is a major cause for concern (Balázs – Hoffman, 2020: 14).

35 Apart from the cities of county rights, the capital districts and the general assembly of the capital.

36 Earlier, the government and the local municipalities had a 60:40 percent share in this income.

37 An exception was the compensation at the end of 2020, the equivalent of HUF 24 billion (EUR 71.8 million), 92 percent of which (HUF 22 billion, EUR 65.8 million) was allocated to pro-government cities for free use. Opposition cities received only HUF 1.9 billion (€5.9 million) of compensation.

Research documenting the impacts of the coronavirus on local governments has been relatively scarce. The most representative of these is the survey conducted by the Institute for Regional Studies of the Centre for Economic and Regional Studies.[38]

The main findings of the survey are:

- local governments attempted to resolve their tasks locally ("everyone was occupied with their own problems"), so there was no exchange of knowledge on higher levels;
- the short-term economic consequences of the crisis were prioritised and central government was expected to mitigate them;
- the role of digital administration was greatly enhanced and the integration of online platforms into everyday communication was realised;
- civil society and external organisations were rarely involved in the management of the epidemic crisis;
- the efficiency of regional cooperation was poor;
- researchers did not perceive the erosion of the relationship between local authorities and the central government;
- municipalities were poorly supplied with instructions by the central and territorial levels of government;
- municipalities attempted to provide local solutions to local problems, considering local specificities, in accordance with the regulations they received in written or online form (Finta et al. 2020: 196–197).

The survey highlighted the anomalies of the crisis management undertaken by the central government. It also shed light on the current situation of local governments and local governance, emphasising the resilience[39] of the legal system, and more specifically, the system of local governments.

In overall, the management of the crisis situation appears to have further reinforced the role of central government, whilst undermining the aspects of organisational learning and the quest for long-term solutions.

Conclusion

It is difficult to give a proper answer to the question of what the optimal ratio of centralisation and decentralisation would be (Pálné, 2008) since the state provides some control over the economy, intervenes in the economy to some extent, provides free services and implements some redistribution in each field

38 In the course of April-May 2020 (following the termination of the first wave), around 20 researchers from the institute elaborated the concept and launched the research whose empirical backbone was a telephone survey covering a wide range of topics conducted among 44 municipalities and drawing on the results of previous researches on local governments.

39 The term "resilience" implies the flexibility/capacity to bounce back, i.e. successful adaptation to powerful, recurrent or shock-like external impacts.

(Kornai, 2017: 71). Therefore, disagreements and conflicts evolve at each of the 'contact points' of the various sub-systems within the state.

Centralisation tendency was a tried and tested practice of managing the economic crisis of 2008 across Europe.[40] In several countries, considerable restrictions and the reorganisation of competences took place. In this respect, Hungary does not differ from other European countries. Thus, concerning the issue of centralisation vs. decentralisation, no clear standpoint can be taken. The successfulness of one or another governmental structure depends on several factors, ranging from the economic, social, political and cultural context of a given country to the interpretation of the two governmental structures in that country (Litvack et al., 1998). However, it is worth noting that the deep and very rapid transformation of the municipal system was not only a manifestation of the constraints imposed by the economic crisis in Hungary, but a process carefully prepared by the government in line with international regulations.

According to the surveys, citizens do not think that the state can manage the tasks and services withdrawn from the local level any better than municipalities. The centralised organisation of the delivery of public service tasks is not necessarily inefficient or less efficient. In the meantime, it is far from evident that the transformation of the local government system has improved the quality of service delivery. However, regarding the centralisation shift within the local government system and its underlying method, the prevalence of community consumer interests appears to have deteriorated instead of its anticipated improvement.

So far, we have been unable to justify the presumption that the centralisation of the financing and management of a wide range of public services has resulted in more effective and higher quality services (Kákai and Vető, 2019). Our results do not verify the hypothesis according to which transformation brings about a higher standard of services or higher level of satisfaction (on the contrary, the data indicate a general decline). At the same time, we cannot conclude that the centralizer itself can be declared "impetuous" or, in terms of its objectives, "irrational" or "mistaken" (Bordás et al. 2020: 93). We can only state that during centralisation, the prevalence of community consumer aspects was not at all strengthened, instead, the tendency was stagnation or explicit decline.

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40 This implies that in over half of the OECD countries, the decline in local revenues exceeded the decline in central government revenues for over at least one year between 2008 and 2010 (this pheonomenon is visible in Romania, Serbia, Bulgaria, but also in some large European countries (France, Spain, Poland). Only a few countries have witnessed a strengthening of the local level with supplementary resources (Czech Republic, Slovenia). As indicated by OECD data, local governments have not benefited from revenue sharing in any of the countries after 2008 (Halmosi, 2013: 297–298, and OECD, 2012).

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***László Kákai** has been professor of Political Sciences at the Department of Political Studies of the Faculty of Humanities of the University of Pécs since 1997. He is Head of the Department of Political Science and International Studies at the University of Pécs, and from 2012, president of the Community Environment College of the National Cooperation Fund. His main research interest is local politics, local government and civil society. Email: kakai.laszlo@pte.hu.*

The latest 'southern protection system' and the revived 'fortress of Europe' topos in Hungary[1]

MÁTÉ KITANICS AND NORBERT HEGEDÜS

sciendo

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Abstract: *As a response to the processes of international migration in the Balkans, the Hungarian government in 2015 constructed a technical border defence system on the southern border of Hungary, also assigning manpower to guard the border. As a response to migration, this is not unique in Europe if we also consider previous and subsequent events. Although this topic has already been addressed by several authors from different perspectives, this paper is the first to analyse in detail the construction and characteristics of the technical border defence system, and the structure and operation of the assigned police and military forces. The paper also examines how government policy related to the protection of the southern border and the fence revived the 'Hungary, the fortress/bastion of (Christian) Europe' concept, and also how the Hungarian government communicated this in order to achieve its political objectives.*

Keywords: ***Hungary, migration, border, southern technical border defence system, Bastion of Europe***

Introduction

In 2015, many people departed for Europe, mainly due to the civil wars taking place in Syria, Afghanistan, Iraq and Libya. As a result, not only Spain and Italy were under great migratory pressure, but significant masses migrated to the core areas of Europe through Turkey, Greece, Bulgaria, Macedonia and Serbia,

1 The publication was supported by the University of Pécs, Szentágothai Research Centre, Research Centre of Historical and Political Geography and PADME Foundation.

i.e. through the Balkan migration routes and then through Hungary. This new situation has posed a major challenge to the European Union and put great strain on the relationships between the old and new member states and the countries aspiring to join the EU.

The Hungarian government decided to establish a technical border protection system on the southern border of Hungary from summer 2015 in response to the fluid migration situation, which it supports with assigned manpower. The system thus caused the "hardening" and militarisation of the border in the South.

It was not unprecedented in Europe for some states to block irregular migration through the Balkans with technical barriers. With regard to the above, the number of refugees arriving in Greece has increased significantly since 2011. As a result, in the spring of 2012, Greece erected a fence of around 12 km long and 4 metres high on the Evros River section of the Greek–Turkish border, which is guarded with an electronic surveillance system, thermal sensors, night-vision cameras and drones. Following the Greek intervention, migration was partly diverted towards Bulgaria. This prompted the Bulgarians to erect a total of 201 kilometres of fences on the 259 km long Bulgarian-Turkish border from 2014 to November 2017. These were guarded by cameras and thermal cameras in addition to soldiers and border guards (Benedicto – Brunet 2018).

Already after the construction of the Hungarian border protection system from July to October 2015, and in response to the relocation of the migration route, Slovenia also started to establish a technical barrier on the 670 km long Slovenian-Croatian land border in November 2015. Although the Slovenian government tried to keep the information confidential, Croatian media learned that, in 2019 (when constructions were still ongoing), there were 179 km long technical barriers at 50 different sites (Beti 2019). Also, almost 200 km of technical components consisting of wire barriers and fence panels were completed by 2020 (FRA Report 2020).

In November 2015, Macedonia also started to install a technical barrier along the border sections under greater migratory pressure from the direction of Greece. Various data have been published on these construction works, which were also performed in secret (Šabić – Borić 2016; Mileski 2018). Based on field experience, it is safe to say that slightly more than 25 km of barriers have been installed in the area of Gevgelija, as well as of Dojran and Medzitlija. Most of this comprises a 3.5 meter high, double-row fence reinforced with blade wire and protected by border guards, but in some hard-to-access places, only a quick-install wire barrier was installed. The barriers are concentrated at the main 'migration gate', in the vicinity of Gevgelija.

Partly due to the Macedonian and Slovenian construction of fences, and despite a significant reduction in the number of migrants arriving to the Balkans following the EU-Ankara migration agreement in March 2016, the Serbian

government changed its position in August 2020 and began fencing. No official information has been released on the construction on the Serbian-Macedonian border either. An inquiry in the public interest by Radio Slobodna Evropa was rejected by the Serbian Ministry of the Interior on the grounds that the information was strictly confidential (Radio Slobodna Evropa 2020). However, following media reports, it became clear that Serbia would hinder migration mainly with technical solutions constructed north of Tabanovce (North Macedonia), at the southern entrance point to the Preševo Valley.

The above clearly shows that barriers have been installed in several places since 2012, along the main migration channels crossing the Balkans, on both difficult-to-control and more easily accessible junctions and sections. The erection and strict guarding of the Hungarian fence also marked a turning point: firstly, it redirected mass migration in the Balkans to transversal routes, and secondly, it swelled the number of refugees in the territories of some states. The former provoked a Slovenian response, and ultimately the construction of the Serbian fence on the 'Miratovac plateau', which was largely the cause of the Hungarian, Macedonian and Slovenian measures and the increased Croatian border police activity.

The erection and strict guarding of the Hungarian fence in 2015 received criticism internationally (US Embassy in Hungary 2015), while other governments pursuing similar actions did not receive such criticism. However, unlike the aforementioned governments, the Hungarian cabinet did not keep any information about the construction of the fence confidential at all, but reported regularly on major developments. Moreover, in an effort to endow the fence with some additional meaning, they made it a communication vehicle, using it as a political argument in domestic and international politics.

Since one of the authors of this paper is a researcher focusing on the Balkans and the migration processes in the region, and the other is a professional soldier who has been actively involved in the establishment and operation of the Hungarian territorial defence reserve force, they have preferred to pursue the participant observation method in writing this paper. During their field trips to the Balkans and in Hungary, they consulted with a number of law enforcement officers and national military bodies and members of academia, while they were able to personally observe the operation of the Hungarian southern border fence and the assigned manpower. Using their experience in this field, this paper examines the technical barrier at the southern border with a view to the historical context, presenting the historical-political legitimacy of the Hungarian fence construction efforts. They also place special emphasis on the location, nature, construction and operation of the technical barrier, and analyse in detail how and for what purpose the Hungarian government revived the image of Hungary being the defensive bastion of Europe.

Overview of bibliographical references

Research into the field of borders has had renaissance for the last three or four decades. While initially it was mainly the field of geographers and regionalists, over time, due to its complexity, the representatives of more and more other disciplines also started to focus on this topic. A community of 'border studies' experts has also emerged, who consider themselves specifically border researchers working with an interdisciplinary approach. Their representatives do not merely examine state boundaries and subnational administrative boundaries, but also concentrate on the cultural, social, economic, and religious boundaries that integrate or separate certain groups in society (Kolossov – Scott 2013).

From the 1990s, a kind of duality has been observed in the field of border studies research. First of all, the termination of the East–West confrontation with the acceleration of globalisation brought about the softening of borders, which carried with it the prospect of the completion of a 'borderless world', popularised from the 1970s to the 1980s (O'Dowd 2010). In Europe, as part of this process, with the progress of integration, internal borders have become increasingly insignificant, while the role of cross-border cooperation and networks has increased significantly (O'Dowd 2002; Scott 2011). However, from the beginning and especially since the terrorist attacks on 11 September 2001, many border studies researchers have been increasingly critical of the concept of a 'borderless world' in the media, in certain social organisations, in politics and in academia, emphasising its overly general nature and unrealistic character (Paasi 2018).

Evidence also supported their position, with the disintegration of the bipolar world and the emergence of a new world order in which many new states emerged, during which territorial and border disputes arose in numerous cases (Kürti 2006). While certain processes contributed to the demarcation of borders (in the aforementioned way), in the case of the newly created states, in addition to the growing importance of integration efforts, the principle and role of the inviolability of borders have also become more important. Also, due to international irregular migration and global terrorism, many countries have tightened their border controls since the 2000s, in many cases not only in a legal, but also in a physical sense (Pap – Reményi 2017). This also contributed to the importance of the role of borders.

This has brought the triad of closely interrelated issues of international irregular migration, namely securitisation, migration and borders, which have intensified to an unprecedented extent since 2015, to the forefront of academic interest. Although the dimension of migration was not a significant part of traditional discourse, works examining the risks of migration impacting national security and national identity already appeared in the 1990s and 2000s (Buzan – Weaver – Wilde 1998; Huysmans 2000). Still however, it was only after

the aforementioned terrorist attacks of 2001 that the securitisation of migration issues started to come to the fore. Although several researchers have addressed the issue, the relevant discourses in the coming years have generally revolved around the social, criminological, economic and political threats of the migration process. As Georgios Karyotis, who also examined these dimensions, believed that migration did not directly threaten the survival of the state or society, as opposed to traditional security threats. However, according to many actors (including decision-makers), migrants pose a serious threat: they endanger the harmonious coexistence of the host community, cultural homogeneity, identity, religious, linguistic and ethnic composition; disrupt the public order of the host society, commit crimes, participate in drug-trafficking, organised crime and terrorism; take the jobs of others, reduce wages, increase unemployment and social security burdens. While examining the political dimension, he also highlighted that some fear larger immigrant communities could influence bilateral relations between the departure and host states, and that politicians could more vocally support securitisation of the migration issue in order to increase their legitimacy and popularity (Karyotis 2007). Carrera's examination of the European Union's external borders revealed that border control by the police already suggest that migration, especially in the cases of persons identified as 'migrants', is a suspicious activity involving relations to organised crime and disorder (Carrera 2010). Campesi highlighted that the securitisation of migration will greatly increase the control function of the borders, while reducing the freedoms and rights of migrants. He outlined three main paradigms in which migration emerges as a threat to public order and state security; political and cultural integrity; and poses a socio-economic threat (Campesi 2012). Referring to the migration crisis intensifying from 2015, Juhász and Gashi claimed that the refugee crisis, which started as a humanitarian problem, had become a security policy issue in Europe. They emphasised that according to some populist arguments, migration threatens the future of the continent. In this context, many values to be protected can be listed: culture, religion, morality, women and children, who, according to populists, are threatened by an influx of people who are incompatible with the European, Christian way of life and culture (Juhász – Gashi 2016).

In the context of the management of the migration crisis in Hungary, Iov and Bogdan addressed the policies of Orbán and their impact (Iov – Bogdan 2017). They concluded that the Hungarian Prime Minister had warned the leaders of the European Union that the majority of those arriving are Muslims, i.e. representing a different religion and a radically different culture. This approach, in their view, has only strengthened the link between migration, identity and insecurity across Europe, which has led to an increase in Euroscepticism. The intensification of xenophobic and radical discourse, with which they were able to mobilise voters in many places, generated a certain issue of identity. Thus, the

distinction between 'us' and 'them', in which Muslims emerged as a burden on the social security system, or as religious fanatics and even potential terrorists who threaten the integrity of Christian values, has definitely emerged.

In connection with the latter idea, we shall mention Edina Vajkai, a Hungarian scientist, who believed that the majority of Hungarian society sees the migration crisis as a threat to security, and often associates irregular migrants with the phenomenon of terrorism. In her opinion, this was only confirmed by the Hungarian government's 2015 billboard campaign, in which illegal immigrants appeared as elements that had a negative impact on e.g. public order and public safety (Vajkai 2015). Stepper examined forced migration as a security threat in the Visegrad countries. Analysing the Hungarian situation, he concluded that the statements of the political actors regarding securitisation, with relevance to migration, appeared in the military, political, economic and social dimensions. In his opinion, these are primarily manifested in the construction of the border barrier, in drawing attention to the threats of terrorism; emphasising the issue of sovereignty; highlighting the impact of increasing unemployment; and in the representation of identity as a value to be protected (Stepper 2018). And although Stepper was not yet able to mention the public health dimension in his analysis, based on the sector theory of the Copenhagen School, Éberhardt analysed in 2021 the extent to which irregular migration in the Western Balkans can be a source of health risks in Hungary or elsewhere during the Covid-19 epidemic (Éberhardt 2021). Finally, we shall also mention the names of Balla and Kui who discussed the Hungarian temporary security border barrier (built for border control purposes) explicitly as a physical barrier (Balla – Kui 2017; Kui 2017).

The southern border of Hungary as a wide frontier and defence zone

From banates to the disappearance of physical borders

The 'hardening' of the southern border of Hungary has occurred rather frequently over the last couple of centuries. The Kingdom of Hungary, in the absence of natural obstacles that are more difficult to pass, was the least protected in this 'soft spot' in the Délvidék region (southern land), which changed from time to time. Along the more easily accessible river valleys, the most important migration routes of the Balkan Peninsula reached the state territory at the gateway of the Morava (Belgrade) and continued along the Danube through Hungary, until they exited through the gateway of the Morva to access central parts of Europe (Pap – Kitanics 2015).

In the so-called Délvidék, a wide frontier existed for centuries since the formation of the Hungarian state, the area of which often changed depending

on the current balances of power. In the Middle Ages, this foreground of the Hungarian state, on the northern edge of the Balkans, was used by Hungarian kings to establish banates (territories ruled by a ban), and as the Ottoman Turks advanced, the remaining Croatian–Slavonian territories were the departure ground to take control of the defence corridor stretching to Poland. After the expulsion of the Turks, the Határőrvidék (Military Frontier) established here constituted a buffer zone and 'cordon sanitaire' in the direction of the Balkans, and at the end of the long 19th century a wide southern buffer zone was created here with the occupation of Bosnia and Herzegovina and the dependence of the Serbian state.

Following the First World War and the Treaty of Trianon, the state of Hungary become more vulnerable to the South than ever before. In the interbellum revisionist period, the Hungarian government clearly moved toward unilateral debordering,[2] causing the border protection of the Délvidék to rely on the Drava-Danube line once again. In the state socialist period following the Second World War, unilateral rebordering followed with the strict control of any inward or outward movement (Pap – Reményi 2017). The western border was closed by the iron curtain, and the southern border section became even more militarised. After the Eastern Bloc rejected the independent policies of Yugoslavia, the so-called Yugoslav–Hungarian border section has seen the construction of the so-called Southern Defence System. In order to slow down the attack expected from the South, Hungary built a 630 km long, 100–160 km deep, multi-line defence system requiring the service of 100 000 soldiers in combat-readiness, reinforced with wire barriers, concrete works and mine barrage (Kitanics – Pap 2017). Indeed, for a decade and a half (1950–1965), a wide southern frontier zone was formed again within the state border.

In the late 1980s and the early 1990s, with the end of the bipolar world and the democratisation processes in Central and Eastern Europe, the disappearance of physical borders began in the region. However, between 1991 and 1995, the southern Hungarian border section again found itself in a special situation as a result of the war in Croatia, when it became 'harder' and its militarisation persisted in these years (Šokčević 2016; Ács et al 2017). In 2004, in addition to Hungary, Slovenia, and then, in 2013 Croatia also became members of the European Union, and the accession of the candidate Serbia to the EU has been intensively supported by Hungary for a long time. However, the debordering phase towards Serbia and Croatia (which followed the end of the Yugoslav Wars) ended in 2014–2015. In 2014, migration pressure from the South increased, and from 2015, the southern technical barrier was built.

2 The pursuit of unilateral debordering was related to the return of territories lost with the Treaty of Trianon in 1920 and annexed to the neighbouring states.

The new defence zone

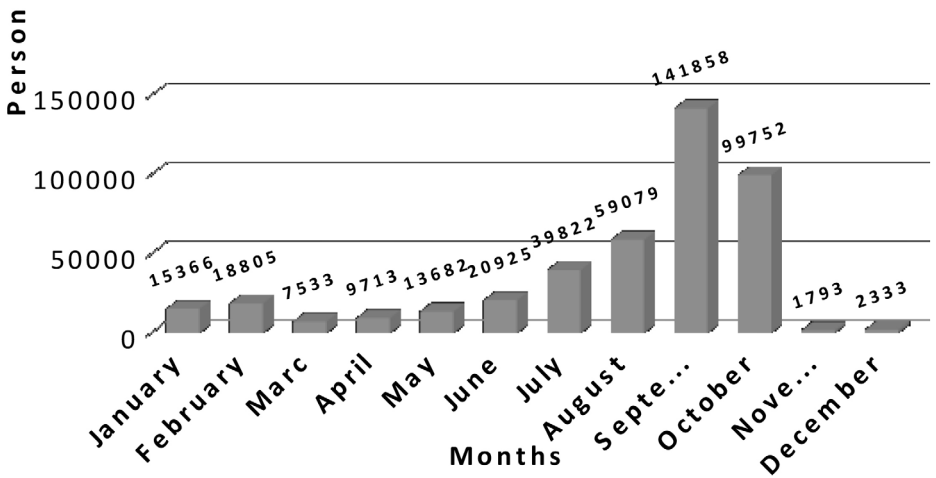
In 2015, a single-row and then a double fence was constructed on the Hungarian--Serbian border, including a manoeuvring road designed for patrols that is around 3.5 m wide. A single-row fence was erected on the Hungarian-Croatian border, and easy-install wire barriers were placed on the more difficult-to-cross sections, while the Drava River formed a natural barrier on certain sections. From July 2016, people crossing the border illegally could be stopped within the 8 km frontier zone of the external border and escorted by police and soldiers to the Serbian or Croatian side of the fence (Magyar Közlöny 2016a). The practice applied for the said border section was then extended to the whole country from March 2017 (Magyar Közlöny 2017). In the border zone, police are working with increased alertness at the junctions of the roads leading to the centre of the country, while also carrying out full inspections beyond the border zone, inside the country. This clearly shows that the southern border has been re-militarised from 2015, and once again a wider border zone, secured and highly controlled with the participation of thousands of policemen and soldiers was established within the country.

At the same time, the Hungarian government has started developing the objective of establishing a buffer zone in the foreground of the state of Hungary, South of the border, in order to restrict migration. With relevance to this, the Hungarian premier Viktor Orbán said the following in his state of the country address in February 2016: '*... We are giving personnel, border guards, technical hardware and equipment to the Balkan countries, because it is they who are in reality defending Europe's borders. And while they are resisting, we will also be able to defend our own borders more easily. We have known this since the time of Hunyadi* (About Hungary 2016a).' He essentially repeated this at the 2016 Vienna Migration Conference organised by Austrian chancellor Christian Kern, adding that since Greece was unable to undertake its duties, and the shaky migration agreement between the EU and Turkey could not be relied on either, migration defence lines needed to be established in the Balkans, including a first line on the Macedonian-Greek border, a second on the Serbian-Macedonian border, and a third on the Hungarian-Serbian border (EU Brüsszel MFA 2016). The consistency of Hungarian government communication was also indicated by foreign minister Péter Szijjártó's statement in Skopje in April 2020, expressing that the line of effective protection against migratory pressure should be as far South as possible from the Hungarian border (V4NA 2020).

Concrete steps were taken between 2015 and 2020 to implement this principle. But first, in addition to the support of FRONTEX, the Hungarian government requested the assistance of the Visegrad Group (V4) to support the guarding of the technical barrier on the Hungarian-Serbian border. Following the V4 border police cooperation agreement, a Slovak and Czech police unit

of 50 each arrived in Hungary in late October 2015, and a Polish border guard contingent of 43 arrived in early November 2015. Police and border guards provided pedestrian and vehicle patrol and surveillance support services, and also contributed to complete inspections inside Hungary (Foreign… 2015; Police 2015a; Kovács 2015). At the same time, from mid-October to mid-December 2015, the V4 countries, with the participation of 21 Czech and 21 Slovak soldiers and Polish military technology, held a joint training event under the name 'Balaton 2015' in Hungary to deal with the 'crisis caused by mass immigration' (Hungarian Government 2015a).

Figure 1: Illegal border crossing on the Hungarian border in 2015



As V4 assistance for border patrols was no longer continuous and a joint training course also took place from October to December, the joint action on border protection was not necessarily an increase in manpower and technical equipment, according to our interpretation, but rather a demonstration of a joint V4 support for Hungarian migration policy. This may also be supported by the fact that the construction of the temporary security barrier, and thus the closure of the green border with a physical barrier on the entire southern border section was already completed by 16th October 2015. As a result, even before the arrival of V4 assistance, the number of illegal border crossings had drastically decreased, and the Hungarian Defence Forces were able to carry out border control tasks in a legally regulated manner from 21st September (Magyar Közlöny 2015a). Thus, the manpower required for the operation of the border barrier had already been provided before the Slovak and Czech police officers and the Polish border guards entered service. In its communications, the Hungarian government attempted to use this situation to its best advantage. The joint action

was interpreted as a common stand not only for the efficacy of the Hungarian border fence and the need to comply with Schengen directives, but also for the rejection of the mandatory settlement quota system, the protection of European culture and sovereignty, and the idea of a close connection between migration and terrorism (Magyarország Kormánya 2016; Tulok et al. 2018).

However, in connection with the above-mentioned goal, the Hungarian party was really contributing to establishing a kind of buffer zone, a 'line of defence' south of the Hungarian border. According to this principle, the Hungarian government also supported the accession of Macedonia and Serbia to the EU as soon as possible, for reasons related to migration, with the undisguised intention of filling the territorial gap between Greece and Hungary more effectively in order to control the main migration routes in the Balkans, thus easing the situation of Hungary (Hungarian Government 2015b). It should also be emphasised that Hungary supported the construction of a technical barrier on the Macedonian-Greek border similar to that erected at the Hungarian southern border, with the aim of reducing migratory pressure. Thus, in November 2015, it decided to donate 25 km of 450–600 mm and 75 km of 900–1000 mm radius razor wire, piledrivers, fingerprint scanners, computers, cameras and protective gloves to the Macedonians, free of charge (Magyar Közlöny 2015b). With this support, the Macedonian government was able to build the two-row fence reinforced with razor wire and quick-install barriers on the aforementioned critical sections of its southern border by 2016.

In 2016 Hungary and the Visegrad Group increasingly worked towards closer migration co-operation in addition to Macedonia with Bulgaria and Serbia, without Greece, which had been often criticised. This was already made clear at the extraordinary V4 summit, held in Prague on 15th February 2016, prior to the 2016 Vienna Migration Conference (Visegrad Group 2016). Indeed, in addition to the Macedonian head of state, the Bulgarian Prime Minister was invited to the event with the undisguised intention that if Turkey and Greece could not cope with the influx of refugees in the near future, the V4 countries would strongly support Macedonia and Bulgaria in halting illegal migration (while Greece and Germany were unhappy with the proposal).

Hungary was implementing this principle when, on the basis of a bilateral agreement, from January 2016 and on a continuous, monthly basis, it sent a 30-strong police contingent with off-road vehicles, mobile night vision devices and thermal camera reconnaissance systems to the Macedonian-Greek border to patrol, guard and perform escorting/support tasks (Police 2020). A few months later, in early June 2016, a Hungarian police unit of 10 officers arrived in Bulgaria for a month to assist the defence of the Bulgarian-Serbian border section (Police 2016). Hungarian police officers arrived in Serbia, on the Serbian-Macedonian border, in late June 2015, also on the basis of a bilateral agreement. In this case, they started service with a 20 person unit, using vehicles

equipped with thermal cameras (Police 2015b), while the first 20 person police unit departed for the Serbian-Bulgarian border under the Southeast-European Police Cooperation Agreement in October 2016 (About Hungary 2016b).

Overall, as shown above, between 2015 and 2020, the Hungarian government focused less on Greece than on the internal 'line of defence' in the Balkans. The continuous Hungarian police support was thus mainly concentrated on the Macedonian-Greek, Serbian-Macedonian and Serbian-Bulgarian borders, where various Hungarian police contingents arrived in turn.

This course of action changed in 2020 when the Turkish authorities made it clear at the end of February that they would not halt migrants travelling to the European Union at their borders. In response, Greece significantly strengthened the protection of its eastern borders with its military forces. Therefore, Hungary signalled its solidarity with Greece in its efforts of protecting the border, and offered the participation of 65 police officers in the FRONTEX mission in Greece to deal with the crisis, and then in November 2020 Hungary again offered assistance in protecting the external border of the EU (About Hungary 2020a, 2020b). Thus, from March 2020, the Hungarian government supported moving the first line of defence from the Macedonian-Greek border to the Greek--Turkish border, while maintaining the technical and guarded protection of the inner-Balkan 'lines of defence'.

As outlined above, from 2015 onwards, the Hungarian government made enormous efforts compared to Hungary's strength and capabilities to ensure that more than just one border barrier within Hungarian state territory would prevent migration across the Balkans. In doing so, it contributed to the creation of a buffer zone south of the Hungarian border, which also closed the main migration routes with physican barriers, where Hungarian manpower and equipment were used to help curb illegal migration in the belief that this would facilitate the protection of the Hungarian border.[3]

Construction and operation of the southern technical border defence system

Presently, the border protection of Hungary is basically performed by the police as, according to the Constitution, border protection is the duty of the police. However, this is the result of a longer process. Prior to the suspension of military conscription, the guarding/security duties were performed by conscripts serving in the Border Guard assigned to the Ministry of Interior. The suspension

3 The proposal to relocate assistance to the migration source areas and to set up hotspots for asylum procedures outside the European Union was also aimed at relieving Hungary and the Hungarian southern border as much as possible from 2016 onwards (About Hungary 2016c, 2016d, 2016e). The Hungarian premier also made a specific proposal to create a hotspot in Libya for refugees coming from Africa (BBC 2016).

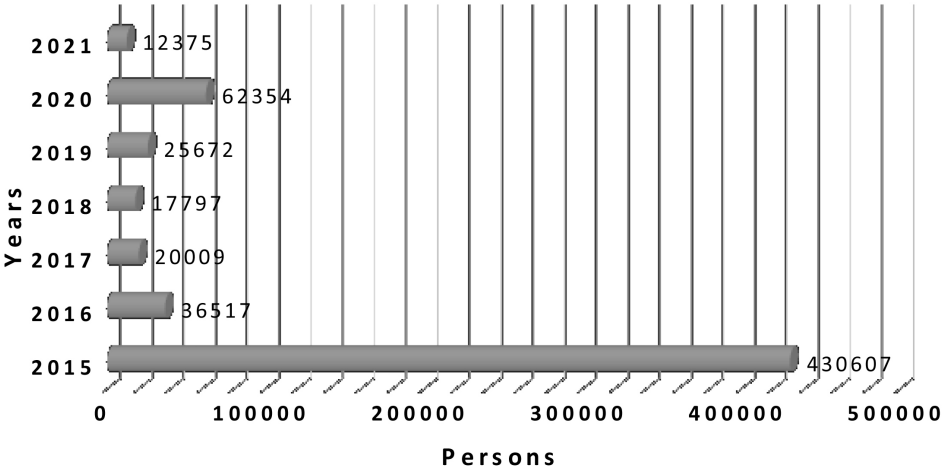
of conscription has resulted in a significant expansion of the number of professional border guards. Border Guard directorates replaced the former Border Guard districts, while the former Border Guard stations were transformed into Border Guard branches. After Hungary's accession to the EU in 2004, the Border Guard branches and the Border Crossing branches controlling border traffic were also merged, thus creating the Border Police Offices still operating today.

Accession to the Schengen Area already indicated that the country will no longer need border controls for the more than 1000 km section of its borders within the European Union. Therefore, the number of border guards was reduced before the accession and the forces were redirected to the Union's external borders. The European Parliament eventually approved Hungary's accession to the Schengen Area on 15th November 2007, and, in line with EU recommendations, the border guard was merged with the police on 1st January 2008. From then on, within the police organisation the police departments with a border section in their area and the Border Police Offices within the organisation of each relevant county police department became responsible for border protection. Accordingly, the Hungarian-Serbian border section affected by the southern technical barrier includes one Border Police Office in Csongrád-Csanád County (Szeged) and four Border Police Offices in Bács-Kiskun County (Bácsalmás, Bácsbokod, Hercegszántó, Kelebia), while the Hungarian-Croatian border section is controlled by the relevant county police departments.

In response to the highly intensified migratory pressure on the southern border, particularly on the Hungarian-Serbian border section, and following the protocol as a first step, the police attempted to carry out their border guard tasks by redeploying internal resources. However, this proved to be less than sufficient. With its resolution No. 1401/2015 issued in June, the government ordered the construction of a temporary fence that is 4 metres high and 175 kilometres long for border protection purposes and in order to halt movements through the green border (Magyar Közlöny 2015c). Subsequently, in July 2015, the amendment of Act LXXXIX of 2007 on the State Border also made it possible to build and operate facilities for the protection of the order on the state border, as well as to carry out national defence, national security, border guard, asylum and immigration tasks in the 10-metre band from the external border line of the territory of Hungary and the border signs (Magyar Közlöny 2015d).

The construction of the border fence was carried out by the units of the Hungarian Defence Forces. In a trial phase, 4 types of construction method were tested on a 175-meter section near Mórahalom. Of the four methods, the following was ultimately chosen, considering mainly speed and cost-effectiveness: with a piledriver machine, the 4.5-metre steel fence posts are fastened to the depth of 1.5 metres, on which a three metres high wire mesh is stretched. A quick-installed wire barrier was placed on the top of the fence on a tension line.

Figure 2: Illegal border crossing on the Hungarian border from 2015 to 2021



However, before beginning to build the fence, a quick-install wire barrier was installed as a temporary technical barrier. In poorly-accessible areas, three cylinders were usually placed on top of each other in the form of a pyramid, while in more easily accessible places a so-called Technical System was built on 'Y'-shaped reinforcing bars. In the latter case, the quick-installed wire barrier was fixed 3 floors high on the vertical shank of the rebar, and then the fourth row was installed on the top of the rebar. The Technical System was left in place after the construction of the fence, so that they formed a single organic unit, a barrier with the border fence, when viewed from the Serbian side. In locations where no fence has been built, especially in swamps, floodplains, difficult-to--cross areas, and in cross-border water canals, only quick-install wire barriers continued to function as the barrier.

After the complete closure of the Hungarian-Serbian green border on 15 September 2015, fewer people tried to cross, but also fewer were able to cross the obstacles unnoticed. Clearly, the rapid reduction in the number of attempts was also due to the fact that human traffickers reacted immediately to the change. Although the construction of the fence behind the quick-install barrier was not completed, the trafficking route had already relocated partially to the Hungarian-Croatian border section. In response, the Hungarian government ordered in its resolution No. 1665/2015 issued on 21st September 2015 the preparation and construction of a temporary security barrier at the external border of Hungary (which is also the Schengen border) with immediate effect in order to halt movements through the green border (Magyar Közlöny 2015e). This also means that the construction of the technical border barrier was extended to the Hungarian-Croatian border section, where, by 16 October 2015, a series

of fences and/or quick-install wire barriers was installed along a section of around 120 km. In fact, this completed the closure of the Hungarian-Serbian and Hungarian-Croatian border sections, which are quite difficult to protect from the impact of migration. After this, 'illegal migrants' could only enter the territory of Hungary through the transit zones built from containers at the border crossing points of Tompa and Röszke in September 2015, and the transit zones of Beremend and Letenye, which were set up on the Hungarian-Croatian border in October 2015.[4] It must be noted, however, that the installed wire lines, or even the fence, are not insurmountable obstacles, people often reach the Hungarian side by climbing through, straining the fence, or by cutting and damaging the wires. For this reason, and in preparation for the prevention of the passage of an increasing number of 'illegal migrants' from crossing the Hungarian green border, a second row of fences was built on the Hungarian-Serbian border section under the greatest pressure by the end of April 2017 (Kui 2017). This fence, erected by 700 prisoners in around two months, has a wire mesh which is also reinforced with a degree of damage-resistant 8 mm diameter small-hole steel flat mesh and stretches for 155 km behind the first fence. At the same time, the external fence was improved to a 900 V smart fence with a vibration or cut-off detection optical cable and equipped with thermal and laser motion detection cameras, reflectors and an acoustic alarm system. In the event of any damage or intrusion, this sends a message through the established communication network to the Border Guard Centre. At the same time, the spotlights at the intrusion point are illuminated, the cameras turn in the direction of the alarm, and the acoustic signal system warns of border violation in Arabic, Farsi, Urdu, English and Serbian. Within minutes of the alarm, the nearest police or military patrol unit in charge of security arrives at the scene. The arrested 'illegal migrant' is then escorted in the presence of the police to the nearest gate of the border fence, where they are released on the outside of the fence, facing Serbia, but still in the territory of Hungary. This faster response is aided by a manoeuvring route between the fences, built with steel-frame bridges over the cross-border water channels. On one side, high observation points have been set up, from which the movements on the Serbian side can be properly observed.

However, the construction of the double fence does not mean that the Hungarian-Serbian border section is completely covered by the technical barrier line, as in Bács-Kiskun County in the part below Hóduna on the Mohács Island, at an approx. 10.5-kilometre long section, no border barrier was built.

4 Those arriving at these locations were able to submit their asylum applications here, and also had to wait at the same location for the end of the procedure, which they were not allowed to appeal. Until the decision was made, the asylum seeker could only leave the transit zone in the direction of Serbia, but this also led to the automatic rejection of the asylum application. After the Court of Justice of the European Union ruled that the placement of asylum seekers in transit zones was considered illegal detention, the Hungarian government closed them in May 2020.

Although this area is the floodplain of the Danube, it is easily accessible from Bezdan in Serbia. Accordingly, increased manpower makes up for the absence of a temporary security barrier in the area. Similarly, on the Hungarian-Croatian border section, west of Beremend, where the Drava River constitutes the state border, additional guarding is necessary.

Figure 3: Technical border barrier system along the Hungarian-Serbian and Hungarian-Croatian border

Although the fence (as seen above) was continuously improved by the Hungarian government, it became clear before the complete closure of the southern green border that police forces would not be sufficient to effectively guard the technical barrier system, and that Hungarian Defence Forces were also needed. However, as there was no legal basis for deploying soldiers to the border for some time, the army carried out the redeployment of soldiers and technical equipment in the framework of the military exercise named 'Definite Action 2015' (Honvédelem 2015) from 6th September 2015. The practice was communicated as a method of preparing soldiers to master their tasks related to mass immigration until legislative changes were adopted. The Hungarian government then declared a state of emergency caused by mass immigration in Csongrád and Bács-Kiskun counties on 15th September (Magyar Közlöny 2015f). Finally, on 21st September, the aforementioned legislative change also enabled the Hungarian Defence Forces to use arms in assisting the police during a state of emergency caused by mass immigration, in order to protect the borders, to implement the measures necessary to resolve conflicts directly threatening the order at the borders, and mass migration, and also to mitigate any violent acts breaching order at the borders. In March 2016, the state of emergency was first extended for six months and applied to the entire country (Magyar Közlöny 2016b), and then extended repeatedly when it expired.

Soldiers deployed to guard the border and assist the work of the police were initially placed in camp conditions. On many occasions, under conditions less than ideal and in rented properties, dozens of soldiers were housed together in place of suitable accommodation. Similar problems arose at first with the police, but there were also many issues with the equipment and catering provided to the police. The latter was obviously due to the fact that the police, unlike the army, were not prepared for the camp conditions. As an additional difficulty, the facilities rented for accommodation purposes were often located some distance from the border section concerned, so that the journey to and from the long 12-hour service period further extended the time at the beginning and end of the shift. The police eventually housed their staff in existing police barracks that provided adequate conditions. In order to improve the situation, the Defence Forces built four Border Guard bases in Bács-Kiskun County. The first was inaugurated in Kelebia on 7th February 2017. This was followed by the ones in Bácsalmás and Madaras, then Hercegszántó, which were first inhabited by soldiers on 20th March 2017. The selection of the four locations was according to the seats of districts of the Border Police offices in Bács-Kiskun County.

All four camps were built in exactly the same way, with Austrian assistance, on the model of NATO bases. The bases, built from 90 containers, each accommodate 150 soldiers (an infantry company), where the soldiers are housed in four-person containers. Each of the residential containers is air conditioned and has stand-alone heating. The camps have a laundry room, kitchenette, sanitary unit, cafeteria, their own medical unit, sports and leisure area and warehouses.

The Border Guard Bases and their commanders were placed under a temporarily established command headquarters of the Hungarian Armed Forces, seated at the Zrínyi Miklós barracks in Hódmezővásárhely, and named Alföldi Ideiglenes Alkalmi Kötelék (Great Plain Temporary Force). This Force has no permanent personnel, they are replaced in two-week shifts. The staff number of the four border patrol companies under the command headquarters and the number of service personnel is constantly changing with migratory pressure. In the Transdanubia region, the Dunántúli Ideiglenes Alkalmi Kötelék (Transdanubian Temporary Force) was established according to the same system, with command headquarters located in the barracks of the 64th Boconádi Szabó József Logistics Regiment in Kaposvár. As there is no major migration pressure on the Hungarian-Croatian border section, this Force is not operating at the time of writing. So, in this area police officers are serving, a smaller number of soldiers is only present in the vicinity of Homorúd in Baranya County, but they are also under the Hódmezővásárhely command.

Volunteer reserve soldiers also take part in the work of the border patrol companies. Their deployment in border protection is ideal for several reasons. On the one hand, one of the objectives of creating the reserve system was precisely to enable the Hungarian Defence Forces to perform not only permanent but also

periodic tasks. On the other hand, by calling them in, a larger number of permanent servicemen can be exempted from border control tasks by continuously adapting the number of activated reservists to the changing migratory pressure. It should also be noted that, since patrol and surveillance activities cannot be considered complex military tasks, the training of reservists is sufficient for such operations, under the supervision of professional soldiers. However, it is a disadvantage of the reserve system, in our experience, employers in Hungary are less than tolerant of their employees undertaking voluntary military service. The wage compensation paid by the Defence Forces to the employer does not mitigate this issue.

In summary, the Hungarian government established a technical barrier on the southern Schengen border from July 2015 that has been capable of diverting and reducing illegal migration with significant police and military manpower. The Hungarian Armed Forces played a major role in this work, supporting police efforts, continuously increasing the share of the volunteer reserve force in the operation. The defence efforts of the police, the professional and reservist soldiers also provided a basis for the communication of the government to emphasise the 'European bastion' metaphor.

Hungary as the 'bastion of Europe', and the new fortress captain

The attacks of conquerors arriving from the East sometimes reached Hungary, on the south-eastern corner of the 'Christian Empire' (Imperium Christianum). Rulers and popes referred to Hungarian kings and warlords as 'defender of the faith' (defensor fidei) and 'soldier of Christ' (athleta Christi), and Hungary became the gateway to the West and the 'bastion of Christianity' (propugnaculum Christianitatis) in the European perception. Although this role was reduced to the front wall (Vormauer) of 'Germania' with the Ottoman Turk conquest, the concept still remained alive in the memory in the 18th and 19th centuries. Moreover, this topos was reinvigorated following the Treaty of Trianon, which ended the First World War for Hungary. These reinforced and stabilised the images of the unnecessary blood sacrifice of the previous centuries, the desolation, Hungary being betrayed by the West in the Hungarian public consciousness. This imagery once again highlighted that Hungarians stood guard in the East for centuries in defence of Western culture. They sacrificed their lives for others, enabling them to live and prosper safely, while Hungarians suffered. This contributed to the notion that without these efforts and sacrifices, Hungary would not be a small nation, but one of the greatest in Europe. '*And how did they thank us? How did the Christian people in Western Europe say thank you for this unprecedented heroism and self-sacrifice?*' an author wrote in 1928. '*We remember. Trianon expresses the ingratitude and injustice of Western Europe…*' (Bereczky 1928). This popular perception was not allowed in Hungary in the Socialist

era, but it was able to flourish among émigrés during the decades following the Second World War. These émigrés claimed that the Trianon Treaty destroyed Europe's bastion, depriving Hungary and the Hungarian nation of its ability to fulfil its historical calling, the protection of the West (Eckhardt 1965/1980 etc.; Endrey 1979 etc.). This idea then enjoyed a renaissance in 2015: the old Hungary, the bastion of the West, has been in ruins for 95 years, if it had not been for Trianon, no illegal migrants could have entered the European Union through Hungary (Tóth 2015).

Knowledge of the perception outlines is necessary to understand what was the basis and how the concept of the 'bastion' could be revived with the construction of the southern technical border barrier from 2015, according to the political actions of the Hungarian government, and also how the concept of 'Hungarian military people' was made relevant again, together with the valiant image of the frontier fortress soldier evoked through the soldiers and police officers guarding the border. In this new situation, according to the communications of the Hungarian government, Central and Eastern Europe, and more precisely the Visegrad Group (V4), i.e. Poland, the Czech Republic, Slovakia and Hungary, have again become the guardians of Christian Europe and paradoxically the defenders of a Western Europe that 'supports the settlement of immigrants'.

After Hungary had physically closed its border with Serbia, Hungarian Prime Minister Viktor Orbán first emphasised that he was the fortress captain (Grenzschutzkapitän) of Bavaria, then of Germany and also Europe (meaning Western Europe). In his words, the medieval and early modern era topos reappeared: by defending Hungary's southern border on its own, it is defending not only itself, but also Germany. In other words, the Hungarian Prime Minister basically 'warned' Germany: in the 16–17th century, the role of the Hungarian 'Vormauer' (front wall), often mentioned by the Germans, was revived, and this 'front wall', built in reality as the southern technical barrier, protects Germany from the arrival of thousands of 'illegal migrants' every day. With this, the Hungarian Prime Minister consciously (also: as we are going to see, mainly for domestic political purposes) revived the already mentioned 'soldier of Christ' and 'Hungary as the bastion of Europe' topos, and at the same time formed a bridge of continuity between the Ottoman Turk era and the present situation.

In government communication, in this context, the Prime Minister has emerged as a leader with a sense of mission and responsibility for the fate of Europe, which he has taken on consciously. According to the analogy, he is the contemporary equivalent of the border captain (soldier of Christ), who is an important part of Hungarian national identity and plays a significant role in Hungarian history, fighting against the Muslim Turks to the last or stopping the mass of Muslim immigrants in the present. Although he does not say it explicitly, the statements of leading government officials suggest that Orbán

Table 1: Operation of the Hungarian communications machine: Examples of the revival of the "soldier of Christ" and "bastion of Christianity" topos from 2015

Mediator of the topos	Date, event, place/venue of the statement	Content of the statement
Viktor Orbán, Prime Minister	September 2015, Kloster Banz, meeting of the legislative group of the CSU	'*… the southern borders of your country* […] *can be defended at the southern border of Hungary. I have told the Prime Minister* [Horst Seehofer] *that from a certain perspective I am one of his fortress captains at the border* (M1 2015).'
Viktor Orbán, Prime Minister	January 2018, CSU Bavarian state meeting at the Seeon Abbey	'*… please continue to see me as a fortress captain protecting the borders of Bavaria, since the actual southern border of Bavaria as at the Serbian-Hungarian border…* (Miniszterelnök 2018a).'
Viktor Orbán, Prime Minister	June 2018, Budapest, speech at the first anniversary of the funeral of former chancellor Helmuth Kohl	'*… we are exclusively using our own resources to defend our southern border – and thereby Germany – from the arrival of some twelve thousand migrants per day. We have not let down either Germany or Europe. As we have said, we are the captains of border fortresses, and we know our duty* (Miniszterelnök 2018b).'
Viktor Orbán, Prime Minister	July 2018, Berlin, joint press conference with chancellor Angela Merkel	'*…German people can rest assured that while Hungary acts as a border fortress captain, it is not only protecting Hungary, but Germany as well* […] *It is the strategic objective of Hungary to defend Europe* (Echo TV 2018).'
Levente Magyar, Foreign Affairs and Trade State Secretary	June 2015, session of the National Assembly	'*As it has so many times before, against the pressure on civilisation from outside of Europe, whether from the South or the East, Hungary has once again become the bastion of Europe* (Gyopáros 2015).'
Sándor Fazekas, Minister of Agriculture	August 2016, awards ceremony in the Ministry of Agriculture	'*Hungary is still the bastion of Christianity today, as it has been countless times throughout our history* (FM Sajtóiroda 2016).'
Szilárd Németh, Parliamentary State Secretary of the Ministry of Defence	July 2019, Buda Castle, memorial day of the Belgrade victory of János Hunyadi	'*As today, so back then* [in the days of János Hunyadi] *the responsibility of the defence of the Christian Europe fell on Central Europe, and as we accomplished this mission at Nándorfehérvár, so we fulfil this duty today through the protection of our borders* (Honvédelem 2019).'
Miklós Soltész, State Secretary for Ecclesiastical and International Affairs of the Hungarian Prime Minister's Office	September 2019, Segesd, where king Béla IV initiated the reconstruction of the country following the Mongol invasion of Hungary; inauguration of a renovated church	'*…while Hungary previously protected against the Tatars and the Turks, today it is the defence against the flood of Muslims* (Magyar Nemzet 2019).'

is Hunyadi's 'successor' considering that the two most heroic former border fortress captains are János Hunyadi and Miklós Zrínyi (Nikola Zrinski). The former is chosen because – however heroically – ultimately Zrínyi/Zrinski failed to protect the fortress of Szigetvár from Sultan Suleiman and the Turks in 1566 (Kitanics – Pap 2019). However, in 1456, Hunyadi won a huge victory at Belgrade (Nándorfehérvár), halting the expansion of the Turks in Central Europe for more than half a century.

The basis for the parallel is the memory of János Hunyadi and his son, King Matthias I. The Hunyadi myth surrounding the family lives on today and has not been forgotten after more than 500 years. In fact, it is even experiencing a renaissance. Most Hungarians still remember the Hunyadi family and their deeds. Of course, the fact that hundreds of thousands of copies of the Hunyadi book series have been sold from 2008 (written by popular author Mór Bán) have also contributed to this. Indeed, Human Capacities Minister Miklós Kásler announced the launch of casting for the movie based on Bán's books in January 2021, highlighting that the Hunyadi film is going to evoke an age when Hungary '*was the protective bastion of European and Christianity in Europe against Muslim, Turkish attacks*' (Híradó 2021). An animated film about the triumph of Belgrade was also already made in 2014, earning more than 1.3 million views on the most popular video sharing site (TAE 2014). The government also recently founded the Institute of Hungarian Research, which supports the identification of the DNA profile of the Hunyadi family and was announced to be successful in Febuary 2021, using the last Hunyadi descendants buried in the Lepoglava Monastery in Croatia (MKI 2021). Thus, it also now seems viable to identify the remains of Mátyás Hunyadi among the bones buried the royal tombs in Székesfehérvár. This also creates an opportunity to ceremonially rebury the son of János Hunyadi, King Matthias I. (an actual 'athleta christi'), during the term of Viktor Orbán. Thus, these communications establish the connection between the family that governed and reigned in the most successful period of Hungarian history, that preserved the country's sovereignty and even expanded its sphere of authority, and the current Prime Minister and cabinet, as part of their continuously expanding national identity policy.

In the effective government communication regime, the analogies of 'soldier of Christ', 'front wall' and 'bastion' adopted by the Prime Minister where then repeated several times by government officials ('the captain's lieutenants') in interviews with national media at major events to integrate it into public thinking as much as possible. And finally, these ideas, which are easy for Hungarians to comprehend, were expressed at local events by civil and church leaders of local communities, so that they were also echoed in the local media (Szekszárdi Vasárnap 2018; Komlói Újság 2018; Sümegi Önkormányzat 2019 etc.).

Also, the typical narrative of the interbellum period has returned, with an extended scope of the topos. The former was powerfully evoked by the speaker

of the National Assembly, László Kövér who declared in June 2020 on the occasion of the 100th anniversary of the Trianon Treaty: in 1920, Hungarians gave their blood and two-thirds of their country for taking their role as a bastion against the Turks seriously (Baranyai 2020). The Hungarian government also actively contributed to the latter, as it first established a deputy state secretariat and then a state secretariat to help persecuted Christians in 2016 (Hungarian Government 2016/2018). This way, as a new element of the topos, Hungary was already able to emerge as the crutch of a Christianity that is threatened all over the world, and at the same time a helper and bastion of Christians persecuted on different continents.

However, while the idea of 'Hungary as the bastion of Christianity' spread throughout Europe in the Middle Ages and the Early Modern Age, the topos rebuilt from 2015 barely resonated outside of Hungary and found no understanding. This has been confirmed by the Polish poet and essayist living in Hungary, Konrad Sutarski, and also the liberal-conservative philosopher Chantal Delsol. According to the former, the Hungarian nation is still the bastion of the West (as it was in the past), although this has never been appreciated or is being rewarded by Europe (Sutarski 2018). The latter emphasised in connection with the analysis of how the migration crisis was managed in Central Europe: the West barely knows and understands what the concept of the bastion expressed by the Hungarian government means (Delsol 2018). Apart from the Eurosceptic and anti-Islamic Geert Wilders, the leader of the Dutch far-right Freedom Party, there have not really been politicians abroad who understood and adopted the bastion analogy (Wilders 2017).

The revival of the topos, however, was not intended to have an international but a well-planned domestic political role. From October 2014 to February 2015, support for the governing parties among the voter population decreased significantly, with around 1.1 million voters leaving the camp of Fidesz-KDNP (Alliance of Young Democrats and Christian Democrats) (HVG 2015). Of course, there were deep-rooted reasons for this, such as the delay in reforming major budgetary systems, but the short-lived fall in support in October and November 2014 was caused by the U.S. banning scandal and the plan to tax internet access. In the former case, US authorities banned Hungarian officials from entering the United States for indications of tax fraud and corruption, while tens of thousands protested and protested against the latter, joined by groups dissatisfied with government policies. Although it was finally revealed that the US authorities had no concrete evidence and the internet tax plan was also withdrawn, the popularity of Fidesz-KDNP fell by 12 % in one month, according to opinion polls (Glied – Pap 2016). This dramatic loss of popularity, and at the same time the rise of the opposition party Jobbik (Movement for a Better Hungary) which was repositioned from the far-right toward the centre, were finally halted by the migration crisis and the Hungarian government's response and communications offensive.

Following the terrorist attack on the satirical weekly Charlie Hebdo, the Hungarian government launched a national consultation in the spring of 2015, which linked the issues of migration and terrorism. According to government communications, a large majority of the more than one million respondents (90%) believed that a stricter immigration policy should be implemented. The results of the consultation were summarised in parliament by Viktor Orbán as follows: 'the Hungarian people have decided, the country must be defended' (Magyarország Kormánya 2015). A billboard poster campaign with this title was launched in September, in parallel with the installation of the southern border barrier. This enabled the Hungarian government (building on instinctive fears of people from anything new or different) put the slogan of defence in focus: Hungarian people must be protected from migrants and the effects of migration; the culture of Hungary and Europe with their Christian-Jewish heritage must be prevented from being changed by large-scale, mainly Muslim migrants. How to achieve this? On the one hand, a well-guarded fence must be maintained on the southern border to make it impossible to enter the territory of Hungary, and, on the other, the compulsory distribution quota of those already in Europe must be prevented.

Table 2: 'Defence' and the relevant context in the communications of Prime Minister Viktor Orbán from 2015 to 2020

Date, event, place/venue of the statement	Content of the statement
December 2015, Budapest, speech at the 26th congress of Fidesz – Hungarian Civic Alliance	'*… our great goal is to ensure that Hungarians do not have to live in fear* […] *We protect our borders, we protect the Hungarian people from criminals, terrorists, illegal immigrants* (Miniszterelnök 2015).'
December 2016, Budapest, interview for the Mediaworks newspapers	'*Those who entered Europe illegally must be transported back, borders must be protected* […], *we asked people for their opinions and we defended the country against illegal immigration in 2015 and 2016* (Miniszterelnök 2016).'
February 2017, Budapest, 19th state of the country address	'*We resisted, drew a line, built fences, recruited border patrols and stopped them, defended Hungary and, incidentally, Europe* (Miniszterelnök 2017).'
September 2018, Strasbourg, speech in the debate on the 'Sargentini Report'	'*We defend our borders and only we can decide who we live with. We built a fence and stopped hundreds of thousands of illegal migrants, defended Hungary and defended Europe* (Miniszterelnök 2018c).'
November 2019, Budapest, speech at the international conference on the persecution of Christians	'*Hungary is on the route of the Muslim immigration invasion, it has to defend itself, and everyone here in Hungary knows that* (Miniszterelnök 2019).'
August 2020, Budapest, speech at the inauguration of the Unity memorial site	'*… the peoples of Central Europe are reinstating the original authority of ancient instincts of life and the liberating power of Christianity* […], *therefore we protect our borders and leave our country to our own children instead of migrants* (Miniszterelnök 2020).'

In connection with the latter, in order to strengthen its position, the government also held a referendum in October 2016 on whether the European Union should be able to require the compulsory resettlement of non-Hungarian citizens to Hungary without the consent of the National Assembly. The opposition blocked the vote, and since the referendum was invalid due to lower turnout, it could also be interpreted as a government failure. Still, the governing parties communicated success, underlining that almost 3.3 million people agreed with their position of rejection.

In October 2017, the government launched another national consultation campaign on migration. In this, George Soros, the Hungarian-born businessman was mentioned as a force supporting migration processes and the mandatory resettlement of migrants, as well as the dismantling of the Hungarian border fence and the weakening of nation states. According to government communications, of the more than 2.3 million returned questionnaires, almost all responses were in favour of the Fidesz-KDNP position on migration. It should also be noted that despite the fact that Jobbik has supported strict action against refugees since 2015 and no opposition party has strongly argued for the dismantling of the fence, the Hungarian government has assigned all opposition parties as facilitators and participants in the 'Soros Plan'. Moreover, unlike other radical right-wing parties in Europe, Jobbik was not able to take advantage of anti-Muslim sentiment either. Fidesz-KDNP was able to effectively keep on the agenda the idea that until the beginning of the refugee crisis, Jobbik pursued an openly pro-Muslim policy (Pap – Glied 2017). Based on this and the fact that other opposition parties initially downplayed the gravity of the migration issue, did not reject the principle of compulsory refugee distribution and constantly criticised the government's strict measures against migrants, the governing party alliance conveyed to the electorate that it was the only force capable of protecting Hungarians and European Christian culture from Muslim migrants. From a communications perspective, the fact that the Prime Minister was compared to a border fortress captain fighting the Ottoman advance in the 16th and 17th centuries, who led Hungary and the Hungarians and protected Europe as a bastion, was quite a successful effort.

Thanks to the above, the government managed to keep the issue of migration in 2015 on the agenda of public discourse (Glied 2020). The decline in popularity between autumn 2014 and early 2015 was reversed from the summer of 2015 as a result of the government's actions and communications. By the end of 2015, the Fidesz-KDNP party alliance had significantly increased its lead (Kisistók 2016), and maintained its leading position in the following years, winning two-thirds of the parliamentary seats in the 2018 elections.

Summary

Hungary's southern border has been and still is the most accessible and vulnerable border of the state for centuries. As such, from time to time, it was toughened and militarised as a frontier zone to various degrees. When the state was stronger, the border zone for defence purposes also extended to the buffer zone of the Northern Balkans, when it was weaker, it was formed in the interior of the state, with varying depths.

During the 2015 migration crisis, the southern Hungarian-Serbian and Hungarian-Croatian border sections toughened again. Following other European examples, the Hungarian government set up a technical barrier between July and October 2015. This was first supplemented by an 8 km border strip, from where captured trespassers were escorted back to the Serbian or Croatian side of the border, and then this practice was extended to the whole country. The practice was also expanded with increased control of roads and junctions and full checks inside the country's border zone. It was also an important effort by the Hungarian government to help establish migration protection lines in the Balkans, South of the Hungarian border, mainly at the Macedonian-Greek, Serbian-Macedonian and Serbian-Bulgarian borders. By 2020, this also included support for Greek border protection activities on the Greek-Turkish border.

The aforementioned southern technical barrier was extended by April 2017 into a double fence on most of the Hungarian-Serbian border exposed to greater migratory pressure, with high-tech equipment used to make it significantly more difficult for migrants to enter Hungarian territory and facilitating their capture. In contrast, on the section of the Hungarian-Croatian border up to the Drava River, only a single-row fence was installed. It soon became apparent that, in addition to police officers, the military was also needed to patrol and operate the technical barrier system. The servicemen, for whom Border Guard bases were also established, have been assisting the work of the police in a legislatively regulated manner since September 2015, with voluntary reserve soldiers playing a major role in southern Hungarian border defence over time.

The Hungarian cabinet did not keep any information about the construction of the fence confidential at all, but reported regularly on major developments. They took efforts to endow the technical barrier with additional meaning, converting it into a means of communication, and using it as a political argument in domestic and international political life. Within the framework of this, the Hungarian government also revived the concept of 'Hungary as the bastion of Europe'. According to Hungarian government communications, the Visegrad Group became the custodians of Christian Europe and the defenders of Western Europe. In the context of the bastion, and according to this message, the Hungarian Prime Minister, who defined himself as a border captain, appeared as a mission-conscious leader responsible for the fate of Europe, stopping the

Muslim 'invasion' and 'modern migration' with his fence, police force and soldiers. The bastion analogy in the effective government (Fidesz-KDNP) communication machinery was also expressed by some members of the cabinet, and then by the civil and church leaders of the local communities associated with the government, in order to make it more organised in public thinking. The popular narrative of the interbellum period also returned, and, according to this topos, the 'reward' of the Hungarians was the Treaty of Trianon for taking their role as a bastion seriously for centuries. Additionally, through a newly established body of the Prime Minister's Office, as a new element of the topos, Hungary has also emerged as a supporter of a Christianity in decline worldwide, and a helper of persecuted Christians.

The idea, renewed by the Hungarian government from 2015, did not resonate internationally. The revival of the topos, however, was not intended to play an international but rather a domestic political role in the communication offensive linked to the migration crisis, which halted the governing party's loss of popularity. From the spring of 2015, the motto of "defence" was placed in the focus of communication: Hungarians must be protected from Muslim migrants, from the impacts of migration, and the culture of Hungary and Europe must be defended. It was in line with this process that George Soros, a Hungarian-born businessman, was portrayed as a power in support of migration processes and threatening sovereignty. According to government communications, the opposition is a supporter of the 'Soros Plan', while the Fidesz-KDNP party alliance with its 'border captain' the Hungarian Prime Minister is the only force capable of protecting Hungarians and European Christian culture from Muslim migrants.

The above communication offensive, with the concept of defence at its heart, successfully reversed the negative trend of political preferences, halted the government's loss of popularity, and allowed the parties forming the governing coalition to significantly increase their advantage for the years to come.

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Máté Kitanics, Ph.D. *in Geography, is a research fellow at the University of Pécs (Hungary). His research interest covers political geography and historical geography. He has been researching the migration processes through the Balkan concerning Hungary for a longer period. He is the author of more than 80 publications. E-mail: kitanics1@gmail.com.*

Norbert Hegedüs*, lieutenant colonel, is the commander of the 6th Sipos Gyula Territorial Defence Regiment, 52nd Oszlányi Kornél Territorial Defence Battalion of the Hungarian Defence Forces. He is a 3rd year PhD student at the University of Pécs (Hungary). His research interests cover the development possibilities of the Hungarian military reserve system and some security issues of Hungary. E-mail: norbi.hegedus@gmail.com.*

Migration and asylum law of the V4 in the European Union context: between harmonisation and reluctance

ÁGOSTON MOHAY

sciendo

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Abstract: *Ever since the 2015 migration and asylum crisis, the legal regulation of this field in the European Union has been debated strongly in almost all its aspects. The member countries of the Visegrád Group (V4) have voiced dissent regarding a number of EU measures in this field, leading to political and legal confrontation. After a brief review of the public law context of EU migration and asylum policy and the general attitude of the V4 towards these regulatory fields, this paper elaborates how the EU and the V4 reacted – in legal terms – to the 2015 migration and asylum crisis and to each other's measures, focusing on three key V4 policy goals. The paper also analyses the reception of the 2020 proposal on the New Pact on Migration and Asylum and discusses whether it can be seen as the way forward in terms of a more consensual policy approach. The paper finds that although the approach of the V4 has had a perceivable effect on that of the EU, elements of disagreement remain; it further argues that the harmonious elements of the approaches of the EU and the V4 could potentially be built upon to reach a compromise, but maintains that policy-based reluctance cannot have an effect on obligations laid down by EU law.*

Keywords: ***migration and asylum law, European Union, Visegrád Group, New Pact on Migration and Asylum***

Introduction

Ever since the 2015 European migration and refugee crisis, the regulation of migration and asylum in the European Union has been a seriously contentious issue in almost all its aspects. Migration and asylum policy are competences

that are shared between the EU and its Member States, which results in two levels of regulation, and which allows Member States some regulatory freedom. The Visegrád Countries (V4), i.e. Czechia, Hungary, Poland and Slovakia, have often been among those EU member states which have voiced dissent to some EU initiatives in this field, leading to political and legal disputes.

This paper first provides an overview of the legal context of EU migration and asylum policy, with brief reference to the general policy attitude of the V4 towards these regulatory fields (Part 1). This is followed by an elaboration of how the EU and the V4 reacted – in legal terms – to the 2015 migration and asylum crisis and to each other's measures, divided into three policy elements (Part 2). The paper then analyses the V4 reception of the 2020 proposals under the New EU Pact on Migration and Asylum and discusses whether it can be seen as the way forward in terms of a more consensual policy approach (Part 3). Finally, the paper offers concluding remarks, arguing that even though the approach of the V4 has had a perceivable effect on that of the EU, leading to a more nuanced concept of solidarity, elements of disagreement remain; it further argues that the harmonious elements of the EU and V4 approaches could potentially be built upon to reach a compromise, but also maintains that policy-based reluctance cannot have an effect on obligations laid down by EU law (Part 4).

Setting the scene: the aims and tools of EU migration and asylum law – and the position of the V4

The European Union is a supranational entity based on law – the relevance of law as an essential tool of European integration cannot be overemphasised. Of course, this is not to say that political strategies and interests do not play a role at the European Union level, but that the EU is not only a community founded on the rule of law,[1] but one that is intrinsically linked to law in its functioning, as the latter serves as the main instrument of integration: unlike to 'traditional' international organisations, the EU has been endowed with legislative competences by its member states, and this transfer of sovereignty allows it to adopt binding laws in ways which one could say are more similar to national legislative systems than to traditional international law-making.

'Integration through law' is how the EU realises its goals in its various policies, including migration policy.[2] Thus, to be able to analyse the situation of the V4 in recent EU migration and asylum policy, we need to be clear about the relevant EU legal framework.

1 This was expressly stated by the Court of Justice of the EU in its judgment in C-294/83 Les Verts v. Parliament (EU:C:1986:166), para. 23.

2 On the notion of integration through law in Europe in general, see Cappelletti et al 1986.

Immigration and asylum regulation are part of the EU's justice and home affairs policy, officially called the Area of Freedom, Security and Justice (AFSJ) as defined by Art. 3(2) of the Treaty on European Union (TEU). The EU's immigration and asylum law applies only to third-country nationals (TCNs), i.e. individuals who are not EU citizens.[3]

According to the Treaty on the functioning of the European Union (TFEU), the AFSJ is a competence shared between the EU and the Member States (Art. 4). This means that the EU and the Member States may both legislate and adopt legally binding acts in a given competence area, but the Member States may only exercise their competence to the extent that the EU has not exercised its competence (Art. 2 TFEU). In reality, EU and Member State constitutional practice show that the aforementioned delimitation does not necessarily mean that the member states cannot adopt *any* binding regulations in fields where any EU law exists: on the other hand, these two levels of regulation often coexist – though any exercise of the EU's competence definitely 'outlaws' any contradictory national legal acts (Schütze 2015: 85–86).

The EU competences in the field of immigration law are specifically enumerated in Article 79 TFEU. Accordingly, the EU's common immigration policy is set up in order to ensure the efficient management of migration flows, the fair treatment of TCNs residing legally in the EU Member States (i.e. legal immigrants), and the prevention and combating of illegal immigration and trafficking in human beings. Migration law measures are adopted according to the ordinary legislative procedure, where the initiative is presented by the European Commission, and decided upon by the European Parliament (EP) and the Council on an equal footing (Article 289 TFEU). Measures to provide incentives and support for the action of Member States regarding the integration of legal migrants can also be adopted in a similar way.[4]

The effective managing of the EU's returns policy[5] pertaining to immigrants who are illegally in the territory of one of the EU Member States necessarily requires regulated cooperation with third countries. The EU – as a subject of

3 What follows below is a brief summary of the main elements of this EU policy field which are most relevant for the arguments of this paper. For a broader general discussion of EU migration and asylum law see e. g. Gyeney – Molnár 2016: 183–249.

4 Nota bene: It is important to point out that the aforementioned legal bases do not affect the right of Member States to determine volumes of admission of third-country nationals coming from third countries to their territory in order to seek – employed or self-employed – work (Article 78, para. 5.). The EU thus does not have any power to oblige the Member States to provide access to their labour markets in an unlimited fashion.

5 The basis of the returns policy is Directive 2008/115/EC of the European Parliament and of the Council on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ 2008 L 348). In the context of the Directive, 'return' covers both voluntary departure in compliance with an obligation to return, as well as enforced return (removal). (See the definitions under Article 3 of the Directive).

international law – can conclude readmission agreements with such states.[6] Under customary international law, states do have an obligation to readmit their own nationals; such an obligation does not exist regarding non-nationals, thus underlining the need for such agreements (Cassarino 2010: 13). This is an important part of the external dimension of EU migration law.

The central aim of the EU relating to asylum (Article 78 TFEU) is to develop a common European asylum policy, ensuring the principle of non-refoulement.[7] To this end, the EU has adopted legal acts concerning a uniform status of asylum and subsidiary protection for TCNs[8]; common procedural rules for granting international protection[9]; rules to decide which EU Member State is responsible for processing an asylum application[10] as well as common standards regarding reception conditions for applicants for international protection[11]. The most controversial piece of secondary legislation that has been adopted in this policy is the Dublin Regulation, which concerns rules on the responsibility to process a given asylum application.[12] Cooperation with third countries is also envisaged by the treaty, as well a common system of temporary protection for displaced persons in the event of a massive inflow. Article 78(3) further provides a legal basis for the adoption of provisional measures in the event of one or more Member States being faced with an emergency situation entailing a sudden inflow of TCNs. Such measures can be adopted not via the ordinary legislative procedure, but via a different and specific procedure: the Council can adopt such measures on a proposal from the Commission and after consulting the EP.

Migration and asylum law are organically linked to the EU law and policy of border controls and visas (Article 77 TFEU). The key legal acts to be pointed

6 Until the time of writing, the EU has concluded 18 readmission agreements: https://ec.europa.eu/home-affairs/what-we-do/policies/irregular-migration-return-policy/return-readmission_en. For context and evaluation see De Bruycker et al 2019: 131–144.

7 The EU asylum policy is required by the same provision of the TFEU to be in accordance with the Geneva Convention of 1951 relating to the status of refugees and its 1967 Protocol.

8 Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (OJ 2011 L 337).

9 Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (OJ 2011 L 180).

10 Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (OJ 2013 L 180).

11 Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (OJ 2013 L 180).

12 Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (OJ 2013 L 180).

out are the Schengen Borders Code[13] and the Regulation on FRONTEX, the EU's border protection agency.[14] The EU also has a visa regulation, determining from which state a visa is required to enter the EU[15] as well as a Visa Code.[16]

Within this context, what can be said about the initial attitude of the V4 countries to migration? Since the regime changes in the region, the V4 countries have been less confronted with immigration as a whole, and especially with migration from outside the area of Central Europe, as most immigrants and asylum seekers arrived from the wider region; the very first – temporary – 'shock' of mass immigration was the result of the Yugoslav wars in the 1990s (Kováts 2016: 351–353). Among other things, this contributed to the V4 listing migration and border control issues among the seven key areas relevant for cooperation among them at the Bratislava Summit in 1999 (Remek 2015: 289). These issues, however, remained of rather secondary political importance in and around the time the V4 acceded to the European Union in 2004.

From among the V4, Czechia does not have any land external borders (i.e. all of its bordering states are EU Member States). Hungary, Poland and Slovakia, on the other hand, do have non-EU neighbours. All of the V4 states are members of the Schengen Area, the rules of which have fully applied to them since December 2007.[17] The V4 have not attempted to obtain a general opt-out from any elements of the AFSJ under primary EU law,[18] though some limited and specific opt-outs based on secondary EU law are in place – in the latter sense, Hungary and Poland have made use of the opt-out possibility provided for by the Returns Directive.[19]

13 Regulation (EU) 2016/399 of the European Parliament and of the Council on a Union Code on the rules governing the movement of persons across borders (OJ 2016 L 77).

14 Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624 (OJ 2019 L 295).

15 Regulation (EU) 2018/1806 of the European Parliament and of the Council of 14 November 2018 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ 2018 L 303).

16 Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (OJ 2009 L 243).

17 See Council Decision 2007/801/EC of 6 December 2007 on the full application of the provisions of the Schengen acquis in the Czech Republic, the Republic of Estonia, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic (OJ 2007 L 323)

18 Opt-outs in this context mean treaty-based possibilities for certain EU Member States to refrain from taking part in certain elements of a particular policy field. In the AFSJ, such special rules currently apply – following Brexit – only to Ireland and Denmark, albeit with differences (Monar 2010: 279–281).

19 Article 2(2) of said Directive allows Member States to not apply the Returns Directive to several of its provisions to persons apprehended or intercepted by the competent authorities in connection with their irregular border crossing at the external border. In fact, most EU Member States with external EU land borders have made use of this option, though they nevertheless remain bound by the Directive's most crucial safeguards in accordance with its Article 4(4). (See European Union Agency for Fundamental Rights 2020: 8.)

The 2015 migration and asylum crisis – regardless of whether we interpret it as a single crisis or multiple overlapping crises (Pachocka 2016: 102–103) – put migration very much into the spotlight both in political and legal terms in the European Union as a whole, and also in the V4 states.[20]

Coming to blows: EU and V4 responses to the migration and asylum crisis

The migration and asylum crisis of 2015 saw unprecedented numbers of registered illegal border crossings and applications for asylum in the EU. It is not the task of this paper to analyse the crisis itself, it is enough here to state that the crisis affected the Member States unevenly: one possible differentiation between them distinguishes between "frontline" or "first reception" states (e.g. Italy), transit countries (e. g. Hungary), target countries (e.g. Germany) and states not directly affected, including Slovakia and Poland, both members of the V4 (Pachocka 2016: 104). In terms of numbers, Hungary was definitely most seriously affected by the events from among the V4. This can be illustrated by the percentage share of the V4 of all asylum applications submitted in the EU in 2015: Hungary received 13.4 % of the applications, Poland 1.3 %, whereas the share of Czechia and Slovakia remained marginal, between 0.3–0.1 % (Pachocka 2016: 106).

The V4 made various joint statements in 2015 and 2016, outlining their views on migration and asylum policy and how the EU should react to the crisis. These policy statements strongly emphasised at least three common points: (1) the importance of safeguarding the external borders and fulfilling related EU-obligations including the Schengen acquis; (2) refusing the so-called 'open door' policy spearheaded by Germany at the time; and (3) the effective management of the root causes of migration flows, i.e. addressing the push factors of migration, assisting the countries of origin and thereby reducing migration towards the EU (Szalai et al 2017: 20–21). It would be an oversimplification to paint a picture of full and unconditional unity among the V4 in the field of migration, as coherent and incoherent features can both be identified (Bauerová 2018a: 100–102). The three elements mentioned above nevertheless serve as adequate focal points for analysing the response of the V4 in more detail. It would go beyond the remit of a single paper to outline all of the EU measures and the V4's responses in the context of the crisis. The following sections will thus

20 It would exceed the dimensions of this paper to provide a comprehensive account of the migration policy of the V4 from the regime change to the present day. For such an overview (in Hungarian) see Stepper 2018: 55–97.

analyse these aspects through the lens of the three policy priorities described above[21] – from a legal perspective.[22]

General considerations

The starting point for the EU's measures – in legal terms – are the existing Treaty rules and secondary legal acts, as well as the 2015 Agenda on Migration. The 2015 Agenda, itself not a legal act, contained a number of short- to mid-term initiatives by the European Commission to address the crisis, which were later partly turned into legal acts.[23]

As Member States of the EU, the V4 are obliged to comply with the EU measures adopted in this field – an obligation most generally articulated by the principle of sincere cooperation (also known as the loyalty clause), according to which Member States are required to take any appropriate measure, general or particular, to ensure fulfilment of the obligations arising out of primary or secondary EU law, as well as to facilitate the achievement of the EU's tasks and refrain from any measure which could jeopardise the attainment of the EU's objectives (Article 4 Para. 3 TEU). This does not prevent infringements of EU law, of course, a number of which will be described below. In essence, most of the legal tensions between EU law and national (V4) law stem from the shared nature of the legislative competences in the field of migration and asylum. At the policy level, the V4 made it clear in their first joint reaction to the 2015 Agenda that they had a number of reservations to some of its suggested initiatives, emphasising the need for an effective returns policy and arguing that any relocation scheme needed to rely on voluntary participation.[24] Whereas this standpoint would influence negotiations in the European Council and the Council, the political reception of the Agenda has of course no effect on the legally binding nature of the already existing EU legal acts in this policy area.

In a political sense, the V4 and notably Hungary have been vocally critical of the EU's response, calling it cumbersome, slow and overly generous in facilitating entry into the EU (Pap et al 2019: 60).

21 This delimitation of focus also means that some aspects will not be analysed, including the notion of the criminalization of migration (sometimes termed 'crimmigration'). On this issue see Hautzinger 2019: 149–172.

22 For more of a policy- and politics-oriented analysis, see Glied – Zamęcki 2021 in this issue.

23 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A European Agenda on Migration [COM(2015) 240 final].

24 Joint Statement of the Heads of Government of the Visegrád Group Countries. Prague, 4th September 2015.

Protecting the borders and preserving Schengen

It needs to be stated upfront that the European Union's position on protecting its external borders has not changed as a result of the crisis. Over the course of the crisis, both the Schengen Borders Code and the Regulation on FRONTEX have been recodified and reformed: in the case of the Borders Code, the reason was more a consolidation of the original regulation with its numerous subsequent modifications, whereas in the case of FRONTEX, a more thorough reform was carried out (Karamanidou – Kasparek 2018: 23–25). The 2016 reform of FRONTEX – envisioned by the 2015 Agenda – transformed the organisation into the European Border and Coast Guard Agency (although still known as FRONTEX), with increased personnel and an equipment pool, as well as a considerably widened mandate, now covering much more than the coordination of national border guard operations, including combating cross-border crime, taking part more substantively in return operations, support to national authorities in migration management as well as an express legal basis for search and rescue operations. Contrary to the original reform proposals of the Commission however, it did not introduce a right for FRONTEX to 'intervene' in a Member State by its own decision, without the request of the Member State. Instead, it is not the Agency but the Council that may, on a proposal from the Commission, adopt an implementing act, identifying measures to mitigate serious migratory risks in a Member State, which in turn is to be implemented by FRONTEX, while the Member State concerned is required to cooperate with it in this regard. This alteration to the original concept was a result of negotiations in the Council. (Rijpma 2016: 27).[25] (*Nota bene:* FRONTEX underwent yet another reform since then, in 2019[26]).

From among the V4, Hungary had been most outspokenly critical of the EU's response to the crisis in the context of border security. This led Hungary to take unilateral measures, sometimes communicating the measures as a reinforcement of Hungary's historic role as the 'Bastion of Europe' (Glied – Pap 2016: 140). In more legal terms, the Hungarian government often emphasised the issue of abuse of legal migration channels and asylum procedures[27] this, coupled with the unprecedented migratory pressure, led to the adoption of a number of related measures.

25 Cf. Article 19 of the Schengen Borders Code for the adopted version.

26 Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624 (OJ 2019 L 295).

27 Cf. for example already the Hungarian Migration Strategy adopted before the crisis by Government Decision 1698/2013. (X. 4.), which names combating abuse of legal migration channels and asylum procedures as one of the main principles of the strategy.

In 2015, at the height of the crisis, which entailed truly unprecedented migratory pressure for Hungary, the Hungarian government initiated and later completed the building of a protective border fence along its external border with Serbia; in autumn 2015, the Hungarian Parliament introduced a number of legislative changes, the most far-reaching one being the introduction of the concept of 'crisis situation caused by mass migration' (Nagy 2016: 1047), granting certain exceptional governmental powers.[28] Hungary modified its national asylum and immigration laws in a way that raised concerns regarding due process and, especially, the right to a judicial remedy; judicial appeals procedures against decisions rejecting asylum applications no longer have any suspensive effect, i.e. in practice applicants are required to leave the territory of Hungary before the time limit for lodging an appeal expires, or before their appeal has been heard (Drinóczi – Mohay 2018: 99).

The institution of 'transit zones' was also introduced, which were located in Hungarian territory along the border fence. A variety of Hungarian officials served in the zones, registering arrivals and processing asylum claims in an expedited way, via a fast border asylum procedure that was only applicable in the transit zone (Nagy 2016: 1048).[29] The transit zones and the related procedures led to a number of court cases at the international and supranational levels.

In its judgment regarding the case of Ilias and Ahmed[30], the European Court of Human Rights (ECtHR) made a number of important statements about the Hungarian situation, contrasting it with the obligations enshrined in the European Convention on Human Rights (ECHR). Firstly, it determined that the conditions at the transit zone itself were neither inhumane nor degrading and thus not in contravention of the prohibition of such treatment (guaranteed by Article 3 ECHR). Secondly, the ECtHR found that the lack of procedural safeguards regarding expulsion decisions did infringe the right to right to an effective remedy (Article 13 ECHR) and, indirectly, Article 3 ECHR as well, as the legal rules offered no effective protection against such expulsion decisions which could ultimately lead to chain-refoulement (Drinóczi – Mohay 2018: 105–106). Thirdly, the ECtHR ruled that the applicants' right to liberty and security (Article 5 ECHR) had also been infringed in relation to the rules on leaving the transit zone, as the fact that they were effectively only able to leave Hungary in the direction of Serbia, which entailed for them a risk of refoulement, was

28 The legislative changes were introduced by Act CXL of 2015.

29 The rules have subsequently been amended by Act XX of 2017 on amending certain laws related to the strengthening of the procedure conducted in the guarded border area, with the result that, in principle, all asylum applications submitted in Hungary needed to be lodged in the transit zones at the Serbian-Hungarian border. This also contributed to the infringement action being lodged by the Commission against Hungary at the CJEU. See in this regard the judgment in Case C-808/18 mentioned below, where the CJEU found a violation of EU asylum law.

30 Case of Ilias and Ahmed v. Hungary (Application no. 47287/15), judgment of 14th March 2017.

a *de facto* restriction on their right to liberty – that, coupled with the fact that the applicants received no formal decision amounted to an infringement of their human rights (Drinóczi – Mohay 2018: 107). The Ilias and Ahmed judgment was appealed by the Hungarian government. The Grand Chamber of the ECtHR ruled on the appeal in 2019 and came to a partly different conclusion: it overturned the previous judgment's finding as regards the right to liberty and security, stating that Article 5 ECHR hadn't been applicable to the situation of the applicants; the Grand Chamber emphasised the voluntary nature of the applicants' decision to enter Hungary via Serbia, to where they could freely return without any direct threat to their life or health.[31] The infringement of Article 13 ECHR in conjunction with Article 3 was also overturned, albeit for procedural reasons, as the lodging of the application had exceeded the six-month time limit laid down by the ECHR. The partly different ruling was, not surprisingly, regarded by the Hungarian government as a victory for the sovereign right to protect the borders of a state.[32]

This was, however, soon followed by a case before the Court of Justice of the European Union (CJEU) where a legal dispute between asylum seekers and Hungarian authorities was the subject of a preliminary ruling procedure.[33] Among other things, the CJEU held that the obligation imposed on third-country nationals to remain permanently in the transit zone in fact amounted to 'detention' in the context of the EU's Returns Directive, as well as the Directive laying down standards for the reception of applicants for international protection,[34] to this end it distinguished the situation specifically from the Ilias and Ahmed ruling, emphasising that the asylum seekers could only have left the transit zone in the direction of Serbia by infringing Serbian law, committing an offence – meaning that it was not logical to consider them being able to regain their liberty. It also ruled that the provision contained in the modified Hungarian asylum law[35] allowing for an application for asylum to be rejected as inadmissible on the ground that the applicant arrived on the territory of Hungary via a state in which that person was not exposed to persecution or a risk of serious harm (i.e. a 'safe third country') is precluded by EU law, specifically the Asylum Procedures Directive.[36]

31 Case of Ilias and Ahmed v. Hungary, Grand Chamber judgment of 21st November 2019.

32 Cf. for instance the statement made to the press by Hungarian justice minister Judit Varga. https://magyarnemzet.hu/belfold/varga-judit-a-szuveren-hatarvedelem-ugyeben-a-strasbourgi-birosag-a-kormanynak-adott-igazat-7517861/ (5th March 2021)

33 Joined Cases C-924/19 PPU and C-925/19 PPU. FMS and Others v Országos Idegenrendészeti Főigazgatóság Dél-alföldi Regionális Igazgatóság and Országos Idegenrendészeti Főigazgatóság (EU:C:2020:367).

34 Directive 2013/33/EU of the European Parliament and of the Council laying down standards for the reception of applicants for international protection (OJ 2013 L 33).

35 Act of LXXX of 2007 on Asylum.

36 Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (OJ 2013 L 180).

It is not surprising that this judgement was less warmly received by the government, but nevertheless it acted upon it quickly. The rapid changes included the closing of the transit zones, and a full revision of the applicable asylum procedures. According to this new system[37], asylum applications can only be submitted in the territory without any further requirement if the applicant is already enjoying subsidiary protection in Hungary, or is a family member of a person enjoying international protection in Hungary, or, finally, if he or she is subjected to a law enforcement measure affecting his or her liberty. For all other applicants, a so-called declaration of intent is first required, the declaration needs to be addressed to the Hungarian asylum authority but submitted – in person – at diplomatic representations of Hungary located in neighbouring states outside of the Schengen Area – this in practice means either Belgrade or Kiev. The Hungarian asylum authority will examine the declaration, and subsequently inform the embassy whether or not to issue a travel document to the applicant, with which the applicant may travel to Hungary and declare their intent to apply for international protection, which will then be processed.

It should be noted that the system was introduced as a temporary one applicable as long as the 'state of danger' declared on 11 March 2020 via Government Decree 40/2020. (III. 11.) related to the Covid-19 pandemic lasted. However, in summer 2020, the Hungarian Parliament adopted a new act[38] which extended the new procedure to 30 June 2021.[39] In its current form, it raises a number of legal problems by placing restrictions on the right to apply for asylum and the introduction of a pre-screening of a dubious nature – at the same time, it should be noted that the CJEU ruling did not pronounce the transit zones illegal as such, thus their existence could have been maintained subject to the modification of a number of Hungarian rules (Nagy 2020: 6). In fact, there seems to be no international law or EU law obstacle (nor an obligation) to setting up such zones (Tóth 2020: 1–3), it could even be argued that their existence is even allowed, implicitly, under the Asylum Procedures Directive.[40] On the other hand, the European Commission has already initiated an infringement procedure against Hungary because of the new asylum mechanism which – in the Commission's view – infringes the EU Charter of Fundamental Rights as well as the Asylum Procedures Directive.[41]

37 Government Decree 233/2020. (V. 26.).

38 Act LVIII of 2020 on Transitional Provisions related to the Termination of the State of Danger and on Medical Preparedness.

39 During the writing of this paper – on 26 February 2021 – the 'state of danger' in Hungary has once again been extended for an additional 90 days. See: https://telex.hu/english/2021/02/25/parliament-extends-covid-19-state-of-danger-again (05 March 2021)

40 Cf. Article 43 of said directive regarding border procedures.

41 https://ec.europa.eu/commission/presscorner/detail/en/inf_20_1687.

Hungary's infringement of the EU return and asylum acquis was expressly pronounced in December 2020 as the result of an infringement procedure brought by the European Commission – the fact that by then the transit zones were no longer in operation had no effect on the judgment, as the CJEU examines the facts and the law as they stand at the time of the initiation of the procedure.[42] FRONTEX has since announced that as Hungary is failing to comply with said CJEU ruling, it will suspend operations in the country entirely for an indefinite period – the first time it has done so in relation to an EU Member State.[43] Ironically, FRONTEX itself is currently under scrutiny and criticism for allegedly conducting illegal push-backs of immigrants (European Parliament 2020: 1).[44]

The relevance of this issue as regards the other V4 countries is perhaps somewhat less obvious, but all of them have been subject to criticism.

Similarly to Hungary, Poland has emphasised that it offers strong support to FRONTEX (the headquarters of which happen to be in Warsaw) as its primary contribution to solidarity with EU initiatives (Goździak – Main 2020: 4). Poland was condemned by the ECtHR in the M. K. case for infringing Article 4 of Protocol No. 4 of the ECHR, which prohibits collective expulsion: this also applies to non-admission and rejection of asylum applications at the border crossing points, as the aim of the said provision is to prohibit states from returning a certain number of foreigners without examining their personal circumstances and therefore without enabling them to put forward their arguments against the measure taken by the relevant state authority. The absence of an effective national remedy with suspensive effect against relevant administrative decisions was also found to contravene the ECHR.[45] A number of cases regarding unsuccessful applications for international protection at border crossing points have also been brought before the Polish Supreme Administrative Court and other domestic courts.[46]

Slovakia has been criticised for maintaining immigration detention in rather "prison-like" facilities (Global Detention Project 2019: 21) as well as obliging the third-country nationals themselves to pay the costs of their detention, food and transport.[47] In a legal dispute similar to the M. K. case however, the ECtHR

42 Case C-808/18 Commission v Hungary (EU:C:2020:1029).

43 Frontex suspends operations in Hungary. EUobserver, 27 January 2021. https://euobserver.com/migration/150744 (5th March 2021).

44 The Frontex Scrutiny Working Group set up by the EP held its first meeting in March 2021. Its task is to investigate and evaluate alleged fundamental rights violations by the Agency. https://www.europarl.europa.eu/news/hu/press-room/20210303IPR99105/first-meeting-of-the-frontex-scrutiny-group-with--leggeri-and-johansson.

45 Case of M.K. and Others v. Poland, Application Nos. 40503/17, 42902/17 and 43643/17, 23 July 2020, paras. 200 and 204.

46 The judgments are only available in Polish. For references see European Union Agency for Fundamental Rights 2020: 32.

47 In accordance with Articles 80(1)–(2) and 91(3) of Act 4004/2011 on Residence of Aliens.

found no infringement of Article 4 of Protocol No. 4 of the ECHR.[48] The reason for the different outcome was that in Asady and Others v. Slovakia, the collective nature of the expulsion decisions taken by Slovakia was not discernible, since individual interviews were conducted with the asylum applicants, who had an effective possibility to submit arguments against their removal; the ECtHR found that the the procedure allowed for the personal circumstances of the applicants to be taken into account genuinely and individually.

The Czech government adopted in 2015 – at the peak of the crisis – the country's Migration Policy Strategy.[49] Among its priorities, this strategic policy document mentions the need to ensure effective law enforcement and returns policy, as well as emphasising the relevance of migration control for upholding the benefits of free movement in the EU's Area of Freedom, Security and Justice (Chlupáč 2019: 207). An issue was brought to the fore in relation to the country's Foreign Nationals Act (Act No. 326/1999), which is the main legal instrument pertaining to alien policing in Czechia. The problem related to the fact that the Foreign Nationals Act did not define the concept of the risk of absconding during the 'Dublin procedure' in objective terms. This was raised in the Al Chodor case before the CJEU, which held in 2017 that although the Dublin Regulation permitted detention to prevent absconding, the Member States were required to define the objective criteria of the risk of absconding by law; a requirement flowing also from the Charter of Fundamental Rights of the EU (Article 6 – the right to liberty and security of person). As this was not the case in Czech law, the CJEU proclaimed it incompatible with EU law.[50] Czechia subsequently amended the Foreign Nationals Act accordingly (Global Detention Project 2018: 10).

It is easy to see the tensions and the conflicts that the V4's strict approach to border control and entry has created. It is undeniable however, that, as the V4 declared in their aforementioned Joint Statement in 2015, controlling the external borders is inseparably tied to maintaining the Schengen area. The temporary but abundant reinstatement of internal border controls (which in itself is a legal possibility under the Schengen Borders Code[51]) as a response to the 2015 crisis has arguably led to a 'crisis of Schengen', even if the restrictive effects primarily targeted third-country nationals at the internal borders as well (Colombeau 2019: 640–641). The Schengen Area is a core element of the EU's Area of Freedom, Security and Justice, and is closely connected to free

48 Case of Asady and Others v. Slovakia (Application no. 24917/15).

49 Strategie migrační politiky. Available in Czech at: https://ec.europa.eu/migrant-integration/librarydoc/strategy-on-migration-policy-of-the-czech-republic (5th March 2021).

50 Case C-528/15 Salah Al Chodor and others (EU:C:2017:213). The judgement was passed in a preliminary ruling procedure.

51 For the state of play of the temporary restrictions see: https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/schengen/reintroduction-border-control_en.

movement of persons for both economic and non-economic reasons. A European Parliament study has estimated the economic cost of a two-year suspension of the Schengen acquis at nearly € 5 billion in the case of a suspension limited to seven states, and a staggering € 51 billion in case of a suspension applicable to the entire Schengen Area; this is additional to the one-off costs arising from the physical reestablishment of border checks amounting to €7.1 billion (European Parliament 2016: 26–35).

Rejecting the 'open doors' policy

Potentially many things could be understood by the rejection of the open doors policy but considering that protecting the borders constitutes a separate policy goal, this section will focus on the relocation debate, which has led to judicial disputes in two respects. Relocation in the EU's migration and asylum policy refers to measures adopted as a direct response to the crisis in order to mitigate the pressure affecting some 'frontline' Member States.[52] To address the issue, the EU has adopted two decisions. The first attempt to tackle the 'exceptional' migratory flows in the Mediterranean for the benefit of Italy and of Greece was a relocation decision based on voluntary cooperation: this was meant to entail relocating a total of 40,000 asylum seekers from Italy and Greece to other Member States, based on their voluntary commitment.[53] As the Member States agreed to implement this decision on a voluntary basis, the measure adopted by the Council did not meet serious opposition.

The Council, however, adopted a follow-up relocation decision, which introduced a binding scheme: accordingly, 120,000 persons in need of international protection would be relocated from Greece and Italy to other Member States.[54] As the second decision was no longer based on voluntary participation, it met with considerable opposition: it was voted against in the Council by three of the Visegrád states, namely Slovakia, Hungary and Czechia (as well as Romania) – Hungary was originally meant to be included as the third beneficiary of the decision, recognising the significant exposure of the country, but was removed at Hungary's own request as it did not want to be regarded as a frontline state

52 Relocation needs to be differentiated from resettlement, which is a separate scheme developed by the EU in cooperation with UNHCR. Resettlement involves transferring third-country nationals or stateless persons in need of international protection from a third country to an EU Member State in order to receive international protection. The EU's resettlement scheme was designed to cover 20,000 individuals, with a voluntary participation of Member States. See: Conclusions of the Representatives of the Governments of the Member States meeting within the Council on resettling through multilateral and national schemes 20,000 persons in clear need of international protection, 20th July 2015.

53 Council Decision (EU) 2015/1523 establishing provisional measures in the area of international protection for the benefit of Italy and of Greece (OJ 2015 L 239).

54 Council Decision (EU) 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece (OJ 2015 L 248).

(Peers 2015:). The decision was adopted as a temporary measure, based on Article 78 (3) of the TFEU, and expired on 26th September 2017.

Judicial review of the legality of compulsory relocation

Two of the V4 states, Hungary and Slovakia, claimed that the decision was unlawful and initiated an annulment procedure at the CJEU as a result.[55] In summary, the various pleas made by the two applicants claimed that the legal basis of the measure was incorrect and that procedural errors were made in the adoption of the decision; a number of substantive pleas were also submitted. Below I will analyse the most significant ones.

The legal basis of the contested decision was Article 78(3) TFEU, which, as mentioned above, allows for the adoption of provisional measures as a response to an emergency situation involving a sudden inflow of third-country nationals. Such temporary measures may be adopted by the Council, on a proposal from the Commission and after consulting the EP.

The two applicant states claimed that Article 78(3) was in more than one way not an appropriate legal basis to adopt the measure. Hungary claimed that although the decision was adopted as a non-legislative act, based on its content and effect it should be categorised as a legislative act;[56] among other things this would mean that the national parliaments of the Member States should have been consulted in the process of adoption. The Court ascertained that although the procedure described in Article 78(3) was indeed similar to one of the special legislative procedures (the consultation procedure), the provision does not contain an express reference to the special legislative procedure – and as this procedure is, according to Article 289(2) TFEU, only applicable 'in the specific cases provided for by the Treaties', it is not applicable in the context of Article 78(3).

Furthermore, Hungary and Slovakia both claimed that the adopted decision was not provisional in nature; this was quickly rebutted by the CJEU by referring to the clearly defined expiration of applicability contained in the measure itself.

As regards the procedural aspects of the decision, Hungary and Slovakia claimed that since the adopted decision had undergone substantial modifications as compared to the original Commission proposal, the Council would have been obliged to reconsult the European Parliament (as it had only been

55 Joined Cases C-643/15 and C-647/15 Slovak Republic and Hungary v Council (EU:C:2017:631). The two actions were submitted separately but merged by the Court. The annulment procedure allows the CJEU to review the legality of EU legal acts on grounds of lack of competence, infringement of an essential procedural requirement, infringement of the Treaties or of any rule of law relating to their application, or misuse of powers (see Article 263 TFEU).

56 The formal distinction between legislative and non-legislative acts was introduced by the Lisbon Treaty. Legislative acts are adopted in accordance (ordinary or special). Non-legislative acts do not follow these procedures and can be adopted by EU institutions according to specific rules.

asked for an opinion on the original draft). This obligation is apparent from the case law of the CJEU.[57] In the case at hand however, the Court found that as the President of the Council attended an extraordinary plenary sitting of the EP, and made an express statement about the one significant change in the proposal (that is, the fact that Hungary does not wish to become a beneficiary state), the EP must necessarily have taken this amendment into consideration when deciding on its consultative (i.e. not legally binding) opinion.[58]

In terms of substantive claims, Slovakia put forward that the decision was contrary to the principle of proportionality: it was inappropriate to achieve its goal as it would not address systemic problems in the Greek, Italian and European asylum systems, while the effectiveness of the measure in reducing migratory pressures was also questioned. The CJEU emphasised however that the legality of an EU act cannot depend on "retrospective assessments of its efficacy" and that the fact that only a small number of relocations have taken place so far did not necessarily mean that the measure had been inappropriate to achieve its goal from its inception. Hungary's plea that it should not be required to receive relocated asylum seekers because of the unprecedented burden that its own asylum system is facing was also refuted by the Court, pointing to Hungary's refusal to be included as a beneficiary of the contested decision, and thus concluding that in this light the inclusion of Hungary among the obligated states was not an infringement of the proportionality principle.[59]

In line with the above, the CJEU dismissed both applications. The date of the judgment was 6 September 2017 – just 20 days before the expiry of period of application of the decision. Regardless of the decision, Hungary and Slovakia consistently refused to participate in the relocation scheme – as did Poland from 2016 onwards, following a change of government (Szczerbiak 2017).

The judgement can be seen as a reaffirmation of the legal obligation of solidarity contained in Article 80 TFEU, and demonstrates that the CJEU does not see solidarity as an obligation which can be fulfilled purely by voluntarily undertaken obligations according to Member State preference (Circolo et al 2019: 172–173).

57 See particularly Case C-65/90 Parliament v Council (EU:C:1992:325).

58 It is interesting to note that Hungary produced as evidence two letters sent by the EP Legal Affairs Committee to the President of the EP, stating that the committee concluded that the Parliament should have been consulted again due to the substantive amendment. The Council asked the CJEU not to take these letters into account as they could only have been "improperly obtained" by Hungary. The CJEU did not feel compelled to go into this aspect (Joined Cases C-643/15 and C-647/15, paras 156–158).

59 Another V4 state, Poland intervened in the proceedings in support of the applicants and claimed in this context more broadly that the relocation quotas would cast a significantly heavier burden on those Member States which are "virtually ethnically homogeneous, like Poland", referring to cultural differences. The Court pointed firstly to the fact that this statement was inadmissible as it went way beyond the submissions of the applicants, and secondly reaffirmed that any considerations based on ethnic considerations were contrary to Article 21 of the EU Charter of Fundamental Rights (Joined Cases C-643/15 and C-647/15, paras 302–309).

As regards the obligation to reconsult the Parliament: while it cannot be denied that the Parliament ought to have been *de facto* aware of the substantive amendment, it is questionable whether in legal terms a statement made at a plenary hearing is sufficient to satisfy the requirement of formal reconsultation, an obligation which was reaffirmed by CJEU judgments and regulated accordingly by the Rules of Procedure of the EP itself.[60] (*Nota bene*: the EP in this case did not argue against the illegality of the decision based on this – or any other – reason.)

Infringement actions for non-compliance with compulsory relocation obligations

Not long after the unsuccessful annulment actions, the European Commission initiated infringement procedures against Poland, Czechia and Hungary for the non-fulfilment of the obligations under the second relocation decision. The three V4 states intervened in support of each other in the relevant procedures, which were merged by the CJEU.[61] All three states claimed that the action was inadmissible, as the applicability of the legal act in question had already expired, thus the infringement actions against them were 'devoid of purpose'. The Court held however that the infringement action's aim is an objective determination of whether a Member State has failed to fulfil its obligations under the EU law; an objective which the Commission has a vested interest in, in line with the primary law of the EU.

As regards the merits, the Court did not have a difficult time in finding an infringement vis-à-vis all three states, as regards the fact that the states have definitely not relocated any individuals. The substantive counterarguments of the Member States related in essence to the allegation that relocation posed a risk for the maintenance of law and order and the safeguarding of internal security in the context of Article 72 TFEU (Poland, Hungary) or public security (Czechia). The Court refuted these arguments by proclaiming that the derogation contained in Article 72 TFEU must be interpreted strictly, and that the scope of the concept of law and order and internal security cannot be determined by the Member States unilaterally. Also, reliance on internal or public security as a basis of restrictive measure's needs, according to settled case law of the CJEU, to rely on consistent, objective and specific evidence pertaining to the individual in question, investigated on a case-by-case basis. Thus, invoking Article 72 TFEU for the sole purpose of general prevention, i.e., the *en bloc* refusal to take part in relocation, does not satisfy these requirements. The alleged ineffectiveness

60 See Rule 61 (Renewed referral to Parliament) of the Rules of Procedure of the European Parliament (9th parliamentary term – December 2019).

61 Joined Cases C-715/17, C-718/17 and C-719/17 Commission v. Republic of Poland and others (EU:C:2020:257).

of the relocation scheme to address the effects of the asylum crisis, cited by Czechia, was also dismissed by the Court, as a purported lack of effectiveness of a measure did not affect its obligatory nature as a binding legal act. The Court thus found that Poland, the Czechia and Hungary had infringed their obligations under EU law.

Even though the legal consequences of this judgment are declaratory (as the application period expired, no financial penalty payment under Article 260 TFEU could possibly be sought by the Commission), it nevertheless serves to reaffirm the formal rule of law and the binding nature of EU legal acts, including Council decisions adopted as temporary measures – lawfully adopted supranational EU law is binding, regardless of political disagreement (Krist 2020).

Although it will not be analysed here in detail, it is worth mentioning that in contrast to the relocation scheme, the 2015 EU-Turkey deal[62] was vocally supported by the V4, as evidenced by the Joint Declaration made by the V4 Prime Ministers on 8th June 2016; the deal, among others, contained a reaffirmed and extended version of the resettlement scheme originally envisaged in the 2015 Migration Agenda (Weber 2016: 34–36).

The relocation debate started as a political argument that led to judicial disputes. In the end, the legality and binding nature of the scheme was upheld, which led to a declaration of infringement by three of the V4 countries. The CJEU rightly pointed out that the level of effectiveness of a measure had no effect on its legally binding nature, but it is nonetheless true that the implementation of the relocation scheme in general was far from effective, as the total number of relocated persons amounted to 27,695, as opposed to the envisaged 120,000 (European Commission 2017:1).

In any case, the opposition of the V4 to relocation as a solution to the crisis can be seen as an important factor in gradually changing the approach of other Member States such as Germany and, ultimately, the European Commission (Duszczyk et al 2019: 483–485). (This occurrence will be relevant for approach of the 2020 proposals of the Commission – see Part 3.)

Effective management of the root causes of migration flows

The final V4 priority to look at concerns the approach that emphasises aiding and assisting countries of origin or 'output' countries regarding migration, instead of focusing on resettlement, relocation or legal channels into the EU. This involves providing aid and assistance to relevant third countries to address not migration itself, but its root causes.

62 EU-Turkey statement, 18th March 2016 https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/.

The EU is strongly involved in humanitarian aid and development cooperation. In general, and in the global context, the EU is actually the leading donor of humanitarian aid – between 2014–2020, EUR 7.1 billion was allotted for this policy, coupled with EUR 19.6 billion for the Development Cooperation Instrument (DCI), which finances multiannual development cooperation programmes, focusing primarily on poverty reduction and sustainable development, and EUR 2.3 billion for the Instrument contributing to Stability and Peace (Burnay et al 2016: 14). The TFEU contains a separate legal basis for humanitarian aid activities in Article 214. This EU competence is a shared competence, but one that is subject to a special rule: the EU measures in this field do not prevent the Member States from exercising their own competences.[63]

Addressing the root causes of migration towards the EU through development cooperation and humanitarian assistance is furthermore one of the key actions listed in the 2015 Migration Agenda, and an additional EUR 30 million was pledged for Regional Development and Protection Programmes in North Africa, the Horn of Africa, and the Middle East (Agenda 2015: 4). In November 2015, the European Union Emergency Trust Fund (EUTF) for Africa was established to "provide an integrated and coordinated response to the diverse causes of instability, irregular migration and forced displacement"[64]; with the participation of the EU, 25 of its Member States, as well as Norway and Switzerland. The V4 countries have all signed the programme's Constituent Agreement.[65] In 2016, an EU agreement was signed with Egypt on a programme to *inter alia* address the root causes of migration, with a budget of EUR 60 million (Al-Kashef & Martin 2019: 7).

The goal to provide humanitarian aid in the crisis-stricken countries has been a consistently and transparently articulated policy aim of the V4 throughout the initial crisis and beyond (Nyizo 2017: 82). The V4 state to put this goal into practice most visibly was Hungary, but all V4 states share the policy objective and have taken appropriate measures to implement it.

In 2013, Hungary set up a government-funded scholarship program called Stipendium Hungaricum. According to its constituent legal act, Government Decree 285/2013 (VII. 26.)[66], its aim is to support foreign students' studies in Hungarian higher education institutions, in line with the pragmatic Hungarian foreign policy strategy aims of the 'Eastern opening' and 'Southern opening' (Tarrósy – Vörös 2020: 124–125). The Stipendium Hungaricum programme is based on bilateral educational cooperation agreements signed between the ministries responsible

63 See Article 4(4) of the TFEU.

64 https://ec.europa.eu/trustfundforafrica/content/about_en

65 Agreement Establishing the European Union Emergency Trust Fund for Stability and Addressing Root Causes of Irregular Migration and Displaced Persons in Africa, 2015 https://ec.europa.eu/trustfundforafrica/sites/euetfa/files/original_constitutive_agreement_en_with_signatures.pdf

66 The decree is accessible here (in Hungarian): https://net.jogtar.hu/jogszabaly?docid=a1300285.kor

for education in the sending countries and Hungary. There are currently nearly 70 non-European eligible countries, including states such as Yemen, Eritrea and Iraq, which are significant source countries of migrants and asylum seekers.[67]

Focusing more specifically on crisis regions, the Hungarian Government also set up the Scholarship Programme for Christian Young People (SCYP) in 2017.[68] The core aim of the SCYP is to provide study opportunities to young Christians living in crisis areas where they are exposed to religious persecution or lack the freedom to pursue the religion of their choosing, 'in order to contribute to the social appreciation of professionals returning to their home countries'.[69] The SCYP is currently managed by the Hungary Helps Agency.[70]

The Hungary Helps Agency is a part of the 'Hungary Helps Programme' (HHP). The HHP was initiated by in 2018 and is the country's most significant humanitarian aid and development programme, with the goal of providing assistance to persecuted Christians.[71] The Hungary Helps Agency is a government agency operating in the legal form of a non-profit limited liability company that manages the HHP. The agency provides aid for activities such as obtaining and delivering medical care and medical supplies, reconstructing buildings and infrastructure destroyed by armed conflicts and natural disasters, the promotion of the freedom of religion, and the establishment of training and educational institutions.[72] Although the main focus of the HHP is to assist Christian communities facing persecution in their home countries, non-Christians also receive support from the HHP initiatives, as hospitals, schools, etc. naturally provide services regardless of religious affiliation (Vékony 2019: 13; Fischl 2019: 265). As a special rule in the context of the Hungarian asylum process, in the event that an asylum applicant refers to persecution due to his or her Christian religion, the minister responsible for implementing the Hungary Helps Program is appointed as special authority to investigate said reason.[73]

An analogous programme called SlovakAid has been implemented by Slovakia, this initiative also focuses on providing humanitarian aid and financing development projects in countries including Afghanistan, Kenya, Eritrea and Somalia.[74] In Slovakia's case, the aid framework originated much earlier, in

67 See the list at https://stipendiumhungaricum.hu/partners/

68 Government Decree 120/2017. (VI. 1.).

69 Scholarship Programme for Christian Young People' – Operational Regulations effective from 28 February 2020, p. 4 (https://tka.hu/docs/palyazatok/20200228_okf_jav_en_honlapra.pdf)

70 As regulated by Government Decree 365/2020. (VII. 28.)

71 Act CXX of 2018. Available in English at https://hungaryhelps.gov.hu/wp-content/uploads/2019/08/Act-CXX-of-2018.pdf.

72 See Section 2 of Act CXX of 2018.

73 See Section 2/A. § b) of Government Decree 301/2007 (XI.9.) on the implementation of the Act on Asylum

74 https://slovakaid.sk/?lang=en.

2003, but received additional relevance in the context of the 2015 crisis; the strategic reasons motivating the Slovakian aid policy of 2014–2018, for instance, named illegal migration as a significant factor (Profant 2018: 379–380).

In Czechia, a similar scheme exists as well: the country's development program is managed by the Czech Development Agency, also known as CzechAid. The underlying national strategy points out, among other things, that migration push factors from developing countries often include the search for economic opportunities, and that development cooperation and security building measures can contribute to preventing forced migration.[75] In 2019, the Czech government announced a pledge of CZK 700 million (circa EUR 27 million) to be made available to African output countries of migration: the sum is intended to be spent on humanitarian aid, stabilisation and socio-economic development, thereby also limiting migratory pressures on Europe; the Czech government named Ethiopia, Mali and Morocco as priority states in the scheme.[76] The Czech government also provides higher education scholarships for students from developing countries.[77]

The Republic of Poland runs Polish Aid, a development cooperation programme established in 2011 and coordinated by the Ministry of Foreign Affairs.[78] The measures taken in aid of developing countries include humanitarian aid and development funding, while the relevant strategic document mentions the risk of unrestricted, economically motivated migration as one of the (many) reasons behind the aid programme.[79]

Finally, it is worth mentioning that the V4 have initiated a four-year long joint development project in Kenya under the EUTF. The project focuses on improving social and economic conditions of small-scale holder farmers in the country (Chmiel 2018: 24).

The humanitarian and development aid policies of the EU as a whole and those of the V4 states show complementarity, rather than conflict. As regards the division of competence, this is also a consequence of the non-pre-emptive nature of the EU's powers in this field, but the same conclusion can be drawn from

75 Ministry of Foreign Affairs of the Czech Republic: Development Cooperation Strategy of the Czech Republic 2018–2030 (p. 16 and 19). http://www.czechaid.cz/wp-content/uploads/2016/09/CZ_Development_Cooperation_Strategy_2018_2030.pdf.

76 Radio Prague International: Prague to send millions to African states to help prevent migration to EU. 08/19/2019 https://english.radio.cz/prague-send-millions-african-states-help-prevent-migration-eu-8123003

77 https://www.msmt.cz/eu-and-international-affairs/government-scholarships-developing-countries?lang=2.

78 See the Development Cooperation Act of 16 September 2011. Available in English at: https://www.gov.pl/attachment/0d4493f7-2d7a-470a-8925-72a0a0ef8294.

79 Multiannual Development Cooperation Programme 2016–2020, https://www.gov.pl/attachment/181a8d66-439 b-49b8-b903-63124ffaa30a; Solidarity for Development. The Multiannual Programme for Development Cooperation for 2021–2030 https://www.gov.pl/attachment/0d836bf6-849c-4307-b576-1cef66767f36.

a comparison of the policy goals, as both levels aim to reduce push factors in the countries of origin in order to reduce migration pressure on the EU. In terms of the rationale, the V4's measures are occasionally more vocally communicated as an alternative to migration in general, and the need to combat religious persecution, especially persecution of Christians, is emphasised. These programmes had already been established before the crisis, thus their goal is not only to mitigate the consequences thereof. It demonstrates that the V4 are willing to finance humanitarian projects in developing countries regardless of the volume of migration.

To summarise all of the points elaborated upon in Part 2: the EU's and the V4's responses to the crisis show a mixed and often confrontational picture. On the one hand, a number of national measures relating to procedures at the borders, relocation and detention have been inconsistent with EU law and international human rights obligations – even if the general approach (i.e. protect the external borders *inter alia* in order to maintain the internal dimension of Schengen) is, at least in theory, not divergent. On the other hand, in the field of humanitarian aid and development cooperation, a pleasing complementarity can be observed – of course, the competence situation in the latter field is different from the AFSJ to begin with.

The new pact – the way forward?

The 2015 crisis and its (legal and political) aftermath led the European Commission to propose a reform of the Common European Asylum System in 2016[80]; the six-pack of proposals contained initiatives to reform all elements of EU asylum law, notably proposing a reform of the Dublin system to include a permanent relocation mechanism applicable in crisis situations, similar to the one contained in the temporary decision analysed above, based on a redistribution quota.[81] The Dublin reform proposal was among the most disputed elements of the package, notably and vocally opposed by the V4[82], which led to a negotiation deadlock in the Council beginning in 2016 (Pollet 2019).

Following years of stalemate, the Van Der Leyen Commission proposed a New Pact on Migration and Asylum (hereinafter: New Pact) in September 2020.[83]

80 Legislative train schedule: Reform of the Common European Asylum System (CEAS) https://www.europarl.europa.eu/legislative-train/theme-towards-a-new-policy-on-migration/file-reform-of-the-common-european-asylum-system-(ceas) (5th March 2021).

81 Proposal for a regulation establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person [COM(2016) 270 final].

82 Euractiv: Visegrád countries oppose Commission's revamped asylum policy. https://www.euractiv.com/section/justice-home-affairs/news/visegrad-countries-oppose-commissions-revamped-asylum-policy/ (5th March 2021).

83 Communication from the Commission to the European Parliament, the Council, the European Economic and social committee and the Committee of the Regions on a New Pact on Migration and Asylum [COM(2020)609 final]. The Annex of the Pact also contains an implementation roadmap.

The New Pact was meant to break the political deadlock and allow, finally, for the establishment of a reformed framework for migration and asylum; to this end it – as a change of narrative – acknowledged that the 2015 crisis raised some legitimate, genuine concerns as well, and also unearthed a number of differences between the Member States that needed to be 'acknowledged and overcome'.[84]

At the core of the New Pact are a number of legislative proposals to adopt new measures or modify previously existing ones, supported by some non--binding recommendations. The Pact partly builds on previous proposals of the Commission: it retains the initiative to set up and EU Asylum Agency, to reform the Qualification Directive, the Reception Conditions Directive and the Returns Directive, as well as the establishment of a permanent EU Resettlement Framework. However, it also proposes new instruments, some of which are especially relevant from the perspective of this paper. These include a proposal for a regulation on a screening procedure at the external borders in order to identify the relevant (asylum or return) procedure applicable to the individual in question,[85] and a revision of the proposed Asylum Procedures Regulation[86] to include, among other things, rules on a new 'border procedure', i.e. a fast--tracked procedure to assess asylum claims that have a low chance of being accepted without requiring legal entry to the territory of the EU Member States[87], as well as a return border procedure applicable to persons whose applications have been rejected in the context of the border procedure for asylum. The New Pact also encompasses a proposal for a new Asylum and Migration Management Regulation[88] which would replace the much-debated Dublin Regulation entirely – and establish a 'solidarity mechanism' that takes a wider approach to solidarity as a concept. The new solidarity mechanism would not only contain a permanent a relocation system in case of a high migratory pressure similar to the relocation quota proposed in 2016 (applicable only to asylum seekers who are not subject to the border procedure outlined above), but would also intro-

84 New Pact, p. 1.

85 Proposal for a Regulation of the European Parliament and of the Council introducing a screening of third country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817 [COM/2020/612 final].

86 Amended proposal for a Regulation of the European Parliament and of the Council establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU [COM/2020/611 final]. This would replace the Asylum Procedures Directive currently in force. Changing the form of the legal act from a directive to a regulation means direct applicability of the EU rules and less discretion on behalf of the Member States as compared to the implementation of a directive.

87 "This would apply to claims presented by applicants misleading the authorities, originating from countries with low recognition rates likely not to be in need of protection, or posing a threat to national security. Whilst asylum applications made at the EU's external borders must be assessed as part of EU asylum procedures, they do not constitute an automatic right to enter the EU. The normal asylum procedure would continue to apply to other asylum claims and become more efficient (…)." (New Pact, p. 4.)

88 Proposal for a Regulation of the European Parliament and of the Council on asylum and migration management [COM/2020/610 final].

duce 'return sponsorship' regarding illegally staying third-country nationals as an alternative form of solidarity.[89] The New Pact also contains a regulation to address crisis and force majeure situations, introducing an immediate protection status and also making use of the solidarity system mentioned above.[90] The more nuanced approach to solidarity can be seen as move away from the indivisibility of the solidarity obligation presented in the 2017 CJEU ruling against Hungary and Slovakia (Karageorgiou 2020: IV), as well as an intention to take views such as that of the V4 into account.

At first glance, the New Pact seems to address most of the points of contention between the V4 and the general EU approach. It seeks to establish a procedure to be conducted at the border of the EU in order to prevent abuse of asylum procedures by illegal migrants. It offers alternatives as to the form of contribution to solidarity[91] in migration and asylum management in 'pressure' situations. It proposes a dedicated crisis management measure. It has even received criticism from NGOs for overemphasising securitisation *inter alia* by removing the principle that detention should only be applied as a last resort measure in border procedures (ECRE 2020). As some elements of the package of proposals can be seen as a concession towards the V4's policy preferences (Abdou 2021:10), it would not seem too far-fetched to expect a more positive response from critics of the 2015 Agenda and the EU's general approach.

However, the V4 soon made it clear that they were not in full support of the New Pact. The V4 (supported in this case by Estonia and Slovenia) issued a non-paper in December 2020 outlining what they could support – and what they could not – from among the package of proposals.[92] In their joint position, the states outlined that they agreed with more of an emphasis being laid on the external dimension of migration and asylum, but suggested further exploration of the concept of establishing regional disembarkation platforms outside the EU. They stressed the importance of a more effective returns policy (which is undisputedly not the current situation), and, even more, the need to have robust border protection. In the latter context, the V4 argued for the pre-entry screening procedure to be applied to all illegal migrants in order to identify and

89 Apart from return sponsorship, a further solidarity alternative is the financing of 'capacity-building measures in the field of asylum, reception and return, operational support and measures aimed at responding to migratory trends affecting the benefitting Member State through cooperation with third countries.' See Articles 45–56 of the proposal for the details of the solidarity mechanism.

90 Proposal for a Regulation of the European Parliament and of the Council addressing situations of crisis and force majeure in the field of migration and asylum [COM (2020) 613 final]. This measure would repeal the Temporary Protection Directive (2001/55/EC) which had never been activated since is adoption in 2001 (OJ 2001 L 212).

91 Although it is disputed by some whether return sponsorship truly constitutes a form of solidarity. See e.g. Sundberg Diez – Trauner 2021: 8–11.

92 New Pact on Migration and Asylum. Joint Position of Poland, Hungary, Slovakia, Czech Republic, Estonia and Slovenia. 10 December 2020 https://www.visegradgroup.eu/download.php?docID=457 (5th March 2021).

register them, and for the border procedure to be applied as broadly as possible, including too vulnerable groups. According to the V4, the security, public order and public health interests of the EU (and its Member States) should take priority in regulating pre-entry procedures. They have also rejected the proposed basis (GDP and population) of the relocation quota and maintained that any relocation scheme should be based on voluntary participation.

It is true that the border procedure would not apply to all asylum seekers and illegal migrants. It is also true that relocation still plays a crucial part in the solutions proposed by the Commission. However, the more elaborate approach to solidarity, and the reinforced security aspects could have merited a more positive approach by the V4. Of course, their non-paper cited above does state that their commonly articulated position is intended to serve as 'constructive input for making further progress in the negotiations on the Pact', even if a compromise allowing the EU to move forward still seems rather elusive for now.

Concluding remarks

The 2015 crisis has been a watershed moment for EU migration and asylum law and policy. It has brought to the fore a number of political differences that have led to legal disputes, touching upon a range of issues connected to border management, human rights and solidarity. Both the CJEU and the ECtHR have deemed some of the V4's legislative and policy responses contrary to a number of international and EU legal standards. On a related note, however, the consistently articulated policies of the V4 in this policy field have led the European Commission to propose a more nuanced and flexible legislative package to move forward with the long-delayed reform of EU migration and asylum law.

Although since 2020 the Covid-19 pandemic has understandably become the main legal and political focus of European crisis management, migration remains high on the agenda of the EU.[93] Even in light of the more balanced approach of the New Pact, a compromise seems difficult to reach, *inter alia* as the pack of proposals is facing criticism from NGOs and academics for being overly restrictive, and at the same time from the V4 and other states for still being too permissive with migration and not flexible enough in terms of Member State obligations.

While the focus on securitisation and externalisation is definitely the most perceivable element of the Visegrád approach, their interest in maintaining the internal benefits of Schengen (i.e. avoiding the reintroduction of internal border controls) can at least partly explain the policy direction; especially bearing in mind proposals relating to a form of mini-Schengen of Western European

93 The two phenomena are even interrelated in a number of aspects, as evidenced by the New Pact – see the provisions on preliminary health checks in the proposed Screening Regulation, and numerous references to Covid-19 in the proposed regulation on crisis and *force majeure* situations.

Member States which would maintain true open borders amongst the participants, but control their external borders more strictly (Szalai et al 2017: 20). To be a part of Schengen is a crucial policy goal that the V4 have articulated and taken political and legal measures towards even before their EU membership and continued to treat it as a high priority until their full integration into the *acquis* in 2007 (Bauerová 2018b: 124–125). It is understandable that they are equally keen to preserve this achievement. Of course, this cannot come at any cost: migration, and especially asylum have a human rights dimension which needs to be considered.

In our analysis, we have also found one area without any friction in a legal sense: humanitarian aid and development cooperation policy. Even if the related rhetoric of the V4 and the EU is not entirely congruent, there seems to be general agreement as to the high relevance of this field – and its potential to mitigate migration pressure. The fact that the most of the corresponding initiatives of the V4 predate the crisis shows that this policy is not regarded merely as a crisis management tool.

In 2021, the Visegrád Group celebrates the 30th anniversary of its establishment. In the celebratory joint statement, the V4 have emphasised the value of their common position to strengthen the external borders and focus on aid and development projects in Africa as a response to the 2015 crisis.[94] As such, there is no legal concern with such a policy approach. It may even be argued that the V4 could attempt to take on more of a leadership role in migration and asylum law and policy in some aspects (Karabegović 2020). It is also true that, to quote Malcolm Shaw, "[l]aw and politics cannot be divorced. They are not identical, but they do interact on several levels. They are engaged in a crucial symbiotic relationship. It does neither discipline service to minimalise the significance of the other" (Shaw 2017: 49). That being said, policy considerations cannot take precedence over binding EU law and the obligations flowing from it, and no form of solidarity – however flexible – can exist without loyalty to EU law (Goldner Lang 2020: 59). In a supranational organisation based on the rule of law, there can be no question of that.

With the Czech Presidency of the Council coming up in the second half of 2022, perhaps one can be hopeful that the EU and its 'renegade'[95] members can reach a compromise which is both politically acceptable – and legally sound.

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94 Declaration of the Prime Ministers of the Czech Republic, Hungary, the Republic of Poland and the Slovak Republic on the Occasion of the 30th Anniversary of the Visegrád Group. 17 February 2021 https://www.visegradgroup.eu/calendar/2021/declaration-of-the-prime (5th March 2021).

95 The term was borrowed from Boldizsár Nagy (Nagy 2017).

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***Ágoston Mohay** is associate professor and head of department at the Department of International and European Law of the Faculty of Law of the University of Pécs. His current research interests include the relationship between international law and EU law, EU migration and asylum law and the responsibility of international organisations. He is a member of the Hungarian branch of FIDE and – in his function as head of the Centre for European Education and Research of the Law Faculty – a member of the European Migration Network. E-mail: mohay.agoston@ajk.pte.hu.*

The changing room for manoeuvre of 'Visegrad' Hungary in the Western Balkans. An extraordinary change in Hungarian-Serbian relations

PÉTER REMÉNYI, TIBOR PAP AND NORBERT PAP

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Abstract: *Hungarian-Serbian relations have never been as cordial as they are now, and this is an opinion shared by the leadership of both countries in spite of the modern history of the two nations. In our paper, we seek explanation for this change and argue that it is a consequence of multiple factors: First, the geopolitical changes in the Western Balkans, which have resulted in a great power competition that has opened up space for small states, like Hungary, to assert their interests. Secondly, the changes in domestic politics in Hungary that have brought national interests into the foreground, resulting, among other outcomes, in more active foreign policy with regard to the Western Balkans region. In this paper, we attempt to give a different, critical view of these relations, discussing migration, economic cooperation and political maneuvers in particular.*

Keywords: ***Hungary, Serbia, Western Balkans***

Introduction – The problem

Hungarian–Serbian interstate relations have never been as good as they are today, which, given the modern history of the two nations, is not surprising, and certainly worth explaining.

"The relations between Serbia and Hungary are the best in modern history." Aleksandar Vučić, President of the Republic of Serbia, May 2020.[1]

"Our relations have never been as good as they are today…" Péter Szijjártó, Hungarian Minister of Foreign Affairs and Trade on Serbia, August 2020.[2]

Why is the traditional ethnic, religious and territorial confrontation of the last century(s) being replaced by a system of cordial and cooperative relations at governmental level, even though both countries are governed by right-wing, nationalist governments?

Hungary is becoming more active not only with regard to Serbia, but also when it comes to the entire Western Balkans region (Pap 2020). Since the early 2010s, Hungarian diplomacy, economic and other institutional systems have been present in the region to an increasing extent, and Hungarian room for manoeuvre seems to have been gradually increasing in recent years. The aim of this paper is to shed light on the geopolitical and geo-economic changes in the Western Balkans and the two countries concerned that have led to the increase of Hungary's activity in the region and that form the context of this unprecedented bilateral situation. In our work, we focus on the Hungarian perspective, but our studies cover both the external and the internal factors that have given rise to these spectacular geopolitical changes.

Methods and literature review

The role of small states in international relations does not belong to the traditional focus of the relevant disciplines (IR, political science, political geography), but is largely dominated by studies related to large and regional powers (Garai – Koncz-Kiss – Szalai 2017). In recent years, however, a number of papers have been published that address the issue from different perspectives, focusing on theoretical issues as well as on case studies. Scheldrup's (2014) claim that domestic political stability and uncertainty in foreign policy increase the foreign policy activity of small states was an important basis in our work. Garai's (2017) analysis of the migration crisis policy pursued by the Visegrad countries pointed out that changes in the regional balance of power and local instability resulted in more active foreign policy in Central European states.

1 The President of the Republic of Serbia (2020): President Vučić meets the Prime Minister of Hungary: available at https://www.predsednik.rs/en/press-center/news/president-vucic-meets-the-prime-minister-of-hungary (14th April, 2021).

2 About Hungary (2020): FM: István Pásztor deserves appointment as head of Vojvodina assembly: available at http://abouthungary.hu/news-in-brief/fm-istvan-pasztor-deserves-appointment-as-head-of-vojvodina-assembly/ (14th April, 2021).

The many variations and applications of the centre-periphery theory is a widely criticised but still essential idea in spatial sciences, among other disciplines. The theory is built around uneven development of spatial units, from which a vast array of further differences derive at different territorial scales (Wallerstein 1974). Flint and Taylor (2018) even used this model as a basis for understanding the global political geography in their famous work. This approach reflects both the political and economic differences in the analysed countries, which we take as the environment for our analysis. However, we do not intend to explain Hungarian-Serbian relations solely based on this theory. In our analysis, it serves as a conceptual framework as we perceive the core EU states as the centre, the new member states as a semi periphery and the candidate states outside of the EU as a periphery.

The literature on geopolitical competition in the Western Balkans and Central Europe has undergone tremendous quantitative and qualitative development over the past decade, with international project reports focusing on the region as much as classic monographs and articles (e.g. Bechev 2017; Chrzová et al. 2019; Shopov 2021; Waisová 2020, among others). These studies at least agree that competition exists, and that the confrontation between the great powers maps global competition, which generates various local and regional conflicts. However, these international studies place the focus once again on the influence of large and regional powers in the region (thus providing a very important context for our study), with small states, local power factors being addressed only marginally and only in a narrow context (such as political relations). Clearly, the examination of the issue is present in the national scientific literature, in this case the Hungarian literature, but these papers also tend to be more sector-specific, with little comprehensive, geopolitical reasoning (Pap 2020).

In this paper, we are focusing primarily on practical geopolitics, on the actions, policies and discourses of Hungarian economic and political actors in the Western Balkans and Serbia. To this end, we use first and foremost the official communications of the actors, institutional and media reports and statistics as sources for our analysis. In doing so, we seek to present the change that has taken place in Hungarian-Western Balkan and especially in Hungarian-Serbian relations. Our work has a relationalist approach in that we interpret the growth of Hungary's room for manoeuvre and the development of its relations with Serbia as part of a larger political geographical context: the changing power relations in the Balkans, and the internal processes of the EU, are all part of the context for the evolution of Hungarian-Serbian relations (Chrzová et al. 2019; Shopov 2021; Munich Security Conference 2019). We also argue that Hungary's growing interest in the region is an attempt to take advantage of the opportunities created by the uncertainty in the region as a result of domestic political stabilisation and a shift in emphasis.

The primary context: The Western Balkans as a border region of the EU and the 'new Cold War'

The geostrategic importance of the Balkans has been clear to varying degrees in most historical periods. This is based on its relative location and geography: on the one hand, it is located at the intersection of geographically important natural routes (The Straits, Via Militaris) or in its immediate vicinity (Suez, the Mediterranean), both on land and at sea, from where mobility on these routes can be controlled. On the other hand, it is located in the buffer zone of regions that are home to traditional centres of power (Western Europe, Russia, and the Middle East), which extend their influence in the region depending on international power relations.

Given that an important feature of the Balkans is its political geographical fragmentation, the region is dominated by small states and small nations. Coupled with historical 'delays' (in national evolution, economic terms, etc.), this represents an area of nations with a lack of resources, limited room for manoeuvre, and increased exposure to external power influences, where the most fragmented political structure in its history has emerged after the Cold War. This obviously makes it easier for other states to develop their influence.

For the purposes of the present analysis, it is also important to point out that the biggest loser in this unprecedented political-geographical fragmentation is Serbia, which has lost the exceptionally good position it enjoyed in much of the 20th century, while its opportunities for cooperation have become limited in its immediate neighbourhood. With the break-up of Yugoslavia, which was able to integrate the vast majority of Serbs living in the region but was at the same time extremely heterogeneous in ethnic terms, the Serbian territory was broken up into several states, and the former regional power of the Belgrade elite has fundamentally lost its importance. The new geopolitical situation requires a new strategy, and Belgrade has found a partner in achieving its goals (EU membership, strengthening legitimacy) in Budapest. The goals of Hungarian and Serbian politics converged to a remarkable extent in the mid-2010s.

Due to the geographical proximity of the peninsula and its economic resources, the European Union is currently the number one natural point of reference, the centre of power and the most influential player in the region, both politically and economically. This is reflected in its trade and investor position and its role in the migration flows of the region. At the same time, the EU's internal problems and crises have called this relationship into question over the last decade. Europe's main attraction, enlargement of the EU, is constantly being delayed. The previous Brussels administration spoke of enlargement fatigue (President Macron made enlargement subject to EU reforms and President Juncker did not consider accessions realistic before 2025), and most recently (October 2019) France even vetoed the opening of accession negotiations with Albania

and North Macedonia (Tcherneva – Varma 2019), although the latter was even willing to change its official name in order to prevent a Greek veto. The internal conflicts of interest regarding integration are also amply illustrated by the fact that, in the meantime, a group of pro-enlargement countries has emerged that may even include Germany. The V4 countries are also members of this group. These are the states that stand to gain the most geopolitically and economically from the enlargement of the EU to the Western Balkans. The messages from the EU are thus, to say the least, contradictory.

The settlement of the current political geographical situation in the Western Balkans was brokered by the United States. When the Dayton Agreement was signed in 1995, the American world order was at its zenith, NATO, the US and Europe looked strong, and potential competitors were preoccupied with their own internal problems. For the United States, the Balkans continue to be seen primarily as a security issue, whether this concerns the stability of the post-war territorial settlement or the fight against terrorism. Of course, hindering the implementation of competing energy projects or the operation of high-tech companies can also be part of the broad concept of security. Following its change of foreign policy priorities in 2001, the US has until recently shown only moderate interest in the Balkans, with the Obama administration's 'Pivot to Asia' foreign policy[3] being the nadir (Ford 2017). The sustainability of the last-minute agreement between Belgrade and Pristina under the Trump presidency (2017–2020) is questionable, and the new US administration is yet to offer a clear Balkan policy, although the strengthening of transatlantic relations expected from Biden and the increasing competition among great powers in the region could bring the unresolved conflicts in the Western Balkans back to the fore.

With the decline of US-European influence beginning around the turn of the millennium, several regional and global powers have become active in the Balkans (Munich Security Conference 2019). Most spectacularly, China emerged as a new player, embarking on a more active policy worldwide as a result of the grand strategy to become a global power, for which the declining Western engagement in the Balkans created a beneficial environment. Within the framework of the 'Belt and Road Initiative' strategy[4], using the so-called 16 + 1 formation, the Asian superpower is, first and foremost, building economic influence in the region. The tools for this are loans, infrastructure development and investments. What they all have in common is that their transparency is often questionable, and they are also tools for building influence within local elites and sometimes go against EU ambitions (e.g. the development of coal-

3 This was a regional strategy of the US under President Obama, at the core of which was the shift in focus of US foreign policy from Europe and the Middle East to East Asia.

4 The BRI is a global project of the Peoples Republic of China focusing on infrastructure development and economic cooperation in several countries of Eurasia. Some perceive it as a Chinese grand strategy for regional dominance (see e.g. Clarke 2017).

-fired power plants). As China's grand strategy is explicitly or implicitly aimed at changing existing global power relations, China's growing influence in the region has strong critics from a geopolitical perspective, whether this concerns the dangers of the 'debt trap' (Hopkins – Kynge 2019) or corruption (Makocki – Nechev 2017), or infrastructure development in line with China's strategic interests (Reményi – Csapó 2019). The views on the Chinese presence are therefore ambivalent: on the one hand, it could be seen as a dangerous process, which the EU or even the United States might oppose, and on the other, the states in the region need investment, for which they will turn to China if they do not receive it from Europe. Domestic political developments in the countries of the region may also bring about major changes in relations with China (e.g. North Macedonia), but China is far away, its influence in the region is primarily economic and therefore limited, and its weight (either in trade or in the value of investments) is far below that of Europe, although it is growing and could even be significant locally.

Russia is a traditional player in the region and was a major power in Balkan rivalries during the 18th and 19th centuries. Its influence today can be felt on the one hand through traditional linguistic-religious-civilisational communities and their institutions and ideologies (Orthodoxy, pan-Slavism), so its embeddedness in Orthodox Slavic areas is significant. In recent years, Russia has also transformed civilisational and cultural relations into media influence, which are particularly effective in Orthodox areas. The only areas where Russia is a major player in the real economy are energy and the arms trade. Politically, their main priority is to weaken the position of their competitors (US, EU) by supporting its patrons (Bechev 2017). These include support for the Serbian position on Kosovo in the UN Security Council, or the interference in Montenegrin political life by the secret services. The specific political-geographical entity, Republika Srpska (RS), the very existence of which in its present form has now become an obstacle to long-term stability in the region, is one of the most important territorial entities of formal and informal Russian influence in the WB. There is a significant Russian presence in the economy (especially in the energy sector), unofficial Russian support for the development of the armed forces, and frequent high-level political meetings (Mironova – Zawadewicz 2018). The Russian support for the RS also means that Bosnia remains divided, which hinders the country's Euro-Atlantic integration. Without a settlement in Bosnia, however, there can be no stability in the Balkans as a whole.

Turkey primarily uses its soft-power tools and, to a lesser extent, its economic power to influence processes in the region. Centuries of common history, autochthonous Muslim communities, the Turkish minority, and cultural heritage are all important links to the Turkish Republic, which returned to the region with the change of direction in foreign policy introduced by Davutoğlu and Erdoğan (Davutoğlu 2016). The direction and intensity of relations, as with

Russia, show a cultural commitment (e.g. to Bosnian Muslims), but its most important trading partner is Serbia, and Turkish policy in recent years has been active in improving Bosnian-Serbian relations. For Turkey, however, as with the EU, the Balkans are the near abroad, a key area and a stake of geopolitical interests, in contrast to Russian, Chinese or American ambitions, where it is more of a route, a means in the global game.

The question of (great) power influence is, on the one hand, a consequence of bargaining between the power concerned and local actors. At the same time, the interconnectedness and geostrategic importance of the Balkans means that the aspirations of great powers outlined above often intersect and are all part of a larger global competition. As a result, global power conflicts are also reflected in the region. The opposition of the US and, to a slightly lesser extent, the EU to Russia (in energy and politics) is clear, as is the opposition of the Western powers to China (over economic, financial and political issues). The reason behind Europe's reluctance in both relations is that it needs both Russian energy and Chinese capital. The consequence of this rivalry is that, in addition to building their own influence (through investment, infrastructure development, subsidies and soft power tools), these powers are constantly making strides to hinder the activities of competitors. This is the case with respect to America's fight against Russian interests in the South Stream pipeline, those of Chinese tech companies, Russian intervention against pro-Western political parties, and the obstruction of Euro-Atlantic enlargement. One of the most important consequences of this competition, however, from our point of view, is that there is no clear hegemonic power in the region. The competition for power thus creates instability and uncertainty, which creates opportunities for smaller countries to assert their own interests and, as Scheldrup (2014) and Garai (2017) have pointed out, small states are trying to take advantage of this. Advocacy can cover a wide range of areas, from politics through economics to migration, but it also concerns resources and influence.

The secondary context: Hungary as part of the Visegrad group

The eastern enlargement of the European Union in 2004 generated little real debate, and the new members were more or less integrated into the Community by now, but there is still a visible economic/developmental 'fault-line' between old and new members. The 'Ten' can thus be seen as a semi-periphery of EU's core region (within the EU) (Gräbner – Hafele 2020). Further planned enlargements, as well as the Community's neighbourhood policy, have created a belt around the EU to the south (Western Balkans) and to the east (Eastern Partnership), which can be seen as the EU's external (non-EU) periphery, a zone where the EU's geopolitical interests should be pursued. Between the semi-periphery and the periphery, there is a similar developmental 'fault-line' as between the centre

and the semi-periphery. Because of the EU's complex crisis in the 2010s (financial crisis, BREXIT, institutional crisis…), the degree to which the EU pays attention to the external periphery, including the Western Balkans, has decreased, the enlargement process has slowed (enlargement fatigue), the community has turned inwards, and the activity of other power players in the region has increased (Munich Security Conference 2019). At the same time, some of the newly acceded countries, in particular Poland and Hungary, have become more active in the periphery, pursuing their own political and economic interests against the backdrop of a significant internal political and economic transformation and an unstable external environment created by power struggles in the region. As a result, Central European states are becoming increasingly active in the EU's neighbourhood.

Central Europe, including the Visegrad (V4) countries, is today both a destination for economic interests (trade, capital investment) from the core European states and a source of flows to the East and South. In the Visegrad countries, the states of the European centre play a dominant role in a sense, which can be supported by a number of data, mainly of economic relevance. In terms of foreign trade, according to OECD data, Germany is the largest partner of all four V4 countries, with an import share of more than 25 %, with the exception of Slovakia. Its share of Hungarian product imports is larger than that of the next four countries combined, with the EU15 accounting for more than 50 % of Hungarian imports (KSH 2020). The European core states, above all Germany, the UK and Austria, are the largest importers of labour from the region. Although the figures are highly uncertain and difficult to interpret due to methodological differences, some calculations (and this is not the highest estimate) suggest that nearly four million people from the Visegrad countries, with a population of around 65 million, live and work in the EU's central region, which is around 6 % of the total population. (Główny Urząd Statystyczny 2020a; Destatis. Statistisches Bundesamt 2020; Statistik Austria 2020; Office for National Statistics 2020; Janská – Janurová 2020; Eidenpenz 2019).

Not surprisingly, the core EU countries are also the biggest sources of FDI in the Visegrad countries. According to OECD data, in 2019, only two of the top 20 source countries of direct capital investments in the four Visegrad countries, 5 for each V4 country, are non-EU core countries. Among investors in Slovakia, the Czech Republic ranked second, while the United States was in fifth place in Hungary. Germany, the Netherlands and Luxembourg are in the top five for all four countries, and Austria for three of them.

A destination for the periphery's labour force

At the same time, according to the OECD, the Central European states have been increasingly present with regard to their relatively peripheral non-EU neighbours in a similar way to the above since the 2010s. The labour force of

Eastern and South-Eastern European countries is increasingly flowing into the economies of Central Europe as well, trade between the two groups of countries is growing, and capital investment has also started to increase.

Despite the fact that the Visegrad countries have traditionally been, and to some extent still are, labour emitters, a significant outflow of labour from the East to the West, negative natural reproduction and increasing labour demand in the economy have led to growing labour migration from the Eastern Partnership and the Western Balkans to fill their labour shortage, which began and intensified over the past decade. The Visegrad countries have also developed different immigration strategies to support this, with the result that the share of foreign labour has been increasing everywhere in recent years. In fact, this also represents a kind of competition for labour as a resource, which can be interpreted in relation to the Central European states and the Eastern and South-Eastern European states (similarly to the way labour flows towards the European centre), but also among the Visegrad states (competition for Ukrainian workers, for example).

As a result of these trends, Poland, the largest labour importer in the Visegrad countries, had more than 2 million foreign workers before the COVID-19 pandemic (2019), the vast majority of them arriving from Ukraine (Główny Urząd Statystyczny 2020). In the Czech Republic, this number exceeded 715.000, with Slovaks, Ukrainians and Poles being the largest groups, with workers from the periphery making up 26 % of the total figure (Český Statistický Úřad n.d.). In terms of population, the share of immigrant workers in Czechia is even higher than in Poland, but while the marked increase over the past decade in the Czech Republic is an approximate doubling of the figures, the number of foreign workers counted in the statistics has increased almost tenfold in Poland. Slovakia's economy has attracted fewer foreign workers, but the number of 78,000 in 2019, with Serbs, Romanians and Ukrainians making up the largest numbers, is growing at a similarly rapid pace, with a more than fourfold increase over the course of a decade (Letavajová – Divinský 2019).[5]

In the case of Hungary, immigration from neighbouring countries requires a separate explanation for two reasons. On the one hand, due to border changes in the 20th century, the proportion of the population living in neighbouring states who identify themselves as Hungarians or have Hungarian ancestry is in the millions, and until recently most immigrants were from among this group. For this reason, both Hungarian politics and society treat this type of migration differently from migration from any other region in the world. This type of migration is therefore part of kin-state politics rather than that of migration

5 The number of non-EU workers in Slovakia increases (2020) Budapest Business Journal (2 February): available at https://bbj.hu/budapest/travel/tourism/the-number-of-non-eu-workers-in-slovakia-increases, (17th February 2020).

policy. The goals of kin-state politics have been part of Hungarian politics since the change of regime, but since the centre-right FIDESZ (Alliance of Young Democrats) government came to power in 2010, they have reached a qualitatively different level. In 2010, for example, Hungary introduced a simplified naturalisation procedure, which is an important means of linking Hungarians living beyond the country's borders to the kin state, in practice, by granting dual citizenship, which allows these individuals to prosper in Hungary, among others on the labour market.

The other factor is the gradual anti-immigration stance of Hungarian politics and, not independently of it, society, especially after 2015, which makes it politically risky to allow foreign workers to work in Hungary (Glied 2020). In recent years, however, the growing labour shortage has led to the emergence of other considerations in addition to kin-state politics and domestic policy, namely the needs of the business sector. For the first time, labour shortages made it easier for citizens of neighbouring countries to work in Hungary. At the same time, the transfer of workers, mainly of Ukrainian and Serbian nationality, to Hungary started with state support. In a country that is critical of migration, and where those in political power have carried out a series of active anti-immigration campaigns, laws have been passed to support labour migration, and state-funded Hungarian campaigns are being run in major Ukrainian cities to encourage people to work in Hungary (Czinkóczi 2017).

According to the National Employment Service, more than 88.000 foreign nationals worked in Hungary in 2019, which does not seem to be an outstanding number among the Visegrad countries, but this is a three-and-a-half times increase over a decade[6]. As the NFS did not provide nationality data, we can only estimate the largest sending countries, with Ukrainian, Romanian and Serbian nationals making up the largest group of this population. From the external periphery, an estimated 44.000 Ukrainian and 6.200 Serbian citizens worked in Hungary in 2019 (Szurovecz 2019).

An economic investor in the periphery

The Visegrad countries have only recently emerged as foreign investors, and in terms of volume they cannot even come close to companies from the EU core. At the same time, in some respects (e.g. Hungary-Serbia, Poland-Serbia, Poland--Belarus, Czech Republic-Belarus), OECD data show a significant increase in capital investment from the V4 countries to the external periphery, but this is not enough to exceed 5 % of total FDI inflows to each country. The highest values

6 Nemzeti Foglalkoztatási Szolgálat: Munkaerőpiaci statisztikák, elemzések: available at https://nfsz.munka.hu/tart/stat_kulfoldiek (13rd April, 2021).

are recorded in North Macedonia (5 %), Montenegro (4 %) and Serbia (3 %). In all three countries, the volume of Hungarian capital exports is significant.

In terms of trade balances, the weight of the Visegrad countries is significantly larger than capital investment and clearly increasing: combined exports to the Western Balkans and the group of countries including Ukraine, Belarus and Moldova increased from USD 137 billion in 2010 to USD 157 billion in 2018, according to OECD data, giving the Visegrad countries a 12 % share.[7] Both Poland and Hungary are in the top ten importers in Serbia and Bosnia. Hungary is also an important export destination for Serbia, Montenegro and North Macedonia. Poland is more active in the Eastern Partnership countries, with Ukraine, Belarus and Moldova among its most important trading partners.

During the 2010s, Hungary, as a small state, made the 30-year-old Visegrad Cooperation a priority, and members of the government have been constantly emphasising the success of this group of countries and the role it plays in the European economy and politics. As a synonym for Central Europeanism (Balogh 2017), this is the geographical community in which Hungary, as a member, can play a greater role in international relations than its own weight, and thus allows it to be perceived as a more active geopolitical actor in its immediate region. This more active geopolitical and geo-economic engagement, increasing the room for manoeuvre in the immediate geographical neighbourhood, is not alien to the other Visegrad countries, and above all to Poland. There are political, economic and cultural elements to this, but while Poland has traditionally been more active in the east, Hungary is increasing its activity in the south.

Increasing the influence of the Visegrad countries towards the external periphery is no longer ad hoc. In many cases, we can talk about elaborate plans in the fields of investment promotion, recruitment and infrastructure development, which often reflect the interests of the entire Visegrad group, e.g. one type of the Visegrad Grant specifically supports projects between the Visegrad countries and the Western Balkans or Eastern Partnership countries. In some cases, these reflect not only the aspirations of the Visegrad countries; but sometimes take the form of EU policies, a good example of which is the Eastern Partnership programme, which was established on the initiative of Poland and represents the interests of the Central European states. More recently, the Three Seas initiative has come under the spotlight, in which Poland also plays a prominent role and which is seen by some as a revival of the Polish-initiated geopolitical plans of the early 20th century. The initiative, focusing on the nations between the Baltic, Adriatic and Black Seas, intends to bring together the 'small-state Europe' in between German and Russian spheres of influence, and also helps to increase the room for manoeuvre between the two great powers (Kurečić 2018;

7 OECD.Stat: available at: https://stats.oecd.org/index.aspx?lang=en&SubSessionId=f2f361fe-25c8-48d9-9d9e-aec526174191&themetreeid=-200# (13rd April, 2021).

Zbińkowski 2019). As an indication of its global potential, some of the meetings were attended by the then US President and others by the President of the European Commission. Another Polish initiative, also supported by the EU, is the Marshall Plan for Belarus, which would help the country in its democratic transition (Adamczyk 2020). For countries neighbouring the region, the EU INTERREG programmes also have the potential to be a vehicle for cross-border bilateral efforts and increased integration among the countries concerned.

Above all, Hungary is active in the southern part of this external periphery. This, like Poland's activity in the East, has a historical tradition. The most important EU project in this region, and in which Hungary is playing a decisive role, is the EU enlargement to the WB. One of the most committed supporters of this is Hungary, in agreement with the Visegrad countries, as is shown by the fact that the Hungarian member of the Commission is currently the one responsible for Enlargement and Neighbourhood Policy. Representatives of Hungarian diplomacy have been stressing the need for the accession of the Western Balkans in every possible forum, and Hungarian diplomacy is particularly active in the region. Thus, Hungary is pursuing an active policy in the Western Balkans, both as a member of the EU and NATO, as a member of V4 and as an independent country.

Sovereignist turn in Hungary

In the case of Hungary, the increase in geopolitical and geo-economic activity is not just the result of changes in external factors (power competition, enlargement fatigue, EU and Visegrad frameworks). There has also been a significant turnaround in domestic and economic policy since 2010, when the first two-thirds FIDESZ government came to power. The transformation has covered many areas, but the economic and related political change is of particular importance for us, in addition to the unprecedented domestic policy space the supermajority has given the government, which can help it engage in an active foreign policy.

In addition to the expansion of the domestic policy space, the most important element of the political change of direction for the present analysis is the so-called national sovereignist turn, whereby Hungary (and other Central European states) started to follow a political course that articulated their perceived or real national interests more strongly, and challenged the federalist EU centre. An integral part of this complex change in political direction in Hungary is a more active foreign policy that better aligns with national interests (which in many cases is difficult to reconcile with the interests of other members of the EU or even the Visegrad Group) and includes elements such as the strengthening of kin-state policies towards Hungarian minorities beyond the country's borders, or the strengthening of the position of the Hungarian economy, diplomacy, higher education, culture and so on outside its borders. This is combined with a system of institutions and public programmes.

Central to the economic policy transformation is the effort of local economic actors to seek support in political subsystems, which they found in the political partners of Hungarian financial nationalism (Sebők, 2019). Another important factor is the development of the pillars of the current institutional framework for economic policy.

The absence of an alternative to the competitive state seemed self-evident to the Eastern 'new democracies' of the early nineties, and the globalising economic processes projected the vision of a single world market. This era was ended by the financial crisis of 2008, when the emergence of conflicting interests in the management of the crisis called into question the social legitimacy of the competitive state, and unorthodox economic policies of the right (in Hungary) and the left (in Greece) emerged in the European semi-periphery. Following this ideological upheaval, a new institutional system based on a new approach has emerged (Scheiring 2020). This model was institutionalised in the era of FIDESZ governments with a two-thirds parliamentary majority, but its economic ideological features can also be found in the earlier works of György Matolcsy, Governor of the Central Bank of Hungary, who argued that there were several turning points in Hungarian history when the political actors of the era could not detach themselves from their own immediate interests and lacked a geopolitical perspective when assessing the situation. As a result, they made decisions that seemed logical and/or inevitable at the time, but which proved to be wrong in the long run, and which defined their room for manoeuvre for centuries (Matolcsy 2015: 19–21). The lesson, according to Matolcsy, is that we need to pay attention to the broader context, and even if we are not able to influence it in any meaningful way, we need to seek a greater room for manoeuvre than can be achieved under the given circumstances.

In order to radically change the economic policy of the previous period, it was first necessary to develop a concept of manoeuvring options for existing institutions. In doing so, on the one hand, they wanted to change the direction of economic policy and, at the same time, they had to reorganise the ownership structure of the financial system, because this would allow the government to gain the support of the national capitalists (Sebők 2019). Sebők identifies five steps in this transformation:

1. Selecting industries where influence can be developed, primarily based on profit-generating capacity, potential social influence and the extent of the role of the public sector as a customer. 2. Selecting and positioning the winners. 3. Recapitalising winners through public procurement. 4. Adapting regulation accordingly. 5. Establishing a link between the economic and political subsystems, and developing a specific political economy model (Sebők, 2019).

"*The competitive state has thus been replaced by the accumulation state, which devotes considerably more resources and attention to strengthening the national*

bourgeoisie and to providing material and institutional support for accumulation, while maintaining the dominance of transnational capital in the technological sectors. This state strategy is a response to the recipes given historically for the exhaustion of the extensive phase of dependent development" (Scheiring 2020: 240).

It is one of the cornerstones of Hungarian strategy that the current system of centre-periphery relations cannot be abolished by a single nation state, nor even by a regional alliance of nation states (e.g. the V4 countries). However, by considering the interests of the nations of the internal semi-periphery, the relationship of interests that has developed there historically and has been institutionalised over the past 30 years can be transformed into a system of relations that leaves more room for the states of the region to develop in a manner driven by national capitalisms, for the fulfilment of national regional interests and to increase regional room for manoeuvre.

This model includes the Hungarian economic policy-makers' ambition for Hungary to become a regionally dominant economy, leveraging the concept of the Carpathian Basin Economic Space, as well as a stronger reliance on Visegrad cooperation.

"For us, the creation of a single economic space in the Carpathian Basin and the V4–6 economic space appear to be the breakthrough points." György Matolcsy, Governor of the Central Bank of Hungary, March 2021 (Matolcsy 2021).

The Western Balkans is a space for increasing the room for manoeuvre of the small state, for realising profits and providing resources to the key players in the Hungarian economy, where the Hungarian state can also be relied on to help in the above model.

"… economic cooperation with Serbia has played and continues to play a very important role in changing the dimension of the Hungarian economy…" Péter Szijjártó, Minister of Foreign Affairs and Trade of Hungary, March 2021.[8]

Hungarian room for manoeuvre in the Western Balkans

The Balkans, and the Western Balkans as a constituent of the region, have always been within the action radius of Hungarian geopolitics. Due to the international balance of power, the historical context and current Hungarian domestic political trends, actual Hungarian-Balkan relations have of course changed greatly from one period to the next. At one extreme, as part of the Austro-Hungarian

8 Magyarország Kormánya (2021a): Szijjártó: Annyival több ember életét tudtuk megvédeni, amennyi keleti oltást vásároltunk, available at: https://kormany.hu/hirek/szijjarto-annyival-tobb-ember-eletet-tudtuk-megvedeni-amennyi-keleti-oltast-vasaroltunk (14th April, 2021).

monarchy, the Kingdom of Hungary was an active and significant player in the Balkans (e.g. the occupation of Bosnia in 1878), but a century later, e.g. in the 1960s, Hungary's situation did not allow for much exchange.

The revival of Hungary's interest in the Balkans began with changes in the external environment (the break-up of Yugoslavia) and internal structures (regime change). At that time, security policy, humanitarian considerations, trade and kin-state politics were the main considerations, but the cornerstone of Hungarian foreign policy and thus of the geopolitical code was essentially Euro-Atlantic integration and the path leading to it. By the 2010s, several important factors had changed: the achievement of Euro-Atlantic goals and the domestic and economic policy turnaround outlined above created the internal conditions for more active geopolitics, while the power competition in the Balkans and the enlargement fatigue of the EU's core created the external context for increasing Hungarian room for manoeuvre in the Western Balkans. As a result, Hungary's policy towards the Balkans changed around 2010, not primarily in its principles, but in its activity and focus.

Hungary's interests in the Balkans are reflected in two documents, "Hungarian Foreign Policy after the Presidency" and "Hungarian Security Strategy", which indicates the prominent place of the region in the Hungarian approach to foreign and security policy (Pap 2020). Hungarian interests are related to security (the memory of the Yugoslav wars has not yet faded), illegal flows (migration, arms, drugs), Hungarian communities in the region, and the economy. Leading politicians in the Hungarian government constantly stress the strategic importance of the Western Balkans' accession to the EU for Hungary:

> *"It is in Hungary's best interest to have peace and stability in the Western Balkans, and European integration is the most obvious guarantee for this."* Péter Szijjártó, Minister of Foreign Affairs and Trade, 26 February 2021.[9]

> "*The Euro-Atlantic accession of the countries of the Western Balkans is in Hungary's national interest, therefore Hungary's foreign policy strategy towards the region will remain unchanged."* László Kövér, Speaker of the Hungarian Parliament, 4 November 2019[10]

As the Hungarian Foreign Minister stressed at a press conference in Sarajevo on 16th March 2021, *'we must not only talk, we should also act'*. Hungary's concrete

9 Magyarország Kormánya (2021b): Szijjártó: Magyarország érdeke a Nyugat-Balkán európai integrációja, available at: https://kormany.hu/hirek/szijjarto-magyarorszag-erdeke-a-nyugat-balkan-europai-integracioja (14th April, 2021).

10 A magyar külpolitikai stratégia a jövőben is változatlan marad (2019) Demokrata (4th November): available at: https://demokrata.hu/magyarorszag/a-magyar-kulpolitikai-strategia-a-jovoben-is-valtozatlan-marad-174810/ (14th April, 2021).

actions in the Western Balkans are related to the broader issue of security, as Hungary has one of the largest peacekeeping troops in both Bosnia and Herzegovina and Kosovo. In the latter, the peacekeepers will operate under Hungarian command from autumn 2021. Hungary has also taken a number of concrete steps in the fight against irregular migration, e.g. by assisting North Macedonia in building a fence and carrying out border surveillance tasks. Thus, even though Hungary is not a significant power in the military sense at all, it is able and willing to expand and increase its room for manoeuvre in the region, even in this area.

The acceptance of former North Macedonian Prime Minister Gruevski's asylum application and the active campaigning for other friendly politicians (Vučić, Janša) in their election campaigns clearly indicated to the countries of the region that Hungary is an active geopolitical player in the Western Balkans and is willing to play a role in the domestic political issues of the states of the region. The media is another important sector in terms of soft power and has the potential to exert an impact on local domestic politics, and one in which we have seen an increase in Hungarian interests in recent times. Investors perceived to be close to the Hungarian government have bought media stakes mainly in North Macedonia and Slovenia, although their impact is still questionable (Kucic et al. 2020). Through the financial support of the Hungarian media in Serbia from Hungary, influence is also being exerted in the north of the country, with leading media outlets in Vojvodina striking a friendly tone with the FIDESZ-KDNP government (Markovic n.d. a).

The coming to power of FIDESZ-KDNP in 2010 also brought changes in economic policy. The intensity of economic relations between Hungary and the Western Balkans has varied over the past decades, characterised by a particular duality. The area in which SMEs operate was essentially concentrated in the border zone, where linguistic and cultural differences were not an obstacle. The economic room for manoeuvre of large companies was wider, however, and the investments of the 'small Hungarian multinationals' (OTP, MOL, Trigránit, etc.) covered the entire region, but only comprised a small number of companies. As already mentioned above, the Central European and Carpathian Basin dimension has been strengthened by the economic policy of 'nationalisation', and in the politicians' visions, the Hungarian economy has become a dominant player in this narrower region (the Carpathian Basin economic space). A pro-forma economic strategy (the Wekerle Plan) was also drawn up, the direct implementation of which was taken off the agenda, but some elements, such as support for foreign investment by Hungarian companies and economic policy favouring Serbia, remained unchanged.

Since then, the promotion of foreign investment by Hungarian companies in the region has been an integral part of economic policy, as has the financial support of Hungarian communities beyond the borders from Hungarian state funds, which are a cornerstone of Hungarian geo-economic efforts. The increasing activity of Hungarian companies in the Western Balkans is in line with

this Hungarian economic policy, in which Outward Foreign Direct Investment (OFDI) has become a prominent element from 2019, linked to the 'change of dimension in the Hungarian economy' narrative. Supporting foreign investment and increasing the volume of foreign trade is HEPA (the Hungarian Export Promotion Agency), established in 2018. One of its six centres is in Belgrade which covers the Western Balkans region.[11]

Additional institutions providing active support to increase the economic room for manoeuvre in the Western Balkans were established when the Hungarian government launched the Western Balkans Investment Support Programme in 2019. The aim of the programme is to help Hungarian companies engaged in OFDI to the Western Balkans and thus contribute to the development of the region, to the 'dimensional change' of the Hungarian economy and, more specifically, to the growth of Hungarian influence in the region. The programme can provide up to 50% support intensity, and the target countries are Serbia, Montenegro and Bosnia and Herzegovina. In addition, other programmes are available for Hungarian companies wishing to invest in the region, such as the one provided by the West Balkan Green Centre Nonprofit Ltd, also established in 2018 under the umbrella of the Ministry of Innovation and Technology, which supports green investments by Hungarian companies in the region.

In the past decade, Hungarian exports to the region have doubled to more than EUR 2.5 billion a year, while the value of investments has increased one-and-a-half times to EUR 1.5 billion over the same period, the Hungarian Foreign Minister told Pannon RTV.[12]

Table 1: Export and capital investment from Hungary to the Western Balkans

	export (million HUF)		change %	FDI (billion HUF)		change %
	2010	**2020**		**2010**	**2019**	
Serbia	232,477	600,781	258	95.2	322.8	339
Croatia	238,464	565,192	237	685.6	1,273.2	186
Bosnia-Hercegovina	73,265	115,883	158	13.2	3.9	30
North Macedonia	28,415	132,174	465	86.4	90.3	105
Montenegro	9,098	20,145	221	51.4	60.9	118
Albania	16,657	31,762	191	0	25.5	–

Source: CSO and OECD

11 Hungarian Export Promotion Agency https://hepa.hu/en, (23rd April, 2021).

12 Támogatás magyar cégeknek nyugat-balkáni beruházáshoz (2020) Pannon RTV (20 October): available at https://pannonrtv.com/rovatok/gazdasag/tamogatas-magyar-cegeknek-nyugat-balkani-beruhazashoz?fbclid=IwAR0AQde2pxCFBswOfW04FaYj7V2M1zn6GjgdpDwEYgkctXKTXJGBaQjjSjs, (8th February, 2021).

The COVID-19 pandemic has created opportunities not only for the great powers to use soft- power tools. Hungary also engaged in active pandemic diplomacy within its capabilities and size, by donating 100 ventilators and protective suits to Serbia, 200,000 masks, protective suits and 40,000 PCR tests to Bosnia and Herzegovina, and contributing to vaccine procurement in Montenegro, in addition to donating 10,000 PCR tests and protective suits to Podgorica. The Hungarian government also donated masks and protective equipment to Kosovo, Albania and North Macedonia (Váczi 2020).[13]

Hungarian–Serbian relations

Thanks to its strategic location, Serbia is a key state in the Balkans. Bordering seven countries, the country is crossed by major trans-Balkan routes linking Europe with Turkey and the Middle East, and more recently has become an important stop on an alternative route for the flow of Chinese goods. Through the Serbs living on the territory of several states and the structures left over from their role in the former Yugoslavia, the country's influence extends over a larger area than the state itself. If one wants to build a position in the region, it is essential to develop a relationship with Serbia, and this is also true for Hungary, so the growing Hungarian geopolitical activity in the Western Balkans inevitably entails a change in Hungarian-Serbian relations. Serbia is also important to Hungarian interests beyond the Balkans, such as the importance of the Chinese relationship in Hungarian foreign policy, which may affect Hungary partly through Serbia (e.g. the Budapest–Belgrade railway). A similar issue is gas supply, where the developments of recent years could soon make Serbia a transit country for Hungary.

Hungarian-Serbian relations have changed several times throughout history, but their modern history has been dominated by rivalry and hostility. Thus, while renewed Hungarian interest and revitalised engagement in the Balkans is more a return to the previous situation, the transformation of Hungarian--Serbian relations – which need to be seen in the Western Balkan context – is a 180-degree turn: relations, as we pointed out in the introduction, have never been so cordial. It is not our aim to present the history of Hungarian-Serbian relations in detail, but if we were to only look back over the past hundred years, traumas are more likely to dominate.

The Serbian role in the outbreak of the First World War (involvement in the assassination of the heir to the Austro–Hungarian Empire's throne) and the war

13 Government of Montenegro (2021): Minister Radulović in Budapest: Montenegro can count on political and expert support of Hungary, available at: https://www.gov.me/en/search/240895/Minister-Radulovic--in-Budapest-Montenegro-can-count-on-political-and-expert-support-of-Hungary.html (14th April, 2021).; Magyarország Kormánya (2020b): Magyarország továbbra is segít a nehéz helyzetben lévő országoknak: available at https://2015-2019.kormany.hu/hu/kulgazdasagi-es-kulugyminiszterium/hirek/magyarorszag--tovabbra-is-segit-a-nehez-helyzetben-levo-orszagoknak (13rd April 2021).

between the nations represented a natural antagonism. The Treaty of Trianon, which ended the war for Hungary, is one of the greatest traumas for Hungarians, but for Serbs it is a celebration of national unification and the emergence of a regional power. The revisionist Hungarian policy of the interwar period, which was only briefly interrupted by the Hungarian–Yugoslav treaty of perpetual friendship, eventually culminated in the Hungarian occupation of the northern part of the South Slavic state. The mutual ethnic-based violence during and after the Second World War is one of the low points of the relationship. In the bipolar world order, relations did not thaw even when the two countries were in the same ideological camp. Hungary played an active role in excluding Yugoslavia from the international Communist community, and even war seemed a realistic option until the early 1950s, when both countries were actively preparing for conflict and the common border underwent fortification. After a brief period of easing tensions and friendship in the 1960s, confrontation returned, as Hungary supported the breakaway republics in the dissolution of Yugoslavia with arms supplies and NATO operations from its territory. The deteriorating situation of the Hungarian minority in Serbia, which became critical in the years around Kosovo's independence, has been a constant source of criticism. It is against this backdrop, which is not particularly friendly, that we should interpret the Hungarian-Serbian relationship, which has reached historic heights, and which has been on a steady improvement since the 2010s, until 2014, when the process became explosive. In 2021, Hungary has one of the friendliest relations with Serbia among its neighbours and vice versa: of all Serbia's neighbours, the Hungarian relationship is among the least problematic.

Politics

Moreover, the strengthening and improvement of Serbian–Hungarian relations should be understood in the context of the changing international environment in the Western Balkans and the transformation of Hungarian domestic and economic policy. The latter required a political turnaround in Serbia that brought similar aspirations to those of Budapest to political power in Belgrade. In some analyses, the Hungarian illiberal democracy and the Serbian "stabilocracy" are similar regimes (Bieber 2018), with similar means and ends. The same political platform also indicates similar interests and values, and greatly facilitates cooperation between the two political elites (Drajić 2020). In the Western Balkans, Serbia has emerged as Hungary's main partner (both politically and economically), especially after Vučić came to power in 2014. The increasing number of high-level political meetings and the joint Serbian-Hungarian government meetings held since 2014 are a good indication of the dynamism of relations: Since June 2010, the Hungarian Prime Minister has met his Serbian counterparts (which includes the leader of the largest party of Hungarians in

Serbia, Istvan Pásztor) most frequently, nearly 50 times (Bátorfy et al. n.d.), five of which took place in 2020. When it came to ministerial meetings, the Hungarian Foreign Minister was particularly active last year and met with Serbian ministers on a number of specific issues (border issues, gas pipelines, railway lines, investment, coronavirus, etc.).

The economy

The political rapprochement has also led to the strengthening of economic relations, according to OECD data, with bilateral trade showing a steady increase (Figure 1), making Hungary one of Serbia's most important trading partners (Hungary has become the 5th most important destination for Serbian exports, while it has been the 5th in terms of imports to Serbia for a decade). As a result of improving political relations, large Hungarian companies have become major players in certain sectors in Serbia.[14] The largest Hungarian bank, OTP, became the second largest in Serbia in 2019, while MOL, the Hungarian national oil company, is also a major player in Serbia, and the market leader in retail with 65 filling stations. In addition, it recently completed one of the largest investments in Serbia in its history with the opening of a fuel terminal in Karlovci. There have also been a number of smaller but significant investments in recent years in the agricultural, food, construction, manufacturing and services sectors, among others. The total value of Hungarian working capital in Serbia exceeds half a billion euros and is expected to grow further in the near future, as the Hungarian government is actively supporting companies' investments in the region:

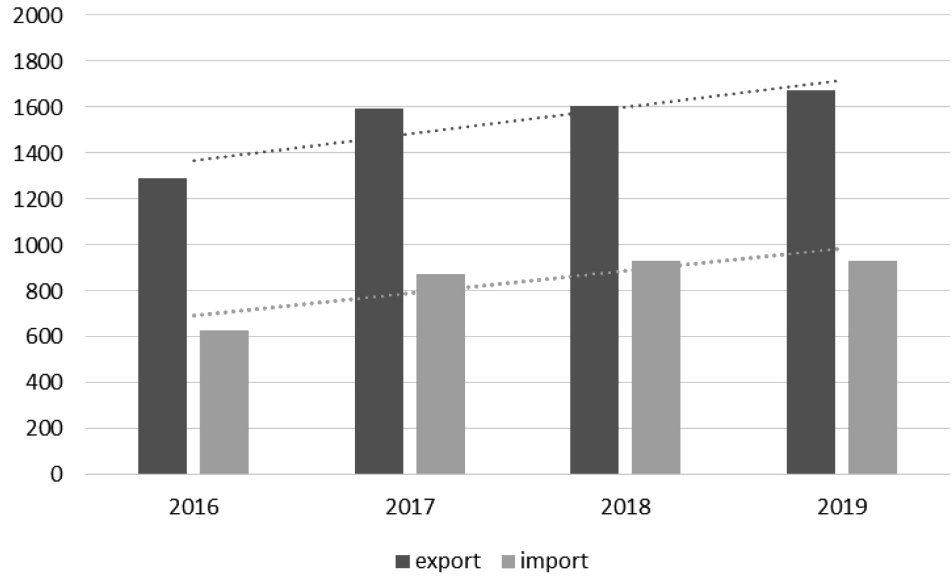
> *"Hungarian enterprises will be realising HUF 18 billion (EUR 50.6 million) in investments in Serbia, for which the Hungarian government is providing HUF 8.5 billion (EUR 24 million) in funding, and both the Serbian and Hungarian economies will be gaining strength as a result,"* Minister of Foreign Affairs and Trade Péter Szijjártó announced on 15th May 2020 in Belgrade.[15]

The two countries have also become strategic partners in the development of cross-border infrastructure. Among large-scale, strategic developments, the Belgrade-Budapest railway line, much debated in Hungarian domestic politics, has the support of both governments and is expected to bring significant economic development of Chinese origin. The completion of the gas interconnector between the two countries is of no less strategic importance, as it will increase security of supply in the region once the missing section in Hungary

14 Embassy of Hungary in Belgrade, https://belgrad.mfa.gov.hu/page/kuelgazdasagi-iroda (23rd April, 2021).

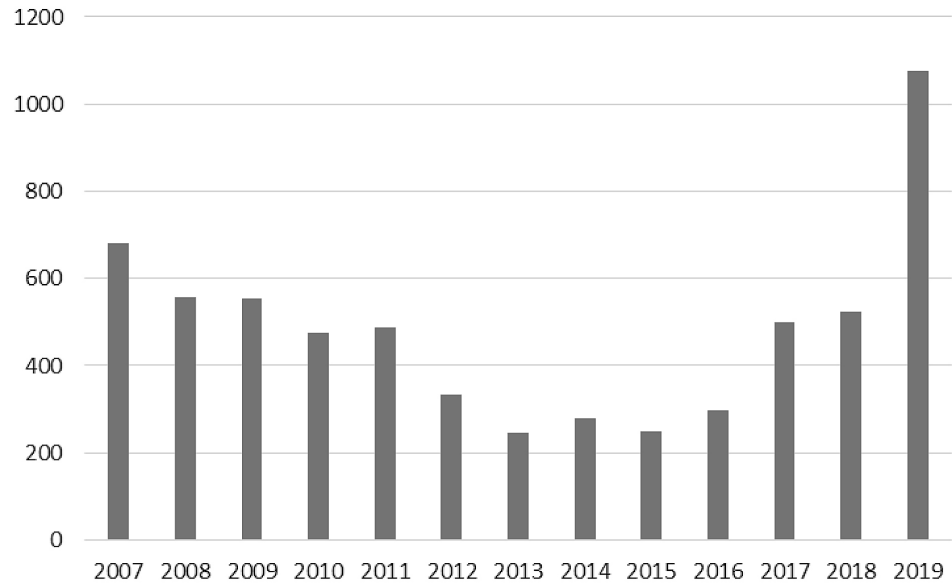
15 Magyarország Kormánya (2020a): Hungarian enterprises to realise over 50 million euros in investment in Serbia, available at: https://2015-2019.kormany.hu/en/ministry-of-foreign-affairs-and-trade/news/hungarian-enterprises-to-realise-over-50-million-euros-in-investment-in-serbia (14th April, 2021).

Figure 1: HU-SR trade in EUR million



Source: Hungarian Central Statistical Office, 2021

Figure 2: Direct Hungarian capital investment in Serbia (USD million)



Source: OECD

is completed. For years, Russian gas has been entering Serbia via Hungary, and now the reverse will be possible with the construction of the TurkStream pipeline system. Significant progress is also being made in bilateral infrastructure development, whether it is the increase in the number and capacity of border crossings or projects around the reopening of the Szeged–Subotica–Baja railway line, which could emerge as important tools for boosting the economy of the border region. The latter will also benefit from funding under the Instruments for Pre-Accession Assistance, the EU's extensive regional policy framework to assist candidate and possible candidate countries.

Hungarian minority

As far as Hungarian-Serbian relations are concerned, the Hungarian minority in Serbia has always been a kind of litmus test, and for FIDESZ the Hungarian minority beyond the border is one of its most important political slogans. The introduction of the simplified naturalisation procedure (in practice, dual citizenship based on ethnicity) in 2010 was an important symbolic (domestic) political step, which had the greatest impact on the populations of the non-EU neighbouring countries (Ukraine, Serbia). However, the rhetorical revisionism and references to Hungarian national unification do not seem to concern the Serbian political leadership, or at least they consider Hungary's friendship to be more useful (Besermenji 2020). The largest party of the Hungarian minority in Serbia has consistently been supporting the government since 2014 and, in the last presidential election, it supported Vučić's re-election. In the Vojvodina Provincial Assembly, it has been in government for the past decade and a half.

The Hungarian government provides significant support to the Hungarian-inhabited areas of Serbia through various channels and in various forms. The Bethlen Gábor Fund specifically supports the institutional system of the Hungarian minority. Between April 2011 and December 2020, the Fund provided more than EUR 74 million in grants to Vojvodina organisations, including educational institutions, media companies and minority organisations, according to the investigations carried out by ATLO (Bátorfy – Szabó 2020). Part of the grant money was spent on the construction of the football academy in Bačka Topola (supplemented by the Hungarian Football Association, also using public funds), which was opened by Hungarian Prime Minister Viktor Orbán (Zivanovic 2018, Markovic n.d. b).

In 2016, the Vojvodina Economic Development Programme was launched to provide economic support to Vojvodina, which is home to a significant Hungarian minority, with the indirect aim of halting emigration. A development strategy and an institution have been set up to support the development of the Hungarian communities in Vojvodina, in practice a Hungarian-led, ethnic-based support system where kin-state politics meet economic policy. The programme,

funded by the Hungarian government through the Ministry of Foreign Affairs, has spent nearly HUF 50 billion (EUR € 140 million) between 2016 and 2018, primarily on agriculture, tourism and SME development.[16]

The strengthening of economic ties and the explicit support from the Hungarian government, using public resources as well as direct financial support to Hungarian communities, can in itself be considered a significant geo-economic soft power move. Support for Serbia's accession to the EU, joint infrastructure development, joint action against pandemics and migration all increase Hungary's room for manoeuvre in Serbia and the Western Balkans. Nevertheless, the Hungarian relationship is also important for Serbia, and it also means more room for manoeuvre, as its partner is an EU and NATO member state. In the case of Serbia, this is also linked to the geopolitical tensions that followed the break-up of Yugoslavia and the resulting distancing.

It is understood that tensions have also been present amidst the improving relations. The unilateral securitizing of the border by Hungary resulted in criticism in Serbia (Jovanovic 2015), while there are also voices warning of the threats of the growing Hungarian influence in multicultural Vojvodina (Markovic n.d. a; n.d. b). However and for the time being, for the Serbian governing elite, the partnership of Hungary provides stable support in its European and domestic agenda.

Conclusion

Transformation/change are perhaps among the most used words to describe the current world order. The crisis of the Western world and the rise of the 'pretender(s)' have been the subject of discourse for years. Attention is generally focused on the major powers, but the imbalances of power resulting from their multipolar rivalries create opportunities for local actors and small states to assert their interests more strongly in many geographical areas and sectors. Such a space is the range of states surrounding the European Union to the East (Eastern Partnership) and to the South (Western Balkans), which can be considered the EU's periphery and its natural geopolitical sphere of interest, which allows small neighbouring states to 'package' their ambitions in European policy, but where several major powers are also trying to gain a position alongside the EU.

The Western Balkans have thus once again become the focus of geopolitical competition, for the umpteenth time in history. An important political geographical feature of the region is its fragmentation, with small states traditionally having limited resources and room for manoeuvre. There is renewed com-

16 Folytatódik a vajdasági gazdaságfejlesztési program (2020) Magyar Nemzet (17th June) available at: https://magyarnemzet.hu/belfold/szijjarto-peter-a-vajdasagi-gazdasagfejlesztesi-program-8256402/, 23rd April, 2021).

petition between great and regional powers for the geopolitical advantages that result from the region's strategic location. For the traditional centres of power neighbouring the region, the Balkans is a kind of 'near abroad', a privileged space for the assertion of vital power interests. Alongside them, and in line with the new Cold War narrative, more distant global actors are also building influence in the region, but none of them is able or willing to establish a clear hegemonic position in the Western Balkans. In this peculiar situation without a clear hegemonic power player, the room for manoeuvre of the countries located in the geographically closest centre, the EU's semi-periphery – which also have the status of small states – including Hungary, to intervene in regional processes and expand their narrow room for manoeuvre will increase.

The changing external environment ('no gendarmerie in the Balkans') coincides with a shift in the political culture of the Central European countries towards sovereignty, one of the consequences of which is the emergence of economic/financial nationalisms and, consequently, a more pronounced articulation of national economic interests in international relations. The natural geographical target areas for this are, in the case of the V4 group, the countries outside the EU's borders, some of which are aspiring to join the Community. The (geo)political, (geo)economic dynamism between the two groups of countries in this zone between the EU and the neighbouring geopolitical centres of gravity are signs that small states in power competition zones are also able to build influence with their own limited means, using economic, political and soft-power instruments.

It is in this semi-peripheral, Visegrad and European context that Hungary is once again becoming an active player in the unstable Western Balkans, where in recent years its closest ally has been Serbia, even though its common history can be seen as definitely laden with conflicts rather than being problem-free. At the same time, it is still one of the most stable states in the Western Balkans with its strategic geographical location, where the Hungarian minority provides the conditions for kin-state political interests and ethnic-based politics. In the course of political and economic actions, through the application of numerous elements of the classic soft-power toolbox, Hungary's room for manoeuvre in the region is expanding and becoming a strategic destination, a cornerstone of the Hungarian geopolitical code, in the Western Balkans and Serbia within it.

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Péter Reményi, PhD *in Geography, associate professor at the University of Pécs Hungary. His research interest covers political geography, Balkan studies, state and nation building, infrastructure and geopolitics, and border studies. He is among the chief organisers of the Hungarian Conference on Political Geography, deputy director of the Center for Eastern Mediterranean and Balkan Studies, and editor of Mediterranean and Balkan Forum. He is the author of more than 120 publications. remko@gamma.ttk.pte.hu.*

Pap Tibor, MA *in Literature from the University of Novi Sad, Serbia, and BA in political science from the University of Szeged, Hungary. He is currently a social scientist at the VM4K in Subotica, Serbia. His research interest covers theories of ethnic minorities, regionalisation of Vojvodina, political geography and geoeconomics of the Western Balkans. He is the author of more than 70 papers. tibor.pap@gmail.com.*

Norbert Pap, Dsc, PhD *in Geography, full professor at the University of Pécs (Hungary). His research interest covers geopolitics, historical geography and memorial landscapes. He is head of the Department of Political Geography, Regional and Development Studies of UP and the author of 386 publications, including 10 books. pnorbert@gamma.ttk.pte.hu*

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Essays should not normally exceed 12,000 words in length.

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Dates should be in the form of 1 November 2005; 1994–1998; or the 1990s.

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BOOKS:

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Diehl, Paul F. (1994): *International Peacekeeping. With a new epilogue on Somalia, Bosnia, and Cambodia,* The Johns Hopkins University Press.

Two or more authors:

Degnbol-Martinussen, John – Engberg-Pedersen, Poul (1999): *Aid. Understanding International Development Cooperation,* Zed Books, Mellemfolkelight Samvirke, Danish Association for International Cooperation, Copenhagen.

EDITED VOLUMES:

Rittberger, Volker, ed. (1993): *Regime Theory and International Relations*, Clarendon Press.

CHAPTERS FROM MONOGRAPHS:

George, Alexander L. (2004): Coercive Diplomacy, in Art, Robert J. – Waltz, Kenneth N., eds., *The Use of Force. Military Power and International Politics.* Sixth Edition, 70–76, Rowman and Littlefield Publishers.

JOURNAL ARTICLES:

Printed journals:

Haas, Ernst B. (1961): International Integration. The European and the Universal Process. *International Organization* 15 (4): 5–54.

Online editions of journals:

Judt, Tony (2002c): Its Own Worst enemy, *The New York Review of Books*: available at http://www.nybooks.com/articles/15632 (15 August 2002).

NEWSPAPER ARTICLES:

Printed editions:

Excerpts From the Pentagon's Plan: Prevent the Re-Emergence of a New Rival (1992) *The New York Times* (9 March).

Online editions:

Cooper, Robert (2002): Why We Still Need Empires, *The Guardian Unlimited* (7 April): available at http://www.guardian.co.uk/Archive/Article/0,4273,4388915,00.html (2 November 2003).

RESEARCH REPORTS AND PAPERS FROM CONFERENCE PROCEEDINGS:

Waisová, Šárka (2005): Czech Security Policy – Between Atlanticism and Europeanization, Bratislava: Ministry of Defence, Working Paper No. 05/2.

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