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The Hungarian stage of the migration crisis

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On the weekend of 5th and 6th September 14,000 migrants crossed the border between Hungary and Austria. This was possible due to temporary measures introduced by the Hungarian government and with the consent of the Austrian and German governments. The wave of migration reached its culmination after the possibility of moving from Hungary to the west had been blocked by the Hungarian authorities. The Hungarian government, which has been preferring prevention of illegal migration, has found itself in a fierce dispute with Germany and Austria. Nevertheless, Budapest has demonstrated the need to abide by EU regulations and has drawn attention to the mounting issue of the protection of the external borders of the Schengen zone.

The 175 km long Serbian-Hungarian border has become one of the EU borders that is most often crossed by migrants. Although in spring the influx of immigrants from Kosovo and Serbia via this route was successfully limited, in summer the wave of migrants from outside Europe increased – above all from Syria, Afghanistan and Iraq. They are making their way from Turkey, through Greece, Macedonia and Serbia to Hungary in the hope that they will arrive in Western European countries, chiefly Germany. Even following the imposition of radical measures to tighten the border between Hungary and Serbia, the Balkan route remains the most important illegal migration route to the EU.

A test of strength at the Keleti railway station

The reason why Hungary prevented the free flow of refugees and migrants to Germany in order to register them stems from the EU asylum system regulations. It is linked with the concern that Germany or Austria will start sending back to Hungary the people who first applied for asylum status in Hungary. In June Hungary announced that it would suspend the process of taking in foreigners who were returning as part of the Dublin procedure. However, following Austria's vehement protest and its threat to reinstate border controls Hungary backed away from this decision. Both Germany, which has publicly declared its willingness to take in Syrian refugees, and Austria, which has publicly assured it is ready to allow them to get to Germany in humanitarian conditions, are in fact interested in Hungary's preventing the wave of migrants and, according to the Hungarian government, the two countries have been putting Hungary under pressure over this issue.

Faced with a mounting wave of migration, the Hungarian government has decided to display determination in enforcing EU regulations and has presented itself as the protector of the Schengen zone. At the end of August, when 71 dead bodies were removed from a lorry near a motorway in Austria, Austria stepped up border controls. While traffic jams of lorries

formed at the borders, more and more refugees and migrants started attempting to reach Austria and Germany by train and crowds of them gathered at the Keleti railway station in Budapest. On 1st September the police in Budapest removed the migrants from the railway station and allowed only people with documents entitling them to move within the Schengen zone to get on trains. They were met with protests from the migrants. Several thousand people for had been impeded by the Hungarian authorities decided to forego train travel and to go to Austria on foot.

Following reports in the media which accused Hungary of non-humanitarian treatment of the migrants, Chancellor Merkel reached an agreement with the Hungarian and Austrian governments that on an exceptional basis action would be carried out in order to allow the migrants to go to Germany. On 5th September the Hungarian authorities launched the action of taking the migrants on buses to the Hungarian-Austrian border. As a consequence of this action between 4th and 6th September over 14,000 people crossed the border into Austria. In recent weeks smaller groups of migrants went to Germany also via Slovakia and the Czech Republic, and there were also attempts to cross the Polish border.

Hungary's anti-immigration policy

The crisis in Hungary was linked with an attempt to halt the wave of migration by the Hungarian government. Budapest is seeking to pursue a consistent and restrictive migration policy while emphasising the objective of defending Hungary from immigrants, which further complicates Hungary's relations with its EU partners. According to the Hungarian government we are dealing with a wave of migrants, not refugees, since they are arriving in Hungary from safe transit countries and the wave of migration is to a large extent the result of the uncontrolled flow of migrants through Greece – the first country in the EU and the Schengen zone they arrive in.

The ruthlessness in the treatment of immigrants and the anti-immigration rhetoric displayed by Prime Minister Viktor Orban are also dictated by the internal political calculation in which the importance of the rivalry with the opposition nationalist party Jobbik is on an upward tangent. Prime Minister Orban has declared that he wishes to preserve 'Europe as a continent for Europeans and Hungary as a country for Hungarians'. He suggested that there is a direct link between immigration and terrorism, increased unemployment and crime. The government mounted a large campaign (with slogans written in Hungarian such as 'If you come to Hungary, you cannot take jobs away from Hungarians,' and 'If you come to Hungary, you must respect our law') and announced that it would also organise a media campaign abroad to broadcast the message that Hungary's southern border has been closed.

Hungary put under pressure

Hungary has found itself in conflict, in particular with Germany which publicly declared it is ready to take in refugees, and Austria which declared its willingness to ensure their peaceful transit from Hungary to Germany. Swayed by media reports, these countries also agreed to let in the foreigners who did not register themselves in the first EU country they arrived in, thus agreeing to deviate from the EU asylum system regulations. As for Hungary, it regarded the declarations made by the German government as an irresponsible encouragement to

illegally cross EU borders. Orban even claimed that migration is a problem of Germany, not one of the entire EU.

The helplessness of the security forces in managing the issue and the poor effectiveness of the undertaken measures also fuelled accusations against the Hungarian government. The two factors have already led to the resignation of the defence minister due to delays in building a fence on the border with Serbia. On the other hand, the decision to build the border wall alone has caused harsh criticism. The EU Commissioner for Migration even reproached Hungary that this runs contrary to 'European principles'. Human rights organisations, including the UNHCR, have accused Hungary of violating the rights of migrants, particularly the use of arbitrary arrest, the infringement of the principle of non-refoulement (expelling people who are threatened with persecution), not ensuring basic means of subsistence for refugees and migrants and decent conditions of their stay. In the last several years the European Court of Human Rights recognised that Hungary has violated the European Convention of Human Rights with regard to the unlawful extension of arrest for foreigners.

At the cost of worsening its relations with Germany and other important EU partners, the Hungarian government has nevertheless succeeded in attaining at least part of the objectives it had set – it demonstrated that the route via Hungary is not an easy one for immigrants to the EU, that they are not welcome in Hungary and that the Balkan route is a major challenge for the EU. By digging its heels in on the issue of protecting the Schengen borders and EU asylum regulations, Hungary has won support from other Visegrad Group countries (V4) which are opposed to the imposition of the mechanism of a top-down distribution of quotas of refugees between EU countries and this despite pressure particularly from Germany and France. The massive criticism of Hungary was accompanied by increasing pressure on Central European countries in order for them to agree to the top-down system of distributing quotas of refugees. German Vice-Chancellor Sigmar Gabriel threatened outright that Germany might revise its approach to the open borders of the EU. In its disputes with Germany, Austria and the European Commission, despite divergences in the treatment of the refugee issue and the relocation mechanism, Hungary was assured that determination in respecting asylum regulations is needed and that the current challenges linked to the protection of outer border of the Schengen area are of importance.

The outlook

Although the situation at the railway station in Budapest has calmed down, in the south of Hungary there are still clashes between the police forces and migrants who are trying to leave reception centres to reach Germany. On the other hand, migrants currently in Greece or travelling – in Macedonia and Serbia – in the coming days will try to reach Hungary as soon as possible ahead of the completion of the fence on the border with Serbia and before the restrictive regulations come into force on 15th September. Hungary has adopted amendments to its migration law which introduce penal responsibility for illegal crossing the border, stricter punishment for those who smuggle migrants across the border and allowing the use of the army to protect the borders. ’Transit zones’ will be established in border areas where refugees and migrants will be stopped and registered. This may lead to similar unrest as has recently been the case in Macedonia; between the army protecting the

zone and migrants determined to continue their journey.

New developments in the migration crisis should therefore be expected in Central Europe. The migration pressure on Greece is increasing. On 8th September the UNHCR estimated that there were approximately 30,000 refugees and migrants from the Middle East and Africa on the Greek islands and a further 8,000 in Macedonia. The number of refugees and migrants in Serbia is in at least the thousands and Serbia's borders have been illegally crossed by over 104,000 people already this year. Now that Hungary has tightened controls on its border with Serbia, the popularity of other migration routes will rise. It is likely that the migration pressure on Romania and Croatia from Serbia will increase, however, the first symptoms of migrants' increased interest in the route from Turkey to Bulgaria have also appeared. This year 10,000 refugees and migrants have taken this route to get to the EU and in recent days the Bulgarian government reported an increased frequency of arrests for the illegal crossing of the border.

It may be expected that Germany and Austria will toughen their respective migration policies. So far mainly Germany has called on other EU states to be more open to refugees, which has led to an increase in the influx of migrants through Hungary. The Austrian chancellor and the German Ministry of Foreign Affairs point out that the measures that have made it easier for migrants to travel from Hungary to Germany were exceptional and will not be continued. Furthermore, the Hungarian government has emphasised that it will not provide any more logistic support for migrants heading for Germany. Hungary is determined to strengthen its borders and to reduce the number of immigrants who have already made it to Hungary. The other V4 countries are also interested in the EU reaching a compromise which will allow them to take in the smallest number of migrants possible and this will leave Ukraine's migration potential in the area of the EU's interests.

Appendix

The main indicators regarding the migration situation in Hungary (July 2014 – July 2015)

	2014 July l	2015 July	2014 Jan.-July	2015 Jan.-July	Change in %
Illegal border crossings	2,024	38,432	8,689	166,626	1104%
People smuggling	41	73	294	603	105%
Refusals of entry to Hungary	979	949	7,202	6,455	-10%
Applications for refugee status	1,258	19,480	5,382	72,200	1,242%

Source: the Hungarian police.