

Amsterdam University Press

Chapter Title: Hungary and the System of European Transit Migration

Chapter Author(s): Irina Molodikova

Book Title: Transit Migration in Europe

Book Editor(s): Franck Düvell, Irina Molodikova and Michael Collyer

Published by: Amsterdam University Press

Stable URL: <https://www.jstor.org/stable/j.ctt12877m5.10>

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact support@jstor.org.

Your use of the JSTOR archive indicates your acceptance of the Terms & Conditions of Use, available at <https://about.jstor.org/terms>



This content is licensed under a Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International License (CC BY-NC-ND 4.0). To view a copy of this license, visit <https://creativecommons.org/licenses/by-nc-nd/4.0/>.



Amsterdam University Press is collaborating with JSTOR to digitize, preserve and extend access to *Transit Migration in Europe*

JSTOR

7 Hungary and the System of European Transit Migration

Irina Molodikova

7.1 Introduction

The role of EU frontier countries has usually been that of a buffer against illegal migrants and asylum seekers travelling West. For example, Hungary has functioned as a buffer between East and West for more than half a century. Already during the Soviet era, the Hungarian western border was the frontier of the Socialist system. After its collapse and the opening of the western border, Hungary constituted a contentious barrier against illegal migrants and asylum seekers to the West. After the enlargement of the EU in 2004, the Hungarian eastern border became the EU frontier and in December 2007 Hungary was brought into the Schengen zone, hence controls of the external borders were raised to EU standards whilst controls on internal borders with other Schengen states were abandoned.

Hungary's role as a frontier is also related to its reputation as a transit country for the last twenty years (IOM 1994, 1995, 2000; Tóth 2005; HHC 1999, 2003; Juhasz 2003). The number of migrants and applicants for asylum in Hungary is small in comparison with other EU borderland countries. It is currently participating in the realisation of the EU Eastern European Neighbourhood Initiative (ENI). Nevertheless, Hungary has a special position in terms of its relation with the wider neighbourhood, in spite of the adoption of the common EU migration regulations. Indeed, Hungary is a good example of dualism and ambiguity in the implementation of EU migration policy. It is manoeuvring 'in between' the obligations of the *Acquis Communautaire* of the EU and obligations to compatriots living in neighbouring non-EU countries.

Since Hungary fully implemented the Schengen agreement it has performed its frontier role through a variety of border relationships with its neighbourhood. Hungary had until 2013 at least three different types of external border relations: the first is with EU but non-Schengen member states (notably Romania); the second is with non-EU but candidate member states (Croatia); and the third is with non-EU third countries (notably Ukraine and Serbia). In addition, Hungary implements a special system of liberal border crossing zones for the migration of ethnic Hungarians from

Ukraine and Serbia, creating a 'window of opportunities'. This 'window' functions as a specific asymmetric 'filter' that allows relatively free movement for ethnic Hungarians and also other citizens of non-EU countries, who live in a frontier zone of 55 kilometres within the border. Both Serbia and Ukraine are well known in Western Europe for irregular and transit migration, in spite of various political and financial efforts made by the EU to establish a protected border against irregular migrants. Furthermore, in 2010 the EU lifted the visa requirement for citizens of the Western Balkans¹ and allowed their citizens to freely pass the Hungarian border. This EU decision provoked changes in the flows of asylum seekers into Europe: on one hand, the number of applications for asylum in Hungary halved; on the other hand, this reduction contrasted with a rise in the level of asylum applications in Germany and Sweden. It is suggested that refugees are more likely to enter and pass through Hungary undetected in order to apply for asylum in a preferred country. This further substantiates Hungary's reputation as transit state.

To understand the nature of transit migration in Hungary we must analyse the processes and types of migration flows over recent years in the context of the behaviour of different migrant groups and in the changing realities of the EU borderlands. It is essential to ask if the term 'transit migration' has the same meaning now as in previous realities, or whether it is a new political construction. What are the most important factors that facilitate the transit of migrants through the country? For which groups of migrants does the country appear to be a country of transit? What is the difference between the groups of migrants who want to remain in Hungary and those who try to pass through Hungary into Western Europe? Does the recent readmission agreement create new realities for transit migration between the East and West?

In order to answer these questions, we looked at the migration processes around Hungary using a broad approach. We assumed that the 'non-departure' regime of the Cold War has been replaced by the 'non-arrival regime' [of the] New World order' (Castles 2002: 9). This meant that as well as examining the peculiarities of the migration context in Hungary, we also examined the opportunities and willingness of neighbouring third countries to support the EU policy on fighting illegal migrants and preventing unwanted migrants. Additionally, highlighted here are the adaptation strategies of persons who asked for asylum in Hungary after they successfully passed the EU (Hungarian) border.

1 With the exception of Bosnia-Herzegovina, Albania and Kosovo.

7.2 Theoretical and methodological approaches to research

There are different approaches in the research on transit migration that look at migrants trying to reach particular destination countries such as those in the European Union or the United States; in particular, unauthorised migration raises most concerns. Migrants use the geographical location of countries that neighbour their destination to get easier access to, for instance, the EU or USA (Haas 2005, Düvell 2007, Kimball 2007).

In the case of Hungary, transit migration has several dimensions: the first is the process of passing a country; the second is being stranded in a transit space and unable to move on; and the third is the pushing of migrants by officials to move through Hungary to another country (HHC 2003, 2010; HRW 2010; Molodikova 2009). These situations often deteriorate on account of the illegality of entrance, as is the case for about 90 per cent of asylum seekers in Hungary (OIN 2011). In addition, there are many other factors which influence the transit nature of territory and that can create favourable conditions for transit migrants. Often, the economic prosperity of local populations bears a strong relation to the border-zone activities, as the opportunity for using these activities for economic income is used by both ordinary citizens and local officials (Donnan & Wilson 2001).

In the context of the European Union, the discussions of the factors of transit should evaluate the network of relations that composed the economic, cultural and political ties of the EU with third countries that hold the transit flows (Fawcett 1989; Gurak & Caces 1992; Massey et al. 1998). The existing networks of persons or groups of persons (diasporas) in combination with different types of visa regimes establish social infrastructures between sending and receiving countries and create sustainable interactions (Gurak & Caces 1992). In the context of network theory (Massey et al. 1993) the existence of networks and diasporas simultaneously increases the potential social capital (access to resources, information and contacts) that supports the integration opportunities of migrants in a particular country.

Based on this proposition one can argue that a relatively homogeneous Hungarian society can attract only Hungarians from neighbouring countries. Other migrants (especially asylum seekers) in the absence of a friendly and helpful milieu, friends or a diaspora, in combination with a difficult, indigenous language, have few opportunities for rooting there. This is the reason why people who are not from neighbouring countries, and without a support network, do not consider Hungary a viable destination country.

Research methodology

In order to research the function and history of Hungary as a transit country and the changes in Hungarian migration policy as well as in the directions and types of migration flows, different methods of analysis were used. So far, there is neither an agreed definition as to what transit migration is, nor any reliable statistics on the transit flow. Therefore, scholars who investigate this phenomenon use data from different surveys, interviews and available statistics on irregular migration and border crossing (Kimball 2007; Düvell 2007; Haas 2005; ICMPD 2007, 2010; IOM 2000).

For this chapter, first, desk research conducted on migration from third (non-EU) countries to Hungary was used to assess the issue of Hungary's attractiveness as a destination country for different types of migrants (labour, education, ethnic migration and asylum seekers). For this purpose, various reports of international organisations (HHC 2010; HRW 2010) were consulted. In addition, different statistics from the Office on Immigration and Nationals (OIN) of Hungary, the Statistic Committee, the Demographic Research Institute of Hungary and other relevant sources were used. Second, a field trip was conducted in July 2010 involving four passages of borders in the Ukrainian borderland with Poland, Hungary, Romania and Moldova. In the course of these research trips, interviews were conducted with border guards (3), two smugglers and with the local population (5). Additional meetings were held with (a) the Ukrainian head of migration services in Uzhgorod and (b) with regional experts. Third, in order to study officials' perceptions of migration flows, the author analysed 12 in-depth, qualitative and semi-structured interviews with Hungarian civil servants from various organisations. These interviews were conducted in 2005, 2007 and 2011.² They involved questions about transit migration and the externalisation of EU migration policy. Fourth, a small-scale longitudinal data survey was conducted involving 30 asylum seekers in Hungary with different forms of protection (refugees, subsidiary protected persons and persons authorised to stay). They were interviewed twice, first at the end of 2007/beginning of 2008 (at the time of Schengen inclusion) and second three years later in mid-2010. This enabled the gathering of data on their integration strategies. Questions on the development of their general life plans in Hungary and outside helped the author to investigate their transit intentions.

2 State agencies: Ministry of Justice and Law Enforcement, Ministry of the Interior, OIN, administration of refugee camp. Non-governmental organisations: Helsinki Committee, UNHCR, Menedek and lawyers who are involved in advocacy for asylum seekers.

7.3 Main types of legal migration flows in Hungary

In 2011, the population of Hungary dropped below 10 million people and was counted as 9.9 million; this decrease was due to an ageing population (KHS 2010). The decline was observed in spite of a stable positive migration balance. As of 1 January 2011, the number of migrants was 216,084, up from 184,358 in 2009 (OIN 2011). Nevertheless, the share of the immigrant population in Hungary continues to remain at around 2.2 per cent (table 7.1). The general trend over the past 20 years indicates the prevalence of European migration flows (73.9 per cent of the total), with the EU-27 countries being the main sources of immigrants into Hungary (55.7 per cent in 2010). Typically, Romania is the main sending country, but its share declined from a maximum of 54.7 per cent of all migrants in 2004 to 27.8 per cent in 2011. Similar trends have been observed for migration flows from Serbia, which peaked at 19.4 per cent of the total in 2007 and decreased to a mere 4.7 per cent in 2010. Migration flows from Ukraine peaked at 16.3 per cent in 2004 and then fell to 7.4 per cent in 2011. In contrast, the number of Chinese immigrants increased and in 2011 occupied third position, ahead of Serbian immigrants. This demonstrates that the process of ethnic Hungarian migration typical over the past 20 years is now slowly decreasing in relevance and that migration flows to Hungary are becoming more diverse and international (OIN 2011).

Table 7.1 Immigrants and those staying for more than three months in Hungary, number of persons 2009-2010 (without refugees and others with protected status)

Status of permit/year	2008	2009	2010
Immigration permit	47,205	47,205	42,659
Permanent resident permit	28,522	23,475	20,588
Residence permit	15,304	33,682	32,897
EEA Residence Permit	30,579	20,855	12,990
Registration certificate	48,527	70,248	72,938
Permanent residence card	6,560	8,319	14,272
Third countries nationals who are family of the Hungarian citizens	4,733	5,562	7,025
Third countries nationals who are family of EEA citizens	322	382	432
EC permanent residence permit	242	206	398
National settlement permit	2,568	4,063	5,504
Temporary resident permit	6	6	9
Total	184,568	214,003	209,712

Source: Homepage of Office for Immigration and Nationalities www.bevandorlas.hu/statisztikak.php

Ethnic migration

Hungary still lacks a comprehensive migration policy; existing policies, however, favour ethnic Hungarians and thus reflect an ethnic migration policy. These target migration from neighbouring third countries to the 'motherland' and are noted with concern by other countries. This policy was reinforced in 2010, when the new ruling Hungarian coalition (FIDESZ and Christian Democratic Party) changed the Hungarian Citizenship Law on May 26th, 2010.³ This act allows the preferential naturalisation of non-Hungarian citizens with Hungarian ancestors and accelerated the naturalisation procedure. All holders of ethnic Hungarian certificates (923,000 on 31 July 2010) can potentially apply for citizenship. According to expert opinion, the Hungarian government has already allocated an additional budget for these tasks. The OIN and Ministries (Interior, Public Administration and Justice) will receive an additional 200 civil servants, which will cost €1.4 million within two budget years (Tóth 2010). The process of obtaining citizenship under the new regulations will take 3-4 months and does not require passing the language test or knowledge of the Hungarian constitution and history. Also in 2011, a special residence permit for close relatives of Hungarian citizens was introduced. But the introduction of this card has created significant problems in Hungary because of the unclear status of these documents for different organisations.

This policy of selective immigration of Hungarian ethnic minorities from the neighbouring countries potentially creates an area of free movement between Schengen and non-Schengen countries for certain categories of the population in the third countries. The implementation of new amendments to the Citizenship Law could thus cause considerable changes in geography and types of migration to and through Hungary. In a short time, all Ukrainian and Serbian border areas may actually be inhabited by citizens of Hungary. Taking into consideration the percentage of mixed families in these countries, one can propose that the 'Hungarisation' will involve big areas of neighbouring countries. This national policy could thus potentially undermine EU policy and geo-strategy concerning the control of external borders. Notably due to high levels of corruption in Ukraine and Romania, soon the number of potential applicants for naturalisation could be several times higher than the figures forecast by the Hungarian government.

Already, ethnic Hungarian political parties in Ukraine aim to attract the voters among co-ethnic populations through the issuing of ethnic cards (guaranteeing the above privileges) and through providing assistance in

3 By the new Amendment Act XLIV to Act LV of 1993 on the Hungarian Nationality.

granting free Schengen visas in exchange for support in elections. One informant explains:

Our families got the Hungarian cards and Schengen visas very simply. We just have to go to our Hungarian party meetings and promise to vote for them (from two interviews by the author in March and April 2009).

Labour migration

Another important flow of immigrants is related to labour migration; this is also closely related to ethnic migration as well as to transit migration. In 2011, 16,060 work permits were issued, mainly to Chinese, Vietnamese and Mongolian labour migrants who are now among the top five nationalities of labour migrants in Hungary (OIN 2011). According to Gördi (2010: 8), however, ethnic migration to Hungary is mainly economic and until 2007 the share of ethnic Hungarians among economic migrants was about 65 per cent. In 2006, before Hungary acceded the Schengen zone, new laws were adopted which came into force in 2007: Act I 'About the entry and residence of persons from EEA countries' and Act II 'About the entry and residence of persons from third countries including families of members of EEA citizens'. From that time, Romanian citizens were entitled to a residence permit called a 'lakókártya' which included the right to work after Hungary joined the EU. According to the view of an officer from the OIN in 2007, about 20,000 Romanians applied for five-year residence permits in Hungary and the majority were granted. However, no one actually checks whether the recipients of such permits really work in Hungary and it is implied that instead they only use this provision to transit Hungary legally.

With the expansion of the Schengen zone Hungary will probably increase its role as a transit country. Romanians of Hungarian ethnicity would prefer to move further to the West ... The information obtained shows that Romanian migrants received 5-years residence permits but when checked they turn out not to have resided in the place of registration for many years (expert from the OIN, February 2008).

The series of survey panels in 2004-2005 and 2008-2009 conducted in Romania supported the observation that only ethnic Hungarians still have some interest in migration and intention to migrate to Hungary as a place for work and residence. Nevertheless, this intention depends on their occupation and level of education.

Recent surveys conducted in Romania (Kiss 2007; Gördi & Kiss 2009), however, suggest that ethnic Hungarians who live in villages and towns with a mixed population have increasingly non-ethnic networks. In particular, they have begun joining Romanian migration networks and are now also moving to western or southern European destinations. According to these surveys the role of Hungary as an attraction to potential ethnic Hungarian migrants is diminishing. Nevertheless, the surveys for 2002 and 2009 in Romania also highlight the fact that family and kinship networks play an increasing role in migration to Hungary. The majority of ethnic migrants that arrived in Hungary (89 per cent) indicated different forms of assistance through the personal contacts either from migrants who arrived early in Hungary or persons who were born in Hungary (Gördi 2010: 27).

Being ethnically Hungarian opens up opportunities for people from surrounding countries to settle in Hungary, though this is less and less utilised. Vice versa, people of ethnicities other than Hungarian have fewer career opportunities and as a consequence lose interest to migrating to Hungary. Thus, the absence of ethnic capital among migrants from Romania is not compensated through social capital.

Education migration

Ethnic migration is also well represented and visible in the higher education sector. The internationalisation of education in Hungary is marked by a relatively modest rise in the number and variety of countries of origin of students. In 2008/2009, there were 16,299 foreign students out of about 400,000, or 4.1 per cent of the total (MoE 2009). Students from Romania, Ukraine, Slovakia and Serbia constituted 42 per cent of all foreign students. Their share has been increasing over the years according to data from the Ministry of Education.

Conditions to stay after graduation from Hungarian higher educational institutions are strict and even genuine students who graduate from Hungarian institutions but have no immediate job contract in Hungary are not able to stay for some months to find work in the country. Interviews with alumni who managed to remain and work in Hungary indicated their low level of integration into Hungarian society; also it turned out that many were ready to migrate to another Western country, especially English-speaking countries, thus a certain potential for onward-migration became apparent in this group (Molodikova 2008).

7.4 **Illegal migration in the Schengen zone: Old or new migration patterns?**

During the early 1990s, after the collapse of communism, Hungarian migration policy underwent systemic change when the country adopted a very liberal entry system. As a consequence, Hungary became a target for both irregular and transit migrants who attempt to pass the western Hungarian border with Austria. In 2006, the year before Hungary joined the Schengen zone, irregular migration dropped by 10 per cent as compared to 2005, to 16,508 known cases. One explanation given was that this decrease was due to efficient control and enforcement measures (ICMPD 2007). More than half (62 per cent) of all apprehensions in Hungary before Schengen were made along the western borders at the Austrian border section, the then external border of the EU, but in 2007 and 2008 this number decreased because of improved border control (table 7.2). The number of illegal migrants who were caught on the eastern border of Hungary was on average only a third of the number of illegal migrants stopped on the western border (with Austria). This indicates the intensity of the westward migratory flow, but can also be partially explained by the much stronger migration control at the Austrian border (ICMPD 2007, 2010).

A comparison with a survey conducted in 1998 implies that the patterns of irregular migration and smuggling have since changed. In the late 1990s, human smuggling across the green border was dominant. Ten years later, smugglers more often hide irregular migrants in vans and vehicles as observed on the Romanian and Ukrainian border sections (IOM 2000). This is, to some extent, related to cross-border labour commuting between Hungary and its neighbouring countries (see table 7.3). Another difference is that in the late 1990s, groups who were making clandestine border crossings consisted of up to ten individuals, whereas in the late 2000s groups were smaller. Also the number of refusals of entry at different border sections of Hungary changed from 2002 to 2006; refused entry on the Austrian border decreased after 2004-2005 but slightly increased on the Ukrainian and Romanian borders. These changes can also be explained according to the improved control of the green borders (ICMPD 2010).

Table 7.2 Number of migration-related apprehensions by border section including foreigners and citizens of Hungary, 2007-2008

Border section: Name of neighbouring country on the border where the apprehension took place	2007			2008		
	IN: Number of apprehensions of people ENTERING Hungary on the border with that country	OUT: Number of apprehensions of people LEAVING Hungary on the border with that country	Number of apprehensions on the border with that country	IN: Number of apprehensions of people ENTERING Hungary on the border with that country	OUT: Number of apprehensions of people LEAVING Hungary on the border with that country	Number of apprehensions on the border with that country
Austria	278	2,102	2,612	n/a	n/a	n/a
Slovakia	111	632	876	n/a	n/a	n/a
Ukraine	653	1,343	2,052	758	906	2,008
Romania	869	246	1,181	1,006	665	1,916
Serbia	842	194	1,089	1,470	512	2,460
Croatia	48	212	332	35	87	131
Slovenia	26	208	247	n/a	n/a	n/a

Source: ICMPD 2007, 2010

Table 7.3 Number of border violators apprehended in Hungary by place of apprehension

Place of apprehension	Number of apprehensions			
	2005	2006	2007	2008
On road border crossings	1,106	10,394	5,794	6,790
On rail border crossings	637	387		
On green (land) border	2,193	2,158	2,413	3,425
At the sea border (river)	17	10	Not relevant	Not relevant
At airports	303	254	492	434
In the country	2,848	2,866	711	1,284
In other places	66	74	-	47
Total	18,295	16,508	8,939	10,215

Source: ICMPD (2007, 2010)

Since 21 December 2007, Hungary has had a relatively short border with two non-EU countries, Ukraine and Serbia. Consequently, the Hungarian government came to the conclusion that it would no longer need large numbers of border guards (7,000 in 2007). Instead many of them were merged with the police and retrained and a concept called ‘deep control behind the border’ was established.⁴ In addition to that, the cross-border cooperation efforts were supported by different EU programmes related to ENI. For example, joint patrols of borders are implemented on the Hungarian-Romanian border. But for the Hungarian-Ukrainian border, a Hungarian border guard complained that it is difficult to organise operational cooperation with Ukrainians: ‘With Ukraine we use only high-level cooperative contacts – phone-call-based relations’ (from interview with border guard officer 17 February 2008). Three years later, in 2010, Human Rights Watch (HRW 2010) assessed this cooperation as well developed, whilst Ukrainian border guards on the Hungarian-Ukrainian border section explained that they only have a low and very formal level of cooperation with their Hungarian partners (interview in 2010).

In order to regulate regional cross-border movements of people, a special petty traffic border zone ‘*kis határ forgalmi*’ with special visa regulations was established for residents from both sides in 2008.⁵ This arrangement

4 ‘Deep control’ means internal policing of highways, markets, and other areas where irregular migrants are suspected to be.

5 From 2007 for Ukraine and Hungary and Ukraine/Poland and Hungary with Serbia, and from 2009 for Moldova and Romania.

aims to facilitate cross border movements of the large ethnic Hungarian population that settled within a 50 km zone in the neighbouring countries. This innovation was negatively evaluated by Ukrainian experts and the population. According to them, it has actually become more complex and difficult to obtain an employment visa, which is considered a negative result of Hungary's accession to the Schengen zone. The consequence is that this special petty border visa is valid only for this zone, which happens to be poorly developed so that people do not find jobs there. The system for obtaining this particular type of visa is even more complicated than that for a Schengen visa, which is why locals prefer to get Schengen visas instead to seek jobs in EU countries. However, the petty border visa is also used legally to get into Hungary but then transit to other countries.

Many of my neighbours use ... the '*kis határ forgalmi*' document and go to other countries to work ... there are no proper jobs in this 50 km area for us ... I have a work visa, but of course the place of work is faked. I am not going to work there. For a fee, a Chinese businessman organised everything for me (Ukrainian woman who lives in the border region, January 2008).

Over the past years, for Ukrainians the situation has improved, though not because of improvements of the visa service itself but because of the Hungarian policy to support ethnic Hungarians abroad. The local population was given the opportunity to obtain a five-year Schengen visa based on Hungarian ethnic cards. This liberalisation of the border regime for co-ethnics seems to facilitate increasing border violations by citizens of other CIS countries (Malynovskaya 2009). This is related to the visa-free travel regime of the CIS countries, which also grants citizens of these countries the right to stay in Ukraine visa-free for 90 days. These CIS migrants also took an interest in and utilised the opportunities of liberal visa regime meant to be for Ukrainian border zone populations only. As one local citizen reported in an interview, his friends from Georgia incessantly ask him to organise his family registration in this zone in order to also obtain these petty border traffic documents.

After Hungary's accession to the Schengen zone, the EU financed the improvement of the passing capacities of border check-points with third countries. This has both positive and negative effects: shorter waiting times for cars and the future development of private passenger minibus services are positive results. Nowadays regular private bus connections already link all regional centres of Ukraine with many regional centres of Europe (the Czech

Republic, Italy, Spain, Portugal, Germany, Poland, etc.). This, however, also has negative side-effects. The rise in the intensity and number of small buses commuting is so high that, according to experts from the regional branch of the Ukrainian Institute of Strategic Research, twice a week the border guards have to organise a special lane at check points for these small buses. This facilitates the quicker passing of minibuses carrying people and goods across the borders. An unofficial 'tax' of about €200 per minibus is requested from the drivers; this also includes a request for no further declaration of goods normally taken from West to East. Vice versa, the regular weekly East-West commute creates a transit corridor for people and goods flows.

Eastern vector of flows of illegal migrants

In 2006, Ukraine ranked amongst the top three countries, together with Turkey and Hungary, with respect to the number of migration-related border apprehensions (respectively, 12,363, 51,983 and 15,219) (ICMPD 2007). The country is said to be one of the hubs in human smuggling activities. Ukrainian anti-smuggling police estimated that they detected only 20 per cent of those trying to cross the western border (Franchetti 2008). In the case of Ukraine it seems that assisting people in illegally crossing borders has become a thriving business which involves citizens from all walks of life as well as officials at all levels. A smuggler explains, 'getting an illegal from his home village somewhere in South-East Asia all the way to Europe is complex. There's a huge organisation behind it all, which in the Ukraine involves dozens of people' (Franchetti 2008).

The EU, as a donor, invests significant financial resources in the strengthening of the Ukrainian border. For example, the total EU funds for Ukraine from 1991 to 2004 amounted to €1 billion. From 2007, a Ukrainian programme on border management development cost the USA and EU about €1 billion.⁶ In addition, FRONTEX joint operations to control the EU's eastern borders were calculated at another €992,500 (HRW 2010). These funds do not include other EU activities with similar aims. Unfortunately, flourishing corruption in all state structures in Ukraine supports the illegal migrants' flows. A Ukrainian migrant in Hungary who lives in a village in the border area revealed that

My relative is involved in this business. He is a border guard. He bought this position for \$5,000 and of course he wanted the money back. He told

6 Söderköping Process (2007), *€1 billion for border management in Ukraine*, <http://eapmigrationpanel.org/page14769.html?template=print>.

me that at the top level they demanded money from operational border guards and if he wants to work he has to pay ... I know that many people around us in the villages are involved in this business (interview with a Ukrainian labour migrant, 17 March 2008).

According to information from smugglers, migrants pay from £5,000 to £10,000 for the journey from the non FSU Asian region to the EU. The fees paid by migrants are divided amongst several actors, notably smugglers, border guards, drivers and minders. In an interview with Franchetti (2008), a Ukrainian smuggler explains that he is paid £500 per illegal immigrant, of which he keeps only £100. Hence, the bulk of the money goes to his accomplices on both sides of the border.

The human smuggler claimed to be part of an international criminal network that routinely pays off guards on Ukraine's borders:

'Senior border guard officers are bribed', he said. 'I'm given a so-called "window" – a time and a place when a particular stretch of the border won't be patrolled, ... not all border guards are corrupt, of course, but we have no problem finding enough who are willing to turn a blind eye' (Franchetti 2008).

Whilst Kiev and Odessa seem to be the national hubs in irregular transit migration, migrants also mention some regional centres in the border regions, such as Lvov, Uzhgorod and Mukachevo. Smugglers usually conceal migrants in cellars and abandoned farmhouses before guiding them across the border. A senior Ukrainian police officer confirmed that 'people in villages along the border have been involved in smuggling illegal immigrants across the border for years. It's their main income' (Ukrainian senior police officer, 20 October 2008).

The next staging post in the transit migration process is Hungary, where similar practices were observed. Sometimes apartment owners do not even know how their apartments are being used. A Ukrainian interviewee and landlord of apartments in Budapest experienced the following in 2006:

[In 2006], I let out the apartment to Ukrainians. One day my neighbour from that apartment gave me a call and told me about strange people in the flat. I was shocked when I found about 15 Asian people (Ukrainian emigrant in Budapest, July 2007).

Research carried out by the author suggests that citizens from FSU and non-FSU countries have developed different strategies for getting to the West. Citizens from Asian and African countries usually need a visa in order to enter and stay in Ukraine, and they are frequently checked by the various law enforcement bodies (Düvell 2008). In contrast, travellers from the FSU do not need a visa to stay in Ukraine. They are less visible and thus less troubled by the police. Many have networks of relatives or friends, dating back to Soviet times, who assist them in getting a temporary residence permit. This enables them to apply for a visa to the West in Ukraine or alternatively to purchase a ticket to an African country travelling via an EU country where they can apply for asylum. Certain agencies provide visas and arrange international travel, and these are widely known in Ukraine.

I visited my aunt in Kharkov. When we chatted she asked me if I wanted to go to work abroad and gave me the choice of three phone numbers. I called the first and that was a Lvov firm ... After almost one month I still had not received any response and complained to my mum in Russia. She had a friend in Kiev in the KGB [meanwhile rebranded SBU] and gave me his phone number ... I called him and complained that this firm may have cheated me. He contacted them [the firm] and threatened them that if I did not get a visa the firm could have problems doing business. The following day I received an employment visa (Russian migrant woman in Hungary, November 2007).

This example demonstrates the complexity of obtaining an illegitimate visa: the migrant needs to know the right person with information about agencies that deal with such matters, and he/she may also need access to someone in power to support the case. It also suggests that secret service staff may be involved in such matters. The evidence that the intervention of a KGB officer helped to get a working visa supports the supposition that the system of official internal registration for a temporary residence permit in Ukraine can also be used for the facilitation of visa applications, because foreign migrants need a residence permit in Ukraine to apply for a visa there. Refugees from Central Asia seem to have a similar experience though they face more obstacles:

It took about four months to organise my journey from Ukraine to Hungary ... It was difficult to find the right person who could help me. I travelled all across Ukraine searching in Kharkov, Uzhgorod, Lvov. I

arrived in Kiev and went to the German embassy and told them that I was a refugee. They told me that it was not their business. I left in tears, crying and sat down on the stairs. A young man approached me and asked what I was crying about. He was ready to help me and registered me as his sister temporarily at his apartment. I lived in Kiev for one and a half months while he prepared all the documents for Hungary. I paid for a travel tour, got a visa and crossed the border (female refugee from Uzbekistan in Budapest, 17 January 2008).

The method of visa application was similar: (a) identify and contact facilitator; (b) obtain registration in Ukraine as a relative (for migrants from the FSU it is not difficult to claim that the person is a relative); and (c) find an agency that arranges the (tourist or other) visa and the trip.

Analysis of different cases provides evidence that irregular migration business at the EU's eastern border is a joint undertaking between official and unofficial structures (e.g., interior service registration, border guard services, mediators, travel agencies) and the local population. This creates an infrastructure and plenty of opportunities for transit migration to the West. Nevertheless, some positive facts were mentioned during the interview with the head of Migration Service in Uzhgorod/Zakarpattya. He said that the level of illegal migration in the crisis years declined, but he argued that it cannot be related to any success of the EU in controlling the situation but to a global trend in declining migration flows due to a decreasing demand for labour during the crisis.

Southern vector: Evidence of illegal transit

To the south of Hungary lies Serbia and the route of illegal migration through Serbia is also well established. Interviews conducted with migrants who passed through Serbia and Romania illustrate that they were transported through Turkey, Greece and Bulgaria until they finally turned up in Hungary near the town of Szeged close to the Serbian border. According to an IOM (2000) survey, about 25 per cent of the migrants detained at the Hungarian border for illegal entry used the territory of the Former Yugoslavia (FYU). Overland trips by van, bus, or car are particularly popular and were used in half of the authors' thirty interviewees' cases, mainly because flights or boat journeys are more strictly controlled. Often, there is a combination of means of transportation and lengths of journeys depending on money or the level of assistance by intermediaries (Düvell & Molodikova 2009). Meanwhile, a readmission agreement has been signed with Serbia by the EU. In 2009,

the cases of illegal migrants' transit clearly indicate that smugglers are constantly changing tactics and sometimes use very complicated methods:

We passed the Turkish border legally and had a flight to Belgrade. From Belgrade our instructor who is located in Ukraine and whom we contacted by phone told us to take a local bus to Montenegro, to Podgorica. We had no visa to this country but nobody checked us. There we took a local bus directly to Novi Sad [Serbia] and also nobody checked us. In this city we took a taxi and asked the taxi driver to take us where possible to the border. We passed through the forest and reached Hungary where we applied for asylum (women from Georgia, 17 July 2009).

This case highlights the international nature of the smuggling business. The Georgian family was managed by a Ukrainian trafficker by phone through Serbia and Montenegro. This made sense because at the time of their journey Ukraine had already adopted the readmission agreement and the risk of being returned to the country of origin was higher, especially for people from the FSU, thus the route through Serbia was safer.

An interview with a Serbian resident of the borderland zone reflects a situation similar to that described in interviews on the Ukrainian borderland:

The place I was born, near the Hungarian border, is very rundown. There are no jobs at all for the youth and I know that many of my former classmates work as smugglers of either goods or people. Of course, it is dangerous work. One of them was even captured, but they have to make a living. They have no other options (Serbian migrant, January 2008).

Several African interviewees mentioned that after being captured by Serbian border guards they had spent several days in a detention camp. They then tried to apply for refugee status in Serbia; instead, the Serbian border guards encouraged them to go to the West rather than applying for asylum. Subsequently, they were even directed to the Hungarian border, 'they gave us directions to the Hungarian border and told us it would be better to apply for asylum in an EU country' (Ethiopian migrant, June 2008).

In December 2009, visa controls were lifted on the Hungarian-Serbian border; this led to an increase in the transit of illegal migrants to and through Hungary. An expert from OIN Hungary responsible for asylum affairs stated that they have clear monthly data supporting the fact that as soon as the EU lifted the visa controls with Serbia – hence for Serbians

and Kosovars (who are allegedly able to quickly obtain a Serbian biometric passport) – they went straight on to Germany and Scandinavia to ask for asylum. From that time, the number of asylum seekers in Hungary actually halved in 2010 (table 7.4).

Table 7.4 Asylum applications in Hungary and procedure: Persons transferred to Hungary

Number of applications for asylum	2005	2006	2007	2008	2009	2010
Total	1,609	2,117	3,419	3,118	4,672	2,104
Percentage of non-Europeans of all asylum seekers	64%	70%	66%	43%	44%	73%
Entered the country legally	569	586	595	239	196	63
Entered the country illegally	1,040	1,531	2,824	2,879	4,476	2,041
Dublin procedure: Persons transferred to Hungary	159	273	239	334	934	742

Source: Office for Immigration and Nationalities www.bevandorlas.hu/statiztikak.php

7.5 Transformation of migration flows after Schengen extension

In fulfilling the Schengen obligations, Hungary has strengthened its migration controls whilst opening a back door, widely and warmly, for compatriots to enter the Schengen zone. This situation supports the illegal border crossings that have prevailed over legal entry across the entire period covered in this chapter (82.6 per cent). In addition, the level of applications for asylum has been constantly increasing from 1,600 in 2004 to 4,672 in 2009. However, in December 2009, visa-free travel between Serbia and Hungary was introduced, which resulted in changes in the flows of asylum seekers to many countries. In Hungary, as mentioned above, the number of applications halved in 2010. In contrast, an overall rise in the number of people seeking asylum (especially Serbs, Kosovars and Macedonians) was reported in Sweden, where the number of asylum seekers in 2010 reached 31,901 compared to 24,232, in 2009, including 6,343 Serbs, Kosovars and Macedonians (United Press International 2011). A similar situation was reported in Germany (Netzwerk Migration in Europa 2011; Migrationsrecht.net 2011), where Serbs rose to third position among the top three nationalities of asylum seekers, followed by Kosovars and Macedonians. These facts clearly demonstrate that Hungary functions as a transit country. As

a consequence of the drop in the number of European asylum seekers, the number of non-European applicants from Asia and Africa in Hungary exceeded the number of asylum seekers from European countries. Afghan and Palestinian people are among the three top groups of countries in terms of origin of asylum seekers (table 7.5).

Table 7.5 Changes in the number of asylum applications by main nationality in Hungary, 2009-2010

Nationality	2009 (persons)	Percentage of all applications	2010 (persons)	Percentage of all applications
Kosovo	1,786	38.23%	379	18.01%
Afghanistan	1,194	25.56%	702	33.37%
Serbia	536	11.47%	67	3.18%
Georgia	116	2.48%	68	3.23%
Turkey	114	2.44%	59	2.80%
Somalia	75	1.61%	51	2.42%
West Bank and Gaza	23	0.49%	225	10.69%
Other	828	17.72%	553	26.28%

Source: Office for Immigration and Nationalities www.bevandorlas.hu/statisztikak.php

During the years after the EU accession, the procedure of asylum has become much stricter and, by and large, recognition rates of asylum seekers are very low, although due to a mix of reasons they have successively increased from 3 per cent (HHC 2003) to 11.7 per cent (HHC 2010). It is noteworthy, however, that according to an OIN expert from the Asylum Seekers department, many people abscond during the course of the procedure, thus their claim is rejected, which decreases the recognition rate. But if one only considers the recognition rate for those who stay in Hungary until the end of the procedure, the rate is actually 27 per cent (László 2011). As early as the 1990s, the phenomenon of absconding asylum seekers was mentioned in several surveys (HHC 1999; IOM 2000); then, about two thirds of migrants in refugee camps usually continued their journey to the West. The research that was conducted by IOM in 2000 noted that about 75 per cent of applicants disappeared during the time of evaluation. The situation nowadays is very similar to that in 2000. According to IOM data (2011), among a total of 4,672 persons in 2009 and 2,104 persons in 2010, interruptive decisions were conducted for 1,360 and 698 respectively. This constituted about 75 per cent of the total number of applicants. According to OIN expert information, the main reason for such an interruptive decision was the absconding of applicants

during the procedure. Thus, many applicants' behaviour has not changed during the last 20 years. Representatives of the refugee camp administration have the view that Hungary's accession to the Schengen zone has actually made it easier for these people to travel within the EU.

Before enlargement, the Hungarian Helsinki Committee (HHC) believed that the insufficient and limited asylum legislation facilitated irregular migration:

There was a lot of evidence that the asylum policy in Hungary pushed people applying for asylum to illegally travel further west. The policy is not aimed at integrating refugees. Hungary has remained a transit country for asylum seekers and migrants ... more asylum seekers disappear during the procedure (HHC 2003: 3).

At that time there were only two categories of protection: asylum seekers and 'refugees' and persons 'authorised to stay' (*befogadó*). The latter group has to remain in the country permanently, is not permitted to travel and has no access to social benefits. Due to the requirements in place for foreigners, they have to obtain permission for employment, but opportunities for legal work are limited. If a person's papers expire, their children can't attend schools. Some people lose jobs or are not able to get them legally. Before accession to Schengen in 2006, in addition to the previous two types of asylum seeker, the new law introduced a third category: 'subsidiary protection' – *'alkalmazott'*, that is, between refugee and humanitarian status.

Unfortunately, there is a significant gap between reality and the obligations of Hungary, as an EU member state, to uphold human rights and protect refugees and asylum seekers. This can be partly explained as resulting from a scarcity of funds. A positive achievement, however, is the new accelerated procedure for applications, which now must not take more than 90 days. However, its implementation requires the asylum seekers to stay in closed detention centres during the first stage of screening, which has negative psychological consequences. The new regulation on asylum seekers came into force in January 2011 and clearly shows Hungary's commitment to reducing asylum applications by using as a deterrent the prospect of the detention for 12 months during investigation processes.

All the people, who ask for asylum, have the experience that they are under arrest. They feel that they are in prison there. They don't under-

stand why it is happening with them. So, they try to run away from there. Sometimes the procedure takes longer, weeks, months. Inside, there is no school, or shop. Children are also locked in (interview with NGO social worker, March 2010).

After the screening procedure the applicants are released into open camps where asylum seekers spent a minimum of 6 months. But conditions are not sensitive enough to religious, political or cultural tensions. Over the last two years there were several protests by asylum seekers in Hungary. The UNHCR report (2009) on Refugee Homelessness in Hungary says about integration:

There is no government agency with a statutory responsibility for refugee integration at community level. These cannot provide solutions to what are often structural problems of integration requiring a strategic, cross-departmental response.

Integration of persons authorised to stay with humanitarian status is even more complicated. This is because their residence permit is valid for only one year and every year they have to renew their humanitarian status; they can spend years in this situation. In addition, they need special permission for working, which is a considerable bureaucratic undertaking. Usually, the duration of the processing time is counted into the time of the work permit. Thus, a vicious circle emerges that they are unable to overcome, of applying for prolongation of their humanitarian status and applying for work permits.

Most of the refugees, once their status is recognised, seem to leave the CEE countries and move to other EU states.⁷ Most of the asylum seekers' destination countries are England, France, Germany or the Netherlands, often because they have family there or there are large diasporas. Many asylum applicants, once released from detention, also believe that is the right moment to leave Hungary. Sometimes, they disappear for good but sometimes they are sent back. Notably when they claim asylum in other EU countries and the authorities discover they already had a status in Hungary, they are usually returned under the Dublin II Convention.

Thus, the implementation of the Dublin II Convention creates circular flows of asylum seekers in the EU. From 2005-2010, 2,681 persons were

7 Though there is no statistical database for all CEE countries on how many asylum seekers and refugees stay in the country and how many disappear from the camps, after rejection or after their toleration status is withdrawn.

returned to Hungary, mainly from Germany (261 in 2009 and 198 in 2010), France (229 in 2009 and 100 in 2010) and Austria (159 in 2009 and 194 in 2010). Consequently, Hungary too returned Dublin II cases to other EU countries 261 persons for 2009–2010, mainly to Greece and to Romania (table 7.6).

Table 7.6 Dublin procedure: Received by Hungary from another member state by nationality of asylum seekers and sent by Hungary to another EU member state

Country of nationality of asylum seekers	Received by Hungary from another member state by nationality of asylum seeker		Country responsible for the asylum procedure	Actual transfers	
	2009	2010		2009	2010
Kosovo	409	218	Greece	16	120
Serbia	182	79	Romania	15	20
Afghanistan	110	217	Austria	13	2
Georgia	40	52	Poland	8	3
Other	193	176	Other	32	32
Total	934	742	Total	84	177

Source: Office for Immigration and Nationalities www.bevandorlas.hu

In addition to that, the number of assisted returns to country of origin, which is based on an agreement between the IOM and the Ministry of Interior, has also increased. HHC criticised the Hungarian government for the implementation of the Dublin II procedure and for sending the applicants to Greece. Hungary has finally decided to stop this practice until Greece creates proper asylum legislation (table 7.7).

Table 7.7 The number of return travels by country of origin, based on the Ministry of Interior of Hungary and IOM agreement for 2009-2010

Nationality	2009 (persons)	Percentage of all applications	2010 (persons)	Percentage of all applications
Kosovo	228	78.35%	301	70.66%
Mongolia	16	5.50%	13	3.05%
Serbia	11	3.78%	1	0.23%
Macedonia	8	2.75%	4	0.94%
Turkey	6	2.06%	7	1.64%
Other	22	7.56%	100	23.47%
Total	291	100%	426	100%

Source: Office for Immigration and Nationalities, www.bevandorlas.hu

Finally, the readmission agreement with the non-EU neighbouring countries Serbia and Ukraine does not seem to be working properly, according to the opinion of an expert from the OIN office. In particular, because these cannot be accepted as safe countries, returns have to be carefully considered. This is especially the case when people smuggled, for instance, to Odessa, were hidden somewhere and did not get used to Ukrainian realities. And the Hungarian Helsinki Committee (2010) complained that the readmission agreement creates a ping-pong situation used by EU countries when people are not able to apply for asylum and can thus be sent back to Ukraine or to Serbia.

7.6 Adaptation strategies of refugees and protected migrants: The results of three years' life in Hungary

In order to evaluate the process of the integration of refugees and their success or failure, and to identify reasons for their possible on-migration, a pilot survey was conducted with 31 refugees and protected people – including those with a humanitarian status – from December 2006 to March 2007 and again in spring 2010 with the same sample. This was done to find out what happened to the people who got a different status of protection in the three years since they were first interviewed at the end of 2007, beginning of 2008. Thirty interviews were conducted with persons of different protection status; 11 were from Asia, 6 from former Soviet countries and 14 from Africa. Only eight people have families that arrived together, 17

of the 30 interviewees obtained refugee status from the moment of their first interviews.

In 2006-2007, only two of all the respondents claimed that Hungary was their destination country. Many of the immigrants mentioned that the destination country was not specifically important, 'just Europe' was where they wanted to go. But others pointed to the UK, Sweden, Germany, Austria and Switzerland as their destination countries. They indicated these countries because they had relatives and friends there and expected their help. We classified the interviewees into five groups based on their future plans:

- 1 Those who would wait and remain to see if they obtained legal status: 'It depends on what the authorities decide: if I get refugee status, I will stay here, learn Hungarian and get a legal job. If I don't get status, I will go.'
- 2 Those who wanted to go to the West even if they got status: 'If we have a legal job and all official papers, we will try again to get a visa to England'.
- 3 Those who planned to remain in Hungary because of a Hungarian spouse or partner: 'I don't want to go to another country. I want to marry my boyfriend'.
- 4 Those who would remain in Hungary because of family reasons: 'children need to go to school'.
- 5 Those who were undecided whether to stay or to go: 'stay here and live a legal, normal life or leave for Italy or France.'

Some of the immigrants planned to stay in Hungary for two to three years, learn Hungarian and find a regular job, especially those few people who had Hungarian partners. Those who had children were concerned about schooling. Other interviewees, however, who were waiting for new documents or who were without children, were not so determined to stay in Hungary. Notably language remained the main problem, especially with finding jobs. For example, some migrants thought that the solution was to go to Sweden to their relatives, but they soon returned to Hungary:

Four months after arriving, we organised a journey to Sweden. My sister is living there. We left Hungary in June, but in August we came back because we couldn't legalise our residency permit there: we couldn't get a work permit, nor school for the children (Iraqi refugee, February 2008).

Internet and mobile phones now enable people to very quickly acquire information and asylum seekers know well the best places to apply for asylum or to find jobs when passing through other EU countries:

All these persons tried to find jobs in Hungary during the first year but this turned out to be difficult due to their lack of language proficiency, as well as due to a lack of social support. Social workers from the NGO Menedek have doubts about the immigrants' plans to stay, 'immigrants always say that they are planning to stay, but the most difficult time they face is after they have obtained legal status. The reality of life pushes them to go west' (Menedek NGO's social worker, March 2008).

Indeed, migrants and refugees only had limited sources of support in Hungary from the government, a few NGOs and some churches. That is why they thought that the solution was to join their relatives or acquaintances in other countries, who promised jobs or support.

I am going to Sweden, because I know from my Iraqi acquaintances that in Hungary the conditions in the camps are very bad and the provision is very poor. I have relatives in Sweden and they promised to help me (Iraqi migrant who was travelling through Hungary to Sweden, April 2008).

Three years on, some positive and negative changes have happened in the lives of people with humanitarian status called *befogado*. For example, five out of 14 people changed their status from humanitarian to subsidiary protected or to refugee (*alkalmazott*). Unfortunately, such positive changes only affected African people. Among others with humanitarian status we should consider some negative changes: two of three families from the former socialist countries left Hungary for other countries in the EU; one family resettled in Slovakia and the other family fled to Austria. A third family, after staying in Hungary for eight years with a humanitarian status, was awaiting deportation; the HHC had been representing them in court based on the fact that one child is going to school and does not even speak the language of the country of origin. The tragedies of such people are evident.

Another finding is that only 13 of the original 30 interviewees were still in Hungary after three years. The others had either disappeared or we had information that they now work in other countries. Two of them reached the UK, illegally. One man regularly commutes between the UK and Hungary and his family wants to resettle there as soon as their child

has finished school. So, of those 13 families who still lived in Hungary, eight (more than half) nevertheless worked for shorter periods, 3 months to one year, illegally, in a Western country. According to their stories they usually used the network of the refugees and asylum seekers that they became acquainted with during their months in the camp. From time to time they returned to Hungary, though for different reasons: because (1) they were sent back by the authorities of another country; (2) they needed new papers; (3) for family reasons; or (4) due to health problems. After the Schengen zone was expanded to the east, new circulation flows of refugees and other protected people between Hungary and Western countries were observed. Usually people did not want to return, but they had to when their documents expired or because of some urgent needs.

Almost all refugees I had known went to the West when passports were issued for two years; now, the police changed the rules and they are issued for only one year ... But people usually return for papers and go back (interview with an advocate, April 2010).

The circulation of job-seeking refugees trying to support their families has become a new phenomenon since the extension of the Schengen zone to the east. This is because the new member states (NMS) offer few opportunities for integration into the labour markets or society as a whole. They use their networks to access the diasporas in other countries. In one interview with a female refugee, the informant described how for one and a half years, her husband had been unsuccessful in finding a job in Hungary. As a consequence, he and his 20-year-old son took the long journey through Germany and some other Northern countries to go to the UK illegally without a visa; for this undertaking they were receiving support from some acquaintances they had made in the refugee camp. Several times, they travelled to the UK without visas. In the UK, they worked irregularly and rented rooms from Lithuanian migrants. Only when the husband needed some urgent surgery did he have to return to Hungary; his son, however, still lives and works in the UK. Meanwhile, the son's family is also planning to move to the UK as soon as the youngest child has finished Hungarian school. It seems that since the expansion of the Schengen zone, this kind of circular transit has become a new reality of migration within the EU.

Summing up, one could say that the only group of migrants that is not going to leave Hungary consists of people who have local spouses or partners. These are typically Africans; among the 30 cases, six had Hungarian partners or wives. Thus they also had better chances to learn Hungarian

and to get access to housing and jobs. All of them had either refugee or subsidiary protection status. The other 24 people complained that they do not see a future in Hungary because there are few opportunities to find jobs and to support themselves. In addition, the impact of the financial crisis on Hungary's economy has further undermined their desire to live in Hungary.

7.7 Integration plans as officials see them: New laws and new opportunities

In the 1990s, the Hungarian system of asylum protection had an ethnic dimension and put particular emphasis on the Hungarian minorities abroad. After 1998, amendments were made to the Refugee Law; now Hungary accepts refugees not only from Europe but from all over the world. Nevertheless, officials still have strong feelings about ethnic Hungarian immigrants and believe that they should be prioritised. A survey conducted in the various Hungarian ministries (Molodikova 2005) generally revealed the perception that 'Hungary does not expect and does not need migrants other than ethnic Hungarians in our country' (from numerous interviews in April 2005). This conclusion is also confirmed by the report of the Hungarian Helsinki Committee:

Hungarian authorities do not intend to integrate people granted a stay status. The aim of the asylum policy concerning such persons is to see them returning to their country of origin as soon as possible (HHC 2003: 3).

Meanwhile, Hungary is nevertheless gradually becoming a recipient country for non-Hungarians. Though the country does not allocate or have sufficient funds to implement the new legal provisions for refugees and immigrants of other statuses:

The new 'alkalmazott' status will give many immigrants a new opportunity for a normal life. But unfortunately the government simply has no money for the reforms they started (interview with HHC, March 2008).

On the one hand, Hungary, against strong public opposition, has gradually improved immigrants' legal status and the social position of refugees and protected people, which should increase the propensity of legally protected migrants to actually stay in the country. Nevertheless, the reality of life is

more complicated for non-Hungarian migrants and they are not particularly welcome in Hungary. In addition, experts mainly agree that Hungary has a high degree of xenophobia toward migrants (Hárs 2008; MIPEX 2007, 2010). Such conditions are not conducive to immigrant integration, which is why non-Hungarian migrants generally do not aim to stay in Hungary. Finally, free movement within the Schengen zone is a strong incentive for immigrants in Hungary to move on to other destinations.

In the mid-2000s, a migrant management strategy was proposed and there was a thorough assessment of the future professional, economic and social needs of the country's work force. The conclusion was that in order to improve its economic performance, Hungary required an increasing number of immigrants. The suggestion was made that many immigrants were likely to come from non-neighbouring countries. This was heavily criticised by the political opposition for being pro-immigrant and neglecting the interests of the Hungarian minorities in neighbouring countries.⁸ Thus, after heavy opposition by the media, the draft strategy was withdrawn and the policy failed. In the eyes of an official from the Ministry of Justice, this is a dilemma:

There is no such law in Hungary on integration. Refugees now have three years, legal status and some social assistance related to this status. Other migrants don't get this assistance, but they need to be integrated (Official from the Ministry of Justice, May 2008).

In 2008, as part of the Migration Management Strategy, the Hungarian Parliament intended to introduce a law on integration. An official from the Ministry of Justice concluded with resignation, 'if we want to pass a law on integration in parliament we have to be very ingenious, because of political interpretations of it by the opposition' (official from the Ministry of Justice, May 2008). At present, the new right-wing ruling coalition has clearly indicated the political course of attracting ethnic Hungarian immigrants. Meanwhile, their selective integration offers few opportunities for migrants of other ethnic backgrounds to live in Hungary.

8 In fact this strategy was indeed pro-immigrant, but not more so than most Western European countries' migration policies, as can be seen from the calculations it makes on population changes and workforce needs. The strategy can be found at the website of the Christian Democratic Party, which criticized it most heavily (www.kdnp.hu/index.php?type=cikk&cikkid=1544).

7.8 Conclusions

The analysis of the situation in Hungary and the surrounding countries gives rise to some conclusions about the key features which facilitate transit migration through Hungary. The first, essential, characteristic is Hungary's geopolitical location. For more than 20 years, Hungary has been a frontier for the Western European countries and shares borders with major migrant-sending countries of Europe, such as Ukraine, Romania and Serbia. But this feature is not the only explanation for the high level of transit migration in Hungary. It is compounded by a wide range of legislative, geographic and cultural features which make controlling migration flows in Hungary a difficult and complex task.

The selective (or exceptional) liberalisation of the visa regime between Hungary and the surrounding countries, which includes ethnic cards, petty border traffic zones and dual citizenship, creates asymmetric relations with neighbouring non-EU countries. This prompts various flows of migrants into Hungary. There are huge gaps in the levels of economic, political and cultural development between EU and non-EU countries. The economically poor regions surrounding the EU borderland are characterised by flourishing large-scale corruption in all state structures, from top to bottom. This corruption is quintessential for the organisation of illegal transit migration, for instance, through Ukraine to Hungary. The evaluation presented in this chapter of the border-passing strategies in the eastern and south-eastern sector of the EU borderland clearly highlights the existence of illegal migration and therein the proportion of transit migration. Liberalised visa regimes provide ample opportunities for migrants to cross borders legally, but then visa conditions are ignored and often the visa holders remain in the country, seek work on onward travel or apply for refugee status somewhere else, in one of the more developed Western countries.

Transit flows through Hungary are also stimulated by Hungarian ethnic policy. Hungary made considerable amendments to its migration regulations which resulted in the liberalisation of migration policy for ethnic Hungarians who live in neighbouring third countries. Almost one million third-country nationals – and soon also their relatives – are thus able to benefit from some Schengen visa liberalisation. In fact, Hungary externalises this influence and expands the opportunities for migrants' movement to and through Hungary. The lifting of the visa regime with Serbia led to a further increase in the transit flow through Hungary.

Once a migrant reaches Hungary, the strengthened migration policy towards third-country nationals and asylum seekers facilitates transit flows

of migrants. The flaws in the refugee status determination and integration processes facilitate high levels of absconding of asylum seekers, who usually move west to other EU countries. Further to this, the implementation of the EU's Dublin II regulation in Hungary and the readmission agreements with non-EU countries have facilitated some involuntary circulation of migrants, supported by officials of all EU countries. Asylum seekers now try again and again to cross the borders and are sent back to another EU or non-EU country. This mainly results in the return of migrants to Hungary from Germany, France and Austria, and from Hungary to Ukraine, Greece and Romania.

Underlying the decision of a migrant to remain in Hungary or to only use it as a country of transit is the presence or absence of social networks. Network theory suggests that settling down is only feasible for co-ethnic Hungarians from neighbouring countries who already have human capital in terms of language proficiency and social capital in the form of a network of compatriots. For other migrants, and particularly, for asylum seekers, the absence of compatriot networks in Hungary combined with the existence of such networks in other Western countries facilitates migrant transit flows. Such networks offer immediate social capital in the Western destination countries. In Hungary, there are few opportunities for settling down and integrating, particularly given the absence of any special integration policy and indeed actions against introducing any such policy. Our interviews with migrants suggest that the only chance for a migrant to settle is to establish a Hungarian family. The presence or absence of networks for a migrant is a key determinant in shaping Hungary's character as a transit flow country.

References

- Castles, S. (2002), 'Environmental change and forced migration: Making sense of debates'. Working paper No. 70. Geneva: UNHCR Evaluation and Policy Analyse Unit.
- Donnan H. & Th.M. Wilson (2001), *Borders Frontier of Identity, Nation and State*. New York: Berg Oxford Press.
- Düvell, F. (2007), *Ukraine, Europe's Mexico?* Oxford: COMPAS.
- Düvell, F. (2008), 'Refugees in Ukraine'. Working Paper. Oxford: COMPAS.
- Düvell, F. & I. Molodikova (2009), 'Vvedenie', in F. Düvell & I. Molodikova (eds), *Tranzitnaia Migratsia I Tranzitnie Strain: Teoria, Praktika I Politika Regylirovania*. Moskva: Akademkniga, 5-20.
- Fawcett, J.T. (1989), 'Networks, linkages, and migration systems', *International Migration Review* 23: 671-680.
- Franchetti, M. (2008), 'With most border controls in Eastern Europe now gone, people smuggling has become easy business in the Ukraine', 20 January, 2008, www.inosmi.ru.

- Gördi, I. (2010), 'The role of ethnicity and social capital in immigration to Hungary'. Working Papers on Population, Family and Welfare, No. 12. Budapest: Demographic Research Institute of Central Statistic Office.
- Gördi, I. & T. Kiss (2009), 'Migrációs hajlandóság, tervek és attitűdök az erdélyi magyarok körében', Spéder Zs. (szerk) Párhuzamos Népeségtudományi Kutató Intézet, 183-219.
- Gurak, D.T. & F. Caces (1992), 'Migration networks and the shaping of migration systems', in M.M. Kritiz, L.L. Lim & H. Zlotnik (eds), *International Migration Systems: A Global Approach*. Oxford: Clarendon Press, 150-175.
- Haas, de H. (2005), 'Morocco's migration transition: Trends, determinations and future scenarios'. Global Migration Perspectives 28. Geneva: Global Commission on International Migration.
- Hárs, Á. (2009), 'Immigration countries in Central and Eastern Europe: The case of Hungary'. IDEA Working Paper No. 12. www.idea6fp.uw.edu.pl/pliki/WP12_Hungary.pdf.
- Hungarian Border Guards (Határőrség Országos Parancsnoksága) (various dates), Database. www.hatarorseg.gov.hu/index.php?akt_menu=86&PHPSESSID=ccb43a6d818bb3cefc22985c02cc991a.
- HHC (Hungarian Helsinki Committee) (1999), 'Experiences of legal representation in asylum procedures in Hungary'. www.helsinki.hu.
- HHC (Hungarian Helsinki Committee) (2003), 'Asylum in Hungary'. www.helsinki.hu.
- HHC (Hungarian Helsinki Committee) (2009), 'Hungary among top five among EU member states who continue to return asylum seekers to Greece'. http://helsinki.hu/Friss_anyagok/htmls/797.
- HHC (Hungarian Helsinki Committee) (2010), 'Stop Dublin returns of asylum seekers to Greece, demands HHC following milestone judgment by European Court of Human Rights'. http://helsinki.hu/Friss_anyagok/htmls/797.
- HRW (Human Rights Watch) (2010), 'Buffeted in the borderland: The treatment of asylum seekers and migrants in Ukraine'. www.hrw.org/en/reports/2010/12/16/buffed-in-borderland-0.
- Juhász, J. (2003), 'Hungary: Transit country between East and West', Migration Information Source. Washington: Migration Policy Institute.
- ICMPD (International Centre for Migration Policy Development) (2007), 'A survey and analysis of border management and border apprehensions: Data from 20 states', in P. Futo & M. Jandl (eds) (2006), *Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe*. Vienna: ICMPD.
- ICMPD (International Centre for Migration Policy Development) (2010), 'A survey and analysis of border management and border apprehensions'. Data from 2008, in P. Futo & M. Jandl (eds), *Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe*. Vienna: ICMPD.
- IOM (International Organization on Migration) (1994), *Transit Migration in Hungary*. Geneva: IOM.
- IOM (International Organization on Migration) (1995), *Irregular Migration in Central Europe: The Case of Afghan Asylum Seekers in Hungary*. Migration Information Program. Geneva: IOM.
- IOM (International Organization on Migration) (1997), *Migration Patterns in Central Europe*. Geneva: IOM.
- IOM (International Organization on Migration) (2000), *Migrant Trafficking and Human Smuggling in Europe: A Review of the Evidence with Case Studies from Hungary, Poland and Ukraine*. Geneva: IOM.
- Kimball, A. (2007), *The Transit State: A Comparative Analysis of Mexican and Moroccan Immigration Policies*. Working Paper 150. San Diego: University of California.
- Kiss, T. (2007), *Demográfiai Modellek és Migráció: Az Erdélyi Magyarokvándormozgalma a XX Század Utolsó Negyedében*. Budapest: Regio 1, 160-189.
- KHS (Központi Statisztikai Hivatal – Népeségtudományi Kutatóintézet) (2010), Hungarian Central Statistical Office, Demographical Institute, www.demografia.hu/english/.

- László, S. (2011), 'Change in asylum legislation'. Paper presented at seminar Migration and Security. Budapest: Central European University, 2 March.
- Malynovskaya, O. (2009), 'Transit illegal migration: Ukraine', in I. Molodikova & F. Düvell (eds), *Transit Migration and Transit Countries: Theory, Practice and Policy of Regulation*. Moscow: Akademkniga Press (in Russian), 130-159.
- Massey, D., J. Arango, G. Hugo, A. Kouaouci, A. Pellegrino & E. Taylor (1993), 'Theories of international migration: A review and appraisal', *Population and Development Review*, 19 (3): 431-466.
- Massey, D., Arango J., Hugo, G., Kouaouci, A., Pellegrino, A. & E. Taylor (1998), *Worlds in Motion: Understanding International Migration at the End of the Millennium*. Oxford: Oxford University Press.
- Migrationsrecht.net (2011), 'Hauptherkunftsländer im Januar 2011', www.migrationsrecht.net/nachrichten-asyrecht/1734-asylbewerber-statistik-januar-2011.html.
- MIPEX (Migration Integration Policy Index) (2007), *Hungary: Overview*, www.integrationindex.eu/integrationindex/2403.html.
- MIPEX (Migration Integration Policy Index) (MIPEX) (2010), *Hungary: Overview*, www.integrationindex.eu/hungary.
- MoE (Ministry of Education and Culture) [Oktatási és Kulturális Minisztérium] (2009), *Statisztikai Tájékoztató. Felsőoktatás* (2009) [Statistics on Higher Education. Ministry of Education and Culture].
- Molodikova, I. (2008), 'Mobility of students from NIS countries and Baltic States after the graduation of European Universities', in I. Molodikova (ed.), *Migration Studies in the Context of Social Science*. Smolensk: Magenta (in Russian).
- Molodikova, I. (2009), 'Vengria: byfernaia zona dlia tranzitnoi migratsii' [Hungary as buffer zone for transit migration in the EU], in I. Molodikova & F. Düvell (eds), *Tranzitnaia Migratsia I Tranzitnie Strain: Teoria, Praktika I Politika Regyirovania* [Transit Migration and Transit Countries Theory, practice and policy of regulation]. Moscow: Akademkniga Press.
- Netzwerk Migration in Europa (2011), 'Deutschland: Mehr Asylanträge, geringere Schutzquote', *Newsletter* 1, January, www.migration-info.de/mub_artikel.php?Id=11010.
- OIN (Office of Immigration and Nationality) (2007), Statistical data in English. www.bmbah.hu/statisztikak_HUN_34-2.xls.
- OIN (Office of Immigration and Nationality) (2009), *Aliens Policing, Nationality, Refugee Affairs: Statistical Publication of the Office of Immigration and Nationality 2004-2008*. www.bevandorlas.hu/statisztikak_HUN_36.xls.
- OIN (Office of Immigration and Nationality) (2011), Statistical data. www.bmbah.hu/statisztikak.php.
- Tóth, J. (2005), 'Towards a joint sweeper of illegal migrants', *Central European Political Science Review* 6 (19): 89.
- Tóth, J. (2010), *Hungary: Changes in the executive rules to implement the recent amendment of the Citizenship Law*. EUDO CITIZENSHIP, <http://eudo-citizenship.eu/citizenship-news/371-hungary-changes-in-the-executive-rules-to-implement-the-recent-amendment-of-the-citizenship-law>.
- United Nations High Commissioner for Refugees (UNHCR) (2009), *Being a Refugee: How Refugees and Asylum Seekers Experience Life in Central Europe*. Geneva: UNHCR.
- United Press International (2011), *Rise in asylum seekers in Sweden*, www.upi.com/Top_News/World-News/2011/01/04/Rise-in-asylum-seekers-in-Sweden-in-2010/UPI-63451294187086/.