

Refugees, Asylum and Migration Issues in Hungary

Attila Juhász, Csaba Molnár, Edit Zgut



HEINRICH-BÖLL-STIFTUNG

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Transit zone at the Hungarian-Serbian border – 24 November 2017



The findings and opinions expressed in this publication are those of the authors and do not necessarily reflect the positions of the Heinrich-Böll-Stiftung.

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Foreword

When Viktor Orbán visited Warsaw in September 2017, he made the following statement at a joint press conference with his incumbent Polish counterpart, Beata Szydło: “We accept the decision of immigrant countries to become immigrant countries. We ask them to accept that we do not want to become one.” His statement succinctly summarises the Hungarian government’s main message to migrants, which is: “Do not come here.” The irony is that Hungary, while briding at the prospect of admitting migrants, is facing severe demographic challenges: an aging population, mass emigration, and a low birth rate. That Hungary should be a target for mass immigration is not one of its problems; to the contrary, Hungary’s greatest challenge is that almost no one wants to go there and its citizens, in increasing numbers, do not wish to stay either.

The rhetoric in Hungary towards refugees has not changed much since we published the first edition of this study in 2015, but the so-called “refugee crisis” is no longer present in the same way. What we observe in Hungary today is a rise in irrational fear and xenophobia. The hatred of refugees is exacerbated by populist politicians seeking electoral advantage.

Conspiracy theories have been at the top of the political agenda in Hungary in recent years. In 2017, the government launched a smear campaign against George Soros, alleging that he is “importing migrants from the Middle East with the help of Brussels in order to change the cultural background Europe”. The “Soros Plan” is a phrase used constantly by Fidesz politicians and media close to the government in order to fuel citizens’ fears and to “prove” that the Hungarian government has to protect the country against external threats and enemies.

This study aims to provide the reader with important background information, facts and data on the last three years of the “refugee crisis”, as well as its social, political, policy and diplomatic repercussions. The authors of the study not only analyse the Orbán government’s rhetoric and policy measures with regard to refugee, asylum and migration issues, they describe the

historical context, supply valuable data, and explore the ways in which the government has influenced the public discourse. Additionally, the authors highlight the regional context, raising the question of how far Budapest’s influence extends, and how the “refugee crisis” has affected regional cooperation.

We would like to express our gratitude to the publication’s authors and copy editors for their efforts and commitment. We hope the publication will contribute to future critical debates on refugee, asylum and migration policies in Hungary and the EU.

Budapest and Prague, December 2017

Péter Krekó

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Summary

- Hungary cannot be considered a target country for immigrants. Since the beginning of 2015 the Orbán cabinet has created the impression in a series of campaigns that Hungary's place in global migration patterns has shifted fundamentally. The Orbán government has sent the message that Hungary, as a target country, must now face a migrant "wave" coming from outside Europe.
- Asylum-seekers submitted applications in Hungary only for formal reasons and, almost without exception, they all moved on to Western Europe afterwards, Germany being their primary destination.
- Hungary occupies a unique position with respect to refugees in the sense that it was heavily involved in the 2015 refugee crisis, yet the country became a frontline country without any immigrants.
- Migration patterns and politics mutually interact, and this was also the case with the 2015 refugee crisis. In Hungary, the public discourse interpreting the refugee crisis was largely shaped by politics, especially by targeted government campaigns. Hungarian citizens perceived immigration as one of the most important problems facing the country in 2017 as well. In the Standard Eurobarometer survey based on data gathered in May 2017, 27% of Hungarian respondents believed that immigration was one of the two most pressing problems faced by the country.
- Orbán's strategy on the refugee crisis aims at continuously generating conflict between the Hungarian government and EU institutions. After the anti-refugee campaigns in 2015, the European Union, George Soros and Soros-funded NGOs became the main targets of government communication in 2016 and 2017. The Orbán government's primary argument against the EU and George Soros is that they want to settle "migrants" in Hungary. The government organised a referendum and then a national consultation to drive these arguments home.
- The Hungarian government's politics fit into the securitisation narrative with regard to both its policies and rhetoric. The government shut down the country's largest open-door refugee reception centre in Debrecen in late 2015, downgrading the Hungarian refugee system's capabilities. It also abolished the integration benefit for refugees to send the message that the government believes integration to be impossible. Since 2016, individuals may only file asylum applications in the transit zones at Röszke or Tompa, which are only open during public offices' opening hours and only a very limited number of asylum-seekers may submit their applications each day. Several humanitarian and human rights organisations have claimed that Hungarian authorities beat, assault and sometimes cause serious injury to migrants. Hungarian far-right paramilitary organisations have also admitted to having played a role in attacking asylum-seekers around the border area.
- During the refugee crisis, cooperation within the Visegrád Group gained considerable significance for the Orbán government because opposition to the quota system based on the mandatory relocation of refugees created an opportunity for it to promote the V4 as a sort of alternative centre of power to Western EU member states since the beginning of the crisis.

Facts and trends

Migration trends

Hungary cannot be considered a target country for immigrants. With the exception of a relatively large Chinese diaspora, most immigrants settling in the country since the regime change have been ethnic Hungarians from neighbouring countries, mainly from Romania, Slovakia, Serbia and Ukraine (see relevant data below).

The refugee crisis

Since the beginning of 2015 the Orbán cabinet has created the impression in a series of campaigns that Hungary's place in global migration patterns had shifted fundamentally. The terms used in government communications ("immigrant" and "migrant") have sent the message that Hungary, as a target country, must now face a migrant "wave" coming from outside Europe. However, this is far from the reality: migration follows massive, historically developed patterns, and this fact has not been changed by recent events. Hungary has not become a target country for migrants coming from outside Europe, primarily due to its geographic location.

Eurostat data show that the refugee crisis has brought about a major change in one area in Hungary: the number of asylum applications submitted. In 2015, the country led Europe in terms of asylum applications per 100,000 citizens.¹

Indeed, Hungary had never experienced a refugee flow on the scale seen in 2015. To illustrate the magnitude, one should consider that between 1990 and 2014 the number of refugees travelling through Hungary never matched the number of those who fled Hungary after 1956. In this context, the shift seen in 2015 is momentous indeed. Moreover, compared to previous years, both the number of asylum-seekers from outside Europe and their arrival rates have increased considerably, which has also created a new situation.

However, it is also true that these asylum-seekers submitted applications in Hungary only for formal reasons and, almost without exception, they all moved on to Western Europe afterwards, Germany being their primary destination. In the early 1990s during the Balkan Wars there were more genuine asylum-seekers in Hungary (tens of thousands of people) who stayed for an extended period. In 2015, only a few thousand asylum-seekers remained in Hungary despite the fact that almost 180,000 submitted an asylum application. According to the Hungarian Helsinki Committee's figures, by the end of the year the number of those staying in the country had dropped to 900-1,000. Approximately 450-500 of them had been subjected to detention, while immigration procedures were already underway for the other 450-500 people at the end of 2015. As a result of further restrictions to the law on refugees implemented in 2016 and 2017, only 471 asylum-seekers were accommodated in the institutions belonging to the Immigration and Asylum Office as of 21 August 2017. Of these, 427 were detained in the two transit zones, 25 were accommodated at open reception centres and 19 were detained in asylum detention centres.⁶

Table 1 – Number of registered asylum-seekers in Hungary (Change over the same period of the previous year in parentheses).

Source of data: Office of Immigration and Nationality)

2014 ²	2015 ³	2016 ⁴	Jan–Jul 2017 ⁵
42,777	177,135	29,432	2,217
(+126%)	(+314%)	(-83%)	(-91%)

A radical increase in the number of asylum-seekers does not mean that significantly more applicants have received refugee status since the beginning of the refugee crisis than in the preceding years. In fact, by the end of 2015 it had become virtually impossible to be granted asylum in Hungary due to new restrictions. In 2015, a total of 508 asylum-seekers received some status providing international protection (as a refugee, a subsidiary protected person or a person authorised to stay). This figure is almost identical to the one from 2014 (503). 98% of the cases were dropped in 2015, indicating that asylum-seekers had left Hungary before a decision could be made in their cases. The asylum-seekers who decided to stay and wait for a decision by authorities had very little chance for a positive outcome. 85% of meaningful decisions rejected the application. This share increased further in the following year. In 2016, 91.5% of all meaningful decisions were concluded with a rejection, while in the first seven months of 2017 84.4% of relevant decisions denied applicants the right to asylum.

- ¹ 'Asylum and First Time Asylum Applicants by Citizenship, Age and Sex Annual Aggregated Data (Rounded)' (Eurostat), accessed 23 June 2017, <http://bit.ly/2DC8ysC>
- ² Immigration and Asylum Office, 'A Magyarországra Érkezett Menedékkérők Számának Alakulása, 2013–2014.', 2015, accessed 22 December 2017, http://www.bmbah.hu/images/stat/KIADVANY_2013_%202014_INTERNET_2015_01_16.xls.
- ³ Immigration and Asylum Office, 'A Magyarországra Érkezett Menedékkérők Számának Alakulása, 2014–2015.', 2016, accessed 22 December 2017, http://www.bmbah.hu/images/stat/statisztikak/160119%20KIADV%C3%81NY_2014_%202015_%C3%89VES%20honlapra.xls.
- ⁴ Immigration and Asylum Office, 'A Magyarországra Érkezett Menedékkérők Számának Alakulása, 2015–2016.', 2017, accessed 22 December 2017, <http://www.bmbah.hu/images/stat/statisztikak/170117%20B%C3%81H%20%C3%A9ves%20statisztika%202016.xls>.
- ⁵ Immigration and Asylum Office, 'A Magyarországra Érkezett Menedékkérők Számának Alakulása, 2016. I–IV. Hónap – 2017. I–IV. Hónap', 2017, accessed 22 December 2017, <http://www.bmbah.hu/images/stat/statisztikak/170510%20BMH%20statisztika%202017%20I-IV.xls>.
- ⁶ Magyar Helsinki Bizottság, 'Magyar Menekültügy a Számok Tükrében, 2017. Június 1.', 12 June 2017, accessed 22 December 2017, <http://www.helsinki.hu/magyar-menekultugy-a-szamok-tukreben-2017-junius-1/>.

Figure 1 – Asylum applicants per 100,000 citizens, 2014–2016

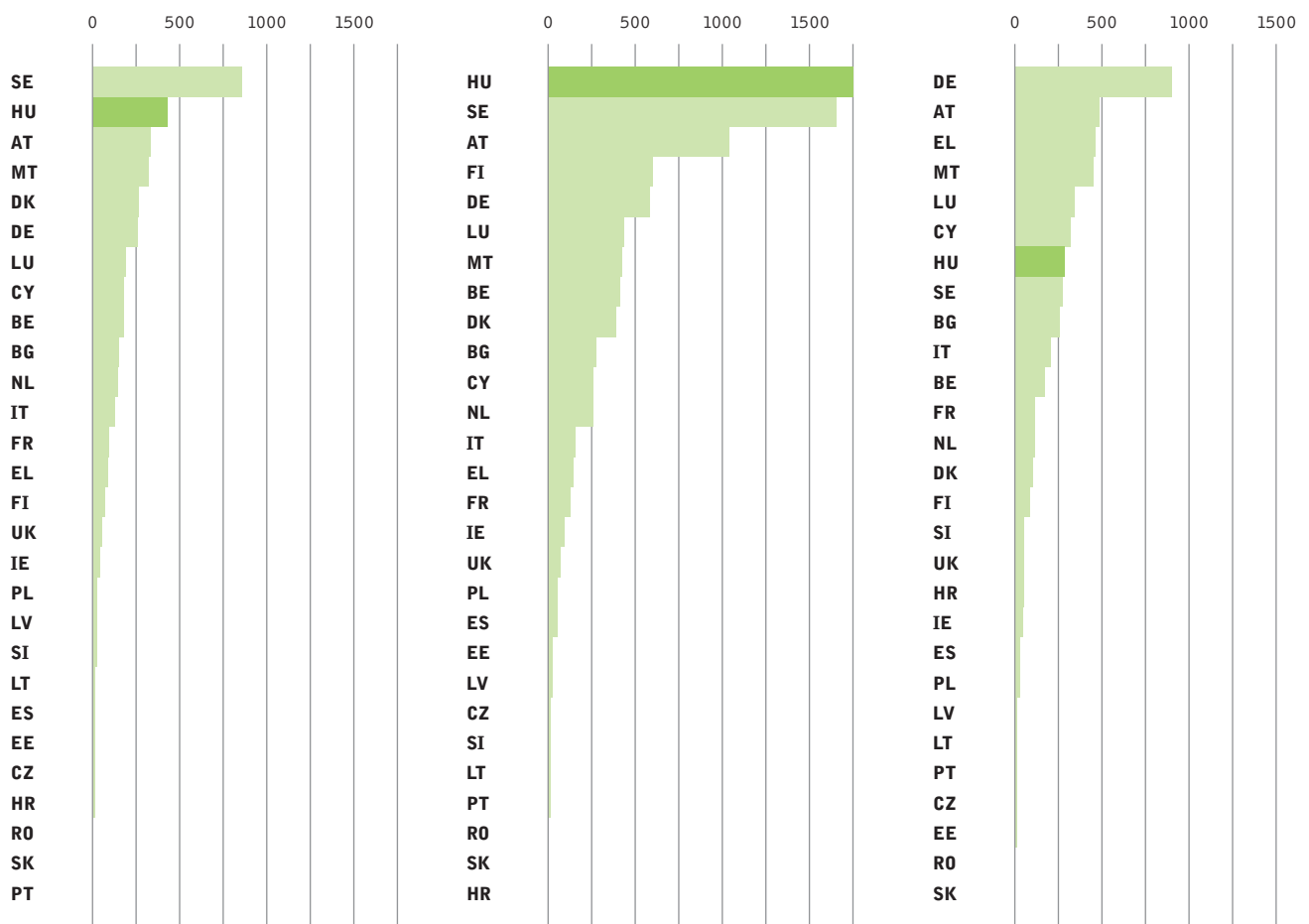
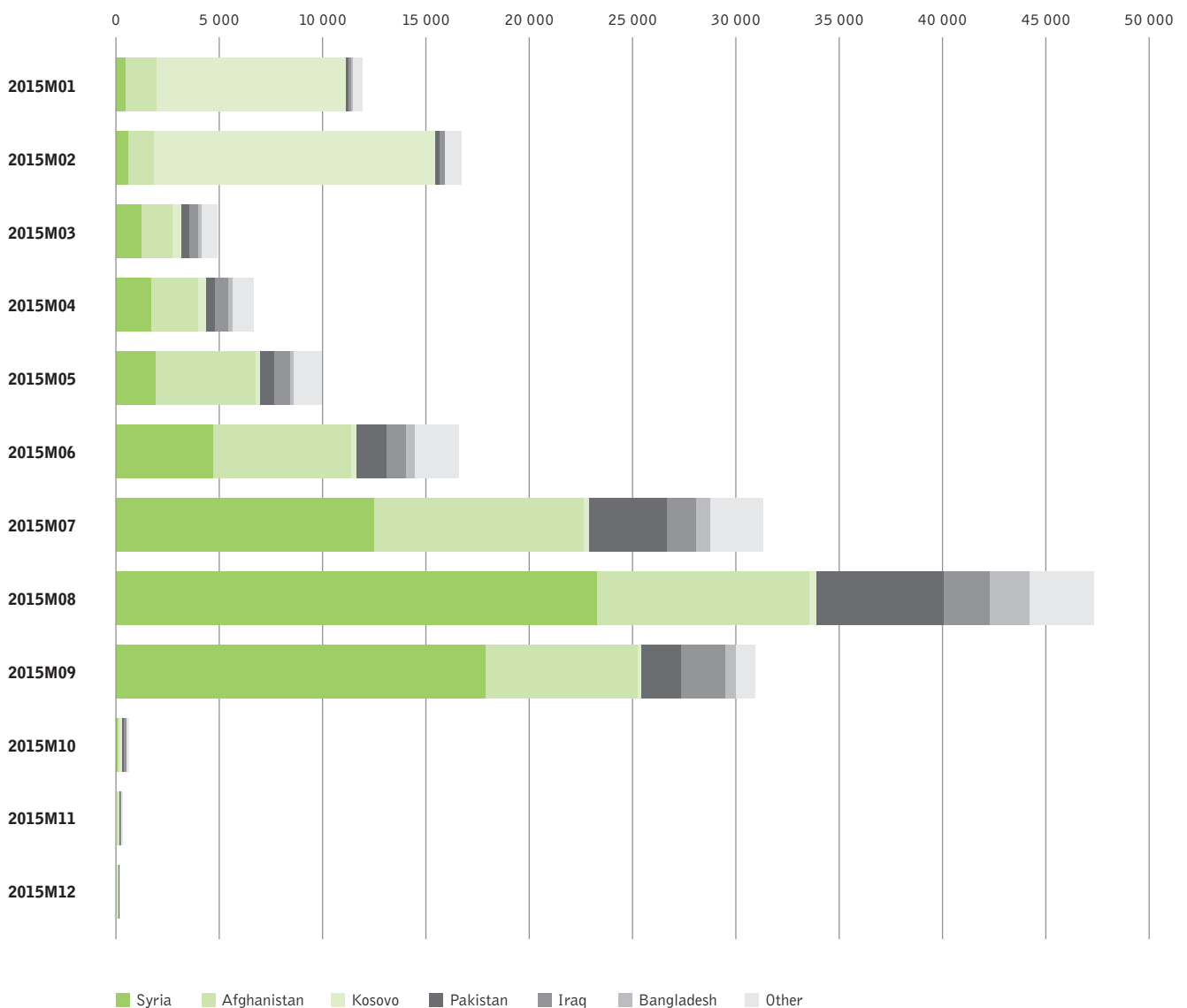


Table 2 – Number of decisions issued by the immigration authority and proportion of applications granted each status

	2014 ⁷	2015 ⁸	2016 ⁹	Jan–Jul 2017 ¹⁰
Recognised refugee	240	146	154	61
Recognised subsidiary protected person	236	356	271	383
Recognised as person authorised to stay ¹¹	27	6	7	20
Cancellation	23,406	152,260	49,479	1,895
Rejection	4,553	2,917	4,675	2,503
TOTAL	28,462	155,685	54,586	4,074
Kinds of decisions issued (percentage of decisions other than Cancellation)				
Recognised refugee	4.7%	4.3%	3.0%	1.2%
Recognised subsidiary protected person	4.7%	10.4%	5.3%	3.1%
Recognised as person authorised to stay	0.5%	0.2%	0.1%	0.3%
Rejection	90.1%	85.2%	91.5%	95.4%
TOTAL	100%	100%	100%	100%

Figure 2 – Asylum applicants in Hungary, 2015, by citizenship

Source of data: Eurostat



It is unknown how many people may have travelled through the country during 2015 without having been registered. While the government denies it, there must have been a large number of asylum-seekers who crossed the country prior to the construction of the border fence. The government is right to claim that Hungarian authorities made much more serious efforts to register refugees than their Greek counterparts or the authorities in the non-EU Balkan states. This is also indicated by the volume of asylum applications submitted in Hungary, which is a large number even in international comparison.

During 2015 there were major shifts with respect to asylum-seekers' countries of origin. In the first two months of the year, asylum-seekers from Kosovo were in the majority, but starting in the spring the number arriving from Syria, Iraq, Afghanistan and Pakistan increased dramatically.¹²

This is important because in the first half of 2015 Orbán cabinet officials claimed that most arrivals to Hungary were not fleeing war and thus qualified as "economic migrants". By mid-year this argument had become untenable; therefore, from then on

the Hungarian government reasoned that before reaching Hungary the asylum-seekers had passed through safe countries, i.e., they should not be considered refugees for that reason. By the end of the year, following the Paris terror attack, such discussions had disappeared from the public discourse and terrorism became increasingly conflated with refugees. Looking at the year as a whole, the data show that most refugees arriving in Hungary came from two countries: Afghanistan and Syria.

7 Immigration and Asylum Office, 'A Magyarországra Érkezt Menedékkérők Számának Alakulása, 2013–2014.'

8 Immigration and Asylum Office, 'A Magyarországra Érkezt Menedékkérők Számának Alakulása, 2014–2015.'

9 Immigration and Asylum Office, 'A Magyarországra Érkezt Menedékkérők Számának Alakulása, 2015–2016.'

10 Immigration and Asylum Office, 'A Magyarországra Érkezt Menedékkérők Számának Alakulása, 2016. I–IV. Hónap – 2017. I–IV. Hónap.'

11 2014-ben: visszaküldés tilalmának önálló megállapítása

12 'Asylum and First Time Asylum Applicants by Citizenship, Age and Sex Monthly Data (Rounded)' (Eurostat), accessed 25 June 2017, <http://bit.ly/2BjX9Zr>

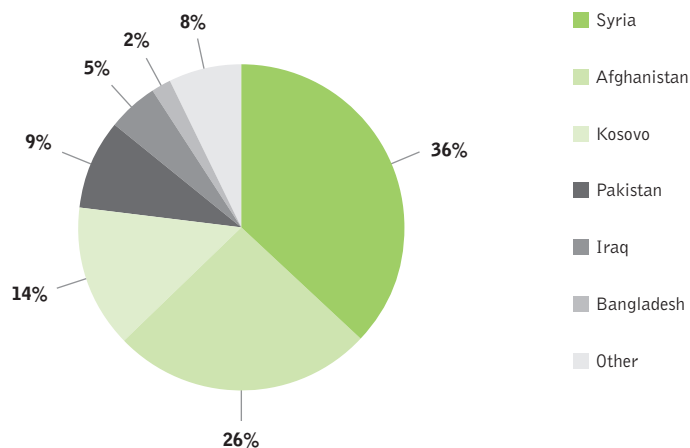
Table 3 – Number of immigrated and settled persons staying longer than three months

Source of data: Office of Immigration and Nationality

Type of status	As of 31 July, 2017 ¹³	As of 31 December, 2016 ¹⁴	As of 31 December, 2015 ¹⁵	As of 31 December, 2014 ¹⁶
Immigration Permit	4,877	4,893	5,073	37,528
Permanent Residence Permit	2,312	2,515	2,726	2,973
Residence Permit	56,465	54,814	45,497	40,269
National Residence Permit	90	135	242	439
Registration Certificate	110,467	107,633	112,752	101,071
Permanent Residence Card	18,126	17,953	18,960	17,563
Residence Card for Third Country National Family Member of a Hungarian Citizen	5,423	5,315	3,932	1,805
Residence Card for Third Country National Family Member of an EEA Citizen	700	675	434	171
EC Permanent Residence Permit	677	653	574	529
National Permanent Residence Permit	26,003	18,154	10,755	7,387
Interim permanent residence Permit	13	11	7	3
Holding an ID card as Refugee	1,833	1,833	1,804	1,743
Holding an ID card as Subsidiary Protected Person	1,542	1,540	1,366	1,130
Persons authorised to stay	49	48		61
TOTAL	228,577	216,172	204,122	213,354

Figure 3 – Asylum applicants in Hungary, 2015, by citizenship (in per cent)

Source of data: Eurostat



Concerning the dynamics, the high number of Kosovars arriving in the first two months of 2015 presented the first major challenge for the Hungarian authorities. Subsequently, illegal border crossings decreased until the summer. In June, the numbers started to rise again and those coming from war zones became the majority. Arrivals peaked in September and early October, and eventually subsided at the end of October after the fence closed the southern border with Croatia and Serbia. The table below, however, clearly shows that this government measure and those preceding it had all but no effect on the migration process. In fact, the fence along Hungary's southern border with Serbia temporarily increased the refugee flow, and the border was effectively closed only once the fence along the Croatian border

13 Immigration and Asylum Office, 'A Magyarországra Érkeztet Menedékkérők Számának Alakulása, 2016. I–IV. Hónap – 2017. I–IV. Hónap.'

14 Immigration and Asylum Office, 'A Magyarországra Érkeztet Menedékkérők Számának Alakulása, 2015–2016.'

15 Immigration and Asylum Office, 'A Magyarországra Érkeztet Menedékkérők Számának Alakulása, 2014–2015.'

16 Immigration and Asylum Office, 'A Magyarországra Érkeztet Menedékkérők Számának Alakulása, 2013–2014.'

Table 4 – Foreign nationals residing in Hungary

Source of data: KSH

	As of 1 January 2014		As of 1 January 2017	
	Number	Proportion	Number	Proportion
Europe	101,538	72%	99,950	65%
Asia	28,832	21%	41,600	27%
of whom: China	12,716	9%	20,700	13%
America	5,102	4%	5,450	4%
Africa	4,492	3%	5,900	4%
Australia and Oceania	572	<1%	700	<1%
TOTAL	140,536	100%	153,600	100%

was completed. The abrupt end to the flow clearly shows that Hungary was never a target country. Had it been one, the border closure would never have been so effective. The move only worked because it is possible for refugees to plan routes that avoid Hungary altogether.

That Hungary is not a target country is also well-illustrated by additional data. With respect to legal immigration, there have been no significant developments. In 2014 a little more than 200,000 people resided in Hungary with the permission of the Immigration Authority, around 3,000 of whom had refugee status. Their number has increased only minimally since, from 2,934 at the end of 2014 to 3,424 by 31 July 2017.

With respect to foreign nationals residing in Hungary the National Statistical Office's (KSH) data¹⁷ indicate that 1.6% of the population falls into that category, of whom 65% are European, and many are resettled Hungarian-minority citizens coming from neighbouring countries. Since 2014 the number of foreign citizens has increased by 13,000. The Chinese community living in Hungary has grown the most, by almost 8,000.

Based on the latest census, aside from foreign citizens and accounting for all those who have acquired Hungarian citizenship in the meantime, 392,000 foreign-born persons resided in Hungary for more than three months in 2011, and this number has not significantly increased since. It is also important to note that this group includes many people who arrived before 1989 and ethnic Hungarians arriving from across the borders.

In other words, Hungary has not become a "host country" during the current refugee crisis. In fact, it could never have become one because it has simply functioned as a way station along an established migration route leading to Western Europe. With respect to longer-term trends, Hungary's appeal as a target country is actually declining. In the 1990s, the migration balance in the country was clearly positive: at that time there was intense immigration primarily involving ethnic Hungarians coming from just across the border, while emigration either stagnated or increased (albeit temporarily). Since the mid-2000s, according to the SEEMIG project¹⁸ and mirror statistics, the migration bal-

ance has been becoming increasingly negative partly because of a drop/stagnation in immigration and as a result of higher emigration. With respect to global migration, the biggest problem facing the country is not immigration but a steady rise in emigration.¹⁹ In early 2013, at least 350,000 Hungarian citizens who had left Hungary between 1989 and 2012 were living abroad worldwide.²⁰ Today, the number of Hungarian citizens living abroad is estimated at 500,000 at least. This indicates that with respect to migration Hungary is engaged in an unequal exchange. Immigrants are far from replacing emigrants number-wise. With this persistently deteriorating migration balance, Hungary's population loss might accelerate, the elderly might increase their population share (as young people are most likely to migrate), and social security systems might experience further severe dysfunctions.²⁰

17 KSH, 'STADAT – 1.7. Foreign Citizens Residing in Hungary by Continents, Countries, Sex', accessed 27 June 2017, http://www.ksh.hu/docs/eng/xstadat/xstadat_annual/i_wvn001b.html.

18 SEEMIG is a strategic project funded by the European Union's South-East Europe Programme aiming to better understand and address longer-term migratory, human capital and demographic processes of South-East Europe, as well as their effects on labour markets, national and regional economies. The main goal of the project is to empower public administrations to develop and implement policies and strategies by using enhanced datasets and empirical evidence.

19 Erzsébet Földházi, Branislav Bleha, Branislav Sprocha, and Boris Vanos. "Population Projections for Hungary and Slovakia at National, Regional and Local Levels." SEEMIG project, 2014. www.seemig.eu.

20 SEEMIG. "A Press Conference Was Organised at the Hungarian Central Statistical Office (H-1024 Budapest, Keleti Károly Utca 5-7.) on Wednesday, 15 October 2014 about Emigration from Hungary." 15 October 2014., accessed 22 December 2017, <http://www.seemig.eu/downloads/pressroom/SEEMIGpressmaterialBudapest15October2014.pdf>

21 Attila Melegh. "Hungary in the Context of Global Migration." *Eszmélet*, 16 June 2015., accessed 22 December 2017, <http://eszmelet.hu/melegh-attila-magyarorszag-a-nemzetkozi-migracio-rendszereben/>.

Hungary's unique position

With respect to the refugee crisis, compared to other European Union members, Hungary occupies a unique position in the sense that while it was heavily involved in the 2015 refugee crisis, this has in no way compensated for the migration trends that have been evolving over many years. Hungary became a frontline country without any immigrants; its exposure was comparable to Greece and Italy even though, with respect to all other migration indicators, it remained similar to the Eastern European member states that have not been affected much by the number of refugee arrivals. This unique, intermediate situation has led to some important consequences:

1. The refugee arrivals did not correspond to the migration patterns previously experienced by the Hungarian public. One can trace the political hysteria whipped up by the refugee crisis and its larger-than-expected impact and explanatory power to the xenophobic government campaigns appealing to public apprehensions that preceded it.²²
2. The Machiavellian nature of the Orbán cabinet's campaigns, their extremist style, and their extremist messages were made possible, among other factors, by the fact that Hungary actually has no significant immigrant presence. Consequently, Hungarian society has no realistic picture of immigrants and no first-hand experience with them, and the government did not have to face punishment by immigrant voters. Furthermore, the Orbán cabinet had no difficulty declaring war on "political correctness" due to Hungary's weak political culture. Because the immigrant population is insignificant, the government does not have to take into consideration the risks of being denied re-election that immigrant voters would pose.
3. Within global migration patterns, various European countries are attached to distinct, historically evolved subsystems. Within these, in genuine target countries there are migration networks that new arrivals can successively join. In some places, these networks are based on the country's colonial past (e.g., France), in others on a decades-long guest worker system (e.g., Germany), and in still others they are based on seaborne refugee routes, which are better established than land routes. Hungary is unique in this respect, so the Orbán cabinet could implement measures (e.g., border closings) that would have been less effective elsewhere.
4. Due to Hungary's unique position, the Orbán cabinet's refugee and asylum policy has become relevant in the international arena as well. The Hungarian government was right to point out that for a long time EU officials paid exclusive attention to the effects of high numbers of refugees arriving in Italy and Greece via maritime routes and ignored the fact that Hungary was also exposed to severe pressure from refugees using land routes. This has been acknowledged by the EU and core country leaders, and, as a result, the European Commission recommended in late September 2015

that Hungary also receive preferential treatment along with Greece and Italy, so that it would not be required to admit anyone and that other member states would take in 54,000 refugees residing in Hungary at the time.

However, also due to its unique position, and despite Hungary's preferential status in the EU, the Hungarian government rejected the EU's mandatory refugee redistribution quota system. In a country where 98% of immigration procedures are dropped because the applicant leaves the country, easing other member states' burdens through the quota system offered Hungary few lasting benefits. This also explains why Hungary (which, along with the other Eastern European countries, was not severely affected by the refugee crisis) rejected the quota system. Moreover, once Hungary's international status improved, all the V4 governments joined the Orbán cabinet on this issue after the vote, which was interpreted by the government as a major foreign policy achievement.²³

The effect of the refugee crisis on political attitudes and preferences related to migration

Migration patterns and politics mutually interact, and this was also the case with the 2015 refugee crisis. In Hungary, the public discourse interpreting the refugee crisis was largely shaped by politics, especially by targeted government campaigns. Below we shall examine five aspects of these shifting political attitudes and preferences related to migration: (1) public perception, (2) xenophobia, (3) policy-making, (4) party politics and (5) the political system.

Public perception

Migration is increasingly seen as a major challenge throughout Europe. In the May 2015 Eurobarometer survey it was already considered the most important topic in Europe on average EU-wide, while in 2014 it had ranked only fourth (behind economic issues). Previously, respondents had considered immigration an urgent issue in only four EU member states, but by May 2015 the topic had moved to the top in 20 member states. Compared to the EU average, there was an even more significant shift in Hungary. While in 2013 only 3% said immigration was among the top three challenges facing Europe, in May 2015 this figure had reached 65%.

22 Ildikó Barna and Bulcsú Hunyadi, 'Report on Xenophobia and Radical Nationalism in Hungary (January–June 2015)', 2015, accessed 22 December 2017, http://www.politicalcapital.hu/wp-content/uploads/Xenophobia%20and%20Radical%20Nationalism%20Report_Hungary.pdf.
23 Eric Maurice, 'Visegrad States Meet on Refusal of Refugee Quotas', 2015, accessed 22 December 2017, <https://euobserver.com/migration/130115>.

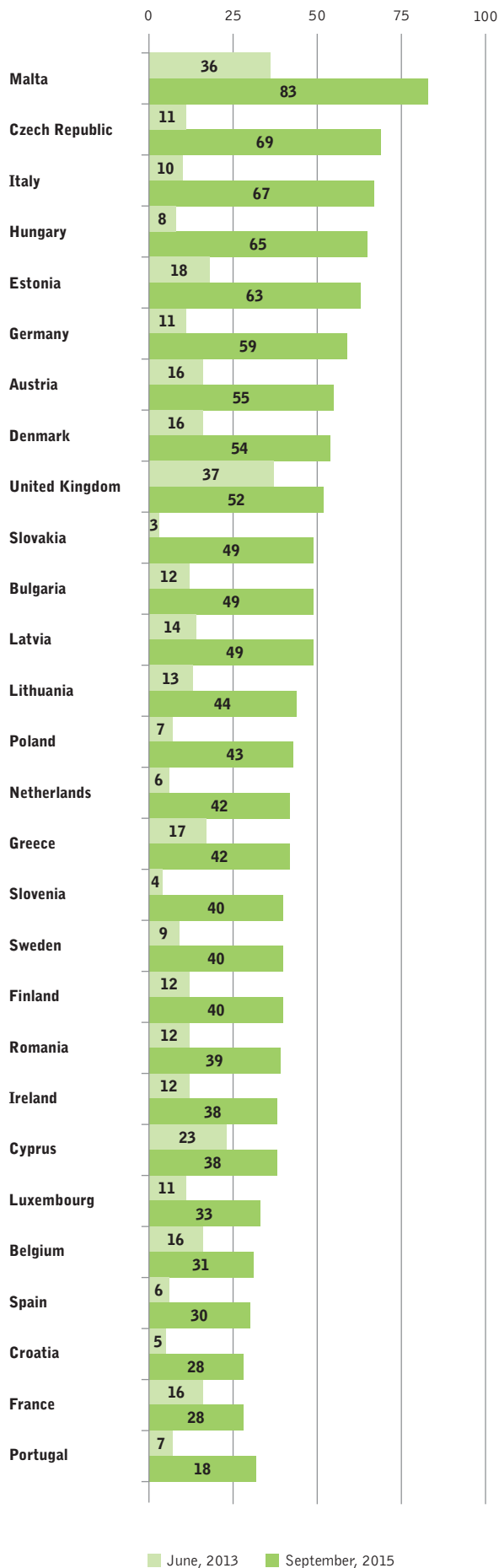


Figure 4 – Mention of immigration among the three main challenges the EU faces (in per cent)

Source: Eurobarometer/ European Parliament EB/EP 84.1

Moreover, this dramatic shift in Hungary took place over a short time. According to Eurobarometer figures published in May 2015,²⁴ in the spring respondents considered unemployment to be the most urgent problem in Hungary, and only 13% placed immigration among the top three most important problems. However, by the fall that number had already jumped to 65%, and with respect to terrorism as a problem the corresponding figure in Hungary had increased from 5% to 29%, while traditionally important economic and social issues declined slightly.

This shows that in Hungary the greatest change with respect to public attitudes on immigration occurred at the level of perception. No doubt the Hungarian government’s summer anti-immigrant campaign, rising refugee numbers, and asylum-seekers’ visibility all played a major role in this shift.

Hungarian citizens perceived immigration as one of the most important problems facing the country in 2017 as well. In the Standard Eurobarometer survey based on data gathered in May 2017, 27% of Hungarian respondents believed that immigration was one of the two most pressing problems. Hungarians only considered health and social security to be more important problems in the country (41%).²⁵

Among problems facing the European Union, Hungarian respondents believed immigration and terrorism were the most pressing by far. The former was mentioned by 60%, the latter by 55%, among the two most important problems in May 2017. The perceived predominance of these two issues is clearly indicated by the fact that the next-most-pressing problem, the economic situation, was mentioned by only 14% of respondents.²⁶

²⁴ European Commission – Directorate-General for Communication. “Public Opinion in the European Union – First Results,” 2015., accessed 22 December 2017, http://ec.europa.eu/public_opinion/archives/eb/eb83/eb83_first_en.pdf.

²⁵ ‘Public Opinion – European Commission (What Do You Think Are the Two Most Important Issues Facing (OUR COUNTRY) at the Moment?)’, accessed 27 June 2017, <http://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Chart/getChart/chartType/gridChart/themeKy/42/groupKy/208/savFile/54>.

²⁶ ‘Public Opinion – European Commission (What Do You Think Are the Two Most Important Issues Facing the EU at the Moment?)’, accessed 27 June 2017, <http://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Chart/getChart/chartType/gridChart/themeKy/31/groupKy/188/savFile/5>.

Figure 5 – Main challenges facing the EU and its member states (in per cent, maximum three answers were possible)

Source of data: European Parliament

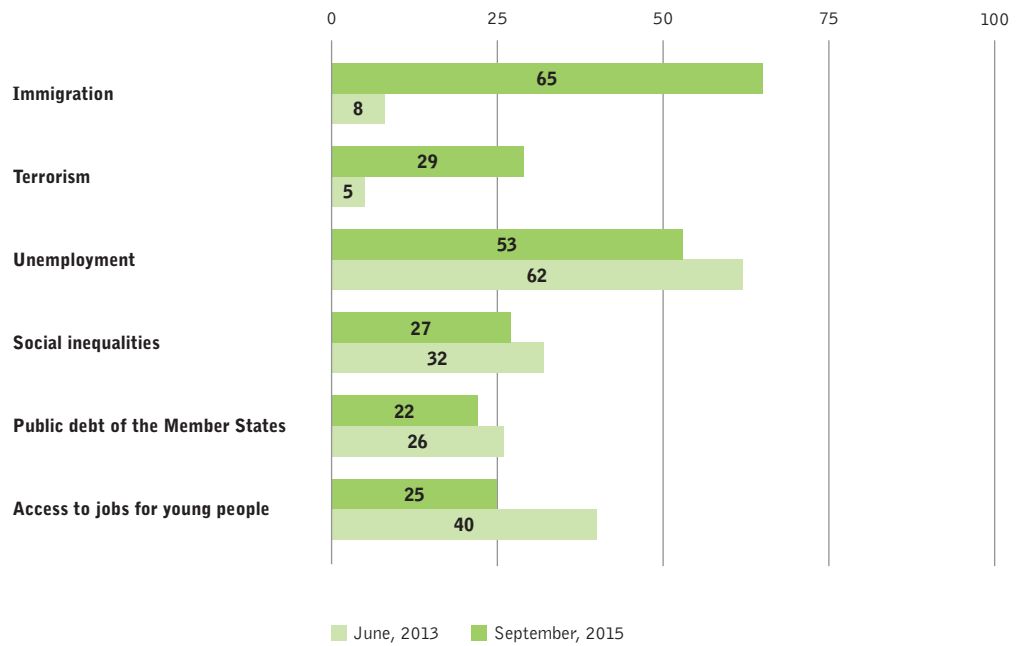


Figure 6 – Most important issues facing Hungary (left chart) and the EU (right chart)

(Top 5 issues mentioned by Hungarian respondents. Source of data: European Commission – Public opinion, Standard Eurobarometer surveys, 2012–2017)

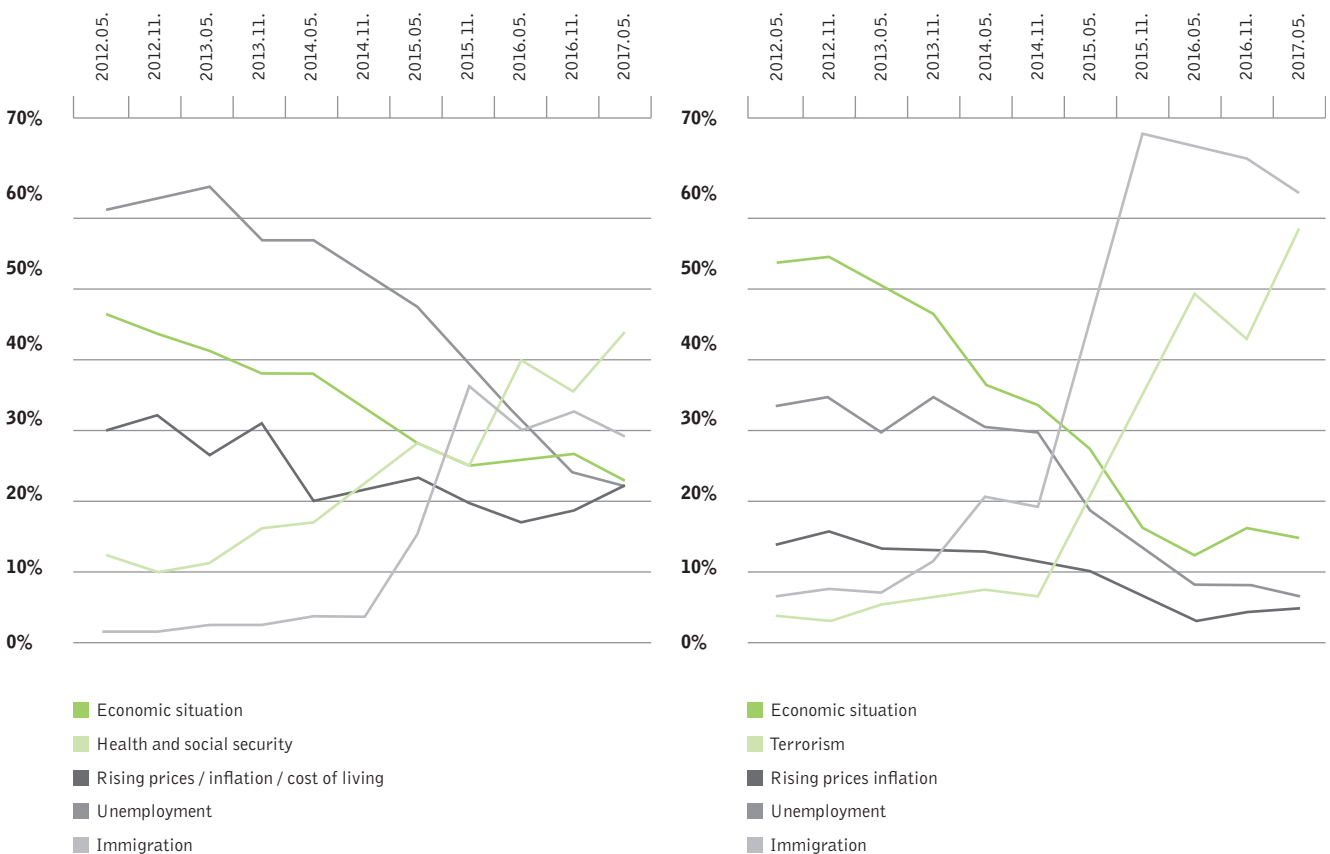
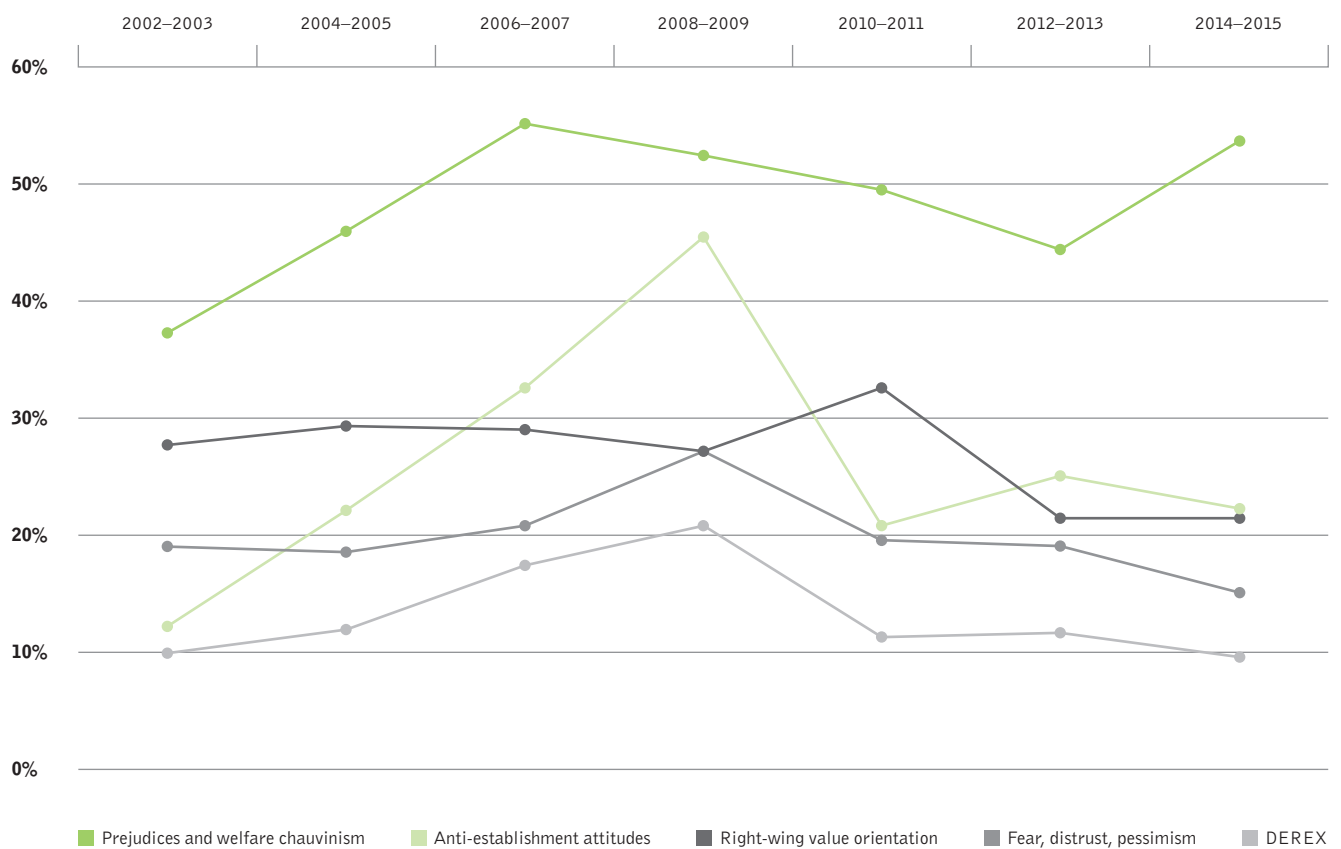


Figure 7 – DEREK scores – Hungary



Xenophobia

According to all domestic and international studies, strong prejudice against minority groups is a significant characteristic of the Hungarian population. One major lesson from the systematic studies conducted since the regime change is that Hungarians are very intolerant (matching other Central and Eastern European countries). This is closely tied to a strong sense of an existential threat. In general, human beings do not tolerate groups they perceive as a threat. Accordingly, it was a foregone conclusion that a campaign built on anti-immigrant sentiment would garner relatively wide support in Hungary.

The European Social Survey data-based Demand for Right-Wing Extremism (DEREK) index's prejudice sub-index measuring demand for the far right has started to rise again in Hungary after a few years' decline. Today it is approaching 2006 levels.

The refugee crisis has transformed the nature of xenophobia in Hungary as follows:

- General fear and distrust of the unknown have been replaced by a specific enemy image: the asylum-seeker.
- This tangible enemy image has become associated with even more specific fears, i.e., the threat of terrorism and crime.
- In the past, distrust has been aimed at potential future arrivals, but now xenophobia has a present, tangible focus.
- Xenophobia and prejudice guided by fear are socially understandable phenomena, especially in Hungary, where the population has scant experience with immigration. Citizens

can hardly be blamed for having developed negative social attitudes on this issue; the main responsibility rests with the politicians exploiting the current situation.

In April 2015 the level of xenophobia reached a peak (at that time) with 46% of respondents being xenophobic²⁷ according to surveys conducted by Tárki, a social research institute. By October of that year, xenophobia had dropped significantly, to 36%. This development turned out to be temporary. In an early 2016 survey, 53% of respondents said they would not allow any refugees to enter Hungary at all. The latest research shows even stronger anti-refugee attitudes in Hungarian society, with 60% being xenophobic. Thus, in January 2017 the majority of Hungarians openly rejected all asylum-seekers, and only slightly more than one-third were willing to consider allowing asylum-seekers to enter Hungary.²⁸

²⁷ Based on Tárki's regular surveys. They ask the following question: "Should Hungary accept asylum-seekers... (all of them/some of them/ none of them)?" Xenophobes are respondents who would allow no refugees to enter Hungary, while xenophiles would accept all refugees. Thinkers are those who select the item: "it depends...", i.e., they express a need for more information before making their decision and are inclined to evaluate the pros and cons.

²⁸ Endre Sík, 'Rekordot Döntött Az Idegenellenesség Magyarországon', 2017, accessed 22 December 2017, <http://nepszava.hu/cikk/1119911-rekordot-dontott-az-idegenellenesség-magyarorszagon>.

Figure 8 – Ratio of xenophobes, xenophiles and thinkers, 1992–2017 (in per cent)

Source of data: Táarki

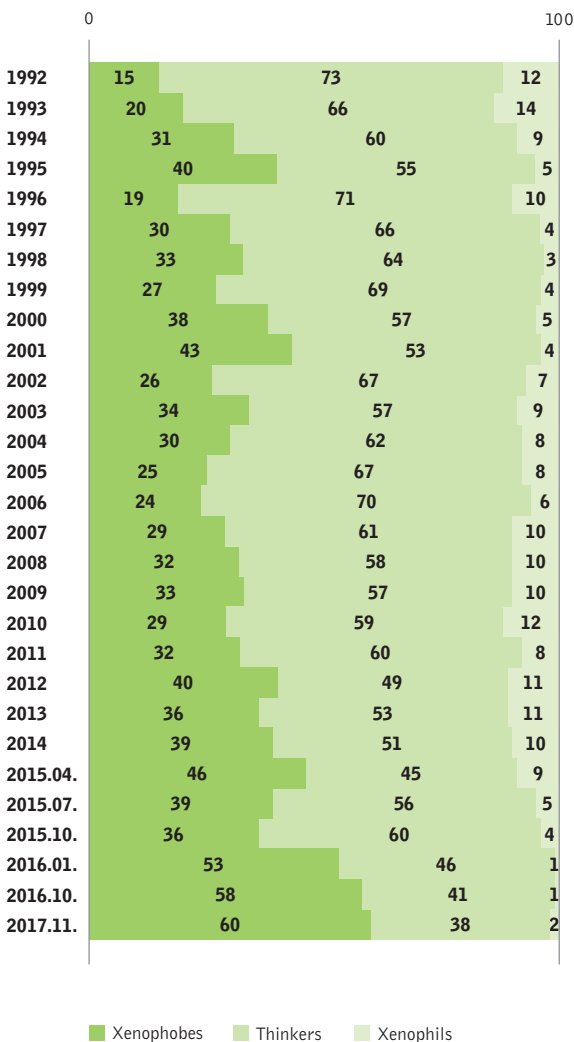
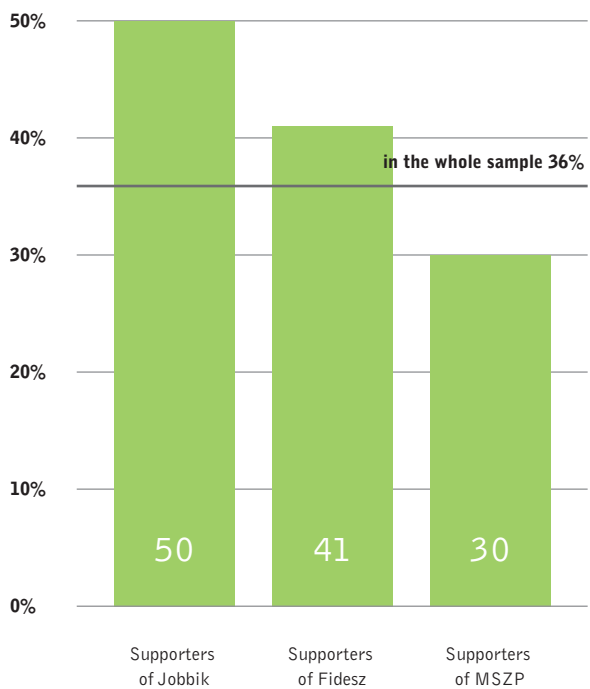


Figure 9 – Ratio of xenophobes among supporters of Fidesz, Jobbik and MSZP in October 2015 (in per cent)

Source: Táarki



Party preferences play an important role in both xenophobic and xenophilic attitudes. Among xenophobes, Jobbik voters are heavily overrepresented, Fidesz voters are moderately overrepresented, and MSZP voters are underrepresented. Education and age also play an important role in the formation of xenophobic or xenophilic attitudes. Similarly to other measurements on prejudice in Hungarian society, it is visible that the less educated – especially those who only completed eight grades in elementary school – are more likely to be xenophobic than the more educated stratum of society.²⁹

Policy-making

At the level of policy-making there are major differences in Europe between Eastern and Western European countries. Western European countries are divided when it comes to managing the refugee crisis: in many places, large blocks of the population criticise their governments' activities. Measures are seen as too soft or too harsh, including measures taken by the Hungarian government.³⁰ The EU's Eastern member states take a more unified stance against accepting refugees and against certain solutions proposed by the European Commission.

In Hungary, support for binding quotas was 47% in autumn 2015, the ninth-lowest figure. Of the 53% opposed to binding quotas, only 45% could be considered to be firmly opposed, and close to 8% were unable to take a clear position. This shows that the Hungarian public was rather divided on the issue at that time and was not categorically opposed to the quota system.

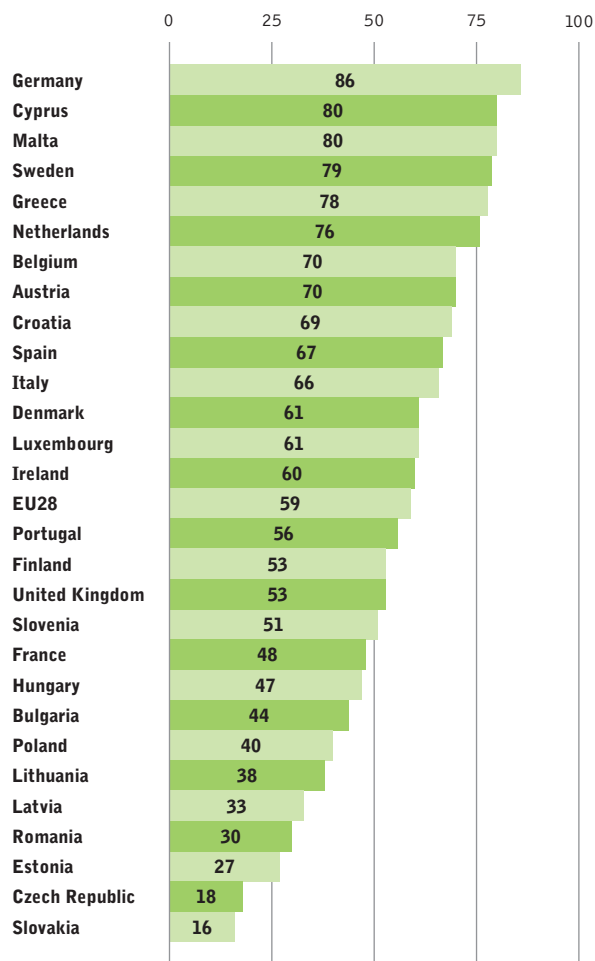
Back in 2015 Hungary did not stand out among Eastern European countries and the Hungarian public was even somewhat less vehement than other Eastern Europeans in rejecting EU recommendations. In other words, in this context the Hungar-

29 Endre Sík, Bori Simonovits, and Blanka Szeitl, 'Az Idegenellenesség Alakulása És a Bevándorlással Kapcsolatos Félélmek Magyarországon És a Visegrádi Országokban', *Regio 24. Évf. (2016) 2. Szám 81–108.*, accessed 26 June 2017, <http://dx.doi.org/10.17355/rkkpt.v24i2.114>.

30 Attila Gyulai, Márton Bene, and Veronika Patkós. "Politics and Migration." Budapest: MTA, 2015., accessed 22 December 2017, http://mta.hu/data/cikk/13/70/8/cikk_137008/_gyulai.pdf.

Figure 10 – Support for binding quotas (in per cent)

Source: European Parliament Eurobarometer EB/EP 84.1

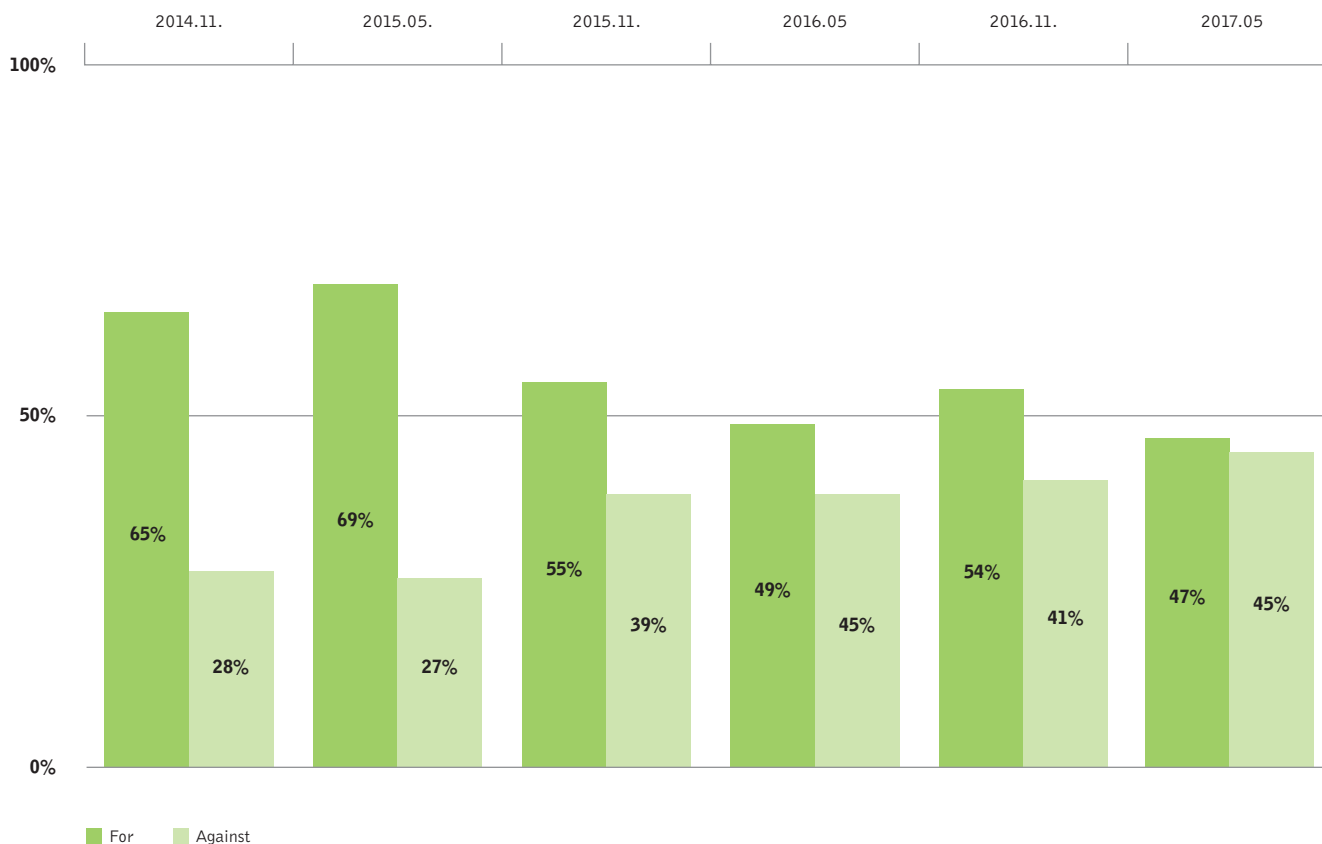


ian government was more hostile to the solutions proposed by the European Commission than was the Hungarian public. With its autumn 2015 anti-quota campaign, the government was not simply trying to benefit from existing opposition but apparently wished to see the public take an even more defiant position on this issue. In this it has proven rather successful, as is indicated by the studies introduced below.

Migration-related public opinion poll outcomes may be significantly influenced by the way the questions are posed. This is well-illustrated by a poll conducted by a Hungarian think tank with close ties to the government, Századvég, in early November 2015, where – in contrast to the European Parliament survey presented above – a single question was used to assess public opinion (“Do you tend to agree or disagree with a plan to distribute migrants arriving in the European Union based on a mandatory quota system?”). Close to two-thirds (65%) tended to disagree, while those in agreement were significantly fewer (30%). In short, in the two studies support for quotas shows a significant discrepancy, 47% in the first study and 30% in the second one.

Looking at domestic studies, according to a July 2015 survey by the pro-government Századvég think tank, 86% of those defining themselves as right-wingers, 32% of self-defined left-wingers and 53% of self-defined centrists supported the fence along the Hungarian-Serbian border. According to a survey conducted in late September 2015 asking about the planned fence construction along the Croatian border, 66% supported the plan (86% on the right, 39% on the left and 63% in the centre). According to a survey published on 24 September 2015 by Nézőpont (another Hungarian think tank close to the government), 87% were opposed to illegal immigration, 55% supported the border fence, and 28% supported the EU’s quota system. According to an Ipsos survey, between June-July and September 2015 there was a slight increase in the perception that migrants posed a threat to Hungary and thus should not be allowed to enter the country (from 64% to 67%), while 53% believed the individuals arriving on the continent at the time were motivated by war and 28% thought that economic and financial considerations were more dominant, with the latter position enjoying a majority only in the Jobbik camp.

The intensive, persistent government communication campaign built on fear had a significant effect on the population’s views on

Figure 11 – Opinions on a common European policy on migration in Hungary, 2014–2017Source: European Commission – Public opinion, Eurobarometer surveys³¹

migration and on the government's measures during 2016 and 2017 as well. According to a public opinion poll from June 2017,³² 85% of respondents were afraid that terrorists might be hiding in the immigrant wave. Two-thirds of them believed that the issue would pose a problem to the country in the next ten years. It is no coincidence that 81% supported the fence on the southern border and 87% opposed binding refugee quotas. The latter opinion is shared even by a majority of left-wing opposition parties' (MSZP, DK, LMP, PM, Együtt) supporters (58%).

Party politics

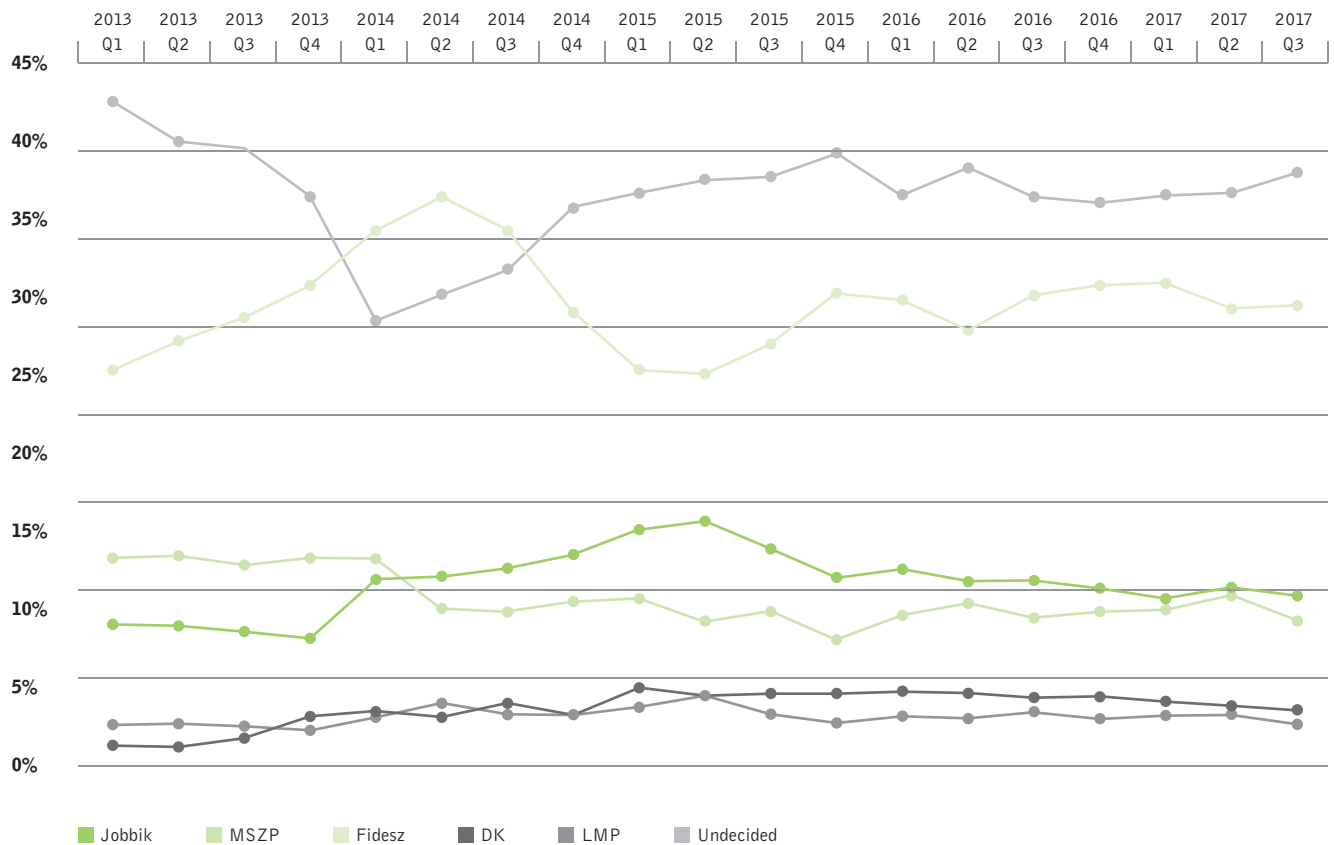
Experience in Europe over the past 40 to 50 years shows that European governments have all but no influence on migration patterns, whether they are driven by refugees or labour migrants. The main reason for this is that individual nation-states cannot effectively influence global migratory patterns. Consequently, more politicians see an excellent opportunity to exploit the problems accompanying increased arrivals in order to reap short-term political gains for themselves. Since the 1970s, parties opposing all immigration have emerged in all European countries. While

their agendas have mostly been adopted by mainstream political forces, the problems accompanying increased arrivals have not dissipated by any appreciable measure. Tightening immigration regulations over the decades has proven ineffective and there is no evidence that, on their own, the European nation-states can regulate global migration patterns at all. As a result, political competition with the anti-immigration parties demands ever-tighter, more visible controls. Among other measures, governments prefer to pass the buck to the EU system. The short-term

³¹ 'Public Opinion – European Commission (What Is Your Opinion on Each of the Following Statements? Please Tell Me for Each Statement, Whether You Are for It or against It. A Common European Policy on Migration)', accessed 27 June 2017, <http://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Chart/getChart/chartType/gridChart//themeKy/29/groupKy/180/savFile/646>.

³² Nézőpont Intézet, 'Tízboldi Közel Kilencen Kvótáellenesek', accessed 27 June 2017, <http://nezopointintezet.hu/analysis/tizbol-kozel-kilencen-kvotaellenesek/>.

Figure 12 – Average popularity of parties among all eligible voters (in per cent, based on the average results of surveys conducted by Medián, Néz pont, Publicus, Republikon, Századvég, Tárki and Ipsos/Závecz Research)



objective is to take a popular position while not actually addressing these problems. The Hungarian ruling party is well aware of this and, not oblivious to its own political interest, launched its communication campaign using increased arrivals to Hungary as a pretext. On the defensive in autumn 2014, Fidesz used this method in an effort to regain the political upper hand, to recapture the political initiative and to eliminate from the public discourse all other issues that may have hurt the party's interests.

From the party politics perspective, however, current developments point beyond competition with Jobbik and involve a broader objective. Viktor Orbán and his party have a well-tested strategy of dividing the political arena into the "pro-national" and "anti-national" fields, and insist on parsing all issues along this fault line. Anyone questioning a position taken by Fidesz is automatically and without argument relegated to the "anti-national" camp and considered to be a "foreign agent". By the end of 2014, domestic party politics had turned its back on this fault line that had been so convenient for Fidesz; it became increasingly less plausible that the Orbán cabinet was indeed the sole representative of the "national interest". This is why the

governing parties seized on the refugee crisis; with a campaign built around this issue, the entire left-wing opposition as well as civil society and right-wing activists criticising the government could all be defined as "pro-foreigner".

Fidesz's efforts paid off inasmuch as it managed to increase its support base by 5-6%, while its major challenger from the right, Jobbik, could not exploit the migration issue and in fact lost some supporters. The fragmented left-wing opposition was forced into an unpopular, reactive role and its support has essentially stagnated.

Politics and policies

Orbán's political strategy

The Viktor Orbán-led governing party's political strategy is to polarise society along political dividing lines. The main principle of this strategy is that Fidesz splits the political field into "national" and "anti-national" sides and then tries to divide every political issue based on this dichotomy. If someone contests Fidesz's viewpoint, they are almost automatically put into the "anti-national" group regardless of their arguments, because in the view of Fidesz the Orbán government is the only voice of the Hungarian national interest. The government has implemented this strategy effectively since 2015 even with regard to the European refugee crisis. In a series of campaigns, they sent a message to citizens suggesting that leftist parties, civil society and human rights groups "sided with the aliens". As the prime minister has said, "the Hungarian left-wing [...] would today welcome aliens with open arms. These people, these politicians, simply do not like Hungarians and they dislike them because they are Hungarians."³³ Ideologically, this strategy is not simply built on xenophobia and nationalism; it is based on a more complicated worldview. We can call it Orbánism. Orbánism, similarly to Putinism, is based on a closed, traditionalist worldview, and a sort of urban-rural division. It contrasts the values, principles and relations that it considers "natural" with the "unnatural" liberal abstractions which originated in the age of enlightenment. It can be considered an anti-Western ideology preferring national collectivism over individualism and human rights: an ideology that favours an authoritarian state over liberal democracy and order over freedom. In conclusion, the politics of Viktor Orbán is built on the logic of generating conflicts rather than reaching some kind of nationwide consensus. This is obvious both in his domestic and EU-level strategy, as he does not wish to solve conflicts; rather, he seeks to generate new ones in order to set the political agenda and in so doing to encourage impressionable voters to side with him.

Orbán's strategy on the refugee crisis aims at continuously generating conflict between the Hungarian government and EU institutions. After the anti-refugee campaigns in 2015, the European Union, George Soros and Soros-funded NGOs became the main targets of government communication in 2016 and 2017. The Orbán government's primary argument against the EU and George Soros is that they – in cooperation with one another – want to settle "migrants" in Hungary. The government organised a referendum and then a national consultation to drive these arguments home.

In the referendum held on 2 October 2016, Hungarian citizens could express their opinion on whether the EU should be allowed to order the "mandatory settlement" of non-Hungarian citizens in Hungary without the consent of the National Assembly. The referendum ended up being invalid because less than half of all eligible voters cast a valid ballot. 98% of the 3.2 million voters who answered the question validly voted no, however, enabling the governing party to claim the invalid referendum as a victory.³⁴

A few months later, in March 2017, the Hungarian government launched a national consultation entitled "Let's stop Brussels" with six questions. The questionnaires reached every household in Hungary. The consultation featured numerous factually false claims.³⁵ One such claim was that "Brussels wants to force Hungary to allow illegal immigrants to enter our territory". The government declared that the consultation, concluded at the end of May, had been record-breaking due to the fact that 1.5 million citizens returned the questionnaires – although this figure cannot be verified independently.

After the Court of Justice of the European Union (CJEU) struck down the Hungarian-Slovak lawsuit against the relocation of asylum-seekers from Greece and Italy in September 2017, the Orbán government announced that it would organise a new national consultation on the so-called "Soros plan". The government's interpretation is that EU institutions wish to accelerate the approval of a mandatory, permanent quota system based on the redistribution of asylum-seekers. According to government statements, the essence of the "Soros plan" is to bring one million illegal immigrants to Europe, and the CJEU's verdict has also facilitated the execution of the "American speculator's plan".³⁶ All this indicates that Fidesz wants to make the refugee issue and migration the focal point of the 2018 general election campaign.

Asylum policy: securitisation

As a result, the government's politics fit into the securitisation narrative both policy-wise and rhetorically, and it can be adequately described in this context:³⁷

33 'Orbán Viktor: A baloldal azért nem szereti a magyarokat, mert magyarok', <http://mandiner.hu/>, 2015, accessed 22 December 2017, http://mandiner.hu/cikk/20150727_orban_viktor_a_baloldal_azert_nem_szereti_a_magyarokat_mert_magyarok.

34 '7 Állítás a Népszavazásról / 7 Statements about the Referendum', PC, 2016, accessed 22 December 2017, <http://pcblog.atlatszo.hu/2016/10/03/7-allitas-a-nepszavazasrol-7-statements-about-the-referendum/>.

35 'Lássuk a Tényeket: Az Európai Bizottság Válasza a Nemzeti Konzultációra' (European Commission, 2017), accessed 22 December 2017, https://ec.europa.eu/commission/sites/beta-political/files/commission-answers-stop-brussels-consultation_hu.pdf.

36 'Nemzeti konzultáció a Soros-tervről: minden, amit tudni kell', <http://www.origo.hu/>, 2017, accessed 22 December 2017, <http://www.origo.hu/itthon/20170914-ezert-kell-nemzeti-konzultacio-a-soros-tervroel.html>.

37 Attila Juhász and Edit Zgut, 'Recent Changes in Refugee-Related Policies in Hungary', [cepol.org](http://www.cepol.org), 2017, accessed 29 June 2017, <http://www.cepol.org/publications/recent-changes-refugee-related-policies-hungary>.

- The government shut down the country's largest open-door refugee reception centre in Debrecen in late 2015, causing a significant downgrade in the refugee system's capabilities from that point onwards. In spring 2016 this was followed by the closure of the reception centre in Nagyfa, and the temporary tent camp set up in Körmend was turned into a permanent installation. In December 2016, the government shut down yet another reception centre, namely the relatively well-equipped camp in Bicske.
- The government abolished the integration benefit in June, which had previously served the purpose of helping individuals under international protection. The message of the move was consistent with the government's narrative: it considers integration impossible and it is unwilling to support this process in any way.
- The government implemented new measures in late 2016: since then, individuals may only file asylum applications in the transit zones at Röszke or Tompa, which are only open during public offices' opening hours, meaning that applications can only be submitted on weekdays. According to the Hungarian Helsinki Committee, ten individuals per day are allowed to pass through the fence at both Röszke and Tompa on average, meaning that the refugee system has practically ceased to exist.³⁸
- Several humanitarian and human rights organisations³⁹ claim Hungarian authorities beat, assault and sometimes cause serious injury to migrants. Asylum-seekers claim that uniformed Hungarian border protection forces frequently beat them, use rubber truncheons or let their dogs loose to chase after them near the Serbian border. Media sources suggest that Belgrade has had to treat an increasing number of injured asylum-seekers who claim Hungarian police have harmed them since February 2017.⁴⁰ Hungarian authorities reject these allegations and the government consistently characterises them as political attacks aimed at discrediting border protection forces. No substantial investigation into these claims has been launched by Hungarian authorities so far.
- Hungarian far-right paramilitary organisations have admitted to having played a role in attacking asylum-seekers around the border area. A recording demonstrates that the leader of the Army of Outlaws (Betyársereg), Zsolt Tyirityán, discussed the inability of the Hungarian mainstream political elite to "handle the migration crisis" and argued for the necessity of the Outlaws' involvement.⁴¹ Tyirityán claims that those in power "approached him personally". After his statement hardly any immigrants were able to move around freely on Hungarian soil, and members of the above-mentioned organisation primarily spent time in Jobbik-affiliated Mayor László Toroczkai's settlement, Ásotthalom.⁴² Later, authorities rejected the allegations of having contacted the organisation and ultimately even the Army of Outlaws did so.⁴³ It is unrealistic that any government organisation would have approached the Outlaws considering the fact that the Hungarian secret service has paid close attention to the organisation, including during the refugee crisis.⁴⁴ Moreover, in September 2015 László Toroczkai tried to prevent members of the above-mentioned organisation from beating refugees near the southern border, although this obviously does not render it impossible that the Army of Outlaws or other extremist groups may have attacked refugees before or after that point in time.⁴⁵
- The most recently approved refugee policy-related measures from March 2017 imposed further restrictions on asylum-seekers.⁴⁶ First, the police have been authorised to take every foreigner residing in Hungary illegally to the other side of the border fence, thus the amendment has extended the scope of the "8-kilometre rule" implemented in July 2016. Second, asylum-seekers allowed into the transit zones are now kept

38 'A Menekültvédelem Jövője Magyarországon' (Hungarian Helsinki Committee, 2017), accessed 22 December 2017, http://www.helsinki.hu/wp-content/uploads/A_menekultvedelem_jovoje_Magyarorszagon_Web_black.pdf.

39 Catholic Relief Services (CRS, Katolikus Segélyszolgálat), Jezsuita Menekültsegítő Szolgálat [Jesuit Refugee Aid Service] (JRS), Human Rights Watch, Helsinki Bizottság [Helsinki Committee], Orvosok Határok Nélkül [Doctors without Borders]

40 'Flyktningarna: den ungerska polisen misshandlar och torterar oss', Aftonbladet, 2017, accessed 22 December 2017, <https://www.aftonbladet.se/a/noLbn>.

41 "I can say very proudly that the Army of Outlaws played a substantial role in handling the refugee crisis and with those in power approaching us personally. Obviously, this is connected to the fact that they cut back Homeland Defense so severely they needed this self-organised circle of civilian sportsman to be where they were needed when they were needed in a given situation." <http://www.atv.hu/belfold/20160720-tyirityan-arendszer-a-betyarsereget-is-megkereste-a-migransvalsag-megoldasara/hirkereso>

42 'Nagyon berágott Toroczkaira a Betyársereg', 13 July 2015, accessed 22 December 2017, http://index.hu/belfold/2015/07/13/beragott_a_betyarsereg_toroczkaira/.

43 'Felharsantak jerikó harsonái – az ATV gyilkossággal vádolja a Betyársereget | Betyársereg', 2016, accessed 22 December 2017, <http://betyarsereg.hu/felharsantak-geriko-harsonai-az-atv-gyilkossaggal-vadolja-a-betyarsereget/>.

44 Juhász and Zgut, 'Recent Changes in Refugee-Related Policies in Hungary'.

45 'Nagyon berágott Toroczkaira a Betyársereg'.

46 Juhász and Zgut, 'Recent Changes in Refugee-Related Policies in Hungary'.

in custody and they can only leave the transit zones “through the exit” in the direction of Serbia or Croatia. Adult refugees, refugees with families and unaccompanied minors over 14 are all subjected to detention without the possibility of any legal remedy. The government has referred to the crisis caused by mass immigration as the reason for the implementation of these rules, although currently there are barely 300-400 asylum-seekers in the country.⁴⁷

- The immediate detention of asylum-seekers is prohibited under EU law. The European Commission thus launched an infringement procedure because of the law approved in March 2017. The views of the Commission and Hungary are so far apart in this case that there is a good chance this debate too will end up before the European Court of Justice. Regarding this, Viktor Orbán clearly indicated at the EU summit in June 2017 that as long as his government is in power, Hungary will not take in a single refugee based on its obligations to the EU. Therefore, it is easily conceivable that for the first time in EU history a European Union member will go against a decision handed down by the EU’s court. The discussion is made completely redundant by the fact that while EU institutions view the case as “simply” a matter testing the European legal system’s operation, the Hungarian government sees it as an identity policy issue and is focusing on garnering political benefits. The Hungarian prime minister made the following statement during the EU summit: “There are countries who believe this is a question of solidarity, or a technical issue. These are generally the countries that allowed these people to enter their territory, and now they demand that the people be taken away. We, however, believe this is a question of identity. It is impossible that someone can tell us who to live with. This is a question of this country’s identity, and we have no intention of changing our identity.”⁴⁸ This also demonstrates that the Hungarian government regularly and intentionally, for political purposes, confuses the regulation requiring Hungary to receive 1,294 immigrants with the completely stalled proposal on the automatic, permanent quota system. Thus, the Hungarian public is not fully informed of the fact that the only quota system currently in force affecting Hungary allows for the transfer of asylum-seekers to the country solely from Italy and Greece, and not from “Western countries” in general.

Asylum policy in international context

The government’s new measures have succeeded in further degrading the much-criticised situation of refugees in the country.⁴⁹ In fact, the European Court of Human Rights (ECHR) denounced the laws that had been in effect before the new one was approved.⁵⁰ The ECHR ruled against Hungary in a case involving the border defence laws introduced in September 2015. The case in question is *Ilias and Ahmed v. Hungary* and concerns two Bangladeshi citizens who submitted their asylum applications and were then held in a transit zone on the Ser-

bian-Hungarian border for 23 days before being expelled from the country. Consequently, the applicants turned to the court in Strasbourg, which ruled against Hungary. In turn, Fidesz parliamentary group leader Lajos Kósa called the decision “maddening” because “Hungary was punished for obeying the Schengen and Dublin regulations”.⁵¹ The party called upon the Hungarian government to appeal the decision. Fidesz’s approach is questionable because neither the Schengen nor the Dublin regulations demand or in any way permit the illegal detention of any individual of any nationality. Additionally, the Hungarian Helsinki Committee warns⁵² that the newly enacted regulation does actually question whether Hungary is fulfilling the obligations conferred upon it by the above-mentioned regulations because individuals expelled from Hungary undergo no background checks, they are not registered in any system and their data is neither recorded nor checked in any database.

The situation is further complicated by the fact that dozens of European courts have ruled that Hungary is not a safe country for asylum-seekers⁵³ because of ill-treatment and, most importantly, the transit zones. A number of these decisions were taken in the case of specific individuals who cannot be sent back to Hungary as a result of these rulings. Other decisions are general in nature, and prohibit governments from sending any asylum-seekers back to Hungary.

47 “NEM” a menedékkérők tömeges elzárására!; Magyar Helsinki Bizottság (blog), 6 March 2017, accessed 22 December 2017, <https://www.helsinki.hu/nem-a-menedekkerok-tomeges-elzarasara/>.

48 Péter Magyar, ‘Orbán Rendkívüli Ígéretet Tett: Ha Nem Tetszik Neki, Akkor Nem Tartja Be Az EU Bíróságának Az Ítéletét’, 444, 28 June 2017, accessed 22 December 2017, <https://444.hu/2017/06/28/orban-rendkivuli-igeretet-tett-ha-nem-tetszik-neki-akkor-nem-tartja-be-az-eu-birosaganak-az-iteletet>.

49 Juhász and Zgut, ‘Recent Changes in Refugee-Related Policies in Hungary’.

50 Gábor Miklósi, ‘Strasbourg: Magyarország megsérti a menedékkérők jogait’, 14 March 2017, accessed 22 December 2017, http://index.hu/belfold/2017/03/14/strasbourg_magyarorszag_megserti_a_menekultek_jogait/.

51 ‘Kósa agyremnek nevezte a strasbourgi bíróság döntését’, Hír TV, 26 March 2017, accessed 22 December 2017, <https://hirtv.hu/ahirtvhirei/kosa-agyremnek-nevezte-a-strasbourgi-birosag-donteset-1391633>.

52 ‘Kettős Üzenet Közvetít Migrációs Ügyben Az Orbán-Kormány’, PC, 2017, accessed 22 December 2017, <https://pcblogger.atlatszo.hu/2017/03/28/kettos-uzenetet-kozvetit-migracios-ugyben-az-orban-kormany/>.

53 ‘Italy: Hungary Is Unsafe Country for Transferring Asylum Seekers under Dublin Regulation | European Council on Refugees and Exiles (ECRE)’, 2017, accessed 22 December 2017, <https://www.ecre.org/italy-hungary-is-unsafe-country-for-transferring-asylum-seekers-under-dublin-regulation/>.

Additionally, the Hungarian government passed a decree in 2015 designating Serbia a safe country, which means that anyone arriving in Hungary from there can be sent back to submit an asylum-application there. Since then, Hungarian authorities' decisions have been practically automatic in the case of refugees arriving from Serbia: if they somehow got past the fence, they are detained for illegal border crossing, which usually involves them being transported right back to Serbia. If they are among those who can legally submit an asylum application at Röszke or Tompa (i.e., they are among the approximately 10 people whom the Hungarian system accepts each day), the authorities conclude that they came from a safe country, and thus there is no reason to grant them asylum. However, since this decree has been in force, Serbia no longer re-admits refugees from Hungary (except for Kosovars). In theory, people may only be sent back to another state if the relevant authorities of the receiving country indicate that they will accept them. This is precisely the reason why the Hungarian government invented the transit zones. It says the asylum-seekers staying there are not on Hungarian territory, and thus the interpretation of the Orbán cabinet is that people leaving these zones to the south are not being sent back; they are simply not allowed to enter Hungary. In terms of international law this is a grey area, and the individuals told to leave Hungary are essentially pushed back into Serbian forests. Therefore, the European Commission not only objects that refugees are being subjected to detention in the transit zones, but also that they have only limited opportunities to appeal their expulsion. At this time, the courts cannot re-write the procedures of the asylum office; they can only order it to repeat the process.

The Hungarian example also demonstrates that the EU's asylum system is often impossible to adhere to: the redistribution of refugees among member states and towards transit countries is legally impossible, as there have been numerous court verdicts in Germany and Austria barring the respective governments from sending refugees back to Hungary. The Hungarian government and its allies claim that the quota system is a bad solution because it does not solve the refugee crisis in general; it only generates tensions in even more societies. Instead, people should be stopped outside the EU. From the Hungarian government's perspective, this is what policy-makers should focus on and money should be spent to achieve this goal. This is also why Viktor Orbán regularly discusses the need for military intervention in Libya, although the international prerequisites for this have not been met.

The importance of the asylum issue in terms of the political system

The conflict between the protection of minorities and the majority's views, the unconditional adherence to human rights standards, and the politically constructed, nation-, ethnicity- or culture-based will of the majority are of systemic importance.⁵⁴ Governments can refer to the democratic will of the majority and some form of a "special state" to degrade human rights and pro-

cedural norms – the foundations of liberal democratic states. The Hungarian government is in fact using the issue of migration to deliberately transform the political system.

A number of NGOs have become targets of the government by criticising Hungarian authorities and the cabinet's refugee policies.⁵⁵ Civil society actors have attempted to offset the negative effects of the refugee crisis and have helped refugees to deal with their day-to-day problems, while in other cases NGOs have tried to improve the transparency of the Hungarian government's decisions.⁵⁶ As a result, the Orbán government believes that these organisations have deviated from its definition of "acceptable" conduct. Several NGOs are being targeted by the government for their projects, and are being labelled "foreign agents" who serve foreign powers and "the international political elite's" efforts to restrict the sovereignty of nation-states. Therefore, the government has managed to expand the number of securitised issues, which now include civil society as well.

⁵⁴ Juhász and Zgut, 'Recent Changes in Refugee-Related Policies in Hungary'.

⁵⁵ Ibid.

⁵⁶ Ibid.

Regional Outlook

Anti-immigrant attitudes: regional trends

The Visegrád countries have traditionally been more hostile towards migrants due to the fact that the ethnically diverse character of Central European societies ceased at the end of the Second World War. Although Central European countries lack significant foreign-born populations and have mainly been unaffected by the “refugee crisis”, xenophobic sentiment is widespread in the region.

According to a comparative study conducted by Tárki in 2015, strong prejudice against minority groups is a highly visible trend in the region. This indicates that V4 societies are worried about migration on multiple levels. For instance, they believe that immigration degrades public safety and that migrants spread disease.⁵⁷

Anti-immigrant attitudes are unrelated to the actual presence of immigrants; rather, these attitudes often present themselves as a symbolic fear of the unknown fostered by political forces for domestic political purposes. Similarly, while legislation on counter-terrorism activities has been strengthened throughout Europe, in Western Europe the changes reflect a high level of existing threats and are embedded in stable democratic systems. In the Visegrád region, however, the proposed amendments mainly serve symbolic goals and have been built into systems with weaker institutional development. This securitisation of the debate enables politicians to portray themselves as leaders who deliver results; thus, they can stay in power longer by exploiting the public’s fears.⁵⁸

How the refugee crisis has affected Visegrád cooperation

During the refugee crisis, cooperation within the Visegrád Group has gained considerable significance for the Orbán government because opposition to the quota system based on the mandatory relocation of refugees has provided an opportunity for it to promote the V4 as a sort of alternative centre of power to the Western EU member states. The Hungarian prime minister has said that “everything is cracking to the west of us”, comparing this situation to that of the V4, a group fervently opposed to refugee quotas, which he tries to cast as a protector of national traditions, Christianity and security. Migration-related policies implemented by the Hungarian government also figured in the resolution approved by the European Parliament calling for sanctions against Hungary over rule-of-law-related concerns.⁵⁹ Orbán remarked that “Brussels is openly on the side of terrorists” in light of EU officials’ criticism of Hungary’s detention of a Syrian currently facing terrorism charges for illegally crossing the border, Ahmed H.⁶⁰

Orbán’s view is that the EU has been relegated to the role of a regional player due to Brussels’s failed migration strategy. What should be considered now is therefore what the European Union

needs to do to become a global player once again.⁶¹ Orbán, who had already been pursuing anti-migration policies before the wave of refugees set off from the Middle East,⁶² has increasingly conceived of the Visegrád Group as a tool in his “freedom struggle” against Brussels. This effort has certainly been noticed by diplomatic circles in Warsaw, at least this is what is suggested in a December 2016 study by the Polish Foreign Policy Institute (PISM), a background institution of the Polish Foreign Ministry. In the study, the authors warn that during the refugee crisis Hungary strengthened its position within the V4, and as a result Budapest is viewed in the EU as the driving force behind the group.

During Bratislava’s EU presidency, however, Hungary’s northern neighbour was eager to tone down its migration-related rhetoric. Bratislava was aiming to find a common solution to the “refugee crisis” and calm down the debate at the EU level. The existence of differences within the V4 was also confirmed by the “flexible solidarity” concept introduced by the Slovak presidency, under which each country would have had to accept a minimal number of refugees relocated from other member states. This proposal was opposed by Hungary,⁶³ among others.

57 Endre Sik, Bori Simonovits, and Szeidl Blanka, ‘Az Idegenellenesség Alakulása És a Bevándorlással Kapcsolatos Félélmek Magyarországon És a Visegrádi Országokban’.

58 Csaba Molnár and Bulcsú Hunyadi, ‘Central Europe’s Faceless Strangers: The Rise of Xenophobia’ (Freedom House, 2016), accessed 22 December 2017, https://freedomhouse.org/sites/default/files/July12016_xenophobia_final_brief_FH.pdf.

59 Lili Bayer, ‘In Unprecedented Vote on Hungary, European Parliament Calls for Triggering Article 7,’ The Budapest Beacon, 17 May 2017, accessed 22 December 2017, <http://budapestbeacon.com/featured-articles/unprecedented-vote-hungary-european-parliament-calls-triggering-article-7/46861>.

60 ‘Hungarian PM: EU ‘Openly on the Side of Terrorists,’” *LifeZette*, 12 June 2017, accessed 22 December 2017, <http://www.lifezette.com/poli-zette/hungarian-pm-european-union-openly-side-terrorists/>.

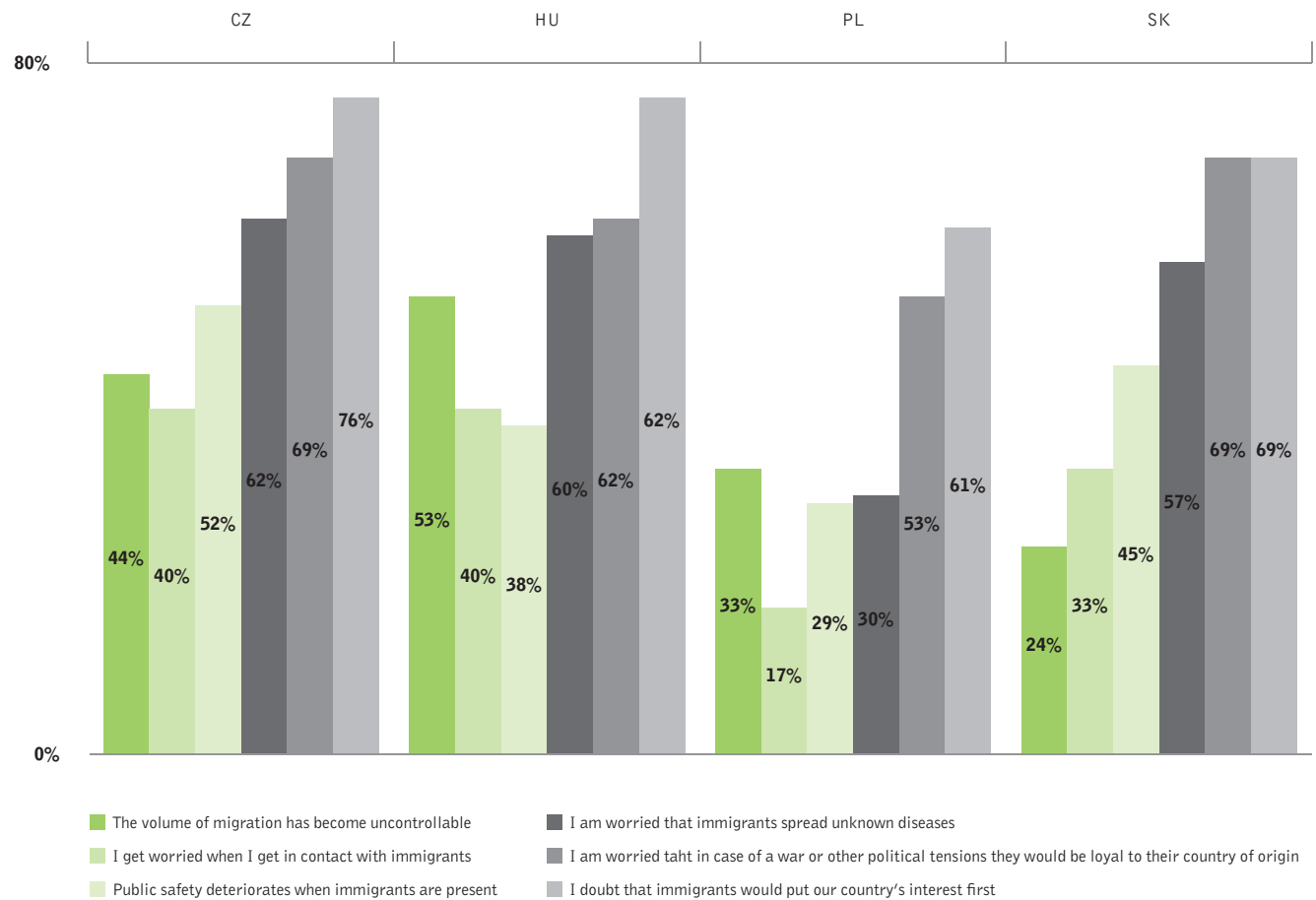
61 ‘Orbán: Az EU Drámai Helyzetbe Jutott,’ *MNO.Hu*, 21 July 2016, accessed 22 December 2017, <https://mno.hu/kulfold/orban-az-eu-dramai-helyzetbe-jutott-1353019>.

62 ‘Kiket Fognak Megállítani a Rácsok? 24.hu,’ *24.hu*, 15 June 2017, accessed 22 December 2017, <http://24.hu/belfold/2015/02/12/kiket-fognak-megallitani-a-racsok/>.

63 ‘Nem Ízlik Budapestnek Az Új Szolidaritási Recept,’ *Bruxinfo*, 2 December 2016, accessed 22 December 2017, <http://bruxinfo.hu/cikk/20161202-nem-izlik-budapestnek-az-uj-szolidaritasi-recept.html>.

Figure 13 – Abstract and concrete fears in connection with immigrants in the Czech Republic, Slovakia, Poland and Hungary; proportion of those who “completely agree” or “agree” with the statement that...

Source of data: Sik – Simonovits – Szeidl



Budapest and the other Visegrád countries see the solution to the “refugee crisis” in the establishment of hotspots outside of the Schengen Area and not in the distribution of asylum-seekers among member states. “No one can be forced to settle someone in their country; aid must be taken to where the problem is, meaning that asylum applications must be decided on outside of the EU,” stressed Zsolt Csenger, the Fidesz-affiliated vice president of the Hungarian National Assembly’s foreign policy committee.⁶⁴

Hungarian Minister for Trade and Foreign Affairs Péter Szijjártó keeps repeating that the Visegrád Group “stands united” on the issue of migration.⁶⁵ Although the V4 continue to strongly oppose any and all versions of the compulsory refugee relocation scheme, the respective countries have different approaches when it comes to migration policies in domestic affairs. An examination of migration-related government policies in the respective countries reveals that even though they all agree that redistribution should not be obligatory, obvious differences have emerged within the Visegrád Group. The main dividing line is between the slightly more moderate Slovak and Czech governments on the one hand, and the more anti-immigrant, ideologically-driven Hungarian and Polish governments on the other.

At the same time, economic migration is considered mainly by Poland and the Czech Republic to be a possible solution to demographic challenges. In the former, however, it has been clearly noted that foreigners from Eastern Europe are preferred over other groups. Even though Fidesz insists it wants to solve Hungary’s demographic problems through family policies rather than immigration, and aims to remedy labour shortages by boosting population growth, the Hungarian government has launched a campaign to recruit workers from Ukraine, albeit unsuccessfully.⁶⁶

⁶⁴ ‘Visegrád and Migration: Few Prospects for a Change in Position’, *EURACTIV.Com*, 16 January 2017, <https://www.euractiv.com/section/global-europe/news/visegrad-and-migration-few-prospects-for-a-change-in-position/>.

⁶⁵ ‘Szijjártó: A Migráció Témájában Kristálytisza a Visegrádi Egység’, 12 June 2017, accessed 22 December 2017, <http://www.korkep.sk/cikkek/kulugyek/2017/06/12/szijarto-a-migracio-temajaban-kristalytisza-a-visegrad-egyseg>.

⁶⁶ Bence Stubnya, ‘Ukrán Migránsokat Hoz a Kormány, Titokban Vendégmunkaprogram Indult’, 22 September 2016, accessed 22 December 2017, [http://index.hu/gazdasag/allas/2016/09/22/ukran_migransokat_hoz_a_kormany_az_oroszagba_titokban/](http://index.hu/gazdasag/allas/2016/09/22/ukran_migransokat_hoz_a_kormany_az_oroszagba_titokban/http://index.hu/gazdasag/allas/2016/09/22/ukran_migransokat_hoz_a_kormany_az_oroszagba_titokban/).

Slovakia

Despite being pro-European, Slovakia's governments have been tough on the EU with regard to asylum since the crisis erupted in 2015. PM Robert Fico has spoken about EU dictates since the very beginning and Bratislava filed a lawsuit against the European Union in the case of the temporary relocation scheme approved by the Council of the European Union in September 2015.⁶⁷

It is important to note that there was a difference in the rhetoric of the Slovak government at the height of the country's parliamentary election campaign at the beginning of 2016 and right before the Slovak EU presidency began on 1 July. Robert Fico began his third term as prime minister in May 2016 by stressing that "[i]t may look strange but sorry... Islam has no place in Slovakia".⁶⁸ During the election campaign the anti-immigrant rhetoric became harsher and more visible, and the centre-left SMER-SD discussed the issue in the context of security and the "cultural incompatibility" of largely Muslim migrants.⁶⁹

The Slovak government has been following a double-edged strategy on the EU and asylum: first and foremost, Bratislava, as a Eurozone member, strives to earn a place in the core group in a possible future multi-speed Europe, and has therefore attempted to maintain a constructive attitude at the EU level with respect to the refugee quota issue. Consequently, the Slovak presidency proposed a "flexible solidarity" scheme focused on allowing member states to choose their own path to contribute to EU solidarity instead of being forced to accept refugees under the mandatory relocation scheme. Later, the Slovak presidency changed the expression from "flexible" to "effective" but kept the core message, i.e., "all member states should take part in one form or another in this collective effort" even if a state is unwilling to participate in the quota mechanism.⁷⁰

Moreover, despite its harsh anti-immigrant and anti-quota rhetoric, Bratislava has been cooperating on several levels to help asylum-seekers. For example, Slovakia voluntarily resettled 149 Iraqi Christians, pledged to take in 100 refugees from Greece, offered to provide university scholarships to refugees by 2021 and has operated a range of transit centres.⁷¹ Similarly to their counterparts in Hungary, Slovak NGOs and volunteers showed a high level of engagement at the height of the crisis, providing help for refugees on their way to the West via the Balkans.⁷² In addition, Fico made a compromise offer to accept 100 asylum-seekers from Greece and Italy in order to be able to avoid the legal action which the EU has instigated against Budapest, Warsaw and Prague.⁷³

Czech Republic

Approximately 1,500 people apply for asylum⁷⁴ in the Czech Republic each year, but Syrians and Afghans represent only a small number of them. When it comes to mainstream Czech political parties, all of them have employed anti-immigrant

rhetoric to a certain extent. Former Deputy PM and Minister of Interior Andrej Babiš, who has a good chance to win the upcoming general election in October 2017, is constantly making anti-refugee statements and once claimed that the EU's borders should be sealed hermetically to prevent every refugee from entering Europe.⁷⁵ Migration-related debates have been heating up in the Czech Republic partly due to the proximity of the most intensive period of the campaign ahead of the general election in October and the government crisis that erupted in May 2017. As of the beginning of 2017, the political focus had already shifted towards labelling economic migrants as criminals. Afterwards, Prague took an even tougher line on migration by announcing that the Czech Republic would not accept any more refugees as part of the EU's obligatory refugee-relocation quota system.⁷⁶

67 "Reuters. Slovakia Files Lawsuit against EU Quotas to Redistribute Migrants | Reuters," 24 September 2015, accessed 22 December 2017, <http://www.reuters.com/article/us-europe-migrants-slovakia-idUSKBN0TL11K20151202>.

68 Vince Chadwick, "Robert Fico: "Islam Has No Place in Slovakia"" *POLITICO*, 26 May 2016, accessed 22 December 2017, <http://www.politico.eu/article/robert-fico-islam-no-place-news-slovakia-muslim-refugee/>.

69 "Visegrád and Migration: Few Prospects for a Change in Position".

70 "Slovak Presidency Proposes 'Effective Solidarity' on Migration," *EUobserver*, 18 November 2016, accessed 22 December 2017, <https://euobserver.com/migration/135960>.

71 Globsec Policy Institute. "Migration Politics and Policies in Central Europe", 19 May 2017, accessed 22 January, 2018, <http://www.cepolicy.org/publications/migration-politics-and-policies-central-europe>.

72 "Visegrád and Migration: Few Prospects for a Change in Position".

73 "Slovakia's Future Is with Core EU, Not Eurosceptic Eastern Nations: PM", 2017, accessed 4 September 2017, <https://www.reuters.com/article/us-slovakia-politics-eu/slovakias-future-is-with-core-eu-not-eurosceptic-eastern-nations-pm-idUSKCN1AV1YY>.

74 In 2016 a total of 1,475 foreigners sought Czech asylum while asylum was granted to 148 applicants and another 302 were given subsidiary protection for a limited period. Most of them were from Ukraine (506), Iraq (158) and Cuba (85). "Total of 1475 Foreigners Seek Czech Asylum, 148 Gain It in 2016 | Prague Monitor", accessed 4 September 2017, <http://praguemonitor.com/2017/01/18/total-1475-foreigners-seek-czech-asylum-148-gain-it-2016>.

75 Jan Čulík. "Why Is the Czech Republic So Hostile to Muslims and Refugees?," 9 February 2017, accessed 22 December 2017, <http://www.europenowjournal.org/2017/02/09/why-is-the-czech-republic-so-hostile-to-muslims-and-refugees/>.

76 Associated Press, "Czechs Stop Accepting Migrants in EU's Relocation System," *Philstar.com*, 6 June 2017, accessed 22 December 2017, <http://www.philstar.com/world/2017/06/06/1707267/czechs-stop-accepting-migrants-eus-relocation-system>.

Babiš stressed that Prague refuses to accept asylum-seekers because the country does not want to end up like Germany.⁷⁷ The Interior Ministry, led by Social Democrat Milan Chovanec, had curbed migrants' rights even before that with an amendment to the Aliens Act which implemented restrictions on the right to legal counsel in residence proceedings. Moreover, Minister Milan Chovanec has claimed that EU gun control rules need to be challenged so that firearms can be held legally in the Czech Republic when national security is under threat.⁷⁸

Nevertheless, it is necessary to appreciate that the Czech government has made great efforts to upgrade its refugee integration scheme by launching the so-called State Integration Programme (SIP). The aim of the aid provided to successful asylum-seekers is to improve the accessibility of the necessary social services, employment opportunities, language courses, housing, amenities, etc.⁷⁹

It remains to be seen, however, whether Andrej Babiš will steer the Czech Republic farther away from Berlin and reposition the country as a cooperative partner of the Polish-Hungarian illiberal axis. Regardless of the uncertainties arising from the upcoming election in October, unnamed European officials are confident that Prague would still want to join the Eurozone-lane, which proceeds faster with integration. This was recently confirmed in an interview given to a Hungarian weekly by the editor-in-chief of a Czech daily close to election favourite Andrej Babiš.⁸⁰

Poland

Since Law and Justice (PiS) came to power in October 2015, the Polish government has followed a fiercely anti-immigrant policy. In addition to opposing mandatory refugee relocation, Poland has lobbied for increased assistance for refugees' countries of origin and the periphery, and it favours the idea of treating the root causes of the crisis.⁸¹ Poland, one of the member states that has not relocated a single refugee, might hold a referendum on the issue. President Andrzej Duda has stressed that he supports the idea of asking Poles whether they want to receive refugees, albeit not until 2019 and only if migration is still a "problem" at that time.⁸² On 19 June 2017, Poland's Institute for Market and Social Research (IBRIS) conducted an opinion poll on the potential referendum, asking whether the respondent would participate in such a referendum if it were held next Sunday. 53.7% of Poles responded "yes" or "probably", and 46% said "no". Those who said they would participate in the referendum were asked if they were for or against welcoming refugees to the country. 60.4% of these respondents were against and 36.6% were in favour.⁸³

Archbishop Salvatore Pennacchio of the Holy See allegedly sent an official letter to PM Beata Szydło in May 2017. In it, Pennacchio reiterated the Pope's request to take in refugees and asked Poland to start complying with this request and establish a humanitarian corridor. The letter is considered the official start of diplomatic negotiations between the Vatican and Poland.

Even though there has not yet been any official response from Szydło to the Vatican, it looks like the Polish government is moderating its stance on refugees and is beginning to seriously consider establishing a humanitarian corridor in Poland in cooperation with the Catholic Church. In an interview for *Rzeczpospolita*, Szydło said that she is not against the idea of creating humanitarian corridors in Poland.⁸⁴ In accordance with this, the Polish minister of foreign affairs stated that Poland is considering issuing humanitarian visas to wounded victims of the war or traumatised children, thus enabling them to legally enter Poland and seek medical treatment in Polish hospitals. The visas would be valid for one year. However, Warsaw has just started discussions with the Vatican, the Polish Catholic Church and Caritas about how many hospital beds they could provide.⁸⁵ Now that EU

77 Nick Gutteridge in, "'We Don't Want to End up like Germany!' Czech Deputy PM Slams 'inept' EU over Immigration", *Express.Co.Uk*, 20 February 2017, accessed 22 December 2017, <http://www.express.co.uk/pictures/pics/10961/Migrants-Spain-Ceuta-Border-Pictures>.

78 'Czech Parliament Moves to Legalise Firearm Ownership', *BBC News*, 29 June 2017, accessed 22 December 2017, <http://www.bbc.com/news/world-europe-40438378>.

79 Tomas Jungwirth, 'Czech Migration Discourse and Policy: Fuelling the Fire', n.d., accessed 22 December 2017, <http://www.cepolicy.org/publications/czech-migration-discourse-and-policy-fuelling-fire>.

80 Péter G. Fehér, 'A Csehek Kedvelik Orbánt, Mégis Eltávolodnának a V4-Ektől', *Válasz*, 2017, accessed 22 June 2017, <http://valasz.hu/vilag/a-csehek-kedvelik-orbant-megis-eltavolodnanak-v4-ektol-124188>.

81 Justyna Segeš Frelak, 'Migration Climate, Discourse and Policies in Poland', *cepolicy.org*, n.d., accessed 22 December 2017, <http://www.cepolicy.org/publications/migration-climate-discourse-and-policies-poland>.

82 'Polish President Announces Support for Referendum on Refugees', *DailySabah*, n.d., accessed 22 December 2017, <http://www.dailysabah.com/europe/2017/06/08/polish-president-announces-support-for-referendum-on-refugees>.

83 "Sondaż IBRiS: 60,4 Proc. Polaków Nie Chce Przyjęcia Uchodźców," 16 June 2017, accessed 22 December 2017, <http://www.rp.pl/Spoleczenstwo/306159882-Sondaz-IBRiS-604-proc-Polakow-nie-chce-przyjecia-uchodzcow.html>.

84 "Beata Szydło: Czas Limuzyn Się Skończył - Rozmowy Czwartkowe - Rp.pl," 13 May 2017, accessed 22 December 2017, <http://www.rp.pl/Rozmowy-czwartkowe/305109874-Beata-Szydlo-Czas-limuzyn-sie-skonczy.html>.

85 Von Christoph B. Schiltz, 'Kritik Der EU: „Es Ist Nicht Legitim, Polen so Zu Behandeln“', *DIE WELT*, accessed 23 June 2017, accessed 22 December 2017, <https://www.welt.de/politik/ausland/article164696877/Es-ist-nicht-legitim-Polen-so-zu-behandeln.html>.

visa requirements for Ukrainians have been abolished, the Polish government wants to implement new policies to persuade Ukrainians to stay in Poland.⁸⁶ Due to a labour shortage in Poland, the influx of Ukrainian workers is proving politically and economically⁸⁷ useful for the governing PiS party, as it has helped to deflect EU criticism over Warsaw's refusal to accept quotas for Middle Eastern migrants. But in the long run the lifting of EU visa requirements for Ukrainians may encourage them to move to the West rather than to Poland.⁸⁸ Therefore, the main idea is a "green card", which would provide more stable working conditions in Poland and offer the possibility for workers to eventually move their whole families to the country. The "green card" is one of the fundamental elements of Poland's "Responsible Development Plan" which is scheduled to be implemented by 2020.

How the infringement procedure will boost the Hungarian V4 presidency

The European Commission has launched an infringement procedure against Hungary, Poland and the Czech Republic for refusing to participate in the refugee relocation scheme.⁸⁹ In September 2015, EU interior ministers agreed by majority vote that each country must accept a binding number of asylum-seekers in two years to ease the pressure on Greece and Italy. They agreed to relocate a total of about 120,000 refugees out of more than two million people, but only 24,676 migrants had been relocated as of 24 June 2017. Brussels has stressed that only Austria, Poland and Hungary have not accepted any people from refugee camps, while only Malta and Finland have fulfilled their obligations.⁹⁰

Brussels's decision will fuel the Hungarian government's harsh anti-EU rhetoric ahead of upcoming elections in April 2018. Hungarian Minister of Foreign Affairs and Trade Péter Szijjártó complained that the Commission's behaviour was un-European and stressed that Brussels is blackmailing Hungary, to which the country would not yield. He automatically linked the mandatory quota issue with terrorism, stressing that the refugee crisis has to be managed instead of aggravated. Moreover, the Hungarian prime minister has recently opened a new front by asking the Commission to pay 50 per cent of the €800 million Hungary has spent on border protection, a demand which Brussels has rejected.⁹¹

Not only is the Commission's latest decision unlikely to change the Hungarian government's approach to immigration, but the popular backlash could be very strong as well. While the Hungarian government is targeting first and foremost its own core supporters and those of the far-right Jobbik party with the migration issue, anti-immigrant sentiment is widespread across Hungarian society.

The infringement procedure will also help the Orbán government justify its fight against perceived interference in Hungarian domestic affairs by the European Union. Recent measures taken by the EU's executive body will thus provide an impetus for the

Hungarian government's anti-EU campaign, which has shifted into high gear with a national consultation entitled "Let's stop Brussels" and following a European Parliament resolution on preparations for the Article 7 procedure against Hungary. With regard to this, Prime Minister Viktor Orbán has said that the issue of migration is the main reason for the attacks on Hungary, and that "everything else is irrelevant".⁹² At a meeting with his Polish counterpart, Witold Waszczykowski, Szijjártó said: "We do not accept being blackmailed by foreshadowing financial punishment to those who refuse to take in refugees. These issues cannot be linked."⁹³

Budget negotiation: reluctant countries might be in trouble

No doubt the EU's most severe crisis to date affecting European achievements and fundamental principles has turned the V4 countries into an "effective" political force (even though the V4 were voted down on this issue, the Hungarian government has communicated that the V4 is effective). It remains to be seen,

86 "Czy Ukraińcy Wyruszą Z Polski Na Zachód? Rząd Nie Ma Pomysłu, Jak Zatrzymać Ich W Kraju," *Wiadomosci.dziennik.pl*, 12 June 2017, accessed 22 December 2017, <http://wiadomosci.dziennik.pl/wydarzenia/artykuly/552029,ukraincy-polska-zachod.html>.

87 In 2016 the number of Ukrainian workers in Poland reached a record 1.3 million, but almost half of employers sought out Ukrainians because no local hires were available. 'Poland Can't Get Enough of Ukrainian Migrants', *Bloomberg.Com*, 6 March 2017, accessed 22 December 2017, <https://www.bloomberg.com/news/articles/2017-03-06/million-migrants-fleeing-putin-score-a-policy-jackpot-for-poland>.

88 Evon Huber and Neil Buckley, 'Poland Weighs Benefits of Surge in Migrants from Ukraine', *Financial Times*, 28 May 2017, accessed 22 December 2017, <https://www.ft.com/content/aeda9ebe-3afa-11e7-ac89-b01cc67cfeec>.

89 'A V3-Ak Nem Hozták a Menekültminimumot', *Bruxinfor*, 13 June 2017, accessed 15 June 2017, accessed 22 December 2017, <http://bruxinfo.hu/cikk/20170613-a-v3-ak-nem-hoztak-a-menekultminimumot.html>.

90 'European Commission – PRESS RELEASES – Press Release – Migration: Record Month for Relocations from Italy and Greece', accessed 4 September 2017, accessed 22 December 2017, http://europa.eu/rapid/press-release_IP-17-2104_en.htm.

91 Nikolaj Nielsen: 'EU Rejects Hungary's Demand to Finance Border Fence', accessed 4 September 2017, accessed 22 December 2017, <https://euobserver.com/migration/138857>.

92 "Orbán Ready to 'go to the Wall' to Defend Views," *Budapest Business Journal*, 19 June 2017, accessed 22 December 2017, https://bbj.hu/politics/-orban-ready-to-go-to-the-wall-to-defend-views_133134.

93 'Szijjártó: Kristálytisza a Visegrádi Egység Migráció Témájában', *Hirado.Hu* (blog), 2017, accessed 23 June 2017, <http://www.hirado.hu/2017/06/12/szijasarto-kristalytisza-a-visegrad-egyseg-migracio-temajan/>.

however, whether these states, which have hitherto followed their own separate agendas, will be able to sustain a well-coordinated lobbying effort or whether this will constitute a single-issue, provisional alliance. In view of the post-Brexit debate over the future of the EU, it is especially important that, contrary to Orbán's projections, mainstream political forces are currently consolidating in the centre. The newly elected French president, Emmanuel Macron, has accused the Visegrád Group of defying Europe's principles and values by rejecting refugee quotas. Macron, who was fiercely critical of illiberal leaders like Orbán and Kaczyński during his campaign, has a markedly different vision about the EU involving deeper integration rather than strengthening national sovereignty. During his first meeting with the V4, divergent messages emerged from the respective countries. While Prague and Bratislava seemed to be open to Macron's concerns, including fighting social dumping by tightening the 1996 directive on posted workers, Warsaw accused Macron of "stereotyped and negative comments about Eastern Europe".⁹⁴ Orbán called President Macron "a new boy" in European politics and noted that "his introduction isn't too encouraging".⁹⁵ France aims to shape the decisions of Central European countries on whether they would like to join a core group of European Union members amid growing tensions over the future of the EU. To this end, Macron met with Austrian Chancellor Christian Kern, Slovak PM Robert Fico and Czech PM Bohuslav Sobotka in Salzburg on 23 August, followed by a visit to Romania the following day and Bulgaria on 25 August. Macron's avoidance of Hungary and Poland suggests that Paris might attempt to strike a separate deal with the more cooperative countries. The French president has criticised the recalcitrance of certain Eastern European countries, stressing that those who "do not respect the rules should pay the full political consequences".⁹⁶

There is a real risk that the Visegrád countries will see their ability to influence decisions diminish because of their conduct on this issue. Mainly due to the Brexit negotiations, the EU is about to launch the largest budget reform debate in the history of the integration project, in which the rules for allocating cohesion funds will certainly be tightened. It is especially significant for Hungary that not only will the size of the cake be smaller but due to the deterioration of the relative level of development in southern member states as a consequence of the refugee crisis even fewer resources may be allocated to Central Europe.⁹⁷

At the same time, a growing number of member states believe the EU should attach more conditions to the payout of cohesion funds earmarked for member states in its next budget framework. The so-called "cheerleader coalition" consists of Germany, the Netherlands, Finland, Austria, Slovakia, Slovenia, France, Spain, Italy, Portugal, as well as Sweden and Denmark as non-Eurozone members. Finland is one of the member states that has openly argued that reluctant countries should do more to share the costs of taking in migrants, and Jyrki Katainen, Finnish Commissioner for EU funds, has also stressed this point: "Solidarity is not a one-way street. It's at least a two-way street. Otherwise, there is no solidarity."⁹⁸

Although Merkel previously specifically rejected the idea of imposing any kind of sanction on non-compliant member states, Berlin's approach has undergone a change recently. A position paper published by the German government in May suggests that the German government has made a number of proposals that Central and Eastern European member states, which favour the traditional method of drawing EU funds, are unlikely to support:⁹⁹

- The most drastic proposal is to link the drawing EU funds to respect for the rule of law.
- Developed regions would be allocated funds for combatting new challenges such as the integration of refugees and handling demographic changes.
- Moreover, the country-specific recommendations issued under the European Semester would be linked more closely to structural funds.

Therefore, discussions on the new budget will be dominated by two factors: the new realities (Brexit, refugees arriving to the EU) and the more careful consideration of net contributors' views.

⁹⁴ 'Visegrad States React According to Script to EU Summit's Calls for Reform', 26 June 2017, accessed 22 December 2017, <http://www.intel-linews.com/visegrad-states-react-according-to-script-to-eu-summit-s-calls-for-reform-124160/>.

⁹⁵ 'PM Orbán on "New Boy" Macron: 'That Isn't How We Do Things around Here'', 2017, accessed 26 June 2017, accessed 22 December 2017, <http://abouthungary.hu/news-in-brief/pm-orban-on-new-boy-macron-that-isnt-how-we-do-things-around-here/>.

⁹⁶ Although Hungary and Poland had previously objected to the idea rather loudly, on the meeting with Fico, Sobotka and Austrian chancellor Christian Kern proved to be open to discuss the reform of the posted workers, which indicates that Macron managed to convince of the reform's importance. Jan Cienski, 'Macron Tries to Isolate Poland in French Regional Offensive', *POLITICO*, 24 August 2017, accessed 22 December 2017, <http://www.politico.eu/article/poland-isolated-by-emmanuel-macron-central-european-offensive-posted-workers/>.

⁹⁷ Zoltán Gyévai, "Kohézió Jövője: Búcsú a Könnyű Pénzektől," 13 June 2017, accessed 22 December 2017, <http://bruxinfo.hu/cikk/20170613-kohezio-jovoje-bucusu-a-konnyu-penzektol.html>.

⁹⁸ 'Katainen: For Cohesion as Well as Migration, Solidarity Is Not a One-Way Street', *EURACTIV.COM*, 28 March 2017, accessed 22 December 2017, <http://www.euractiv.com/section/justice-home-affairs/news/katainen-for-cohesion-as-well-as-migration-solidarity-is-not-a-one-way-street/>.

⁹⁹ Portfólió, "Új Feltételekhez Kötnek a Németek Az Unió Támogatásokat," *Portfolio.hu*, 5 May 2017, accessed 22 December 2017, http://m.portfolio.hu/unios_forrasok/uj_feltetelekhez_kotnek_a_nemetek_az_unios_tamogatásokat.251889.html.

Diverging visions about the future of Europe

2017 so far has not fulfilled Viktor Orbán's expectations for the fall of the mainstream European elite whom he labels "nihilistic", and thus far there have been no indications of a coming inter-EU rebellion which he envisioned. A marked ideological gap is opening between the illiberal Polish-Hungarian axis promoting cultural counter-revolution and the Czech-Slovak pair gravitating more towards the mainstream and which are considerably more moderate in their relations with Brussels.

On the contrary, in parallel with Emmanuel Macron's victory in France, Germany is also becoming more and more willing to turn to the existing two- or multi-speed model that has been implemented in a highly restricted number of areas so far, but with increasing frequency. Based on official statements and published working papers, the "multi-speed Europe" scenario seems to be the most realistic among the five options detailed by the European Commission, under which every member state would be free to decide which level of integration it joins.

Even though Hungary opposes this possibility rhetorically,¹⁰⁰ in practice it would be open to the multi-speed structure as long as it remains available in the future to those on the periphery. State Secretary for EU Affairs Szabolcs Takács has stated the following: "Hungary believes deeper economic cooperation is possible to help the Eurozone succeed, but only if the unity of the internal market and equal competition are ensured, and those remaining outside of the cooperation could later join freely."¹⁰¹

Assumedly Eurosceptic Czech governments are considered to be more predictable than their illiberal Hungarian and Polish counterparts. Slovakia, which is already in the Eurozone and thus already belongs to the elite club of the "two-speed" EU, obviously wishes to have a seat at the most important forums (unless, to paraphrase Orbán, "it wants to be served for dinner").

The danger of seeing its power diminish is a risk for Poland in particular. Due to its regional weight and strong economy, Poland is a key player which previously allowed the constructive centre-right Civic Platform to serve as a counterweight to the Orbán model. Because of the Civic Platform's policies, today Donald Tusk is the European Council's president, one of the most influential positions in the European Union. The fragility of the Budapest-Warsaw illiberal alliance is demonstrated by the fact that it can be carved up along the dividing lines of individual interests, which was the case for Tusk's re-election. According to the intra-EU voting patterns, the Hungarian government voted together with the previous Polish government more frequently than they did with PiS.¹⁰² Dissatisfaction with Fidesz is rising among Civic Platform MEPs, however, as was demonstrated in the 7 May European Parliament vote condemning Hungary.¹⁰³

Incidentally, at the EU level the V4 countries typically vote together on climate and energy policy issues, where they share very similar capabilities and objectives.¹⁰⁴ Because of their relatively low voting weight, however, the V4 desperately need allies. And under the double majority voting system that became the only possible arrangement in 2017, the importance of acquiring allies has increased considerably. Adopting a resolution under the new system requires 55% of the votes of member states, and these votes must represent 65% of the EU population. Although the Treaty of Lisbon provides the opportunity for four member states to establish a blocking minority, those states must represent 35% of the total EU population, a criterion the V4 do not now meet. A 2014 decision related to climate change requiring member states' approval was met with coordinated V4 action. With assistance from Bulgaria and Romania, the V4 countries managed to have their way on that issue.¹⁰⁵

Brussels's decision could once again strengthen V4 unity on the rhetorical level with regard to migration, since the Czech Republic has just altered its position on the issue by officially refusing to admit any more asylum-seekers from their assigned quota of 2,691 persons, and Poland keeps condemning the Commission's decision. Given the fact that there has not been a real breakthrough in the EU regarding the refugee crisis due to a lack of consensus on the common asylum system, Hungary is riding this wave during its presidency of the Visegrád Group, which began in July 2017. The fact that migration would be back on Europe's agenda during Hungary's Visegrád presidency had already been confirmed by Minister for the Prime Minister's Office János

¹⁰⁰ Piac és Profit, "Orbán Is Ragaszkodik Az Egységes Európához," 3 March 2017, accessed 22 December 2017, <http://www.piacprofit.hu/gazdasag/orban-is-ragaszkodik-az-egyseges-europahoz/>.

¹⁰¹ 'Visegrád and Migration: Few Prospects for a Change in Position'.

¹⁰² 'Polish Approach Weakens V4's Leverage to Influence the Future of Europe', VoteWatch, 2017, accessed 22 December 2017, <http://www.votewatch.eu/blog/polish-approach-weakens-v4s-leverage-to-influence-the-future-of-europe/>, <http://www.votewatch.eu/blog/polish-approach-weakens-v4s-leverage-to-influence-the-future-of-europe/>.

¹⁰³ The largest EPP contingent voting for the resolution was the Polish Civic Platform, the party of Donald Tusk, with 16 'yes' votes and 3 abstention. 'Situation in Hungary - VoteWatch Europe', n.d., accessed 22 December 2017, <http://www.votewatch.eu/en/term8-situation-in-hungary-motion-for-resolution-vote-resolution.html>.

¹⁰⁴ Sonja van Renssen, 'East European Countries Place Bombshell under EU Climate Policy', *EnergyPost.Eu* (blog), 13 May 2014, accessed 22 December 2017, <http://energypost.eu/east-european-countries-place-bombshell-eu-climate-policy/>.

¹⁰⁵ 'Visegrad Countries Pose Fresh Threat to 2030 Targets', 2014, accessed 22 December 2017, https://bankwatch.org/press_release/visegrad-countries-pose-fresh-threat-to-2030-targets.

Lázár before July 2017.¹⁰⁶ Lázár has also refused to open the EU's borders or to build migrant villages in Central Eastern Europe in response to the proposal of the head of the Green Group in the European Parliament.¹⁰⁷

For years, the Hungarian prime minister has been testing the limits of a European arena bound by the EU's fundamental human rights and freedoms. In economic terms, the EU system contributes to his regime's survival. His attempts are well illustrated by the frivolous debate that he provoked over the reintroduction of the death penalty, where he was eventually forced to backtrack under EU pressure.¹⁰⁸ But the refugee crisis has given a fresh impetus to his illiberal state-building project, not only in Hungary but elsewhere in the region as well. What we have seen so far is that the European Commission has not been effective in putting pressure on the Polish nationalist government to address concerns over the deterioration of democratic checks and balances. While tensions are rising between Brussels and reluctant capitals such as Warsaw and Budapest, the respective countries will mutually reinforce each other in this respect by presenting themselves as protectors of national interests against Brussels, and they will continue to defend each other in the Council.

106 *V4 Híradó: Magyarázatot Vár a Lengyel Külügyminiszter Macrontól*, n.d., accessed 22 December 2017, <http://www.hirado.hu/2017/06/22/v4-hirado-magyarazatot-var-a-lengyel-kulugyminiszter-macrontol/>.

107 Dorka Dabay, 'Lázár: Nem Akarunk Szír Migránsfalvakat', *Magyar Idők*, 2017, accessed 23 June 2017, <http://magyaridok.hu/belfold/lazar-nem-akarunk-szir-migransfalvakat-1860940/>.

108 "No to the Death Penalty: Orbán Took Hungarians for a Crazy Spin Again," *168 óra online*, 30 April 2015., accessed 22 December 2017, <http://www.168ora.hu/itthon/quaestor-inkabb-beszeljunk-halalbuntetesrol-135529.html>.



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