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Integrated Border Management from the perspective of Hungary

Abstract

The changes: accession to the European Union, the application of the Schengen acquis invoiced changes in the Hungarian border management too. The events on the various sections of the Hungarian borders are different depending of the status of the neighbouring country. The paper describes the types of events and their treatment.

1. The Unification of the Police and the Border Guards

After accession to the EU in 2004, Hungary was preparing for the complete application of the Schengen acquis. Since 21st 2007 December, it has been the member of the Schengen zone on land. In parallel with it, the main border policing and controlling body, the Hungarian Border Guard Service was “integrated” into the Police on 1st January 2008. According to the experiences of the past ten months, the elements of the earlier formed Integrated Border Management, after having created a border control system suitable for the Schengen acquis, lost their function from a certain point of view since the disbanding of the independent Border Guard Service. Therefore, the stop checking in the territory of the country that should be done by police departments is hardly realised.¹

As earlier predictions established, it was expected that Hungary, due to its EU and Schengen membership, would become a migration target country. This presumption was supported by local experiences in Ukraine: it became widely known among refugees and illegal

¹ According to own field research (24-28th October 2008)

border crossers residing there that human rights are respected in Hungary. Therefore, their purpose is to cross the Ukrainian-Hungarian border. The statistic data of the past ten months all support this conjecture. The entrance activity of Bangladeshi, Pakistani and Somali citizens has especially increased. In the Ukrainian and Russian refugee camps they often get “instructions” that having left the camp how they should travel in the direction of Hungary. From the south-eastern direction it is Moldavian citizens who participate in illegal border crossing most frequently. They wish to enter the EU in organised groups, in order to be employed.

Independently of organisational changes, the positive effects of the development of border areas and cross-border cooperation systems have become observable on the economy only very slowly. On the short run, it largely influences the behaviour of the inhabitants of border areas that the rates of unemployment are very high. Therefore, they attempt to obtain some income from “business”, and smuggling of goods and refugees are operating along the Ukrainian-Hungarian and Serbian-Hungarian border.

2. General Experiences along the Seven Borderlines²

2. 1. Croatia

The sphere of authority of the police departments operating in the Counties of Zala, Somogy and Baranya is the border between Croatia and Hungary. Here the alleviation of border crossing (acceptance of identity card together with supplementary notice instead of passport) remained. This caused no problem in the Schengen area. Here the danger rates of illegal migration have been low for years. Since the complete application of the Schengen acquis, only 4 cases of man-smuggling, 24 cases of public document forgery, 24 offences connected to alien policing and one single forbidden border crossing have occurred. In the control of border traffic, it is the summer dumping of traffic that means the main challenge, similar to the previous year. There were 179 cases of Croatian border crossers refused entry to Hungary, and it means 88 % increase, but it is not very considerable comparing to the normally present big volume of border traffic. However, it

² Background material to the Government Session, HQP 2008.

is prominent that the number of hits in the SIS alert system was 175. This means 8 % of the nationwide data. There were 165 persons, Croatian citizens who, based on § 96 SchVE, were forbidden to travel in. Based on the expatriation contract, one person was readmitted by Croatia, and it is a nearly negligible figure.

2.2. Serbia

The sphere of authority of the police departments operation in the Counties of Bács-Kiskin and Csongrád is the border between Serbia and Hungary, one of the external borderlines of the EU. The visa obligation of the EU has made it more difficult for citizens living in Serbia to cross the border. It may contribute to the increase in the number of offences and crimes. Comparing to a similar period of 2007, 68 % more, 681 actions of illegal migration have been detected in 2008. This is 23 % of the nationwide rates. The main reason for the increase of actions of illegal migration is that more and more Serbian and Kosovian citizens attempt to cross the border illegally, mainly along the green border. The experiences of the previous years seem to support by examining goods and man-smuggling channels.

Illegal actions of migration along these borderlines:

- 68 % of them were illegal border crossings in the direction of Hungary (407 persons: 342 Serbians, 17 Albanians, 12 Georgians)
- 23 % of them were offences connected to alien policing (82 persons), 69 % of the perpetrators were Serbians, 12 % Croatian and 5 % Macedonian
- 6 % of them were forgeries of official documents, 5 % were committed by Serbian, 11 % by Macedonian, 8 % by Hungarian citizens.

As a result of the activity supporting the criminal investigations, penal procedures were initiated against 31 persons in the period evaluated (2007: 12 persons). 41 % of man-smugglers were Hungarian, 40 % Serbian, 7 % German and 7 % Austrian citizens. The citizenship of man-smugglers marks that unemployment and difficulties of existence motivate many local inhabitants to contribute in man-smuggling activities.

Only 1 Austrian and 1 Serbian citizen committed forbidden border crossing at Tompa road border crossing point. They were readmitted by the Serbian authorities. Furthermore, 5 Serbian, 2 Czech, 1 Turkish and 1 Macedonian citizens were arrested for the attempt of illegal border crossing. In Hungary, 11 illegal border crossers were not arrested, but 10 persons were noticed by a border guard patrol vehicle equipped with an infra camera while attempting illegal border crossing, in the sphere of authority of the border police department of Szeged. However, the border police did not manage to arrest the illegal border crossers.

Hungarian law enforcement bodies, within the simplified procedure of the Serbian-Hungarian readmission agreement in 2008, readmitted 73 persons to the Serbian authorities (63 Serbian, 5 Macedonian, 4 Albanian and 1 Russian citizens). However, the Serbian authorities, referring to different reasons, denied taking over 22 persons (14 Kosovian and 8 Serbian citizens). In the case of 3 Serbian citizens, the competent authorities transported the illegal border crossers.

2. 3. Romania

Along the Romanian-Hungarian border (the sphere of authorities of the county police departments of the Counties of Csongrád, Békés, Hajdú-Bihar and Szabolcs-Szatmár-Bereg), in comparison to the similar period of 2007, 64 % more, 794 actions of illegal migration occurred. This is 28% of nationwide rates. The increase of actions of illegal migration is caused by the migration pressure from the part of Moldavian and Turkish citizens, and the increase of official document forgeries committed by Romanian citizens.

Along this border, the rate of actions of illegal migration is the following: 48 % (386 persons) is official document forgeries, 28 % is forbidden border crossings inwards. The majority of public document forgeries (41 %) are committed by Moldavian (using up Romanian identity cards), Turkish (using up Bulgarian identity cards) and Romanian citizens.

Public document forgeries detected on the part of Romanian citizens increasingly represent forgeries discovered in registration books of vehicles from EU-member states (mainly from Italy and France). In the period evaluated, penal procedures were initiated against 104

Romanian citizens for official document forgeries, 55 % of this were forgeries detected (in the majority of cases, connected to the entry certifying the validity of the engineering documents) in the registration books of vehicles.

55% of the illegal border crossing committed into Hungary was committed by Moldavian (121 persons), 12 % of them by Turkish (24 persons), 6 % of them by Serbian and 6 % of them by Romanian citizens. In these cases, alien policing procedures were initiated. In 5 cases of the illegal border crossings detected, there were groups of about 10 persons arrested who attempted to enter the country hidden in a lorry.

For the violation of entering and residence permit, legal procedures were initiated against 31 persons (70 % of them are Moldavian, 10 % of them are Turkish, and 10 % of them are Serbian citizens), while in 97 cases, offence procedures were initiated against the perpetrators. (46 % of them are Moldavian, 21 % of them are Romanian, 12 % of them are Turkish, and 4 % of them are Albanian citizens.) For man-smuggling, 37 persons were arrested, 44 % of the perpetrators are Romanian, 11 % of them are German, 8 % of them are Hungarian and Romanian, 6 % of them are Dutch and 6 % of them are Lithuanian citizens.

From the number of illegal border crossers, the Moldavian dominance becomes clear, and it must be expected also in the future. Knowing the social and economic situation of Moldavia, this will not change very quickly; therefore, even in the case of the full Schengen membership of Romania, illegal Moldavian border crossers can appear along these borderlines.

Based on the Hungarian-Romanian readmission agreement, Hungarian law enforcement bodies forwarded 91 people (51 Moldavian, 28 Romanian, 14 unknown, 3 Ukrainian and 2 Russian citizens) to the Romanian authority, and one Romanian citizen was transported by the competent authorities. Due to the lack of identification (?), one Mauritanian citizen was not admitted by the Romanian authority.

2.4. Ukraine

The Ukrainian-Hungarian external borders are 136.7 km long. (It is the sphere of authority of the county police department of the County

of Szabolcs-Szatmár-Bereg.). In comparison to the similar period in 2007, 12 % more, 838 actions of illegal migration occurred. This is 30 % of the nationwide rates.

In the Ukrainian context, illegal border crossings in the direction of Hungary are characteristic. Due to these actions, 470 persons were arrested in the period evaluated. 41 % of the persons in concern are Pakistani (193 persons), 19 % of them are Somali (91 persons), 9 % of them are Bangladeshi (40 persons), 8 % of them (39 persons) are Iraqi, 6 % of them (29 persons) are Georgian, and 2-2 % of them are Ukrainian and Palestine citizens. 80 % of the persons arrested applied for refugee status during the alien policing procedures; therefore, they are impossible to be forwarded according to the readmission agreements. Compared to the previous year, the number of illegal border crossings and border crossers have increased along the border, and, in my opinion, it has the following reasons:

- The line of cameras set along the neighbouring Slovakian-Ukrainian border divert man-smugglers to the Hungarian borders.
- From the refugee camps in Ukraine, refugees are often inspired (e.g. by poor accommodation conditions) or instructed to travel to Hungary, mainly Pakistani and Bangladeshi citizens.
- Man-smugglers have supposedly been informed about the discontinuation of the border surveillance investigative service within the police units.
- In the region, due to the high rates of unemployment, the local population help illegal border crossers, in some cases participating in human smuggling.

Due to official document forgery, 148 persons were arrested, 75 of them (111 persons) were Ukrainian, 19% (28 persons) were Moldavians who forged the visa seals of Schengen visa format in their private passports or used Romanian identity cards. It is a new phenomenon on the part of Ukrainian citizens that they want to cross the border with forged homecoming documents. This method is applied by Ukrainians residing illegally in Western Europe and trying to return home in order to be exempted from the sanction of illegal residence.

Due to the violation of entering or residence constraints, legal procedures were initiated against 42 persons (85 % Ukrainian, 5-5 % Georgian and Iraqi citizens), one Ukrainian citizen was arrested for

man-smuggling, while 174 persons were placed under legal procedures for offences connected to alien policing (90 % Ukrainian, 3,5-3,5 % of them are Moldavian and Belorussian, and 3 % Russian citizens).

In the period evaluated, within the frameworks of the Ukrainian-Hungarian readmission agreement, the Hungarian law enforcement bodies forwarded 190 persons to the Ukrainian authority in simplified procedures (according to nationality: 86 Ukrainian, 34 Moldavian, 29 Pakistani, 12 Bangladeshi, 6 Georgian, 6 Iraqi, 9 Somali and 8 other citizens. In 2007 the total number was 102 persons). The Ukrainian authorities denied accepting 2 Georgian citizens of the persons readmitted and expelled 2 Hungarian citizens for other reasons from Ukraine.

It is characteristic of the Ukrainian-Hungarian border region that tobacco and man-smuggling activities are continuing. At the same time, the considerable increase of petrol prices in Ukraine stopped petrol smuggling.³ Today mainly Ukrainian citizens participate in the border transport – mainly as local border traffic. Based on my local experiences, the unification of the Border Guards with Police had a negative effect on the quality of border crossing monitoring. The number of human forces and equipments involved in border control also decreased. The vacancy created by officers who have retired from

³ Excerpt from an interview with an officer of the police department of Szabolcs-Szatmár-Bereg county: “The smuggling of goods and humans is an evergreen topic. Since the borders with Ukraine are already also borders of the Schengen Zone, can we observe any change in tendencies?” “In the previous year, along the Ukrainian-Hungarian borderlines, 294 forbidden border crossings were registered. The increase is caused by migrants having arrived from Africa and Far East since October 2007. Comparing: while until the end of August 2007, only 73 persons committed illegal border crossing, in the same period of 2008 593 persons were registered; that is, it means a huge increase. As for the nationality of illegal border crossers, the proportion of Pakistani, Somali, Palestine, Afghan, Bangladeshi, Georgian and Iraqi citizens is the largest. According to our experience, man- smugglers escort the migrants to the Ukrainian-Hungarian borderlines where the migrants are shown in which direction to go ahead, but the smugglers themselves do not cross the borders. Due to the stricter Schengen border control, persons attempting to cross the green borders are easy to arrest.” “What about the smuggling of hit products like petrol, tobacco, alcohol?” “The control of revenue products is not the sphere of authority of the police, yet until the end of August more than 200 persons committed crimes connected to revenue products – 663,598 boxes of tobacco the value of which is 353.4 million HUF have been confiscated. Furthermore, 470 litres of petrol product were also confiscated along the border stations. We can see that the rates of smuggling of goods and human-beings is continuously increasing, the perpetrators try new techniques, but we also react successfully to these attempts with the wide application of personal and material conditions. The application of modern equipments can lead to successful prevention. (György Dunda, Kárpáti Igaz Szó, 20th September 2008.)

executive service have not been filled. A certain part of the equipment bought from the earlier Schengen Foundation is not operating (for example, petrol is too expensive, infra cameras are not repaired, etc.). As a “result” of this unification, the Police rearranged the old border guard vehicles to the public safety and criminal investigative fields. Therefore, the second step of the Integrated Border Management is not operating effectively enough.

2.5. Austria

Along the Austrian border, in comparison to the similar period of 2007, 87 % less, only 178 actions of illegal migration were detected. In 2008, up to the time of this analysis only 127 persons committed or attempted to commit illegal border crossing out of Hungary. Penal procedures were initiated against 9 persons for man-smuggling, 2 persons for official document forgery, 3 persons for violation of entering and residence constraint, and against 34 persons for offences connected to alien policing.

The Hungarian law enforcement bodies, based on the Hungarian-Austrian readmission agreement, readmitted one Albanian citizen into Austrian authority. At the same time, the Hungarian authority took over 16 persons (7 Serbian, 3 Ukrainian, 3 Angolan, 1-1 Egyptian, Moldavian and Vietnamese citizens), but in the case of 2 Serbian and one Romanian citizen, the readmission was denied. 72 people (49 Romanian, 17 Serbian and 6 Ukrainian citizens) were transported by the authority (along Austrian-Romanian and Austrian-Ukrainian itineraries).

For the period of the European Football Championship organised by Austria and Switzerland, Austria reintroduced border control (from 12 a. m. 2nd June 2008. to 12 a. m. 1st July 2008.). This time 4 Serbian citizens were readmitted. Although it was denied in public (for example, on the 25th September 2008 by a military leader at the international law enforcement conference held in Keszthely), the Federal Army of Austria is still present along the common border fulfilling patrol missions.

Since the enlargement of the Schengen zone, the Hungarian-Austrian state borders are in the centre of professional and political interests, since the cessation of the control of border traffic has caused serious objections from the part of several Austrian politicians

and citizens living in Burgenland province. According to the present situation, the soldiers of the Federal Army of Austria are supposed to stay in the region and fulfil patrol missions along the common border. *“The plan of the order about this was handed in by Defence Minister Norbert Darabos and Minister of Internal Affairs Maria Fekter at the government session on Wednesday. They justified their proposals with the demand of security of the population living in the eastern part of the country. The decision, that is criticised by the opposition Green Party and certain constitutional judges, will be revised next summer.”*⁴

2.6. Slovenia

Along the Slovenian-Hungarian border, compared to the similar period of 2007, 46 % less, 68 actions of illegal migration were detected. 52 persons committed or attempted to commit illegal border crossing. From the 52 persons, 15 Moldavian citizens were apprehended by the mobile patrol team of the Zalaegerszeg Custom Guards Department within the area of the public border station at Rédics, in the cargo bay of a Romanian vehicle. Penal procedures were initiated against 6 persons for man-smuggling and 10 persons for official document forgery.

In alien policing procedures, based on the Slovenian-Hungarian readmission agreement, the Hungarian authorities took over 28 persons from the Slovenian law enforcement bodies (12 of them Georgian, 7 Ukrainian, 2 Russian, 1-1 Chinese and Moroccan citizens). The Hungarian law enforcement readmitted one Moldavian citizen to the Slovenian authority. Furthermore, the Hungarian law enforcement denied the readmission of 3 Georgian, 2 Ukrainian and one Russian citizen.

2.7. Slovakia

Along the Slovakian-Hungarian border compared to the similar period of 2007, 78 % less, only 110 illegal actions of migration were detected. 2 persons committed forbidden border crossing, penal procedures were initiated against 1 Chinese citizen for the violation of constraints of entering and residence, and against 107 persons for offences connected to alien policing.

⁴ MTI News, Wednesday 12th November 2008.

In the period evaluated, within simplified alien policing procedures based on the readmission agreement, 2 Serbian and one Macedonian citizens (2007: none) were readmitted, and 4 persons were transported by the authorities.

Slovakian experiences are similar to the Hungarian ones. While in the first half of last year 690 people attempted to cross the Slovakian borders from the direction of Ukraine, since the beginning of this year the number of illegal border crossers showed 33 % of decrease. The Slovakian police also experienced decrease of the number of illegal border crossers along other borders, the only exception was the Polish-Slovakian border. Mainly Moldavian citizens (162 persons) attempted to illegally enter Slovakia from the direction of Ukraine, they were followed by Pakistani citizens (72 illegal border crossers), and Georgian citizens are at the third place – 53 persons attempted illegal border crossing.

2.8. International airports

It was only Ferihegy Airport where illegal actions of migration were detected, 65 of which (56 persons) were official document forgeries. In 25 % of the cases, the citizenship of the perpetrators was impossible to establish since they had no documents that could have proven their identity. 35 % of the persons using false travel documents arrived from one of the Arabian countries. Legal procedures were initiated against one person for man-smuggling, and against 29 persons for offences connected to alien policing.

Via airplane, 18 persons (13 Moldavian, 3 Serbian, one person from Code' Ivory and one Albanian citizens were readmitted by the Hungarian authorities, and 3 Hungarian and one Columbian citizens were taken over. However, they denied the readmission of 2 Georgian, one stateless and one Ukrainian citizens. In 246 cases, perpetrators were deported via airplane.

3. Applicability of SISoneforAll

Since enlargement of the Schengen zone, the control of entering and residence conditions became much more complex, and the SIS alert system has made a large contribution to this control. At the same time, both technical and legal problems arose during the application. These problems are the following:

- According to the experiences in Ukraine, the system stops operating several times a week, thus controlling becomes more difficult in these periods.
- As for the accreditation of travel documents, there is no uniform regulation within the EU; therefore, the acceptance of travel documents issued by third countries can differ in member states.
- The financial conditions of travelling differ in member states.
- There are many types of permit of residence issued by the member states, and all member states have to be with all these types.
- In some cases, it is the EU law that provides the possibility for member states to decide on visa regulations on their national legislative level; consequently there can be big differences in the national regulations of member states.

Table 1: Hits in the SIS system at border stations

Borderline	Hits btw 1st Januar-1st July 2008.
Austrian	0
Croatian	175
Romanian	815
Serbian	918
Slovakian	0
Ukrainian	96
Budapest Airport	171
	Altogether: 2175

4. Other Characteristics of Border Traffic

The border traffic along the internal EU borders, operates without problems after the cessation of control. The only difference was the re-introduction of border control during the European Football Championship along the Austrian borders. At the same time the volume of light traffic has shown a considerable increase during the holidays in Hungary and neighbouring countries until September 2008.

Along the external EU borders, in Ukrainian-Hungarian context⁵, there was no increase, because the introduction of the small border traffic permit counter-balanced the restrictions of visa requirements. There is no more free visa in Ukraine, but the uniform Schengen visa fees are substituted by cheaper small border traffic permits.

Table 2: Changes in the traffic along the Ukrainian and Romanian borders

Borderline	Jan-Sept. 2007		Jan-Sept. 2008	
	Persons	Vehicles	Persons	Vehicles
Romanian	1 558 503	692 313	1 619 421	696 989
Ukrainian	3 009 201	1 645 262	2 916 058	1 604 266
Altogether	4 567 704	2 337 575	4 535 479	2 301 255

Source: Data Base of Szabolcs-Szatmár-Bereg County Police Department

The possessor of a small border traffic permit is enabled to enter Hungary visa-free several times within six months and reside in the border regions for three months at most. The aim of the entry can especially be social, cultural, family or economic residence. The document is issued by the Head Consulate of the Hungarian Republic in Uzhhorod or the Consulate in Berehove. The permit can be granted to persons who are Ukraine citizens and their close family members (spouse, minor and dependent children) who live at one of the settlements defined in the convention signed with Ukraine, have a valid passport and have a permanent address at least for three years before the solicitation for the document. The spouse and the minor or adult child (including adopted or foster children) of the entitled can also be granted the small border traffic permit if they have had a permanent address along the borders for less than 3 years. The solicitation for the permit is judged within 30 days after the date of submitting it. The validity of the permit cannot reach the expiry date of the passport and can be granted for 5 years at most. The minimal

⁵ There are five border stations: Záhony-Chop international railway, light traffic and heavy traffic (no pedestrian traffic); Lónya-Dzinkove morning light traffic (also pedestrian) open from 7 a. m. to 7 p. m.; Barabás-Koson morning light traffic (also pedestrian) open from 7 a. m. to 4. p. m.; Beregsurány-Asztej international light traffic (also pedestrian) open all day; Tiszabecs-Vilok international light traffic (also pedestrian) open all day.

validity of the permit is one year. The fee for the small border traffic permit is 20 €. Retired persons, minors, dependent children younger than 21 years and disabled persons can obtain the document free of charge. Since the permit is only valid for the 244 settlements listed, it is forbidden to enter other settlements in possession of the small border traffic permit without visa. The stop checking is the assignment of the police, in order that the possessors of small border traffic permits should not leave the border zone or be employed, and they should abide the rules valid for the period of residence. This means much extra work for the police. In case of abusing the small border traffic permit, against the perpetrator the following sanctions are to be applied: the perpetrator is obliged to leave Hungary, is expelled from Hungary within the framework of alien policing procedure, and is forbidden to return to Hungary. The prohibition of entering and residence can also entail that the applicant cannot enter Hungary even in possession of a visa. That is, the abuse of small border traffic permit can entail the refusal of visa applications.

About 30-35 % of Ukrainian citizens entering Hungary cross the borders with small border traffic permits. This proportion is changing at different border stations. For example, at Lónya this proportion is 90 %, at Barabás 70 %, but also at Tiszabecs more than 50 % of the border crossers enter with such a document. Nevertheless, no abuse of small border traffic permit, for example, official document forgery has been detected. The constant stop checking is concentrated at crossing points, highways and transport itineraries important from the point of view of migration and areas outside the small border control agreement. Apart from the control of public roads, railway traffic is also controlled along the Záhony-Kisvárdá-Nyíregyháza line, at these railway stations and in their neighbourhood. For example, during stop checking crimes and offences connected to public road traffic are usually detected, but also wanted criminals, illegal border crossers and perpetrators of custom offences has also been arrested. *“It is agreeable that within the sphere of authority of our police department there has been no Ukrainian citizen who would have violate the constraint defined in the small border traffic agreement arrested.”*⁶

⁶ Lieutenant-Colonel Csaba Fenyőfalvi, the neighbouring Police Department of Szabolcs-Szatmár-Bereg county, Kárpáti Igaz Szó, 20th September 2008.

Along the Serbian-Hungarian border, the border traffic has not essentially changed. The signing of the small border traffic agreement in the autumn of 2008 and the drafting of the new international border traffic contract is still being prepared.

Along the Romanian-Hungarian borders, the citizens coming from Romania are pleased with the simpler border control system due to the EU membership, since travellers has to stop only once to be checked. It seems to be a good solution.

The length of the external EU borders is 1103,5 km, while the internal borders are 1139 km. The main direction of the migration is the Ukrainian-Hungarian border – Budapest – Austrian-Hungarian border route. Border policing assignments were organised within the police according to the legal character of the borders (external or internal), independently of the fact that Romania is not yet part of the Schengen zone and the number of illegal actions shows significant differences along different borders. The system is divided into 3 parts:

- central: Department of Operation of the National Police Directorate (HQ),
- county: operational services of the police departments
- local level: border police stations

Consequently, the Integrated Border Management system focuses on the local border police stations in the Hungarian practice, while on the second and third level it centres around criminal and public safety conditions (central competence).

In the meantime, the Ministerial Conference on the Challenges of the EU External Border Management⁷ is pursuing a long debate about the realization of the proposals of the Commission concerning borders. The following three proposals would be implemented as new measures between 2012 and 2015.

- The first proposal, which is the most ambitious one of the three, contains an innovative «set of measures», using new technologies, which Europe needs to implement in order to bring its border management strategy into the 21st century (entry-exit system, the registered traveller programme and the electronic authorisation system);

⁷ Brdo (Slovenia), 12 March 2008

- The second proposal examines the parameters within which a European Border Surveillance System (EUROSUR) could be developed.
- The third proposal focuses on a review of the tasks of Frontex (revision of the mandate of Frontex).

According to the Commission, new approaches are necessary, because the changing and increasing dangers of security deriving from globalisation and increasing mobility must be treated effectively: *“We need to be one step ahead of the increasingly better organized networks of terrorists and criminals who have discovered the lucrative traffic in human beings, drugs and weapons. Innovative and effective border controls have to strike a difficult balance between ensuring the free movement of a growing number of people across borders and guaranteeing greater security for Europe’s citizens. Border controls therefore have to focus more on potential challenges, be flexible enough to adapt to unexpected circumstances and be easy to operate by border guards. [...] This does not mean turning Europe into a fortress. It simply means streamlining border controls for bona fide travellers while making the lives of human traffickers, drug smugglers and terrorists much more difficult.”*⁸ It is possible that the reorganised Police (and the integrated Border Guard Service) will not have the time to evaluate their own experiences, compensate deficiencies and improve their own organisational system via the modernisation of their own training system. It is namely the field of migration of border control where a new era is to begin: the Union continues to focus on developing a common legislative framework, putting common large-scale IT systems in place, and cultivating practical cooperation between Member States (e.g. improving coordination on border management with Frontex, enhancing cooperation with countries such as the Western Balkans, European Neighbourhood Policy countries).

⁸ Franco Frattini. Providing Europe with the tools to bring its border management into the 21st century, 31 March 2008

5. Conclusions

It seems that it was an unfortunate decision to integrate the Border Guard Service into the Police especially at the time when Hungary introduced the complete application of the Schengen acquis. Fearing the uncertain future, the Police lost many border guards trained especially for border, document and vehicle control, because several officers left the organisation. Those who remained in the service of the Police did not obtain appropriate assignments unconditionally. This means serious consequences for the effective application of the IBM. It was an especially premature step to dissolve squads of criminal investigation and the integration of border guard officers knowing the local population and circumstances into the general criminal investigative directorates of the Police.

Hungary is supposed to have external EU (Schengen) borders for a long time in the future, and it will be responsible for the effective control for the sake of common security, while on the long run it is a must to consider illegal migration especially along these borders. Border defence and the quality of border policing have an effect on the channels and directions of migration; therefore, it is indispensable to permanently cooperate with the border policing bodies of the neighbouring countries. For example, sharing control experiences and data obtained in the field of small border traffic is one of such topics – if small border traffic is established between Romania, Serbia and Bulgaria. As the Bulgarian Minister of the Interior Mihail Mikov declared, according to the plans the representatives of the three countries will sign the convention on visa-free border traffic in the autumn of 2008, and it will concern 20-km frontier zone.⁹ Or, it will be similar to the Slovakian authorities, since the Slovakian-Ukrainian small border traffic convention has been established, and this convention defines the validity of permits within the 50-km frontier zone and citizens living within this border zone can solicit for a document entitling them to cross the border visa-free, paying a fee of 20-euro.¹⁰

In 2008, a relevant change was noticeable in the proportion of the nationality of persons committing actions of illegal migrations. Along

⁹ Világgazdaság, 22 July 2008.

¹⁰ Kárpátalja, 20 July 2008.

the Romanian borders, instead of Romanian citizens Moldavians were in majority. Along the Ukrainian borders migrants coming from the countries of Africa or the Near East outnumbered Georgian citizens the major migrants in earlier periods..

On the part of the Commission, the realisation of the migration proposed package demands new legislative, cooperative, training and organisational work from the Hungarian law enforcement bodies too, as long as the conditions of stable operation of high quality remain partially missing.

