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The Paradigm Shift in EU Migration Policy: Have Central European Countries Been Proven Right?

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The main topic of the Serbian-Slovak-Hungarian summit on migration was how to prevent illegal immigration. This follows a letter sent by 17 member states to the President of the European Commission ahead of the last European Council summit, urging the acceleration of deportations for individuals without refugee or resettlement status. The European Council has called on the Commission to urgently present a new proposal for regulation aimed at expediting and increasing the removal of rejected asylum seekers. Meanwhile, Poland has indicated that it will not implement the migration pact. In addition to Meloni, several member states advocate for the creation of migration centers outside the EU, following the Italian example, where asylum applications would be processed. However, many countries oppose this idea. At the same time, more and more member states are echoing what the Hungarian government argued in 2015/2016—that the EU's external borders should be strengthened and that asylum applications should be handled outside the EU. Reducing illegal immigration is also a key priority for the Hungarian EU Presidency. Simultaneously, one of the EU's greatest achievements, the Schengen system, is showing signs of disintegration, as the influx of illegal immigrants puts pressure on member states, prompting them to close their borders to one another—an unsustainable solution that undermines European integration.

Migration policy has been a hotly debated topic since the 2013 Lampedusa incident and the 2015 migrant – and refugee crisis, and justifiably so: the combination of migration as an almost never ending global trend, and the heavily diverging perspectives on how to handle it made a truly united answer by the Commission and the Member States (MS) nigh impossible. 'The reform', the 2023 Pact on Migration and Asylum that was supposed to be a watershed moment for common handling of migration into the EU – instead became a mere “show” of unity, already cracking under its own weight on the policy side, and the [shifting of perspectives](#) on as high levels as the President of the Commission herself towards migration policies that some of the European right, notably the government of Hungary, has been advocating for since the 2015 crisis.

The question of what triggered this shift logically arises, but there are multiple answers to this question. First is the fact, that pressure from migration (whether that means asylum seekers or irregular migrants) is mounting on the internal borders of the European Union, endangering one of the most successful *acquis communautaire*, the Schengen Zone. Many rich countries that originally put a target on themselves due to humanitarian or economic reasons, [like Germany](#), but have since regretted it, are forced to implement temporary, but often extended border controls. The rules of

Schengen allow this emergency measure for 6 months, but as said, the rules are ignored based on technicalities, and the number of member states who do this [number more and more](#).

What is more, these border controls are done more in the political hopes of checking the rise of far-right parties whose rhetoric often revolves around the issue of migration, and are otherwise no real policy solutions – [as they may be easily circumventable](#). In the meantime, the burden of Southern-Eastern member states regarding the administrative side of all this (registering and identifying both the person and their claim at the border, as the [Dublin system](#) regulates they must do) was not lessened, even as [arrivals are nowhere near the 2015 level](#), and the issue of simply ‘ignoring’ arrivals, who themselves wish to continue their journey to inner-Europe, has not ceased. These two problems are then connected, since for the past 11 or so years, the asylum seekers or irregular migrants ‘ignored’ trickled to the borders of the richer, target countries of the European Union. But of course, one must not forget about smugglers, which is connected to the third big problem: the fact that in case of refusal of entry, migrants often decide to continuously re-try, or rely on smugglers instead of giving up – an understandable sentiment on the human level, but a big hurdle from the legal / policy side.

On top of this, agreements between the EU and origin countries are few and far between, making returns very hard, and putting persons to be deported by decree in limbo – out of roughly 484 000 such decrees in the EU last year, [only 20% returned](#) to their countries of origin. This issue is huge, and (perhaps consciously) overlooked – because even the proposed solutions to be discussed really just make it someone else’s problem, instead of solving it.

As said, the Pact on Migration and Asylum was supposed to be an answer to the woes of the EU and individual member states. What is in it? Its content could be summarized into “pillars” such as harmonization of rules; fastening decision-making on claims; and speeding up returns; upgrading the IT system to strengthen the identification process at arrival (through, for example, the fingerprint system of EURODAC); solidarity; and cases of *force majeure* or emergency situations. It is the latter two that raised some eyebrows. On matters of solidarity, the Pact introduced the long-dreaded “mandatory solidarity”, where asylum seekers could be relocated to less affected member states, unless, and this was to be the compromise, the member state in question pledges help in the returns of denied migrants or offers financial contributions. The phrase “was to be” is used, because by now, [Hungary](#), [the Netherlands](#), and [Poland](#) are all trying to walk away from full adherence. Then there is the case of *force majeure* or emergencies. Simply put, if member states deem it necessary, they can deviate from some rules in a manner they think practical. As what constitutes a crisis is loosely defined, this basically allows à la carte methods – and shows the paradox of the whole Pact, since the main selling point, and indeed what made it acceptable, was that it gives member states more influence in how they handle migration past the base procedural steps. As is often the case in EU policy making, the solution was not the best policy choice, but the best achievable compromise, [resulting in suboptimal measures](#). That is not to say that allowing member states to use practical solutions in crisis situation is wrong. One can hardly use *ideal* measures in cases such as Belarus’s

[weaponization of migration](#) at the Polish Border – but it shows how the Pact cannot alone be a solution.

What happened then, and ironically *while* the pact was negotiated, [was an externalization of migration and asylum policy](#). In practice, this means that the focus shifts to the external dimension of migration, though, for example, the handling of arrivals, their identification, and the assessment of their claims in third safe countries. One example that receives plenty of attention now is the partnership between Italy and Albania, where up to 3000 asylum claims could be processed monthly in [an Italian hub that physically is in Albania](#). Ten years ago, this would have been taboo – but now Ursula von der Leyen herself [considers](#) out-of-the-box thinking such as this, and the externalization of asylum and migration policy through partnerships with third countries. If the goal of this new policy had to be phrased in one sentence, it would be that only those asylum seekers or other types of migrants should actually reach the border, that were already let in.

It is hoped that this could indeed be a viable goal and solution, although it should be noted that the idea is not new. Some Central European countries, particularly Hungary, have been advocating for similar measures since 2015. In fact, the program of the Hungarian Presidency hit the nail on the head at the most opportune moment by proposing precisely the measures that European policymakers now seem to be embracing protecting external borders, partnering with third countries, addressing the root causes of migration (such as stabilizing origin countries), and improving asylum and return management.

Furthermore, as highlighted in the Presidency's program, the importance of migration routes through the Western Balkans must not be overlooked. The countries in this region are generally aligned with the Central European or Hungarian perspective, and their willingness to follow European policymaking aids in building partnerships with third countries.

As a result, a clear path has opened for Hungary to assert its approach, as its migration policy since 2015 appears to have been vindicated. What is certain, however, is that a new direction has been set in the EU—and Hungary finds itself in a strong position to lead.