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*Marta Pachocka*★

## **Understanding the Visegrad Group States' Response to the Migrant and Refugee Crises 2014+ in the European Union<sup>1</sup>**

**Abstract:** *At least since 2014 the European Union (EU) has been facing the migrant and refugee crises, which have become an important test of solidarity of the Member States (MS). The effectiveness of the common migration and asylum policy has proven to be limited. The crises became a destabilizing factor leading to disagreements and divisions between MS. The position of the Visegrad Group (V4) states stood out in the debate on migration and refugee challenges. The objective of this article is to examine to what extent the migrant and refugee crises 2014+ in Europe, the limited effectiveness of the EU migration and asylum policy and the differences between the MS in their approaches influenced the situation, in which the Visegrad states attempted to find a common voice, strengthen their position in the EU and formulate the basis for the future common policy*

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<sup>1</sup> This article is based on the results of Marta Pachocka's research on “Comparative study of immigration policy in selected member states of the European Union: conditions, solutions, consequences. Conclusions and recommendations for Poland. Part II and Part III” conducted at the Collegium of Socio-Economics of the Warsaw School of Economics in 2015 (research no. KES/BMN/15/03/15) and 2016 (research no. KES/BMN16/04/16), co-financed by the Polish Ministry of Science and Higher Education in the framework of “Young Scientists' Research Grants”. The full version of this paper was presented during 13<sup>th</sup> IMISCOE Annual Conference “Migration and Development” organized by the international research network IMISCOE (International Migration, Integration and Social Cohesion in Europe). The conference was held on 30 June – 2 July 2016 at the Charles University in Prague.

*on migration and asylum. The article presents the migration and asylum situation in the Visegrad Group countries in recent years, then it discusses the V4 response to the migrant and refugee crisis and the EU solutions with a special focus on relocation and resettlement schemes and finally it provides the content analysis of the V4 official documents.*

**Keywords:** Visegrad Group, V4, European Union, EU, Europe, Poland, Hungary, Slovakia, Czech Republic, European Agenda on Migration, migration, asylum, migrant crisis, refugee crisis, migrant and refugee crises, relocation, resettlement, EU migration and asylum policy

## **Introduction**

At least since 2014 the European Union (EU) has been facing the migrant and refugee crises, which have become an important test of solidarity of the Member States (MS). The effectiveness of the common migration and asylum policy has proven to be limited. The crises became a destabilizing factor leading to disagreements and divisions between MS. The position of the Visegrad Group (V4) states stood out in the debate on migration and refugee challenges. The objective of this article is to examine to what extent the migrant and refugee crises 2014+ in Europe, the limited effectiveness of the EU migration and asylum policy and the differences between the MS in their approaches influenced the situation, in which the Visegrad states attempted to find a common voice, strengthen their position in the EU and formulate the basis for the future regional common policy on migration and asylum. The article presents the migration and asylum situation in the Visegrad Group countries in recent years, then it discusses the V4 response to the migrant and refugee crisis and the EU solutions with a special focus on relocation and resettlement schemes and finally it provides the content analysis of the V4 official documents.

### **1. Migration and asylum situation in the V4 countries in times of the migrant and refugee crises 2014+ in Europe – an overview**

Taking into consideration the recent developments in Europe and its neighbourhood in the field of migration and asylum, the term ‘crisis’ has been often used in media coverage, political discourse and academic debate since 2014 to describe the ongoing situation.<sup>2</sup> In fact, there are at least

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<sup>2</sup> See: N. De Genova, M. Tazzioli, *New Keywords Collective „Europe/ Crisis: New Keywords of ‘the Crisis’ in and of ‘Europe’”*, Near Futures Online 1 “Europe at a Crossroads”, March 2016, <http://nearfuturesonline.org/europecrisis-new-keywords-of-crisis-in-and-of-eu-rope/> (last visited 26.05.2016).

two overlapping and interdependent crises that can be identified. The migration crisis, which is demographic in nature, manifests itself through an increasing number of people crossing the EU external borders, both legally and illegally. Simultaneously, it is the largest refugee crisis since World War II if we consider the high numbers of newcomers from North Africa and the Middle East, often forced to flee their countries of origin, many of who seek international protection in Europe.<sup>3</sup> So far, 2015 was the peak year of the crisis in terms of numbers, while 2016 is characterized by the decrease in the number of migrants due to the implementation of the EU–Turkey Statement from March 2016.

It is difficult to show a comprehensive and precise picture of the migration and refugee crises in the EU as data sets used to describe it are gathered by various national, international and non-governmental bodies according to different methodologies for their own analytical purposes. This is why the EU took steps to standardize the data collected in the field of migration and international protection from its MS and some other countries in early 2000s. In 2008 Joint Annual International Migration Data Collection was established under the requirements of Regulation (EC) 862/2007 of the European Parliament and of the Council on Community statistics on migration and international protection<sup>4</sup> which is administrated by Eurostat<sup>5</sup>.

According to the Frontex data, there were more than 1.82 million detections of illegal border-crossing between border crossing points (BCPs) along the EU external borders in 2015, a 6-fold increase when compared with 2014. In addition, 701.6 thousand cases of persons staying illegally on the EU territory were detected in 2015 in comparison to 425 thou-

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<sup>3</sup> The author has already discussed this in detail in her previous publications, see: M. Pachocka, *The European Union and International Migration in the Early 21st Century: Facing the Migrant and Refugee Crisis in Europe* in *Facing the Challenges in the European Union. Re-thinking EU Education and Research for Smart and Inclusive Growth (EuInteg)*, eds. E. Latoszek, M. Proczek, A. Kłos, M. Pachocka, E. Osuch-Rak, Warsaw 2015, pp. 531–557; M. Pachocka, *The European Union in times of migrant and refugee crises*, in *Peculiarities of development in a globalized world economy*, eds. V. Beniuc, L. Rosca, Chisinau 2016, pp. 86–100; M. Pachocka, *The twin migration and refugee crises in Europe: examining the OECD contribution to the debate*, “Yearbook of the Institute of East–Central Europe”, No. 14(4)/2016, pp. 71–99.

<sup>4</sup> Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers (Text with EEA relevance) OJ L 199, 31.7.2007.

<sup>5</sup> Eurostat, *Metadata, Immigration (migr\_imm)*, [http://ec.europa.eu/eurostat/cache/metadata/en/migr\\_imm\\_esms.htm](http://ec.europa.eu/eurostat/cache/metadata/en/migr_imm_esms.htm) (last visited 26.05.2016).

sand in 2014.<sup>6</sup> Similarly to the previous year, in 2015 among eight main migratory routes to Europe regularly monitored by Frontex, only three were of key importance due to the highest number of arrivals, i.e. Eastern Mediterranean route (885 386), Western Balkan route (764 038) and Central Mediterranean route (153 946). In this context the so called Eastern borders route to the EU through Poland was of little significance with the number of detections of 1.9 thousand in 2015 and 1.3 thousand one year prior. In total, in 2015 the highest number of people crossing the border illegally originated in Syria and Afghanistan. They predominantly arrived from Turkey to Greece.<sup>7</sup>

Frontex statistics can be supplemented with the data on the number of people crossing the Mediterranean Sea to reach Europe published by the UNHCR. There were more than one million sea arrivals by the Mediterranean to European countries only in 2015 with the highest number recorded in Greece (more than 850 thousand people) and Italy (more than 150 thousand people). UN Agency for Refugees assumes that the vast majority of them were in need of international protection and were forced to move from their country of origin or previous usual residence. Among top ten nationalities of migrants were Syrians (49%), Afghans (21%) and Iraqis (9%). Moreover, there were 3.5 thousand persons considered dead or went missing in 2014 and 3.8 thousand in 2015 in comparison to 600 in 2013. From 1 January until 26 May 2016 it was the case of at least 1.4 thousand people.<sup>8</sup> One must be aware that Frontex and UNHCR numbers are underestimated as many people were not detected and not recorded on their way through the sea or while crossing the EU external borders.

The EU Member States have been affected unevenly by the crises in terms of numbers and consequences. Among them, there are frontline and first reception countries for migrants (e.g. Greece, Italy), transitory countries (e.g. Hungary, Croatia, and France), target countries (e.g. Germany, the UK) and countries not affected directly (e.g. Poland, Slovakia). The different experience of these countries was one of the key factors that strongly influenced both the official positions taken by the governments of EU members towards the crises and the attempts to solve them at the EU level.

The increasing number of migrants in Europe has resulted in the increasing number of asylum applications, in other words applications for interna-

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<sup>6</sup> Frontex, *Annual Risk Analysis for 2016*, March 2016, p. 14, [http://frontex.europa.eu/assets/Publications/Risk\\_Analysis/Annula\\_Risk\\_Analysis\\_2016.pdf](http://frontex.europa.eu/assets/Publications/Risk_Analysis/Annula_Risk_Analysis_2016.pdf) (last visited 26.05.2016).

<sup>7</sup> *Ibidem*, pp. 16–17.

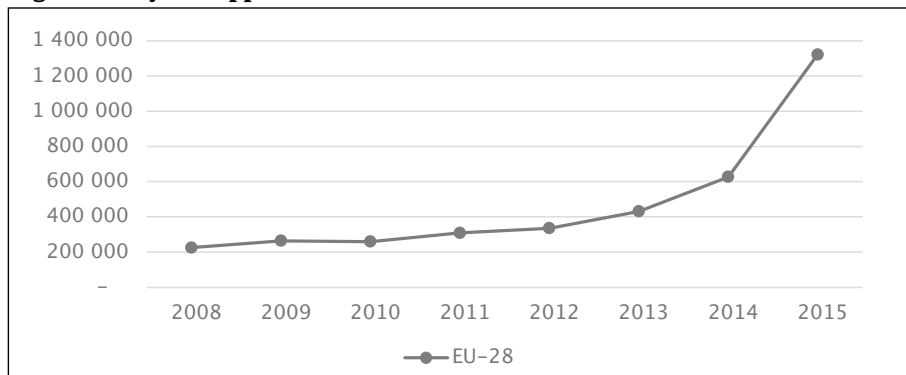
<sup>8</sup> UNHCR, *Refugees/Migrants Emergency Response – Mediterranean*, <http://data.unhcr.org/mediterranean/regional.php> (last visited 26.05.2016).



tional protection, submitted in European countries. According to the Regulation (EC) 862/2007 the international protection procedures in EU MS can lead to different outcomes that are reported to the Eurostat. The asylum claim may be rejected or approved and consequently the applicant may be granted: a refugee status (under Geneva Convention 1951), a subsidiary protection status, an authorisation to stay for humanitarian reasons under national law concerning international protection or a temporary protection status under EU legislation. The so called humanitarian protection is not harmonized at the EU level and is not reported to the EU by all MS.<sup>9</sup>

Having in mind the overall picture of the crisis in Europe and its neighbourhood since 2014, it is important to take a closer look at the situation in the field of migration and asylum in Visegrad countries compared to the EU where relevant. Since 2008 the number of asylum applicants in the EU-28 has been growing year by year. There were 225 150 asylum applications submitted from outside the EU-28 (Figure 1) in 2008, which was the first year of the EU-wide data collection on migration and international protection. In 2011 their number exceeded 300 thousand. They were 431 090 in 2013, 626 960 in 2014 and 1 321 600 in 2015. This means that between 2008 and 2015 this number increased almost 5-fold, while between 2014 and 2015 the growth was 2-fold.<sup>10</sup>

**Figure 1. Asylum applications from outside the EU-28 in 2008–2015**



Source: author's own elaboration based on: Eurostat, Asylum and first time asylum applicants by citizenship, age and sex Annual aggregated data (rounded) [migr\_asyappctza] (last visited 26.05.2016).

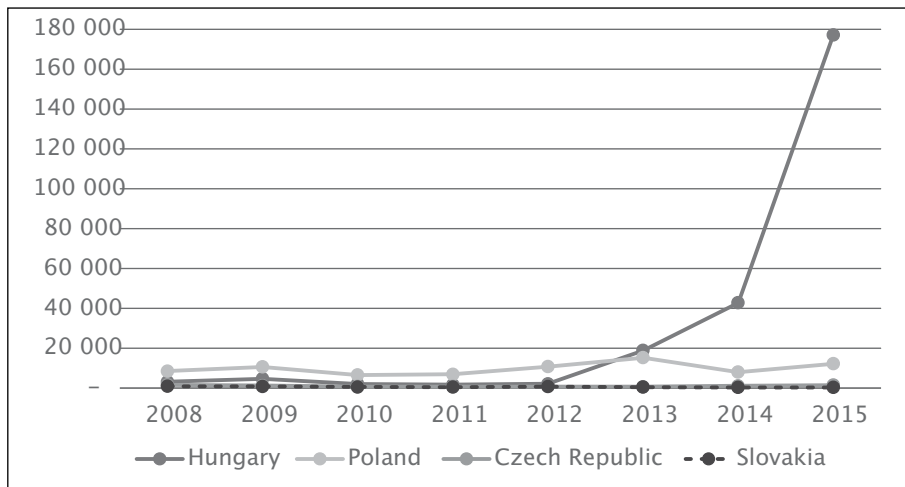
<sup>9</sup> EASO, *Annual Report on the Situation of Asylum in the European Union 2014*, Luxembourg, July 2015, pp. 22–23, <https://www.easo.europa.eu/sites/default/files/public/EASO-Annual-Report-2014.pdf> (last visited 26.05.2016).

<sup>10</sup> Eurostat, Asylum and first time asylum applicants by citizenship, age and sex Annual aggregated data (rounded) [migr\_asyappctza] (last visited 26.05.2016).

Asylum applications submitted in four Visegrad states, including first time applications, represented 8.4% of the total 626 960 applications for the EU-28 in 2014 and 14.4% of 1.3 million one year later. It was not a very significant contribution while comparing to the top EU receiving state – Germany with a share of 32.3% in 2014 and 36.1% in 2015. However, one of V4 countries stood out in 2015 because of a high increase of asylum applicants recorded in absolute and relative terms. It was the case of Hungary due to its geographical proximity to the Western Balkan migration route, the importance of which increased in 2015.

In 2014 asylum applications submitted in Hungary equalled 6.8% of the total for the EU-28 and in 2015 their share grew almost 2-fold to 13.4% (Table 1). Poland’s contribution was much lower and amounted to 1.3% in 2014 and only 0.9% a year later. The total contribution of the Czech Republic and Slovakia should be considered as marginal and symbolic in relative terms. It fell from 0.3% to 0.1% in the 2014–2015 period. In absolute terms the number of applications for international protection in Hungary saw an increase from 42.8 thousand to 177.1 thousand. At the same time, for the other three Visegrad countries it increased from 17.6 thousand in 2014 to 36.4 thousand in 2015. In all V4 states, both in 2014 and 2015, first time asylum applications prevailed.

**Figure 2. Asylum applications from outside the EU-28 in V4 states in 2008–2015**



Source: as Figure 1.

**Table 1. Asylum applications from outside the EU-28 in V4 states in 2014–2015**

	2014	% of EU-28 2014	2015	% of EU-28 2015
EU-28	626 960	100.0	1 321 600	100.0
Hungary	42 775	6.8	177 135	13.4
Poland	8 020	1.3	12 190	0.9
Czech Republic	1 145	0.2	1 515	0.1
Slovakia	330	0.1	330	0.0

Source: as Figure 1.

As shown in Table 2, 366 850 first instance decisions were made by the national authorities of 28 EU Member States in 2014, 46% of which were positive. In 2015 the total number of first instance decisions in the EU-28 was 592 845, and recognition rate understood as a share of total positive decisions in the total of first instance decisions, increased to 52%. Among Visegrad states the most first instance decisions were issued by Hungary in 2014 (5.4 thousand) and by Poland in 2015 (3.5 thousand). In 2014 recognition rate was the highest for Slovakia (61%) and even exceeded the rate for the EU-28 (46%). However, we have to remember, that this was the state with the lowest number of applications submitted that year (only 330). It means that far fewer asylum procedures were to be carried out and consequently public authorities dealing with the asylum mechanism were not as burdened. Slovakia was followed by the Czech Republic (38%), Poland (27%) and Hungary (9%). This data shows that Hungary, a V4 country with the highest number of asylum applications, issued relatively few decisions in absolute terms, 90% of which were negative. The situation was similar in 2015 with Slovakia characterised by 62% of positive decisions and followed by the Czech Republic with 34%. Recognition rate fell to 18% in case of Poland and grew to 15% for Hungary. The rate for the EU of 52% was surpassed once again only by Slovakia.

**Table 2. First instance total positive decisions and recognition rate in V4 states 2014–2015**

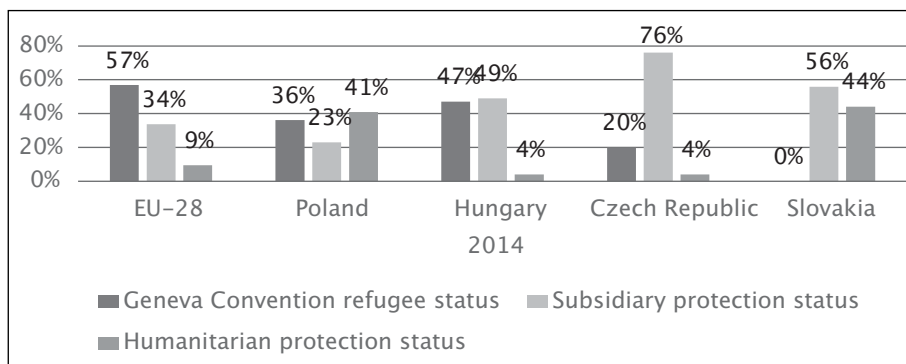
	2014				2015			
	Asylum applications	Total first instance decisions	Total positive decisions (granting any form of international protection)	Recognition rate (positive out of total decisions), %	Asylum applications	Total first instance decisions	Total positive decisions (granting any form of international protection)	Recognition rate (positive out of total decisions), %
EU-28	626 960	366 850	167 385	46	1 321 600	592 845	307 620	52
Hungary	42 775	5 445	510	9	177 135	3 420	505	15
Poland	8 020	2 700	720	27	12 190	3 510	640	18
Czech Republic	1 145	1 000	375	38	1 515	1 335	460	34
Slovakia	330	280	170	61	330	130	80	62

Source: author's own elaboration based on: Eurostat, First instance decisions on applications by citizenship, age and sex Annual aggregated data (rounded) (migr\_asydcfsta) (last visited 26.05.2016) and as Figure 1.

First instance positive decisions issued in 2014–2015 in the Visegrad states covered three forms of international protection granted to applicants, i.a. refugee status under Geneva Convention 1951, subsidiary protection and humanitarian protection. In the EU-28 in absolute terms refugee status was granted most often (95.4 thousand), while around 56.3 thousand people were given subsidiary protection and 15.7 thousand humanitarian protection. In 2015 the number of first instance decisions increased by 140.2 thousand reaching a total of 307 620: the number of people given refugee status increased 2.4-fold, while the number of people being granted humanitarian protection increased only slightly (+6,4 thousand) and the number referring to subsidiary protection reported an insignificant decrease. As we can see from Figure 3, at the EU-level the most commonly granted form of international protection in 2014 was refugee status (57% of positive decisions). Subsidiary protection status was granted in 34% of cases, while humanitarian protection in 9%. The distribution of decisions issued by types of international protection granted varied among V4 countries. In contrast to the EU level, in neither Visegrad states refugee status was the main

form of international protection granted – the most people received this status in Hungary (47% of all positive decisions) followed by Poland (36%) and the Czech Republic (20%), while nobody was granted refugee status in Slovakia. In Czech Republic, Slovakia and Hungary the largest proportion of applicants received subsidiary protection which is usually offered in situations of generalised violence in the country of origin. It was 76%, 56% and 49% respectively. In Poland most applicants were granted humanitarian protection (41%).

**Figure 3. Types of first instance positive decisions by types (forms) of international protection granted to applicants in V4 states in 2014**



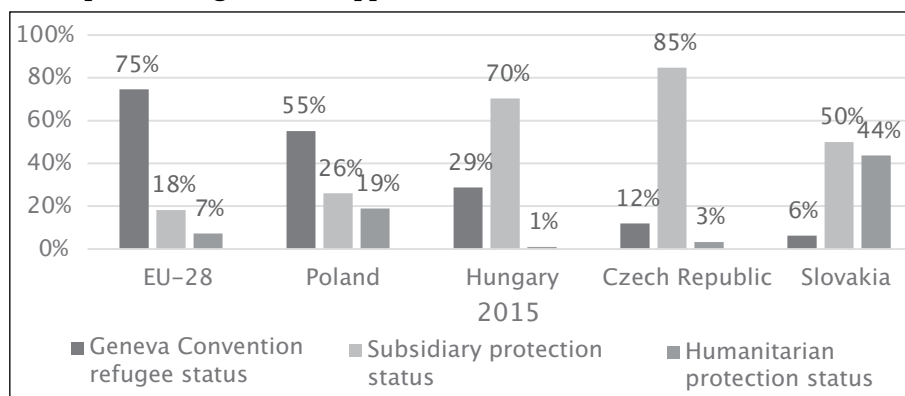
Source: author's own elaboration based on: Eurostat, First instance decisions on applications by citizenship, age and sex Annual aggregated data (rounded) (migr\_asydcfsta) (last visited 26.05.2016).

According to Figure 4, in 2015 the importance of refugee status increased significantly in the EU to 75% of all positive first instance decisions taken in 28 MS. At the same time the share of cases of granting subsidiary protection dropped to 18%, and the share of people having received humanitarian protection was 7%. In the Visegrad states the Geneva Convention refugee status was granted in 55% of cases in Poland, 29% in Hungary, 12% in the Czech Republic and 6% in Slovakia. Subsidiary protection gained in importance as the dominant form of international protection in the Czech Republic (85%) and in Hungary (70%). It was also given in case of half of the positive decisions in Slovakia and 26% in Poland. Humanitarian protection was most commonly granted in Slovakia (44%).

It is worth noting that in the state which has been influenced by the migration and refugee crises the most out of the V4 countries – Hungary – the number of asylum applications increased significantly in absolute terms on a year-to-year basis, the number of first instance decisions dropped, while

the number of positive decisions remained stable, resulting in the recognition rate's increase from 9% to 15%, which is still a low number in comparison to the EU as a whole. It is also interesting to look at the distribution of different types of international protection granted. In 2014, in Hungary the refugee status and subsidiary protection decision shares were on a similar level of 47% and 49% respectively, while just a year earlier, the most popular form of international protection was subsidiary protection at 70%.

**Figure 4. Types of first instance positive decisions by types (forms) of international protection granted to applicants in V4 states in 2015**



Source: author's own elaboration based on: Eurostat, First instance decisions on applications by citizenship, age and sex Annual aggregated data (rounded) (migr\_asydcfst) (last visited 26.05.2016).

In accordance with art. 1 par. 1 (b) and (f) of Regulation (EC) No 862/2007 an immigrant is a person undertaking immigration denoted as 'the action by which a person establishes his or her usual residence in the territory of a Member State for a period that is, or is expected to be, of at least 12 months, having previously been usually resident in another Member State or a third country.' It means that data provided by Eurostat focuses on long-term immigration, also to Visegrad states. Below, immigration is briefly discussed to V4 states taking into consideration three criteria: citizenship, country of birth<sup>11</sup> and previous country of residence.<sup>12</sup>

<sup>11</sup> Country of birth denotes 'the country of residence (in its current borders, if information is available) of the mother at the time of the birth or, in default, the country (in its current borders, if information is available) in which the birth took place' (art 1. par. 1 (e) of Regulation (EC) 862/2007).

<sup>12</sup> It refers to the 'usual residence' that means 'the place at which a person normally spends the daily period of rest, regardless of temporary absences for purposes of recreation, holiday, visits to friends and relatives, business, medical treatment or religious pilgrimage

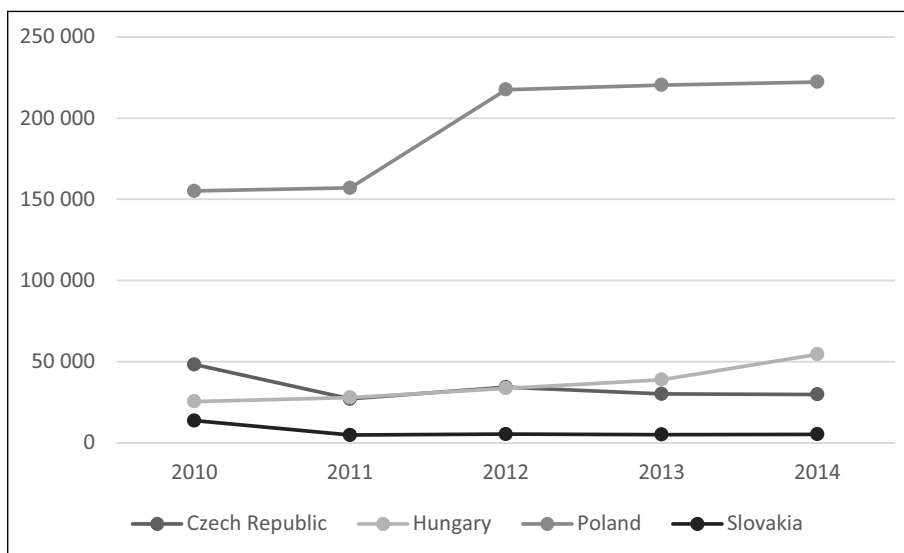
Between the years 2010–2014 each year Poland recorded the biggest number of long-term migrants in absolute terms (Table 3, Figure 5) among Visegrad states. The number of immigrants rose by 43% from 155 131 in 2010 to 222 275 in 2014. At the same time Hungary was exhibiting an upwards trend with the number of immigrants rising from 25 519 people to 54 581. In case of the Czech Republic the number of immigrants between 2010 and 2014 dropped by 68%, with the number of migrants of fewer than 30 thousand people in 2014. Slovakia saw the fall from 13 770 in 2010 to 5357 in 2014.

**Table 3. Immigration to V4 states in 2010–2014**

	2010	2011	2012	2013	2014
Poland	155 131	157 059	217 546	220 311	222 275
Hungary	25 519	28 018	33 702	38 968	54 581
Czech Republic	48 317	27 114	34 337	30 124	29 897
Slovakia	13 770	4 829	5 419	5 149	5 357

Source: author's own elaboration based on: Eurostat, Immigration by five year age group, sex and country of birth [migr\_imm3ctb] (last visited: 26.05.2016).

**Figure 5. Immigration to V4 states in 2010–2014**

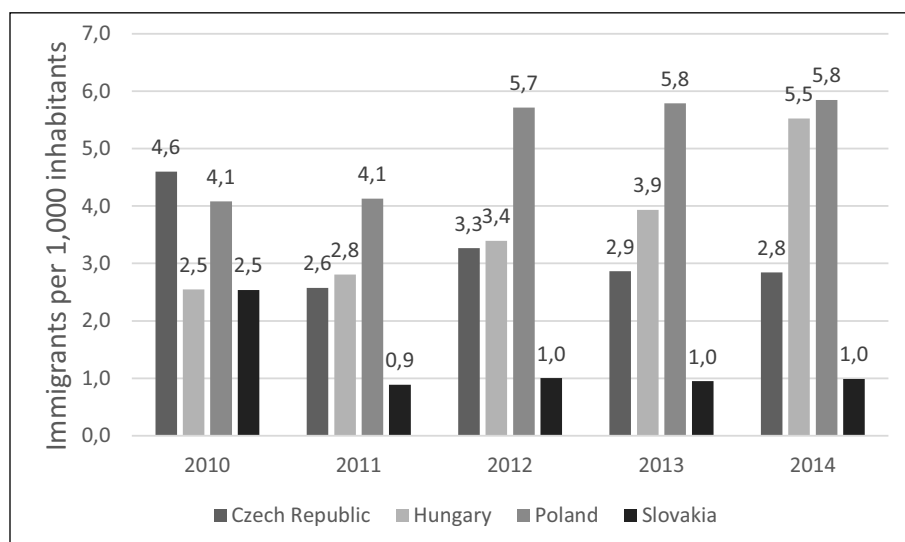


Source: as Table 3.

or, in default, the place of legal or registered residence' (art. 1 par. 1 (a) of Regulation (EC) 862/2007).

The rates of immigration in the Visegrad countries in 2010–2014 inform about the number of immigrants per 1000 inhabitants of a state in a given year. Relative to the size of the resident population, it is Poland that has been recording the highest number of immigrants per 1000 people since 2011 followed by Hungary, the Czech Republic and Slovakia. In 2014 there were approximately 6 immigrants per 1 000 persons in Poland, similarly to the numbers from 2012–2013. Hungary saw an increase from 4 to 6 people between 2013 and 2014. In the years 2011–2014 Slovakia had a marginal immigration rate of 1 immigrant per 1000 inhabitants. For the Czech Republic it was constant at around 3 people per 1000 inhabitants since 2011.

**Figure 6. Immigrants in V4 states per 1 000 people in 2010–2014**



Source: author's own elaboration based on: Eurostat, Immigration by five year age group, sex and citizenship (migr\_imm1ctz); Population on 1 January by five year age group, sex and citizenship (migr\_pop1ctz) (last visited 26.05.2016).

In 2014 immigrants with the citizenship of their target state, called 'nationals', constituted over half of the immigrants to Poland (58%), Slovakia (55%) and Hungary (52%). The Czech Republic was an outlier, since for this country, foreign immigrants represented 81% of the total number. At the same time the biggest share of the citizens of non-EU-28 states among immigrants in 2014 was similar for three Visegrad states, i.e. for the Czech Republic (31%), Poland (30%) and Hungary (28%).



Slovakia was an exception with 8% of non-national immigrants from other than EU countries. All of this means that the immigration into the Visegrad states, excluding the Czech Republic, encompassed in 2014 at least half of its nationals.<sup>13</sup>

In 2014 there were 131 795 native-born immigrants to all Visegrad states, which amounted to 42% of total immigration of 312 110 people. The contribution of foreign-born population born outside the EU-28 within the total immigration to V4 countries was 34%, which meant, that among the immigrants to the Visegrad states native-born (in a reporting state) and born in one of the EU-28 were the majority. Most native-born immigrants came to Poland – they constituted half of the total immigration inflow to that country in 2014. For the other three countries the share varied from 15% for Slovakia up to 26% in the Czech Republic. Another interesting observation was that almost half of the immigrants to Hungary in 2014 were people born outside the EU-28. In the case of Slovakia, the number was the lowest at 19%.<sup>14</sup>

The analysis of immigration by state of previous residence allows to conclude that the share of immigrants staying previously outside the EU territory was the highest for Hungary and Czech Republic, constituting almost half of all. For Poland 84 644 persons arrived in 2014 from non-EU Member States, which stood for 38%. For Slovakia the same rate was at 20%.<sup>15</sup>

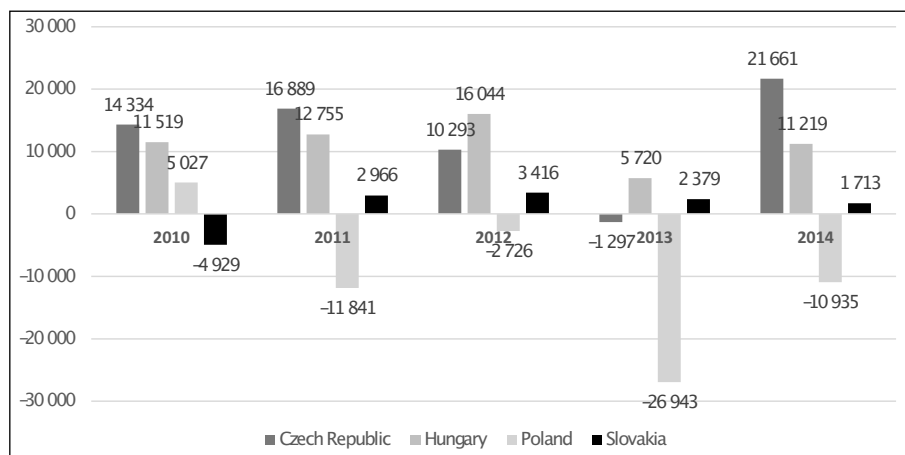
As Figure 7 shows the Visegrad states varied in terms of their migration balance in the period of 2010–2014 and migration situation of each country evolved from year to year. Hungary was the only V4 country, which every year was a net immigration state. The Czech Republic was a net immigration state with the exception of 2013. Slovakia was a net emigration country in 2010, but since 2011 it has recorded a positive migration balance. Poland in 2010 was a net immigration country, but in the years 2011–2014 it noted a negative migration balance, with more emigrants than immigrants.

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<sup>13</sup> Eurostat, Immigration by five year age group, sex and citizenship (migr\_imm1ctz) (last visited 26.05.2016).

<sup>14</sup> Eurostat, Immigration by five year age group, sex and country of birth (migr\_imm3ctb) (last visited: 26.05.2016).

<sup>15</sup> Eurostat, Immigration by five year age group, sex and country of previous residence (migr\_imm5prv) (last visited: 26.05.2016).

**Figure 7. Net migration plus statistical adjustment in V4 states in 2010–2014**

Source: author's own elaboration based on: Eurostat, Population change – Demographic balance and crude rates at national level (demo\_gind) (last visited 26.05.2016).

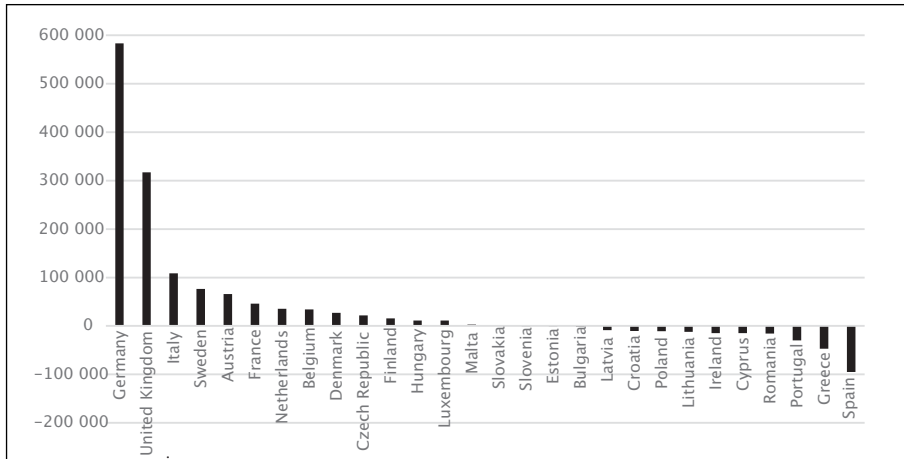
In 2014 slightly more than half of the EU-28 were countries of net immigration (Figure 8). This group, however, was diversified – the biggest absolute value was reached by Germany (583 503 people) and the smallest one by Slovakia (1713 people). Among the 13 countries of net emigration, Slovenia was the country with the lowest net migration (-490 persons), while Spain noted the highest negative balance (-94 976 people). Three of out of four Visegrad states – Czech Republic, Hungary and Slovakia – were among net immigration states of the EU, while Poland was the only net emigration state. Slovakia was close to the state of balance.

## 2. V4 countries towards the migrant and refugee crises and the EU response: the case of the relocation and resettlement schemes

Due to intensifying migratory movements into the EU territory since 2014 and a growing number of Member States affected by the scale and pace of developments, the European Union started to look for the solutions in the framework of a common migration and asylum policy. Therefore, in early March 2015 work started on the *European Agenda on Migration* (EAM), and the European Commission (EC) announced it in mid-May 2015.<sup>16</sup> EAM covered an immediate action plan to solve

<sup>16</sup> European Commission, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – 'A European Agenda on Migration'*, 13.05.2015, COM(2015) 240 final, <http://ec.europa>.

**Figure 8. Net migration plus statistical adjustment in the EU-28 in 2014**



Source: as Figure 7.

the difficulties in the Mediterranean, as well as medium- and long-term measures. The relocation and resettlement schemes were proposed under the Commission's Agenda as part of immediate steps to be taken by the EU and its members. Initially, the overall goal of the relocation mechanism was to transfer asylum seekers arriving in large numbers to the EU from the most affected EU countries such as Italy and Greece to other MS in accordance with the mandatory distribution key. In turn, the resettlement mechanism aimed at a safe and legal transfer of an increasing number of people in need of international protection from third countries to the EU. The common distribution key for both EU relocation and resettlement schemes proposed in the agenda was based on measurable and weighted criteria to estimate the capacity of each Member State to take in refugees. They were as follows: (1) the size of the population (40%) to reflect the capacity of a state to absorb a certain number of refugees, (2) total GDP (40%) to show the absolute wealth of a state and the capacity of a national economy to absorb and integrate refugees, (3) the average number of asylum applications and the number of resettled refugees per 1 million inhabitants in 2010–2014 (10%) to indicate the efforts made by a state in the recent past, and (4) the unemployment rate (10%) to reflect the capacity of a state to integrate refu-

[eu/dgs/home-affairs/what-we-do/policies/european-agendamigration/background-24information/docs/communication\\_on\\_the\\_european\\_agenda\\_on\\_migration\\_en.pdf](http://eu/dgs/home-affairs/what-we-do/policies/european-agendamigration/background-24information/docs/communication_on_the_european_agenda_on_migration_en.pdf) (last visited 26.05.2016).

gees.<sup>17</sup> Details of these mechanisms were subject to further works and adjustments, among other things, in terms of participating states, the total number of asylum seekers to be relocated or resettled in the EU and the key of their distribution among countries involved.

On 27 May 2015, the Commission presented the first package of measures to be implemented under the *European Agenda on Migration*. It proposed to, in the period of 2 years, relocate a total of 40 thousand asylum seekers according to the mandatory distribution key to different EU MS mostly from Italy (24 thousand) and from Greece (16 thousand). The second package was announced by the Commission on 9 September 2015 and it included a temporary two-year relocation mechanism for another 120 thousand asylum seekers from Italy (15.6 thousand), Greece (50.4 thousand) and Hungary (54 thousand) to other EU MS based on the mandatory distribution key. Commission's proposals were approved by the European Parliament (EP).<sup>18</sup>

Following the Commission's proposal of May 2015, on 14 September 2015 the Council adopted through unanimous vote the Decision (EU) 2015/1523 establishing provisional measures in the area of international protection for the benefit of Italy and Greece, according to which, based on a voluntary distribution scheme from 20 July 2015 Italy and Greece would be able to relocate 40 thousand asylum seekers to other MS over the period of two years. These were supplemented by the adoption of the second Decision (EU) 2015/1601, on 22 September, which was to implement provisional measures to aid frontline Italy and Greece. Even despite the fact that the Commission's proposal from 9 September also related to Hungary, this country did not want to take advantage of the emergency relocation scheme as it did not think of itself as a 'frontline state'. As a result, the proposal was reworked and passed, on 22 September by a qualified majority vote (Slovakia, the Czech Republic, Romania and Hungary voted against while Finland abstained). It put in place a time-limited and exceptional mechanism to relocate 120 thousand asylum seekers from Italy and Greece to other MS, 66 thousand in the first year, and the remaining 54 thousand in the second. Only the people in clear need of international protection were to fall under this scheme.<sup>19</sup>

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<sup>17</sup> Ibidem, p. 19.

<sup>18</sup> European Parliament, *Legislation on emergency relocation of asylum-seekers in the EU*, Briefing, October 2015, [http://www.europarl.europa.eu/RegData/etudes/BRIE/2015/569018/EPRS\\_BRI\(2015\)569018\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2015/569018/EPRS_BRI(2015)569018_EN.pdf) (last visited 26.05.2016).

<sup>19</sup> Ibidem.

To sum up, in September 2015 two Decisions<sup>20</sup> concerning the temporary emergency relocation scheme, based on the EC proposals, were adopted by the Council of the European Union (CEU). According to these decisions the total of 160 thousand asylum seekers from Italy and Greece (and from other MS if relevant) should be relocated by September 2017 to other EU MS to undergo the asylum procedure.<sup>21</sup>

In the meantime, the European Resettlement Scheme proposed by the Commission in May-June 2015 was adopted by the Council of the European Union on 20 July 2015 establishing a two-year resettlement system of over 22 thousand people in clear need of international protection from outside of the EU to the EU MS.<sup>22</sup> Moreover, as a result of negotiations held since late November 2015, the EU and Turkey agreed in their statement of 18 March 2016 that for every Syrian returned from the Greek islands to Turkey another Syrian national will be resettled directly from Turkey to the EU. In this way, so called '1:1 mechanism' was set up as a part of resettlement scheme.<sup>23</sup>

As of 13 May 2016 effective relocation from Greece and Italy covered 1 500 persons, including 909 persons from Greece and 591 from Italy. Most people in absolute numbers were relocated from Greece to France (362 persons), the Netherlands (142), Finland (111) and Portugal (89), bearing in mind the fact that relocation took place to 16 EU MS. Effective relocation from Italy concerned 11 EU members and Switzerland. The highest number of asylum seekers in this case were relocated to Finland (148 persons), France (137), Portugal (122) and the Netherlands (50). Based on the information received from the European countries involved, 6321 persons out of the total number of 22 504 people have been resettled by 13 May 2016 since the launch of the European Resettlement Scheme in 2015. This number included people resettled under the 20 July scheme and 1:1 agreement between the EU and Turkey. So far 13 EU members

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<sup>20</sup> Council Decision (EU) 2015/1523 of 14 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and of Greece OJ L 239, 15.9.2015; Council Decision (EU) 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece OJ L 248, 24.9.2015.

<sup>21</sup> European Commission, *Relocation and resettlement – State of Play*, 18.05.2016, [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/20160518/factsheet\\_relocation\\_and\\_resettlement\\_-\\_state\\_of\\_play\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/20160518/factsheet_relocation_and_resettlement_-_state_of_play_en.pdf) (last visited 26.05.2016).

<sup>22</sup> Ibidem.

<sup>23</sup> European Commission – Press Release, *Relocation and Resettlement: EU Member States must act to sustain current management of flows*, Brussels, 18.05.2016, [http://europa.eu/rapid/press-release\\_IP-16-1763\\_en.htm](http://europa.eu/rapid/press-release_IP-16-1763_en.htm) (last visited 26.05.2016).

(Austria, Belgium, Czech Republic, Denmark, Finland, France, Germany, Ireland, Italy, Lithuania, the Netherlands, Sweden and the United Kingdom) and four associated Schengen States (Iceland, Liechtenstein, Norway and Switzerland) received the resettled people. Most people in need of international protection from outside of the EU under the 20 July scheme were resettled to the United Kingdom (1864) and Austria (1443). In the framework of 1:1 mechanism in force since 4 April 2016 the total number of the resettled was 177 Syrians from Turkey to Sweden (55 persons), the Netherlands (52), Germany (54), Finland (11) and Lithuania (5).<sup>24</sup>

From the beginning these were the Visegrad Group countries that were opposed to obligatory migrant quotas for refugee relocation. Concerning this topic, at the EU and members' levels, before the Council Decisions of September 2015 were adopted, these countries vouched their support for migrant quotas based on a voluntary approach.<sup>25</sup> They officially expressed their common attitude in the V4 Prime Ministers' joint statement issued on 4 September 2015 and later on, in the joint declaration of the V4 Ministers of the Interior on 19 January 2016. Three out of four Visegrad states – the Czech Republic, Slovakia and Hungary – voted against the Council Decision (EU) 2015/1601 of 22 September 2015 establishing a temporary procedure for additional 120 thousand persons in clear need of international protection to be relocated from Italy and Greece to other EU MS over the next two years.<sup>26</sup> Poland was not among the countries voting against, which undermined the supposed unity of the Visegrad states. Interestingly, it was Romania that voted against as the fourth country refusing its support, and Finland abstained. On 2 December 2015, Slovakia brought before the Court of Justice of the European Union an action for annulment of the Council Decision (EU) 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece (pending case C-643/15). This step was followed by a similar move by Hungary on 3 December 2015 (pending case C-647/15).<sup>27</sup>

As of May 2016, the Czech Republic is the only Visegrad country that effectively relocated any asylum seeker from Greece – namely 4 persons,

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<sup>24</sup> European Commission, *Relocation and resettlement – State of Play*, op.cit.

<sup>25</sup> J. Lopatka, T. Jancarikova, *France, central European states oppose quotas in EU migrant debate*, Reuters, 19.06.2015, <http://www.reuters.com/article/us-europe-migrants-centraleurope-idUSKBN0OZ1IB20150619> (last visited 26.05.2016).

<sup>26</sup> European Parliament, *Legislation on emergency...*, op.cit.

<sup>27</sup> Council of the European Union, *Information Note, Case before the Court of Justice: Case C-647/15 (Hungary v Council of the European Union)*, Brussels, 22.01.2016, 5490/16, <http://www.statewatch.org/news/2016/jan/eu-council-hungary-versus-council-in-court-5490-16.pdf> (last visited 26.05.2016).

and there was no effective relocation from Italy to V4 states. Also Czech Republic is the only country from the Visegrad Group that resettled 52 persons in need of international protection under the 20 July 2015 scheme. These were 32 asylum seekers from Lebanon and 20 from Jordan.<sup>28</sup>

By mid-May 2016 the total number of so called 'formal pledges' made by EU MS in the framework of the relocation process from Italy and Greece was limited. The formal pledges are understood as the indications of readiness to relocate applicants for international protection from Greece or Italy under the temporary emergency relocation scheme submitted by each Member State.<sup>29</sup>

According to the third report of the Commission on relocation and resettlement from mid-May 2016, there were 5736 formal pledges by MS (1658 to Italy and 4078 to Greece) with Austria,<sup>30</sup> Hungary and Slovakia not submitting any. Additionally, Germany and Poland have not honoured their obligation to report every three months how many applicants they can accept under the relocation scheme. What is more, most MS, including Croatia, Czech Republic, Germany and the Netherlands, did not submit pledges large enough to allow them to meet their allocation targets established by the Council Decisions, whereas Poland and Spain stood out by having pledged 5% or less of their allocation. Meanwhile, the Czech Republic, Bulgaria and Estonia rejected relocation requests without sufficient grounds, while Poland effectively suspended the relocation procedure by freezing the processing of relocation requests from the Greek Asylum Service and from Italy since April 2016.<sup>31</sup>

### **3. V4 official political discourse towards migrant and refugee crises 2014+ and the EU response**

As the study concerns the V4 states considered as one group of countries, hence the interest in this part of the paper is concentrated on the of-

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<sup>28</sup> European Commission, *Communication from the Commission to the European Parliament, the European Council and the Council. Third report on relocation and resettlement*, Strasbourg, 18.05.2016, COM(2016) 360 final, Annexes from 1 to 3, [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160412/communication\\_second\\_report\\_relocation\\_resettlement\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160412/communication_second_report_relocation_resettlement_en.pdf) (last visited 26.05.2016).

<sup>29</sup> *Ibidem*, p. 3.

<sup>30</sup> The processing of 30% of asylum seekers allocated to Austria (Council Decision (EU) 2015/1601) was frozen for one year, which affects 1 065 persons. However, the remaining allocations are expected to be processed normally.

<sup>31</sup> European Commission, *Communication from the Commission to the European Parliament, the European Council and the Council. Third report...*, *op.cit.*, p. 3.

ficial approach and the resulting position of the Visegrad Group towards the migrant and refugee crises 2014+ and the solutions proposed at the EU level. Consequently, the analysis does not cover the overview of national approaches of these four countries. The content analysis of the V4 official documents includes the period from early 2014 to April 2016, taking into account such key issues as: international migration, international protection, asylum and borders.

There are several strategic documents for the Visegrad initiative that are the basis for the functioning of the group with three on the top known as Visegrad Declarations adopted in 1991, 2004 and 2011. Another key document is Contents of Visegrad Cooperation approved by the Prime Ministers' Summit Bratislava in 1999 with its annex approved by the Prime Ministers at the summit in Esztergom in 2002. Other V4 source documents include joint statements and declarations (general ones and on specific topics such as migration) and annual presidency programs and reports.<sup>32</sup>

In 2014 most of common Visegrad official statements were concentrated on Ukraine-related issues and defence cooperation as well as V4 relations with some partners such as Slovenia and Austria, Bulgaria and Romania, Swiss Confederation, the Republic of Korea and the Eastern Partnership.<sup>33</sup> Along with the further escalation of the migrant and refugee crises in Europe in 2015, this topic became one of the key issues raised and discussed at the forum of the Visegrad Group. Since then it has regularly appeared in political statements and declarations during different meetings. A brief overview of a common approach of Visegrad countries to migration and refugee crises based on the official V4 documents follows, with the aim to examine the evolution of the approach towards migration, the context in which it is communicated and the way it is presented.

The Foreign Affairs Committees of the national parliaments of the Visegrad Group countries in their conclusions from the meeting held on 25 February 2015 in Bratislava referred to the difficult and unstable situation in the Middle East emphasizing that '[...] the politically fragile situation in Iraq, the war in Syria, later exacerbated by military activities of ISIL in both Syria and Iraq, have contributed to the largest wave of refugees since World War II. The efforts to deal with this humanitarian crisis have so far proven insufficient and inadequate. Therefore, the

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<sup>32</sup> Visegrad Group, *Official Statements and Communiqués*, <http://www.visegradgroup.eu/documents/official-statements> (last visited 26.05.2016).

<sup>33</sup> Visegrad Group, *Official Statements and Communiqués 2014*, [http://www.visegradgroup.eu/documents/official-statements#\\_2014](http://www.visegradgroup.eu/documents/official-statements#_2014) (last visited 26.05.2016).



V4 Parliamentarians call on their governments to increase the support to sustain the needs of the refugees, internally displaced persons, as well as protect religious minorities, including Christians'.<sup>34</sup>

Ministers of Foreign Affairs of Visegrad, Nordic and Baltic countries met in the High Tatras on 12 and 13 March 2015 for their third regular meeting. Discussing the current foreign and security policy issues, they stressed that: 'terrorism and violent extremism, mainly related to the situation in Syria and Iraq and the threat represented by ISIL/Daesh to the region as well as its possible global impact' require 'a systematic and comprehensive approach as well as long-term commitment covering various areas such as military means, fight against terrorism and radicalization, migration, stabilisation efforts as well as humanitarian assistance'.<sup>35</sup>

On 19 June 2015 in Bratislava the issues concerning migration and the crisis in Europe have been raised several times by the V4 policy-makers in various contexts. The Prime Ministers of the Czech Republic, Hungary, Poland and Slovakia in their Bratislava Declaration of the Visegrad Group Heads of Government on a Stronger CSDP stated that: 'The security environment of Europe is dynamic and unpredictable, with threats growing in EU's imminent neighbourhood and beyond. [...] In the South, a belt of weak and destabilized states now stretches from North Africa via the Horn of Africa to Iraq and Yemen, creating an environment conducive to challenges like unprecedented migration flows. In this context, we underline the necessity of a balanced and inclusive approach, addressing threats and challenges that the EU faces both in the East and the South. [...] The urgency and complexity of these challenges demand that the EU acts with unity and solidarity, based on a common strategic vision. The Visegrad countries stand ready to bear their share of responsibility for European security as a whole and play an active role in addressing the challenges in both the Eastern and Southern neighbourhoods'.<sup>36</sup>

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<sup>34</sup> Conclusion from the Meeting of Foreign Affairs Committees of V4 Parliaments Representatives of the Foreign Affairs Committees of the Chamber of Deputies and Senate of the Czech Republic, the Hungarian National Assembly, the Sejm and the Senate of the Republic of Poland and the National Council of the Slovak Republic, Bratislava, 25 February 2015, <http://www.visegradgroup.eu/calendar/2015/conclusion-from-the> (last visited 26.05.2016).

<sup>35</sup> Co-Chairs' Statement Slovakia and Denmark, 3rd Meeting of Foreign Ministers of the Visegrad, Nordic and Baltic States, March 12–13, 2015, High Tatras, <http://www.visegradgroup.eu/calendar/2015/co-chairs-statement> (last visited 26.05.2016).

<sup>36</sup> Bratislava Declaration of the Visegrad Group Heads of Government for a Stronger CSDP, 19 June 2015 in Bratislava, <http://www.visegradgroup.eu/calendar/2015/bratislava-declaration> (last visited 26.05.2016).

On the same day in their joint statement on the area of migration the Heads of Governments of the Visegrad states declared their readiness to examine the outcome of the Commission's package from 27 May 2015 referring to the EAM in an effort to work out a more fundamental approach to migration which would take into account both the Western Balkan route and the Eastern route. They also mentioned contradictory consequences of the mandatory redistribution scheme and argued for the effective return of the people who are not in clear need of international protection.<sup>37</sup>

Finally, in the press statement issued on the occasion of the summit of V4 Prime Ministers and the President of the French Republic on 19 June 2015 in Bratislava migration and the related circumstances in the Mediterranean were deemed tragic and recognized as needing both short- and long-term measures for a satisfactory resolution and to save lives of the migrants. Both V4 states and France supported the European Agenda on Migration and stated that they look forward to the European Council meeting of June 25–26 to outline and decide on measures to tackle the issue.<sup>38</sup>

In September 2015 there was an extraordinary Visegrad Group Summit in Prague dedicated to migration issues. On this occasion the V4 Prime Ministers announced their joint statement on 4 September. They underlined that 'migration flows present a complex and serious challenge for the EU and its Member States', including one of the Visegrad states – Hungary – that was among those EU members most exposed to migratory pressures and affected by their impacts. Heads of four Central European governments declared that 'they will continue to fulfil their obligations under the EU *acquis*, including the responsibility to protect the EU and Schengen Area external borders.' On one hand V4 countries ensured that, so far, they have been actively involved in the process of defining and implementing measures in response to migration challenges. On the other hand, they confirmed their further contribution to the joint EU actions among other things, through: enhancing bilateral assistance and aid schemes with particular focus on countries of transit and origin such as Turkey, Jordan, Lebanon, Iraq; providing experts and technical equipment for Frontex, European Asylum Support Office (EASO), Western Balkan states and other most exposed countries; using the potential of

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<sup>37</sup> Joint Statement of the Heads of Government of the Visegrad Group Countries, 19 June 2015 in Bratislava, <http://www.visegradgroup.eu/calendar/2015/joint-statement-of-the> (last visited 26.05.2016).

<sup>38</sup> Press Statement on the Occasion of the Summit of V4 Prime Ministers and the President of the French Republic, 19 June 2015 in Bratislava, <http://www.visegradgroup.eu/calendar/2015/press-statement-on-the> (last visited 26.05.2016).

the foreign development cooperation in the field of migration; increasing involvement in the EU Common Security and Defence Policy mission combating smugglers and traffickers; further supporting the international coalition fighting Da'esh in Iraq and Syria to help fight the root causes of migration.<sup>39</sup>

The Prime Ministers also drew attention to the key elements to be included in the EU common approach towards the migration crisis for the coming months. They expected among others the protection of the external borders of the EU; a full implementation of the EU asylum system, especially Dublin regulation; an effective return policy and readmission agreements; hotspot-like structures to be set up with EU assistance in the most affected transit countries, including Western Balkans migration route; as well as EU Common Security and Defence Policy missions. They also requested a more balanced distribution of the EU financial assistance so that it does not focus only on the Mediterranean region. Moreover, they called for 'preserving the voluntary nature of EU solidarity measures' with the assumption that each EU Member State should take lessons and implement best practices based on its own experience. In addition, 'principles agreed at the highest political level, including in European Council conclusions must be respected' and 'any proposal leading to introduction of mandatory and permanent quota for solidarity measures would be unacceptable'.<sup>40</sup>

More active contribution of the EU and its MS is necessary to improve the political situation in Libya, Syria and the Middle East with the involvement of all relevant global players, including the UN, the USA and Russia, to provide stabilization, recovery and reconstruction in the migrant-sending countries. Moreover, the EU should cooperate more closely with the countries of origin and transit and lead a coordinated effort joined by other global players to fight irregular migration and its root causes. The four countries of the CE region underlined the problem of irregular migration, which should be countered by, among other things, supporting the struggle to combat trafficking and organized crime as well as by intensifying cooperation in this area with the international community, including the United Nations, African Union and the Arab League.<sup>41</sup>

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<sup>39</sup> Joint Statement of the Heads of Government of the Visegrad Group Countries, Prague, 4.09.2015, <http://www.visegradgroup.eu/calendar/2015/joint-statement-of-the-150904> (last visited 26.05.2016).

<sup>40</sup> Ibidem.

<sup>41</sup> Ibidem.

The V4 reiterated the above-mentioned issues in their Prime Ministers' joint statement adopted on 3 December 2015 in Prague during the Visegrad Group Summit, clearly and decisively presenting their attitude that while it is important to address the challenges related to migration, other EU policies (e.g. cohesion policy) must remain unaffected, or any proposal will be rejected. Likewise, they expressed a strong belief that the proper functioning of Schengen area should be a key goal for all the EU MS to allow free movement of people. This should be ensured while respecting the rules within the existing legislative framework. Attempts to establish 'mini-Schengens' in any form and of any scope are a step back for the European integration and do not tackle the root causes of the problem but only divert attention. Moreover, the V4 countries pledged to continue to strengthen the protection of EU external borders (supporting Frontex and EASO with experts, implementing hotspots with detention function, speedy asylum procedures, rigorous registration and fingerprinting rules), also by assisting other affected countries, with special attention given to the Western Balkans. They also embraced the outcome of the EU-Turkey summit held on 29 November 2015 such as the implementation of instruments to stabilize and control the influx of migrants from the south and supported the EU-Turkish dialogue as a whole.<sup>42</sup>

In a similarly decisive manner the V4 Prime Ministers expressed their opinions in a joint statement of the Visegrad Group countries in Brussels on 17 December 2015 on the occasion of the European Council meeting. The Visegrad Group's attention was focused on: elimination of the root causes of migratory pressure in Europe, EU and its members' full control at the external border and their effective protection (systematic and coordinated security checks, a truly functional system of hotspots) and maintenance and improvement of Schengen area. They once again stressed the priority of registering and fingerprinting the arriving migrants and adding detention capacity to hotspots in the frontline as a way to assume control over the external borders of the EU, which they insisted should be done before any other measures are considered and current measures are assessed.<sup>43</sup>

Between January and April 2016 the migration issues were also present in the V4 official discourse. First, there was a meeting of Ministers of the Interior of the Visegrad Group in Prague on 19 January 2016, during which

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<sup>42</sup> Joint Statement of the Visegrad Group Countries, Prague, 3 December 2015, <http://www.visegradgroup.eu/calendar/2015/joint-statement-of-the-151204> (last visited 26.05.2016).

<sup>43</sup> Joint Statement of the Visegrad Group Countries, Brussels, 17 December 2015, <http://www.visegradgroup.eu/calendar/2015/joint-statement-of-the-151221-1> (last visited 26.05.2016).

issue of illegal migration was indicated as one of the challenges Europe is currently facing in the field of internal affairs. The representatives of Slovenia, Serbia and Macedonia discussed the measures regarding the Western Balkan migration route. In the joint declaration of Ministers of the Interior of the Visegrad Group, Slovenia, Serbia and Macedonia agreed on the need to stabilize the way migration is managed in Europe and to further enhance the way the external EU borders are protected to reduce migration pressure. To this end, they claimed it is crucial to consistently register and identify all people arriving to the EU at, so called hotspots, to restore full control of the border and help distinguish refugees, who are in need of international protection from economic migrants, who should be returned to their countries of origin. They also expressed the opinion that the issues of migration are linked to the proper functioning of the Schengen area, which is seen as one of key achievements of European integration with its free movement of people and goods. They agreed that any attempts to restrict it which will not be in accordance with the EU legal framework will be rejected. Additionally, they stressed again that any measures, such as revisiting the Dublin regulation, can only be considered once control over EU external border is regained, and the influx of migrants is reduced. They also agreed to reject proposals that suggested to relocate migrants entering the EU automatically. The V4 Ministers ensured their will to continue cooperation with the EU MS efforts to regain control over the EU external border, also regarding the route through Western Balkans. Simultaneously, they stated that the current strategic approach is lacking as it does not lead to reducing the influx of migrants and working out a well-balanced solution to help correctly identify the migrants in real need of international protection from other migrants who abuse asylum and want to enter illegally. In this context, they also stressed the importance of a proper return policy, since the current one is ineffective. Regarding the Western Balkan route the ministers discussed Macedonia's request for support concerning its migration situation. In response, the Czech Presidency of the Visegrad Group presented for consideration a draft programme of a possible model of cooperation to be launched in early 2016 with the aim to target the flow through Macedonian-Greek border and thus, reduce the movement of unregistered migrants via this route. This programme is designed to complement the support of the EU, e.g. the Poseidon Rapid Intervention 2015 in Greece coordinated by Frontex.<sup>44</sup>

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<sup>44</sup> Joint Declaration of Ministers of the Interior of the Visegrad Group, Prague, 19 January 2016, <http://www.visegradgroup.eu/calendar/2016/joint-declaration-of> (last visited 26.05.2016).

Until April 2016, the last official strategic document directly dealing with migration was the joint statement of V4 Prime Ministers on migration gathered at an extraordinary summit in Prague on 15 February 2016 on the occasion of 25th anniversary of the Visegrad Group cooperation. 2015 proved that while the effects of migration on all the countries may differ, there are challenges which have to be tackled by Europe as a whole. Therefore, working out common agendas, tools and programmes is crucial to regain control, by confronting the root causes of migration – such as the war in Syria which should be brought to an end. In this light the Prime Ministers of the Visegrad Group urged to make best use of EU’ and NATO’s instruments and resources to support this cause, and protect EU’s internal borders, while keeping the humanitarian aspects in mind and to swiftly adopt the Council position of ‘European Border and Coast Guard,’ which employs the principle of balance between Member States’ sovereignty and EU competences. Moreover, they recognized the role of Turkey in efforts to resolve the migration situation and the problem of human trafficking and advised to implement European Union-Turkey Joint Action Plan in a timely and effective manner. Overall, they reiterated the importance of preserving Schengen area by assuming control of the external borders of the EU so that EU members’ citizens may continue to benefit from the European integration.<sup>45</sup>

The issues of migration and the crisis in the EU have not been mentioned in the Program of the Slovak Presidency in the Visegrad Group under the banner of ‘Dynamic Visegrad for Europe and Beyond’ for the period from July 2014 to June 2015.<sup>46</sup> However, the events observed in the Mediterranean and in Europe in the first half of 2015 in the field of migration and asylum contributed to the inclusion of these problems into the next Program of the Czech Presidency of the Visegrad Group entitled ‘V4 Trust,’ in force from July 2015 to June 2016. One of the thematic priorities of the Czech Presidency 2015–2016 was formulated as ‘active practising of the solidarity principle in the EU’ assuming that the Czech Republic will ‘continue in the current practice of close cooperation and coordination of positions of the V4 countries both before important EU meetings, as well as during regular meetings at the political and expert level.’ Asylum and migration issues were indicated among key areas of cooperation of V4 Prime Ministers and V4 ministries of the interior during the Czech Presi-

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<sup>45</sup> Joint Statement on Migration of the Prime Ministers of the Visegrad Group countries, Prague, 15 February 2016, <http://www.visegradgroup.eu/calendar/2016/joint-statement-on> (last visited 26.05.2016).

<sup>46</sup> Programme of the Slovak Presidency of the Visegrad Group July 2014 – June 2015 “Dynamic Visegrad For Europe And Beyond”, <http://www.visegradgroup.eu/documents/presidency-programs/20142015-slovak> (last visited 26.05.2016).

dency. Consequently, a formal meeting of (deputy) ministers regarding EU migration legislature (e.g. *European Agenda on Migration*) was scheduled during which the ministers responsible for migration were to discuss how to coordinate V4 position on this matter.<sup>47</sup>

In its report summarizing a one-year Presidency of the Visegrad Group, in reference to new migration challenges having arisen in 2015, Slovakia stated that its Presidency was quick to react to the challenges of migration, which is evident from the fact that these were the main issues discussed in the second half of its mandate. They also recalled the coordination meetings organized, which resulted in a V4 common stance e.g. against the mandatory migration quotas. According to them, the European Council's conclusions from 25 to 26 June 2015 prove that the V4 position is respected within the European Union, which they count as one of their successes.<sup>48</sup>

Analysis of the Visegrad Group's official documents from 2014 to April 2016 shows that the V4 countries have sought to increase interest of the EU and its institutions (EC, Frontex, EASO) in the Western Balkan migration route. A very crucial issue for the Visegrad states seems to be the integrity of the Schengen area, which would not be possible without an effective external border management. In various official Visegrad documents the four Central European states have stressed repeatedly that the EU should have a key focus on the root causes of migration flows (striving for improvement and stabilization of the situation in the countries of origin and transit outside the EU) and on counteracting illegal migration, which encompasses, among other things, prioritizing the struggle with smugglers and human traffickers. It is the EU as a whole that should take care of the most complete implementation of specific solutions to the crisis through i.a. the readmission agreements, hotspots, effective return policy and external border control. Achieving satisfactory results by the EU in this field would condition the V4 activity and involvement in further EU actions. Another important conclusion is that V4 countries pay marginal attention to the situation of refugees themselves, at least in official political discourse expressed in their statements and declarations.

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<sup>47</sup> Program for the Czech Presidency of the Visegrad Group (July 2015–June 2016) “V4 Trust”, <http://www.visegradgroup.eu/documents/presidency-programs/20152016-czech> (last visited 26.05.2016).

<sup>48</sup> Ministry of Foreign and European Affairs of the Slovak Republic, *Report of the Slovak Presidency of the Visegrad Group July 2014 – June 2015*, 2015, p. 6, <http://www.visegradgroup.eu/documents/annual-reports/annual-report-sk-v4-pres> (last visited 26.05.2016).

## Conclusions

Migrant and asylum situation in the EU and its neighbourhood have been evolving considerably in recent years. The EU has continued to propose its response and implement its solutions to the migrant and refugee crises in specific areas, which caused and will be causing varied reactions from different MS, including the four countries from the Visegrad Group. In this paper a quantitative analysis of statistical data was conducted in order to present the scale of the crises. The qualitative analysis concerning the contents of the Visegrad Group's official documents was limited to the period from 2014 to April 2016 to provide the most up-to-date picture of the situation.

The analysis carried out clearly shows that the Visegrad countries have been expressing a unified stand for less than a year in an increasing number of issues concerning migration and asylum in the EU. It is however difficult to notice an established common approach which could serve as a firm basis of a new regional common migration and asylum policy. Even though the migration and refugee crises contributed to the rise of interest of V4 states in this matter, it was not because of direct effects of these crises on their territories, but rather as a reaction to the direction of EU response, both short-term actions and the future long-term policy. Since mid-2015 the Visegrad countries have been considering the migration issues in the EU context more often in order to work out a common stand, which could be communicated jointly on the EU forum. It is an effect of an *ad hoc* reaction to the current events and the need of the moment, and not a committed long-term strategy. In this way, the four Central European countries were able to mark their position in a clearer and stronger manner as opposing some of the EU solutions, for example the relocation scheme.

Visegrad states are not major immigrant-receiving EU countries, not in absolute numbers and not as a percentage of the total migration to the EU. What is more, there is a net emigration state among them, i.e. Poland. The migration and refugee crises affected significantly only one of the four V4 countries since 2015 – Hungary – and only because of its location on the Western Balkan migration route leading from the Mediterranean Sea deeper into Europe. Therefore, with limited migration experience after World War II, the Visegrad states were acting in the analysed period as if they intend to 'escape forward' from what is unknown.

Concerning the broad spectrum of different actions proposed under *the European Agenda on Migration*, the V4 countries were most critical and opposed towards the relocation and resettlement schemes. They



have objected to the compulsory migrant quotas twice at V4 level, first in September 2015 and then in January 2016. What is more, the Czech Republic, Slovakia and Hungary voted against the Council Decision of 22 September 2015 on relocation of further 120 thousand asylum seekers from Italy and Greece to other EU members. Interestingly, Poland voted in favour of this decision. In December 2015 Slovakia and Hungary challenged this decision in the Court of Justice of the EU. Regardless of their official stand, effectively, the Visegrad Group countries did not take part in the implementation of the relocation and resettlement schemes, except for the Czech Republic, which participated in the discussed period to a limited extent (4 persons relocated from Greece and 52 Syrian asylum seekers resettled from Lebanon and Jordan by 13 May 2016).

While seeking solutions for the migration and refugee crises in Europe and clarifying their stand on the issue, the attention of the V4 countries was turned towards mostly preventing the root causes in the countries of origin and the effective protection of EU external borders from migrants, rather than on immediate actions proposed in the EAM. The analysis of the situation made it possible to notice that these countries had a more positive attitude towards the anti-crisis measures which further their own interests and goals, such as limiting the potential influx of immigrants to their territories. In this spirit Hungary even built fences around its borders with Serbia and Croatia. Retaining the unhindered movement within Schengen zone was one of the key aspects for V4 countries as they believed it furthers the economic cooperation and benefits their citizens. Anti-migrant and anti-refugee rhetoric noticeable from the second half of 2015 in Visegrad states was propagated mostly by the ruling groups; however, it was in line with the eurosceptic moods observed in EU countries, also in Austria or the UK.

The quantitative and qualitative analyses conducted in this paper suggest that the strengthening of the subject cooperation within the V4 in times of crises was not intentional. Undoubtedly, their stand towards the migration and refugee crises and proposed EU-wide solutions, especially the relocation and resettlement schemes, pulled the V4 countries together, however not enough to contribute to the development of deeper cooperation within the V4 in other areas or to favour the institutionalization of the Group as an independent body. It is also not possible to state, that the cooperation under the V4 initiative has been leading to the strengthening of anti-European orientation of governments and societies in these four countries, since rising eurosceptic attitudes and the popularity of xenophobic parties have been observed in other EU countries, including Germany, Austria, Sweden and the Netherlands.

The close cooperation of the four Visegrad countries should therefore be seen as fragmentary and *ad hoc*. At this time it is difficult to assume that a further institutionalization of the cooperation under the Visegrad Group concerning the issues of migration or the attempts to unify their policy, not as a counter-response to the EU policy in the field of migration and asylum is to be expected. It is evident that the joint expression of their stand as Visegrad Group at the EU level is an attempt to strengthen the Central European countries' bargaining position – their main aim being to further their individual goals.

'The Economist' in early 2016 noted that what seems to unite the four countries is an 'anti-migrant sentiment' which stems from the ruling political groups in these states rather than opposite groups that express their negative attitude towards migrants and refugees in the EU and especially their relocation among EU members. Hungary (Fidesz) and Poland (Law and Justice) are the leaders here. What is more, this anti-migrant fervour seems to be used to 'implement an illiberal agenda on other fronts'.<sup>49</sup> It is the populist politics currently dominant in Visegrad states combined with the lack of understanding of migration and refugee issues, limited experience in this field and the fear of the unknown, that are contributing factors for the tightening of ties among the four countries and the strengthening of the ruling powers' positions.

Despite their membership in the EU, national migration policies of Poland, the Czech Republic, Hungary and Slovakia, predominate over the European approach. Whereas their cooperation on the EU forum as V4 countries appears to be limited to the pledges to protect the external border by regulating the flow of migrants to 'hotspots' where they can be registered and processed and to support the affected countries of origin and transit by strengthening their borders – both goals aligned with limiting the flow of migrants and thus protecting the Schengen zone, and both not fully or comprehensively addressing the humanitarian aspect of the crisis of the people who had already, or are in the process of arriving to the EU, regardless if they are in real need of international protection or if they migrated for economic reasons.

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<sup>49</sup> *Big, bad Visegrad*, "The Economist", 30.01.2016, <http://www.economist.com/news/europe/21689629-migration-crisis-has-given-unsettling-new-direction-old-alliance-big-bad-visegrad> (last visited 26.05.2016).

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