

A light gray world map with a red square highlighting the Balkan region in Europe.

Irregular migration and smuggling of migrants along the Balkan route

2011–2017

ANDRÉAS SCHLOENHARDT

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- The research report identifies, documents and analyses patterns and characteristics of irregular migration in thirteen states along the so-called Balkan route in the period from 2011 to 2017. These states are Albania, Austria, Bosnia-Herzegovina, Bulgaria, Croatia, Greece, Hungary, Kosovo, FYR Macedonia (now North Macedonia), Montenegro, Romania, Serbia, and Slovenia.
- Each country report focuses on the movement of irregular migrants, including refugee flows, smuggling activities, methods of migration, and the status of migrants in their host countries.
- The research demonstrates that irregular migration and smuggling of migrants occurs on a significant scale throughout the region. While migration along the Balkan route is anything but a new phenomenon, the issue remains pressing for years to come.
- While irregular migration and the smuggling of migrants affects all countries in the region, the levels and characteristics of these phenomena vary strongly. By numbers, Greece, FYR Macedonia (now North Macedonia), Serbia, and Hungary have been most affected by irregular migrants flows for much of the 2011–2017 period. The main route from Turkey to Western Europe used by irregular migrants and migrant smugglers leads through these countries; irregular movements via neighbouring states and along other routes across the Balkans have been small by comparison.

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A RESEARCH OUTLINE

This research report identifies, documents and analyses the patterns and characteristics, levels and development of irregular migration, including refugee flows and the smuggling of migrants, in thirteen states along the so-called Balkan route in Southeastern Europe. The project documents the ways in which Albania, Austria, Bosnia-Herzegovina, Bulgaria, Croatia, Greece, Hungary, Kosovo, the former Yugoslav Republic (FYR) of Macedonia (now North Macedonia), Montenegro, Romania, Serbia and Slovenia have experienced irregular migration, and the challenges these countries faced in the period from 2011 to 2017.

The purpose of this report is to provide a detailed, country-by-country account, in order to shed light on the events and experiences of this period, and to investigate and dispel some of the myths and misrepresentations associated with irregular migration in this region. The research seeks to provide the fullest possible picture of these phenomena, to collate and analyse relevant data and documentation, to identify information and knowledge gaps, and to develop an evidence base against which existing measures to prevent and combat irregular migration and the smuggling of migrants in this region can be assessed, and on which policy recommendations can be developed.

A.1 Background and context

A.1.1 Irregular migration and smuggling of migrants

Irregular migration, refugee movements and the smuggling of migrants have emerged as significant and complex issues in the fields of international relations, human rights, national politics, and criminal justice. Globally, these topics are the subject of fierce and controversial debate; they polarise opinions, and feature prominently in political contests and public debate. Few topics have gained as much publicity and media attention in recent years.

The countries of Southeastern Europe (collectively referred to as 'the Balkans') have been one of the main focal points of irregular migration and of national and international efforts to control, contain and stop the flow of irregular migrants, many of them refugees, into the European Union (EU). It is estimated that in 2015 alone over one million people migrated irregularly to the EU along routes leading through the countries of Southeastern Europe. Many countries have responded to this surge by tightening border controls, building fences and other border fortifications, denying entry to asylum seekers through the use of force, and by restricting the assistance afforded to refugees.

Such measures are, however, incapable of stopping international migration and the flow of refugees. At best, they may displace migration routes and deter some migrants, or, at worst, push them into the hands of smugglers. Recent years have seen a surge in migrant smuggling activities in Southeastern Europe as irregular migrants, many of them refugees fleeing conflict zones in the Middle East and South Asia, have come to rely on smugglers to flee persecution and reach destinations where they seek protection. Migrant smugglers exploit differences in national laws, and create illegal avenues of migration by using clandestine methods of transporting people and/or by supplying fraudulent documents to those willing or forced to migrate. Smuggled migrants are vulnerable to life-threatening risks and exploitation. Migrant smuggling, which generates huge profits for those involved, fuels corruption and empowers organised crime.

The countries most affected by irregular migration flows through the Balkans have responded in a multitude of ways to the challenges associated with managing the effects of large-scale displacement, transit migration, and the arrival of large numbers of asylum seekers. Differences of opinion about how best to respond to the influx of irregular migrants, to stop the smuggling of migrants, and to protect the rights of refugees and other migrants presently hinder the development of long-term and sustainable cooperation between the countries along the Balkan route. These

differences also pose a significant challenge to the development of common European asylum and migration policies.

A.1.2 Migrant smuggling routes in Southeastern Europe

The term ‘Western Balkan route’ is widely used by law enforcement and immigration authorities and in the literature to describe irregular migration from Turkey to Greece, through FYR Macedonia, Serbia and Hungary, or via Albania, Montenegro, Bosnia-Herzegovina, Croatia and Slovenia to Austria, Germany and other parts of Western Europe. The term ‘Eastern Balkan route’ is often used to describe irregular migration that leads from Turkey to Bulgaria (sometimes via Greece) and then via Romania or Serbia to Hungary and on to Austria. This route is less established and less predictable than the Western Balkan routes. In this report, the Western and Eastern Balkan routes, including all their variations, are collectively referred to as the Balkan route.

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Figure 1: Southeast-Europe



Smuggling along the Balkan route usually involves land-based means such as private vehicles or trucks, though some borders may also be crossed on foot or by train. The route is usually travelled in multiple stages, and most migrants use several smugglers and several smuggling methods along this route. Generally, covert smuggling methods, such as hiding in cars or trucks, are only employed when smuggled migrants want to cross borders undetected or want to reach specific destinations further afield and not run the risk of being returned to their country of origin, to the country in which they first entered the EU, or to another transit country.

Smuggling by air involves commercial flights to airports in Balkan countries from third countries, flights within the region, and flights originating in the Balkans destined for airports in Western Europe.

Smuggling by sea predominantly involves the use of private vessels departing from Turkey's west coast to the Greek islands, a route that is referred to by some sources as the 'Eastern Mediterranean route'. In some cases, smuggling by sea involves departures from Turkey to Bulgaria, and from Albania to Italy.

The Balkan route gained particular prominence in 2015, when several hundred thousand migrants, most of them asylum seekers from Syria, Iraq, and Afghanistan, moved along this route to Western Europe. One of the reasons for the great popularity of the Western Balkan route in particular during this period was the fact that migrants could travel with relative ease and without having to employ smugglers. The large number of migrants who were able to move along this route to Western Europe in order to apply for asylum also encouraged several other nationalities to travel to Greece and then continue along the Western Balkan route where, up until late 2015, borders remained relatively open. Starting in September 2015, countries in the region gradually adopted measures to close borders, in some cases fortifying them with walls and fences and denying entry to irregular migrants. This, in turn, fuelled demand for the services offered by smugglers, and displaced irregular migration to other, more dangerous routes.

A.4 Purpose and goals

The purpose of this report is to document and critically reflect upon the flow of irregular migrants, including refugees and asylum seekers, along the Balkan route to Europe, and to examine the methods of their migration, the levels and characteristics of smuggling of migrants and the profiles of migrants and smugglers. The report is driven by the desire to give insight into a topic that is marked by polarized and ill-informed debate, by emotions and a lack of clarity and differentiations.

The research seeks to provide the fullest possible picture of how irregular migration manifests itself in this region, to collate and analyse relevant open-source data and documentation, and to identify information and knowledge gaps. The main objectives of this research are to provide accurate information to enhance public debate and policy making on this contentious topic and to develop an evidence base against which existing measures to prevent and combat irregular migration in the Balkans can be assessed.

A.5 Scope

This report systematically examines the levels and characteristics of irregular migration in the thirteen states situated along the Balkan route which is commonly used by irregular migrants, refugees and asylum seekers, and in migrant smuggling, and that connect Western Asia to Central Europe. These countries, including Albania, Austria, Bosnia-Herzegovina, Bulgaria, Croatia, Greece, Hungary, Kosovo, FYR Macedonia, Montenegro, Romania, Serbia and Slovenia, have been at the centre of irregular migration flows to Europe, and have been the focus of national and international measures to close borders, to deny entry to irregular migrants, and to stop the smuggling of migrants. Several countries have also drawn attention due to the adoption of restrictive border measures and the harsh treatment of irregular migrants and refugees in their territories.

The approach taken in this research is a country-by-country analysis which looks at the specific situation in individual states, rather than taking the broader, regional perspective found in many other publications on this topic. The focus of this report is on the movement of irregular migrants into and through these countries, and on the methods of their migration. This includes persons seeking asylum and applying for refugee status or complementary protection through official channels, as well as persons who migrate covertly and do not engage national or international protection systems. The role of local communities and social networks, as well as criminal elements assisting irregular migrants by facilitating their illegal entry and in some cases exploiting them are also examined.

The 2011 to 2017 period was chosen for this research in order to capture the trends and signs leading up to the large flow of irregular migrants that affected the region in the second half of 2015, as well as the developments in the two years since, including the measures adopted by states to 'close the Western Balkan route'.

A.6 Structure

The full report is divided into 15 chapters, comprising an introduction (Chapter I), thirteen chapters representing the countries along the Balkan route (Chapter II–XIV), and a concluding chapter (Chapter XV) summarising the main findings and making observations for further policy development, cooperation, and research in this field.

Each country covered by this report is examined using a standard template and set criteria. The information in each country chapter is presented using the following categories and headings:

1. Situational overview
2. Levels and characteristics of irregular migration
3. Profile of irregular migrants
4. Smuggling of migrants

A.7 Methodology and source material

Research for this project was conducted through the collection and analysis of open-source material, including primary sources, such as reported cases and official data collections and reports, as well as secondary sources prepared by international organisations, academic scholars and other experts, non-governmental organisations (NGOs), and selected media reports from major international English and German language news outlets.

The literature search used for this research involved two phases. First, a comprehensive search of literature was undertaken using online library database aggregators. This function permits the searching of over 1,000 research databases containing journal articles, books, online resources, as well as reports authored by government agencies, international organisations and NGOs. The search was undertaken for resources dating from 1 January 2011 to 31 December 2017, using Boolean operators to filter the results. The second phase involved a systematic review of the search results in order to trim the body of literature to a smaller number of higher-quality sources. To accomplish this, each individual result was checked for relevance. The information retrieved from these sources was sorted into a predetermined structure developed to systematically document data relating to illegal entry, the smuggling of migrants, refugee and asylum seekers, the profile and status of smuggled migrants, the methods of irregular migration, the dangers to and exploitation of irregular migrants, the treatment of irregular migrants and the protection of their rights, including rights to government assistance.

The scope, objectives and methodology of this research are deliberately ambitious, although there are many limitations to researching, documenting and analysing irregular migration in Southeastern Europe. The research also revealed that many facets and dimensions of this phenomenon are not adequately researched or documented, and demonstrated that some of the available information is out of date, incomplete, questionable or unreliable.

One further obstacle limiting the scope of this research stems from the fact that the collection of information had to be limited to sources written in either English or German, since none of the researchers involved in this report had the ability to understand any of the regional languages of the Balkan States. For this reason some official information could not be used, and some reports

from national agencies and other authors in the region may have been overlooked.

Research for this project was conducted between 1 September 2017 and 11 July 2018 at locations in Brisbane, Australia; Budapest, Hungary; and Vienna, Austria.

B COUNTRY SUMMARIES

The following sections contain general summaries of, and introductions to, the situation pertaining to irregular migration and the smuggling of migrants in the thirteen countries along the Balkan route. The countries are listed broadly in an east-to-west order, in order to document the flow of irregular migrants from Turkey to Western Europe. Detailed country reports containing extensive data and references are available in the full report.

B.1 Greece

Greece marks the first entry point into Europe for irregular migrants travelling across the Balkans to Western Europe. Several routes used by irregular migrants and migrant smugglers start in Greece, including the Western Balkan route that leads across the border to FYR Macedonia and on to Serbia, Hungary, Croatia or Slovenia, as well as the Eastern Balkan route, which leads from Greece to Bulgaria and on via Romania or Serbia to Hungary. There are also various sub-routes which lead migrants via Albania to Montenegro, Serbia, Bosnia-Herzegovina or Croatia.

Greece has experienced exceptionally high levels of irregular migration in recent years. Most of this flow involved refugees from Afghanistan, Iraq and Syria, as well as migrants from Pakistan and other source countries in South Asia, the Middle East or North Africa who travel via Turkey to Greece. Illegal border crossings from Turkey to Greece occur across the land border or across the Aegean Sea, which separates the two countries. Developments over the last decade clearly show that the popularity of either route depends on the obstacles and controls which are instituted to stop irregular arrivals: When sea patrols were stepped up, irregular migration and the smuggling of migrants along the land route through the north of Greece became more popular. Many migrants crossed the Evros River which runs along most of the land border between Greece and Turkey. When special operations were instigated, fences built and border controls stepped up to reduce crossings by land, migrants and smugglers shifted

to seaborne methods, departing from Turkey's east coast to make the relatively short journey to one of the Greek islands. In 2015, several hundred thousand irregular migrants crossed from Turkey to Greece by sea, many facilitated by smugglers who set up operations in response to the growing demand for their services. Despite the relatively short distance between the two countries, hundreds of migrants have drowned in bad weather or on unseaworthy vessels. The European Union (EU) later established so-called 'hot spots' to provide temporary accommodation to asylum seekers and to process their claims. Many migrants, however, bypassed these centres; others saw them as a pull-factor, others still as a deterrent for migrants seeking to cross the Aegean Sea.

The measures adopted in 2016 by other countries in Western Europe and along the Western Balkan route, along with an agreement reached between the European Union (EU) and the Government of Turkey to allow the return of irregular migrants from Greece to Turkey in certain circumstances, led to a reduction in the number of irregular arrivals in 2016 and 2017. It also meant that more migrants became stranded in Greece, returned to Greece from countries such as FYR Macedonia and Serbia, and that more migrants who originally sought to reach Western Europe applied for asylum in Greece in order to remain in the EU. The large number of irregular migrants entering Greece, transiting through the country or remaining there has placed great strain on a country that has also had to struggle with a serious financial downturn and economic crisis in recent years.

B.2 Former Yugoslav Republic of Macedonia

The former Yugoslav Republic (FYR) of Macedonia (now North Macedonia) is a major transit country for irregular migration across the Balkans. The vast majority of non-regional migrants arrive in the country from Greece and take a short period of time, sometimes several days, to cross the country before continuing to Serbia, Hungary

or Croatia, and then to destinations in Western Europe. Smugglers frequently facilitate entry into, transit through, and exit from FYR Macedonia, though, at some points in the period from 2011 to 2017 government authorities actively assisted irregular migrants on their journeys, which all but destroyed the demand for smugglers at those times.

In recent years, FYR Macedonia, a country with a territory of less than 26,000 square kilometres, a population of merely 2 million, a relatively weak economy and high unemployment, has experienced some of the highest levels of irregular migration of any country in the Balkans. In 2015 alone, several hundred thousand irregular migrants, most of them refugees from Afghanistan, Iraq and Syria, transited through the country. When other countries further along the Balkan route later closed their borders to irregular migrants, many migrants found themselves stranded in FYR Macedonia with little protection and no legal status. In February 2016, FYR Macedonia moved to close its border to Greece, leading to tumultuous scenes in border areas on the Greek side. Border control and the management of such large numbers of people pose serious challenges to FYR Macedonia, and international cooperation remains hampered by protracted political disputes with neighbouring Greece. FYR Macedonia is neither a Member State of the EU nor of the Schengen Zone, which further adds to the challenges faced by the country in recent years.

Non-regional migrants may also enter FYR Macedonia from Bulgaria, a route that is more popular when the border to Greece is tightly controlled or closed to irregular migrants. FYR Macedonia further experiences irregular migration from neighbouring Albania, which involves both non-regional migrants as well as Albanian nationals who travel to Greece or destinations in Western Europe, usually in order to find employment. While the majority of irregular migrants continue from FYR Macedonia to Serbia, an alternative, lesser-used route leads via Kosovo and Montenegro to Bosnia-Herzegovina and Croatia.

B.3 Albania

Irregular migration across Albania's borders is a complex issue as it involves non-regional migrants who transit through the country, often with the aid of smugglers, as well as Albanian nationals who migrate irregularly to other countries, especially Greece. Based on the available information and data, Albania appears to experience some irregular transit of non-regional migrants, albeit at moderate levels. Irregular migration of non-regional migrants through Albania is a relatively new phenomenon. Previously, illegal border crossings mostly involved small numbers of persons from neighbouring countries.

Most non-regional irregular migrants enter Albania from Greece and continue to Montenegro; in some instances they leave Albania by boat and cross the Adriatic to Italy. Geographically, Albania is positioned in a strategic location, offering an exit point for irregular migrants seeking to leave Greece, especially at times when the border from Greece to FYR Macedonia and Bulgaria seem impassable. Moreover, the north of Albania is in close proximity to Croatia and thus to the EU, and Albania has a long coastline in relative proximity to Italy, another EU Member State.

Limiting Albania's attractiveness for irregular migration and the smuggling of migrants is the fact that Albania's economic development remains behind that of most its neighbours, and Albania's infrastructure is fragmented and of a poor standard in many places. Access to Albania, especially from Greece, is limited to a small number of main roads. The border goes through mountainous terrain in many areas, making it difficult to cross, especially during winter. Furthermore, the irregular migration route from Greece into Albania and on to Montenegro, Croatia or other transit countries (often referred to as a 'sub route' in the Western Balkans) involves more border crossings of non-EU states, adding to the time and expense associated with this route. Greater border surveillance and policy announcements by the Albanian Government that the country does not welcome the entry and transit of irregular migrants constitute further deterrents for irregular migrants.

B.4 Bulgaria

Bulgaria is a transit country for irregular migrants travelling from Turkey across the Balkans to Western Europe. While the country only shares a relatively short land border with Turkey, it is situated along a direct line—and along main roads and train services—between Istanbul, Belgrade and Western Europe. Accordingly, most irregular migration flows across Bulgaria in an east-west direction, entering the country across the land border from Turkey and leaving over the border to Serbia. During periods when irregular migration from Greece to FYR Macedonia is not feasible or involves great obstacles, irregular migrants in Greece often divert via Bulgaria to Serbia. In some instances irregular migrants cross from Bulgaria into Romania and then continue to Hungary.

At the start of the 2011–2017 period the level of irregular migration from Turkey to Bulgaria was relatively low, as migrants could cross from Turkey to Greece with relative ease. The building of a border fence along the Turkey-Greece border, along with other measures to stop the flow of migrants across the Aegean Sea, has meant that more irregular migrants—and more migrant smugglers—try to enter the EU by crossing into Bulgaria. As a result of the greater number of people entering Bulgaria, and due to the measures adopted by other countries along the Balkan route, the number of refugees and persons seeking asylum in Bulgaria, especially Afghans, Syrians and Iraqis, has increased greatly in recent years.

Bulgaria is one of the poorest nations in the EU, and has sometimes struggled to control or stop the influx of irregular migrants from Turkey. Bulgaria's capacity to control its borders effectively and to manage immigration and process asylum applications efficiently is limited compared to many other EU Member States. Bulgarian politics, nationalist rhetoric, and corruption also frequently stand in the way of measures that could reduce irregular migration, promote safe migration, and foster cooperation with other countries.

B.5 Serbia

Serbia is a major transit country for irregular migration and the smuggling of migrants in the Balkans. In the 2011–2017 period, Serbia experienced some of the highest numbers of irregular arrivals, and the country was most affected by the large flow of irregular migrants that travelled across the Balkans in the second half of 2015. Although exact figures vary across sources, over half a million irregular migrants passed through Serbia in 2015 alone.

Serbia felt the effects of the policies and measures adopted by the other countries in the region more than most. In particular, Hungary's unilateral decision to close its border to irregular migrants, including refugees and asylum seekers, followed by measures adopted in Slovenia and Croatia to limit the flow of migrants to Afghan, Iraqi, and Syrian nationals, meant that thousands of migrants became stranded in Serbia and that the 'irregular migration problem' of other countries was effectively passed to Serbia and subsequently to other countries further up the Balkans Route.

Irregular migration and the smuggling of migrants generally leads from Serbia's southeastern border to the country's northwestern borders. In recent years, the vast majority of irregular migrants have entered from FYR Macedonia and continued from Serbia to Hungary and Croatia. Irregular migration also occurs across the borders to Bulgaria, Romania, and Montenegro, albeit at much lower levels and usually only at times when the more direct and more popular routes are not open. Adding to the scale of irregular migration through Serbia are movements by Albanian nationals, Kosovars, and persons from other parts of the former Yugoslavia who pass through Serbia en route to Western Europe. Disputes about some of Serbia's borders and uncertainties about the international status of Kosovo further fuel the complexities of migration-related issues.

B.6 Kosovo

Kosovo is both a transit country for non-regional irregular migrants and a source country for Kosovar migrants who travel to Western Europe irregularly, often with the aid of smugglers. Kosovo, which is not recognised as an independent country by some Balkan states, serves as a transit country for irregular migrants travelling from Greece via FYR Macedonia to Serbia or, albeit in smaller numbers, to Montenegro. This is a secondary route for irregular migrants who generally prefer the more direct, faster routes from Greece via FYR Macedonia or Bulgaria in order to reach Serbia and then continue to Hungary or Croatia. Irregular migration into Kosovo has also been recorded across the border from Albania, which involves Albanian nationals as well as non-regional migrants.

Up until 2015, the principal irregular migration 'problem' associated with Kosovo was the large-scale emigration of Kosovar nationals, especially young people seeking to leave high unemployment and dire economic circumstances in Europe's poorest nation. The continuing uncertainty about Kosovo's international status, as well as corruption and ongoing border disputes with Serbia, contribute to the country's economic struggle and to the desire of Kosovars to find employment, seek asylum, or join an existing diaspora abroad. Kosovars can travel to Serbia freely and easily and then continue to Hungary, Croatia and other EU Member States using the same routes and methods as irregular non-regional migrants travelling through the Balkans.

Due to the large number of Kosovars entering Western European countries in the spring of 2015, often facilitated by smugglers, several destination and transit countries, including Austria, Germany, Hungary, and Serbia adopted measures to deter the arrival of further irregular migrants from Kosovo, and to swiftly return irregularly migrating Kosovars to their country of origin. These measures effectively stopped mass emigration from Kosovo though they also led some Kosovars to resort to more clandestine, expensive, and dangerous smuggling methods to reach their desired destination.

B.7 Montenegro

Montenegro is a transit country for some irregular migrants travelling south of the main route that goes via Serbia. Irregular migration in Montenegro mostly occurs in a southeast to northwest direction, with most irregular entries occurring across the borders from Albania, and most departures leaving for Serbia, Croatia, or, in lesser numbers, to Bosnia-Herzegovina. The route taken by irregular migrants crossing through Montenegro is frequently referred to as a sub-route of the main Balkans route.

By regional comparison, Montenegro plays a very limited role in irregular migration and the smuggling of migrants across the Balkans. The small country with a population of approximately 625,000 has not been affected by the flow of non-regional migrants in recent years in the same way as most of its neighbours. For this very reason, information concerning irregular migration and the smuggling of migrants to or across Montenegro is very limited.

B.8 Bosnia-Herzegovina

Irregular migration and the smuggling of migrants into, through and out of Bosnia-Herzegovina is very poorly documented in official reports and academic literature, and media reports are extremely limited. For much of its recent history, the focus of attention has been on the exodus during both the war and post-war periods, though emigration from Bosnia-Herzegovina has significantly decreased since that time and today mostly involves legal avenues of migration.

From the limited sources that could be located over the course of this research, it appears that Bosnia-Herzegovina was not affected by irregular migration flows on a significant scale in the 2011–2017 period. Compared to most of its immediate neighbours, the country witnessed relatively low levels of irregular arrivals and departures and avoided much of the frenzy associated with the large flow of irregular migrants through the Western Balkans in the second half of 2015.

This is not to say that Bosnia-Herzegovina has not been affected by the events and developments associated with irregular migration in recent years. The country is located in the heart of the Western Balkans, and borders Serbia and Croatia, two countries that have experienced particularly high levels of irregular migration in recent years. Since Croatia—a country with which Bosnia-Herzegovina shares a long border—became a Member State of the EU on 1 July 2012, Bosnia-Herzegovina is perceived as a potential gateway into the EU, and some migrants have transited through the country for this reason.

B.9 Romania

Romania is a country which sits at the crossroads of several irregular migration routes, yet the country experiences relatively moderate levels of irregular migration and migrant smuggling compared to many other countries in the region. Romania is mostly a transit country for irregular migrants continuing to Hungary and Western Europe. Since 1 January 2007 Romania has been a Member State of the EU, and migration flows are said to have increased since that time. Romania is, however, not part of the Schengen Zone. Migrants thus face additional hurdles when they seek to cross from Romania into Hungary or other Schengen Zone countries.

Most irregular migrants enter Romania from Bulgaria after travelling via Turkey, sometimes also via Greece. Furthermore, Romania experiences irregular migration and migrant smuggling across its northern borders from Moldova and Ukraine. Migrants entering Romania across the country's northern border have travelled along the so-called 'Northern route' or 'Eastern Borders route' that leads via Russia to the eastern borders of the European Union. There are also reports of migrants being smuggled by boat from Turkey across the Black Sea to Romania. Another route used by irregular migrants runs from Serbia via Romania to Hungary; a small detour that is sometimes taken when border crossings from Serbia to Hungary are not possible.

For some irregular migrants, Romania is a destination country where they can seek asylum and are afforded protection. A growing number of Syrian nationals, along with smaller numbers of Afghan and Iraqi nationals, have sought asylum in Romania in recent years, albeit at lower levels than in some neighbouring countries.

B.10 Hungary

Hungary plays a very complex role in irregular migration along the Balkan route. Hungary has experienced a large number of irregular arrivals in recent years, not least because the Western and Eastern Balkan routes converge on Hungary. Up until 2015 Hungary was the main gateway for irregular migrants seeking to travel from Serbia, Croatia and Romania via Hungary to Austria, Germany and other destinations in Western Europe.

The patterns and levels of irregular migration through Hungary are uniquely influenced by political developments and legal and practical measures adopted by the Hungarian Government. On 24 December 2010, laws relating to refugees and asylum seekers in Hungary were amended to introduce the detention of asylum seekers while their cases were pending, and to extend the maximum period of detention from six to twelve months. Even families with children could be detained for up to 30 days under the new laws. In the following years, the conditions in the detention centres became the subject of frequent criticism and, due to international pressure, the practice of detaining asylum seekers ceased on 1 January 2013. This policy-change almost immediately triggered an influx of irregular migrants who used Hungary as a gateway into the EU rather than taking longer and slower routes via neighbouring countries. To deter refugees, asylum seekers and other irregular migrants from entering Hungary, the detention policy was reintroduced as of 1 July 2013. Frontex, the EU's Border and Coast Guard Agency, reported that Hungary's decision to open or close asylum centres had a direct impact on respective increases and decreases

of migration flows within the region, though less so on the number of transiting migrants. Some political decisions concerning border measures and asylum were taken unilaterally by the Hungarian Government, with little consultation and little concern for the effect these measures might have on neighbouring countries and migrants. Some of these measures have caused considerable harm and suffering to migrants, including refugees.

The most significant initiative in this context was Hungary's decision to close the border to Serbia by building a barbed wire fence, which was completed in mid-September 2015. Amendments to Hungary's criminal law were enacted at the same time, introducing new offences for unauthorised entry into Hungary in fenced areas, causing damage to the border fortifications, and obstructing the construction of the border fence. Penalties for offences relating to the smuggling of migrants were further stiffened in the same amendment.

Following the completion of the border fence, the Hungarian Government issued a decree declaring a 'crisis situation caused by mass immigration' which initially applied to border areas but was extended in March 2016 to cover the whole country. Hungary's asylum law was amended to establish so-called 'transit zones, which are special centres at the Hungarian-Serbian and Hungarian-Croatian borders, and the only places where asylum applications can be made. Asylum-seekers are detained and are prohibited from leaving the transit zones until the authorities decide on their asylum applications. Using somewhat vague criteria, the rights of asylum seekers in transit zones have thus been significantly curtailed.

Within 24 hours of completion of the fence along the Hungarian-Serbian border, the flow of irregular migrants had been displaced to the Serbian-Croatian border, though many irregular migrants merely detoured via Croatia to reach Hungary—until Hungarian authorities also closed the border to Croatia. This shifted the migration route on to Slovenia and then to Austria.

B.11 Croatia

Croatia is primarily a transit country for irregular migrants. Croatia shares borders with Serbia, one of the countries most affected by irregular migration in the Balkans, and with the Schengen Member States Slovenia and Hungary. This geopolitical position of Croatia makes the country an important gateway for irregular migrants and, in some instances, the smuggling of migrants. On 1 July 2013, Croatia became the 28th Member State of the European Union. It was anticipated that this would greatly impact on the levels of irregular migration, and that Croatia's borders would become much more attractive for the smuggling of migrants. The available information, however, does not reveal any significant changes in the levels and patterns of irregular migration or the smuggling of migrants at that particular time. This may partly be explained by the fact that Croatia is not yet part of the Schengen Zone.

In recent years, most irregular migrants have entered from Serbia and travelled through Croatia in order to reach Hungary or Slovenia. Small numbers of irregular migrants also enter Croatia from Bosnia-Herzegovina and Montenegro.

The levels and patterns of irregular migration and the smuggling of migrants through Croatia are greatly influenced by the ability or inability of migrants to enter and transit through Hungary: At those times when the border between Hungary and Serbia is open, when migrants can apply for asylum in Hungary and are not placed in closed immigration detention centres, most migrants choose to travel from Serbia to Hungary, and only a small number opt for the route from Serbia to Croatia. Few migrants seek asylum in Croatia, and the country has a reputation among asylum seekers for slow asylum procedures and low approval rates. As a result, migrants prefer to continue to Hungary if and when this is feasible.

Various initiatives by the Hungarian Government in the 2011–2017 period to tighten border controls and reduce the rights of asylum seekers had an immediate impact on the flow of irregular migrants through neighbouring Croatia.

Croatia was particularly affected by Hungary's unilateral decision to close its border with Serbia in September 2015, which almost completely diverted the flow of irregular migrants to Croatia. For a brief period, migrants continued to move to Hungary via Croatia, until Hungary also closed this border. As a result, irregular migrants travelled from Croatia to Slovenia and on to Austria.

B.12 Slovenia

Slovenia is almost exclusively a transit country for irregular migration and the smuggling of migrants. It sits along a sub-route of the main Western Balkan route, and experiences higher levels of irregular migration and smuggling when migrants cannot cross from Serbia into Hungary. Most migrants enter from Croatia and make the short crossing through Slovenia to reach Austria. Irregular migration also occurs from Slovenia to Italy.

The scale and pattern of irregular migration and migrant smuggling through Slovenia are generally not well documented, and there are several information gaps. Generally, the flow of irregular migrants through the country has been quite limited, though irregular migration through Slovenia moved into the spotlight in the autumn of 2015 after Hungary closed the border to its southern neighbours, and hundreds of thousands of migrants moved from Serbia via Croatia to Slovenia. In November 2015, Slovenia erected a fence along the border to Croatia, and a little later restricted entry to Afghan, Iraqi, and Syrian nationals.

Very few migrants remain in Slovenia for any length of time, and fewer still apply for asylum in the country. The vast majority of migrants continue to Austria, crossing the border near Spielfeld, south of Graz. Others, in somewhat smaller numbers, continue west from Slovenia to Italy.

B.13 Austria

Austria is both a destination and a transit country for irregular and smuggled migrants. The country is an important hub for irregular migration and smuggling because of its geographical location, history, and economic development. For a long time, apart from Greece, Austria was the most easterly point of the EU, bordering countries to the north, east, and south that were once part of the Soviet Bloc. For this reason, Austria emerged as a gateway for migration and travel to other parts of Western Europe. The eastern enlargement of the EU moved the external borders of the European Union and of the Schengen Zone away from Austria, though the country continues to play a significant and unique role, not least because several irregular migration routes converge on Austria.

In the 2011–2017 period, Austria experienced high levels of irregular migration across the border from Hungary and Slovenia by people moving along the Balkans route, as well as border crossings from Italy by people travelling on the so-called 'Central Mediterranean route'. Especially between August and November 2015, large numbers of irregular migrants crossed into Austria, initially from Hungary and later from Slovenia. Many of them arrived on foot and in large groups, leading to chaotic scenes at some borders. While many of the migrants arriving in Austria stay and apply for asylum, many more use Austria as a transit point, especially to neighbouring Germany, as well as to Sweden and other EU Member States. The exact number of persons who transited through Austria in 2015 is not known, though many reports suggest that over one million people may have migrated irregularly—and often facilitated by smugglers—via Austria to Germany.

C OBSERVATIONS

This research demonstrates that irregular migration and the smuggling of migrants occurs on a significant scale throughout the region, that irregular migration and smuggling of migrants are not new phenomena, and that they are highly likely to remain pressing and prevalent issues for years to come. All countries in region are affected by irregular migration flows and the smuggling of migrants, most as transit points, some also as destination countries, while some countries are both source and transit countries for irregular migrants.

Irregular migration and the smuggling of migrants are complex and long-standing issues for the thirteen countries featured in this report. They involve both non-regional migrants who enter and transit through the region, as well as regional migrants who are nationals from the region moving to other countries in the region or other destinations in Western Europe. It is also evident that developments and events in one country, as well as measures adopted unilaterally by individual states, have an immediate impact on others.

While irregular migration and the smuggling of migrants affects all countries in the region, the levels and characteristics of these phenomena vary between them. By numbers, Greece, FYR Macedonia, Serbia, and Hungary have been most affected by irregular migrants flows for much of the 2011–2017 period. The main route from Turkey to Western Europe used by irregular migrants and migrant smugglers leads through these countries; irregular movements via neighbouring states and along other routes across the Balkans have been small by comparison. The immediate effect of measures taken by countries along this route to prevent irregular border crossings has been a displacement to other countries and other routes. This is most evident in the events that followed the closure of Hungary's border to Serbia, which almost immediately shifted the flow of irregular migrants to neighbouring Croatia and Slovenia.

The following observations and conclusions drawn from this research focus on four key issues:

1. A lack of information,
2. A lack of foresight,
3. A lack of management, and
4. A lack of cooperation.

These four points should be considered in the development of future policies, laws, and other measures.

C.1 A lack of information

One of the main challenges in developing meaningful and sustainable solutions for preventing irregular migration and the smuggling of migrants, and in researching these issues, is the lack of consistent and complete open-source information and reliable data available for the international public. Despite the fact that the flow of irregular migrants through the region—especially in the autumn of 2015—dominated and continues to dominate news reporting, as well as political and public debates, and despite the plethora of opinions on how to stop irregular migration, the actual evidence base is mixed at best. Despite the magnitude of irregular migration and migrant smuggling in the region, and despite the heightened emotion surrounding these topics, there is very little in-depth documentation and analysis of the causes, circumstances, characteristics and consequences of these phenomena.

Academic books and articles, thorough and independent research, along with reliable reports from experts and organisations have grown in numbers and to some extent improved in quality. Nevertheless, the bulk of available open-source information consists of short-term periodic reporting, information presented through the lens and within the mandate of specific international organisations and NGOs, and, in the absence of other sources, a considerable number of media reports which vary greatly in quality and journalistic rigour. Put simply, the topics of irregular migration and the smuggling of migrants along the

Balkan route remain quite poorly documented, researched and understood.

It is noteworthy that much of the available reporting and literature form clusters or 'bubbles' of information that are produced around particular events, at certain times, and in specific locations. This in turn explains the uneven depth of information presented in the separate country chapters contained in this report. Some developments, such as the closure of Hungary's border to Serbia in September 2015, irregular migration by sea from Turkey to Greece, and the flow of irregular migrants through FYR Macedonia and Serbia are documented in almost microscopic detail. Yet the magnitude and patterns of irregular migration and migrant smuggling cannot be clearly ascertained for some other parts of the region. In light of the global attention and political rhetoric devoted to this topic, it is surprising that the topic is not more comprehensively documented and researched.

This situation is alarming, since it is not always clear on what, if any, information and evidence policy initiatives, legislation, and practical measures to combat irregular migration and migrant smuggling are founded. Unable to gauge the true dimensions and manifestations of the problem, it is equally difficult to assess the quality and effectiveness of responses adopted by states, both individually and collectively. It appears that many of the policies, laws and other measures proposed and implemented to stop irregular migration and migrant smuggling were developed without a proper knowledge base.

There are some obvious obstacles to better reporting and analysis of irregular migration and migrants smuggling in the Balkans. First among these is the difficulty of data collection and research on issues that frequently occur out of sight of the authorities. Many borders are crossed and many migrants smuggled without anyone noticing, and without any entity recording such movements. Furthermore, it is acknowledged that some data and other information may be collected but not made public, especially if that data relates to ongoing investigations. Estimates

of the dark figures relating to irregular migration and smuggling of migrants, which capture the number of persons crossing international borders undetected, are not available.

Further obstacles stem from the fact that even if data is recorded and published, this is often done inconsistently and in an ad hoc manner. Regular reporting of data for comparable periods using consistent criteria and parameters is the exception rather than the rule. Moreover, the methodology used to collect and analyse data is not clear or has not been reported for some sources, which may cast doubt on the accuracy of some information. Even national and international organisations with mandates to uncover irregular movements frequently shift the criteria and mechanisms used to record and report relevant data, making it difficult to compare and analyse the available statistics.

This is particularly evident in the vast amount of data collected and published by Frontex, the European Border and Coast Guard Agency. In the absence of other information, this research frequently had to rely solely on Frontex reports. Like no other agency, Frontex publishes a plethora of quarterly and annual reports that give great insight into many facets of irregular migration and migrant smuggling in the region. In this context it must be emphasised, however, that Frontex reporting is not always consistent and complete; some data is available for some quarters and years but not for others. The fact that the outer borders of the EU have shifted during the 2011–2017 period further explains the changing scope of Frontex reporting. In this context, it is also worth noting that over this period, the mandate and budget of Frontex has grown significantly, along with Frontex operations at the exterior borders of the European Union. While this has led to more reporting on illegal border crossings, it has not necessarily improved the consistency and quality of such reporting. It further needs to be stressed that, given its mandate, Frontex primarily views migration and smuggling through a border control and law enforcement lense, leaving out many other facets of these phenomena.

Some of these concerns similarly relate to reports published by IOM, the International Organization for Migration, which gradually assumed a role of documenting irregular migration, including deaths of migrants, in the 2011–2017 period and, only recently produced more complete reports that are published regularly. It is worth noting that IOM takes a more positive attitude towards international migration, and its reports—unlike those produced by Frontex—show much greater concern for the safety of migrants and the causes of their displacement. The same can be said about data published by UNHCR, the United Nations High Commissioner for Refugees, concerning asylum seekers and refugees. Unlike many other organisations, UNHCR has a much longer history of data collection and analysis, though figures published by UNHCR may not always conform with those reported by national agencies.

Fuelling this problem is the fact that different sources use different vocabulary, terminology, and standards. This often makes difficult, if not impossible, to make observations about trends and developments in different places at different times. With the exception of the term ‘refugee’, most other expressions used to refer to irregular migrants are not based on clear criteria or established legal definitions. Terms such as ‘smuggled migrant’ and ‘asylum seekers’ are sufficiently established and distinguishable in much of the literature, but expressions such as ‘illegal asylum seekers’, ‘economic migrants’ and the like are often politically tainted, based on uncertain criteria or, in some instances, simply incorrect. This report, along with many other scholarly sources, adopts the term ‘irregular migrant’ to refer to persons who cross international border without full compliance with the relevant laws relating to entry and exit.

It is evident that different countries place different emphasis on irregular migration and migrant smuggling. Some view these issues as top priorities, as a menace threatening national security and local populations. Others, directly or indirectly, view them as secondary, negligible matters; in some states the ‘problem’ of irregular

migration is overshadowed by other more pressing issues. It is further acknowledged that the countries examined in this report have different capacities and resources to investigate irregular migration and migrant smuggling, and to collect and analyse that data comprehensively.

Nevertheless, to better document the level of irregular migration and provide some common ground to enable comparisons between states, and to inform policy development, it would be desirable if, at a minimum, all states would report the number of persons detected entering their territory illegally each year, the locations and means of their entry, as well as the number of persons detected staying in the country unlawfully and numbers relating to investigations, prosecutions, and convictions for offences relating to the smuggling of migrants.

The lack of better information on irregular migration and migrant smuggling has led to many myths about the levels and characteristics of these issues. This also explains many misrepresentations made in media reporting and other sources. The absence of better sources has also been exploited by some reporters, public officials and politicians, wittingly or unwittingly, to make misrepresentations about irregular and smuggled migrants, and the causes and conditions of their journeys.

It is a core responsibility of states to fully and accurately document to the best of their abilities the scale and patterns of irregular migration into, through, and out of their territories and, as far as possible, to make this information publicly available. More transparency on all matters relating to irregular migration and the smuggling of migrants along the Balkan route is urgently needed, not only to better inform the public and inject more truth into current debates, but also, and importantly, to enable evidence-based policy development and assessment of policy initiatives, legislation, and other measures already adopted. Further and ongoing documentation, research, and analysis are crucial in preventing irregular migration and migrant smuggling.

C.2 A lack of foresight

Many governments in the region, politicians and the media, along with large swathes of the general population, were surprised by the rapid increase in irregular migration through the region, especially in the second half of 2015. The number of people moving along the Western Balkan route did indeed reach unprecedented levels during that year. While estimates about the true scale of these movements vary greatly, most reliable sources agree that about one million irregular migrants travelled from Greece through the Balkans to Austria, Germany, Sweden and other destinations in Western Europe in 2015.

Many if not most countries were unprepared for the arrival of large numbers of irregular migrants, most of them asylum seekers. Few had the capacity to adequately manage the many people who arrived at once, and to cater for their specific needs. With more than 1,000 people crossing some borders in a single day, some countries quickly ran out of space, staff and resources to accommodate and support these migrants and process their asylum applications. In some places, community organisations and individuals quickly stepped in and provided meals, accommodation and clothing. This is best demonstrated at the makeshift facilities set up at Vienna's main railway stations to assist migrants who were arriving by train or on foot from Hungary. Some people used their cars to collect and transport migrants who had travelled hundreds of kilometres and often walked long distances, leaving them exhausted and in poor condition. Residents of Austria and Germany drove into Hungary or Slovenia, or to the border, to pick up migrants and take them to Vienna, Salzburg or Germany free of charge.

In other instances, authorities capitulated to the influx of new migrants and simply turned a blind eye to their irregular movements; elsewhere, for example in FYR Macedonia, authorities used buses and trains to transport migrants through and out of the country as quickly as possible. In other places, the response to irregular migration was more hostile and resulted in measures to close borders and erect fences. In some instances,

compassion fatigue set in, and gestures of support and welcome turned into hostility and xenophobia.

The analysis in this report has shown that irregular migration through the Balkans is not a new phenomenon. The countries in the region are interconnected, and have histories of migration both inbound and outbound. All countries in the region have diasporas of their own nationals abroad, and many are home to communities of other nationalities, which explain and shape migration flows into, through, and out of the region. This is exemplified in the many nationalities from the former Yugoslavia who were displaced during the armed conflict in the 1990s, the exodus of Kosovars in recent years, and the large number of Albanians who seek employment in neighbouring Greece.

What is frequently overlooked in debates about migration in the Balkans is the fact that irregular migration in the region involves both regional and non-regional migrants. For some countries, the main 'migration problem' stems from the influx of nationals of neighbouring countries, or from the outflow of their own nationals seeking prosperity abroad. Many reports about irregular migration in the region, and many responses developed to counteract these movements, fail to recognise the diversity and complexity of these migration patterns.

The causes driving irregular migration towards Western Europe and across the Balkans are longstanding; many predate the 2011–2017 period. Within that period, there were early signs in 2011 to 2014 signalling that a rise in irregular migration was imminent. At that time, the situation for many displaced persons in transit countries was rapidly deteriorating, along with the security situation in the main source countries in the Middle East, South Asia, and parts of Africa. With the situation in countries such as Syria and Afghanistan worsening, Western countries slashing their support to host countries such as Jordan, Lebanon, and Turkey, and with many displaced persons running out of hope that they would ever return to their home country, it was obvious that some migrants would 'pack up' and try to make their way to places where they

hoped to find greater security and a better life for themselves and their families. In the absence of resettlement locations and legal avenues of migration, it was not at all surprising that many migrants would resort to irregular means and the offers of migrant smugglers.

Most countries lacked the foresight to adequately prepare for growing numbers of irregular migrants and rising volumes of asylum applications. Most had no mechanisms in place to adequately, fairly, and efficiently manage the flow of migrants. Yet no country could really have been surprised by the developments that took place in the second half of 2015. The reactions and responses by states to the events of that year are characterised by a lack of planning and preparedness, and by a failure to cooperate and communicate.

In particular, there was a near complete lack of engagement with the main source, host, and transit countries. Furthermore, many responses were left too late and, if they came at all, were quite shortsighted and failed to address the root causes of displacement and irregular migration. The measures adopted by states in recent years, collectively and individually, to 'close the Balkans route' are, for the most part short-term and tactical, not strategic, and certainly not aimed at solving the ongoing crises that displace millions of people in the Middle East, South Asia, and parts of Africa.

The responses adopted by many states prioritise the protection of borders over the protection of people; national security has become more important than human security. Many measures implemented to stop the flow of irregular migrants merely serve short-term political gains rather than tackling the harder issue of developing long term strategies to manage international migration and the plight of refugees.

This is particularly evident in measures to close borders and erect fences or build other fortifications to stop irregular border crossings. Without exception, the immediate effect of these measures has been that migration was displaced, not stopped. Such measures show disregard for, and create, human suffering, and merely divert

irregular migration to other routes and pass on the management of migration and the processing of asylum claims to other countries.

Furthermore, the research shows that the harder it is for migrants to cross borders legally and overtly, the more likely it is that they resort to covert methods of migration and take up the offers made by migrant smugglers. The smuggling of migrants responds to a demand by persons unable to use legal avenues of migration. It is symptomatic of a lack of proper management of migration, and of coherent and effective immigration policies. Criminalising the smuggling of migrants and punishing smugglers does little to reduce irregular migration unless it goes hand in hand with proper planning of migration intakes and cooperation with source, host, and transit countries as well.

It should be noted that the myriad measures to control and close borders in the region, enhance border control and law enforcement cooperation, increase the budget, powers, and mandate of agencies such as Frontex, and to strike questionable agreements with some transit countries, have greatly reduced the flow of irregular migrants through the Balkans. To call the Balkan route 'closed' is, however, an exaggeration, given that many thousands of irregular migrants continue to travel through the region. Numbers have clearly dropped since the peak in late 2015, but many migrants have been diverted to other routes. Irregular migration along the Central and Western Mediterranean routes from Northern Africa to Italy and Spain has risen dramatically since the Western Balkan route was declared closed by some politicians. What is more alarming is that these other routes are far more dangerous, and that migrants are more dependent on smugglers since these routes involve long sea-borne journeys and pass through countries such as Libya which are in serious political turmoil. According to IOM, recorded deaths at sea by irregular migrants in the Mediterranean rose from 1,809 in 2015 to 2,911 in 2016 and remained high, with 2,121 deaths in 2017.¹

¹ IOM, 'Missing Migrants: Tracking Deaths along Migratory Routes' (12 June 2018) <<https://missingmigrants.iom.int/region/mediterranean>> (accessed 11 July 2018).

C.3 A lack of management

The lack of foresight and preparedness of many states goes hand in hand with the lack of management of regular and irregular migration. Many states in the region (and elsewhere) were—and some continue to be—altogether oblivious to international migration and refugee flows. Many adopt the view that ‘this is not our problem’. All too frequently, this attitude results in utter unpreparedness if and when irregular migrants and refugees arrive. Many governments dismiss calls for better preparation and planning with simplistic statements that they are not immigration nations, or with claims that national security considerations prevent them from adopting more proactive and humane migration and refugee policies.

Migration is not, and never has been, new to the region. The histories of all countries in the Balkans have been shaped by migratory movements, including voluntary and forced migration by national, regional, and non-regional migrants. Despite this, many countries in the region lack transparent, rules-based systems to properly and fairly manage international migration. Laws criminalising the smuggling of migrants, protecting the rights of smuggled migrants, and enabling international cooperation are developed very unevenly across the region, and many states fail to adhere to basic principles of international law.

Moreover, many countries do not have comprehensive immigration laws, do not have fully developed asylum systems, and do not maintain immigration policies that tie immigration intakes to labour market needs, demographic developments, and humanitarian considerations. With the rise of globalisation and increasing human movement worldwide, these are, however, core responsibilities. Nevertheless, many governments, wittingly or unwittingly, choose to neglect this duty.

It must be noted in this context, however, that some states, especially new, smaller, and less developed countries such as Bosnia-Herzegovina, Kosovo and FYR Macedonia, have limited capacity

to properly manage and support irregular migrants in large numbers, and may lack the expertise and experience to set up sophisticated immigration and asylum procedures. In these circumstances, regional and international cooperation and support from Western European nations and the European Union are all the more important to enhance the capacity and preparedness of Member and Non-Member States to manage migration in all its forms.

Just as many states failed to prepare for irregular migration and refugee flows, many failed to anticipate and manage community reactions to the large flow of migrants through the region. Similarly, many states failed to accurately inform the public about the true levels and patterns of these flows, the causes of displacement, and the conditions of the migrants’ journeys. In this environment, it was to be expected that community concerns about irregular migration would grow, and that xenophobic sentiments would rise. Nevertheless, many politicians failed to address these concerns; others chose to fuel them in order to gain political capital. Myths and misinformation about irregular migration, refugees, and other groups of non-citizens are widespread, and few countries actively provide accurate information and transparency to counteract false claims and animosities.

On a broader level, it appears that many states have yet to see the benefits of international migration, and to adopt policies that enhance human mobility rather than obstruct it. To this day, some governments prioritise the control of borders over the protection of people. Many fail to realise that migration is inevitable and cannot be stopped, but that migration is manageable, and for this states themselves, rather than smugglers, must ultimately take responsibility.

C.4 A lack of cooperation

The reactions and responses of states to irregular migration and the smuggling of migrants have often been characterised by ad hoc measures accompanied by populist rhetoric. Most of the

initiatives taken by states have been short-term rather than strategic, and not in a spirit of cooperation and burden-sharing. Across the Balkans, narrow and nationalistic views prevail in nearly all matters pertaining to migration and asylum systems.

When borders were closed, fences erected and controls instituted, states gave little consideration to the impact such measures would have on neighbouring states and on other transit points and destinations countries along the Balkan route. In many cases, these measures simply displaced migration routes, passed problems and people from one country to another, or pushed irregular migrants into clandestine avenues of migration and into the hands of smugglers.

In the context of irregular migration, cooperation within the European Union and across the EU's borders has been, at best, selective, and has mostly been limited to law enforcement and border protection measures. Cooperation to protect the rights of refugees and other migrants, and to set up legal avenues of migration, has for the most part been non-existent, and continues to be a thorny issue. This goes hand in hand with a failure to fully engage with and trust the experience of international refugee and migration organisations that have the know-how and expertise to manage migration flows, and to do so humanely.

In many places, NGOs had to fill the gaps and take up duties when states were unwilling or unable to render basic assistance to those in need. But even

if NGOs took on responsibilities when states failed to do, they were often blamed for the arrival of irregular migrants or were obstructed in their work.

Calls for greater cooperation and coordination between EU Member States are not new, but many states, chief among them the Visegrad States of Poland, the Czech Republic, Slovakia and Hungary, as well as Austria, remain fiercely opposed to the concept of burden sharing and solidarity, and refuse to accept a quota system whereby asylum seekers would be distributed fairly across EU Member States.

What is urgently needed is a coordinated EU asylum and migration policy that articulates basic principles to which either all Member States or a group of willing partners agree, and on which practical measures can be built. The implementation of these principles should be supported through additional funding awarded to cooperating states. These initiatives need to go hand in hand with close partnerships that bring together government agencies, international organisations, NGOs, and civil society. Moreover, the EU and its Member States need to engage actively with and support non-EU Member States in developing strategies and practical solutions. The answer to irregular migration and the smuggling of migrants along the Balkans route must not give rise to a 'Fortress Europe' but to the emergence of collegial, strategic and cooperative measures that promote safe migration, prevent the smuggling of migrants, and protect the rights of all migrants.

D THE WAY FORWARD

Although this report did not document and analyse specific policy actions and other countermeasures to prevent and stop irregular migration and migrant smuggling, and while it is beyond its scope to develop concrete policy recommendations, several key observations nevertheless emerge from this research.

The following points must not be understood as a comprehensive plan of action to solve the myriad challenges faced by Balkan countries in the context of irregular migration and migrant smuggling. They merely serve as issues for further consideration, as components and parameters for future planning and policy making, and as an inspiration for further public debate and scholarly work.

(1) Further and ongoing research, data collection, documentation, and analysis are an essential prerequisite for a better understanding, meaningful discussion, and sustainable, evidence-based policymaking on irregular migration and migrant smuggling. This includes

- comprehensive collection and dissemination of relevant data by government agencies,
- documentation and independent analysis of the levels and characteristics of irregular migration and migrant smuggling,
- critical examination of measures adopted to stop these phenomena through properly funded scholarly research,
- collaboration between government entities, international organisations, NGOs, academic scholars, and other experts,
- disclosure and dissemination of data and research findings, and
- informed public debate and community engagement about these issues.

(2) One of the main lessons learned from the experience of irregular migration and migrant smuggling in the 2011–2017 period is the need for better planning and projection. To anticipate and prepare for irregular migration flows, it is necessary to:

- monitor and analyse political, economic, demographic and environmental developments which can lead to conflict, poverty, unemployment, the loss of livelihoods, and thus to forced displacement and voluntary or involuntary emigration,
- engage directly with source countries in order to address the causes of displacement and, as far as possible, develop pathways for safe departures,
- support countries of first refuge in their efforts to protect, accommodate, and assist irregular migrants,
- greatly increase the number, quality and speed of avenues that offer resettlement from source countries and countries of first refuge to safe third countries,
- collaborate closely with, and adequately support the work of, international organisations, NGOs, local communities and other areas of civil society,
- develop contingency plans for situations involving sudden displacement and mass exodus, and
- facilitate the voluntary return of migrants where it is safe to do so.

(3) The smuggling of migrants prospers in situations where fences, fortifications, border controls, visa regimes, or other legal or practical measures obstruct a demand for international migration. To prevent the smuggling of migrants, reduce the loss of lives and other dangers associated with smuggling, and to deter would-be smugglers, states must:

- create and promote legal avenues of migration to reduce the demand for smuggling,
- facilitate access to official travel and identity documents,
- criminalise profit-seeking migrant smuggling, especially in situations in which smugglers place the health and lives of smuggled migrants at risk, or if they exploit smuggled migrants or treat them inhumanely,
- ensure that smuggling for humanitarian and altruistic purposes is not criminally sanctioned, and
- not criminalise smuggled migrants merely for being the object of this crime.

(4) International migration and human mobility are realities, and are certain to grow in the future. If properly managed, they create benefits, opportunity, experience, safety, exchange, prosperity and understanding for communities in sending and receiving countries. Migration cannot be stopped by states, but states should:

- monitor demographic developments and engage in comprehensive population and migration planning,
- approach migration law and policy as a social, economic, family, and international relations matter, and shift it away from the mandate of law enforcement and national security statutes and agencies,
- identify existing and future labour demand in skilled and low-skilled sectors, and set up avenues for labour migration,
- enable family reunification between close relatives and foster the flow of remittances,
- set up contingencies for the resettlement of refugees from source countries and countries of first refuge, as well as for persons seeking asylum at the border or in country,
- develop and properly fund comprehensive integration measures for new arrivals, especially in relation to language and skills training, work, and education,
- consult closely with local communities, industry and other stakeholders about the capacity for immigration and integration,
- disseminate accurate and comprehensive information on all aspects of migration to the media and the public, and
- actively counteract xenophobia and racism and protect vulnerable migrants.

(5) Greater cooperation at local, national, bilateral, regional and international levels is essential to reduce irregular migration and the smuggling of migrants, and is integral to any of the points articulated above. In particular,

- regional dialogue and forums on international migration and cross-border cooperation should be strengthened,
- the development of EU migration and asylum policies and the creation of an EU migration and asylum agency should be fostered, and
- existing international refugee law and human rights treaties along with the *Global Compact for Migration* and the United Nations *Protocol to against the Smuggling of Migrants* should serve as a framework for any measure adopted to stop irregular migration and protect the rights of smuggled migrants.

About the author

This research project was led by **Dr Andreas Schloenhardt**, Professor of Criminal Law in the School of Law at The University of Queensland in Brisbane, Australia and Professorial Research Fellow in the Faculty of Law, Department of Criminal Law and Criminology at the University of Vienna, Austria. Andreas has over 20 years of experience working on topics relating to irregular migration and the smuggling of migrants, and teaches in the fields of criminal law and refugee law. He serves as a consultant to the United Nations Office on Drugs and Crime (UNODC) in Bangkok, Islamabad, and Vienna, and to the Council of Europe in Strasbourg. Andreas is a Visiting Professor at the University of Zurich (since 2014) and the University of St Gallen, Switzerland (since 2013). The lead researcher was supported by Messrs Colin Craig LLB, BA (Leiden University), Liam O'Shaughnessy (The University of Queensland), Paul Scheichel (University of Vienna), and Andreas Wintersperger (University of Vienna).

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H-1056 Budapest, Fővám tér 2–3, Hungary
Tel.: +36-1-461-60-11
Fax: +36-1-461-60-18
E-Mail: fesbp@fesbp.hu

<http://www.fes-budapest.org/en/topics/flight-migration-integration-in-europe/>

Responsible: Timo Rinke

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- Monitoring national discourses on flight, migration and integration and contributing to mutual understanding among the European countries.
- Exchanging experiences concerning integration and sharing best practices in the field of integration policies.
- Developing ideas and recommendations for a Common European Migration and Asylum Policy, as well as contributing to a rapprochement of the divergent approaches towards migration policy within Europe.

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