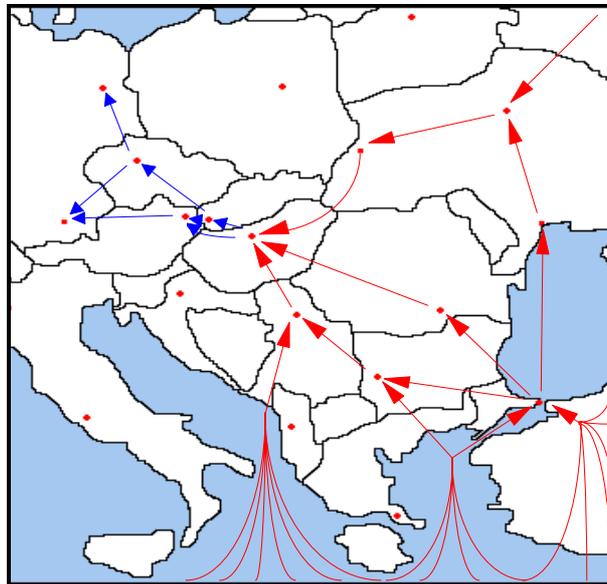


MIGRANT TRAFFICKING AND HUMAN SMUGGLING IN HUNGARY



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RESEARCH REPORT FOR THE INTERNATIONAL ORGANISATION FOR MIGRATION

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1 INTRODUCTION

1.1 Background

In an international, though mainly regional context, Hungary plays a key role in human smuggling: its geographical location, its economic position and its perspectives for accession to the European Union are all contributing factors to the development of the situation.

At present, Hungary is both a transit and a destination country for migration. Not only are citizens of the neighbouring countries migrating, but there are growing numbers originating from more distant countries. The future of Hungary as a destination or a transit country for them will depend mainly on the further European policy developments. Western countries have introduced more and more restrictions on the flow of migrants. Arrival in Hungary, whether it is legal or not, does not provide for the legal possibility of progressing further into Europe in the majority of cases. As a consequence, many of them will try to cross the borders illegally, often with the help of human smugglers.

1.2 Aims and objectives

The aim of this research is to gain an overview of the smuggling of aliens and of human trafficking in Hungary. It will attempt to identify the main types of trafficking and their dimensions through the experience of different governmental agencies, other institutional actors, NGOs dealing with migrants, as well as the people directly involved in trafficking. This last group consists primarily of migrants but includes some traffickers.

The lack of reliable information is characteristic on all aspects of human trafficking. Not only is information and practices scarce concerning such issues as the effects of trafficking on migration patterns, the scale and extent of operations, structure and working principles of the smuggling organisations, but even information on the trafficked migrants, their personal characteristics, reasons for using the services of the traffickers, remains incomplete. Although there are some indicators connecting human trafficking with other criminal activities, the real scale and depth of this relationship are unclear. Typologies of how the migrant trafficking business is organised, and the functions performed thereby, are quite simplistic and heuristic.

The elaboration of effective strategies and potential actions against trafficking is not possible without a detailed knowledge of the different aspects of the phenomenon. (i.e. real processes, policies, concerned population) Our aim is to contribute to this knowledge.

1.3 Definition of trafficking

When starting our research, the first difficulty we were faced with was in defining the phenomenon of human trafficking. In terms of a comparative analysis, a common understanding of the phenomenon is inevitable prerequisite. However, we came to realise that the legal and the common understanding of the phenomenon differ not only from country to country but also among the various actors and institutions. Despite the fact that existing definitions overlap, they do involve considerable differences. Accordingly, different approaches to the phenomenon of human trafficking are applied.

According to the definition applied by IOM earlier, "trafficking in migrants" - the illicit transportation of migrants or trade in them- can be said to exist if the following criterion are met:

- an international border is crossed,
- an intermediary - the trafficker(s)- is involved in the movement of the migrant,
- entry and/or stay in the country of destination is illegal. The migrant may completely avoid contact with the authorities during the border crossing, present either fraudulent documents or genuine documents which have been altered, or misrepresent his or her intentions regarding, for example, intended length of stay or economic activity; and
- the trafficker profits from such activities in terms of economic or personal gain.

This is the working definition used in our study.

1.4 Methodology

In order to gain a relevant picture and a fair understanding of the complexities surrounding the phenomenon of trafficking, we use a multifaceted approach.

This study is based on a comprehensive review of the literature and press, analysis of available data, and a survey of the relevant legislation. Nevertheless, interviews were the predominant means of acquiring information about the phenomenon of trafficking.

Civil servants, experts within the administration have been interviewed. Certain NGOs, experts from political parties, and employees of some of the sending countries' embassies have also been consulted.

Interviews were conducted with key informants at all levels of alien smuggling and the those concerned with the control of it. Field observations of border control operations (and whenever possible, observations of the trafficking process itself) were conducted as well. The second part of the research is based on interviews with smuggled migrants. Some observations, conversations were also carried out with the smugglers themselves.

The review of the literature and the press and the processing of statistical information provided the basis for the conceptualisation of the research and also served as a frame of reference for the empirical observations. It was crucial in the preparation of interview guidelines, as well as for the understanding and analysis of information from the interviews.

1.5 Interviews with key informants

Interviews were carried out with the following types of sources:

State and local officials of the Border guards, Police, customs office, staff from reception and detention centres, local government representatives (concerned staff from reception regions), non-governmental organisations dealing with migration and migrants, international organisations involved in the issue, migrants familiar with smuggling practices; representatives of relevant commercial organisations such as airlines were interviewed. We also contacted foreign embassies in Budapest and the Hungarian consulate in the Ukraine.

This sampling was designed to represent a range of views, understandings and assessments based on the experiences of individual experts and key informants from various institutions dealing with different aspects of the problem (ranging from research, legislation and surveillance to law enforcement at local and national levels).

Particular informants were selected based on their position and relevance.

Altogether 55 in-depth interviews were carried out with "key informants" in the course of this

research;¹

When permitted, the interviews were recorded on audiotape. When the recording have been refused or the circumstances did not allow using the recorder the interviewer summed up the content of the interview.

1.6 The interviews with migrants, site visits

Interviews were structured, on the basis of an agreed IOM guideline, in order to acquire information on the structure and functioning of trafficking networks, financial arrangements, specific methods in use, and how these relate to each type of migrant. Through the findings of individual cases, we aim to understand the process from mobilisation through transition to destination. This includes recruitment in the place of origin, methods of border crossing, etc.

Most of the interviews with migrants were conducted in detention or holding centres² and in refugee camps. Others were conducted in railway stations, restaurants, places where trafficking is organised, police cars and through personal contacts.

Some other interviews were done in a "panel" format involving small groups of migrants familiar with the smuggling experience. The number of migrants interviewed varied between 1 and 15 at one time in one location. The length of the interview varied between a couple of minutes to 3 hours, depending on the circumstances, the willingness to cooperate and on the value of information the migrant could provide. Most interviews were - at least partly - taped. A total of 82 interviews with relevant information to trafficking were summarised on a questionnaire format and coded³.

Some interviews were carried out with people who acted as human smugglers or assisted in the smuggling process.

We arranged site visits at five different detention centres and three refugee camps (2 state-run and one NGO-run) in Hungary. We also managed to visit border communities and relevant interior sites where smuggling is organised and practised. (Sites were chosen based on the national level interviews and the consequences of current events).

In certain cases we were able to follow some parts of the trafficking process. Field observations took place in Budapest around the central railway station. In one of the refugee camps we were not only able to follow the process but film it as well. Further observations took place in a town near the Austrian border known as a major "transit-waiting" centre for migrants mainly from Kosovo.

We also arranged two trips to the Ukraine where we conducted 4 interviews with representatives of official organisations. More interviews were conducted with NGOs and migrants who planned to cross the border, some of whom had been readmitted several times.

During the research we enjoyed the support of governmental agencies, especially the Border Guard. Most officials were not only willing to share official statements, but were helpful and open about their personal experiences. Meetings with migrants were arranged and upon our

¹ The list of key informants see in appendix

² The guarded centres are operated by the border guards, serving as designated place of residence for illegal foreigners. These facilities are called officially "community hostels" but in English translation often the term "holding centre" is used. These facilities are also often referred as detention centres.

³ Although this is a too small number for statistical analysis, it proved to be useful for summarising the results. Furthermore, considering the interviews carried out among similar population by the two other research groups in Ukraine and in Poland, it might contribute to the compilation of a statistically relevant sample size, thus to more comprehensive analysis in the future.

insistence, provisions were made to speak with them without surveillance.

The project team was selected on the basis of their previous experience; language knowledge and communication skills. Some had to deal with virtually all types of respondents, others contacted just very specific categories. Besides language knowledge familiarity with the circumstances in the place of origin of the migrants, the sex or the citizenship of the interviewer played an important role in establishing contact and receiving relevant and reliable information from migrants.

2 THE LEGAL FRAMEWORK RELATING TO HUMAN SMUGGLING AND THE TRAFFICKING OF MIGRANTS IN HUNGARY

The issue of human trafficking retains a degree of complexity, which makes its legal regulation extremely difficult. Its nature, being both an international migration phenomenon and a trans-national criminal problem requires a high level of policy concern at both domestic and international levels. Additionally, the co-relation between illegal migration and organised crime requires that laws which were designed to operate in a world with countries divided by state borders now has to be designed in order to encompass criminal activities in a world without frontiers.

Therefore the problem require harmonised rules and efficient law enforcement at both national and international levels. The present analysis attempts to provide a picture of the existing legal framework for combating human trafficking in the case of Hungary. It is an effort to present the regulations in the process of their development towards better compliance with world best standards and especially the relevant EU rules and practices.

The legal framework related to human smuggling in Hungary, as in almost all CEECs, appears fragmented, often incomplete and inconsistent. Recent Hungarian legislation addresses the issue of irregular migration within a number of legal provisions in the context of different acts of a different legal nature and stature. Moreover, the issue of combating human trafficking has reached the highest level of policy concern in recent years, as evidenced by the amendments to the basic laws, the enactment of new rules, as well as by the legislative proposals submitted.

On the basis of these regulations of different legal stature, together with the relevant international documents, one might safely assume that the existing legal framework - while not containing an explicit definition of irregular migration – does, in fact, provide the legal grounds for counteracting trafficking in migrants using the legal machinery.

In order to achieve a higher level of conceptual clarity, the present analysis explores the rules related to illegal migration in the separate categories of means to combat human smuggling, refugee and asylum issues, as well as the framework for regulating the entry, stay and work of migrants in Hungary.

Amongst the primary means for combating human trafficking are the relevant clauses of the Criminal Code.⁴ This envisages criminal responsibility for unauthorised crossing of the frontier for persons who cross the frontier of the republic of Hungary: "without authorisation, in an unauthorised manner or by force of arms". Human smuggling, however has been criminalised by means of a separate provision and includes „assistance to unauthorised crossing” for financial benefit or as a member of group organised for assisting such acts.

The trafficking offences have maximum penalties of up to five years imprisonment, while the aiding and abetting of the trafficking of aliens is declared punishable with imprisonment of up to two years. Deportation is provided as a supplementary punishment against the perpetrator of human-smuggling.

Besides the sanctions provided in the Criminal Code, the issue of illegal border crossing has been extensively addressed by Act on borders and the Border Guard.⁵ This defines border trespassers as those who are considered to be persons who have crossed or attempted to cross the state border outside of the crossing points or via the crossing points but with a breach of

⁴ See Act IV of 1978 on the Criminal Code, HMJ Nr. VI./23-24, 1995

⁵ See 1997 Act XXXII on protection of borders and Border Guards, 29 April 1997

crossing regulations.

This Act defines the rights and duties of the Border Guard in relation to state border trespassers. Thus, within the scope of their discretion falls the refusal to allow the crossing of the border outside the crossing points, the finding and detaining of state border trespassers, and furthermore, the investigation of cases of trespassing of the state border. The widening of the discretion of the State Border Guard into the direction of more active involvement in cases of violations of the state border regime manifests the legislator's intention to increase the efficiency of the procedural mechanisms for combating the illegal trespassing of borders by the state officials who are closest to the event.

Regarding carrier sanctions, and in connection with the Prague recommendations for the imposition of fines on carriers who have failed to identify improperly documented passengers and to hold the carriers responsible for the return costs, Hungary is in the process of considering the imposition of carrier sanctions.

The new law on organised crime, which was submitted to the Hungarian Parliament in 1998 presents an effort in the direction of the further strengthening of the regulation.

Particular sanctions against trafficking for sexual exploitation are envisaged⁶ on combating prostitution and related offences .

A thorough regulation of illegal migration necessarily includes refugee issues. Developments in the context of the latter reflect real life developments, mostly the fact that Hungary has become more and more a refugee receiver country. The legal framework related to refugees has been labelled by commentators as unsynchronised, sketchy and incomplete. Its transitional character, however, has been manifested by the number of changes and newly designed provisions, entering into force. The regulation is based on the Act on Asylum⁷. The Act, which entered into force in May 1988 redefined the existent legal framework on refugees⁸. A widely discussed element of the previous regulation was the geographical reservation, restraint asylum to those coming from Europe. A basic new element was lifting the restraint, as well as providing a clear system of definitions and procedure. Under the terms of the statute, the established legal framework mirrors the respective clauses and definitions of the Geneva Convention relating to the status of refugees, the Rome Convention on the Protection of Human Rights and Fundamental Freedoms of 1950, as well as international practice. It remains in compliance with the harmonisation strategies within the EU.

The act on asylum, however, should be interpreted in connection with the other provisions on refugees, as well as with some administrative rules and policies that have developed to fill gaps in the legal structure. Thus, by means of the 1993 Act XXXII on the Rights of National and Ethnic Minorities, the 1996 Act on Racially Motivated Crime, and the Law on the on Entry Stay and Immigration of Foreigners, the Hungarian Legislature has made an effort to incorporate into domestic law the basic legal principles of the treatment and the protection of aliens, national and ethnic minorities, etc.

In the particular context of asylum seekers, those who are not granted asylum status but cannot be returned to the country of the origin or a third country mainly because of the lack of travel documents could be given a designated "compelled place of residence" according to the Aliens Law. This means police supervision and if foreigners violate the regulations by repeated illegal border crossing or taking illegal labour they would be placed in the detention

⁶ Government Decree 2271/1997 (IX.11)

⁷ Act No. 1997: CXXXIX on Asylum and Government decree 24/1998 on its implementation

⁸ The Convention and the Protocol together became Law- Decree N0.15 of 1989

facilities of the Alien Police.

The legal framework on illegal migration includes, but is not limited to the issues of illegal trespassing of borders and asylum seeking. Thus, the collected empirical data shows that a considerable proportion of irregular migrants enters the country legally, by means of different types of visas for tourist, educational and other purposes. Therefore, a whole set of provisions has been designed to regulate the entry, stay, employment and expulsion of foreigners. Thus, the so-called migration codification package, envisaging rules on citizenship, settlement of aliens, residence, asylum and aliens' legal status contains acts, which were not necessarily prepared with internal coherency, and therefore appear fragmented and with different effects.

The requirements for entry and stay have been tightened in the amendments (of 1996 in particular), by virtue of which the Police Administration Division of the National Police Headquarters (ORFK) has been vested with the discretion to judge visa applications, visa routing, as well as the deportation of expelled foreigners.¹⁰ The Border Traffic Branch Office is declared entitled to "issue visas, return foreigners, reduce the period of stay on entry, as well as to order stay at a designated place". The Alien Policing has been further regulated by establishing procedural and organisational networks within the Border Guards.

The rights and procedures relating to foreigners taking up work in Hungary, which is essential for the regulation of illegal labour, has been brought ministerial decree.¹¹ According to this foreigners are being subjected to a special regime for granting work permits. The requirements for employment permits are strict and getting it requires a long and complicated procedure.

Even though the employment of illegal migrants could not be considered a trafficking offence, the legislation provides for the imposition of fines against employers who by employing illegal aliens encourage illegal entry and stay.

The above survey, as with any other, reveals more questions than answers. The fact that it remains inconsistent and incomplete follows the very inconsistency and incompleteness of the existing regulation.

The recent developments in the field, however, show the tendency to bring the fragmented and uneven regulations into compliance with best world standards.

According to the Association Agreement with the EU Hungary is under the obligation to approximate its existing and future legislation to that of the European Union. Accordingly, the web of legal norms concerning human trafficking and illegal migration evidences a

⁹ Thus, the sovereign decision of Hungary providing regulation on international migration is to be found in the Act LV of 1993 on Hungarian Citizenship⁹ and Government Decree No. 125/1993 on the Execution of Act LV of 1993 on Hungarian Citizenship⁹, as well as in Act LXXXVI of 1993 on the Entry, Stay in Hungary and Immigration of foreigners⁹. Furthermore, a mosaic of legal provisions, on the basis of the above acts, affects migrants, such as the Government Decree on the Execution of Act LXXXVI of 1993 on the Entry, Stay in Hungary and Immigration of Foreigners,⁹ as well as Decree N0.9/1994 on the Execution of Act LXXXVI of 1993 as well as of Government decree No. 64/1994 (IV.30) on the Entry, Stay in Hungary and Immigration of Foreigners.⁹ Thus, the Act on Citizenship and its executive decree regulates the principles of citizenship and the ways of acquiring and losing it.⁹ The Act on Aliens and subsequent decrees further specify the very conditions of the entry, stay and immigration of foreigners in Hungary, previously falling within the scope of the Act XXIX of 1989 on Emigration and Immigration. For the purposes of these acts, foreigners are considered persons who do not have a Hungarian Citizenship.

¹⁰ See Section 2 of the Decree

¹¹ See Decree No. 7/1991 (X.17) mum on Permitting Foreigners to Take Up Work in Hungary, as amended 1995/168-172 in 4/1995 MuM r. and 1996/18-20 in 1/1996. MuM r.

considerable progress in harmonisation. The regulation has become not only more consistent and complete, but far more conceptually and procedurally clear and defined, advancing the basic ideas of protection and human rights as formulated in the major relevant international documents. A successful effort to screen the existing legal framework in the light of the approximation efforts to bring Hungarian laws into compliance with the major international documents and the EU rules, requires an extensive enquiry into not only domestic law, but also into the state operational documents directed against organised crime, irregular migration, etc. adopted at different governmental levels, as well as into the respective provisions of the numerous international documents in the filed, signed with other countries, as for example some human right instruments, the growing number of mutual agreements, etc.

¹²

The very character of migration, which is a phenomenon across frontiers of enormous complexity and potential for change, puts high demands on the legal rules. One should not forget, however - given the instrumental character of the latter - that they are only one instrument among others to combat human trafficking and should be applied within a wide range of political, police, educational and other ways of prevention.

¹² Thus, Hungary has duly signed and implemented a number of international conventions relevant to the prevention and combating of the trafficking of aliens including but not limited to the following instruments: The *1950 European Convention on Human Rights and its protocols* (ratified by Hungary but not yet implemented), the *European Data-integrity Convention*, the *1951 Geneva Convention on the Status of Refugees*. *There is a growing number of co-operation agreements related to illegal trafficking* (Government Decree 13/1995 (XI.22) between the Government of Hungary and the Government of Ukraine on co-operation against organised crime, Government-Decree 15/1993 (I.27) between the Government of Hungary and the Government of Germany for combating organised crime, Government-Decree 181/1997 (X.17) between Hungary and the Russian Federation against illegal migration, Government-Decree 165/1997 (X.3) between Hungary and Austria against international terrorism , drugs trafficking and international organised crime, etc.).

3 INSTITUTIONAL ACTORS. STRUCTURE OF THE INSTITUTIONS, THEIR ORGANISATIONAL CONSTRUCTION, COOPERATION AND KEY CHALLENGES.

Facing the challenge of international migration in Hungary is the task of a limited number of stakeholders and institutional actors including

- the Border Guard
- the Aliens and Criminal Police
- other governmental agencies
- NGO-s
- international organisations

Nevertheless at the present Hungarian situation the key role in the struggle against trafficking is attributed to Border Guards.

On the basis of the very rich and comprehensive information we have collected in the key informant survey and the existing documents on the organisational framework, institutional actors provide a quite controversial picture .

3.1 Evolution of the organisational structure, actual mission of Border Guards

In first half of 1990s illegal migration increased remarkably and related human smuggling and trafficking became more and more organised. At the same time Hungary experienced an increase in other types of criminal offences leading to a deterioration in public security. The Hungarian Police found it difficult to cope with these new challenges. According to border guards and some police experts this was the underlying reason for the reorganisation of the Border Guard.

Urgent decisions were needed in the following areas:

- Is the Border Guard capable of monitoring the borders differently or should somebody else be appointed to do so?
- Is the domain of guarding the border a special trade where experts are needed? If special training is needed, who should be trained to carry out the special tasks, and how?
- Is there an appropriate legal background and authority in order to exercise these rights, etc?

The modification of both external and internal conditions has forced significant legal, organisational and structural changes into existence This has led to the reformation of the Border Guard which now enjoys a much wider jurisdiction and the main responsibility in illegal migration control. Licences granting new state administrative and authority rights have radically reformed their profile of activities.

Old border guard sentries have been replaced by professional border guard regiments. The tasks of the Border Guard have undergone a strict specialisation process. Their main activities are:

- control of border traffic
- border control and supervision
- alien administration and refugee affairs
- criminal prosecution and investigation.

Authoritative competence and jurisdiction were broadened by the right to investigate the following five types of criminal offence:

- human smuggling
- breaking regulations related to borders
- forgery of documents
- illegal stay in the country
- prohibited border crossing with weapons

In the period preceding the codification of the law on the Protection of Borders, the competence of the Border Guards did not exceed the right to catch perpetrators if they became aware of any criminal act, and report the act to the relevant authorities. Therefore the present regulation represents a significant increase in their tasks.

As part of international legal harmonisation, it is to be expected that Hungary may accept new legal regulations that will give the Border Guard authoritative competence to conduct investigations into crimes like trafficking in women for the purpose of prostitution, transporting stolen vehicles through the border or gun-running.

In order to fulfil their duties in criminal investigations, the Border Guard has been given the right to observe and inspect the border and to register the names of offenders against the law on prohibition lists. Thus, the criminal investigation bodies of the Border Guard are entitled to issue warrants to detain suspects evading criminal proceedings, to monitor the movements of persons suspected of human trafficking and forgery of documents across the border, and to prevent the entry into Hungary of persons who organise or assist in the arrival of foreigners without legal guarantees for their stay in Hungary.

With regard to the danger that crimes connected to the illegal crossing of the border present to society, the Border Guard has been given a limited authority to gather information in secret on the above listed crimes. The criminal investigation units have the right to apply methods for gathering secret information for which no court permission is needed. These include employing a confidential agent or an informant, covert (disguised) gathering of information, using false documents, setting up traps, conducting observed transports, etc. They can enter into secret agreements of co-operation with natural persons, legal entities and organisations without legal entity, and they can pay their partners. With the prosecutor's consent, they can offer the refusal or abandonment of investigation to persons violating the law in return for information.

"We have the right to develop co-operation on the basis of financial gratification or simply sympathy with natural persons – that is, to employ quasi-agents. We can purchase information from an amount allocated for this purpose. We can conduct disguised activities: that is, we can gather information in a way that we do not let out our purpose, or do not reveal the identity of the inquirer. We can observe public areas and record what happens there. This means that we can take photos or film an action and later use it as evidence in court. We can also set up chemical and mechanical traps, or for instance we can put a signalling device in a place where we think that people are smuggled, so that we can prove later that this or that car did pass through that bridge.

We cannot use methods that are tied to court permission (tapping telephone conversations or bugging private property, opening letters). Also, it is an important rule that we can only gather secret information if there is no other way of obtaining the data necessary for executing our tasks." (Colonel I.Szőke, Border Guard HQ, Deputy Head of Criminal Investigation and Intelligence dept)

Hungary has ten border guard directorates (Győr, Szombathely, Nagykanizsa, Pécs, Kiskunhalas,

Orosháza, Nyírbátor, Miskolc, Balassagyarmat, Budapest), each with one criminal investigation and one intelligence department. The departments have one head and two or three section heads. In each centre, subordinated to the departments are 2-4, altogether 27 criminal investigation and intelligence services. The number of the persons working in them depends on the situation of the given part of the border; in the more important areas it can be 10-15 people, while at some places only 4-5.

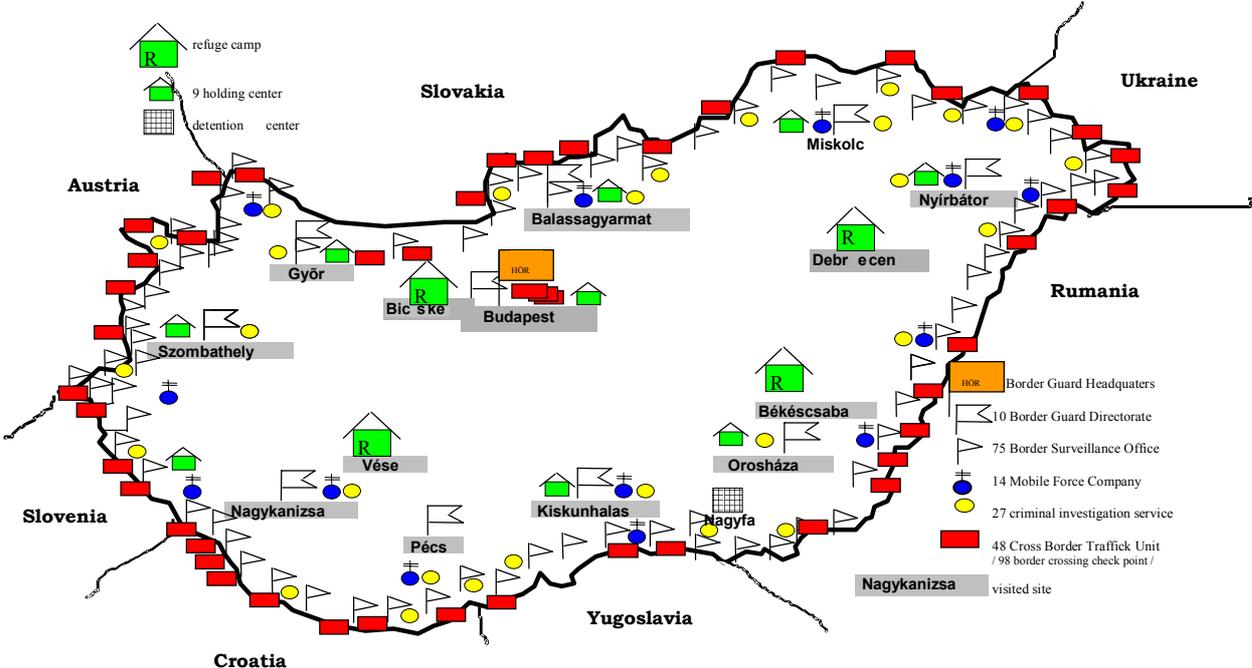
These services are complex bodies; their effective force includes operative, investigative and inspection experts. They have senior inspection officers and investigative operative officers; those who work out in the field execute actions and utilise the information obtained; i.e. they have to catch human smugglers. In co-operation with the Border Guard's cross-border traffic branches, they carry out executive work.

The structure of the Criminal Investigation and Intelligence Department of the Budapest Border Guard Centre is slightly different from the others: here inspection, investigative and intelligence sub-departments function. The reason for this difference is that Budapest has a specific significance in illegal migration and human smuggling, and experience shows that human smuggling, no matter which part of the border it is carried out on, will always have connections with Budapest or its environment.

The services have the authority to conduct open and secret investigations. The head of the service, who organises investigative and intelligence work, possesses the necessary mandates.

The professional co-ordination of these 27 bodies and of all the criminal investigation work of the Border Guard in general, belongs to the Criminal Investigation and Intelligence Department of the National Headquarters of the Border Guard.

Map 1 Border Guard Units, Detention centres and refugee camps



3.2 How does this operate in everyday practice?

"Until May 1, 1998, border guards controlled the green border by the traditional system of patrolling. This meant that nine out of ten people were out on the border at night. They waited for the coming of migrants at given places. We had very few people out there during the day, let's say one out of ten, and so one man had to guard 30-40-50 kilometres. This will be different under the new system, and we will have more people out on the border during the day. Some of them will still be stationed at places waiting for someone to come, but they will also have two or three more important tasks, such as gathering information, intelligence, supervision of foreigners and illegal labour. They will go to hotels and pensions around the border, check out foreigners and if someone can't provide papers on the legality of his stay, they'll start proceedings against him. According to the law, the border guards have the right to check anyone's papers. Then they either say thank you, good luck, or have a nice journey, or, if there is reason to suspect that the person has committed a crime or offence under the law, they'll start proceedings. If the suspicion turns out to be unjustified, they'll say thank you once more and then let the person go..."

Official border-hunting troops (mobile force company) are just being set up. These are mobile forces, which can be deployed in the inner part of the country for the supervision of foreigners. 80 % of the ranks of these troops have been filled in 1998, and by 1999 the recruitment will be completed." (Colonel General Kálmán Kiss, acting national commander of the Border Guards(16))

Presently the border guards have about 3,500 patrols. Passport inspectors, who are similar in number, conduct a so-called open activity, which is the checking of the documents of passengers. According to Kiss at the Hungarian Border guards are about 7,000 people whose work is related to illegal migration. And "...the struggle against human trafficking is their most important activity, because we consider this the most dangerous problem".

The fight of the border guards against human trafficking is basically realised by the intelligence services. Border surveillance, monitoring cross border traffic and all other fields of the Border Guard's work can only provide partial information on human trafficking. This is primarily criminal investigation activity within the Border Guards.

"When the border guards did not have the legal competence to conduct investigations, we could only scratch about the edges of the issue, and we couldn't really go deep enough. To be honest, the police couldn't invest as much work into the fight against human trafficking as we do..."(Colonel of Border Guards Head of Alien Policing, Petty Offences and Refugee affairs dept. (9))

Estimates on the efficiency of the struggle against illegal migration and trafficking contrast significantly, and, not surprisingly, are in strong correlation with the hierarchical position of the informant. According to the National Commander of Border Guard, 90% of illegal border crossing cases are revealed, 50-70% by the Hungarian border guards, and an other 20-40% are caught in other countries and readmitted. Interviewees in the Headquarters generally said that latency is low; 80-90% of cases are uncovered. However, field officers near the borders estimate that about 90 % of illegal migrants will finally succeed in passing through Hungary, even if this requires several attempts.

As General László Felkai, Permanent State Secretary at the Ministry of the Interior concluded:

"The only way to prevent human trafficking is to close the green border. To a large extent,

this is a technical issue and it requires infrastructure. The number of people working in the Border Guard is 14,000, including the civilian employees. Hungary's border is more than 2,000 kilometres long; in their present form, the border guards are unable to close it completely. This is why I encourage an alternative where the green border would be closed by the army. This would not be in contrast with our former decision to withdraw the conscripts from the Border Guard, since they were given administrative and legal duties. And it is evident that you cannot endow someone with enough legal knowledge who is doing his nine months of military service. But it does not require many qualifications to prevent people from crossing a forbidden line."

The lack of appropriate infrastructure and human resources is doubtless one of the basic problems of the Border Guard in facing the challenge of illegal migration.

On the one hand, the trafficking networks are set up by organised crime and use state-of-the-art communications, technology and highly sophisticated computer equipment to forge documents and papers to move tens of thousands of migrants around the globe. Lined up against these powerful international criminal networks are the Hungarian border guards, with their rickety Lada jeeps and obsolete computer equipment.

The lack of appropriate human resources is also to a great extent a financial problem. The permitted numbers of the Border Guard is 14,000 persons. However, almost 3,000 posts are vacant since the budget did not provide sufficient funds for their payment. An additional 3-4 billion Forints per year would be necessary to fill the ranks.

As expressed by a border guard officer in Győr (Western Hungary);

"We have changed over from conscripts to professional border guards. We should have filled up the ranks, but you can't find a patrolman for the western border for a salary of 23,000 Forints¹³. We can't fill the border-patrol troops because people just don't accept the job for such a small amount. There were times when people came in masses, because they saw a work opportunity in it, but as the economy became more consolidated, less and less applicants turned up. The troops should be paid much better. Technical conditions should be ensured. The border guards should be able to be mobilised on the green border, and they should be equipped with devices to see at night. Better technical conditions are needed to control the traffic passing through the border. We don't have the devices to check closed trucks. We can only open them if we have concrete information, because we have to pay compensation if for example perishable products go bad."(Border guard directorate, Győr(13))

Technically, the border guards are already prepared to join the information system of the countries that signed the Schengen Agreement, since all border stations are equipped with suitable computers, said Attila Krisán, the spokesperson for the Border Guard. The checking of documents poses a greater challenge. While at least 200 automatic document-checking instruments are needed, only about forty are functioning in reality, and looking at passports and other documents personally takes a long time and may cause serious difficulties in the flow of traffic. The automatic devices are said to be able to check the validity of the documents and to compare their contents with various lists of wanted people.

But the renovation of buildings, amortisation and the replacement of vehicles and weapons has been delayed for years, and the computer equipment should also be improved. In addition, the monitoring of the green border is made more difficult by the lack of vehicles. Border guards need new jeeps, some hundred cross-country motorcycles and devices for searching

¹³ About 100 \$, This salary is about the sum of the official minimal wage

trucks, and the information system should be updated. They also do not have the equipment necessary for checking trucks. The border guards use only one carbon-dioxide-measuring device as an experiment at Hegyeshalom (this device can register human breathing), so if they suspect human trafficking, they have to have the whole load taken out.

Compared to the equipment of the Austrian frontier guards, with their heat-sensors and devices that can sense even heartbeats in the loading platforms of trucks, the quality of the Hungarian equipment is extremely poor. Although the Schengen Agreement does not prescribe the equipment to be used by border guards, it does demand efficiency, and so the Hungarian Border Guard will have to spend billions of Forints on their equipment.

There is a clear need for capacity building and human resources development.

“We need many people, and we need well-trained people. But this is a dream. The majority of our staff does not speak languages and completed only vocational school. Usually the section heads, those who have college degrees, are the only ones that can speak foreign languages.”(Border Guard officer, Balassagyarmat detention camp(37))

The requirements for translation also create difficult situations.

“Sometimes the interpreters themselves were suspected of human trafficking, and we couldn’t make sure of what was being said. Interpreters are paid by the hour and their rates are not fixed. In the case of exotic languages, and special dialects, at night and on Sundays they may ask even 30 thousand Forints per hour. Otherwise they get 4-5,000 Forints. But a professor of Persian, who teaches in universities, speaks Kurdish dialects and is able to communicate with Turks is not too eager to come. We are happy to find anyone who speaks the language. And from January 1, 2000 it will be even more difficult because the Criminal Code says that nobody can interpret without a certificate. So now we must look for someone with a certificate. But how will I find such a person... in Bácsbokod Or in Csenger (small villages along the eastern border)”

The co-operation between government-based institutions including the Border Guard and the police authorities seems to be satisfactory.

“The co-operation and the exchange of information between the two main institutions, criminal investigation, the police and the Border Guard is good; after all, they come under the same ministry. With other institutions like the Labour Office it is improving. But problems related to data protection sometimes cause difficulties. The division of databases is a constitutional principle, and only a law can make it possible to hand over personal data to another institution. Obviously, if someone commits a crime, the data can be linked.”(L Felkai state secretary of the ministry of interior (10))

The Commander of the Border Guard expresses a favourable assessment:

“We have good co-operation with the Hungarian authorities, the Information Office, the National Security Office, the Police and the Customs.”(Colonel General Kálmán Kiss, acting national commander of the Border Guards(16))

On a lower level we met more conflicting judgements. This scepticism about the efficiency of Hungarian Border Guard is sometimes manifest. As a local Police officer assesses:

“There is no suitable institution to combat human trafficking. Both I and the border guards know the Austrian and the Hungarian methods – the two can’t even be compared. As a policeman, I think I can safely claim that the Hungarian border guarding authorities are just floating along with the tide. There is no aggressiveness in their work. They can only control the surface, and they do control it – for example, when somebody trying to cross the border

with a false passport gets caught. But I never hear about them finding the traces of a larger human trafficking organisation, and I should. Of course, sometimes they find, let's say, five people in a car, and then they shove the big story on these people. But they can't catch the core. Look at this neighbourhood... They do take people into custody, but they've never confined a human trafficker in remand. It was different when we conducted the investigations; we did do things like that. They have almost as many men for those five criminal activities as we do for all other cases." (Criminal police officer, Mosonmagyaróvár, Western Hungary(34))

3.3 Trafficking and the Migration Regime

According to the law on aliens, obligatory place of residence can be determined for illegal migrants. In most cases, this place is one of the so called "community hostels"¹⁴. At the end of 1988, the Border Guard operated 9 such hostels with about 400 places. Asylum seekers may also stay in refugee camps. Three camps are run by the state (Office for Migration and Refugee Affairs) and some smaller shelters by NGOs (Red Cross, Churches, human rights organisations). One detention centre is run by the Police.

Available data supports the view that between 1995 and 1998 the community hostels enjoyed relative tranquillity due to the activities of human smugglers; more than half of the foreigners caught and placed in these hostels disappeared from them. In 1996 out of the 3,834 persons who were given short leave 1,903 did not return. In 1997 the same rate was 1,824 persons out of 3,832. Only eight percent of those who disappeared (95 persons in 1997) were recaptured.

The number of people kept in community hostels began to increase in the spring of 1998. This is partly the result of the increase in illegal migration. Since March 1998, when the law on refugees was codified, Hungary admits refugees from outside Europe. As a result, Hungary is considered a safe third country, i.e. foreigners who travelled through Hungary to the countries of the European Union to apply for a refugee status can be sent back here. In such cases it is the task of the Hungarian authorities to conduct the proceedings for refugees. So far, this rule has only been applied on a large scale by Austria, where 2,500 persons had been sent back to Hungary by the autumn of 1998.

In February 1997, the modification of the readmission agreement between Austria and Hungary came into force. According to this new version, the Hungarian authorities have to accept everyone who presumably arrived to Austria illegally through Hungary.

Community hostels became increasingly overcrowded and living conditions worsened. This probably contributed to the fact that more and more people took increasing risks and attempted to escape to another country. In the first half of 1998, almost as many people disappeared from the community hostels as during the whole of the previous year.

The authorities tried to prevent the illegal leaving of these hostels - and the country - through stricter measures. The joint order of the National Chief Commissioner of Police and the National Commander of the Border Guard issued in August 1998 states that foreigners who cannot prove their identity with documents can leave the community hostels only in exceptional cases. The severity of the written order was increased by further verbal commands. *"The guideline was that foreigners were to be kept in the closed community hostels by any means."* (Ferenc Kőszegh, Hungarian Helsinki Committee)

By September, the number of people placed in community hostels increased to 500, and by November to 1,500.

¹⁴ Operated by the border guards, serving primarily as designated place of residence for illegal foreigners

As a legal expert of the Ministry of interior assesses the current situation:

“These centres became full because of the severe measures in the summer. Before August people could just walk in and out, which led to the fact that half of the residents, 505 of them disappeared completely. But now they can only leave the community hostels with the permission of the authorities, which means that there is no natural decrease and capacity is limited. And this can only be solved if we provide more accommodation.”(40)

The growing needs of community hostels for space coincided in time with the period when suddenly several buildings belonging to the Border Guard became vacant. In the spring of 1998, the last enlisted border guards were discharged and the barracks of conscripts became empty.

In 1998, 200 million Forints was spent on the renovation of these buildings. This year's budget allocated 306 million Forints for the development of the community hostels. The renovation and enlargement can only reduce overcrowding temporarily.

According to Kőszeg, community hostels are not only inhuman but at the same time horribly expensive. Their maintenance cost the budget 41 million Forints in 1995, 62 million in 1996, 82 million in 1997 and 55 million in the first half of 1998.

Most of the foreigners put into community hostels are refugees. It is true that their target was not Hungary. It is also true that according to the Geneva Convention refugees are exempted from the consequences of the illegal crossing of the border if upon arrival to a safe country they immediately apply for asylum. Instead, refugees travelling through Hungary usually try to continue their illegal journey to Austria or Germany, and they are caught at the border, or sent back from across the border. However, this does not alter the fact that they are seeking refuge. 69 % of foreigners requesting asylum are from Kosovo, Afghanistan or Iraq. And this is the reason why they apply for asylum (just as they would have done in Germany had they managed to get there), and not to shirk the proceedings of the foreign supervision.

The legislation accepted that foreign supervision proceedings do not have to be suspended because of asylum procedures, and it is enough to send the application for refugee status to the Office for Migration and Refugee Affairs (OMRA) - that is, the applicant himself does not need to be transferred to one of the reception centres ¹⁵(refugee camps) of the Office. A foreigner requesting asylum is at the same time a violator of the law, whose place of residence is determined by the Border Guards or the Police. Thus the applicant may enter into a different environment and have to follow different rules, depending on whether he is transferred to an admission station or kept in the community hostel.

Apart from the small station hosting mostly accepted refugees in Vécse, OMRA maintains three admission stations. (see Map 1) At the beginning of January 1999, 1,670 persons lived in these stations. Since autumn it is typically larger families, the elderly and juveniles who are directed to these places. At the time of the war in ex-Yugoslavia, both the Catholic Maltese Cross and the Interchurch Aid founded by Dutch Protestants took an active part in helping refugees in Hungary. At present, however, no non-governmental organisation with the exception of the Red Cross maintains a hostel for refugees.

“We can't accommodate more people than our capacity. When our canteen is full, we can't put them anywhere. But our possibilities are limited in Debrecen as well, and they are arriving in huge numbers. I don't know how, through what channels.”(Official, refugee camp Bicske)

¹⁵ Camps for refugees and asylum seekers

The number of foreigners applying for asylum increased from 177 in 1997 to 7,118 in 1998, but the number of recognitions remained low. According to human rights activists, the low recognition rate and the inhuman circumstances at the holding centres are also stimulating the migrants to go further. Many of the migrants interviewed stated that they would try further because they think that there is no chance that their application would be accepted, while others said that they would wait for the decision and would like to remain, but in case of a negative decision they will go on. Many complained that nobody is dealing with their case, there is nothing to wait for, except for many to leave the camp. Practically all of them want to rely on traffickers, as they do not see the possibility of success individually.

Their pessimism is not without basis. The recognition rate is low (4,5% in 1998) and the time lag between the application and the decision is long. In the meantime -often as a consequence of communication problems - the migrants lack information. Some (7%) get the so-called "exceptional" status, for humanitarian reasons or as they could not be returned. However for many migrants it is not satisfactory, as they hardly get permission to work and are not eligible for social support. And as a young Albanian explained, *"I was not escaping the war to die of hunger. I was sent by my family, they paid the costs. They have no income. I have to earn to support them"*

The chances for getting asylum are three times smaller in Hungary than on average in Europe. The long procedure is understandable considering that 29 people have to take the decisions on 8000 applications. In addition -since earlier only European asylum seekers were accepted - they lack experience.

The increasingly severe measures have two rational causes and objectives. One is the prevention of the further escape of foreigners from Hungary, the other is the deterring of illegal migrants from coming to Hungary.

The experience that refugees coming from Hungary are sent back obviously encourages the rational acknowledgement that it is getting more and more risky to travel on. But migrants need to have an interest in staying here in order to conclude that they should give up their attempts. For this, they must feel that they are getting as much protection in Hungary as they would in the West, and the humiliating prison life in the community hostels is not the only possible way of living for them in this country.

Often the advocates of severe measures argue that in the West it is unnecessary to guard refugees any more, because they do not want to migrate further. But this principle – prisons against the further escaping of foreigners – is based on a false logic. Refugees of the war in the ex-Yugoslavia, who were given temporary protection and meagre social benefits, did not travel on to the West, or at least not in the same proportion as residents of the community hostels. As it is, disappearances did not stop after the introduction of severe measures.

4 ILLEGAL BORDER CROSSINGS AND TRAFFICKING AS REFLECTED BY THE STATISTICS

4.1 About the database

This chapter of the study analyses the data available from the database of the border guard service, which provides vast amounts of data for the analysis of the migration trends of the decade. However, it also causes serious methodological problems.

The relevance of our data to the actual number of those illegally crossing the border is estimated regarding the proportion of cases discovered are many and varied even within the organisation most qualified to make them, the border guard service itself. At senior levels leaders tend to believe that the majority of those illegally crossing the border are caught, from the central bodies down to the operative units this optimism decreases dramatically, while those actually patrolling the border judge their own effectiveness to be only ten per cent.

In order to draw conclusions regarding the process of illegal immigration, therefore, we need to regard our database as being fundamentally a model, which, although biased, may be used for the indication and collation of the main trends.

In the following passages we will examine the structure and peculiarities of the database, also signifying what distorting effects can be expected in the interpretation of the data and the reinterpretation of diagrams.

The unit of measurement used by the database is the illegal crossing event. If migrants after an arrest try again and are caught more than once, this also counts as an event. (This can also mean the over-representation of certain groups.) If someone is simply turned back at the border or arrives at a refugee camp is not included in the database.

In addition to those caught by the Hungarian border guards, there is also data concerning those who have been caught by the guards of neighbouring countries upon crossing the border, and returned. For this reason caution is required in the collation of data concerning arrests of outgoing and incoming illegal migrants, as the latter category does not include those caught on the other side of the border.

One important peculiarity of the database is that those caught for illegally leaving the country are questioned about their arrival to Hungary, and if it qualifies as an illegal border crossing, then a record is also made of their arrival. In order to make the best use of this information without double-counting the inward and outward flows are analysed separately. When speaking about the total number of illegal migrants in this report, data on arrival of those caught leaving the country is omitted.

The various methods of illegal border crossing involve differing degrees of the risk of being caught. It is not possible to calculate what effect this has on the data, but we can comfortably assume that the better planned and far more costly methods - including human trafficking - are underrepresented.

The figures for human smuggling are especially under-estimated, as the involvement of a smuggler is only registered if the immigrant admits to this being the case upon being caught or if the smuggler is caught.

One illustration of the under-estimation of the scale of human smuggling is the fact that only one third of the number of migrants from Asian countries is recorded as having received any kind of assistance. It is unlikely that in most cases they would have had the local knowledge

to cross the borders of the many countries on their route.

The number of illegal migrants and smugglers caught naturally depends on the strength of the border guard service, the effectiveness of their investigations. This can affect comparisons of data pertaining to both periods of time and sections of border. Only the collation of information (data and evaluations) would make it possible to form an estimate of the extent to which our data reflects migration tendencies, and what effect is had on these by variations in the degree of effectiveness of border controls.

Certain experts of Border Guards believe that effectiveness of investigations decreased at the beginning of the decade, when human smuggling evolved into an organised activity; but that now, at the end of the decade border guards had learnt to adapt, leading to more captures of smugglers.

The new border control law came into effect in 1997, which gave the border guard service more powers and resources. It was 1998 when the restructuring of the organisation actually took place, and some say that this led to an increase in effectiveness.

Our data, however, shows that the number of migrants caught on the other side of the border (and returned) grew by slightly more than the number of those caught on the Hungarian side. This means that the effectiveness of the Hungarian border guard service has not increased in relation to the other countries concerned (Austria, Slovenia and Slovakia).

4.2 Main trends in illegal border crossings

Over the past eight years, since 1990, some 170 thousand people were registered by the Hungarian Border Guard as having attempted or having managed the illegal crossing of the Hungarian border.

"The Hungarian-Austrian border is now Europe's front-line in the immigration war. Chaos in the Balkans, the war between Turks and Kurds, even the onward march of the Taliban across Afghanistan, have triggered an international human tide, trying to cross the final frontier before the glittering lights of Vienna, Frankfurt and Berlin." (Budapest Sun, Sep. 24, 1998)

In the summer of 1989, the opening of the Hungarian-Austrian border triggered an outpouring of tens of thousands of East German refugees and spelled the end of the Iron Curtain. In the following years, the border traffic (both legal and illegal) increased remarkably.

The number of illegal border crossings compared to the previous year doubled in 1991; Hungarian border guards registered 10,000 migrants attempting to enter the country illegally and caught 14,000 attempting to leave. Foreign authorities readmitted another 5000. In the following years, the number of illegal border crossings decreased and in 1994 was 40% less than in 1991.

The tendency reversed in 1997. In that year, 15 thousand and in 1998 nearly 22 thousand illegal border crossings were registered. The increase was more remarkable in an outward direction with a 25% growth¹⁶ in 1997 and a further 50% in 1998. The number of illegal entries increased in 1998 alone (by 25%).

¹⁶ If we consider only those apprehended by Hungarian border guards, the percentage is somewhat lower at around 15%.

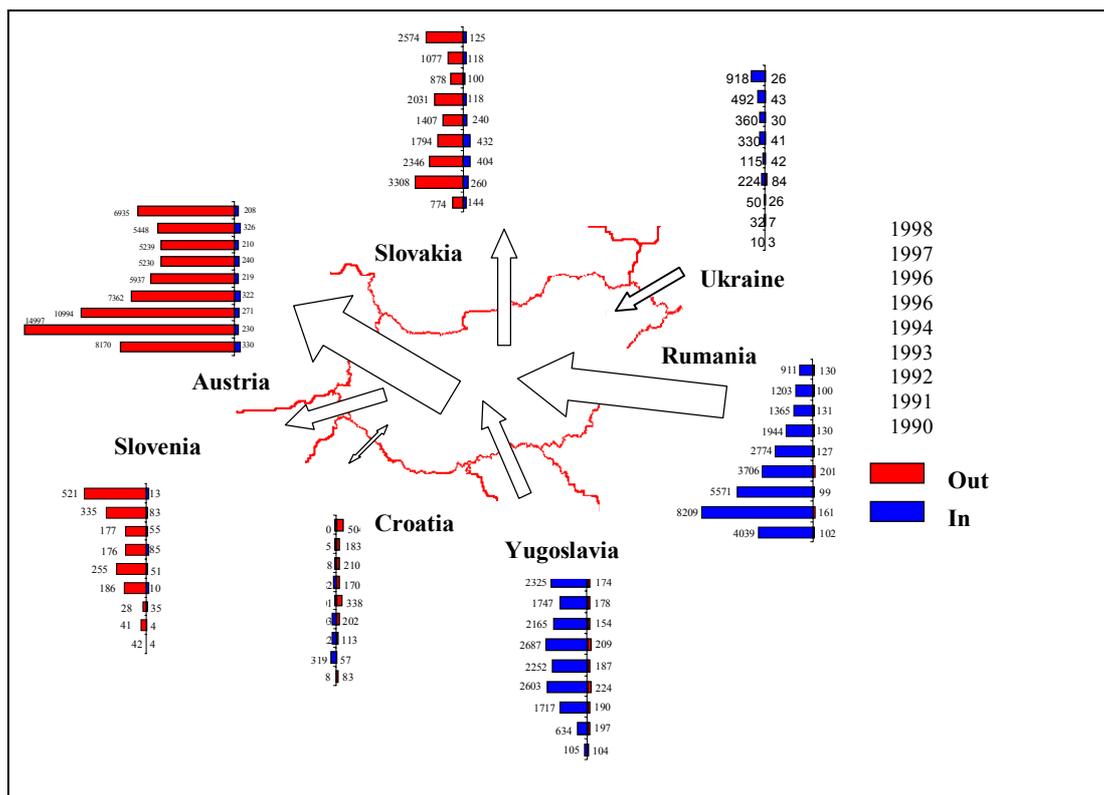
Illegal border crossings by direction 1990-1998

Year	OUT		IN		Total	OUT		IN		Total
	Caught in Hungary	Re-admitted	Caught inward	Caught outward		Caught in Hungary	Re-admitted	Cough inward	Caught outward	
	Persons					Percentages				
	7912	1396	2154	2512	13974	56,6	10,0	15,4	18,0	100,0
1991	13982	5169	7791	2157	29099	48,0	17,8	26,8	7,4	100,0
1992	9560	4507	6890	1543	22500	42,5	20,0	30,6	6,9	100,0
1993	9083	2960	6637	1155	19835	45,8	14,9	33,5	5,8	100,0
1994	8082	2657	5039	942	16720	48,3	15,9	30,1	5,6	100,0
1995	7279	2425	4641	1412	15757	46,2	15,4	29,5	9,0	100,0
1996	6186	2316	3393	1382	13277	46,6	17,4	25,6	10,4	100,0
1997	7123	3402	3259	1310	15094	47,2	22,5	21,6	8,7	100,0
1998	10619	5302	3344	2454	21719	48,9	24,4	15,4	11,3	100,0
Total	79826	30134	43148	14867	167975	47,5	17,9	25,7	8,9	100,0

Two thirds of all registered illegal border crossings were attempts to leave the country, which indicates Hungary's transit role in illegal migration. According to the statistics of the Hungarian Border guard, 27% of migrants attempting to leave the country crossing the border line were caught and readmitted by the authorities of another country.

The main direction of illegal transit migration is East or South to West. The concrete travel routes, however, depend to a large extent on actual conditions. Hungary's position in illegal migration from East to West is reflected by the data indicating illegal border crossings according to various sections of the border; more than 80% of the illegal migrants apprehended entered the country through the eastern and south-eastern borders, from Romania and Former Yugoslavia, whereas 95% of those caught attempting to leave Hungary, tried to do so at the Slovenian, Slovakian and primarily at the Austrian frontier sections.

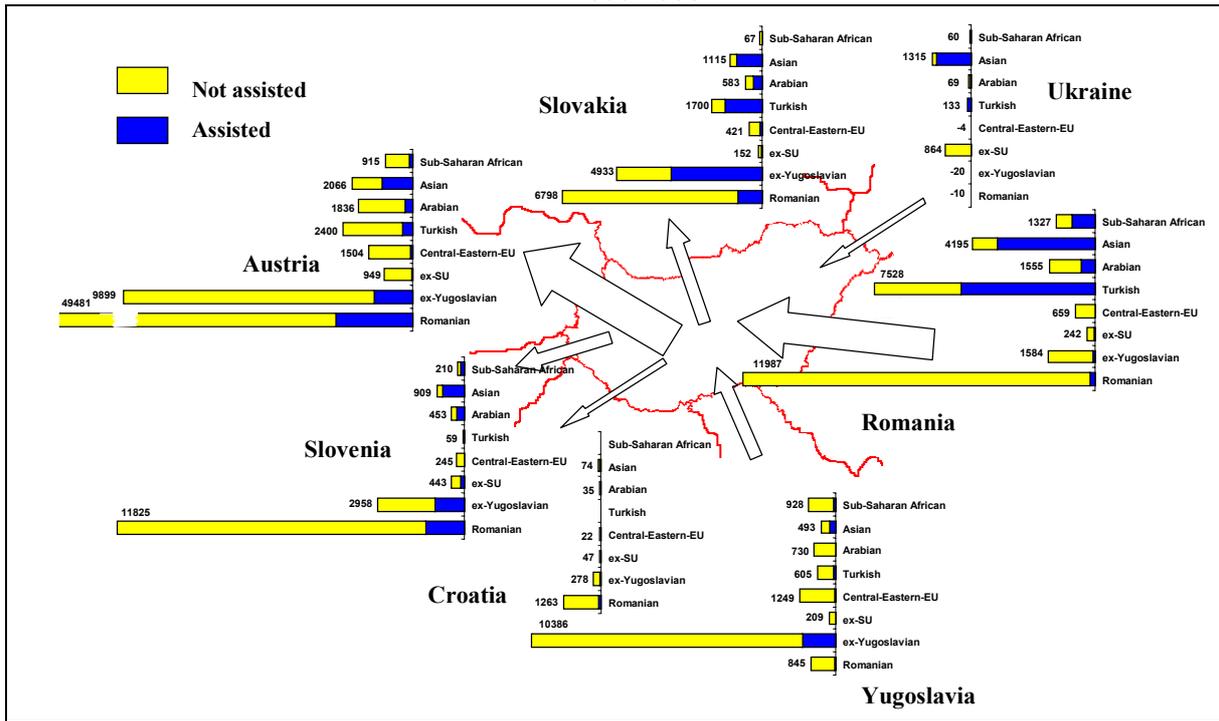
Map 2 Illegal border crossings by frontier sections and direction, 1990-1998



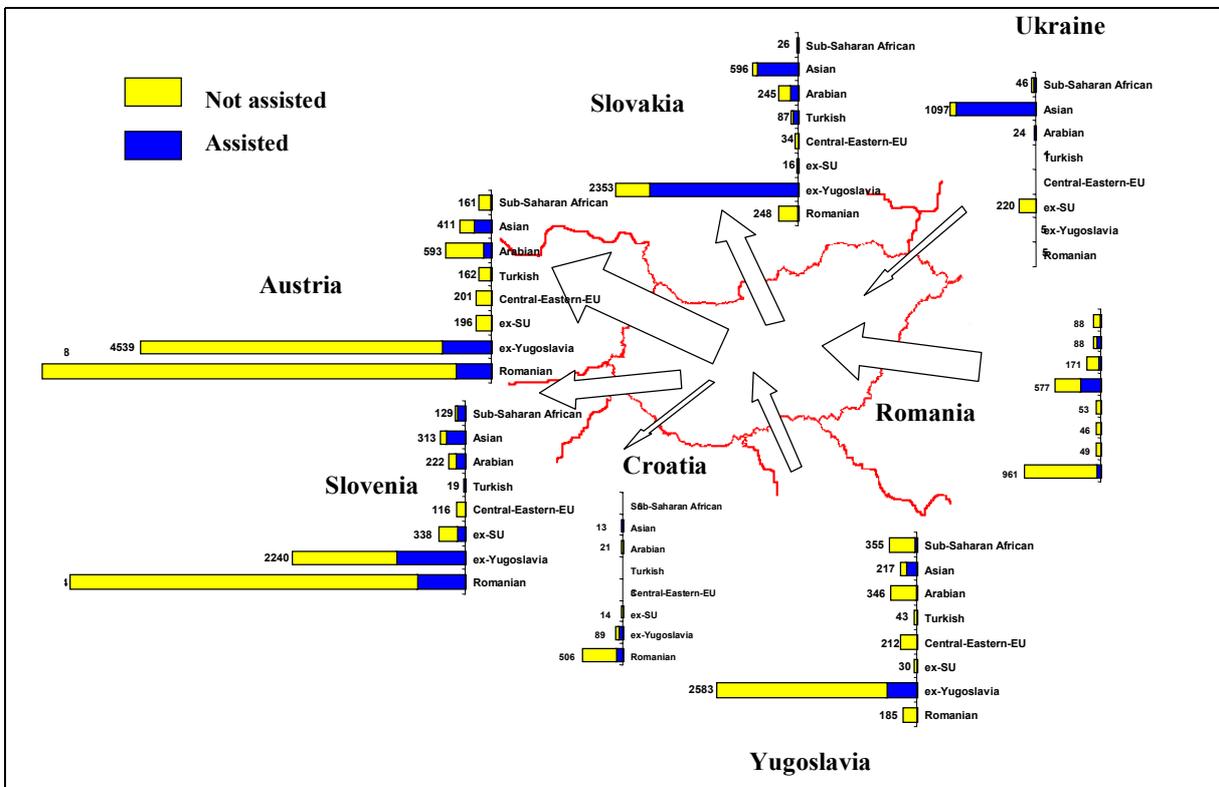
In 1990, almost everyone attempted to migrate to the West via Austria (88% tried to cross the Austrian, and just 8 % the Slovak border). In 1991, one-sixth of illegal migrants chose the Slovakian border to leave the country and this direction remained significant later as well. The number of migrants leaving Hungary illegally at the Slovenian border section gradually increased and in the last two years one third of illegal border crossings were registered there. The significance of the Ukrainian border increased recently and in 1998 one in six of migrants apprehended attempted to enter the country there.

The importance of the various border sections in illegal entering is determined primarily by the actual processes in two major - neighbouring - sender countries; Rumania and Yugoslavia. The changing economic and political situation, the events of the Balkan War resulted over the decade in fluctuating migration flows from these countries. So the analysis of the total numbers in this respect would be misleading. Therefore we will describe the role of the various border sections in more detail later by groups of migrants according to country of origin.

Map 3 Illegal border crossings by citizenship, frontier sections and direction, 1990-1998



Map 4 Illegal border crossings by citizenship, frontier sections and direction, 1997-1998



Considering the whole period of 1990-98, one quarter, in 1990 two thirds, in 1991-94 one

quarter, since 1995 about 15 % of illegal migrants entering Hungary were Romanian citizens. Citizens of (ex-)Yugoslavia represent a similar proportion: since 1993 yearly 25-45 % of migrants who entered Hungary illegally came from ex-Yugoslav states.

The percentage of citizens of the former Soviet Union or the other Central- and Eastern-European countries make only a few per cent of the total (3 - 5 %), and about 40 % were coming from more distant countries. The major group by citizenship were Turkish citizens: in 1990-92 one fifth to one quarter, since than about 10 per cent came from Turkey. In 1998, and also in 1991-92 many illegal migrants from the Asian countries (not including here the Middle East and the former Soviet Union) wanted to enter Hungary illegally: their proportion was one quarter in 1998 and 1991, one sixth in 1992, while in other years varied between 3 - 10 %.

As for illegal migration *from Hungary onward*, between 1990-93 about 80 percent, in 1994 two thirds, since than 36-58 % per cent of illegal migrants were Romanian citizens (the respective figure for the whole period is two third). Citizens of (ex-)Yugoslavia represent one sixth of the total for the whole period: since 1994 one third to one fifth of those who wanted to leave the country illegally came from (ex-)Yugoslavia, but in 1998 nearly 50 %.

Illegal border crossings by citizenship and direction, 1990-1998

Country (citizenship)	1990	1991	1992	1993	1994	1995	1996	1997	1998	Total
Persons										
Out										
Romania	6953	15394	11548	9297	7240	4158	4122	6086	5772	70570
(Ex)Yugoslavia	22	68	492	1340	2108	3366	2206	2310	7324	19236
(Ex)Soviet	221	201	191	165	153	182	146	243	391	1893
Other CEE	323	538	403	271	252	149	188	230	192	2546
Turkey	609	590	489	310	299	994	663	152	124	4230
Arabic	297	212	215	102	192	319	596	556	544	3033
Asian	310	1505	444	221	186	155	144	450	907	4322
African	151	336	66	53	101	82	135	126	205	1255
Total	8886	18844	13848	11759	10531	9405	8200	10153	15459	107085
IN										
Romania	3151	2658	1969	2043	1698	894	884	746	679	14722
(Ex)Yugoslavia	40	485	1167	3222	2059	2661	1687	1158	2052	14531
(Ex)Soviet	45	64	123	94	122	389	297	233	118	1485
Other CEE	141	400	534	481	362	323	181	245	152	2819
Turkey	852	2275	2177	879	724	526	447	430	287	8597
Arabic	97	411	584	199	220	285	393	546	491	3226
Asian	191	2462	1350	394	158	243	205	453	1352	6808
African	59	944	276	112	168	214	346	385	319	2823
Total	4576	9699	8180	7424	5511	5535	4440	4196	5450	55011
percentages										
Out										
Romania	78,2	81,7	83,4	79,1	68,7	44,2	50,3	59,9	37,3	65,9
(Ex)Yugoslavia	0,2	0,4	3,6	11,4	20,0	35,8	26,9	22,8	47,4	18,0
(Ex)Soviet	2,5	1,1	1,4	1,4	1,5	1,9	1,8	2,4	2,5	1,8
Other CEE	3,6	2,9	2,9	2,3	2,4	1,6	2,3	2,3	1,2	2,4
Turkey	6,9	3,1	3,5	2,6	2,8	10,6	8,1	1,5	0,8	4,0
Arabic	3,3	1,1	1,6	0,9	1,8	3,4	7,3	5,5	3,5	2,8
Asian	3,5	8,0	3,2	1,9	1,8	1,6	1,8	4,4	5,9	4,0
African	1,7	1,8	0,5	0,5	1,0	0,9	1,6	1,2	1,3	1,2
Total	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0
IN										
Romania	68,9	27,4	24,1	27,5	30,8	16,2	19,9	17,8	12,5	26,8
(Ex)Yugoslavia	0,9	5,0	14,3	43,4	37,4	48,1	38,0	27,6	37,7	26,4
(Ex)Soviet	1,0	0,7	1,5	1,3	2,2	7,0	6,7	5,6	2,2	2,7
Other CEE	3,1	4,1	6,5	6,5	6,6	5,8	4,1	5,8	2,8	5,1
Turkey	18,6	23,5	26,6	11,8	13,1	9,5	10,1	10,2	5,3	15,6
Arabic	2,1	4,2	7,1	2,7	4,0	5,1	8,9	13,0	9,0	5,9
Asian	4,2	25,4	16,5	5,3	2,9	4,4	4,6	10,8	24,8	12,4
African	1,3	9,7	3,4	1,5	3,0	3,9	7,8	9,2	5,9	5,1
Total	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0

4.3 Assisted illegal border crossings and the use of traffickers

In 1990-98, eight thousand IBCs in an outward direction were registered by the border guards as assisted by human smugglers (that means it turned out that they were paid for their services) and 2700 by "helpers" (they just gave a friendly hand, humanitarian assistance – or at least the financial benefit could not be proved.). The appropriate figures for illegal entries are 4200 and 1500 respectively.

As assistance remains mostly undetected, these figures highly underestimate the role of traffickers. In order to be able to make at least rough estimates of the number of assisted migrants it is worthwhile considering the size of groups in which migrants arrive. We might well suppose, that large groups are not on their own.

Sixty per cent of the migrants crossed the border alone or with no more than two other people (in both directions), while one fifth entered and one tenth attempted to leave in groups of ten or more.

Illegal border crossings by type of help and group-size (1990-1998)

	group size						Total
	alone	2 - 3	4 - 5	6 - 9	10-19	20 -	
	Out						
With smuggler	116	662	928	1501	2471	2338	8016
with helper	124	680	652	455	380	455	2746
other	16363	47524	20663	8791	3877	1972	99190
	IN						
With smuggler	115	330	299	471	1138	1824	4177
with helper	46	220	128	86	246	757	1483
other	20339	15599	5418	3111	3066	4819	52352
	Out						
With smuggler	1,4	8,3	11,6	18,7	30,8	29,2	100,0
with helper	4,5	24,8	23,7	16,6	13,8	16,6	100,0
other	16,5	47,9	20,8	8,9	3,9	2,0	100,0
	IN						
With smuggler	2,8	7,9	7,2	11,3	27,2	43,7	100,0
with helper	3,1	14,8	8,6	5,8	16,6	51,0	100,0
Other	38,9	29,8	10,3	5,9	5,9	9,2	100,0

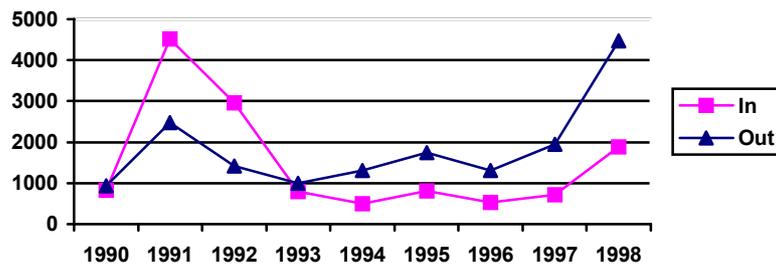
Traffickers prefer organising big groups. They smuggle migrants into Hungary in larger groups than out of the country: 40% of those assisted by smugglers entered 30% continued west in a group of 20 or more, while 30% crossed the border in groups of 10 to 20 in both direction. Westwards the group-size of 4 - 9 is more typical.

Those arriving with a helper tend to travel in similar group sizes, especially in inward direction: two third of them entered and 30% continued west in groups of 10 or more. The large number of migrants crossing together suggests that the help is not just a charitable assistance from friends. Of those assisted by "helpers", 20% entered and 30% continued westwards with no more than two other people. In a group of five or less 25% entered but 55% continued West. However, the group size changes quite flexibly according to both the direction (route) and time. This might be a reaction to the fact that certain group sizes are more likely to be caught than others. When migrants are helped in small groups, it might

reflect the above, or that small scale trafficking is involved or, finally, there are cases when the help is indeed simply humanitarian, and migrants were genuinely helped to cross the border by a friend or relative. (See many Kosovo Albanians)

Whether so-called helpers are in fact smugglers or not is difficult to determine. However there is little distinction between smuggled and assisted migrants. Still, when speaking about the assisted (or trafficked) migrants we might consider also those who have been assisted by "helpers" as well as those arriving in large groups (of at least 10 persons).

"Assisted" illegal border crossings by directions



Considering those registered as "smuggled" or "helped" and also those who arrived in large groups (minimum 10 persons), data indicates changing trends in trafficking. In inward direction the number and also the proportion of assisted border crossings were particularly high in 1991-92, when many illegal migrants came in big groups from Turkey and Asian countries (4500, resp. 3000 cases, 45, resp. 35 %). Between 1993-1997, number and also the proportion of assisted border crossings was much less (under 1000 pro year, less than 16 % in each year)

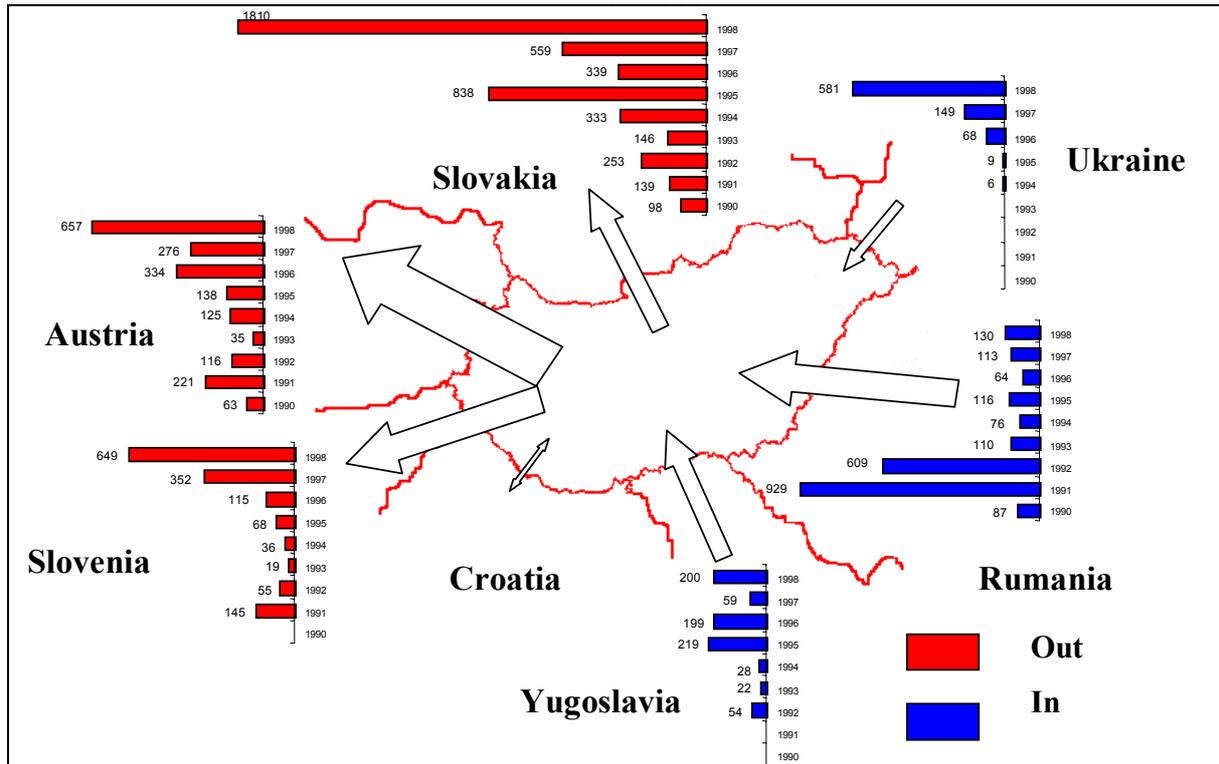
In outward direction, 2500 assisted border crossings were registered in 1991, and it varied between 1000 and 2000 in the next six years representing 10-20% of the illegal border crossings at this direction .

In the last year, the importance of trafficking increased considerably: the numbers (both inward and outward) more than doubled. The proportion of assisted border crossings is close to one third. The growth is spectacular concerning the proportion of those registered as assisted by smugglers (paid facilitators), which might be a consequence of the professionalisation of trafficking, but also that of the improvement of surveillance.

Assisted illegal border crossings by direction, 1990-1998

	Year									
	1990	1991	1992	1993	1994	1995	1996	1997	1998	Total
<i>Persons</i>										
OUT										
With smuggler	161	506	425	228	494	1062	793	1191	3157	8017
With helper	200	290	460	295	254	293	258	306	390	2746
In big group	576	1680	539	470	564	388	250	452	930	5849
Together	937	2476	1424	993	1312	1743	1301	1949	4477	16612
All IBC	9308	19151	14067	12043	10739	9704	8502	10525	15921	109960
Assisted as % of all IBC	10,1	12,9	10,1	8,2	12,2	18,0	15,3	18,5	28,1	15,1
In										
With smuggler	87	935	666	146	115	405	348	381	1094	4177
With helper	79	381	503	109	90	103	88	79	51	1483
In big group	663	3198	1793	539	300	304	92	252	744	7885
Together	829	4514	2962	794	505	812	528	712	1889	13545
All IBC	4666	9948	8433	7792	5981	6053	4775	4569	5798	58015
Assisted as % of all	17,8	45,4	35,1	10,2	8,4	13,4	11,1	15,6	32,6	23,3
Percentage										
Out										
With smuggler	1,7	2,6	3,0	1,9	4,6	10,9	9,3	11,3	19,8	7,3
With helper	2,1	1,5	3,3	2,4	2,4	3,0	3,0	2,9	2,4	2,5
In big group	6,2	8,8	3,8	3,9	5,3	4,0	2,9	4,3	5,8	5,3
Together	10,1	12,9	10,1	8,2	12,2	18,0	15,3	18,5	28,1	15,1
All IBC	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0
In										
With smuggler	1,9	9,4	7,9	1,9	1,9	6,7	7,3	8,3	18,9	7,2
With helper	1,7	3,8	6,0	1,4	1,5	1,7	1,8	1,7	0,9	2,6
In big group	14,2	32,1	21,3	6,9	5,0	5,0	1,9	5,5	12,8	13,6
Together	17,8	45,4	35,1	10,2	8,4	13,4	11,1	15,6	32,6	23,3
All IBC	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0

Map 5
Assisted Illegal border crossings by frontier sections and direction,
1990-1998



between 1990 and 1998, 40 per cent of all assisted illegal border crossings *out of Hungary* were organised *via Slovakia*, which was an important route already by 1990. At this border section the proportion of those assisted by smugglers was much higher than those assisted by "helpers". Considering this and the high fluctuation in the yearly numbers of assisted migrants caught at this border section, we may well assume that here human smuggling is a more organised high-scale trade, able to react rapidly to changing circumstances.

The *Austrian-Hungarian border* is much less significant for trafficking than in total illegal migration; *two thirds of all illegal exits*, while only *one third of assisted exits* were registered here. The importance of this border section was higher only in 1990-92 (65-55 %). At the Austrian border the number of migrants assisted by "helpers" exceeds the number of those using smugglers, although from 1996-onward their numbers also increased.

One fifth of "assisted" migrants were caught at the *Slovenian* border over the entire decade. This border section was quite important route in 1991. From 1997-onwards, the number of assisted illegal migrants, primarily those who were assisted by helpers, increased remarkably.

Three quarters of assisted migrants *entered* Hungary over the *Romanian* border considering the whole period of 1990-1998. In 1990-92 it was the only trafficking route into Hungary, but its proportion decreased to 60-70 % in 1993-94, than to 30-40 % in 1995-97, and in 1998 only ten per cent of cases were registered here.

At the *Yugoslav* border section, the highest numbers were registered in 1995 and 1996, half of all cases.

A new phenomenon from 1997-onwards was that many trafficking cases were registered at the *Ukrainian-Hungarian* border. In 1998, 800 persons were trafficked there, making up one half of the all illegal border crossings at that border.

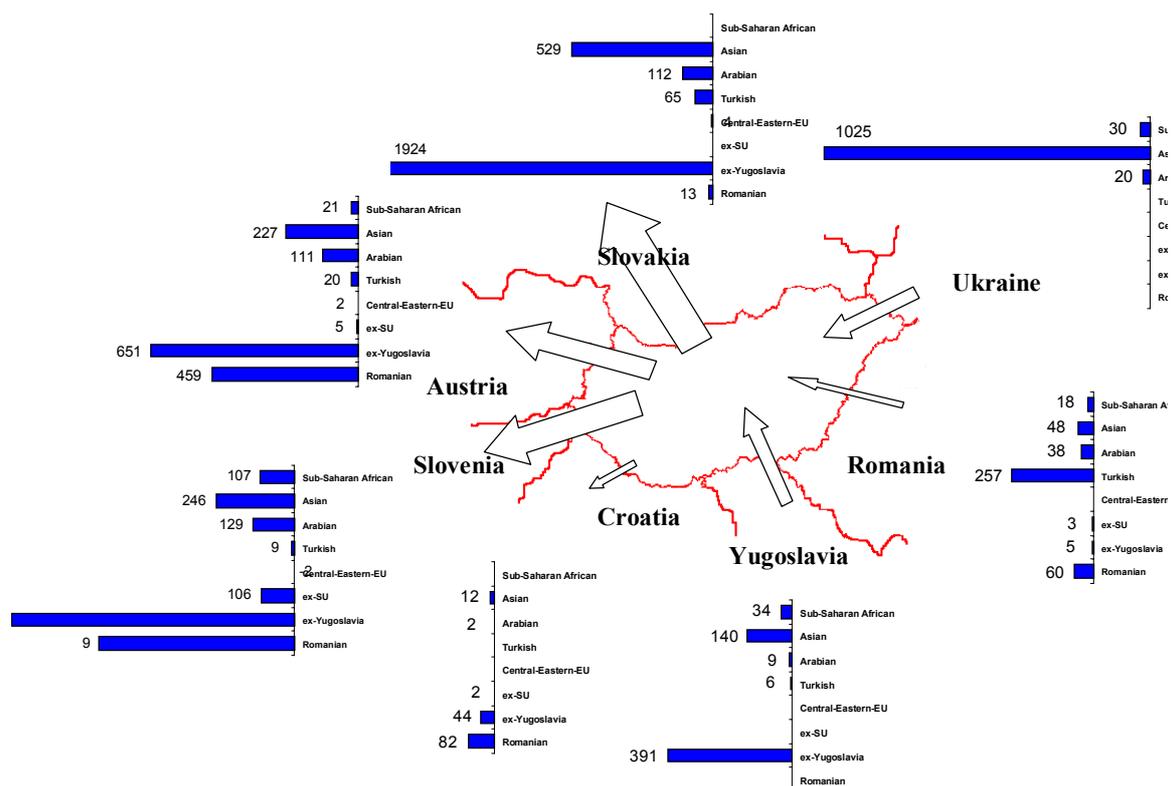
Romanian migrants rarely use the “services” of traffickers. Only a fraction of 2 % were assisted in entering and 7% in leaving westwards. The proportion of assisted migrants from the *ex-Soviet Union and other Eastern-European* countries are similarly low.

Of the *ex-Yugoslav* migrants who are allowed to enter Hungary as tourists without a visa, 10 percent still used traffickers. Yet as many as 30 % turned to the assistance of traffickers when they wanted to continue West.

On the other hand, according to the "official" classification, 30 % of Asian migrants both arrive and continue west with smugglers, but further 35-45 % crossed the border in groups of at least 10 people.

The figures for migrants from Sub-Saharan-Africa are surprising: only 15% arrived with traffickers or helpers both entering and continuing west, and only an additional 10-20 % arrived in big groups. It may be the transit station from Asia to Western Europe, but only those Sub-Saharan African migrants with relatives or friends in Hungary will choose this route.

Map 6 Citizenship of assisted illegal migrants by border sections 1997-98



Between 1990-98, half of the illegal border crossings *into Hungary* through the *Romanian border* were committed by Turkish citizens, 5 - 8 percent were from Arabic or African countries, 35 % citizens of (other) Asian countries. 70% of those smuggled over the *Yugoslav border* were their own citizens and 13 % arrived from Asia. On the *Hungarian-Ukrainian border*, near 90% of the assisted illegal entrants arrived from Asia, and 10% from Turkey.

The composition of smuggled migrants by citizenship *in the last two years* was similar to that

for the entire decade. Practically the only difference is that Turkish citizens recently came almost exclusively via Romania, while the importance of this direction decreased for Asians. 95% of the migrants assisted in crossing the Ukrainian border were Asians, while at the Yugoslav border one quarter were Asian, two thirds Yugoslav, and 6 % from Africa. The relevant figures at the Romanian border: 60 % Turkish, 9% Arabic countries and Middle East, 11% from other Asian countries and one out of seven Romanian.

In outward direction, between 1990-98, near half (48%) of those "assisted" out of the country through the Slovakian border were Yugoslav, one fifth Turkish and 12% Romanian citizens, 5 % arrived from Arabic countries, while one out of 6 were from other Asian countries. At the Austrian border, the proportion of Romanians was the highest (45%), followed by Yugoslavs (22%). 6% came from Turkey and less than 5% from Arabic countries, while nearly 20% were citizens of other Asian countries. More than one quarter of assisted migrants apprehended in the Slovenian direction were from (former) Yugoslavia, one third were Romanian citizens, 7% Arab, and 20% other Asians.

In the past two years, three quarters of those who tried to leave the country towards Slovakia were Yugoslav citizens, 20% of them were Asians and 4 % were Arabs. Amongst those who were smuggled towards Slovenia, 40 % were Yugoslavs, 30 % were Romanians, 12 % came from Asian and 5-6 % from Arabic, African, or ex-Soviet countries. More than 40 % of those who were caught at the Austrian border were Yugoslav citizens, while 30 % of were Romanians, 15 % Asians and 7 % Arabs.

Assisted illegal border crossings by frontier sections citizenship and directions 1997-1998

Country of citizenship	Border section								Total
	Austria	Slovenia	Croatia	Yugoslavia	Romania	Ukraine	Slovakia	Air, other, unknown	
Out									
Romania	2663	1325	98	12	7		817	17	4939
Former Yugoslavia	1316	1009	53	20	3		3126	17	5544
Former Soviet	23	136	9				40	3	211
Other CEE	85	7	2	1	1		84		180
Turkey	374	30		2			1259		1665
Arabic and Middle East	263	258	2	1	1		301	6	832
Other Asian	1064	748	55	1		56	880	1	2805
Sub-Saharan African	115	153			1		5		274
Total	5903	3666	219	37	13	56	6512	44	16450
In									
Romania	12			37	192		12		253
Former Yugoslavia	5	1	168	1126	90		6	99	1495
Former Soviet	1			19	33	2			55
Other CEE			1	45	16		5	3	70
Turkey	1		27	75	4575	124		24	4826
Arabic and Middle East		3		21	475	24	2	140	665
Other Asian		1		208	3325	1167	29	338	5068
Sub-Saharan African	3	25		70	782	31	1	63	975
Total	22	30	196	1601	9488	1348	55	667	13407

4.4 Way of border crossing

Nearly half of all migrants entering and 80% of those who wanted to leave illegally between 1990-98 were caught at the green border.

Another significant way for migrants to cross the border at official border crossing points using fake documents. This is much more frequently uncovered in inward than in outward direction. (36% vs. 8%).

Although using fake documents is a common method for traffickers, assisted migrants are rarely caught with falsified documents (less than 5% of all cases). This is partly because in such cases they don't travel with and partly a consequence of more professional methods.

Way of border crossing by direction for all and assisted IBCs (1990-1998)

	All IBC		Assisted IBCs	
	Out	In	Out	In
Green border	85126	25401	13890	9636
Faked documents	8740	18828	486	764
Hidden in vehicles	8969	4458	837	801
Other, unknown	4810	4053	539	506
Total	107645	52740	15752	11707
	%			
Green border	79,1	48,2	88,2	82,3
Faked documents	8,1	35,7	3,1	6,5
Hidden in vehicles	8,3	8,5	5,3	6,8
Other, unknown	4,5	7,7	3,4	4,3
Total	100,0	100,0	100,0	100,0

Between 1990-1998 eight per cent of illegal migrants attempted to be taken through the border hidden in vehicles (both entering and exiting the country)., that means that 9000 entered and 4700 exited in such way (80% of them in vehicles used for public transport) . Pedestrian border crossing is characteristic of eastern checkpoints, some migrants simply try to " walk through ".

In 1990 near 90% of illegal migrants were apprehended at the green border. This proportion decreased and in 1998 half of the migrants entering and 72% outward tried to cross at the green border. At the same time almost one third inward and 17% outward were using falsified documents, while the proportion of those who were hidden in vehicles was around 10% in the last years.

Way of border crossing by directions, 1990-1998 (%)

	90	91	92	93	94	95	96	97	98
OUT									
Green border	90,8	83,7	78,0	73,8	77,2	79,5	78,5	79,5	72,5
Faked documents	1,3	1,9	3,6	8,2	8,6	11,7	12,0	11,4	17,2
Hidden in vehicles	4,7	8,3	12,6	11,3	8,2	6,2	5,9	6,5	8,2
Other	3,2	6,1	5,8	6,8	6,0	2,6	3,5	2,6	2,0
Total	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0
IN									
Green border	86,2	73,3	54,2	21,5	27,5	34,6	39,4	40,3	50,6
Faked documents	5,6	14,1	27,0	58,7	54,9	52,6	43,6	40,2	30,9
Hidden in vehicles	2,7	6,0	10,3	7,4	8,5	7,2	9,4	13,7	13,5
Other	5,5	6,5	8,5	12,5	9,1	5,6	7,7	5,7	5,0
Total	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0

Crossing the border with *false documents* is more common among East-Europeans, except Romanians: Three quarters of the migrants from the former Soviet Union, two-thirds of Eastern Europeans, and half of (ex-)Yugoslavs were caught attempting to use this technique while entering, and about one fourth-one fifth, while trying to leave the country

In inward direction the same proportions among Turkish, Arabic, and Romanian citizens are about 20 - 30 %, and 10 % among Asians and Sub-Saharan Africans. In outward direction less than 10 % from those groups tried to use this technique.

Attempting to be taken through the border hidden in vehicles is more typical among migrants from Arab countries, Sub-Saharan Africa, in inward direction among Turkish citizens, but also many Romanian citizens try to cross the border this way. (10 - 20 % of those groups, while less than 5 % of the others.)

The mean *size of groups* was 5 for entrants, and 8 for those attempting to leave. Considering that illegal entrants are from more distant countries (as Hungary has visa-free agreement with almost all European countries) while citizens of neighbouring countries are predominant among those who leave Hungary illegally, this difference is quite natural.

The fact that more than one third of those entering but *only 15% of those, who wanted to leave were alone* shows that crossing into the West is a rather serious step. Rarely is it taken alone.

Group size is closely related to country of origin

Illegal border crossings by citizenship and group-size

	Out					In				
	Group size					Group size				
	1-3	4-9	10-	Total	persons	1-3	4-9	10-	Total	Persons
	%					%				
Romania	61,9	33,1	4,9	100,0	70570	83,3	15,4	1,3	100,0	14722
former Yugoslavia	58,0	25,0	17,0	100,0	19236	79,6	15,1	5,3	100,0	14531
former Soviet union	78,0	16,7	5,3	100,0	1893	90,4	6,9	2,7	100,0	1485
Other East-European	77,9	17,9	4,2	100,0	2546	90,2	8,4	1,4	100,0	2819
Turkey	40,9	27,0	32,1	100,0	4230	31,0	16,3	52,7	100,0	8597
Arabic countries	51,7	32,7	15,6	100,0	3033	55,6	28,3	16,1	100,0	3226
Asian	17,6	26,7	55,7	100,0	4322	10,7	19,4	69,9	100,0	6808
Black African	47,2	37,5	15,3	100,0	1255	40,2	27,5	32,3	100,0	2823
Total	58,8	30,5	10,7	100,0	55011	61,9	16,8	21,4	100,0	162096

Groups from Eastern-European countries are characteristically small. The majority came with no more than three people, while less than 5% crossed in groups of 10 or more. The only exception are Yugoslavs who in 17% of cases were arrested in such larger groups trying to leave westwards.

The largest groups are formed by citizens of more distant countries: sixty percent of Asians, nearly half of Turkish citizens, and one quarter of Sub-Saharan Africans crossed the border in groups of more than 10 people.

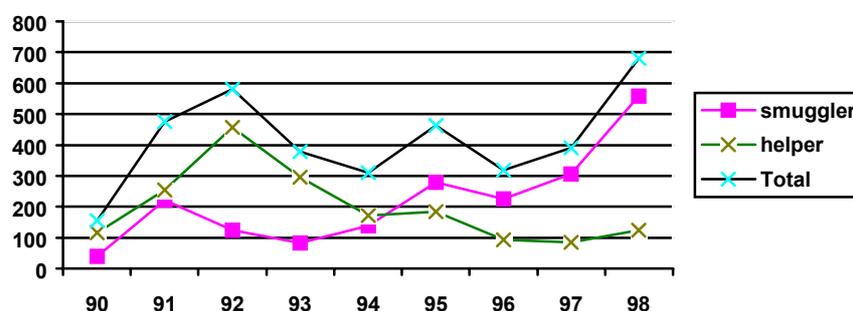
4.5 Smugglers and 'helpers' in the statistics

The role of traffickers is becoming increasingly significant. Between 1990 and 1998, border guards arrested 2.000 human smugglers and 1.800 so-called "helpers"¹⁷.

Two thirds of these smugglers and 60 % of the 'helpers' were arrested while trying to assist migrants to leave the country. A smaller number of them were caught while assisting entering.

The lifting of travel restrictions in a number of East European countries resulted in a major outflow of the citizens of these countries, primarily from Romania. Many came without valid travel documents despite of the fact, that for them only a valid passport was needed for entering Hungary - sometimes merely because the authorities were unable to cope with the necessary paper work. The fall of the Iron Curtain made the exit from Hungary also easier, the border controls were not too strong, and as a consequence of the former exit restrictions from communist countries, the illegal border crossing via the West was considered by the public rather supportive. Although crossing the borders without the appropriate documents needed assistance, quite frequently it was arranged in an ad hoc manner by friends, relatives or just by locals on humanitarian grounds. Although the more organised forms of assistance also started to operate in Hungary in the first years of the decade - as for example the Chinese 'snakeheads' - these were not characteristic. The low number of arrested traffickers in 1993-94 might be explained by the lower demand (the decrease of migration pressures) and the decrease in the effectiveness of enforcement.

Number of human smugglers and 'helpers' arrested , 1990-98



In 1991, emigration along the Romanian border reached record levels. Some 250 smugglers were arrested here. During the war in Croatia, some 350 helpers were caught entering along the Yugoslav border. Since 1994 another 100 are arrested each year. This number was slightly higher in 1998.

The number of traffickers and helpers arrested while leaving the country since 1991 varies between 200 and 300 a year. This figure was as high as 350 in 1995, and almost doubled to 600 in 1998.

Until 1995, of those arrested, the number of helpers was higher: most preferring to use the Austrian border. After 1995, the number of smugglers grew significantly and the Slovak border became more popular. It is estimated that the Slovenian border will become the border of choice in figures from 1997 and 1998.

Helpers have been found to be of various nationalities. Their composition by citizenship is diverse and quite similar to that of the smuggled migrants (see app. **). One third were from

¹⁷Persons, who helped the illegal border crossing, but not for financial benefits, at least this could not be proven.

the former Yugoslavia, one quarter were Romanian and one eighth Turkish. Hardly any of them were from Asian or Arabic countries.

One in eight helpers were from developed countries, whereas only 7% were Hungarians.

Contrary to the proportion of 'helpers', 40% of smugglers were Hungarian. Romanians, former Yugoslavs and Slovaks represented 13-18 per cent. Only a few smugglers came from developed countries and the number of Ukrainians was surprisingly low.

Before 1995, only one in eight smugglers was Hungarian. Their numbers rose continuously thereafter, and two thirds of smugglers arrested over the last two years have been Hungarian. In 1991-1992, half of those caught were Romanians. Their numbers have radically diminished due to the increased lack of trafficking demand at that border section. In 1994 and 1995 Slovaks made up 40% of smuggler arrests. Their numbers dropped to 10% by 1998. although 40% of smuggled migrants attempted to cross the border through Slovakia. From 1993 onwards, one sixth of human smugglers were from former Yugoslavia. The proportion of Yugoslav smugglers is equal to the proportion of Yugoslav migrants.

The figures concerning arrested smugglers provide a reliable basis for the evaluation of trends and tendencies concerning trafficking. Nevertheless, when evaluating the above statistics we have to bear in mind that those who are caught are not necessarily representative of those involved in the 'business'. It would be misleading to estimate the total numbers involved in the business or when evaluating the composition of the organisation since the ones who are caught are generally the subordinate actors and not the 'heads'.

5 STRUCTURE, PROCESSES AND METHODS OF TRAFFICKING

5.1 Structure and working principles of trafficking

According to the experience of the experts of Hungarian Intelligence who deal with the surveillance of this kind of activity, the majority of smuggling organisations are well organised, linked together across many countries, professionally structured and highly disciplined.

Trafficking in migrants is the latest growth industry of international organised crime, second only to drugs in the amount of money it can earn, according to officials.

"In the beginning only a few isolated individuals were involved in human trafficking, but as time passed they started co-operating "and step by step the business developed into an international one. Well planned routes and well organised groups have evolved, which are no longer co-ordinated from Hungary. Trafficking can be co-ordinated either from the destination country or from the migrants' country of origin. This is the result of a natural process of development; market demand and necessity have contributed to the development of certain branches of crime." (Border Guard HQ Head of Surveillance and Intelligence Dept)

The "classic" structure which is typical in commando, intelligence agent and terrorist groups was also traceable in the structure and operation of the first groups arriving in Hungary - probably because they consisted of Afghans, Kurds or Iranians - specifically, structures of internal conspiracy and intelligence, cellular and hierarchical structure, great discipline, great confidence etc. Based on this, no one knows anything about the organisation itself; neither of its structure, nor operation, of its centre or its leaders. Thus the executive unit and the temporary assistants are left in the dark. It is the migrants themselves, of course, who have the least knowledge about all this, not only because they were "trained" that well - though it is usually at a very high level, too -, but also because they really do not have any specific information and knowledge about the trafficking organisation "assisting" them. They do not know in which town they spend the night, they are ignorant of the licence plate number of the car and the name of the driver as well.

Based across Eastern Europe, the former Soviet Union and Turkey, human smugglers use routes and networks originally set up to move drugs and weapons. Now human-beings are a more profitable cargo.

The high level of organisational skills is the most important characteristic of many trafficker organisations even today and it is no surprise that the official organisations responsible for criminal prosecution are short of or completely lack information on these groups. The hiatus is increased by the fact that it is almost impossible or rather risky to infiltrate the members of trafficker organisations. Since traffickers usually threaten and often intimidate migrants by describing the serious consequences should they disclose to the investigators who organised, when and in what way, their trip, this valuable source of information has also proven to be useless. On the other hand, illegal migrants are silent because - though victims themselves - they have also committed a crime and it is not in their interest to co-operate with the authorities.

There are a few migrants, however, who agree to co-operate. This is not in their interest and they are afraid. They often hope for further help, or want to take revenge on traffickers who cheated them.

Trafficker groups differ from each other. One group gives a guarantee for helping the migrant,

the other one is more aggressive, sometimes even threatening the migrants with harming their families at home, should those who left decide to speak to the authorities.

The more professional operators, keen to preserve their reputation, even refund fees if a trip to the West is unsuccessful.

The basic scheme of the professionally structured organisations is that of a tree;

- At the top of the tree, which is the peak of the organisation, there are 3-5 bosses/organisers maintaining direct contact with each other. They are often of the same nationality or are relatives.
- The next level is that of the organisers; some of them have the same citizenship as the bosses, yet some are citizens of that particular country where the organisation is operating.
- The group of interpreters is linked more to the higher levels, and the majority are women. They are often married - by nominal marriage - to the bosses, so in many cases procedures of alien administration may not be launched against them as their residence is usually legalised.
- Controllers belong to the next level. They are in charge of the security of transportation, keeping contacts with the authorities and picking out the unreliable people who do not work as expected.
- Escorts are either permanent or temporary assistants to this activity. They escort migrants through the borders and collect the money due for the shipment.
- Transports are usually "wage-workers" who are hired occasionally or for a given period.

Looking down from above the structure of the tree, the organisation becomes bigger and divides into numerous branches and it may be easily understood why the risk of being caught decreases at higher levels.

The chances of survival and the successful operation of these organisations are supported by the following facts:

- trafficking is not a difficult trade at all, it needs no high-level qualifications
- no large investments are necessary
- the risk of being caught is small, and even if it occurs, punishment in Hungary has no restraining power
- the activity makes large profits in a short time
- tracking down trafficker groups requires a lot of work, time and money and it is not very efficient.

The trafficking organisations might have quite flexible structure. As described by a border guards officer:

"The structure is really interesting. It's not like in a factory, where there are employees and a boss, it's rather..., sort of..., partly ad hoc and partly organised. Obviously, it's clear who the leaders are, but the whole thing is quite changeable. It isn't like some Colombian drug-baron, who is at the top of the hierarchy, and the pyramid goes down from him. There isn't a singular, big organisation; there are several smaller ones, which are only loosely connected to each other. The market is more or less divided, but it's continuously being re-shared. There

are always one or two bosses: for example, a year ago a group of traffickers was caught, and it had a representative here, in Yugoslavia and in Minsk." (Criminal police officer, Mosonmagyaróvár, Western Hungary(34))

Even competition appears among these groups. Groups have been formed that give guarantees for helping the migrants even if they are caught, as most of the illegal immigrants are taken into community shelters¹⁸, which they can easily leave. After leaving, they resume their trip with the aid of the traffickers.

The trafficking organisations recruit more and more international staff with different ethnic origins. Some experiences in this field:

" These organisations specialise. They recruit people of the same nationality as those being smuggled, in order to maintain relations. If Yugoslavians are being brought over, then generally there is a Yugoslav smuggler in the group that we catch. In our experience the same has been true of Iraqis and Kosovo Albanians. Romanians are different, they often just set off on their own." (Colonel General Kálmán Kiss, acting national commander of the Border Guards(16))

„There were times when the Turks ruled human trafficking from the direction of Romania. They took people of other nationalities as well, but they „helped” mainly Turks to cross the border. They seem to be sticking together on an ethnic basis.” (Border Guard HQ Deputy Head of Criminal Investigation and Intelligence Dept (24))

It is clear from the statistics that most of the traffickers who are caught are Hungarian; however, the statistics do not reflect the true ethnic proportions of the traffickers, as *„they can only be caught in action, while smuggling people. The organisers don't usually take part in the actual trafficking and most of them are not Hungarians. We know of Egyptian, Chinese, Afghan and other routes, but there are truly international ones as well. For example, on a route from Romania to Italy there are Romanians, Hungarians and Slovenians taking part in the trafficking. If the route starts from a more distant country, it is very likely that there are also natives who take part in the local recruitment of migrants. And it is also possible that a man, who earlier managed to get to a German town and now lives there, is the organiser, co-ordinator or initiator of the whole thing.” (Border Guard HQ Deputy Head of Criminal Investigation and Intelligence Dept)*

According to officers of the police and border guards, Hungarian participation is primarily at lower levels: Guides and transporters, where knowledge of the area and local circumstances are essential, are of course predominantly Hungarian.

„In my opinion, this market isn't ruled by Hungarians, but rather by foreign organisations, and I would like to draw attention to Kosovo Albanians here. However, it's not only people that they smuggle to Hungary, but drugs too. Where people are brought in, drugs are also brought in. This smuggling business is very often in the hands of Kosovo Albanians.” (Border Guard officer, Balassagyarmat detention camp(37))

„Hungarians and citizens of neighbouring countries also take part in the actual smuggling. The main reason for this is that these people have a thorough knowledge of the area, and this makes things easier. In the case of Kurds, Arabs, Bangladeshis and Filipinos, migrants are always recruited on an ethnic basis, because everything has to be prepared and talked through in detail. So the initiation is usually national.” (Border Guard HQ Deputy Head of Criminal Investigation and Intelligence Dept)

¹⁸ Guarded facilities with restricted personal freedom for illegal migrants. In most of the cases such facilities are their designated place of residence.

The complexity of the ethnic and national composition of organised trafficking is clearly reflected by the following case:

„For example, the leader of a recently caught group of human traffickers had a flat in Germany and one in Austria as well, but his passport was Macedonian and he was himself a Macedonian citizen. Several members of the organisation, the ‘carriers’, were local people living close to the border. On the Western side migrants are taken by people who have the connections and knowledge of the area there. Numerous ex-Yugoslav citizens, who are now living in Slovakia, or the Czech Republic, in Austria, Germany or even in Sweden, take part in trafficking.”(Border Guard Directorate, Győr, Head of Surveillance (30))

Human trafficker organisations divide the market between themselves. Usually certain organisations operate in certain directions.

„As Afghan migrants usually come from Kabul or the area surrounding it, there is always an organiser in Afghanistan, but there must be residents in Moscow and in Kiev as well. They also mention Pakistani helpers, but after that they meet Ukrainians. But I’m convinced, they never get in touch with the main organisers personally, only through mediators... Hungarians from the towns of Mátészalka and Nyíregyháza also take part in planning and securing the route, and among the carriers there are people from Budapest and even from Zalaegerszeg ... Some of them are unemployed, the only strange thing about them is how on Earth can they afford such beautiful cars ...

A lot of the Afghans turn out to have been previously employed by some armed force, in quite a high rank, so they must speak Russian. And that’s why we suppose that they communicate with the Ukrainian helpers in Russian. If there is a reference to helpers of another nationality, we suppose that they are Pakistani and also speak Russian, so that’s their common language with the Ukrainians.”(Border Guards Col. Nyírbátor(20))

We have a relatively detailed picture about the structure and operation of the Ukrainian human trafficking network which plays the most important role in Hungary-bound smuggling from Ukraine.

Proximity to the opening borders turned a lot of easily mobilisable people, living near the border in Ukraine, Hungary, Slovakia or in Romania, to all sorts of smuggling from 1989 onwards. They started smuggling alcohol, tobacco and fuel, later they carried on with articles that need more capital and connections, like precious metals, antiquities, and different works of art, and sometimes even women, guns, ammunition or drugs. Thus the existing international connections could easily be used for creating human trafficking networks and routes.

In Transcarpathia everything, which is commonly known as the Mafia, is co-ordinated from Mukachevo (Munkács). So it is no wonder that inhabitants of that town are usually named as the organisers and co-ordinators of Transcarpathian human trafficking, both in official interviews and in private conversations. Our interviewees implied that illegal migration crossing Ukraine and Russia is directed from Kiev and Moscow.

Opinions concerning the number and structure of human trafficking networks are varied. Some say that there is only one, well organised network, which is co-ordinated from Kiev or possibly from Moscow, and its members accompany the migrants from the starting point to the destination country. Others say there are several routes with national characteristics working in parallel, and harmonising their operations now-and-then. But it is more likely that there are individually working networks of human traffickers which specialise in smuggling to and from certain countries, and are joined together and co-ordinated only at the highest

level in Kiev or Moscow.

The structure of human trafficking organisations has three levels in Ukraine: top organisers, local organisers and carriers (guides, transporters etc.).

Members of the first level reside in Moscow and/or in Kiev, they direct the local organisers whose job is to transport the migrants safely through their territory. Local organisers are enterprising people with a wide circle of acquaintances and with a certain amount of capital earned by different legal and illegal businesses. They usually meet neither the migrants nor the actual carriers and helpers. They keep in touch with the latter through gorillas mostly from Mukachevo (Munkács) or from other villages, who the local organisers work together with anyway. These gorillas handle the rough cases, they rebuke and protect others if necessary.

"...In many cases helpers don't know the organisers of the trip, probably only by name or nickname, and that's all they know. The organisers contact them by phone, or more rarely in short personal meetings, and this is how they get them involved; they pay the helpers and that's it" Border Guards Col. Nyírbátor(20)

"I don't know the central organisers, only Szamojlov and the agent in Mukachevo, a woman.... A bloke called Géza phoned from Hungary, I only knew his voice, and said that it was off for today and perhaps tomorrow or at another time they should go to Milóta, Uszka or wherever." (Trafficker, Ukraine)

Helpers can be devised into two, not very distinct groups. In the first one there are people with a standard of living, or sometimes even with bigger capital, they are not forced into human trafficking by necessity, it is usually the hope of profit that makes them enterprising. They organise the migrants' transportation, board and lodging in the county, their medical treatment if necessary, and sometimes guide them through the border. Migrants are usually accommodated in farm buildings that are just outside or far from villages, and belong to the helpers or to any of their family members. In order to avoid attracting attention, these buildings are not even equipped for fulfilling the basic needs of migrants; there is no proper place for taking a rest or a shower or even for washing themselves. According to people who have been smuggled, there were 20-30 of them squeezed into a shed or a stable, and they were only allowed to go to the lavatory in the yard at night. They were not even allowed to speak, only to whisper.

In the second group there are helpers in very poor living conditions living in the immediate area of the border who are hired to guide migrants or to be on watch, because of their knowledge of the area, for ridiculously small amounts.

"Due to tactical considerations, one guide isn't sent more than three times, after that comes the next one. Guides are from the villages close to the border, Ivan Ivanovich, Petro Petrovich, who know the area well; they get \$300, guide people through the border once, twice or three times, and that's it, they get replaced." (Colonel, Head of Border Guards Brigade Munkachevo, Ukraine (27)).

In between the two types of helpers there are those who secure the routes towards the border, and study the patrol routines and systems of the border-guards.

"...they use a lot of energy and money to find out exactly which area and when the border-guards patrol. Once we caught a guy, for human trafficking, and he knew the whole patrolling system from Záhony to Zajta by heart. Its amazing how systematically these people gather information, and how thoroughly they investigate." Border Guard officer, Tiszabecs - East Hungary)

"...The means of crossing the border keep changing and improving, their tactics are getting better. Crossing the border illegally is never spontaneous, it is well prepared, they always study the situation, but we also study their tactics and we use it against them... The groups working on our territory, in Verhnyj-Bereznij, Uzhgorod, Mukachevo, Beregovo, Vinohrad'iv and in Chop, are known to us. Somewhere at the top of the pyramid these groups are joined somehow." (Colonel, Head of Border Guards Brigade Mukachevo, Ukraine (27))

We have rather limited information about persons at higher levels of the hierarchy of the trafficking organisations, however some examples might provide a basis for assumptions of certain kinds:

"... there's a court case going on in connection with an Egyptian organiser -called Omar- living in Érd. The guy was sentenced to 7 months of detention and a 400 thousand Forints fine in the first degree judgement in Körmend. He was caught at Bánrève with 52 people. We took him into custody. We kept him for 70 days. The list of charges is being completed now and he'll be taken to court again. In the mean time we caught his wife at Hegyeshalom. She is also involved in a human trafficking case. This Omar is being defended by four lawyers in his two cases. It's very likely that one of his lawyers will be suspected of human trafficking as well. But not till the general elections are over, because the lawyer's ex-partner is running to become an MP. ... Omar's organisation is a medium sized one. He was expelled from Germany, he has a flat in Vienna, he has connections in England and Italy, he has a cover company in England, and he employed people in Ukraine and Romania as well, and he also has Egyptian connections. This human trafficking organiser works mainly on an Arabic route. He is connected to a big trafficking organisation in the Czech Republic, the so called Plsen Group, which works close to the German border. He is their main resident in Hungary. Now we've got him, and probably he'll be expelled from Hungary as well, despite the fact that his wife lives here. He's also been living here for years now, and he speaks Hungarian." (Border Guard HQ Deputy Head of Criminal Investigation and Intelligence Dept)

The information is less limited on guides, on those, who physically help to cross the border. By the nature of their activity, they have low social status, like this interviewed driver:

"A well-dressed man comes to me on the market place and asks me if I want to earn a hundred thousand Forints easily. I want to all right, I say to him. It was a helluva lot of money for me in those days. I say to him, I sure need the money, but what do you want me to do? Not much, he says, you only have to transport a few people to a village close to the border. Is it a straight business?, I ask. 'Course it is', he says. So we agree that I meet him the next morning at five there in Bosnyák square (Budapest marketplace). So I called my boss that I have to stay one more day in Pest. He okayed it. So I'm there on the market-place the next day, at five sharp. I wait. Then suddenly three taxis and two vans come. At least thirty get out of the cars. All of them narrow eyed, Chinese, or something. The guy I met the previous day was with them.

We're taking them, he says. But then I was scared. The Chinamen climbed up the lorry. They look even more scared than me. I already regretted the whole thing, but I felt somehow, if I cancel the trip I will be in trouble. We started off towards Vác. Then we left Rétság behind. Then between Drégelypalánk and Hont we turned off to a small road without an asphalt surface. Then came a forest. And after a little time the guy sitting next to me tells me to stop. We were at a clearing. The Chinese got off the lorry. And the guy says to me I can go home. And he will find me on the market next time when he needs me, 'cos he is satisfied with my job. He gives me the money he promised. Then he says forget this journey. 'Course I can't forget it, though I did loads of journeys like that since."

A young man we talked to in the restaurant of a village close to the border explains his job:

"I became a transporter. This is how we call those who transport people to the border. I think I'm quite lucky, because the fear I felt the first time left me and never came back again. But the tasks became more and more complicated. Checking on the roads is constant, we really have to take care. Of course we reacted to every step the police or the border guards made. One vehicle was caught at a check-point. Then we need more. I mean: there are two cars constantly driving in front of us, a few kilometres ahead, of course they don't transport anyone. These are called the forerunners. Another car drives a few kilometres behind us. This is the trailer. We keep in touch by mobile phones. The first forerunner immediately calls if a check can be expected, in that case, the second forerunner slows down and we catch up with it, and we continue our trip right behind it. The trailer's job is to watch our back, lest a police car or a Border Guard's car should turn onto the main road behind us. They call if this happens, and if something's wrong, we immediately change the route.

I've heard that one of the drivers was caught, because one night he forgot to recharge the batteries of his mobile, and the forerunners couldn't warn him that there was a check-point at Rétság. I've never got into trouble like this. I quit my old job, I don't need my ex-boss' money any more, I earn quite well with these transports. I always have my mobile on me, they can call me anytime. I'm ready at night as well, I'm expecting the call."

A young human trafficker at the same place said; *„I know that the business is mainly done through non-existent travel agencies abroad, above of all in Turkey..."*

The danger of getting caught is slight: the members of the organisation don't know each other, most of the time we keep in touch by phone. *"...For example, I never know in advance who my companion will be. Don't know who's a companion? Well, there is always a guy who travels together with the driver, I mean with the carrier. I don't know who gives him the job. This always turns out at the last moment. I transport the people to the border. They have a rest there for one or two hours, then usually at nightfall or at night the walker arrives. He guides the group across the border. They know every path, bush and tree, every rock and ditch, they know where to hide, or where to hurry. I've seen local walkers, but a lot of Slovak ones as well. They cross the border legally with their own passports, sometimes more of them come at one time, one of them hides somewhere and waits till the group comes. I've heard that once while crossing the border, they suddenly spotted a Border Guard's patrol, the group was obviously caught, but the walker got away. Don't know how much we earn? Well, it depends. I know that recently an Afghan family of five was smuggled to Germany for 18 thousand Dollars. We, carriers get around fifty to one hundred thousand Forints per transport - of course also depending on how many people we are taking. Sometimes we get even more. Walkers are paid 50 to 200 Dollars each, every time they guide a group across the border. I should say that we can make ends meet without any difficulty. I'm 28, and this is a very good business. I'm not afraid of getting caught, I'll carry on doing it while I can."*

5.2 Methods of trafficking

"International organised crime realised the opportunities presented by this wave of migration. Now people-smuggling is organised like a package tour, using tourist agencies as cover organisations...Say there is a Turkish person who wants to go to Germany. They are given a telephone number in Istanbul or Ankara. They call it and the whole process of illegal emigration begins. They say which city they would like to go to, they are told how much they must pay, what are the conditions of travel and where and when to be, usually as part of a group." (General Nováki, National commander of the border guards)

Citizens of many countries such as Russia, Ukraine and Romania do not need visas to enter Hungary, so Budapest, just an hour-and-a-half's drive from the Austrian border, is a natural collection point for the people-smugglers. *"They can come as far as Hungary legally, but from here they cannot enter Austria.... Once they get to Budapest the people-smuggling organisation takes over. Most of them don't know anything about where they are; they are handed from person to person and put into hotels."* From Budapest they are taken to the border in taxis, trains or buses and there are people waiting to take them across.

"The emigrants get different levels of help according to their financial background. The rich ones get high-quality forged documents, the poorer ones have much less security. The amateurs try and cross the Danube in boats."

5.2.1 Before Crossing the Hungarian Border

The means of entering Hungary depend partly on the country of origin. Migrants from more distant countries generally are transferred from the origin to the destination, the whole trip is organised by the trafficker. European migrants, and also others who are already staying in Europe, pay for only a part of the trip, or just for crossing once. Sometimes they pay for forged documents for the total journey or just a part of it. Through the interviews we also identified another kind of "trafficking": direct corruption of "officials" by the migrants themselves. They buy visas through bribery and cross the border "legally"

Trafficking is the most organised when the whole trip is assisted. Everything is large scale; they collect large groups, use different means of transport, with contacts in all the countries crossed. Migrants paying for the whole trip often refer to traffickers as the "Organisation", the "Mafia". Their story is: contacted one person in the country of origin, discussed the conditions, especially the price, and they were taken, often with a group at a given date. This is a large-scale business, with connections in all the countries. The migrants trafficked by such organisations were most often scared to speak, but sometimes, the bitterness, the feeling of being used, make migrants willing to talk about their experiences:

"There is a Mafia, connected to the Italian Mafia, because of the colonisation. Somalia was an Italian colony, so, we still have Somalian Italians, they don't know another language, they speak Italian-Somalian, so they make a lot of connections as a business... They make business like that, because they've got families in Italy, in Hungary, then Eastern Europe to Western Europe, so they make their connections.

They don't take few people. You wait for one to three months, until they collect 80-100 people, then you can go. They bring their own sugar, milk; they brought them by the ship, and there they take people again, that's a business, they do big business.

They have their own plans, they say during the night, OK, we are moving, there is a camp, there is a bus, you go in the bus, (...) to Merca, then, you go in the ship, where they store the food.

... We were divided into three groups, our group was 25 persons. The food was there. They arrange the food, everything by themselves.... After 25 days, we arrived in Europe. We were 6 or 7 days in a house, somewhere in Europe, in a big town, then we arrived in Budapest.... They put us in a house, onto the ground, it was a big, long house, and they said we cannot go into the city. After three or four days, they took people by groups of three or four, one group after another. (Head of a Somalian family in Szombathely)

For many migrants trafficking starts at certain points of the journey, e.g. in Hungary. Considering that legal entry is quite easy from some countries, but the entry further West is not, this might often be the case. In such cases, trafficking is carried out often by smaller

organisations, networks working on a "smaller scale".

"I came from Medea to Istanbul, I stayed there 15 days, and I took the train, hidden there. From Algeria you don't need visa for Turkey, so, I bought a train ticket for Turkey. (...) In Istanbul I met a man in the train station. It's like that, they come to you, and they ask you, do you want to go to Hungary? That's his job. He gives you the prices, and you choose. The cheapest price, that's the Turkish border. Hungary, is a bit further, two or three borders, it's a little more..." (Algerian asylum seeker, Bicske refugee camp)

Sometimes people arrive just by their own means, but they need help to cross the border. According to the migrant, finding a smuggler is easy, they even come themselves to their potential customers. This kind of trafficking seems to be more or less organised, but most of the time it is executed by individual actors. People say usually that someone met them near the border, they pay, and they are assisted (accompanied or just advised) to cross the border.

Falsification of papers, corruption, using sporadic connections in transit countries are also commonly used. This way of "trafficking" is common for Africans: from their countries, they are not smuggled physically, but "helped" to leave, and/or connected to people in the countries of destination or in the transit countries. These "helpers" are usually referred to as "friends", even if they sell their services.

The first step is usually to buy a visa, or a passport, most of the time after they arrive by plane. Like other kinds of trafficking, the quality of the documents depends on the money migrants can spend.

"If it's a French passport, it begins at \$1000, if it's an American passport, they sell it to you at \$2000. I took a Gabonese passport with the visa; they sold it for \$500." Young man from Congo.

Visas are also obtained through corruption, especially in Algeria, where it seems to be a growing business, connected to the diminution of possibilities to obtain visas the official way, with variations of prices according to the destination:

"We couldn't choose France, because it was too expensive: FF 10,000 for corruption: you have to pay businessmen to buy the visas, they have connections in the consulates. Hungary is cheaper than countries like France or Spain: FF 5000 with the plane ticket." Algerians, Debrecen

"Now, you have to buy the visas for Hungary in Algeria, there are some people who work in the consulate, you give money..." (Algerian man, Bicske)

In the African's case, the involvement of people working in embassies or consulates seems to be important sometimes, not only through corruption for the visas, but also for connections with smugglers. Some people interviewed said they arrived in Hungary through Yugoslavia, with the help of Africans working in Embassies in Belgrade. Sometimes they met these persons when arriving in Yugoslavia, but in one case, the trip was organised from Africa, with the help of a man who worked in an embassy. These people seem to have on occasion built up a real organisation, especially in Yugoslavia. But, most of the time, they are not considered traffickers by migrants, but as friends who helped them, and the money they gave is because nothing is free.

"When I left Cameroon, I went to Central Africa, and I got a visa for Yugoslavia. (...) To cross the border, it wasn't someone from my country, in principle, I cannot say who helped me to cross the border to apply for political asylum in Hungary. (...) It's a relation, I've met him in Yugoslavia, I talked to him. (...) It went through the Organisation, and here I am, in

Hungary. (...) I crossed the border by car with a Dutch passport, considering that in Netherlands, there are black people, (...) at the border, they cannot distinguish. (...) I didn't cross the border with my passport, I left it there, and as soon as I arrived in Budapest, they sent it to me." (Young man from Cameroon)

The number of illegal immigrants used to be higher on the Romanian stretches of the Hungarian border, now it is higher at the Ukrainian border, and organised human trafficking is also significant in that area. „From this point, the Ukrainian border section is significant. Most illegal migrants gather in Transcarpathia...” says a border guard officer in Nyírbátor, as it is very easy to travel legally to Ukraine through Russia from countries out of Europe, and on this route there are fewer borders to cross illegally. As Ukraine hasn't got an agreement on deportation with Russia - while many of the ex-Soviet countries do -, migrants who are caught in Hungary and deported back to Ukraine are released after a short while, because they arrived to Ukraine legally. So they can try to cross the Ukrainian-Hungarian border again illegally several times. Different sources put the number of these people in Ukraine, who are from a non-European country and who want to get to the West, at around several hundred thousand.

As a border guard officer assesses:

„According to the Hungarian experience, one of the most significant routes for European migration leads through Romania, Yugoslavia or Ukraine, then through Hungary, and above all to Germany. Migrants arrive in Hungary either legally or illegally. Earlier, more than 50% of them crossed the Austrian-Hungarian border and went through Austria to Germany. But it has changed recently in a way that illegal migration directly through Austria has been reduced to a route through Hungary and Slovenia, and then onwards. A smaller number of migrants go in a northern direction, from Budapest towards Balassagyarmat. 40 % of them still travels directly through Austria in a Western direction, around 50 % of them goes through Slovenia, and around 10 % chooses another direction. But I think the significance of the route leading through Poland or the Czech Republic to the West will increase. It's natural that human traffickers are constantly looking for gaps in the border defence systems, where they can smuggle these people through.”(Colonel of Border Guards Head of dept.for refugees and alien policing (9))

There are different ways for migrants to arrive to Ukraine. Most of the time - especially since last year, when Ukrainian visa regulations were made stricter - they arrive by trains or cars from Russia, crossing the eastern border of Ukraine illegally. This method characterises that used by mainly Afghan, Bangladeshi, Tamil, Iranian and Iraqi migrants. Fewer people arrive to the country legally from China and India by plane or train. Most of the migrants gathered in central Asian countries also arrive illegally to Ukrainian airports by cargo planes, bribing the crew of the plane and the airport. African migrants get to the country either legally - acquiring a tourist or a student visa - or illegally to the seaports of the Black-Sea, most often to Odessa, by ship in containers.

"... There were cases when they arrived through Odessa to the port, and we caught them there. They came from Africa, from Sierra-Leone, all of them young women, prostitutes who had been ordered in Western Europe. They told us that they arrived to Odessa in containers, and after that they came here ...". (Colonel, Head of Border Guards Brigade Mukachevo, Ukraine (27)).

The most important meeting and gathering point for foreigners is Kiev. They wait there if necessary. Larger groups are gathered here, and if something goes wrong with the border-crossing, migrants get jobs here to save some money and energy for the next round.

The next stop-over is L'viv, where it is decided which route the migrants will be taken - towards the North-West, to the Polish border, or towards the South-West, to Transcarpathia.

When crossing the border, the usage of different types of vehicles - like international trains, lorries or specially transformed trucks - is not so significant in Ukrainian trafficking. But if these are used, they usually start from Kiev and try to get through at a border-crossing point.

"...We've caught people who came through in the cargo-carriages of trains. They jumped off and wanted to carry on by lorry, and that was when we caught them." Border Guard officer, Tiszabecs -East Hungary)

"...We've also caught people who were trying to get through border-crossing points -at Uzhgorod to Slovakia and at Csop to Hungary - inside trucks, but I've got no idea how many of them actually managed to get through. ..." (Colonel, Head of Border Guards Brigade Mukachevo, Ukraine (27))

„... There are trucks that are loaded in Kiev and they go to the West. And they are built in a way that there is everything in them that could be needed on a two to three day journey. They are divided into sections. All of them go through Csop. The Ukrainian border guards open them, but it's useless, 'cause they can't go in and inspect the load of every truck; only if it's suspicious. There are compartments, especially in refrigerated trucks, that can take 5-10 people, and even the border guard dogs can't smell them. You can also smuggle people on international trains; you can hide them there, you only have to talk to the ticket-inspectors. They know all the hiding places." (human trafficker, Ukraine.84)

Romania has a visa exemption agreement with most Asian and African countries. So migrants can travel to Romania legally. There are also classical meeting and gathering points, like the international railway station in Bucharest, or the big towns close to the border: Timisoara, Oradea, Satu Mare or Felixfürdő, and the Alfa district in Arad. There are people there, who live by getting the 'clients': *„If someone is hanging around there, these people go to him if he looks like that, and ask him if he wants to go to the West, just like at Keleti (East railway station) in Budapest. Like at the Keleti there is also a Little-Albania or a Little-Egypt. But, of course, people of other nationalities can join them as well; that's why there are cases when, say a group of Chinese arrive with three Bangladeshi. They take them as well. With the Turks it's all mixed, there are Turks, Iraqis or Uzbeks with the group, but most of them are Kurds, of course."* (Border Guard HQ Deputy Head of Criminal Investigation and Intelligence Dept)

5.2.2 Crossing the Border

Traffickers try to minimise the risks when crossing the border. They investigate thoroughly beforehand, they study the system of patrolling on both sides. If they have the possibility they get inside information on the movement of patrols, or bribe border guards. At borders that run across plains, the villages on the two sides of the border are relatively close to each other, so there is a short distance to be covered from the resting place to the place of the hand-over, so the risk of getting caught is also smaller. To approach the border by car or by microbus takes a few minutes, but on foot it does not take more than an hour either. The guides spend only the minimal amount of time in the border-zone; 50-100 meters from the border on the other side someone else waits for the group. The guide immediately turns back, the migrants get into the vehicle waiting for them, and try to get out of range of the border guards as soon as possible, as the alarm-system usually detects the violation of the border.

The situation is a bit different at border-rivers (like the river Tisza). Though distance to be covered is not great either, the crossing does take longer. The advantages are that there is no alarm system, and no sandy-zone, where footprints are left behind. Thus, if the traffickers

know how the border guards move, and they don't meet a patrol accidentally, the group is smuggled through much more safely. Traffickers use fishing-boats or tyres for crossing, but if the water-level of the Tisza is low, they can easily walk across the river.

At border-sections in the mountains, settlements and roads are further away from each other. On the one hand, the terrain makes movement slower, and the longer time for crossing increases the dangers of getting caught. On the other hand though, the terrain limits the view, thus making smuggling easier, and these routes relatively safe.

"... Every third group we catch has a guide with it ... Now, we also have a democratic state here, there are a lot of lawyers ... Traffickers can afford their services. Our work and our efforts come to nothing; these people avoid being punished. So others think that they can go unpunished as well, but it's also true that those guides who we caught are never used again.

There are people who watch our patrols, and choose a suitable location for crossing, they call the others by mobile phones, and they arrive by minibus. It only takes a few minutes. At the drop of a hat they are through, the guide has already gone back, and on the Hungarian side there is another guide waiting for the group. It's irrelevant whether they go through the green border or through a river. It doesn't matter for the traffickers if one or two migrants are washed away by the water. But they investigate the setting in detail. Once the guide on the Hungarian side got caught, the sign came, and the group was immediately returned to the resting place. Their only concern is the safety of the route. They don't care if the water-level of the Tisza is high or low. During the winter of course the traffic decreases, probably partly because of climatic reasons, because the resting places are not equipped at all, they are abandoned buildings, with nothing in them. But there are still some people who go. Sometimes, when the water-level of the river Tisza is low, they walk through. There are people with frozen legs, especially from Shri-Lanka, who come almost naked, in tennis-shoes or slippers. Traffickers don't care about footprints, because we find the footprints of those who go through anyhow, and we inform our Slovak or Hungarian colleagues. They don't care about these things, only about breaking through to the border on our side, and breaking out of the range of the Hungarian border guards on the other. Anyway, you can't take ten people through without leaving clues behind".((Colonel, Head of Border Guards Brigade Mukachevo, Ukraine (27)).

"Not too long ago a group was caught, some twenty plus people, at the Polish border very close to Slovakia. They were brought down from L'viv by microbus, someone was waiting for them, and immediately stuffed them into a small shed without letting them eat or sleep or anything else. They were squeezed into this shed, on top of each other, waiting to go on. The traffickers were watching for the opportunity. And when the time came, they told them to run. There was a horseman in front and another at the back, they ran through the Ukrainian-Polish border. They were caught in Poland 5 kilometres away from the border." (Adventist Pastor "ADRA" Mukachevo , Ukraine(35))

The opinions of the representatives of the Ukrainian and the Hungarian Border Guards differ from each other about the proportion of the migrants who are caught.

"... We've got our statistics, 50-100 people come every week ... We can only estimate the proportion of the migrants caught on a statistical basis. So, let's say there were ten groups caught today, but one got through, and both we and our colleagues in the neighbouring country have noticed that one. That is the only statistics we can rely on. So I would say that - despite all our efforts- ten percent gets through.. (Ukrainian Border guards' Colonel,, Mukachevo)

The Ukrainian state is unable to handle the problem of assisted or unassisted migrants, who

constantly try to cross its borders. It has no readmission agreement with Russia, and there is no money in the budget for sending the migrants home, so they cannot be sent home, but there is not enough money for financing refugee camps either - apart from a few exemptions. As a result of all this, a strange situation has evolved there. The border guards catch migrants and keep them in holding centres for ten days - till the investigation is finished -, then they hand them over to the police. The police are also perplexed; they have nowhere to put these people, so they transport them back to Kiev, but very often only to L'viv, where they let them go.

"... Afterwards the people are siphoned back to where they were brought from. In Mukachevo they find out how many were caught and go back to Szolyva or maybe to Kiev for them. In these cases the immigrants don't pay for the second trip." (Trafficker, Ukraine)

"...I've met someone who's been living here for three years, and tries it now and then. He goes back to Kiev, works on the big market there, saves money, and tries it again. ." (Adventist Pastor "ADRA" Mukachevo , Ukraine(35))

This is why some of the migrants have already been the 'guests' of the border guards.

"... Finally everyone gets through." (Ukrainian Border guards' officer (42)).

Transcarpathia, in Ukraine, borders on three countries, and all three sections are used by people traffickers. However, most people are smuggled through the Ukrainian-Hungarian border section, and this is also where the most trafficked migrants are caught.

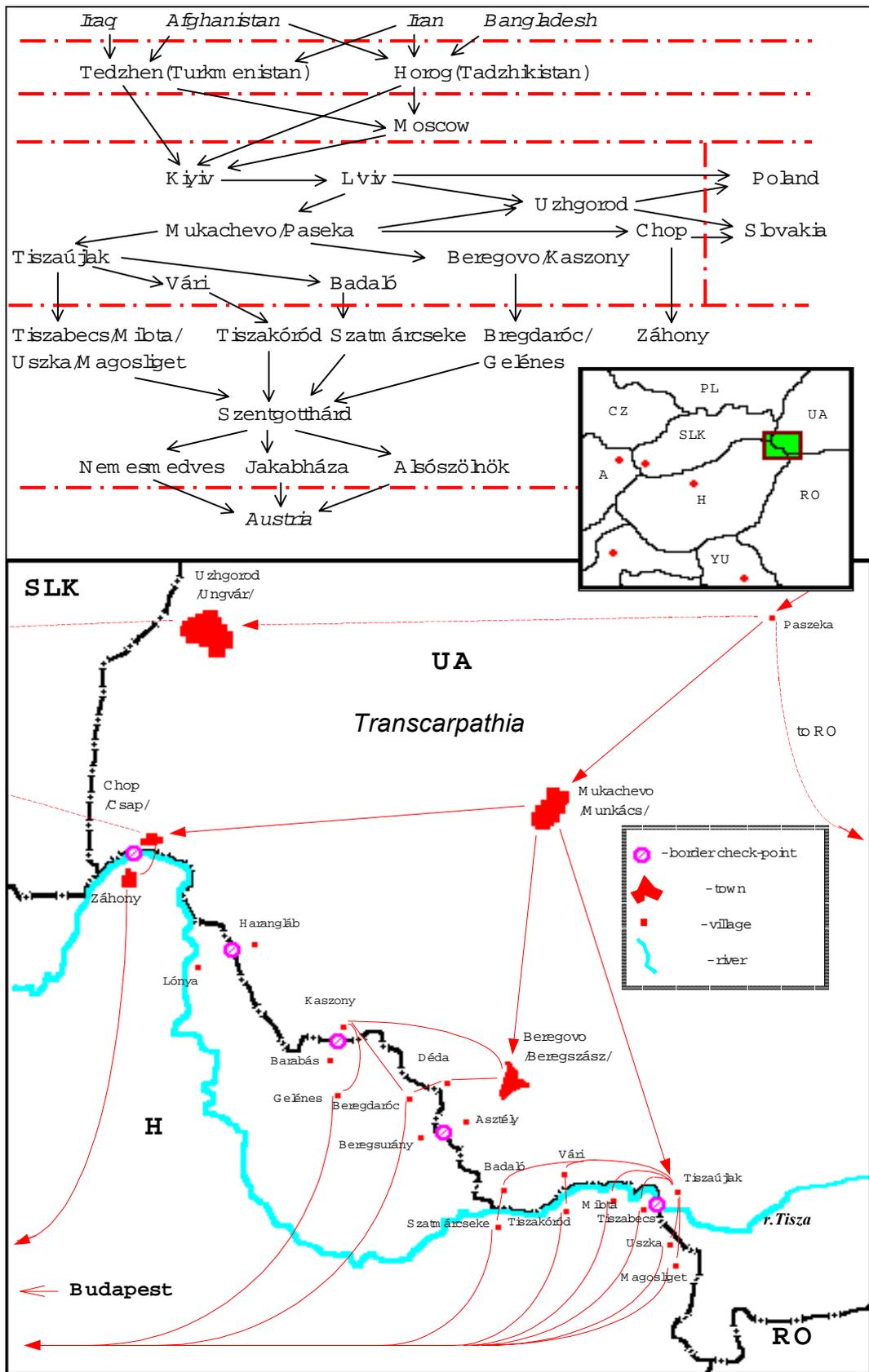
"... The Hungarian border section is definitely the most favoured one, because in Hungary there is a law on refugees. Human trafficking increased a lot after the law was accepted ..." (Colonel, Head of Border Guards Brigade Mukachevo, Ukraine (27))

This border-section runs across a plain, the River Tisza being one part of it. In this area the groups of Tiszaújlak and of Beregszász-Mezőkaszony do most of the trafficking.

We crossed the border (the river Tisza) at Tiszaújlak to four Hungarian villages: Tiszabecs, Milota, Uszka and Magosliget. Sometimes neither of the four villages could take them, and instead of Tiszaújlak we went all the way to Badalo or Mezővári. From Badalo we took them to Szatmárcseke, from Mezővári to Tizsakórod, where they were waiting for us. We also took them across at Beregszász, but only once, because this town has its own team. which is made up of people from Beregszász and Mezőkaszony. They generally take people over to the Mezőkaszony region. Sometimes neither of the four villages could take them, and instead of Tiszaújlak we went all the way to Badalo or Mezővári. From Badalo we took them to Szatmárcseke, from Mezővári to Tizsakórod, where they were waiting for us. We also took them across at Beregszász, but only once, because this town has its own team. which is made up of people from Beregszász and Mezőkaszony. They generally take people over to the Mezőkaszony region." (Trafficker, Ukraine)

"...Many of them come through the river Tisza, but most of them use the green border. Lónya has a little section of water-border, the Csaroda flows there along the border, and at Záhony there is a stretch of Tisza. But at Záhony there were no river-border crossings yet; they prefer to use trains instead. ... Once, migrants were sent through a railway bridge at Záhony. But border guards on both sides were bribed in that case. (Border Guards officer, Tiszabecs, Eastern Hungary(25))

Map 7 Trafficking through the Eastern border region¹⁹



¹⁹ Trafficking routes according to informants

In Beregdéda almost everyone knows who is earning his living by human trafficking among the local inhabitants. They are only guides of course, and they know only a few connections in Beregszász or in Munkachevo who hire the guides. But they do not and cannot know much about the organisation itself, and neither of them wanted to give an interview. The reason for their silence lies - apart from their fear - in the faith in the protection the organisation provides, and seemingly not in vain. Once a group of migrants was caught, and the guide could hardly escape, but he was spotted. Following the incident he was regularly visited by the members of the State Prosecution and the police till somewhere someone told somebody something, and the case was silently closed. The young man does not guide groups any longer, but he still did not want to speak to us.

5.2.3 The particular case of air border crossing

The case of Ferihegy International Airport demonstrates contradictions and defects that hinder facing up to the challenge of illegal migration.

Contrary to other Border Guard Directorates, the main characteristic of the place is that there is no "other side" of the border (in fact any country's flights may be considered as such). Illegal migrants do not have to travel many thousands of kilometres by land and bear the exhausting trips and multiple controls of various authorities, but fly for a few hours and arrive in a country where they may enjoy some protection.

The majority arrives in Budapest from the Arabic countries. Some try to enter the country here with a previously obtained visa, yet some others make attempts to change to other planes as transit passengers to fly to Western-European countries directly without coming into contact with the Hungarian authorities.

According to the Law on Aliens, the return of passengers is connected to entry. All regulations start with the sentence: anyone who does not have....upon entering the country; upon entry..., etc. but in the majority of cases, a transit passenger never touches the ground of Hungary as he/she does not want to enter. After getting off the plane he does not go as far as the passport control booth but goes to the transit hall immediately after the security control and changes to the plane at the appropriate gate to which he/she has a valid flight ticket.

"This, of course, is not only characteristic of Ferihegy, the same is true for probably all airports. In Frankfurt, however, airlines are severely sanctioned if they take passengers without meeting the criteria for entering the country and - if it happens repeatedly - even their flight licence might be withdrawn. This strict sanction has a restraining force. Such sanctions were never applied in Hungary.." (29)

In fact, the Hungarian Authorities have no opportunity to do this, as neither the police, nor the border guards, nor anyone else, has the legal backing of such a regulation. The obligation of the airline is to transfer back the illegal migrants.

"Airline companies, and above all MALEV, have no fear of being punished in similar cases. On the other hand, stemming from its position, - and this is their business policy after all - they have little choice but to accept trips to these directions, which are rejected by major airlines such as KLM or LUFTHANSA. The „good” passengers are snatched from MALEV by the big companies and other smaller ones, leaving only the „crumbs” behind."

At the moment, the Middle East and North Africa are where MALEV may get passengers from without violating the interests of the bigger companies.

"It is strictly business, and not politics. Hard business interests. On the other hand, it is a fact that MALEV is not as strict as KLM". The foreign representations of MALEV are run by

local staff, and they are more hard to control. And as the head of the airport unit of the Border Guard reveals . *"... a local employee in Damascus is not as strict as a Hungarian would be. And that is well known of course also by traffickers. The MALEV office (say, in Damascus) often checks only if the passenger has a valid flight ticket to Budapest but fails to look at his papers as far as his onward trip is concerned."* The fact that the passenger's papers are not in order is only discovered in Budapest, either by the airline company or the border guards – which means that the passenger is brought to Budapest anyway.

The Border Guard management felt completely helpless in respect of "MALEV's attitude", as they cannot apply sanctions strict enough to regulate them. In addition, it is not clear who should accommodate the foreigners apprehended. Border guards insist that these passengers are here. *"It is outrageous that MALEV cheekily insists on getting the migrants staying in the transit without any kind of travel documents transported from there and accommodated by the Border Guards"*. MALEV says that they, as civil air company, are neither able nor appropriate for dealing with illegal migrants, and according to the law border guards should ensure accommodation for them.

But the rules are not quite clear. Detention/community lodgings as obligatory places of residence might be determined for those who are penniless and unable to take care of themselves. And these people are not. Furthermore, the legal basis of accommodation at such places is not made clear. It is a very awkward situation as the passengers have not been expelled, and have not even entered the territory of Hungary. And here the vicious circle is closed.

They stay in the transit until their case is sorted out, and sometimes it takes days or weeks.

Of course, one may not expect MALEV to be able to judge if the documents presented by the passengers are valid or not, as they usually have Hungarian visas issued at the relevant Consulate, yet this is only one of the many conditions to be fulfilled: they need to have a passport, financial coverage for their stay, etc. According to the Border Guard, the Hungarian Consulates bear the greatest share of responsibility, as they should refuse to grant Hungarian visas to these passengers. A high-ranking official of the Border Guard management in Budapest does no less than accuse the Hungarian Embassies in Damascus, Beirut, Tripoli and Tehran of corruption, as according to him, it is far too easy to get Hungarian visas at these Embassies.

The most important reason for this conflict is seen by the Border Guard as liberal visa practices:

„...Certain steps could be made to avoid this situation. The conditions for issuing a visa should be made tighter at the above mentioned embassies, and that might be enough. This would stop the inflowing traffic of illegal migrants. Serious sanctioning of the airlines should also be made possible, and this would force the airlines to avoid problems with their check-ins in foreign countries. Let me add that there were no passengers coming from Tunis who couldn't have come legally since March 6th.” (Border Guard Directorate, Budapest Airport(29))

The main directions where smuggled illegal migrants come from are Istanbul, Damascus, Cairo, Beirut and Tunis. Many come from Moscow as well but they usually travel on their own, are not assisted by traffickers.

They are evidently trained by traffickers, they know the rudiments of law in such details that considering the often very low level of information on Hungary in other respect probably not found out themselves.

„They usually tell us the following story about how they got on the plane; they arrived in Damascus from Iraq over the green border, and then they were rested in Istanbul. Then someone took them to the airport. This person took them through the check-in, the passport control, all the checks, and showed them which plane to board. According to another version, this person came all the way through with them, and here in Hungary he separated from the group, entered the territory of Hungary legally, and left them alone. So there was always someone to guide them. This person either took them to the plane through all checks, or - we've heard of cases like that - put them straight on the plane avoiding all checks. So there is always an outsider helping them.” (Border Guard Directorate, Budapest Airport(29))

Smugglers know and take advantage of the fact that the flights from Damascus, Beirut and Cairo arrive nearly at the same time at the same Terminal, so it is difficult to tell on the entry side who arrived from where. If they tear up their passport quickly, which happens quite often, it creates a difficult situation which cannot be solved or clarified by the Hungarian authorities as there is no solution to it.

"They take advantage of the legal chaos, and of the fact that Ferihegy airport terminal 2 receives the flights from Damascus, Beirut, Cairo and Larnaka at the same time. If they are quick enough in tearing their passports into pieces, then it's done. We don't know where they came from. And after this, the persons doing the part tasks in Hungary appear. The migrants immediately find the same lawyers, the same human rights organisations, the same persons and telephone numbers. We always find familiar names and phone-numbers on them. These people, if they hide behind a human rights organisation, create a situation with the help of the press, that we can't really solve."(Border Guard Directorate, Budapest Airport(29))

In order to solve the problems arising from the special circumstances of the airport, "airport transit visa" was introduced. in September 1988. The visa must be obtained in the Hungarian consulate in the home country of the passenger.

"Up to now, if someone came to Hungary they bought a transit visa, with which they could stay in the country for forty-eight hours, but they could leave the airport and could easily disappear. Now, the airport transit visa means that those who have it, can't leave the airport. This decreases the number of airport migrants significantly."(L Felkai state secretary of the ministry of interior (10))

We do not have much information on how this measure affected illegal migration. The number of illegal migrants arrested at the airport decreased in December 1998 (but not in the previous 2 months), but according to the Hungarian air company they have lost a lot of passengers on it.

5.2.4 Transport, infrastructure, security

"The human-smugglers have built up a high-tech network, stretching from the departure country to the organisers based in Budapest, their contacts on the Hungarian border and then through to Germany and Austria," (Major of the Hungarian Border Guards Criminal Intelligence division.)

"They are highly-organised, using the best technology and the most modern transportation networks and information systems." (General Balázs Nováki, chief of the Hungarian Border Guards)

Convoys are organised with military precision. Each vehicle is equipped with mobile telephones. Its drivers use night-vision goggles, a forward reconnaissance unit scouts the path ahead, looking for border guards while continually reporting back to the convoy leader. A

rear-guard vehicle watches the back of the convoy.

Security is the most important thing for traffickers, security meaning avoiding their groups being caught (and the extra expenses that go with it). Thus, they pay maximum attention to securing their routes. In order to provide a constant information flow, they use mobile phones; when they transport migrants by vehicles they always use a -so called- forerunner, another vehicle that leads the way; they hire policemen to protect their groups; they constantly monitor the movement of border guard patrols on both sides of the border; and if they get the chance, they bribe them. In spite of all this, it may sometimes happen that a van drives along the main road of a town - where police checks are regular - in broad daylight with a cargo of 30-35 black Africans; or a police patrol in a village near the border finds half a dozen Africans - who are waiting for their guide to arrive - in the bushes next to a road. (While their guide, at least according to the local gossip, went to the pub for some courage.)

In the middle of this battle are caught the migrants themselves, dazed and confused after long-days' journeys, stripped of their papers and possessions by the people-smugglers before being abandoned to the authorities.

It also sometimes happens that the guide only shows the migrants which way to go, where, getting to the other side of the border, they are awaited by someone else.

"They've got men with cars, who watch the patrols, and according to the latest information they can co-ordinate the route of the migrants, and by mobile phones they can tell the guides which way to go in order to avoid the patrols. They can change their plans time-wise and route-wise as well." (25-26)

"..there are people in the organisation who recruit, who transport the people, who provide stopover facilities and who scout the routes. When a vehicle sets off there are one or two that go ahead to see where the patrols are, and if they meet one they phone back, turn around and look for another route or return to the starting point..."

..Generally the human smugglers take every precaution to protect themselves. They hold onto the passports, don't give their names. They pick up people at night, transport them at night, the people are transferred without knowing who has transported them. They leave as few clues as possible with the migrants. They give them directions, not to tell where they crossed the border, or even which border. It's very difficult to pick up the threads. If someone came with a passport, they have to tell them they came through the green border without a passport. If they came across the Yugoslav border, they say it was the Romanian one. They don't give the passports back. "(Colonel General Kálmán Kiss, acting national commander of the Border Guards(16))

Migrants are well prepared by traffickers, they know the Hungarian regulations, and know which ones give them the opportunity to get out of the reach of the authorities. One of the most common pieces of advice that migrants get is to immediately ask for refugee status with the excuse of religious, racial, or political discrimination. While the asylum request is being investigated, migrants cannot be deported, or only if they had forged documents on them. The procedure can take weeks or even months, especially if the migrant attacks the court's decision. In that case, the authorities cannot do anything until the case is closed. Although, by that time, the migrant has probably already left the country.

5.2.5 In the country

The greatest centre for collecting migrants is Budapest. People who would like to travel further go there first. They have rest for a day or two, maybe more, and start organising their

onward trip to the border with the greatest possible care and conspiracy. They travel by special buses, taxis or other means of transport at night or by daylight, so that the migrant cannot know anyone, should not know even the licence plate of the car. Sometimes their documents are taken by traffickers in order to make the job of the Border Guard more difficult in case the action fails. It cannot be judged precisely how many times migrants are cheated, that is that their transportation through the border has not been attempted at all.

„They can get to Hungary from Romania or Yugoslavia legally with a passport. But legally they can't travel on. They usually get in touch with a human trafficking organisation while already abroad. They come to Budapest, and they are told which hotel or which bed-and-breakfast to go to. Or they are told to go to Keleti railway station, where they are expected. Their passports are immediately taken away from them, they are limited in their personal freedom, and it is decided for them how are they going to be smuggled on, either with the help of false documents or through the green border.” (Border Guard Officer, detention camp, Győr(13))

Certain privately owned houses, that provide accommodation services, like bed-and-breakfasts and small hotels, are used for giving migrants lodging. Especially those use this type of accommodation who come to Hungary legally, but want to travel on illegally with the help of human traffickers (like Kosovo Albanians, Turks and Filipinos). Although border guards and police are aware of this activity, they can rarely catch anyone, as proving it is quite difficult in this case.

In certain villages near the border, the lodging of Kosovo Albanians in great numbers resulted in a significant growth of the inhabitants' financial income. A lot of the villagers earn their living by supplying them.

It is typical that the migrants are put to rest in different locations, either in the capital or in villages close to the border. They are gathered at a meeting point when the suitable time comes, and then they are transported on.

The reception and holding centres play an important role as key elements in the trafficking process. They are increasingly used as a means of providing temporary shelter for smuggled migrants as they move westwards. The camps and surroundings are also used for recruitment of new clients.

The effectiveness of trafficker is reflected by the fact that more than sixty percent of those caught escape from community hostels.

“Very many people left for a third country. I may even venture to say that only the clumsiest remained here” (Social worker, refugee camp Bicske (6))

Organised trafficking is present from the arrival:

“The chain of information works very well when Afghani families with thirty members arrive. Interestingly, when they find out that three rooms became empty, thirty people will arrive within half an hour or an hour. It's scary. .”(Social worker, refugee camp Bicske (6))

The refugee camps and holding centres are one of the key settings of organised trafficking. They are increasingly used as a means of providing temporary shelter for smuggled migrants as they move westwards. The camps and surroundings are also used for recruitment of new clients.

"This has developed in just three or four years. The details of procedures were spread orally. Human traffickers know very well where Bicske is, or where the reception centre is in Debrecen. Or the community hostels of the Border Guard. And there is no restriction on

making phone calls and coming out. When they come out, take a walk in the town, meet the human trafficker: find three more men, ask for another short leave tomorrow, we'll get in a car and go." (Border Guard HQ Deputy Head of Criminal Investigation and Intelligence Dept)

"trafficking Trafficking in operation" 53 Afghans were brought to the refugee camp by taxis (October 1998



Hungarian papers widely quoted a case in autumn 1998 when a bogus travel company in Romania cheated Gypsy families out of money by promising them refugee status in the Hungarian camp at Debrecen. The families hoped to go on and settle in the West. However, as Romania is a "safe place of origin", refugee status is not available for its citizens and many were immediately turned back

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"The human smuggler has the courage to go into the camp and find the migrants. They contact them by telephone and they arrange with them how and when to go out to the town and what to do next." (Border guard Officer, detention camp, Győr(13))

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„...in some cases the migrant has enough money to be transported to the camp, he might have some family relations there, so he can get some money together. Then he goes to a bed-and-breakfast and stays there until they call him. ... They have a list with all the addresses of the migrants in it. When the time comes, they call him, and tell him that there is a transport starting, and also tell him where to go and not to take much luggage with him.” (Criminal police officer, Mosonmagyaróvár, Western Hungary(34))

Human trafficking is organised very efficiently in Bicske in and around the refugee camp:

“The main square is a shady place full of trees. We go home from our workplaces around 4 or 5 p.m., and this is when we see it, but I guess the same thing goes on during the daytime. And in the evenings. And they agree on when they would meet. Then the migrant leaves at, let's say two o'clock at night through the fence. Not through the hall, because the supervisor would ask him where he's going with that bundle. The camp is huge, it's surrounded by wire netting, but they can cut through it in a fragment of a second. The wire netting has lots of gaps, and they come in and go out through these. We just can't do a thing. The residents of the camp include organisers who maintain contact with human trafficking groups. At the fixed time, sometimes in front of our camp, a few cars stop and they start out towards a better future in groups, sometimes as many as 20 people. Then two days later we hear that they were caught at this or that border... and they are sent back to the admission camp in Bicske. These are applicants whose applications are under evaluation. If they get caught, I wouldn't say that's the worse case, but my personal opinion is that they should pass the border and not be sent back to us. But if they are caught, they have to turn back.” (Social worker, refugee camp Bicske (6))

The schizophrenia of the Hungarian authorities is well illustrated by the next examples.

“It was on a Sunday. I happened to be in and I immediately called the police and told them to come, because about twenty Africans were just being pushed into a large car with big boots. The police said that it wasn't within their competence and they couldn't do anything.....

I can also tell you that ex-residents of the camps also took part in the trafficking. Near Szentgotthárd four residents of the camps were driving in a car when they were stopped. They had to show their papers, and they were taken into the station. There they claimed that they had been looking around the place because they wanted to buy a flat there, three kilometres from the Austrian border. The authorities made records and then let them go.” (Social worker, refugee camp Bicske (6))

“Some say that it's great, at least we get vacant places, we can place new people in their place. But in reality it's not good. Our colleagues catch those who cross the border illegally in vain; if we let them go, there is no legal outcome. If we give them short leave, the majority of them don't come back. But then what was the point of the whole procedure?” (Border Guard officer, Balassagyarmat detention camp(37))

5.2.6 Leaving Hungary

In most cases the traffickers transport the migrants to the border and guide them or simply send them through the green border. If they do not escort them, the traffickers usually cross at an official border station and pick the migrants up on the other side. In some cases there is another vehicle with another trafficker waiting for the migrants on the other side. This method is characteristic of the Turkish and the Albanian (from Kosovo) traffickers and of those

Hungarians who co-operate with them. The crossing of the green border needs thorough organisation and previous surveys of the spot. Guides are chosen from those living in the area as they know the territory well. The carriers often use the cars of the executive organisers or hire somebody who owns a car. Recently, they realised that taking a rented car or a cab lowers the risks and makes the transport legal. Besides cars, buses and vans are rented too.

They choose lightly controlled parts of the border and they usually cross after midnight. And of course they often try to bribe the border guards and involve them in the organisation – and sometimes they succeed.

In order to make exploration and spotting more difficult for the authorities, they organise and prepare the groups far away from the chosen border-crossing point (in Miskolc for example when they want to cross the border between Győr and Mosonmagyaróvár). After that the organisers often transport them from one place to another without any reason just to keep the group constantly moving.

When choosing the crossing-point, the organisers also consider how tightly the different border zones are controlled.

„ In the early days Hegyeshalom was the favourite crossing-point because everybody knew it and it had a highway. But than the border guards examined the situation and tightened the controls in the area. So did the Austrians. Than we observed that human traffic drew to the area of Kapuvár and Sopron. We tightened controls there too so they went further, to the area of Szombathely. If traffickers see us tightening controls there as well, they will finally come back to Hegyeshalom.” (Border Guard Directorate, Győr, Head of Surveillance (30)).

A police officer in Mosonmagyaróvár²⁰ describes the broad network of local interests related to migrant trafficking:

„ Even ten of them might get into the car. Still it is more practical to take only five migrants on one occasion because the Austrians take this case (five people) as a minor offence if they catch the smuggler.

The group starts at the green border. They keep an eye on the movement of the border guard patrol. ... Their route passes by the main canal at Hanság, under Sopron, Kőszeg than Szombathely. Meanwhile one of the traffickers who has the means to cross the border legally waits for the group with a car on the other side, picks them up and takes them to the destination.

If the group is transported with passports the traffickers bring the papers back to the country. Getting passports means extra investment for smugglers so they recycle them in order to have more profit.

In fact half of the town earns its living from human traffic. Those who let out rooms are no exception. Lodging is 10 DM, maybe 15 for a person for one night. Smugglers just take the migrants to Ferenci street where you can find these detached houses with four rooms and you have four or five beds in each room (just like in the army). Each night there are at least ten people in one house, which means 100 DM (12.000 ft). You multiply this money by 30 and you have the tax-free, monthly income of the house owners. ..

Human trafficking activity concerning Slovakia is smaller but works with larger groups.

„ Twenty or thirty persons are being transported into Slovakia at a time. The Danube is a natural obstacle so they have to cross the water. There is a single place offering the

²⁰ West Hungary, near the Austruan border. See map 1

possibility of crossing dry-foot and that is in the border zone of Rajka where three borders meet.

Migrants are gathered in Budapest and taken to the Danube near Esztergom, Komárom. During the night or before dawn a boat comes from the other side of the river, picks them up and takes them to Slovakia. There is already a car waiting for the people which takes them across the Czech Republic to Germany.” (Border guard Officer, Győr(13))

“There were about 40 of us, trying to get to Germany. They brought us first in a van to Budapest and then we were taken to a forest outside Győr. Then three Hungarians appeared and led us to the Danube. The Hungarians disappeared and we were divided into two groups. Some went away in a mini-van but we were left behind,”

It is always the money that determines where and which way to go.

„ The local organiser makes a proposal after considering the migrant’s financial situation. The cheapest way is going across the green border. It costs 500 DM but it is quite risky because for this money traffickers only take the migrants from a certain lodging place to somewhere near the border and show them where to get across it. The smugglers do not care about the fact that the other side of the border is full of Austrian border guards and gendarmes. For a thousand DM traffickers guide them across the green border but then leave them and return. You need even more money if you want to have fake papers, which are usually thought to be safer and more serious. For 1500 DM you get a passport in which the photo is easy to change (for example a Hungarian, Slovakian, Czech or Slovenian passport), but the truth about these papers turns out easily too. For 2000-2500 DM you get a stolen passport or a German, Swedish, Austrian or any European Union country’s passport made by traffickers living in Western Europe.” (Border Guard Directorate, Győr, Head of Surveillance (30))

Often the case is that a former Yugoslavian citizen brings the passports of his wife, his child, his brother-in-law and tries to transport his relatives (waiting for him near the border) with these Dutch, Austrian or Swedish passports.

„In our border section, there are 1000-1200 crime cases annually, 800-900 of which are the forgery of official documents. In 70-80 % of these cases the passport does not fit the migrant at all and they are easily caught. For example, you see a guy who does not seem to be Hungarian but still he has Hungarian passport. You just ask him „Where are you going, Johnny?” The guy stares and moans and that’s it.” (Border Guard Directorate, Győr, Head of Surveillance (30))

Sometimes crossing the border is really dangerous for the migrants, especially crossing the rivers (Danube, Tisza). They might get lost or even die. Travelling in a truck might be dangerous as well. (In 1995. more than thirty people from Sri Lanka suffocated in the back of a truck .)

„Once there came a guy from Sri Lanka. Luckily he was a big one in good condition. Still he nearly starved to death by the time they took him out of the back of the truck. He paid 5000 dollars from Sri Lanka to Hungary, although he didn’t want to come to Hungary. He actually wanted to go to Austria or to Germany but he was left here and he only realised it later.”(Social worker, refugee camp Bicske (6))

Another method - which is harder to discover – is to hide the migrants in a vehicle that is in international traffic. Large groups are hidden in trucks either in the back or in other parts which were specifically shaped for this reason.

„ Once, seven Chinese were hidden in a bus. We followed them. They stopped once, the driver

got out but the Chinese didn't. At Hegyeshalom the bus was set aside but we couldn't find the Chinese, not even after one and a half hours. My colleagues gave up, thought they were gone. But I insisted on searching further under the seats, anywhere... My colleagues reported after another half hour that they had found it. Near the front door, next to the steps there was a fixed refrigerator - screwed to the bus. Under it they found the hole with a small, liftable cover... Let's say, the bus had a frontal accident, the Chinese are all dead. The driver was Greek..." (Border Guard HQ Deputy Head of Criminal Investigation and Intelligence Dept)

For lowering the risks the guides often stop at the border line and give further instructions. On the Yugoslav border guides are especially careful; they stop on the edge of the border zone and tell the migrants when and where is it worth applying for refugee status. Sometimes the traffickers transport them to the middle of the country and tell them they are already in Austria or Germany.

"Some of the refugees don't even know where they are; they think they have already arrived in Germany or Austria," said Lt Col, of the Győr camp. Most of them don't even know where Hungary is and they are shocked to discover that they are here. They are very depressed.

The Hungarian Press is daily filled with reports of dozens of victims of failed people-smuggling operations, mainly Albanians from Kosovo.

"The migrant arrives from Afghanistan or Sierra Leone. He has passed several borders. He paid \$3000-5000 to get to Germany. Then he is unloaded here on the highway and told by the carrier that they have arrived and he is shown where to register. Finally he is totally shocked to realise that he's been cheated when he hears „Jó estét!" (Good evening! in Hungarian)."

"Once, some migrants were transported to Budapest. They didn't even know which town they were in. They were told to go down to the metro station. A man was supposed to be waiting for them and taking them further. So the poor guys went down to the metro station, couldn't find the man described but by the time they ran back the trafficker was already gone." (Social worker, refugee camp Bicske (6))

5.3 Corruption

Corruption plays an important role in the success of human-trafficking. Considering the help they can provide in reducing the risk it is self evident that smugglers try to corrupt different official persons- border guards, policeman, civil servant responsible for issuing various permits for foreigners. And taking into consideration the money involved in trafficking it is not surprising that not all attempts are unsuccessful.

„Once they tried to bribe me as well. I was not the first and not the last I guess." (Captain of the Border Guards; Tiszabecs)

Bribery and corruption certainly exist among border guards, customs officers and other civil servants working in this field. By its nature, we only received limited and low validity information in this area. As a border guard reports,

"Well, the border guards are not too safe in this respect. They can influence people's fate, so there is evidently the danger that some people will try to bribe them. There is corruption, but we try to filter it out. Of course, it's not easy. In this station, the self-control of the officers is very good. Warrant officers are something else. Many of them were in an emergency situation, they were unemployed and they came here to have some work and because they heard that you can make a nice living at border stations. And they see that a run-down Trabant can be replaced in a year with a great car. And people were admitted en masse.

There wasn't really an opportunity to filter them. The conscripts were withdrawn, we had to take in whoever applied for the job no matter whether we liked it or not.

"We can't really speak of infiltration, but they are trying to get insiders to co-operate. We know examples of border guards, patrols being involved in the crossing of a group. On both the Ukrainian and the Hungarian side. ... Once, a group crossed the border with a van and later we couldn't prove that they really came through that place. It must have been hard, as these facts mean that everybody, even the Hungarian border guards and customs officers were involved somehow. (Border Guard officer, Nyírbátor)

... The staff hasn't changed, in fact I would say the quality of staff improved. In the past there were only the enlisted people, but now you find ensigns and people on contract, real experts in many of the leading posts. But the overall picture grew worse... There is still no salary. In a few days we might receive some money. You can't predict the effect of the delay of the salaries on the moral of the staff. It's like this all over the world and not only in Ukraine. We have not met corruption yet, at least not in our squad. The plans concerning the work of the staff always include the intention to inhibit the officers, ensigns and soldiers from committing illegal acts. This is one of our most important task, right after protecting the borders... Traitors co-operating with the criminals is characteristic of the armed forces all around the world and we can't say the border guards is an exception. It is very pleasant to get \$300 just for not taking any notice. \$300 is more than my monthly salary. But we do pay permanent attention to this question; if we realise that one of our colleagues is approachable, we try to remove this person from the post so that he wouldn't get involved and wouldn't go to prison... Once, two ensigns caught a group with its guides and led them for several miles. The guides offered \$5000 but the ensigns didn't take the bribe. This was not long ago in the area of Felső-Berezna. These ensigns are being threatened, the organisers threaten them to take revenge. (Border Guards, Ukraine)

"There are policemen who will escort people across the border for \$50. If a consignment arrived by day, in order to not be too conspicuous, a policeman would sit next to the minibus driver as if they were being officially transported somewhere else. ..I paid border guards 15-20 dollars to tell me when the patrols went." (trafficker, Ukraine)

„I have heard of policemen being accused of helping in these things. Of border guards too; some of them were dismissed, some imprisoned, some were only threatened or released due to lack of evidence, but later they were removed from their positions. In many of the cases there is no evidence. The guy you talked to is not really clever or wise but he is a really honest officer. You could entrust \$10.000 to him, he wouldn't touch it, he can't be corrupted. But unfortunately that is a rare case." (Adventist Pastor Odra, Mukachevo, Ukraine 35)

"I don't know the price of a border guard over there (in Ukraine). It can't be cheap there either, but as their living standards and salaries are a lot worse, it must be easier than here I guess... They haven't received salaries for several months, I think they got their first one in April. And the other question is whether this salary is enough and what kind of living standard it ensures.."

"...Once, a police patrol stopped me on the way from Ilosva to Remete and wanted to take me in. I had seven people with me that night. The policeman asked „What's up? Shall we take you in or ...?!" \$500 did it. That transport brought me only \$200.

...Sometimes - as they had to come up with some kind of a result - the border guards asked us to stage the odd capture. This was done when there were only three-four people on the border. The route, and where the refugees could be caught was discussed beforehand. The arrests were made, the guards received their praise, bonus, whatever, the prisoners put on a

train - destination Kiev. Now, there isn't always an escort. They alight at Szolyva, but usually at Beszkid, where they are expected. If there is a militiaman or two as escort an arrangement they can be persuaded - as there are no handcuffs - to have a little snooze while the refugees get off the train. Obviously the snooze is paid for... "(Trafficker, Ukraine)

5.4 The profit

"Today human smuggling is an extremely lucrative business. ... There is no social, political etc. motivation, simply a way to get rich".(Colonel General Kálmán Kiss, acting national commander of the Border Guards(16))

The size of the business in terms of fees is considerable. The profits should be extremely high for the price they charge is very high, secure, the risk in case of failures minimal for there is usually no such thing as reimbursement, the operational costs are also minimal for the conditions of the trafficking are miserable. The overall cost benefit analysis show that the organised business of trafficking is one with very high level of return at minimum risk and minimum costs. Furthermore, the global setting of the organised crime suggests that the business of human smuggling should be concentrated at a high level for the very fact of the high profits it brings at almost no risk and no cost.

Human trafficking is "the biggest business on earth. It brings in a huge sum of money. One person pays 1000, 2000, maybe 3000 DM or even more if he gets a passport as it is always safer to go with passport than through the green border. And you have five people in a car so you can simply multiply the sums involved. .."According to our calculations, a few years ago the profit of human trafficking here and in Mosonmagyaróvár was around five thousand million a year. And this profit together with the traffic has doubled or even tripled by now. The enormously increased number of Albanians you can see in centre of town might serve as proof of this growth in traffic. (Criminal police officer, Mosonmagyaróvár, Western Hungary(34))

And there is another reason why human trafficking is such good business. It needs small, in fact, hardly any investment. They just buy a rundown car, a mobile and they organise the journey. The traffickers stand a better chance than the trafficked, as traffickers are rarely caught. *"For a person being trafficked through the border, the odds of being caught are 1:2 or 1:3 while for an experienced trafficker these odds are only 1:30... "(Criminal police officer, Mosonmagyaróvár, Western Hungary(34))*

In Ukraine the price of taking a group across the border to Hungary is a minimum 10-15.000 ft (50-60\$), maximum 300-700\$, depending on the size of the group, the border sector and the services. If rest, board and lodging is provided, the guide might get 100 dollars for each migrant. This means that the minimum amount a trafficker earns on one occasion is higher than a Ukrainian's average monthly salary.

In Hungary higher living standards ensure higher fees for the co-operators:

"... there are people I have known since my childhood and who are involved in this business: one of them is M. G. He was caught at Beregsurány on the 30th of December. He told me that just for driving the group further than Nyiregyháza on Route 41, he got 5000 Ft from each person. If there were twenty people in a group, he earned 100.000 Ft (500 \$) in an hour. He just had to pass on the people. Of course he would have earned a lot more if he had passed over the border with them." (Border Guard officer, Tiszabecs -East Hungary)

According to the colonel of the Ukrainian Border Guards the fees for one „journey” - from the departure point to the terminal point - are higher than \$3000. The fee depends on the

distance, and the border sector. *"In the mountain area, in Slovakia, the journey is more expensive than on the plains of Hungary. This \$3000 has to be distributed proportionally among the following: the organiser or the organisation in Moscow or in Kiev, then the Ukrainian organiser and Ukrainian guide, finally the Hungarian guide. The guide gets \$300 in the Hungarian, or \$700 in the Slovak border sector. Because in the Slovak mountains it is difficult to move ahead and lead a group."* (Colonel, Head of Border Guards Brigade Mukachevo, Ukraine (27))

Various routes mean different price rates, but there are great differences between the admitted and non-admitted amounts.

We know about a case of an Afghan couple (a 70-year-old woman and a 90-year-old man) who were promised to be taken to Germany for USD 18 000 but were caught at the border. The route through Slovakia is more expensive and the traffickers make a great profit on it as they always try to take large groups of 20-25 people.

„If they can get 50 DM from a person they take 50 DM. But if they see a slight chance of getting more they might even go for 5000. They aren't too choosy."(Border Guard HQ Deputy Head of Criminal Investigation and Intelligence Dept (24))

The prices vary to a large degree, but they are sure to increase as the controls grow tighter on the outer borders of the European Union.

„ You run a bigger risk but you earn more. We realised the danger. It already costs more to get across Hungary. As the resistance grows among the different countries the risk grows as well and this increasing risk has to be paid for.."(Border Guard HQ Deputy Head of Criminal Investigation and Intelligence Dept(24))

5.5 Trafficking in women

In Hungary, the act of human smuggling is committed by anyone who is complicit in an impermitted border crossing of the Hungarian Republic. The trafficking of migrants does not, however, necessarily imply an illegal border crossing. This is defined, according to legal experts at the Interior Ministry, as “the conducting of a person or persons abroad, with some criminal intent, to work illegally, basically for purposes of prostitution, irrespective of the consent of the person concerned.”

The legal aspects of trafficking, except when coupled with human smuggling (complicity in a border crossing by not permitted means) are poorly provided for in Hungary, and under regulated.

Of the various forms of trafficking, the trafficking of women is the most visible and frequently discussed. In Hungary, organisations operate which recruit women, taking them to France, Austria and other destinations. They frequently advertise their services in newspapers. They also import women to Hungary from Slovakia and Ukraine. At present it is very difficult to bring a case of trafficking in women to court. Currently, it is only possible to prosecute if there is suspected use of force against the women - coercion or the infringement of personal liberties - or if it can be shown that there was a criminal act of procurement. The act of procurement is committed if someone acquires another person with the aim of prostitution for a third party and delivers them to that third party. However, if someone is taken abroad, on business terms, but is not delivered to the intended destination, or else is taken to an undefined place, this is not procurement. It is though deemed as human trafficking. According to the section head at the Interior Ministry, (8) the Interior Ministry and the Ministry of Justice aims to introduce legislation that would give a more precise definition of the crime of

human trafficking.

In the planned law on prostitution, there are provisions outlining sanctions concerning human trafficking with the aim of prostitution. Accordingly, if somebody or some organisation directs a person abroad with the aim of prostitution, they are deemed to have committed a criminal offence. The seriousness of the act is graded according to whether the act involves the transportation of minors, if it is enacted within the framework of organised crime, or whether it involves the use of force. The fourth category of circumstance concerns a situation where someone has been deceived: for example, through the offer of employment abroad, which subsequently results in that person being handed over to work in a brothel.

With respect to the trafficking of women, Hungary is a destination, a source and a transit country. Reports indicate that many minors, aged between 14 and 18, are trafficked into Hungary from neighbouring Eastern countries. Information gathered by the Interior Ministry (8) estimates that one third of women engaged in prostitution in Hungary are migrants from Ukraine, Romania and Russia. Most are believed to be engaged in prostitution “behind closed doors.” Prostitution in Hungary is largely controlled by the Ukrainian Mafia, with Hungarian criminals only controlling street prostitution in certain areas. The Hungarian police collaborate with their Ukrainian counterparts to combat organised crime and the trafficking of women. This has caused some tensions (for example, Hungarian police raided several sex clubs and detained Ukrainian women. These women were taken to the frontier and expelled from the country, whereupon they were beaten by border guards on arrival in Ukraine.)

In our interviews, several cases of trafficking women from neighbouring countries were mentioned, as were some from Africa. To illustrate this, we present here a typical case.

A 33 year old Romanian citizen of Gypsy ethnicity was the organiser of a striptease bar in Banja Mare, in North West Romania. She taught women how to dance, how to act, and then convinced them that they could earn far more money doing the same thing in Italy. In 1993, the woman obtained for herself a false Hungarian passport (the photograph was changed on a stolen but valid passport) in Debrecen for 200,000 Forints. In this way, she could travel freely to Italy by car and using a false name.

The women officially were in transit through Hungary, and travelled with an accomplice of the Romanian bar-owner from Debrecen to the Austrian border, where they were handed over to the human smuggler. The smuggler was an acquaintance of the Hungarian accomplice and it was he who organised the journey to Italy.

The women were smuggled over the frontier into Austria where they were met on the other side. They were then transported to the Italian border where they were in turn handed over to the Italians. The smugglers received a fixed sum for each girl (2000 DM) and agreed on a so-called “productivity percentage” for each month the girls worked. During the course of 3 years, they smuggled 24 women in this way.

In parallel, the Romanian woman had connections with some Turks in Constanta, who themselves took girls to Turkey, posing as tourists. Currently, this is the only business which is still operating. The Italian run proved too risky. The fake passport almost gave them away one occasion and has in any case now expired. According to the woman, the Italians cheated them. They did not pay the productivity percentage regularly, and they treated the girls badly.

Our research indicates that most of the women trafficked through Hungary are not ignorant of their situation. For many, prostitution abroad is an acceptable option in the black labour market. Some of the women said that working as a prostitute abroad is in some respects easier than at home and offers them a brighter future. However, there are cases of clear

victimisation. Such as in this case study:

The 20 year old interview subject worked in her native Ukraine in a clothing factory. She and her girlfriend became acquainted with a woman from Mukachevo (in West Ukraine), who also possessed a flat in Beregovo, where the girls lived. This woman offered them work as seamstresses in Slovakia or Yugoslavia. Neither of them possessed a passport, and as this plus the necessary visas cost nearly three times their monthly wage (or 2-300 dollars), they were unable to arrange their travel documents. The woman from Mukachevo suggested that she would take care of the passports, and would later deduct the costs from their wages. When all the papers were ready, they agreed they would be met by a car, which would take them to Mukachevo. From there, they would travel to Yugoslavia to work.

“In Mukachevo, they took us to a flat, where, because of the circumstances, I began to suspect what our work really involved. Later, they themselves explained. We were both entrusted to a 28-30 year old woman. On the first four days, I was able to avoid my “obligations” because I was menstruating. I was lucky because the woman entrusted to watch us actually helped me. Meanwhile, my girlfriend set about her work and tried to persuade me to do the same. Then it dawned on me that my “colleague” knew in advance what we were expected to undertake. We lived in a neglected living room, with filthy bed linen and mattress. For washing, they provided only a basin, and there was no warm water. Our employers explained this was our ‘warm up’ work until the customer arrived from Slovakia or Hungary. He would soon come to fetch us.” By the sixth day, a more sympathetic client, an army officer, helped her escape after she complained about her situation. He took her home to her parents. Two weeks later, the officer reappeared, bearing the traces of a severe beating on his face and body. He said that the Mukachevo people had paid him a visit and beaten him. They took 300 dollars from him, as compensation for their loss of revenue. He had hoped to get 300 dollars back but the girl had no money. He knew nothing about her girlfriend, presumably she is now working flat out somewhere. (Beregovo, Transkarpatia, Ukraine)

Women from neighbouring countries most often stay in Hungary as tourists. They are entitled to remain in Hungary for 30 days without a visa, at which point they recross the border. Their travel is often arranged by the employer, who ensures that their stay in Hungary is legal to reduce risks. As the owner of the “massage salon” explained, the girls are “commuting.” The girls work one month, then are taken back by bus to Romania. They rest for a month, to be replaced by another group.

6 TRAFFICKING AND OTHER CRIMES

The supposed connection between human smuggling, international organised crime and other offences is frequently raised. However, in our interviews, little data was gathered to support this. Based on the key informants, it seems that the connection is at least not evident, although many of those replying regarded it as conceivable there was some kind of mutual connection. The view of one of the leaders of the border guard's investigative divisions, illustrates well the relationship with drug smuggling:

“There is a demonstrable connection but only in so much as money earned from drug smuggling is flooding into human smuggling. Let's take the Afghans. It is easy to bring a hundred kilos of heroin into Western Europe, and with that money, bring in Afghans using human smugglers. It has to be covered by something. There are some who pay with drugs ... In one or two instances, drug smuggling was also combined with migrants ... many Peruvians came to Hungary by plane, and from there they travelled to Southern Europe by bus. They travelled first class, they all had the same sum of money with them, and there was always an Italian aboard with them. The majority of them had callused hands, but each wore the same quality clothes, and each had the same quantity of measured out medicines. It turned out that they had been made to swallow the drugs. We evaluated their movements, customs officers gave one of them an X-ray and found a kilo of heroin inside him. A Cuban woman was the organiser in Hungary. Then there was another incident in Austria. They found hidden drugs in the heel of a migrants shoe. They wanted to migrate and this was the price.

There were people from the Philippines. One of the organisers was caught in Vienna. She used to travel between Vienna and Budapest and they found a weapon in his flat and money. During a house search, they uncovered one kilo of crack. We didn't know exactly the role of the drug smuggling in the human smuggling. It was unambiguous that this woman worked in human smuggling, but it couldn't be precisely established if this way a payment, or if they were using her to smuggle drugs as well. We had 3 or 4 cases like this.” (Border Guard HQ Head of Surveillance and Intelligence(24))

According to an expert at the Interior Ministry:

“Human smuggling is much closer to the methods of terrorism, to matters dealt with by the secret service. For a country's security, it is not immaterial who is present illegally in its territory. Nor how they can be mobilised if necessary.”

A second possible point of connection may be to look at the individuals involved. Various information is available that shows human smugglers were earlier involved in other criminal activities.

“People who began smuggling diesel, afterwards turned to cigarettes and precious metals. Then, some of those who tire of this, turn to human smuggling. Then it can be supposed (although we have not registered this yet) there will be drugs, weapons or explosives as well.” Border Guard officer, Tiszabecs -East Hungary)

This quotation shows that the assertion that human smuggling and other serious types of organised crime (e.g. drug or weapons smuggling) go together is at best tentative and based on far too generalised conclusions.

Crime experts dealing with these questions point out that unlike other forms of international organised crime, human smuggling is not actually linked to violent acts. Those involved usually accept being caught without putting up much resistance. Naturally, the nature and methods of human smuggling does bring it into contact with other illegal activities such as the

forging of documents, bribery, procurement, prostitution, illegal employment and often, the exploitation of the migrants and the illegal employment of children.

7 MIGRANTS PROFILE

Over the past decade, and especially the past few years, human smuggling and illegal migration has taken on more and more of a mass dimension around the world, and this process was especially felt in Hungary which became a typical transit country. In order to analyse this movement of peoples, and give careful, preliminary prognoses, we have to take a differentiated look at the social–demographic characteristics, motivations of behaviour, and the geographical, economic, and social and cultural peculiarities of the migration of those affected.

7.1 Push factors mobilising illegal migration

A basis for migration in general – and for the illegal migration of the past decade as well – is the uneven geographical distribution of material and other goods and that these goods are not equally at the disposal of all social strata, which have unequal possibilities to obtain them. Analysis of the macro-economic trends shows that according to the main economic indicators (for example GDP per capita), the inequality between the developed and the developing countries has grown over the past and that the gap has increased between the Eastern and the Western parts of Europe. Further differentiation took place and even within individual countries the inequities in the quality of life are increasing. The marginalised life provisions of the new poor of the richer countries still provide better conditions for living than the poverty of the Third World. Besides this, the better infrastructure of the developed world offers far wider chances for mobility, and at least for the second generation of immigrants integration offers the possibility of social advancement. The accelerated migration process has also been made easier over the past decade by globalisation, and the explosive spread of the new information technology. The world has become smaller and what is foreign has become better known, while elements of consumption and mass culture have become increasingly homogenised around the world. All of this has made international migration seem culturally more of an option, even in the most remote places of the Third World. The media and international advertising have presented a picture of the western world as a paradise of consumption and the easy and comfortable life.

Naturally, not every economic circumstance has driven migration. The economic recession and the social and political changes of the 1980s and the beginning of the 1990s strengthened trends towards isolationist protectionism. The resources for the generous hand of the “welfare state” ran out, and not only for migrants. The gates closed, and one after another North America, the countries of the European Union and the Scandinavian countries restricted immigration with tough measures. All of this influenced the fact that within migration, the illegal elements increased and the significance of human smuggling. At the same time, it was not possible to create a sufficiently powerful international framework for co-operation, which could have put a break on migration in a complex way.

The above circumstances – sketched superficial within the given framework – create the general economic factors behind migration. Our research, and the content of the interviews also points to the fact, that human smuggling in Hungary is explained necessarily, but not exclusively, by the economic conditions; the desire for a better standard of living, and the escape from poverty. As a young man from Sierra Leone said at the Bicske refugee camp:

"First, I want you to consider something: we came to this country because we have problems. It's not normal for somebody to come and stay in a camp if he doesn't have problems."

Except for a very few cases, the people we interviewed left their countries because their lives

were directly threatened or because they could not live in decent conditions anymore (economically, but also culturally). According to the degree of emergency and the connections they held, their journey was more or less prepared in advance.

The determination of the target of migration in Africa, Asia and often in Eastern Europe can above all else be put down to the laws of supply and demand. Determining factors are the human traffickers, the offer of the organisers in both a material and geographical sense, and the material possibilities available to the potential migrant and his family and relations. Often, the destination point is the result of a compromise between the possibilities and the offers.

The following factors play a deciding role in the readiness to pursue illegal migration and the choice of target destination and strategy:

The political, social and economic conditions in the country of origin and its “culture of migration”, trafficking offers.

- The social status of the migrant, material situation, educational background, culture, linguistic skills and familial situation.
- Earlier experience of mobility or migration (travel, studies, work abroad)
- The existence of relatives, acquaintances, abroad

In the course of the interviews, we found that amongst the determining reasons behind illegal migration the existence of a crisis situation in the county or region of origin (war, catastrophe, ethnic conflict, political persecution), played a crucial role, naturally combined with economic impossibility.

The first reason for escaping is war or a war-like situation: for example such as in Kosovo, Afghanistan, but also in some African countries, like, Sierra Leone or Liberia.

“In my family, some people were for the rebels, some for the army; my father killed my uncle for that. I had to escape, because I was scared my uncle’s family would take revenge on me” (Young man from Sierra Leone, Balasagyarmat).

In most of cases, they have lost everything: their houses were destroyed, and often members of their families were killed. Some people arrived injured. In this situation, their ideas of employment and asylum are unclear, they extremely short-term vision and that’s aimed at survival.

For people from Kosovo, the intended destinations were Germany or Austria, and they have usually been caught on the way to those countries. Some of them have relatives, or had previous working experience in Switzerland, Germany or Austria, have some language skills, have connections and want to try again. But their idea of future remains unclear: at this stage, the most important thing for them is to escape the war and death.

People from Afghanistan are more or less in the same situation, some of them escaped for political reasons: they worked for the former government or administration, or they were intellectuals. But families escaped also because the conditions for decent life is not insured anymore under the Taliban regime, especially for women.

“In Afghanistan, it’s so bad, no school, no work, everybody is fighting a lot. (..) When we came, we sold all our things. All of them. And we came here. And now all this is finished..” (Afghan woman, Győr).

“I m a doctor, a gynaecologist. (..) There in Afghanistan. My husband is a professor, I have a profession, but the children have no future whatsoever. My daughter couldn’t go to school,

it's closed. I did it for my children, to live normally. What kind of future is there for our children, uneducated,.. in Afghanistan.” (Afghan woman, Bicske).

This uncertain view of the future is even stronger for Africans from Sierra Leone or Liberia, who don't have any experience or knowledge of Europe. For them, Hungary is a country they had not heard about before. They see only that they are safe and at this stage, they can not see further. Generally, the people we met from Sierra Leone or Liberia were very young, sometimes 16 or 17. They didn't organise their trips themselves; usually, they have almost no family left anymore: they were killed, and adults, relatives or friends saved them, helping them to escape.

“I left my country because of political problems: my father was killed, I lost my mother, I needed help, there was no help” Liberian, 17 years old, Bicske.

Some people arrived, in less of an emergency situation, but also because of threats to life, or enormous difficulties in living anymore in decent conditions. That is the case for many Afghans or Somalis, but also for many of the Algerians we met.

“ I decided to leave Somalia when the civil war had been going on for eight years; there's no government, there's no hope, so, we decided to leave for the rest of our lives. There's no hope. We were students at the time of the government we had, then we were waiting to get another government, but there was nothing. Next December it will be nine years, so we don't know... We come from a small tribe, a small ethnicity, we didn't have power in Somalia, so we decided to leave the country.” (Somali family, Szombathely.)

People cannot live anymore in their own countries. They had to leave their houses, sell their goods to afford the journey. We met a lot of people who arrived with their families, and especially young people, some of them left all alone, leaving their parents in their country. For a lot of people, they take their farewell from their country as definitive. They were usually arrested on the way to the West, where they wanted to find jobs or study, and for the younger ones, "build a new life".

Afghans and Somalis are usually well educated, with language skills. Obviously, even if a lot of them lost all their money to afford the journey, they enjoyed a good standard of life before the war.

The Algerians we met were less educated: the majority had small businesses in Algeria, didn't earn a lot of money, but they do have a tradition of emigration, and usually have relatives or connections abroad, who are not only taken as help, but also as examples that it is possible to emigrate and find their way to the West. Some of them have also already lived in Western countries, especially in France. They left with information (true or not) on the possibilities of migration, and see Hungary as a gateway to Europe:

“I watched the news. I spent almost 15 days in Tunisia before arriving here. I got information from friends that they give asylum in Hungary. I came. (...) Because this country wants to enter Schengen's area, it wants to enter in Europe, to adapt itself to Europeans, to economy... So they have to do that...”

“I know there is asylum here, in Hungary, I saw it on Euronews...” (Algerians, Bicske)

Some migrants don't come directly from countries at war, but belonged to former regimes or had political involvement. It's especially the case for Africans. They had to leave to escape jail or death.

"I was working in Mobutu's government. When Kabila arrived, he couldn't bear Mobutuists. All the leaders fled first: they went to Brazzaville, in Africa, in Europe. Me, I'm a simple man.

I'm at a low level, not like the big leaders, I was working for propaganda. Once, I went back home, and I saw it wasn't going well anymore; soldiers from Kabila, from Uganda, Rwanda, knocked on my door, I wasn't there. They had an order to take me. So, I fled. " (Man from Zaire, Bicske)

" I belonged to the strikers at university in Cameroon. My name has been spread in the newspapers and on TV, because we made a strike at university, we broke a lot of things, and we wanted to arrest the university's chancellor, to kill him because he killed our friend. So we revolted, they began to search me..." (Young man from Cameroon)

Our interviews also contain data suggesting that the human smugglers and the organisers themselves also play an active role in the awakening of demand for illegal migration, and in preparing the final decision. Such elements appear above all in the interviews made with migrants from Afghanistan, Pakistan, Bangladesh, and Sri Lanka. In the case of illegal migrants from south-east Asia discovered in Hungary, a substantial proportion seem to have been motivated by – in some cases false – promises.

"Some lorry-driver bloke brought a youth from Sri Lanka whose father was a good sensed businessman. We talked to him a lot about the fact that we get paid 200 dollars and his father gets 5,000. He wants to study and can only think of doing so in Germany. An organiser promised him that for three or five thousand dollars he would get him into Germany through some organisation. By plane to Sofia and from there somehow he arrived via Ukraine by truck. And they pushed him out here saying that he had arrived in Germany. He cried his eyes out." (6-7)

An incontestable motivation for inhabitants of Eastern Europe, and mainly Romania, who were hermetically sealed off from the rest of the world – and especially amongst the younger people with no hope for the future – was a thirst for adventure and the pursuit of irrational aims.

The almost perfect inclosedness made people inquisitive, especially the young of Romania. The banned western media (Radio Free Europe, Voice of America, Deutsche Welle) were very popular, mainly because they showed the good side of “western” life. Through this, quite a distorted picture of the society and the given possibilities there was created. Migrants often overestimated the gravity of their situation. News passed around the region from mouth to mouth like a quickly changing legend. Of course, nobody tried to find out the truth (perhaps they did not want to acknowledge the truth and wanted to accept it as it was), although many guessed that there was not a great deal of reality behind the news.

This was the main reason for some, and many saw the “legendary” western welcome ahead of them. The majority set out in the belief that in the West they would find their dreamed-of expectations, without having to do much for them.

The reality turned out to be different. Contact with the west did not turn out to be free of problems in many cases, and for many people became a real trauma. They realised that the western countries were not a land of milk and honey either and that there too there was unemployment, lack of money and defeats. Amongst those who were disappointed, many used Mafia and illegal methods in the hope of quick and easy riches.

Many were forced onto this path from the strata living under difficult and worsening conditions in Eastern Europe, who did not have the chance to maintain their standard of living, were uneducated, uncultured and easily influenced. At the same time as them many members of the underworld also fled. They created the bridge between the western and the eastern Mafia which is still operating today in the field of human smuggling as well.

Western countries met the migration from Eastern Europe without being prepared for it. They were unable to assimilate the masses at a suitable pace or provide work for the large-scale labour force arriving. This delay also helped in the rapid growth in crime. The result was not surprising: the West became a forbidden fruit once again. A new chapter began in the history of illegal migration from Eastern Europe. While under the communist regime leaving meant placing one's life at risk, now people fight over getting in.

7.2 Demographic characteristics of illegal migrants

According to the data of the border guards the majority of illegal migrants are young males. Only 13 % of migrants between 1990 and 1998 were female. Two-thirds were 18-29 years old, and less than 10% were over 40. The proportion of children is negligible.

Illegal border crossings by directions, age and citizenship, 1995-1997 (percentage)

Country (citizenship)	-13	14-17	18-29	30-39	40-49	50-59	60-	Total
Out (leaving the country)								
Romania	0,1	3,4	74,3	17,1	4,4	0,6	0,1	100,0
(Ex.)Yugoslavia	0,1	3,6	59,5	24,4	9,2	2,3	0,9	100,0
Ex. Soviet		0,5	68,3	21,7	8,1	1,4		100,0
CE Europe		2,1	56,0	29,3	10,3	2,1	0,2	100,0
Turkey	0,3	2,8	59,7	27,5	8,0	1,1	0,7	100,0
Arabic		3,1	65,0	26,2	4,7	0,6	0,4	100,0
Other Asian		7,3	50,9	28,3	8,3	2,0	3,3	100,0
Sub-Saharan Africa		3,4	75,9	20,3	0,4			100,0
Total	0,1	3,4	67,4	21,1	6,3	1,2	0,5	100,0
In (Entering the Country)								
Romania	0,2	7,4	66,3	16,4	7,6	1,7	0,4	100,0
(Ex.)Yugoslavia	0,0	3,1	58,5	21,9	11,3	4,0	1,3	100,0
Ex. Soviet	0,1	1,0	40,6	38,4	14,4	4,6	0,9	100,0
CE Europe		2,5	52,6	32,2	9,7	2,5	0,6	100,0
Turkey	0,1	2,8	54,5	33,3	7,2	1,6	0,5	100,0
Arabic	0,1	2,9	59,6	30,7	5,7	0,5	0,4	100,0
Other Asian	0,4	7,9	51,0	30,8	6,9	1,6	1,4	100,0
Sub-Saharan Africa	0,3	4,2	73,9	21,4	0,3			100,0
Total	0,1	4,0	58,8	24,8	8,9	2,6	0,8	100,0

Methods of border crossing are relative to sex and age. The use of falsified documents is more common among woman and older migrants: one out of four coming with fake documents were woman and half of those using this method were between 18 and 30 and 40% were 30-49 years old.

The proportion of women being smuggled or helped is higher than that of men. (15 % of smuggled and 22 % of helped migrants were woman).

The share of women particularly higher than average among migrants from the former Soviet Union, namely the Ukraine. It is assumed that the majority of these cases are migrants who aim merely to stay in Hungary for the short term before returning home.

A surprising one quarter of Asian migrants are women. Most of these cases are Afghans with

families and Chinese with established communities in their target countries. The number of children is also higher in these cases because of families.

The mean age of Romanians and Black Africans remains even below the average, but for different reasons: the proportion of children is low, but two thirds are between 18 and 29 years old.

The interviews carried out with migrants shows similar demographic background (although concerning the nature of the problem the small sample size and the diversity of people involved it can not be considered at all a representative sample).

The interviewees came from 21 countries.(see app.) Considering the situation at the time of the interviews we contacted Yugoslav citizens from Kosovo in the largest numbers (20 coded interview) The second largest group are Afghans (12). 8 interviewees came from Eastern Europe and CIS, 12 from Arabic speaking countries, 10 from further Asian and 19 from African countries.

Most of the interviewees are young males: half of them under 30 and 85% males. The male predominance is only partly the consequence of the composition of illegal migrants, as when we met families partly for cultural, partly for language reasons mostly the man spoke.

They are quite well educated: while just 15% have no higher than elementary education about one third post secondary education.

About half of the migrants are single and half married.

One third came with the whole family a further 13% only with wife/husband or children, while 50% alone.

15% spoke about close family member(s) killed at home.

7.3 General conditions of interviews with migrants

The interviews were carried out mostly with people who were staying in camps, under sometimes harsh conditions; this specificity influenced the relationship established with migrants during the interviews. The refugee camps: Bicske and Debrecen, are the places where the conditions are the most liveable: people can go out, children can play outside, people interviewed usually arrived by themselves, or were transferred from detention camps and already saw their life conditions as improved, with sometimes the hope of a regularisation of their situation.

In detention camps, interviews were usually more difficult to conduct: people are scarred, and they are exhausted most of the time: the conditions of their migration, the very difficult life in the camps, the lack of everything, often made them very unwilling to speak, or only concentrated on asking in what way we could help them immediately. Fortunately, even under these difficult conditions, some migrants were very helpful after a while, and told us their stories.

This slow process of confidence building was helped by the composition of the team of interviewers: we tried as often as possible to make the interviews in the mother tongue of the migrants. This was generally successful: considering the lack of communication people are suffering from in the camps, they were happy to speak to someone; for some people it was the first time for weeks they could communicate. Unfortunately, we could not get interviewers for languages like Pastu or Urdu, but generally we found in the migrants groups themselves people who spoke English or Russian and who could be used as translators, without being total foreigners. On one or more occasions, the interviews were easier to carry out in the refugees camps, because of the opportunities of finding quiet places to conduct the interviews, interviewers stressed the way trust was established more easily around a cup of tea in the migrants rooms. In the detention camps, proximity often disturbed the interviews, except in Szombathely, where the administration provided us two rooms where we could conduct interviews quietly, face to face with the migrants.

The use of native speakers also helped us to be sure of the citizenship of the migrants, especially in the case of Africans. They are scared of traffickers and lie about the routes and the trafficking process. The actual situation of refugees and the stricter legislation, lead them more and more to try to avoid deportation agreements, claiming they come from a country which doesn't have one, or they use the citizenship of countries in crisis, thinking they can get asylum more easily.

We decided not to use a part of the interviews, when it was obvious that the interviewee was lying; we kept those of which we were sure of the answers. Some „grey zones” remain in places: they concern mainly the countries people crossed to enter Hungary, especially Yugoslavia and Romania. The former is said to be the place where the border was crossed, but some indications in the interviews make us think it was in fact Romania..

7.4 Migrants by country of origin

7.4.1 Romanian citizens

With regard to the period since 1990, more than half of registered illegal border crossings were committed by Romanian citizens.

It may be assumed that many of these Romanian citizens are ethnic Hungarians or Romanians

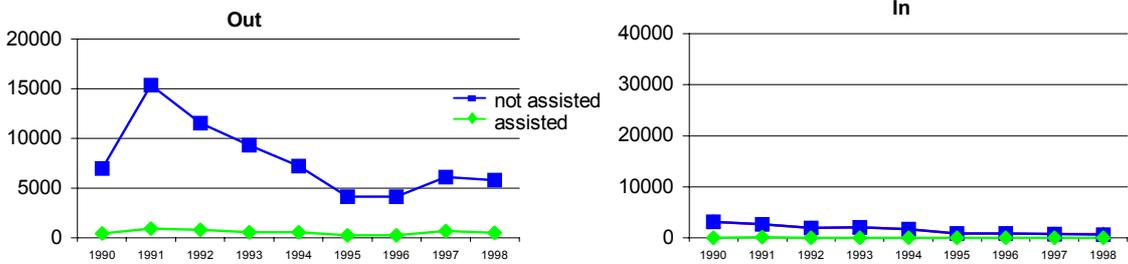
from Transylvania – the closest part of Romania to Hungary – is from many points of view a special region, with a significant ethnic-Hungarian population. This means that linguistic problems do not prevent their stay in Hungary, and in some cases the organisation of their journey further westwards, although for them the multiculturalism that originally typified Transylvania (and which a couple of decades ago also included the culture of the Saxons (Germans)), was a natural way of life, which may ease to a great extent for shorter or longer periods their integration in western-European countries.

Although travel restrictions from Romania had ceased, more than three thousand Romanian citizens entered Hungary illegally in 1990, but their numbers have gradually decreased to 7-900 over the last couple of years. Since no travel restrictions exist between Hungary and Romania, these figures presumably involve those who have tried to return despite former restrictions on their entry as a result of illegal work or illegal border crossings.

The percentage of Romanian citizens wishing to leave the country illegally is much higher. During the 1990s, 70% of all registered IBC cases were committed by Romanian citizens: in 1990 7,000, in 1991 when there was a boom in Romanian emigration (both legal and illegal) 15,000 illegal migrants were caught; By 1995-96 this figure had dropped to 4,000 per year, however in 1997-98 again more Romanians – 6,000 per year - were apprehended.

The statements of border guards say that in recent years, significant numbers of young Romanians have attempted to get into, above all, Italy, or France where they hope to gain employment from the Romanians living there. As being caught at the border does not carry any penalty, they are not particularly concerned at guaranteeing their successful passage as if they do not succeed they simply try again. This means at the same time that Romanian nationals may be over-represented in our database as one and the same person may easily crop up more than once.

Illegal border crossings by Romanian citizens 1990-1998



Romanian citizens rely on the assistance of traffickers in illegally entry only in exceptional situations (the highest figure was registered in 1998, with 60 such cases - which corresponds to the total of the previous 8 years). The proportion of those Romanians who were assisted while leaving is also relatively low (only 3% - 5% in 1998). The participation of "helpers" is more characteristic (60%) than that of those registered as smugglers, and as experience shows, in their case help really means unpaid assistance.

In spite of the relatively low significance of trafficking, one out of five of those who were assisted in leaving the country were Romanian citizens.

The number of assisted illegal border crossings by Romanian migrants changed similarly to that of those not assisted. However, the largest number of arrests in the case of assisted migrants occurred in 1992 (450 persons), with a predominance of helpers (80%). Data indicates a quite significant increase in smuggling in the past two years: 300 assisted migrants

were registered, of whom 70% attempted the crossing with smugglers and only 20 with helpers.

The fact that only a fraction of those making illegal border crossing were driven to rely on the co-operation of human smugglers may explain the fact too that often Hungarian speakers, or such groups where someone speaks Hungarian, or often relatives in Hungary are concerned. So – or at least we believe so – generally they are able to gain more easily the information about where and when it is easy to cross the border and do not have to rely on human smugglers.

The illegal migratory route of assisted Romanians differs from the overall pattern and changed significantly over the decade; while 80-90% of them headed for Austria in 1990-92, the significance of the Austrian border section gradually decreased, to 43% in 1998.

In 1994, 30% wanted to cross the border through Slovenia. That figure rose to 40-47% over the last two years. Slovakia was only significant in 1991, when almost 20% chose this route (predominantly on their way to Scandinavian countries) but is no longer among their options; in the last two years only 2% of them were caught there. From 1994-onward, more than 10% of Romanian illegal migrants crossed into Hungary via Former Yugoslavia. It is likely that for the majority this choice is connected to their participation in - often illegal - petty trade.

Although it's share is decreasing, the Austrian route is still popular for traffickers; in 1990-94 70-80 %, in 1995-96 two-thirds and in the last two years 40 % of trafficked migrants were apprehended at this border. In 1994 Slovenia emerged as a new direction; in 1995-1996 two thirds, and in the last two years more than half of those trafficked, attempted to cross the Slovenian border.

The number of Romanians smuggled via the Austrian border remained at the same level over the last 5 years, while the Slovenian border became popular for trafficking just in the last two years. This comes at a time when many go to work – or to earn money in other ways – in France and Italy and Slovenia is the shortest, apparently more rational route. In the last five years the Slovak border was not used for trafficking in Romanians.

Amongst Romanian citizens, the choice of route is determined by the information available, and then by material factors. The method chosen is not always the safest, and in the majority of cases the convinced émigré follows an example, someone has already heard about someone getting across in such a way, an acquaintance went along this route earlier, or chose this method. Over the years, the fashion in routes changes – methods too – depending on the successes and failures of the crossing.

In recent years, in western countries an „acceptable” strata has been formed of the earlier refugees who can fulfil the function of „insider” advice on getting out. They provide the most realistic picture of crossing the border, the situation to be expected and – in certain cases – help the emigrants with maps, accommodation and loans. They provide the point of support for those intending to leave and play the most important role in what follows in the new migration mechanism. Surveys show that for more of half of those intending to migrate, acquaintances living abroad represented the most close at hand base and source of information. These services are provided on the basis of friendly help and solidarity and a business-type basis is not typical.

The illegal emigrant in Romania is open to every information and advice. Information is often gathered at places of entertainment. In more than one case, the target destination has changed under the influence of advice. The „favourite” states by zone are typically orientated towards Germany and Austria for the Transylvanians, while the Wallachs would prefer to get into

Italy and France. There are villages where the young are only prepared to take a certain region into consideration, because there are (or were) many neighbours there already. Small groupings are typical of the Romanians. Half of those captured were attempting to cross the border in groups of 2-3 people, while 11% were alone and 23% in groups of 4-5.

Generally, only one person in a group has information about the crossing of the border, and contacts abroad. When preparing for the journey, they try to recruit one or two relatives or acquaintances who will go along with them. Most of the time, they prepare for the journey as they would for a normal trip abroad – and many regard it as such.

Breaks during the journey are not typical – sometimes they will go without sleep for three days.

Since the beginning of the 1990s, the most fashionable method of illegally crossing the border has been the use of forged, switched photograph passports, generally Hungarian. The passports are generally obtained in Cluj-Napoca or Satu Mare for DM500-1500. Today, they are used to leave the country via Bulgaria or Yugoslavia because the chance of being discovered is smaller there. Another method is the forged letter of invitation, which claims to prove that the person intending to emigrate has been invited by a citizen of that state and who guarantees their complete needs for the stay. The address and the details of the person issuing the invitation are genuine, while the letters of invitation are made in the country for which they are intended to serve and then sent to Romania where they are sold. We know of two such cases when forged documents of the Red Cross were used and those involved were able to get out via Hungary and on to France.

New possibilities have now appeared on the market, under the influence of the development and spreading of information, for example the forging of foreign work contracts. The details of the company are copied from the Internet and with the aid of a computer and scanner they are able to produce very good forgeries. This method is for the time being only known by more intellectual circles.

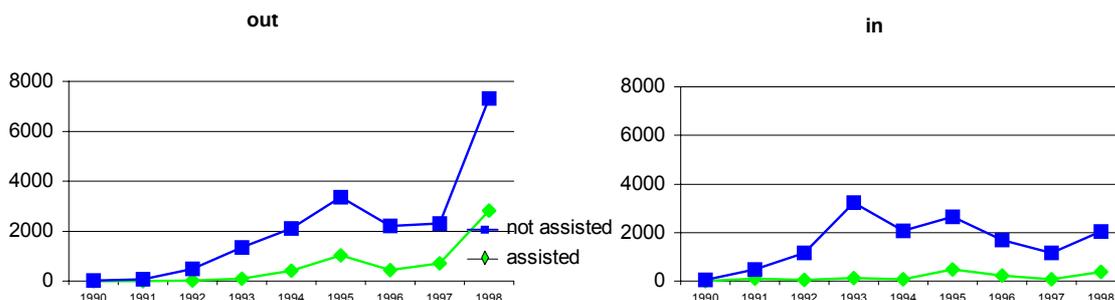
A professor from Cluj-Napoca, who holds lectures in Paris every month, takes two to three „assistants” with him on every occasion for DM1,000. The majority are young 19-25 years old – and generally aim for Spain where it is apparently relatively easy to obtain work permits.

In some cases, those intending to emigrate apply life-endangering solutions. They are even capable of tying themselves in sacks to the under-frame of a train as the under-floors of the carriages are already being checked.

7.4.2 Citizens of Former Yugoslavia

Citizens of the Former Yugoslavia have represented - since the beginning of the conflict there (and the subsequent visa restrictions) - a remarkable proportion in illegal migration into and onward from Hungary; one quarter of migrants who were caught entering Hungary, and one sixth of those attempting to leave were from Former Yugoslavia. An average of 90%, in 1998 95%, were from Yugoslavia. Out of them Bosnians and Macedonians were caught in considerable numbers.

IBSs of (ex)Yugoslavs, by direction and assistance, 1990-1998



Since 1992, depending on the war situation, the number of ex-Yugoslavs arrested for illegal entry has fluctuated between 1000 and 3000. Similar figures appear with respect to exits, except for the last year. In 1998, there were some 7000 ex-Yugoslav illegal migrants caught attempting to leave Hungary, but the number trying to enter did not increase significantly (2050).

The use of traffickers in inward direction was negligible before 1995, but later one in eight entries was facilitated by human smuggler.

In outward direction smuggling of citizens of former-Yugoslavia has been significant since 1994: (until then 2-4 % arrived with assistance to the border): 15 - 25 % had been trafficked by smugglers or helpers. In 1998 the proportion has been even more significant: one in three reached the border through a human trafficker. If we consider also those who crossed the border in a group of at least ten persons, the respective figures are 20 % in 1994 and 1996, 30 % in 1995 and 1997, and 40 % in 1998.

The significance of the various border sections differs in terms of the total assisted IBCs of former-Yugoslavs: 40-55% (in 1996 as many as three quarters) of them attempted to leave Hungary to the West via Austria. Less attempts, 20-30 % of the total, were made at the Slovak border. Very few chose Slovenia. In fact, apart from the last two years, that proportion remains under 10%. In 1997 and 1998 one quarter to one fifth of them were caught at the Slovenian-Hungarian border.

The Slovak border seems to be preferred by smugglers: 60-70% of assisted migrants were caught here. The role of the Slovenian border in trafficking increased in the last two years, when 20-30% of assisted migrants were caught there.

We focused our analysis with more detail on the interviews, which have been conducted with ethnic Albanian migrants from Kosovo. They have a tragic actuality and a especially predictive power.

On the basis of this research the following conclusions can be drawn.

It can safely be assumed that trafficking is being smoothly organised as a business with a high level of return, at minimum costs and with minimum risk. The trafficking of the ethnic Albanians from Kosovo, Pristina and other cities of former-Yugoslavia shows a diverse pattern, for they use all means possible to get out of the country, including, but not limited, to traffickers of the same ethnicity. In most cases, the first attempt to illegally cross the borders have been unsuccessful, so the migrants try to find alternative means and traffickers who can help them accomplish their goals. Even when they discuss their future plans it becomes pretty obvious that they will use any means available to get to their final destination.

The trafficking of the ethnic Albanians from Kosovo is organised mostly for „political” reasons; the basic reason for migration is the war. The people escape violence and death. The analyst has the impression that they face no alternative. Most of them have their burned and destroyed houses besides them and the fresh memory of killings and heavy losses.

The purpose of migration in this case is to survive. They want their life, they want a future for their children. The ideas of employment and asylum are unclear, they have an extremely short term vision and that is survival. The intended destination is Germany or Austria, they have been caught on the way to those countries. Some of those interviewed try to get asylum in Australia or Canada, but this is only after they have been caught and placed in the camps and under the influence of other migrants. Rarely do the migrants in their initial steps look that far. Some of them have relatives in those countries and rely on their financial and moral support, especially the older ones. Some of them have previous working experience in Switzerland, Germany or Austria, have some language abilities and connections and want to try again. The question of what they rely on remains open. It seems that they have no clear idea of their future, but this does not seem to bother them much. The most important thing for them at this stage is to escape war and the death.

There is a relationship between asylum and trafficking for the tightening of the asylum regimes in Western Europe has certainly contributed to the growth of human trafficking. But in the case of the ethnic Albanians of Kosovo, the relationship is not that direct, for they would have tried trafficking anyway as they have no alternative. It is not optimal for them, it is a matter of survival.

Most of the migrants have paid traffickers to get to Germany or Austria. The money varies from 2500 DM per person to 5000 DM. The children require the same price as the adults. There are different means of payment: mostly they pay some money in advance and the rest on arrival. The price has been paid either by the trafficked migrants, or by their relatives. The payment schemes show a great deal of diversity and flexibility. Though many of the interviewed say that they have handed over all their money, it can hardly be true. Otherwise they would have looked much more desperate and insecure, which they are definitely not. Some of the arrangements stipulate that the money be paid on arrival by the children of the migrants or by them. The price is especially high in the regions with difficult conditions, war, infrastructure, etc. The means of transport are different, usually a combination of car, train and walking. Most of the interviewed claimed that they had been abandoned in the woods. The crossing of the borders is mostly in the forests areas and usually on foot. There are very rarely interviewees who talk specifically about trafficking. They are afraid and they also rely on the fact that they will find better traffickers who can transfer them successfully next time. Almost all interviewees have in mind a further attempt, for nobody even thinks of going back. Some of the interviewed want to stay in Hungary, but most of them, especially the women do not. The system of finding a trafficker does not look that complicated, but rather smooth. It could mean that they find the traffickers in well known places, or that the trafficker finds them himself. The whole scheme appears organised, smooth and not containing many surprises or uncertainties. It seems to be organised on the principle of „if not this time, next time for sure” and seems safe and of limited risk to both the migrants and the traffickers. It is typical that they do not escape in groups of more than one family, but in most cases the decision has been taken solely by the family and put into effect accordingly, with no other families, relatives, friends, etc. accompanying.

It becomes apparent from the interviews that they will once again try to cross the border. This signals an eventual increase in human trafficking.

Most migrants come with their families. The number of children within those families varies from 2 to 4, the children are usually communicative and well brought up. The average age of the migrants is in their thirties, there are only a few cases where old people have been interviewed. The latter rely mostly on the support of their children, who live abroad. Most of the families have left their parents at home, many of their relatives have been killed in the

war.

They seem to have been financially stable not only in the past, but also now. There is no specific concern for money; they have some reserves besides them. Thus, some of them want to open restaurants in Hungary, others want to buy apartments, still others are ready to pay for some arrangements in Australia or Canada.

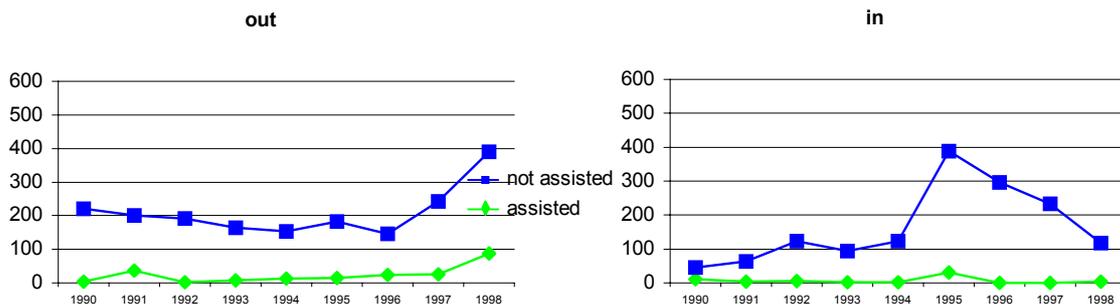
Most of the migrants have a good level of education. Most of them speak some languages, especially the males. They have technical and economics backgrounds in most cases, but there is a wide divergence in their professional background.

Their relation to the Hungarian authorities seems critical: the majority is not satisfied with the quality of the food, the living conditions, etc. Some of them buy some facilities, like TVs, radios, etc. There is a common negative attitude to the conditions and developments in Eastern Europe, little faith in any changes that might happen.

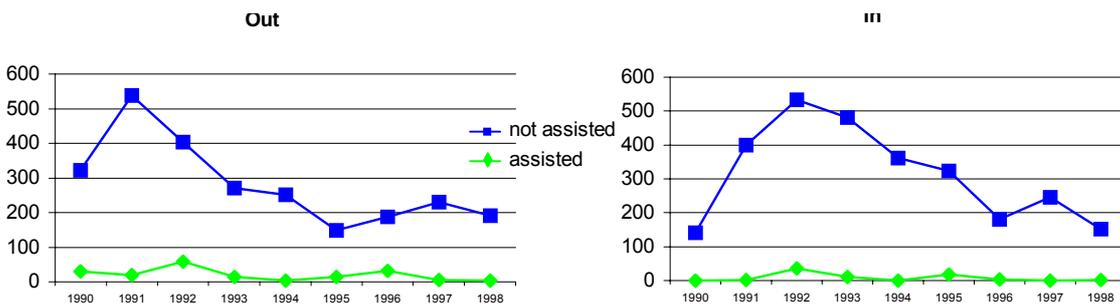
7.4.3 Other Eastern European countries and CIS

Citizens of other Eastern European countries make up just 5% of the total number of people trying to cross the border illegally (4300 illegal migrants were caught in inward direction and 4500 in outward direction in the past nine years). The majority of them came from four countries; one third from Bulgaria, approx. 15% from the Ukraine and Albania, and 6-7% from Russia.

**IBCs by direction and assistance
(Ex) Soviets**



East Europeans



Surprisingly few Ukrainians attempt to continue beyond Hungary into Western Europe. Their number is low in absolute terms, especially if compared to Romanian migration. Travelling to and remaining in Hungary does not pose much of a problem for them. In both countries there is a significant ethnic Hungarian population in the border areas. Furthermore, the present Ukrainian economic situation, unemployment, deficiencies in medical care, etc. would normally be an important motivating force in migration-

7.4.4 Non-European countries

One third of illegal migrants caught entering Hungary and one eighth of those caught exiting came from more distant countries. The most important sending country was Turkey: during the past nine years 9.000 Turkish citizens were caught entering and 4.000 leaving Hungary without the appropriate documents. In the same period, some 6.000 Asians were caught entering and 4000 were caught trying to continue onwards. From Arab countries, 3000 were arrested entering and the same number was caught trying to continue onwards. In the case of Sub-Saharan Africans, those caught entering numbered 3000 and those caught continuing were estimated at 1000.

Illegal migrants come from all over the world; in 9 years (1990-1998) citizens of 78 non-

European countries were apprehended for illegal border crossing. There were more than 2000 Pakistanis, more than 1500 Chinese 1000-1500 Afghans, Iraqis, and Bangladeshis , 750-1000 Indians, Liberians, Sri-Lancans, Egyptians reported. The numbers of Ghanaian, Iranians, Nigerians, Lebanese were lower, totalling between 500 and 750. 250-500 illegal migrants came from Algeria, The Filipino Islands, Morocco, Sierra-Leone, Tunisia, and Vietnam, and the number of Syrian, Palestine and Rwandan also exceeded 100.

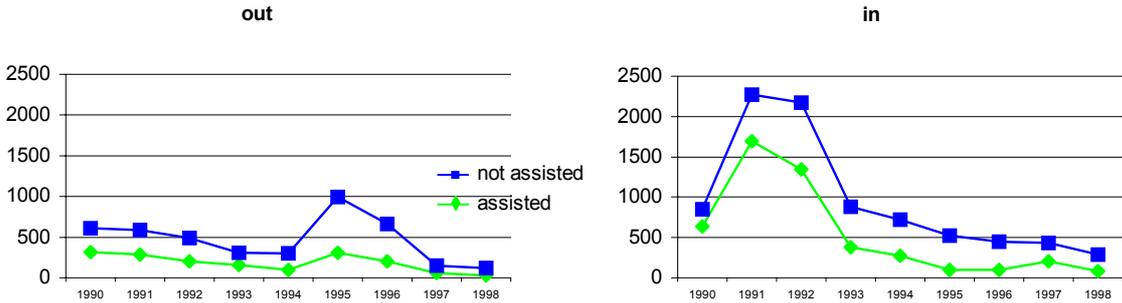
Turkish citizens

The number of Turkish citizens (many of them possibly Kurds) arriving illegally in Hungary varied between 2200 in 1991-92 and 270 in 1998. Outwards, the majority were found in 1995 and 1996 (1000 and 670).

It turned out in 8 % of the cases that Turkish illegal migrants entered the country with assistance of a human smuggler, in another 8 % with assistance of a helper, but further 40 % crossed the border in a group of at least 10 people. In outward direction 30 % were registered as trafficked by human smuggler or helper, and one further tenth crossed the border in a big group.

The ratio of assisted illegal border crossings was in 1990-1992 especially high: half of the cases in outward direction and 60-75 % of cases in inward direction. Since 1995 the respective figures are lower, mostly around 30 %.

Illegal border crossings of Turkish citizens, 1990-1998



Turkish citizens generally enter the country through Romania, although there was a period in 1992-3 when 10-15% arrived via Yugoslavia.

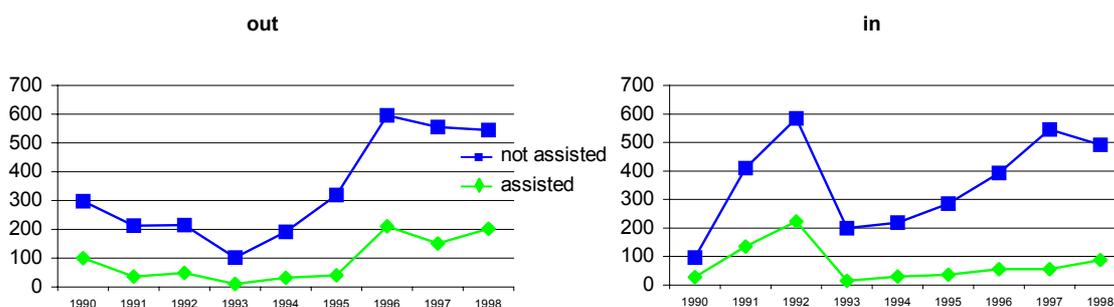
Amongst the routes leading to Western Europe, around 60% of Turkish citizens chose the Austrian and 40% the Slovak border, except for the period in 1992-3 when the proportion was reversed. Only in 1998 went around 15% via Slovenia.

85% of those being assisted were taken via Slovakia. Only in 1991 and in the past three years were a fifth to a third caught on the Austrian stretch of the border.

Arabic countries, middle East

The number of migrants entering and leaving Hungary illegally from these countries was quite stable throughout the entirety of the past decade but with a growth over the past 2-3 years. 400-600 were registered per year inwards, while in 1993-95 this number was smaller, 200-300, Outwards, 200-300 were caught until 1995, and from 1996 around 600.

Border crossings of Arabic countries and the Middle East by assistance



Since 1995 a continuous and growing number of illegal migrants have arrived from Iraq – 200-350 a year – while 200 have arrived over the past two years from Algeria. There were five Arab countries from which more than one hundred people were caught in a year: Egypt, in 1992 120, 1996 300; Tunisia, 1997 100; Lebanon, 1990 250; Iran, 1991-92, around 200; and similar number from Morocco in 1992.

According to the official data, the proportion of those trafficked is quite low: inwards 8 % or 3 %, outwards 21 % or 4 % took up the help of smugglers or helpers. If we regard those as being smuggled who arrived in groups of at least 10 people, then from 1990-98 the proportion of those smuggled was inwards, a fifth, and outwards, nearly 30%.

Between 1990 and 1992 the weight of smuggling traffic was inward: 30-40%, while between 1993-97 it was only 10-15% and at present it is around 20%. It can also be observed that the proportion of outward smuggling was low (a sixth to an eighth) in the middle of the 1990s (1993-95), while it grew from 1996 onwards and in the past three years is around 27-37%.

In the case of illegal migration from Algeria, the role of human smuggling is not apparent (3% inward, 7% outward). Syrians too came inwards in a smaller than average proportion with the help of human smugglers (9%) as did the Tunisians (5%), while outwards the same applied to the Libyans and the Iranians (14%). On the other hand, the Libyans and the Moroccans came inwards in a larger than average proportion (30% and 39% respectively), and the same held true for the Egyptians and the Palestinians (40%) in outward direction.

The routes taken by inward migration can only be looked at in those circles where they were caught on the way in, while in the past couple of years it was not possible to find out from 50-80% of those on the outward route exactly where they illegally entered the country. With regard to the entire period, a third of those wanting to enter the country came via Yugoslavia, and a good half via Romania. These proportions were typical in 1991-93 and 1996, while in 1994-95 70-75% came across Romania, and in 1997-98 two thirds wanted to enter via Yugoslavia.

The number of those smuggled is too small that the temporal tendencies be analysed in detail by us. However, the Romanian border is without doubt more important: with regard to the whole decade, 80% came that way and it is also clear that since 1996 Ukraine has entered the

stage as an important smuggling route: a third of those intended to be smuggled were brought this way.

Outwardly, 60% of those coming from the Arab countries wanted to cross along the Austrian border, 15% at the Slovene, and 20% at the Slovak border. While in 1990-91 80% tried their luck at the Austrian border, in 1992-93 traffic at towards Slovakia became significant (30%), and from 1994 the Slovene border as well. Smuggling traffic has roughly been equally proportioned between the three stretches of the border since 1995.

With regard to country of origin, large scale divergence in the route of migration is only visible at certain points: 80% of Tunisians arrived via Yugoslavia, half of Egyptians started off towards Slovenia, and half of Palestinians towards Slovakia.

Algerians

We analyse the case of Algerians in more detail.

The reasons claimed by these men for leaving Algeria is generally the same: people wanted to escape the situation in the country: the general feeling of insecurity, even walking on the street is dangerous... They are scared of Islamists. There's one exception: a young man in Szombathely was on the other side: he escaped because his father had been killed by „politics”, he was fighting for the Islamists.

Hungary is considered most of the time as a transit country, the majority of those interviewed want to go to Western countries. Hungary is considered as the cheapest way to go to West; there's a kind of information network describing Hungary as a country where it's possible to get asylum, and as a door to West. Some of them were arrested when trying to enter Austria. France is of course the best destination, some of them have already lived there, they have connections, sometimes family. But they know it's difficult or impossible to get refugee status in France.

Even if sometimes the story is that they have applied for asylum in Hungary, that they would like to stay if they are accepted, during the conversation, usually their desire to leave Hungary appears: „*For me, the refugee's status..., to say the truth, I lie for interviews, I dislike so much this country...*”. It seems that the majority is only waiting to get money to go on to Austria and Germany; in Bicske, they say that a lot of Algerians already managed to pass the Austrian border, they called them saying that it's better there... One man says that people can send them money from Germany to help them to cross the border. In Bicske, they know the prices: Bicske-Vienna: \$800, Bicske-Germany: \$1300...

In most cases, they arrived with one or two persons. They came to Hungary through Yugoslavia, Turkey, or Italy, or directly by plane with a stopover in Prague.

- For those who came by plane, they obtained a tourist visa, normally, or they bought a visa in Algeria through businessmen who deal with people working in the consulates (FF5000 with the plane ticket). According to the migrants, it seems that this practice of fake visas for Hungary is becoming more important.
- For Yugoslavia and Turkey, Algerians don't need visas, they came usually legally to these countries and passed the Hungarian border illegally.
- From Yugoslavia they passed the border by car, with smugglers, and only afterwards came to Budapest; one of them paid DM 700 to cross the border, and \$100 for a taxi to Budapest.
- From Turkey, they were smuggled by train, by people they met in the train station: the price depends on the number of borders to cross: \$600 for Hungary.

The young „Islamist” is an exception: he was „helped” by an Islamic network, his route was from Algeria to Tripoli, Tripoli-Turkey by freighter, and Turkey-Hungary by truck (he was arrested at the Austrian border): it seems to confirm the existence of an Islamic network.

From Italy, it’s a different story, Hungary was in fact only a transit country, they were smuggled by truck by Albanians, and after that put on the train to Austria, where they were caught. (FF4000 from Italy)

Usually, they want to go further on to Western Europe, Austria, Germany or France. Some of them were already arrested when trying to cross the Austrian border, they were always smuggled, and describe the traffic as „certain if you pay a lot”, but usually didn’t have enough money to use the best way: to give enough money to pay police and border guards.

„The smugglers were Arabs, a lot of them come from Syria, but there is also every nationalities. But in our case the success wasn’t guaranteed: we paid FF 1,500–2,000.. There’s an other organisation which make „Budapest - Germany” for FF9,000, but it’s guaranteed: they are well organised. But we didn’t have enough money, no choice...” (Debrecen, were caught in the train, at the Austrian border)

„To go from here to Vienna it costs \$800, to go to Germany, it’s \$1300, it works, people arrive, because there’s the Mafia, if they pay a lot, they arrive, if they don’t, in the train, it’s not sure, 10-20%... There are some who do a good job, there are others, you give them the money, they put you on the train, it’s easy. At the border, you’re arrested, you go to jail, you come back, you ask for the money, there’s no money. There are people who take you by car, it’s safer, you pay in Austria, you keep your money with you, you arrive in Austria, you pay...” (Bicske)

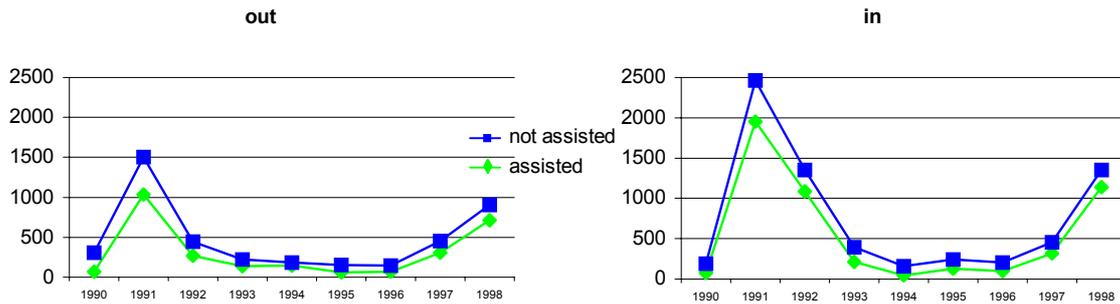
During the interview with the first secretary of the Algerian Embassy, we were told that Algerian emigration is economic emigration. Considering the current events in the country, it was a big „surprise”.... But after interviews with Algerians, it appears that their migration, even motivated by the hard situation in Algeria, is also in one sense an economic migration. Some of the Algerians in the camp at Bicske seem also to deal with the shadow economy and non-legal deals: especially money changing. It doesn’t mean they are heads of the traffic: they appear only as small executors. The management of the camp at Bicske also mentioned the presence of Algerian newcomers in the camp with the colder weather. These people speak Hungarian, which means that they didn’t arrive recently in Hungary. Although they criticise the camp harshly, Algerians seem to give also Bicske’s address as a good place to stay for a while.

Other Asian countries

The large wave of illegal arrivals from Asia into Hungary was in 1991 (2,500) and 1992 (1,400). From the next year onwards until 1996, a yearly number of 400 gradually fell to 200, but in 1997 a growth in the number began once more and in 1998 1,400 illegal migrants were registered as arriving at the southern border.

In a western direction, 1,500 people were caught in 1991, though there was a strong decrease from the following year on (400 in 1992, 150 in 1996), and in a similar way to those heading inwards, a new wave of migration started in 1997 (450 in 1997, 900 in 1998).

IBCs of Asian migrants by direction



The largest numbers recently are made up by the Afghans, Bangladeshis, Chinese and to a smaller extent Indians. Migrants from Afghanistan have been arriving in ever greater numbers since 1996: 100, 280 and at present 560 have been caught²¹. In 1991-2 there was a larger wave from Bangladesh (470 and 340), but after that only a few cases appeared, then in 1998 around 500 people were caught. Over the decade, a yearly number of around 100 Chinese have been caught by the border guards, and numbers significantly higher were earlier only recorded in 1991 (400), though in 1997 the number increased significantly: in 1997 around 300 people in 1998 400 illegal Chinese migrants were registered. From India as well many came in 1991 (500) and in 1998 illegal migration increased again.(150, which is twice that of the previous year).

Earlier, the largest wave of migration from Asia had arrived from Pakistan: in 199, 1,500 people arrived and over the next two years there were a couple of hundred from the same source. In 1991-2, around 200, then 400 Sri Lankans were registered, and around 50 illegal immigrants are caught every year from there. 240 people from the Philippines were prevented from entering the country by the border guards in 1991. In 1993, Vietnamese also came in larger numbers (150 were caught for border infringement).

Records of the Border Guard over the past ten years show that one third of those originating from Asia arrived at the border with the co-operation of a human smuggler or a helper (in both directions), and over the past two years half of them. If we add those who arrived in groups of at least ten persons, then their proportion over the past two years (and also in 1991-2) both inwards and outwards is around 70-80%.

At the peak of migration in 1991-92, 95% of them arrived via Romania while in 1997-98, 75% arrived into the country over the Ukraine stretch of the border.

Half of the Asians started off for the West along the Austrian stretch of the border, a fifth over Slovenia, a quarter towards Slovakia. The significance of the different parts of the border changed strongly each year.

At the time of the peak in 1991, two thirds of those crossing the borders were caught along the Austrian stretch, and a quarter along the border with Slovenia. In 1997 and 1998 30% of those caught were at the Austrian border, 20-25% at the Slovene, 40-45% on the Slovak stretch of the border. For the Asians – in relation to the other illegal migrants – Slovenia was always the an important route for migration.

The routes vary according to country of origin: 85% of Afghans arrived via Ukraine, a third of Vietnamese and Chinese via Yugoslavia, and 50-60% of Afghans and Sri Lankans set off

²¹ Without the illegal arrival of those caught while leaving illegally outward

via Slovakia.

Those Asian migrants who take up the services of well-organised smuggler networks generally enter Europe via Russia and Ukraine, while those who start off independently come across Turkey and the Balkans and receive help from less well-organised smuggler organisations; or they make it to Russia or Ukraine independently and only then seek the help of „pro” smugglers.

On the basis of interviews with both officials and migrants, the following can be summarised: the reasons for fleeing are generally economic for those from China and Bangladesh, political and economic for those from Pakistan and Iraq, and political for those from Sri Lanka and Afghanistan.

China

Trafficking in illegal Chinese migrants is a growing trade.

Even those who wish to leave China in a completely legal way often have to pay various legal and illegal fees to Chinese and foreign embassy officials, agencies and middlemen, the situation varying from place to place. Trafficking in illegal migrants and legal tourism, study and labour export are parts of a continuum rather than opposites.

Trafficking routes are very complicated and may involve as many as seven or ten transit countries, with multiple changes of documents on the way. In addition, „snake heads” (traffickers) quickly react to changes in laws and enforcement practices or amnesties. In any case, many routes lead through Eastern Europe due to relatively porous borders, poor technical capabilities, and corruption. Possibilities include overland travel to Moscow, then further overland or by air to Eastern or Western Europe, as well as air routes directly to Eastern European capitals and then by air or overland to Western Europe. Intelligence from the Chinese community in Hungary suggests that Budapest played a central role as a trafficking conduit in 1991-92, when PRC citizens did not need visas to enter Hungary. During this time, local Chinese linked some violence in the community, including two or three murders, to competition between „snake heads”. From Hungary, migrants went on via the „green border” with Austria and (before the latter’s break-up) Yugoslavia. The reintroduction of the visa requirement and the Yugoslav succession wars redirected traffic toward Prague, but certain indications suggest that Budapest may be emerging again as the border regime with Yugoslavia loosens up. (Yugoslavia is apparently emerging as a transit country both toward and away from Hungary, as it is relatively easy for PRC citizens to obtain Yugoslav visas.) Among PRC citizens attempting to enter the United Kingdom with fraudulent documents, no more have arrived from Budapest than from any other city; in fact, what is remarkable is the apparent lack of any preferred port of departure.

Hungary is not a major target country for the „snake heads”, although some migrants interviewed by us admitted to having been trafficked by them to Hungary. Interviewees reported the passage to Hungary to be around \$ 10 thousand for a „full package”, and it has not changed since the early 90s. (This compares to up to \$ 35-40 thousand for passage to the US or Great Britain.) The reason may be related to the fact that „snake heads” prefer to offer passage to countries where illegal immigrants with no resources can readily find employment in restaurants or sweatshops, so that they can make enough money to repay the debt they incurred to pay for the passage. (The money is often borrowed from loan sharks associated with the „snake heads”.) This is not the case in Hungary, where most Chinese engage in imports or trade, which requires some resources. Therefore, migrants who choose Hungary as their destination usually seek out „snake heads” only if they encounter difficulties in organising parts of their passage. For example, one informant admitted to paying \$7,000 to a

middleman for a visa after getting her passport and invitation letter. Up to 1996, it had been relatively easy for Chinese to obtain Hungarian visas by presenting an invitation letter from a company established by an acquaintance. Most Chinese apprehended in Hungary while attempting to leave the country by crossing the border invariably claim to have arrived in Hungary legally; this is quite different from statements by illegal migrants apprehended in the United Kingdom or the Netherlands who almost always admit to have used „snake heads”.. It appears that most Chinese attempting to leave Hungary illegally have Italy as their destination.

The transit flow of „snake people” („snake head” customers), on the one hand, and regular or irregular immigrants who have Hungary as their target, on the other, do not appear to mix or know about each other. Most illegal immigrants in Great Britain and the Netherlands are from Changle, Lianjiang, and Fuqing counties as well as Fuzhou city, part of China’s Fujian province. Migrants from Fujian to Hungary, however, tend to come from different counties or villages, specialising in legal or semi-legal chain migration rather than „snake head” traffic.

Afghanistan

The proportion of Afghan citizens has increased in terms of international migration in recent years. This may be explained by the civil war in Afghanistan and the gradual rise to power of the Taliban. While until 1996 10-20 Afghans were caught by the Hungarian Border Guard, since 1996 this number has doubled by the year (in relation to the gaining of territory by the Taliban), and in 1998 reached 477. To this figure should be added a 84 Afghans who were readmitted. From the 560 Afghans 186 were caught only while attempting to leave the country.

We carried out twelve in-depth interviews with Afghan migrants in refugee camps and community hostels in Hungary and Ukraine. Beyond this, we also received a great deal of information from interviews made with officials as well as when we met with larger groups where no depth interviews took place but everybody said something (for example, at the Bicske where 53 Afghans arrived by taxi while we were there and did not want to go to a different reception station in Debrecen – which we also recorded on video). It is typical of the Afghans that they would like to talk, but at the same time fear the bad opinion of their compatriots and that they give information about the smugglers by accident.

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Typically, the Afghans head off together with their families. The number of those fleeing political persecution is very high amongst them as is the proportion of members of the armed forces, state and economic leaders, and intellectuals, independently of whether they filled such roles under governments of the communists or the Mudzhahadin. Those leave their homes too who enjoyed a higher than average standard of living before the Taliban came to power and who did not want to renounce the freedoms they had become used to, did not want to accept the prescribed wearing of beards for men, the banning of studies and work outside the home and hospital treatment for women.

A part of the migrants already have relatives or acquaintances living in the West who moved across in smaller numbers, but in a continuous process during the 1980s and at the beginning of the 1990s. During the interviews they claimed that they did not maintain contacts with acquaintances living abroad, but the staff of the refugee camps and community hostels have observed that a number of the migrants often call western European telephone numbers.

"...Many mentioned to me that he wasn't paying but rather his brother: „My brother living in Germany paid the journey”.. So, if they can find the traveller living in Afghanistan for the journey paid for in Germany there is no more to be said about the degree of organisation involved. Many have said that someone approached them at home and said to them: „Let's go! Your journey is paid for”. The good connection between the starting and the end point can also often be experienced. The connection remains across the whole extent of the route." (Adventist Pastor "ADRA" Mukachevo , Ukraine(35))

It should be mentioned that the otherwise friendly and openly speaking interviewees only betrayed very little information about the organisation of the journey and about the trip itself, and often that appeared to be a text learnt off by heart.

"...The migrants as a rule keep secret the route, the route cost a great deal, the money has been paid, and they know that they will keep taking them on and on and on until they get them across. They don't remember the people accompanying them, the organisers, the resting places, meeting points. They receive a very detailed instruction from the organisers on how to behave. As a rule, the migrants don't betray the organisers or the people accompanying... The connection remains and when we release them, the same people take them and start preparing the crossing. Because if the money has been paid, the organisers are obliged to

work for the money and if they get stopped at the border they count it as their mistake and they will keep taking the migrants until either they pull out of it or they get across.

...The illegal migrants offer such minimal information with regard to the helpers that their personal identification – if I don't catch them with them – is impossible. ... They are only prepared to give valuable information about the circumstances they lived in at home and how they were persecuted and how they managed to get out of there. After that, with regard to their route, they become hazy and only say: we travelled for a month, in a car all the time and by night. We didn't know where we are heading. Everything was done by the organisers who brought us ... These largely prepared statements are taught to them by the smugglers – or at least that is what we suspect, from the fact too that what they say is stereotypical. We can only make a crack in it is we start asking about details and the details either start diverging and contradicting each other or they are not prepared to give an answer. They also teach them about how to apply for refugee status: tell them that you wanted to apply for refugee status because then you avoid being given back straightaway to Ukraine on the basis of the deportation treaty. On the other hand, they are not afraid to use methods of instilling fear because there is also information that the smugglers split up families, exchange the children and say that the child will be left here now and will be sent with the next group. And if they catch you and you say anything about us, the child will be hurt etc. ... We have also met with cases where the smugglers themselves try to silence them. They drug the children, the adults, and mix sleeping pills into their food so they don't see which route they are taking and that they should be doped up and tired and can't really judge how long they spend travelling. For example, when they take them for a longer time by car they can't tell how long they spent in a given place. We latched onto these when we asked how long they spent at a given meeting point. The statements diverged widely: someone said that it seemed like a day, another said three days. From this we deduced that they had been drugged in some way and that their sense of time had abandoned them. Plus the tiredness and the length of the journey ... the journey takes months. (Border Guards Col. Nyírbátor(20))

Or there was one of them with us last time who didn't want to make a statement. He had been an advisor or representative at the time of the Nadzhibulah government. I spoke with him later and asked him why and he said that he was searching for a peaceful place and life and they would shoot him at home. He came via India, and flew here from Delhi.

They often pay for the cost of the journey by selling their flat or house. The tariff is between 2,500 and 4,000 US dollars per head, and they generally ask for less for children. The price depends on where they live in Afghanistan – in the richer regions they ask for more from everyone – and it depends on the end destination. They name Germany and less often Holland as their targets.

"The Afghans and Chinese state straight away – like the Afghan colonel who was already with us around six times – that they will keep coming until they get into Germany and then they get there." (Colonel, Head of Border Guards Brigade Mukachevo, Ukraine (27))

They try to get to relations living in Germany and Western Europe and not just one or two have said that relatives and family members live in Germany and have bank accounts there, and there money has been transferred there or they should have transferred the money to the traffickers from there. From this we can deduce that the original aim is not Hungary but that they wanted to go further. This is for them a sort of resting place, a legal possibility to sort themselves out. ... Border Guards Col. Nyírbátor(20))

The majority of them are from Kabul and other large cities or their drawing areas and often they go with the smugglers to a town within the country close to the border (Tirak, Hozog) to

a hiding place.

After crossing the border into one of the former Soviet republics of Central Asia, they gather together at resting places an optimal sized group. In the course of the journey the smugglers often change the make up of the group and its size so that the group that starts off never arrives in its original form.

"At first there was only our family. There was a place where there were around 300 of us. Later, there were five of us at a different place, us and five men." (young women in Bicske)

Families are generally not split up during the course of the journey. But at the time of crossing the border it does sometimes happen that the smugglers send the children across in a different group from their parents in order to be sure of their parents compliance in the case they are caught. From Central Asia they head for Moscow or Kiev by car, plane, or train. Most of them enter Ukrainian territory already illegally, but as there is no worked-out border guard system between Russia and Ukraine, they simply use side roads and avoid the crossing points.

It is not typical, but Afghan migrants have gone as far as Russia or Ukraine independently, and without the help of the trafficking organisations.

"A month ago, a couple of Afghans were caught at the airport who had neither visas or other documents. They knew who they had to give whatever to get in. These are everyday episodes. It is different when there is a head and they organise the smuggling and everybody has their task within it and if one of them drops out, another takes their place. There is this and there is that and there are individual solutions too, and human smuggling too." (Adventist Pastor "ADRA" Mukachevo, Ukraine(35))

After that comes Kiev, where in the interest of successful continuation those who have made it to Ukraine without help also get in touch with the smugglers. Later those are bought to L'viv in Trans-Carpathia who are going further via Hungary or Slovakia.

Earlier the smugglers in Carpathia Trans-Carpathia sent off ethnically homogeneous groups across the border, but more recently they have been trying to get them across in mixed groups from within a country.

The smugglers are crafty too and there have been examples – to return to the manipulation of time and direction – when, as it later turned out, a brigade belonging in essence to one group, around 30 people, was brought in three parts – and to three different times and places. And so everyone was caught in the area of Beregsurány and Barabás. Obviously, they counted with the fact that if one of them was caught, there would not be enough capacity to deal with the other group. ... Recently, we have observed that while earlier they typically brought homogenous groups of maximum 30 – more likely 14 to 20 -according to citizenship, now they more often take larger groups of around 30 of mixed nationality. Border Guards Col. Nyírbátor(20))

In the event of the successful crossing of the border, the smugglers immediately continue the deliveries, and mostly leave Hungary towards Slovakia, or take the Afghan migrants directly to one of the refugee camps. The second possibility is used in two cases: if the amount of money paid by the migrants for the journey to Germany is too small, or if they want to make use of the legal possibility provided by the refugee camps to rest before continuing the journey.

A part of the ones living here use the refugee camps, detention facilities for resting, but there are some who get to like the place and reconsider and in the meantime decide that the main

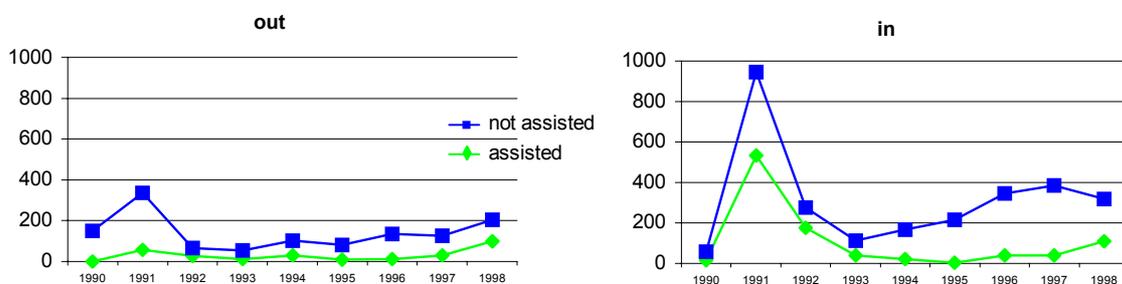
thing is – if it appears so – that in their case a positive decision will be taken. Or, if one sits it out, to see what sort of decision is taken in their case. Therefore, they only disappear when they are expelled.

7.4.5 Sub-Saharan Africa

Around 1,000 people from Sub-Saharan Africa tried to enter Hungary illegally in 1991, but this number dropped to a third in the following year and in 1993-95 there were little more than 100. From 1996, on the other hand, it increased again and the movements of 300-400 people were registered along the south-eastern borders.

In an outward direction the numbers are smaller: 340 tried to cross in 1991, and between 1992 and 1997 the number did not exceed the figure for 1990 of 150. In 1998, 200 were caught along the western borders.

IBCs By African migrants



The large amount of illegal migration affecting Hungary from one or two countries was significant in one or two years: 270 then 220 arrived from Libya in 1996 and 1997, while earlier, in 1991 it was around 100; in 1990 100 arrived from Ghana followed by 400 in 1991; 400 also arrived from Nigeria in 1991 followed by 120 in 1992 and 200 arrived from Sierra Leone in 1998 and 130 from Rwanda in 1995.

Ghanaians made up a half of illegal migrants from Sub-Saharan Africa in 1990 and while a third in 1991-92 were Nigerians. In 1995, 50% were Rwandans and in 1996 70% and in 1997 50% were from Liberia. IN 1998, half of those caught were from Sierra Leone.

According to „official registration”, the number who came with the co-operation of human smugglers or helpers was surprisingly small: with the exception of two years, the proportion varied from 0-15%. In the peak year of 1991, a it turned out that a quarter of illegal migrants and in 1998 40% of them arrived with human smugglers. If we add here those too who arrived in groups of ten or more, then the proportion over the entire decade is one third, and in 1991-92 50-60%, 1993 a third and in 1998 40% can be regarded as having been smuggled, while in the other years the proportion moves between 4 and 7%.

Amongst the countries providing the most migrants, it turns out that a good half of those from Sierra Leone and Nigeria came with human smugglers, while this is true for only a fifth of Liberians and a tenth of Rwandans.

90% of those entering Hungary in 1991 came via Romania and from the following year on the route across Yugoslavia received a larger role, and in 1995-97 80% arrived from this direction.²² The Ukrainian border only appeared in 1998 as a route where one fifth tried to enter.

²² Data of those arrested while entering.

In the outward direction in 1991 almost every migrant from Sub-Saharan Africa headed for Austria, but from 1992 there was a tendency towards Slovenia where a third tried their luck and at present around 50% (although there are years when nobody was caught here, but this may rather be put down to unavoidable distortions caused by the small number of cases). Slovakia, on the other hand, does not appear as a route for illegal migration.

It is difficult to analyse those routes that can be qualified as smuggling routes due to the small number of cases, but it does appear that the Slovene stretch of the border plays a larger role: in total 50% and in 1998 90% tried to cross there.

African migrants are usually young people. Most of them claimed they left their countries for political reasons: war or problems with governments. Main countries of origin are: Somalia and West Africa, especially Sierra Leone and Liberia. The most organised traffic seems to take place in Nigeria and Somalia, where it's a profitable business, on a large scale, usually by boat to Romania or Yugoslavia, and after that by truck through Hungary to Austria.

But fake documents are also often used, and in this case, people travel individually or with one or two persons by plane, mainly to Yugoslavia. For most of these people, the goal is the West, which means the journeys are divided into different sequences, with different means of transportation and different kinds of trafficking. An important fact to notice is that, except for people smuggled in the large groups we mentioned before, another kind of traffic is often considered as „help”, and connections are called „friends”.

People sometimes cross several borders in Africa, receive fake documents afterwards, or a tourist visa, most often for Belgrade, and from there, across the Hungarian border, whether with other forged documents they obtained through connections in Yugoslavia, or only with smugglers also contacted in Belgrade or met only at the border. They usually go to Budapest afterwards. Some of them had already connections through their „friends”, or they meet black people in the street or at meeting points like the Eastern Train Station. From that point on, some try to go further immediately, others spend time in Hungary. Here, the question of money is important: people without money are usually directed to the camp at Bicske where they ask for asylum:

„ In Belgrade, I found someone, friends of friends, to whom I gave \$500, he took me to Budapest and told me to take the train and to ask for Bicske, I took the train, and I asked for the status...”(Man from Zaire, Bicske).

„I crossed the border, I had to find a car to go to Budapest. I asked about how I can get black people they say go to the „Keleti” (Eastern train station). So I went to the Eastern Station, I saw very few black people there, I talked to an Hungarian, and he said Bicske is the best place to go.” Young man from Sierra Leone.

But people with more money can also make their way in Budapest:

„Here, in Budapest, they are quite OK, if you have a little money and if you ask for political asylum, they ask you if you have enough money to find a flat in Budapest. If you are financially able to stay in this flat, you will stay in Budapest, if you are not, they ask you to go to a refugee camp. I've never been there, but those who come from there say it's difficult, they say it's almost a prison, freedom is a little reduced...” Young man from Cameroon.

People try also to leave Budapest as soon as possible for Western countries. They find more or less reliable connections, in some cases, they even leave Hungary through smugglers they met in camps, like this Somalian we met and who agreed to give us a long filmed interview one week later. When we arrived, he had left...

People escaping war in Sierra Leone or Liberia are usually the most scared: they left in emergency situations, sometimes helped by NGOs. Their goal was to reach a safe country, without real plans for the future. They would like to stay in Hungary, often to finish their studies, because most of them are less than 20 years old.

People who left for political reasons are either older and less scared, or had the opportunity to prepare their plans better: they usually saw Hungary as a step on their trip, even if some of them consider now that they should stay for good. There are few reasons for changing their mind: some people have already family or acquaintances in Western countries, but are aware of the difficulties of getting asylum there:

„My mother is in France. She told me to stay in Hungary, because in France, I'm going to ask for asylum. I'm still young, there will be a lot of complications, I prefer to stay here...” (Congolese, Bicske.)

Sometimes, lawyers advise the same thing:

„ I called a lawyer, I explained the problem to him, because my goal was not to stay in Hungary. I didn't want to ask for asylum in Hungary, but in Western Europe. But according to the political conditions in Europe, now, my lawyer advised me to ask for asylum here instead of trying to leave. So, I found it better to stay in Hungary:

I'm proud to stay here, and I'd be happy if they accept me.” (Young man from Cameroon)

Other people already tried to leave Hungary for Western Europe, and were caught at the border: they don't have money anymore and are exhausted:

„Now, I've finished my trip. Western Europe is the same as Eastern Europe. Maybe, if I get a scholarship here, I will stay here forever.” (Somalian, Szombathely.)

Of course, motivation is also economical, and sometimes the only will is to see the world, and in this case, the only way is also traffickers. And even if when they are caught and detained, if their dreams collapse, it doesn't mean that people are putting other candidates for Europe on their guard against trafficking:

„ I leave all things to the Lord, because it's difficult... This Guinean (the trafficker) is still in Conakry, but if I call my father, I can not say that, because if I tell him, he can find him and it's going to cause trouble. I prefer to leave things alone...” (Guinean, Szombathely).

But it's also a question of pride, the same man also told us:

„I want to go back home, but not under these conditions. I've worked years to come here, if only it was possible to get documents, to work here a little, to go back home free, to be able to come back to Hungary whenever I want: that's what I want...”

8 TRAFFICKING OF MIGRANTS AS SEEN BY THE HUNGARIAN PRESS

Our study covers the 1997th year of eleven daily and weekly papers of various character and orientation. Altogether 182 articles have been chosen by press monitoring. The collection of articles contains only writings about migrant trafficking relating to Hungary. Short news of a few lines have not been included in the field of research. We have analysed all articles covering the topic of or touching upon migrant trafficking.

Attempts were made to cover the following issues while making an analysis:

- The size and scope of migrant trafficking.
- How migrants who have used traffickers' services are represented in the analysed articles
- How trafficking of migrants is organised, what types of trafficking networks exist
- Trafficking routes
- -What types of measures and actions are being taken against trafficking of migrants and are being mentioned by mass media
- Who are the most interviewed and quoted by the press
-

First of all we have examined the most frequent topics related to migrant trafficking

	% of analysed articles ²³
General analysis of migrant trafficking	9
Specific cases of trafficking migrants	12
The debate over and the presentation of the draft law on border control	29
The Schengen Treaty and its consequences (Austrian border control)	30
The position, mandate and work of Borderguards	9
Conferences, meetings, intergovernmental treaties	8
Suggested and implemented measures against trafficking of migrants	25

8.1 The scope of trafficking

We do not have reliable estimates about the scope and size of migrant trafficking. According to Mr. Attila Krisán, the frequently interviewed spokesman of the Border Guards, there are no data regarding the number of successful border crossing migrants who have used the services of traffickers because the majority of foreigners returned from the border line does not want to talk about it. Mr. Krisán thinks there may be thousands of migrants being transported over the Hungarian border – trafficking of migrants is becoming a blooming enterprise. "In the last couple of years Hungary has grown to be one of the profitable and relatively unriskey centres of international migrant trafficking." (HVG, 12.04.1997)

²³ *One article might have touched upon many topics, or, some topics were not possible to classify.

A Border Guard colonel says that trafficking was very rare at the beginning of the nineties. As of 1993 there was a reorganisation seen. The Western countries have introduced stricter measures for the entry of migrants, thus letting trafficking flourish. "...a real exodus has started from east to west. Organised crime has been built into trafficking of migrants as if they had been doing this since Adam and Eve. Hungary is Canaan for them because punishment is so slight for trafficking that it is almost equalled by a judge's frown." (Mai Nap, 16.01.1997) The examined newspapers have with no exception treated trafficking as a negative and worrying phenomenon which is making the neighbouring countries uneasy as it is threatening their security (Austria). Trafficking of migrants is a punishable criminal offence. Newspapers also cover it as criminal offence and traffickers are considered to be criminals. This fact is supported by the following quotes: "a profitable sector of crime industry", "organised crime reaching over border lines", "organised crime has been built into migrant trafficking",

"it is characteristic of traffickers that they also deal with smuggling of stolen vehicles, migrant trafficking and stolen-car-business are connected".

We have checked whose opinion is presented by the articles, who are the most frequently interviewed and quoted personalities. In 1997 the members of the government, governing parties and representatives of governmental organisations were written about or quoted in nearly 70 articles (it should be noted that due to the specific nature of the topic it was usually the members of the Border Guard authorities who were interviewed), while other parties and organisations were present in hardly 20 articles. In the socialist and liberal papers close to governmental circles (at that time) mostly the representatives of governing parties and governmental organisations were present. Oppositional politicians, experts, social scientists and migrants were rarely introduced. Experts quoted were mainly the competent personalities of border guard authorities.

8.2 Trafficked migrants presented by the press

Migrants (trafficked) are not differentiated by the press: refugees, illegal immigrant and border violation are considered synonyms. Not much information is provided on their social-demographic characteristics, only that the majority of captured migrants are men and most groups contain children as well. According to both experts interviewed by the press and the news about captivated traffickers the three most frequent nationalities are: Romanians, Kosovo Albanians and Afghans. Other nationalities (in the order mentioned): Yugoslavs, Iraqis, Serbs, Ukrainians, Kurds, Liberians, Rwandans, Sri-Lancans.

We have checked what kind of image the press is conveying about migrants and how, in what context they are represented. The negative evaluation of trafficking implies putting migrants in an unfavourable light and their introduction in a negative context too: "undesirable persons", "border violators", "illegal workers", "running away from public responsibility". It is only the tone of articles which is different, ranging from objective to contemptuous: "the Ukrainian ladies of the night have been returned by our southern neighbours – let them make our men happy". "Sympathy", sorrow and slightly bombastic wording may also be found in the articles: "helpless victims put on mercy of fate", "pitied and despised".

Detective and explanatory intentions are in most papers put aside. We have scarcely found an article trying to explore in depth the motivating factors of migration and the reasons for migrants to wander by the help of traffickers. It is suspected though that the majority hopes for a better life and livelihood when leaving everything behind. They mostly run away from the unfavourable political and economic situation, war and poverty. There are some cases of illegal border crossing migrants mentioned who have already lived in a given country and

wanted to return. The case of Kosovo Albanians is specific, as during the flourishing period of Yugoslav expatriate workers almost every family had a member working and resettled in Western Europe, especially Germany. They were sending money home for a while but today the family ties have somewhat loosened. Thus, relations have to be re-established – a command which is given by the old and is to be executed by the youth of the family.

8.3 Traffickers, trafficking networks

It appeared in many papers that some gangs disguise themselves as tourist agencies, establish offices to recruit clients or claim to have a limited partnership. There are huge trafficking centres in the Balkans especially in Turkey from where transportation are being organised by specialised travel agencies. Budapest is considered just a regional centre. "Albanian traffickers disguise themselves as tourist agencies: they have an office in Pristina and another in Hamburg. They bring emigrants right in front of the border by bus, where the passengers cross the border through the woods and those who are not caught by the borderguards may get on to the bus again. They have bases in each country on each 20-30 kilometres from Kosovo to Germany. As not only Hungarians, but also Austrian, Slovakian, Czech and German border guards are being more alert, only few migrants reach the Promised land. Nevertheless, young Albanian men try their fortune in big groups: they have nothing to lose. They have no choice either: they are being commanded by the family clan. If they manage to get some money in Germany, the first 5000 DEM is the honorarium of traffickers." (Népszabadság, 01.11.1997)

According to several papers, traffickers are being assisted by high-rank border guard officers (such news were spread especially in connection with the manoeuvres of the News' reporters), allusions are made to the Mafia too. "Last year more than 30 lower-rank border guard officers were dismissed as they have received bribes to assist in illegal border crossing." (Népszabadság, 05.04.1997) Mai Nap informs that a sergeant trafficker has been caught in action at Rajka. He drove 3 Kosovar Albanians to the green border with his civilian helper. Új Magyarország (28.03.1997) reads that a Turkish trafficking organisation is regularly smuggling migrants to Austria with the help of Hungarian border guards.

The process of trafficking is usually as follows: the majority of migrants come to Hungary legally, with their own passports. (A few years ago, those who intended to escape arrived illegally even in Hungary. Today they come under legal circumstances, often by plane). Traffickers are waiting for them, they collect their passengers who want to travel on, they take all their documents and papers for personal identification. Such groups may be joined usually around major railway stations in the capital. Contacts are usually being made through mediators. Migrants are taken to a boarding house to rest for a day or two (may be a week or two) after which the group is taken to the green border. Migrants who have crossed the green border are met and being driven by other members of the same gang at the other side of the border. Traffickers do not deal with individual migrants, they are interested in groups only. They transport usually groups of 5-25. Budapest is considered to be the centre but Veszprém and Sopron are also on the list. According to a relevant border guard authority Sopron is one of the centres of trafficker organisations in Hungary. Traffickers are much better organised than before, they introduce new methods every time. They employ more people, they do not know each other, everyone knows only his own share of the job. Traffickers have introduced extreme security measures, trafficked migrants are not allowed to see their faces (e.g. the driver wears a mask or does not get out of the car). They try to bribe not only the police but also attempt to buy information from the border guards. According to other sources though, traditionally operating trafficking networks do not run the risk of failure by trying to bribe officers on duty. They monitor the movement of the patrol, the monitoring person keeps

contacts with the centre by mobile phone. The transporting vehicle is usually shadowed by a car preceding it. Unemployment also goes to the traffickers' benefit as they find many helpers among the population in the border areas. Traffickers have targeted refugee camps as well, since a political refugee may leave the camp freely and – keep running away.

As for their nationalities: experts claim Czech, Slovak and Yugoslav-controlled groups to be typical, beside Hungarian and Slovenian ones –but they also employ Hungarian "subcontractors". At the Austrian border, the majority of organisers is either Turkish or Yugoslav, while the implementation is mostly done by Hungarians or Romanians. Organisers at the Slovenian border are usually Italians. According to other papers, chiefs are usually Turks, Arabs or Yugoslavs who keep staying in the background somewhere in the Balkans. The records of caught traffickers show their citizenship: there are Hungarians, Romanians, Yugoslavs, Slovaks, but also Swedes, Germans, Malaysians and Vietnamese. (HVG, 25.11.1997)

8.4 Trafficking routes

Main trafficking routes into the country: from Romania via Oradea, Debrecen, Gyula, Battonya, from Yugoslavia via Tompa, Kelebia, Hercegszántó. From Romania mostly Turks, Arabs, Sri-Lancans and Bangladeshis arrive in great number escorted by Romanian or ex-Romanian citizens. Bosnians, Kosovar Albanians, Africans and Chinese are being trafficked through Yugoslavia. They are being escorted and taken on to Slovakia mostly by Hungarians and Slovaks. Most Chinese, Vietnamese and Afghans arrive from Ukraine with the help of Ukrainians and Hungarians.

Out from the country: towards Austria via Rajka-Hegyeshalom, Körmend-Szentgotthárd, towards Slovakia through Balassagyarmat, Dejtár, Letkés, Hidasnémeti, towards Slovenia-Italy through the Rédics area. The Austrian border is mainly popular among Turkish, Arab and Yugoslav migrants who are being trafficked to Western Europe. The Hungarian-Slovenian border line may be considered a "Ukrainian-Italian corridor", as most people coming from Ukraine and Romania try to leave at this point. It is worth noting that more and more people are using the Hungarian-Slovenian border instead of the more stricter Hungarian-Austrian one. Border violations at the Hungarian-Slovenian border line have increased by 90% in the first semester of 1997 as compared to the same period in 1996.

Some experts consider the Turkey-Bulgaria-Romania-Hungary-Austria-Germany line to be the most important direction of migration flows. Hungary is more and more becoming a transit country as far as trafficking of migrants is concerned. "Our country has become a transit route for migrant trafficking, for smuggling of weapons and drugs coming from the east." (Magyar Nemzet, 01.12.1997)

The examined newspapers have definitely marked Germany as **target country**. Germany is the central knot of all routes, a central place of reloading and delivery. Migrants from distant continents, such as Southern and Middle-Asia as well as South America are being trafficked to Germany first of all. Migrants are then being taken on to France, Belgium and the Netherlands. (Kurír, 07.02.1997) Austria and Italy, as well as overseas countries are also on the list of target countries.

8.5 Ways of border crossing, trafficking fees

Migrants who intend to leave the country usually do so through the green border in groups of 8-10. A frequent way to leave: the group is transported to the border by a minibus which is

preceded by a car. A couple of hundred metres from the border, the migrants are asked to continue their way on foot after they had been explained which way to go and where to meet the mediator. Trafficking through regular border check-points are relatively rare, though, as border guards say, it is not easy to detect traffickers this way, either. Note that the Border Guards do not have a high quality device to distinguish falsified travel documents. True, nowadays falsified documents grew out of fashion, borrowing of stolen passports is becoming more popular. Traffickers caught in action were most frequently trying to do their business by minibuses, sealed trucks or sealed long-distance lorries.

On the entry line to Hungary at the Romanian border the attempt to bring refugees in locked trucks may be considered typical, but falsified passports are also very common.

The amount of the fee paid to traffickers is between very broad limits. The highest amount papers wrote about was USD 4000, the lowest was DEM 100-200. According to Mai Nap an average trafficking costs DEM 3-5000 , but in Reform's views a border crossing may cost from USD 300 as much as USD or DEM 1500-2000. There is no reliable information on the way of payment. It happened many times that the trafficker disappeared with the money. Nowadays mediators and helpers do not receive cash payments, because in case the group fails to cross the border, it is more difficult to be accused of crime. Rather, they receive their fees via bank transfer after the job is done.

8.6 Action and measures taken against trafficking of migrants

The majority of the examined material also covered the ways and methods which would be useful in fight against trafficking. Measures taken so far were also described.

The following items were the most frequently mentioned issues:

- - strict legal regulation, new act on border control 31 times
- - stricter border control 49 "
- - joint international efforts, intergovernmental treaties 14 "
- - technical upgrading of the border guards' equipment 20 "

Many articles cover the issue of the new act on border control, as well as its preparation, content, etc. which aims at adopting the ideas of the Schengen Convention to Hungarian circumstances. Newspapers inter alia expect the push-back of trafficking from this issue. "By passing the Act on Border Control, the Parliament has established the legal ground for the Border Guards to prepare for joining the EU in any respect." (Népszabadság, 03.09.1997) The most significant achievement of the law is that Border Guards Authorities have received a right and competence for investigation in five types of criminal offence including trafficking of migrants . It would make the detection of trafficking and falsified documents much easier and would shorten the period during which criminals were detected and tried. As a consequence to the new law, the staff of Border Guards will increase by 450 new employees and the technical background will also improve. It has been decided to establish the Border Guard Authorities on a professional basis: the 7800 recruited personnel should be replaced by 1400 professional border guards by 2000. Border Guards may in the future use tools and ways of the secret service to detect trafficking and delivery centres without having a judge's preliminary consent so that illegal passengers may be stopped when still far from the border line. On the other hand, the draft act has evoked remarkable political debates: the Smallholders Party criticized the draft severely and objected against the Border Guards having too much right.

According to many articles, joint international efforts are necessary to fight against organised crime as well as against migrant trafficking. "The international cooperation between police and justice is necessary because our country is so much impregnated with this problem that individual countries cannot fight against it alone....the struggle against organised crime and illegal migration cannot be a question of borders in Europe. " (Új Magyarország, 12.06.1997)

Almost every third article deals with the Schengen Convention and its impacts which makes the more intensive defence of Austria's eastern borders necessary. This is why Austria has introduced a more severe border control routine which practically means the following: upgrading of a technical equipment, getting new devices, such as carbon-dioxide filters, infra-red cameras, passport checking devices, increasing the Border Police personnel by 500 people, improving airline control, strengthening green border control and checking every single vehicle coming through the Hungarian border. "In 1997 the German Government intends to introduce stricter measures against traffickers at the Czech and Polish border." (Magyar Hírlap, 03.01.1997) The German strictness is due to the fact mainly because in a short period of time several trucks were crowded with people when stopped at the Austrian-German border. Austria has been severely criticised on the issue. According to the Bavarian Minister of the Interior: "...the system of Austrian border control is not Schengen-conform at present so it would be advisable to postpone Austria's joining the Convention." (Népszabadság, 18.03.1997) After the withdrawals of the Hungarian and Austrian Ministers of the Interior the Hungarian authorities have also introduced stricter measures against the increasing tendency of trafficking of migrants. Hungarian and Austrian border guard authorities are checking trucks together. Two border guard directorates have been abolished in the previously prioritised western border area, significant forces have been reorganised, the Hungarian-Ukrainian and the Hungarian-Romanian borders have been strengthened. All this was necessary because the number of illegal migrants from the eastern and south-eastern direction was continually increasing. Border-guard squadrons have been formed to patrol circularly by the border line. As Hungarian passports are easy to falsify, they are continuously being replaced by more sophisticated and safer ones. According to the Border Guards' spokesman, the Border Guard Authorities implement border control in concordance with the Schengen Convention, but the technical background for that is not yet satisfactory. The National Headquarters of Border Guards expect the detection index to improve by technical upgrading, but due to financial reasons there is little hope for it. Computers at border check-points that are meant to foster information flow and register the expelled, wanted persons as well as stolen vehicles are also long outdated. (This is why the Minister of Interior has asked for the support of the Phare programme on behalf of the Border Guards to improve their technical equipment.)

8.7 The efficiency of implemented measures

"Achievements in hindering trafficking of migrants are significant" – papers quote the Minister of Interior. But the data do not quite support his satisfactory declaration. The work of the Hungarian Border Guards were criticised by fellow organisations of many western countries saying that Hungary was like an open house. From the interview by the spokesperson of the Border Guards one may draw the conclusion that so far they have not managed to get to the organisers – not even once. In cases where final judgement was made, only the executive actors, that is the carriers were sentenced. Action against trafficking in terms of alien administration seems to be all in vain, because no measures may be taken against people who live in boarding houses of Mosonmagyaróvár, Abda or Hegyeshalom and have valid travel documents in Hungary even if they are suspected to wait for the right

moment to cross the border. The international situation is not much better either: "Recently, at an international conference of border control a sensational declaration was heard, namely that Germany managed to arrest the first trafficker who was not involved in the implementation but was a kind of a chief in the organisation and control of trafficker groups." (HVG, 25.11.1997)

The article in Világgazdaság points out that strict measures also have their drawbacks, for instance, that due to the four-week-long restrictions Austrian economy is suffering a loss of ATS 400 million. Trucks need to wait at the eastern borders for 8-10 hours. Updated technical equipment are not always satisfactory, either, e.g. carbon-dioxide filters are not reliable because they signal not only if someone is hidden but they are triggered also when some kind of fruit is detected.

According to most journalists, the punishment of migrant trafficking is not strict enough to prevent crime at present. Of the 285 traffickers arrested in 1995 two were sentenced to prison at immediate effect, of the 227 arrested in 1996 not even that many. The usual punishment is about 10-20 thousand HUF payable in cash. A trafficker may be sentenced to many years of prison in Austria, Germany and Italy (Mai Nap). The National Border Guards Headquarters also hope for the improvement of the situation if such criminal offences were more severely punished. Today trafficking is qualified as a minor offence. A case of a trafficker, an ethnic Hungarian in Slovakia is known who, even as a recidivist, may expect nothing more than being expelled or being sentenced for prison under suspense. The planned modifications to the Criminal Law would increase punishment and traffickers' endangering the lives of refugees would be severely sanctioned.

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Newspapers chosen for analysis

Title	Orientation	copies	no. of analysed articles 1997
Magyar Hírlap	liberal political daily		44
Magyar Nemzet	independent political daily		19
Népszabadság	socialist daily		30
Népszava			34
Új Magyarország	conservative national daily		21
Mai Nap			9
Kurír			6
Világgazdaság			12
HVG	liberal economical political weekly magazine		4
Magyar Narancs	liberal political cultural weekly		1
Reform	independent news magazine		2

			182

9 STRATEGIES COMBATting TRAFFICKING - ASSESSMENT, PROPOSALS

9.1 Legal regulation

In reviewing the Hungarian legal regulations related to human smuggling, the following points must be borne in mind.

- When the political and economic system changed in Hungary, the laws governing human smuggling had to be quickly drafted. Individual laws and lower level regulations were not prepared within the framework of a unified concept and drafted was often hurried. As a result the laws are contradictory and contain shortcomings.
- Over the past decade the social, economic and political significance of migration has grown rapidly in Hungary, and the character of the processes have significantly changed. There was been success in obtaining practical experience in connection with the existing laws. All this justifies necessary corrections.
- The process of joining the European Union demands that Hungary harmonise many of its laws to EU standards. This includes laws related to migration and human smuggling. The most significant challenge of this comes with the joining of the Schengen Agreement.
- The legal regulation of questions related to human smuggling cannot be regarded as solved anywhere in the world. International legal regulation is not satisfactory either. Besides this, there are no foreign, legal constructions and models which could be adapted with sufficient speed, ease or lack of ambiguity.

We have heard many differing opinions surrounding legal regulation. The majority of the key informants do not regard legislation governing illegal migration or human smuggling as sufficient.

How people view current Hungarian legislation and possible reforms depends largely on where they are placed in the hierarchy. Those who implement the law tend to call for stricter sanctions, while human rights organisation - at least with regard to migrants - demand the opposite. Others believe a general review is justified. Thus we have found that workers in the lower levels of public administration and (within this) the Interior Ministry, and others who execute the practical work of the border authorities advocate a powerful tightening of the current legal institutions, and call for new administrative measures.

In higher levels of the state hierarchy, such as politicians in the upper echelons of government, there is greater sensitivity to strategic considerations, and social, economic and political interests. They tend to take into account European norms and other international factors.

Social science researchers and human rights activists generally believe in more liberal laws and liberal implementation. They bring up humanitarian and human rights concerns, but they also take into consideration Hungary's long-term strategic interests.

The critics can be grouped into the following groups:

- The extension of the Hungarian legal system to deal with human smuggling and human trafficking.

“The basic aspects of the criminal law with respect to human smuggling is pretty much in agreement with the controls of other Western European countries. But in Hungary, someone only perpetrates the act of human smuggling if they help someone cross the border

impermissibly for commercial gain. In this respect, the Western European countries are stricter: generally smuggling is punishable independent of this. Commercial gain is hard to prove, although in great majority of cases this is the way it is. If a taxi driver takes someone, probably they are not taking them for free of charge. It is true that courts are heading in that direction too. They are now much more sceptical about simple defences. (L Felkai state secretary of the ministry of interior (10))”

Today, the act of taking a prostitute abroad is only a punishable offence if the act is paired with an illegal border crossing.

“Human trafficking has not so far appeared in the Hungarian statute book, but now it is included in the law dealing with prostitution. This has nothing to do with aiding an illegal crossing of the border, but it does mean that it is an offence to take someone abroad to undertake criminal work, such as prostitution. It means that groups organising human trafficking can now be punished.” (8)

- Bringing controls nearer to everyday practise

“The laws were not created for a real situation. The entire system takes as its starting point that a foreigner has a travel document, but in the majority of cases, they haven’t. Therefore, elements of legal control cannot be effective. Expulsion is expensive, especially by air, and it doesn’t work well. We produce a lot of paper with little result. There is a law which we can implement, but in reality, we don’t. Who do we implement the law on? Only on someone we can deport to a neighbouring country, who is in such a run-down state they can’t tear up their own travel documents... Besides deportation, there really isn’t any other sanction. It is enough to build the whole system on this...”(Adviser of the Minister of the Interior(30))

- Stricter sanctions against human smuggling, tightening up the law.

“That lad from Tarpa, who we caught twice in one month with a group, received a 35 thousand forint fine. But I dare say he could earn one hundred times that in a single night.”

Experts generally agreed that stricter sanctions are needed. Some say that it can be done within the frame of present legal regulations, that the present laws do allow for stricter action.

“The current legal precedent is that we treat human smugglers more leniently than ought to be the case. Now they tend to give prison terms of a few months, whereas the law says that much longer sentences can be imposed.” (Criminal police officer, Mosonmagyaróvár, Western Hungary(34))

Others say that the statute book should be altered. The stakes should be raised, and also property should be confiscated. *“Now they receive six months, and then what ...? At most, they have a criminal record. In six months, they can earn many million Forints.” “Severe sanctions for the confiscation of property is needed, and it’s possible that it might be more effective if secret service methods, and administrative means were employed.”* According to this line of thought, all property used for smuggling should be confiscated.

Stricter sanctions against carriers are often mentioned by concerned border guards.

- The development of a civic culture and civic obligations related to illegal migration.

“The duties of a Hungarian and an Austrian citizen are quite different with regard to border inspections. While in Hungary, it is not obligatory for a citizen to report a foreigner they have seen at the border zone, in Austria the law makes it compulsory. If they don’t, legal action can be taken against them. It is a basic interest of the population. They fear for property, but there is also a state duty to make a report if they see a foreigner hanging around the vicinity. If they see such a thing, they tell the guards immediately... In Hungary, we have to conduct a

search, we have to investigate these people. It is much more complicated than reacting to received information. (2-4)”

- Demands for “harder” means to be used in the fight against human smuggling.

“Legal regulations give the border authorities the possibility for using secret service methods, without first obtaining permission from a court. This means we aren’t able to use serious operative means. We cannot bug telephones, we can’t intercept mail, we can’t bug rooms. The law makers assessment is that human smuggling is not at such a dangerous level to society that it restrict such fundamental constitutional rights.” (Border Guard HQ Deputy Head of Criminal Investigation and Intelligence Dept)

9.2 The relevance of the business model

One basic element of the conceptual framework for this research was the model of which regards international trafficking structures and processes as a multinational business activity.

This model dividing the trafficking process into three chronological stages (mobilisation; en route; and insertion and integration) is partly confirmed by the Hungarian research. Given the basic transit character of Hungary in trafficking we can not have convincing evidences on insertion and integration processes.

The mobilisation and the en route stages include a large number of market type characteristics. As described in the chapter 6.2 on mobilisation, demand and supply elements are regulating migrant's choices, and the recruitment includes a large scale of marketing elements. A high percentage of illegal migrants can be considered as cheap labour supply on an international black or grey labour market. Financial type considerations are decisive in transiting Hungary> planning, scheduling to go to the West, choosing the trafficking route depends on money. Our research also confirms some analogies between organised trafficking processes and the activities of business companies.

Nevertheless our report indicates a great number of non-market type elements in the trafficking process. The importance of non-economic push factors is crucial.. The migrant - trafficker relationship is deeply unequal, different migrants are not interchangeable. The process is often regulated by criminal disciplines and norms, while legality is an inherent rule of a multinational business activity. The responses to trafficking cannot be formulated on a " business activity " conceptual basis.

So we recommend from this aspect

- a further differentiated conceptual development of the business based understanding of trafficking migrants
- a target oriented empirical testing of the "market" model
- the elaboration of a theoretical framework for evidence based policy development of responses to trafficking

9.3 Recommendations

Although the information gained by this research on the topic of trafficking is far from being complete, it gives fair ground to formulate some basic recommendation:

⇒ *Recommendation 1:* The Hungarian Government and Parliament should draw up an international migration strategy including a key component of responses to trafficking.

A Hungarian Strategy for international migration should provide motivation and on inspirational forward looking framework for policies and action with concern to trafficking migrants at country, regional and local level including EU requirements and international norms. Structures and processes should be in place for an international migration policy development that bring together a broad range of key partners – internationals and nationals, government and non-government organisations – with agreed mandates for policy formulation, implementation, monitoring and evaluation. This includes the development of a coherent legislation, the further criminalisation of trafficking and effective sanctioning of crimes related to it, offering of protection to victims, development of border control and visa policy.

The majority of experts have the following suggestions to improve the situation:

- Stricter regulations at issuing entry visas and transit visas.
- To stop the further liberalisation of border crossing and entries.
- To introduce sanctions against carriers.
- To confiscate the profit and means being used for trafficking and implement stricter punishment for such activities.
- To control black labour of illegal migrants more efficiently.
- To simplify the rules of expel and reception.
- To provide public, private and voluntary resources to meet the humanitarian needs for the victims, and to offer to this vulnerable group access to appropriate acceptable and if necessary sustainable conditions for life.

⇒ *Recommendation 2* : The infrastructure necessary for formulating, implementing monitoring and evolving an international migration policy including a key element of response to trafficking should be developed from existing Hungarian structures:

- taking an overall systems view of the task
- basing structural change on sound functional analyses
- adapting best international experience and modifying wherever possible

⇒ *Recommendation 3*: Secure and robust long-term funding of the struggle against illegal trafficking of migrants should be established.

The objective of such funding would be to provide stable and sustainable financial resources for strengthening the anti-trafficking policy implementation, while recognising the long-term character and the increasing political, social and economical importance of trafficking migrants. Without appropriate funding mechanism, with a public expenditure always under pressure the financing of the responses to trafficking might be sidelined in the constant competition with mainstream and more popular funding.

⇒ *Recommendation 4*: A human resource strategy should be devised for the development and deployment of the appropriately skilled personnel needed to implement a policy facing the challenge of trafficking migrants.

A major programme of human resource development will need to be undertaken. The following main areas of skills development will be required

- strategic planners and migration policy analysts with contemporary planning skills, a broad understanding of migration issues, a macro-economic, social and legal perspective
- legal experts, civil servants to plan and implement law enforcement
- border guards to strengthen border control and to prevent trafficking
- community organisations, the N60 sector to give remedy, humanitarian assistance and support to victims
- empowering the general public with differentiated public information on trafficking migrants.

⇒ *Recommendation 5*: Hungary should have a migration research, information and communication systems that better supports control policy to trafficking migrants.

This includes a research policy oriented towards the above mentioned priorities in trafficking migrants contributing to evidence-based measures against illegal trafficking. The information on illegal migration should be useful to and easily accessible by politicians, civil servants, as well as the general public. This information should be differentiated, well balanced, including anti-discriminatory values.

⇒ *Recommendation 6:* Hungary should contribute to reducing illegal migration through international solidarity mutual support and the sharing of resources, Knowledge, information and experience, approaches that are essential for facing the challenge of trafficking.

This includes a closer cooperation with UN Organisations, the EU and other relevant international agencies. External support provided by countries, organisations (and EU) and agencies should be used by a coordinated and directly relevant way in order to increase the volume, synergy and effectiveness of the support. Hungary has to adopt all relevant international instruments addressing trafficking.

APPENDIX

Interview with Kálmán Kiss General Major , Director National Headquarters of Hungarian Border Guards

Q: What characterises human smuggling today?

A: Today human smuggling is an extremely lucrative business. This is a completely new characteristic. There is no social, political etc. motivation, simply a way to get rich.

Characteristics:

- Highly organised. Built up secret service type systems.
- Has expanded beyond national boundaries and become **international**, covering several continents.
- Large numbers of people are moved **in bulk**.
- **Interconnectedness** has increased. On the one hand money is loaned for this purpose, on the other, money gained through these activities are ploughed back into other criminal activities, for example drugs.

How serious a problem is human smuggling from the point of view of the border guard service?

The border control law of 1997 empowered the service with unlimited powers of investigation of five types of crime, from detection right up to the bringing of criminal charges. One of the five crimes is human smuggling. As a result of all this new departments were formed to fight crime, and the old ones were re-structured. A new main division was created at headquarters, with ten divisions and 28 investigative units in rural areas. This means close to 500 posts, 75% of which are now filled.

These divisions are legally empowered to investigate, and are based along the key migratory routes: to the east, where migrants come from, and to the west, in which direction they depart.

Q: What role does human smuggling play in migration?

A: The two are completely interconnected, if there is no migration there is nobody to smuggle. 20-50% of migrants are smuggled into the country. Obviously it is not possible to know the exact numbers. It only comes out if the smugglers is caught with the migrants. If caught alone, they won't give the smuggler away, they keep quiet or don't know anything because they were transported in such a way as not to have seen or known the smuggler.

The networks are structured in such a way that the players do not know each other. One link in the chain can not bring about the collapse of the whole system. But the government, the parliament expects us to infiltrate the organisation rather than just catch one or two at the bottom of the ladder.

Q: What is Hungary' role in human smuggling?

A: Hungary is one of the centres of human smuggling in the direction of western Europe. A bit like a railway terminus. They arrive from the north, the south, the east, and are sent of in another direction, to the south, the west or the north. If we are the main transit centre for both legal and illegal migrants, then obviously we are also one of the capitals for human smuggling. There are roads leading to, and from this region. One is Milan-Ljubljana-Budapest, Veszprém or Austria - Munich, or Bratislava - Munich, Bucharest - Budapest and beyond, Belgrade - Budapest and so on, but there is also a route from Manila - Prague - Budapest.

Q: What is known about human smuggling organisations?

A: I don't like it when we say that there are 66, or 70 human smuggling organisations, because if I know this, then why don't I wind them up? I can say this: there are many organisations. This crime is very awkward to investigate, because the victim never reports it. 99 out of every 100 cases go unreported. The public doesn't assist us either. Those we catch don't say anything, for a variety of reasons. One of these is fear. And if it isn't proved that the crime was carried out as part of an organisation, they get a suspended sentence of six months. They are free to come and go whilst conducting their defence, and can also continue their "work." How much do they get?....The court is impartial, and of course a ban is simplest, isn't it?

The Hungarian nodes in the networks of human smuggling organisations are only the ends of the tentacles, the rest could be Slovakian, Romanian, Ukrainian, Yugoslavian, Turkish, Slovenian, Italian, German.

In a word, even with the resources available to a secret service it is difficult to prove links. It makes no difference that we are able to keep tabs on so many people. And our investigative units are still new, they haven't yet built up their network of contacts, they don't yet run perfectly smoothly. It will take a minimum of two years for their formation.

Q: How much progress has been made in mapping out the organisations.

A: If somebody leaves the local hostel, we follow them, and we know that they speak to human smugglers. But what can we do? Two people talking is not grounds for suspicion. Either recordings need to be made, but this is complicated, or photographs taken, which is no good as photographs aren't proof. Proof is catching them red handed. But these small fry are merely tour guides. They don't know the people who are waiting for the group on the other side of the border. The smugglers go across legally through customs. They just set the migrants on their way. They don't know who takes them across, they wait on the other side, and take them from there.

Q: How is co-operation between individual countries and their relevant authorities?

A: In 1990 the Hungarian government made numerous agreements, and information is exchanged, naturally within the limitations of data protection laws. We have a good relationship with the Hungarian bodies: the Office of Information, the National Defence Bureau, the police force and Customs and Excise. We have joint projects, we exchange information.

In the field of human smuggling I can comfortably say that co-operation is good.

Q: What are the main aims of the struggle against human smuggling?

A: We shouldn't take action against individuals, but against the organisations. For this we need the co-operation of international organisations. We need to settle in for a long battle, because the main reason for migration - the economic factor - has yet to be defeated. In Hungary the organisational strength and the legal structure is in place, it just needs to be applied, and in as co-ordinated a way as possible. One way would be to make our activities unpredictable, so the smugglers don't know when we will act. So first we take apart every seventh lorry, then every second.

Q: How much truth is there in the information contained in the Austrian press regarding illegal migrants and the human smuggling taking place on the Hungarian-Austrian border?

A: It is true that human smuggling goes on on the Hungarian-Austrian border. But the Austrians need to learn to separate politics from the profession. They state that 50 000 and 30 000 went across, but then why did they only return 2 500? And if that many went across, why don't they? And if that many went across, why don't they give us a list of their names? This is politics. They want to show that the army should continue patrolling the border, that their gendarmery needs expanding, they need to show the EU how much they are doing.

Q: How is the border guarded.

A: Until May 1st 1998 the border guard service policed the green border with the traditional patrol system. This means that 10 people spent 9 nights on the border. Migrants were awaited in given locations. So by day there were very few guards on the border, say one out of ten, which leaves one man to patrol 30-50 Km. Under the new system, in which resources are being steadily increased by the government, there will be guards out by day as well. A portion of this will continue to be in locations where migrants are expected, but they will also receive other tasks. Intelligence gathering and investigation, illegal immigrants, and illegal workers: They go into a hotel and see who the strangers are, and if they can not prove the legality of their situation, the procedure is initiated.

Under law the border guards have the right to check anybody. Then after the check they either say "thank you Sir/Madam, have a safe journey," or "carry on with your work", but if there are grounds for suspicion or a crime a misdemeanour has been committed, then the procedure is started. If the suspicion turns out to be unfounded, they say good-bye and allow the suspect their way once again.

Q. And where do the resources for this come from?

We don't need extra resources for this. All our activities are carried out according to a given set of service orders, these will be attached to those. Until now there were hardly any patrols by day, they couldn't cover 50-60Km. There are certain material costs which will have to be covered from somewhere.

Q. Does expansion of territory not require more people?

Now the professional border commando groups are being set up. These are mobile squads, which in certain cases can move inland, in order to carry out missions related to illegal immigration. 80% of posts will be filled by the end of 1998. 100% in the following year.

How will the introduction of compulsory visas affect the border service?

If the planned development, the automation of border traffic inspections is carried out, traffic flow should not be restricted.

The policy of the Hungarian government, incidentally, is to create such relationships with neighbouring countries as to minimise the amount of time needed to issue a visa.

If we join the EU, then it is likely that we will no longer be just a transit country, but also a destination. The more difficult it is to get in with a normal passport, the more people try other ways. Whether this will in reality be a mass of people, whether it affects the neighbouring countries - I hope it doesn't. The destinations for migration are within Europe, and migrants are sent from outside Europe. Migration outside Europe can only be dealt with if all agreements suspending visa requirements are abolished. This would hold back huge numbers, because they wouldn't be able to reach this far.

Q. How many people deal with checks on human smuggling?

This is the task of every patrol man and passport inspector. There are about 3500 patrolmen and the same amount of passport inspectors. The latter have a so-called open brief, which means they can carry out checks and arrests etc. on travellers, while the patrolman deals with the capture of participants in migration, smugglers etc.

This means about 7000 people deal with cases of illegal residence, human smuggling, illegal border crossing, forgery of official documents. And of all these activities human smuggling is the most prominent, because we consider it the most dangerous.

Q. What are the main types of human smuggling you come across?

The two types can be distinguished according to whether they come across via the green customs channel or checkpoints. In the latter case human smuggling is generally interconnected with forgery, but sometimes people are hidden in vehicles or railway wagons.

Q. Can a distinction be made depending on the country of origin of the migrants?

One group arrives here legally, receives a tip and then continues their journey illegally. These people don't know beforehand how they will proceed, or only one of the group knows. This is typical of Yugoslavians and Romanians. They arrive with a passport, organise their trip from here, and are taken out of the country illegally. They can't be arrested at the border because everything appears in order. They have passports and money.

Q. And how do they know where they will go?

Because there are human smugglers operating here, who maintain contact with the Kosovo Albanians, the Sri-Lankans, the Turks or the Romanians. Chinese arrive in the Ukraine. This is part of the route from there, there are organisers there who bring them through Ukraine to the Tisza. They are brought over the Tisza by boat. It is that well organised.

Q. Where does, for example, a Romanian citizen get in contact with them? Here or at home?

Both are possible. They operate from railway termini, for example.

These organisations specialise. They recruit people of the same nationality as those being smuggled, in order to maintain relations. If Yugoslavians are being brought over, then generally there is a Yugoslav smuggler in the group that we catch. In our experience the same has been true of Iraqis and Kosovo Albanians. Romanians are different, they often just set off on their own.

And the brains, the modus operandi?

It is of primary importance that there are people in the organisation who obtain things, those who transport the people, those who provide stopover facilities and those who scout the routes. When a vehicle sets off there are one or two that go ahead to see where the patrols are, and if they meet one they phone back, turn around and look for another route or return to the starting point.

There is a fairly well established methodology for approaching the border. They are very well equipped. After that, sometimes they just dump the people after Mosonmagyaróvár and say "That's it folks, this is Austria," and there are some who will tell you exactly how much it costs for one border, how much for two, etc.

And how much does it cost?

It varies a great deal.. It depends on the number of borders and whether or not a residence permit is required. It can be as much as 2000 German marks.

How apparent is it that the migrants have also become victims?

In general I consider the migrants victims. Victims of crime. But they don't see it like this. They will go to any lengths to get out. The fact that they are exploited, and the shirt taken off their backs is without doubt. The prices are fixed. Those who don't pay don't go.

Generally the human smugglers take every precaution to protect themselves. They hold onto the passports, don't give their names. They pick up people at night, transport them at night, the people are transferred without knowing who has transported them. They leave as few clues as possible with the migrants. They give them directions, but don't tell them where they crossed the border, or even which border. It's very difficult to pick up the threads. If someone came with a passport, they have to tell them they came through the green channel without a passport. If they came across the Yugoslav border, they say it was the Romanian one. They don't give the passports back.

How many get caught?

We catch 50-70%. And there is latency, but this is fairly low. The ones we catch and the ones returned to us make up about 90%.

What is needed?

Money, equipment and human resources. There are 500 posts, of which I can only fill 400 because there isn't the money for another 100. We need vehicle and technical resources. An automatic document reader needs to be installed at the border, an operating costs also need to be covered. A patrolman shouldn't cover 40km a day, an investigator 60km. There should be 500. The problem is costs, not the law. The Hungarian border guard service has more powers than any other in Europe. The Hungarian laws are the best in Europe with regard to both their effectiveness and legal procedures.

So if the EU wants to help it should give money rather than advice?

We are happy to receive advice. For example they have given great assistance in the field of criminology. But we don't need to be told how, and with what type of organisation we should be defending our borders. We can do that. In Europe no two borders are the same. There are national traditions. Basically we need money and technical resources, some of these from the EU. We have highlighted four sources of assistance: state, PHARE, bi-lateral and our own. The government makes up the difference.

But Hungary is taking over certain tasks.

Yes, the defence of the Schengen border. But that comes with the territory of integration. That's the way it is.

Interview with the Ukrainian trafficker

Born in 1958, we shall call him Zoli Kis, as he wishes to remain anonymous. He was working as buyer for a shoe factory in Tiszaújlak, and was sent to the Soviet Union many times, even after the wall came down. He was sent many times to Turkmenistan, to a town called Tedzsen on the Iranian-Afghan border. It was there he met a young Tadzsik (from Turkmenistan) in the hotel restaurant.

“One year later - in autumn 1994 - we met again. While we were talking and drinking he asked me what villages there were near the border, and if there were any where he could rent accommodation for a night for 5-10 of his friends. I said that my home might even do. Then he came out and said that the border accommodation was for illegal immigrants that were to be smuggled across the border.

In March of 1995 four young Iranians turned up. My mother and I placed them in the barn. With the first consignment all I had to do was provide board and lodging. They were there for a day, then two young men came for them in the night and they continued on foot.

After that I was told what needed to be done, and I personally escorted the second consignment of 15 people, one month later, over the border. I found the route by which they could easily be brought over. We crossed the border at Tiszaújlak to four Hungarian villages: Tiszabecs, Milota, Uszka and Magosliget. Somebody was waiting for them in one of the villages, but always a different one. Before we set out they telephoned, and it was only then that we knew which village to go to. The conversation was neutral, with the name of the village in there somewhere. The time was also agreed - for example 2-3 o' clock - on the basis of any numbers included in the conversation. Then I sat the people in the boat and ferried them over to the other side.

At first there were no problems, but on the second trip I was caught by Ukrainian border guards. They pushed me around, asked what I was doing there, I gave some explanation. They let me go as they had no proof, but they started to watch me. I managed to get out of the situation by getting in with an ensign from Kárpátalja. I just asked him the times of the patrols, for which information he received 10 dollars.

Sometimes neither of the four villages could take them, and instead of Tiszaújlak we went all the way to Badalo or Mezővár. From Badalo we took them to Szatmárcseke, from Mezővár to Tizsakórod, where they were waiting for us. We also took them across at Beregszász, but only once, because this town has its own team. which is made up of people from Beregszász and Mezőkaszony. They generally take people over to the Mezőkaszony region.

Every migrant or refugee arrived from Munkács.

Viktor Szamojlov brought the first consignment himself, but after that did not come. Instead I was phoned from Paszekovó, a village near Munkács, which was their first stopover in Kárpátalja. From there I brought them in a minibus, or one-two cars if there were only a few of them. They rested with my mother in the barn. By then everything had been arranged for their comfort.

Once they had been counted in on the Hungarian side my task was over, and I could come home. But I still knew roughly how they continued their journey in Hungary. There is also a stopover/distribution point in Szentgotthárd, similar to Munkács-Paszekovó. Here the group is divided between three villages: Nemesmedves, Jakabház and Alsószölnök. I know this from people who were caught, sent back, and then returned a few months later. In these situations

the Hungarian escorts come with them, and I learned their stories from conversations with them.

All I know about the starting point is that the Iranians and Afghans muster in Tedzsen, Turkmenistan, while the Bangladeshis and some Iranians are collected in Horog. These too come to Munkács, and are either taken to Moscow and Kiev by lorry, or they arrive by train or as tourists with passports. They have escorts, interpreters, usually a Turkmeni, or Tadziki kid, who speaks the languages of the others as well. It is decided in Moscow or Kiev where they will be sent after that, to Kárpátalja or Poland. The usual destinations are either Germany or Canada; but there are a few who want to get to South America.

Once it got around the village what one of the guys did for a living, so I telephoned to Munkács and the kid was sorted out in a jiffy. [He did not want to go into detail, but said that the kid threatened to go to the police etc. Afterwards he became so well behaved that he would not even go near the subject of the interview. (???)]

The Tadziki, Úzbeq border is a short trip away from Moscow or Kiev, and is the hub of the network. This is where the documents are issued. Many come without a passport, and receive a forged one at the centre. I don't know the central organisers, only Szamójlov and the agent in Munkács, a woman.

I got \$100 for every person I got across the border. At a rough calculation I made \$28-30 thousand over two and a half years, even after bribes paid to police and the border guards.

There are policemen who will escort people across the border for \$50. If a consignment arrived by day, in order to not be too conspicuous, a policeman would sit next to the minibus driver as if they were being officially transported somewhere else. This was not necessary on the route between Munkács, Beregszász and Tiszaujlak. I paid border guards 15-20 dollars to tell me when the patrols went.

If the information I received was inadequate I posted one or two down-and-outs at the border and told them to watch and let me know if they noticed anything. Here one or two bottles of vodka was enough payment. After all these overheads I made around 28-30 thousand dollars just for bringing the people over from Munkács, resting them and taking them by night to the group on the other side, and then coming back alone. I was third from the top in the hierarchy after the boss and the organisers in Munkács and Gerzseny.

I got paid as soon as I took the people over. I had to sign a chit for the money. I used this money to build a house, and I also have two cafés, one in Nagyszólós, the other in Ujlak. I invested the money, I didn't fritter it away.

I don't know exactly how the organisers got the money from the refugees, but I do know the refugees paid about \$1000, either in Moscow or Kiev, depending on where the first stopover was. The money was given to a person who divided it across the entire route. The \$1000 per head included accommodation, travel and food. I received \$100 for providing board and lodging.

An average of ten people come over at a time. Sometimes it's only two, but there was also a group of twenty-one. The biggest problems were caused by children, some of whom were four-five years old, but sometimes as young as two-three months. One tragic event was when two children died in a lorry somewhere between Moscow and Munkács. They were buried in the woods. Fourteen people were expected, only twelve arrived. It was only then they learnt of the tragedy.

The method of transportation is also interesting: it was possible to travel by plane from the

Tadzsi border to Moscow, not just by rail. The planes were freighters, which don't carry passengers; but the pilots are corrupt and for a payment of who knows how much, they will even transport the people by bus to the planes scheduled for the north. It occurred that fifty-sixty were transported like this. In Moscow - twice - the "Varsavskij" hotel was the local stopover, while in Kiev the "Bratislava" served as stopover and distribution centre.

Sometimes - as they had to come up with some kind of a result - the border guards asked us to stage the odd capture. This was done when there were only three-four people on the border. The route, and where the refugees could be caught was discussed beforehand. The arrests were made, the guards received their praise, bonus, whatever, the prisoners put on a train - destination Kiev. Now, there isn't always an escort. They alight at Szolyva, but usually at Beszkid, where they are expected. If there is a militiaman or two as escort an arrangement they can be persuaded - as there are no handcuffs - to have a little snooze while the refugees get off the train. Obviously the snooze is paid for... Afterwards the people are siphoned back to where they were brought from. In Munkács they find out how many were caught and go back to Szolyvár or maybe to Kiev for them. In these cases the immigrants don't pay for the second trip.

It's another matter if potential emigrants are returned to their own country. I have met people who I had taken across to Hungary six months before. It was almost the same group trying again. They explained that they had been caught at the Austrian border, and the Austrians don't mess about, they were all put on a plane - no trains - and sent back to Moscow or wherever.

As I had been caught once, and only just managed to wriggle out of it, I got myself a job as farm warden after six months. There is always work of this kind to be had at the collective farms, and I had the experience. I explained the job by saying that the job at the shoe factory didn't pay enough, and it was handy to be making a little on the side. As farm warden I could come and go as I pleased in the fields of the collective and the banks of the Tisza. This work was of help to me twice. The border guards came and asked me what I was doing, I'm just guarding the crops. And who are they? Pointing to the others. How would I know? - I said. They were hiding in this bush here, and just started following me. They gave me some hassle, but let me go when they couldn't get anything out of me.

If there was a big combing of the border, I was caught up in it three or four times. But I had the certificate showing that I was a field warden. What could they do? [He was held for two days, then released.]

There were border guards who I could pay off, but there were also those who couldn't be bought. I never even came into contact with guards above the rank of ensign, but I still achieved my aims. I was mainly entrusted with groups of Afghanis, Iranians, Iraqis and Bangladeshis. Aside from my own team I only knew the one in Beregszász. In that team there were three who took it in turns to take people across. The two others in my team had been enlisted previously, and I took the place of someone who had left. The Beregszász team had about five-six members. (???)

After the first six months my job got much easier. I would always get a phone call that I had to be in Paszeka at a certain time, say two in the morning. I then notified my two colleagues in Újlak. A bloke called Géza phoned from Hungary, I only knew his voice, and said that it was off for today and perhaps tomorrow or at another time they should go to Milóta, Uszkára or wherever. The task of the other two in Újlak was to help out if there was a large group of twenty or thirty, or if I couldn't make it for some reason. The rest stop, however, was only at my place. The money was divided up in accordance with the situation..

It also occurred that I took in 10-15 people, but couldn't take them across immediately or the next day. In the meantime more arrived, and a colleague went for them. In these situations - as there were too many of them - even more caution was required than usual.

On the Hungarian side I didn't have to deal with the border guards, as soon as the immigrants crossed the border they walked 50 metres to where there were already people waiting for them.

There are lorries which load up in Kiev and set off west. The lorries are kited out with everything you need for a 2-3-day journey. They are divided into sections. They all go across at Csap. It doesn't matter if the Ukrainians open the wagon, they can't climb inside it, they don't check the whole load unless they are suspicious. There are cubicles - especially in refrigerated vehicles - where even a sniffer dog can't detect the human scent. 5-10 people can be transported in this way at one time. Even customs officers don't check the whole of a 7-8 metre lorry, unless they find something suspicious.

Medical supervision is provided by a doctor in Munkács, who is also well paid. Upon arrival in Paszeka everybody is seen by the doctor, who provides them with the drugs they need to stand the journey, so there is no problem. This medical supervision is also provided in Kiev and Moscow.

The people carrying out the transportation are consistent. Over two and a half years I always heard the same names, saw the same faces. But after that I got out. I could feel that things were getting hot, the villagers were now aware of what was happening, it was difficult to maintain the same relations with the border guards, I had to pay more for assistance and the job was getting more difficult as my building work and investments were being noticed. The tax office also started looking into what was going on.

But they didn't really want to let me go. At all costs I had to find someone to take my place before I could stop. Over the last three months I made it known that I wanted out. At the time I wasn't being sent so many people, I didn't have as much work as before. In the end I found a guy who I took along twice, and passed on the work to him. Whether he still does it I couldn't say. Since then they leave me alone and I've become a white-collar businessman. Naturally they told me to keep my mouth shut. and not shoot my mouth of if I get caught, because there'd be trouble if I did.

How to stop human trafficking? I don't think that is possible while such economic contrasts exist between countries, while there are wars in Afghanistan and other places. At best, if there is barbed wire and the border guards are well enough paid. However, if border defences are tightened up on the Hungarian side then they go over to transportation by lorry... They also hide people on transcontinental trains, where arrangements have to be made with the ticket inspectors and guards. They know the hiding places. But these days it's easiest just to go through the green channel.

I've heard that at Badaló, on the Tisza, you can swim across at any time, and back too. Nobody asks what you are up to. They were eating and drinking together with the Ukrainian soldiers, we cooked soup, the lads put down their weapons and weren't bothered at all. The canoeists came over from the Hungarian side, tied up their boats, we drank schnapps in front of the guards - they said nothing...

He wasn't my contact, but I have heard that in Tiszabecs an officer of the border guards accepted and forwarded people. It could have been a group in Nagyszőlős, but I know nothing about it. I do know that there is a team in Técsôn, who take people to Romania, but from where, or where to, I don't know. People don't go from Kárpátalja to Poland, this is sorted out

by those in Lemberg. Most go to Hungary, a few to Romania, not many to Slovakia. The Romanians don't guard their border at all, Hungary and Poland are transit countries, but I know that many have applied for and received immigration visas for these places.

There was always an interpreter with the groups, who went with them right up until they crossed the border. He would get in the car at Munkács, then after crossing would get back in and return. Over two and a half years it was always the same narrow-eyed Tadzsik or Türkmeni kid who translated, who could also communicate with the Afghanis, the Iraqis, the Iranians and the Bangladeshis.

There were problems too, medical ones. Once two children fell ill and couldn't get across. They were taken back to Paszeka, where they were treated and brought back with another group. One summer three people spent three weeks in the barn...

As people would stay with me for 2-3 days at a time I would talk to them. As far as I can tell the main reasons for their emigration were economic ones. They had no work, no other way of making money, big families and lots of children. The second reason was war and local clashes between tribes. Most of them have relations in the west, in England, Germany or Canada. If they get out they have the connections to make a start. I spoke to many families where the husband, sibling or another relation lived in Germany, for example in the Bâden-Gothenberg region or the Stuttgart area, and had received their immigration visa. These people had an actual address to go on, they just needed to get out there.

I don't know anything about those that are caught in Hungary, but those they catch here are taken to the police station in Ujlak, interviewed, held for a one-two days at most and then taken to Munkács under escort. There they are questioned again and put on file before being sat on the train. One or two militia are provided as escort. A helper watches the consignments, and if anyone is caught he has to telephone. If the arrest was made in Hungary it was Géza who phoned to inform me. It was my duty to inform the woman. If I took someone over a second time - this happened three times - I was only paid fifty dollars. If I took a group that had been turned back in Hungary I got all the money, from which I paid those who helped me. At least, this is how it worked at the time. I don't know if things are still done this way as I haven't paid attention to the business since November 1997.

It's interesting that the person I got to take my place was a border guard who had been fired for drinking.

But I know how the job was done while I was there. Two to three days before the arrival of a group the woman, who I was in touch with, would be informed by phone. I rang Hungary, and told Géza that people were coming, when could they take delivery? Sometimes he said straight away, sometimes there was a delay of 2-3 days, even a week. There were also times when they hardly had time to eat, they were moved straight away. Everything depended on Géza.

On the Hungarian side too, it was always the same people who took delivery of groups, different people at Badaló and Vári, and at Tiszaajlak.

I only went to Kaszony when there was nobody local to take delivery. Géza told me who to go to, and two of us took the group all the way to Gelénes. But this only happened once. I never met Géza, and his mobile telephone number changed every 2-3 months. His caution is understandable as he was bringing at least ten people across a month, which brought in at least \$1000.

When I started doing this work I had less than nothing. The factory was closing down, there were the two kids 10 and 12 years old, my wife was unemployed, I had to do something.

Now, if I think about it, I wouldn't do it again. But at the time I got caught up in it, and after that couldn't get out. And of course the money came in handy, which I have invested to secure my future.

Over two and a half years I was caught twice, and it was twice arranged that the group would be caught, but only the people, not me. I've already told you about the first unscheduled capture, I was returning from Hungary when I was booked for unauthorised crossing of the border. The other occasion was when I didn't have my identification showing that I was the field warden for the collective farm. Naturally the emigrants are briefed by the translators that if they are caught they have to say that they don't know the guide. Somebody from the village showed them the way to the border, and that's the way they went. I only gave them instructions about the crossing: how to proceed, to keep quiet.

In Paszeka I sometimes had to wait for the people, and I often noticed that the hotel labels were still on the luggage: the 'Bratislava' in Kiev and the 'Varsavszkij' in Moscow. When I took delivery of the people, their papers and documents, the hotel bills were often among them. I had to take delivery of the people, if someone had a passport, I checked it, wrote down their names. If someone was caught we had to know who, if only because of the payment in the case of someone attempting to recross. Seventy per cent of them came with passports, but at the time of crossing these are held by one person. After the crossing they are passed on to the team waiting to accept the group.

I've had many sleepless nights, worrying that there will be a knock on the door, and I have to go back to work because someone needs bringing over urgently. But in a year this hasn't happened, not since I stopped.

Once there was a pregnant woman in the group. I didn't want to take her, but they insisted that she still had three weeks to go. She gave birth in the barn. She got frightened when the waters broke, but there was nothing she could do. I called the village doctor, to assist the birth. His silence also cost money. The doctor didn't ask any questions, just pocketed the money. The woman stayed with me for another two weeks, and then went on with another group. But there were tragic cases as well. Sometimes people died in transit. This only happened with me once in two and a half years. A man fell in the water. I don't know what happened to him, he never turned up at my place again. It's possible he swam across the river, but he didn't arrive on the Ukrainian side. In any event he didn't cry out when he fell out of the boat, he was trying to get settled or something, I don't know. We could see him trying to swim, but not back the way we'd come. He was either swept away, or... It's interesting that the people in the boat didn't make a sound. No wailing or moaning, just a deathly silence.

The policemen I worked with were not detectives, but members of a security service affiliated to the police force. It was much safer to travel this way, and they never asked questions. At night they avoided the checkpoints. Once, traffic police wanted to take me in to Beregszász. There were seven people with me. The policeman said: "So what's it to be then? Shall we run you in, or..." So the matter was sorted out for \$500. I only got \$200 for that night's trip.

Groups contained doctors, engineers, military officers, but you could see that the majority weren't from among the upper echelons of society. There was also an entire bridge engineering team, Afghanis, but most were civilians and agricultural workers. Most of them were Afghani and Bangladeshi, I didn't get mixed groups, they always came from the same country. Once I got people that they hadn't been able to get across at Csap, or wherever. 14 People, they had been collected up and passed on to me. But even the translator could only speak to three or four of them. But you could see that the fourteen people didn't know each other.

Citizenship of the interviewees(trafficked migrants)

Citizenship	Number of interviews
Afghanistan	12
Algeria	5
Armenia	1
Bangladesh	2
Bulgaria	2
Burkina Faso	1
Cameroun	2
China	3
Congo	1
Ghana	2
Guinea	1
Iraq	6
Liberia	3
Nigeria	1
Pakistan	3
Romania	5
Sierra Leone	2
Somalia	6
Syria	1
Yugoslavia	23
Zaire	1
Total	83

1	Introduction.....	2
1.1	Background.....	2
1.2	Aims and objectives.....	2
1.3	Definition of trafficking.....	2
1.4	Methodology.....	3
1.5	Interviews with key informants.....	3
1.6	The interviews with migrants, site visits.....	4
2	THE Legal Framework relating to Human Smuggling and THE Trafficking of Migrants in Hungary.....	7
3	Institutional actors. Structure of the institutions, their organisational construction, cooperation and key challenges.....	12
3.1	Evolution of the organisational structure, actual mission of Border Guards.....	12
3.2	How does this operate in everyday practice?.....	15
3.3	Trafficking and the Migration Regime.....	18
4	Illegal border crossings and trafficking as reflected by THE statistics.....	21
4.1	About the database.....	21
4.2	Main trends in illegal border crossings.....	22
4.3	Assisted illegal border crossings and the use of traffickers.....	28
4.4	Way of border crossing.....	34
4.5	Smugglers and ‘helpers’ in the statistics.....	37
5	Structure, processes and methods of trafficking.....	40
5.1	Structure and working principles of trafficking.....	40
5.2	Methods of trafficking.....	46
5.2.1	Before Crossing the Hungarian Border.....	47
5.2.2	Crossing the Border.....	50
5.2.3	The particular case of air border crossing.....	54
5.2.4	Transport, infrastructure, security.....	56
5.2.5	In the country.....	57
5.2.6	Trafficking and the camps.....	..
5.2.7	Leaving Hungary.....	60
5.3	Corruption.....	63
5.4	The profit.....	65
5.5	Trafficking in women.....	66
6	Trafficking and other crimes.....	70
7	MIGRANTS PROFILE.....	73
7.1	Push factors mobilising illegal migration.....	73
7.2	Demographic characteristics of illegal migrants.....	77
7.3	General conditions of interviews with migrants.....	79
7.4	Migrants by country of origin.....	79
7.4.1	Romanian citizens.....	79
7.4.2	Citizens of Former Yugoslavia.....	82
7.4.3	Other Eastern European countries and CIS.....	86
7.4.4	Non-European countries.....	86
7.4.5	Sub-Saharan Africa.....	97
8	Trafficking of migrants as seen by the Hungarian press.....	101
8.1	The scope of trafficking.....	101
8.2	Trafficked migrants presented by the press.....	102
8.3	Traffickers, trafficking networks.....	103
8.4	Trafficking routes.....	104
8.5	Ways of border crossing, trafficking fees.....	104
8.6	Action and measures taken against trafficking of migrants.....	105
8.7	The efficiency of implemented measures.....	106
9	Strategies combating trafficking - assessment, proposals.....	109
9.1	Legal regulation.....	109
9.2	The relevance of the business model.....	112
9.3	Recommendations.....	112

Appendix

Interview with Kálmán Kiss General Major , Director National Headquarters of Hungarian Border Guards

Interview with the Ukrainian trafficker

Citizenship of interviewed migrants