



Migration violence at the state border (MVS_B)¹

Gábor Éberhardt

PhD, chief police counselor, police colonel,
Csongrád-Csanád County Police Headquarters,
Border Police Branch in Kiszombor
eberhardt.gabor@uni-nke.hu



*‘One must rise above it in a way all human conflicts,
that rejects revenge, aggression, retaliation.’*

Martin Luther King

Abstract

Aim: The aim of the study is to show whether there has been a significant change in the phenotypical pattern of irregular inward migration at Hungary’s Schengen external border since 2015.

Methodology: Using the tools of scientific research methodology, the Author conducts domestic and international source research and media studies. By analysing and evaluating data requested from the data controller, the Author prepares a summary assessment, which can be used to interpret the migration elements under investigation, describe the processes, and hypothesis.

Findings: Based on the results of the research underlying the study, it can be concluded that in the course of irregular migration activities in the Schengen external border of Hungary – in particular in Serbia – verbal aggression against physical elements and persons guarding the state border was followed by physical attacks.

Value: Based on research methodological findings, the study presents the typological changes in irregular migration actions in the Serbian border area of Hungary in recent years and the emergence of verbal and physical violence by those seeking to enter illegally.

Keywords: irregular migration, law enforcement, violence, wanderer

¹ Text closed on 30 September 2022.

Introductory thoughts

Human migration as both controlled and documented, as well as uncontrolled and unregistered, has become part of global human migration (Sassen, 2005). In my study, due to the lack of a large number of – but uniform – interpretations (e.g. [Annan, 2006](#); International Organization for Migration (IOM) - [URL1](#); European Union (EU) - [URL2](#); Bellwood, 2015), I identify transnational migration across state borders as a global social phenomenon in which nationals and stateless persons from other countries leave their countries of origin permanently, often indefinitely, for personal or family reasons, under the weighted influence of so-called *pull* and *push* factors.

While respecting human rights, the designated authorities also exercise control over persons and vehicles entering and leaving the state border, ensuring state sovereignty. This includes applied migration control, which is understood as a set of proactive and security-oriented measures for regular and irregular migration. This involves optimisation tasks based on data and situational awareness, in line with current migration patterns, with the coordinated operation of law enforcement assets in a legal, professional and proportionate manner.

Robert Ezra Park, in a study published in 1928, described the theoretical identification of a person (wanderer) who leaves his place of origin and considers it to be independent of his reason, purpose, duration, social perception and other characteristics ([Park, 1928](#)). This type of wanderer and its generalised meaning – irrespective of its current legal status –, appeared in the earliest written records, regardless of place, period, religion or ideology. The migratory process is also followed in the spiritual texts of world religions, in lexical and encyclopaedic frameworks, in historical narratives, in interpretations of legal developments, using the term ‘wanderer’.

The generally accepted meaning behind the word ‘wanderer’ has stood the test of history, being used and interpreted consistently in the vernacular by everyone from the student seeking to learn, to the preacher spreading the faith, to the merchant seeking to sell his wares, to the man leaving his homeland for a better livelihood. Alongside several researchers, accepting and representing the ideas of Hautzinger and Chimienti & Solomos based on the controllability of migration ([Hautzinger, 2018](#); [Chimienti & Solomos, 2011](#)), I prefer the term ‘wanderer’ in my study because it represents objective values.

In order to understand global human migration, the concept of state borders needs to be interpreted. In Hungary, the normative definition of the state border

can be found in a 2007 law.² In international law, a state border is a line, which can be represented as a projection of planes, separating the territory of a state from the territory of other states, or territories and areas of a *res communis omnium usus* (shared use) nature (Bruhács, 1999). One of the main functions of the state border as a spatial framework of sovereignty is to keep the population together and to close each other inwards, and to provide protection against others outwards. The notion and existence of a state border – besides demarcation, limitation, protection – can also refer to interconnectedness, connectedness. János Sallai's work also shows that the history of the state border can be traced back to the ancient states described in documents. Notable differences can be identified in the marking of state territory, the marking of state borders, the guaranteeing of their integrity, and the regulation of the conditions of their crossing (Sallai, 2014).

According to Iván Illés, *'...borders are at worst open wounds, at best healed scars on the face of the Earth'* (URL3). The CEASEVAL 2019 research results summary formulated the approach that *'spatial borders are perceived (by migrants) as physical boundaries between countries, with no other interpretation.'* If wanderers did not encounter physical obstacles or living or technical border controls at the borders between countries, they ignored spatial barriers to reach their migration destination (Bernát, Fekete, Tóth & Sik, 2019). This interpretation is synchronic with the fact that *'...such flows are often referred to as individual life strategies that cross borders, or as a black market for illegal mobility'* (Csizmadia, 2009).

Since their inception, states have created thematic rules and established the kind of organisations whose main tasks are to protect the inviolability of the national border, apply controlled entry barriers, deter offensive armed groups, protect the national economy and trade, and keep out of the country persons and events that are undesirable for the country. Each state has a monopoly on the right to determine the conditions under which access to, entry into and residence on its territory is granted (Krasner, 1995).

In my study, I highlight the poorly researched and published typology of migration, whereby irregular migrants attempting to enter the state border use aggressive verbal and actual physical violence against the officers and technology that guard and support the state border. I identify this act as the verbal and physical violence used at the state border by irregular wanderers against the means and human power used to prevent unlawful entry movement.³

2 Act LXXXIX of 2007 on State Borders § 1 State border of Hungary.

3 Migration violence at the state border (MVSB).

As a result of the source research, it can be summarized that the national and international literature related to irregular migration and the state border typically presents the victim side of the phenomenon of human trafficking. The aim of my study is neither to present migration violence as a ‚push‘ factor of the sending country nor to present violent crimes committed against or by migrants in the transit and/or destination countries (Póczik, 2017).

One of these phenomena is the xenophobia committed by border guards, which can manifest itself in both verbal and physical atrocities (Éberhardt, 2019; Özgün, 2021).

Furthermore, both Hungarian and international literature point to the fact that there is a factual link between irregular migration and organised crime, i.e. human trafficking (Póczik, Fehér, Dunavölgyi, Jagusztin & Windt, 2008; Shelley, 2014). In this context, wanderers also suffer significant grievances during the period of trafficking (Augustova, Carrapico & Obradovic-Wochnik, 2021), and as a third identifier, they also commit violent perpetrations against each other along their journey (Póczik, 2017).

Balázs László writes⁴ how Hungarian criminal law does not interpret the concept of legal violence (URL34), but it does identify the criminal law offence of violence against officials, public officials and their supporters, and punishes it.⁵

In the context of the MVSB incidents researched and described in my study, I use the World Health Organization (WHO) definition of violence as *‘the intentional, planned or actual use of physical force or power against oneself, another person, or a group or community, that causes actual or very likely physical injury, death, mental harm or developmental disability, or results in the deprivation of a life necessity’* (Krug, Dahlberg, Mercy, Zwi & Lozano, 2002).

20th century national historical patterns of inward recurrent migration in Hungary in the 21st century

When examining the historical antecedents of Hungarian national migration, it can be factually established that in the 1900s there were several events in

4 *‘Legal theory links violence in the particular (as a mode of perpetration) with coercion in the general, that is, physical coercion, which is the relationship between the coercer and the coerced, resulting in the expression of the coercer’s will in the conduct of the coerced. In the practice of the Supreme Court of Justice (now the Curia), violence is the exertion of physical force directly on a person to break down resistance. In legal literature and practice, a distinction is also made between coercion and violence (and threats), which are coercive (vis absoluta) and coercion/violence which bends the will (vis compulsiva), as a result of the conceptual link between the two. According to the Pécs School, vis compulsiva in the form of physical coercion is a transition between physical violence and threats. In its orientation, violence may be directed essentially and directly against a person or a thing.’*

5 Act C of 2012 on the Criminal Code, § 310-312.

which large numbers of refugees crossed the country's borders. These phenomena, according to the current interpretation of national law, are covered by the definition of a crisis caused by mass immigration under Article 80/A (1) (c) of Act LXXX of 2007 on the Right of Asylum (hereinafter: RAL.). The legislator gives the Government the power to declare and proclaim a state of crisis in the event of its existence.⁶

Examples of such historical events, which triggered mass migration effects, were the period following the Trianon Peace Treaty (Gubicza, 2013), the German invasion of Poland in 1939 during World War II and the reception of tens of thousands of refugees from there to Hungary (Sallai, 2008).

During and after World War II, hundreds of thousands of people (e.g. Hungarians and Saxons from Romania) fled to Hungary and, due to the movement of the front lines, e.g. to Austria and Germany. As a blot on history, approximately 800,000 to 900,000 people were deported to Allied or Soviet POW camps, 490,000 Hungarian Jews were deported to concentration camps, 136,000 ethnic Germans were deported and 120,000 people were affected by the Slovak-Hungarian population exchange (URL4). A significant number of diasporas arrived in Hungary after the Second World War, due to events in Greece (URL5).

As a consequence of the revolution in the autumn of 1956, about 2% of the population of the time fled the country by necessity (Zieck, 2013). On the road to democratisation in Hungary, the Pan-European Picnic planned for 19 August 1989 at the state border allowed a mass of East German citizens to cross into Austria in an uncontrolled manner (Sallai, 2009). As a consequence of the Romanian Revolution of December 1989, an estimated 13,000 people arrived in our country (Sik, 1990), followed by refugees from war-torn areas of the Southern Slavic crisis (Sik, 2007).

In the geopolitical context of the 21st century, there was the potential for citizens of one of Europe's youngest states to leave their country in significant numbers due to sources of conflict, partial international recognition and other influences. The migration of Kosovo citizens to Western Europe has also had a substantial migratory impact on Hungary's border with Serbia (Ilenczfalvi, 2008).

In the period of the second Kosovo exodus after 1999, at the end of 2014 and in the first two months of 2015, the increase in the number of refugees of Kosovo citizenship on the southern border with Serbia became a dominant element of migration to the Western Balkans (Biedermann, Novák, Szigetvári & Wagner, 2015). This phenomenon has already been part of the growing trend of

6 41/2016 (9.III.) of the Government Decree on the imposition of a mass immigration crisis situation on the whole territory of Hungary and on the rules related to the imposition, existence and termination of the crisis situation.

irregular migration flows, in which Hungary has typically played a transit role (Hárs, 2009). The increasingly identifiable irregular migration vulnerability of the Hungarian state border has also increased dynamically with the changing internal patterns (European Border and Coast Guard Agency, 2020).

These, together with the 21st century migration events that have taken place as a result of geopolitical and other factors affecting the country, culminated in 2015. The rate of asylum procedures due to mass irregular immigration into Hungary followed the number of applications within the EU, which showed a jump in 2015 to a registration rate of 12.71%, compared to the typical average rate of around 0.5-2.0% (URL7).

Negative migration effects caused by COVID-19 and the emergence of migratory violence at the Hungarian border

Even according to the oldest known histories, humanity is afflicted by a series of deadly diseases, such as various types of smallpox, scabies, tuberculosis and measles, which can cause acute illness or pandemics in many countries of the world with low vaccination coverage and low human health protection. These are carried by the patients, the infected carriers, as they wander to different areas and communities (Megléc, 2012). I agree with the statement that health risk is (also) an element linked to migration for which it is not sufficient to develop preventive measures at the national level, but at the supranational level, and to take them where appropriate (Bengtsson, Borg & Rhinard, 2017).

Continuing the line of thought from the previous reflection, I also agree that one of the risks associated with irregular migration that has received little attention in the past is the epidemiological threat. The conditions of (mental) hygiene and health-social care systems in countries of irregular migration, the migratory period, the mass movement and stay, and the infectious risks associated with psychological and physical exhaustion are cumulative. As a typological element accompanying an irregular situation, the latency of non-reporting to the authorities may further worsen the indicators. In an uncontrolled community, even a single person may be sufficient to cause a major epidemic, the source of which, precisely because of the mystery of concealment and mortality, can be identified by the competent authorities at the expense of considerable time and difficulty (Nógrádi, 2016).

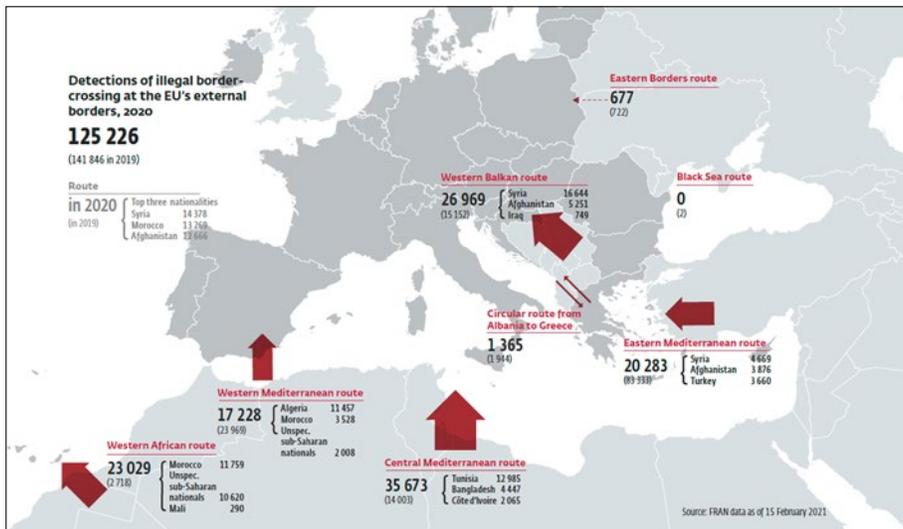
It is still true today that Europe's economically developed countries, with high social welfare systems, etc., are popular destinations for wanderers from the Middle East, the Western Balkans, and North and Sub-Saharan Africa (Biedermann, Novák, Szigetvári & Wagner, 2015; Ritecz & Sallai, 2016). In addition to the identification of push and pull factors, the research results have

a significant risk analysis (Héjja & Kenedli, 2011)⁷ significance because, for the population of European destination countries, wanderers from these areas may appear as carriers of epidemiological risk factors.

Significant changes in the typological elements of inward irregular migration (e.g. nationality and/or ethnicity composition, gender ratio, unaccompanied children and/or minors, age, etc.) that have been shifted from the Western Balkans and partly from the Mediterranean region can be identified since the migration events that occurred in 2015 on the southern border of Hungary. The reasons for these changes are complex, as I point out in a summary of research findings in a previous paper. It also draws attention to the also under-researched element that COVID-19 is releasing tens of thousands of detainees in some countries – in the case of Hungary, which is an irregular migrant emitter – as a mean of prevention to mitigate the negative effects of the global human pandemic (Éberhardt, 2021; URL8).

The European Border and Coastguard Agency (FRONTEX) (URL9), in its risk assessment, which also examines data for 2020, presents the main irregular migration flows that have emerged, of which the Western Balkans affects Hungary’s southern border.

Figure 1: From the Western Balkans and the Mediterranean, irregular migratory border crossers



Source: European Border and Coastguard Agency, 2021.

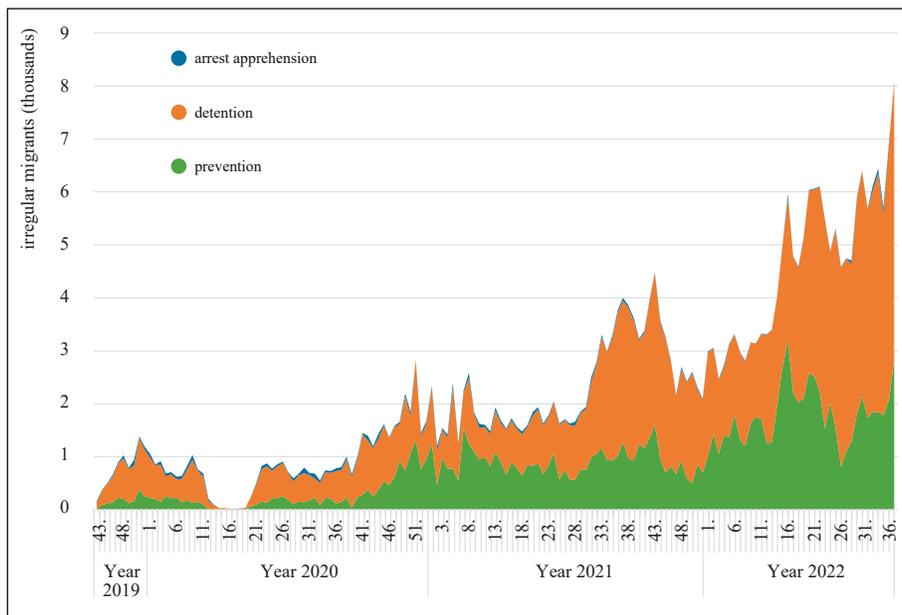
7 Risk analysis is the systematic activity of identifying and evaluating intelligence and other relevant data, information, facts and their interrelationships, which includes the examination of the human and technical availability and shortcomings of information gathering.

In its analysis, FRONTEX highlighted that 12% fewer irregular entry attempts were recorded at the external borders of Member States compared to the previous period, the lowest since 2013. The reason for this is identified as the measures introduced by the state as a result of COVID-19, as recommended by the WHO (Cieleszky & Finszter, 2021), of which the regulation of free movement restrictions was a substantial part. The same downward trend was observed for vulnerable categories (e.g. women, children, elderly, and families), but the proportion of male wanderers was significantly higher than in 2019.

On the southern border of Hungary, the FRONTEX forecast proved to be correct, with a significant decrease in irregular border crossing attempts inwards, stagnating at minimal levels, as one of the effects of the COVID-19 restrictions. With the easing and lifting of domestic and foreign restrictions, however, the migration process has continued (Gömbös, 2022), with the figures showing an upward trend in the period of the study. Figure 2 also shows that the number of irregular migrants trying to enter the country's territory is increasing dynamically and the proportion of those apprehended in depth is increasing like scissors about the number of those prevented at the Temporary Security Border (TSB). These circumstances and the predicted trend of irregular migration may have been the basis for the government's decision to reinforce the physical protection of the IBH and to increase the number of personnel guarding the state border.⁸

8 244/2022 (VII. 8.) Government Decree on the rules for contracted border hunters belonging to the staff of the body established to perform general police duties

Figure 2: *Inbound irregular migration attempts (week 43 2019 - week 36 2022)*



Source: National Police Headquarters (NPH) data – the author’s own editing.

([URL11](#); [URL12](#); [URL13](#); [URL14](#)).

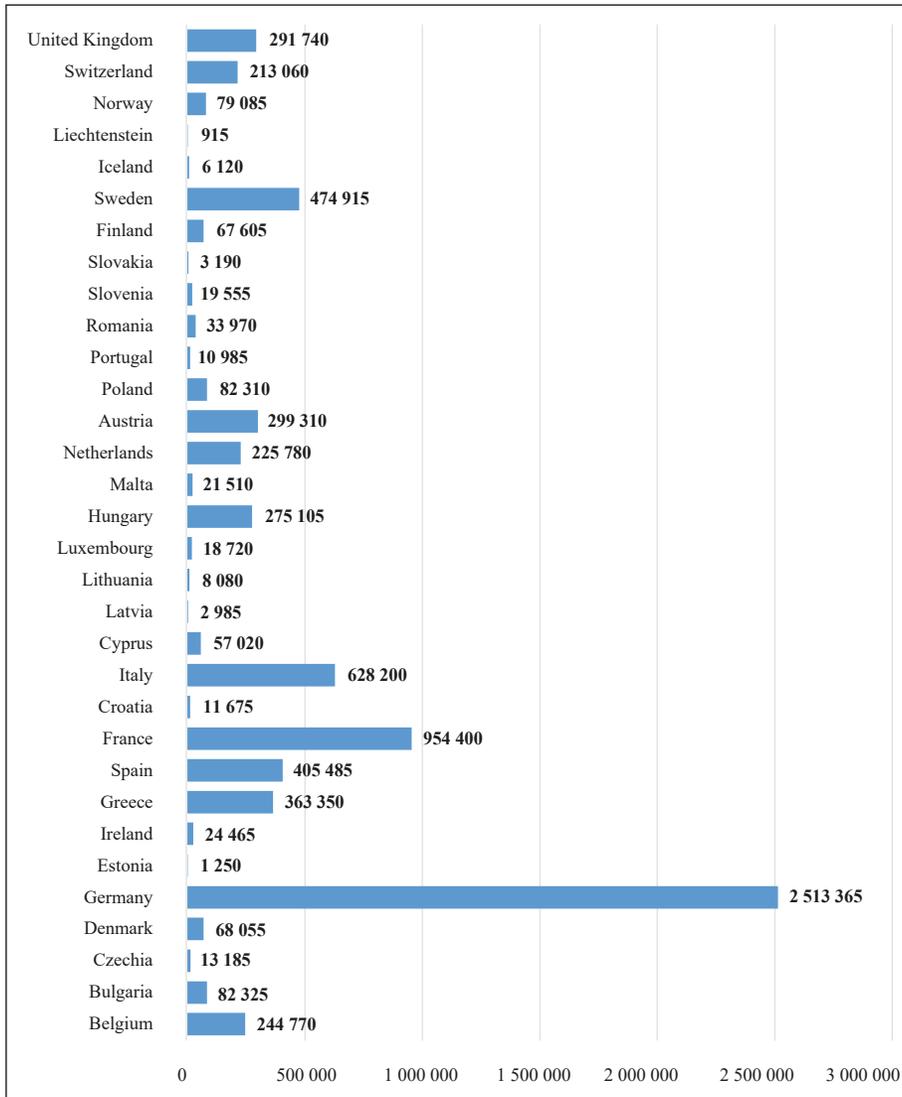
According to the data from the EUROSTAT database, the number of asylum applications received by the Member States in the 32 EU countries between 2012 and 2021 is shown in Figure 3.

The number of asylum applicants in Hungary during this period was as shown in Figure 4. The analysis of the graph shows that there is a significant difference between the number of irregular migrants who have entered the territory of the country and the number of migrants who have entered the territory of the country but have returned to Serbia based on the normative environment. One of the reasons for this may be the legal protection (e.g. by re-regulating the asylum application procedure), in addition to the physical barrier and human resources, which the Hungarian state has provided as part of the so-called three pillars to reduce irregular inward migration.

Based on further analysis of the data presented in charts 3-4-5, it is possible to conclude that Hungary’s position remains that of a transit state (Molodikova, 2014), which, due to its geopolitical location, is one of the gateways to the destination status of other EU states with high standards of care. At this gateway, however, irregular migrants continue to aim to enter the country without being

subject to law enforcement controls and then continue their journey from the country's territory to the destination country.⁹

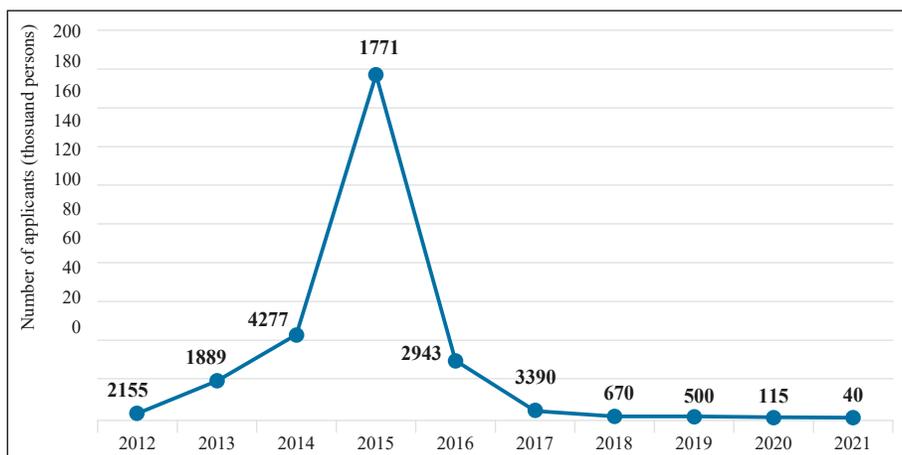
Figure 3: *Asylum applications received by the 32 European countries*



Source: The author's own editing (URL15).

9 292/2020 (17.VI.) Government Decree on the designation of embassies in connection with the declaration of intent to lodge an asylum application

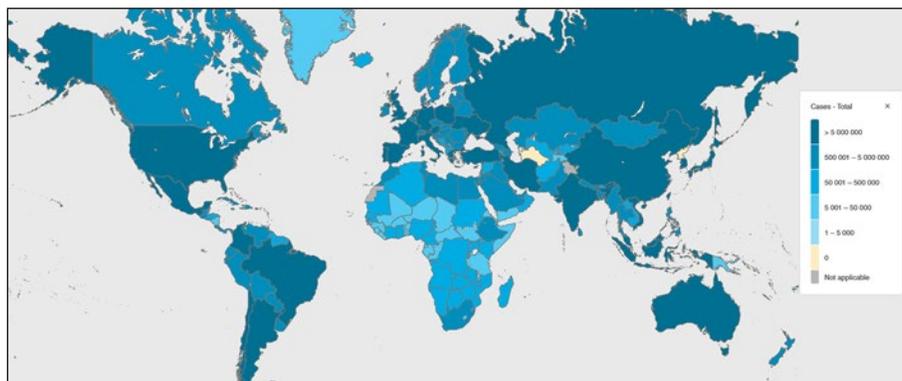
Figure 4: *Asylum applications received by Hungary 2012-2021*



Source: The author's own editing ([URL16](#)).

In this typological context of risky migration, some nation-state measures to prevent the effects of the global human pandemic COVID-19 have had negative effects, one of the consequences of which has been the emergence of the previously uncharacteristic MSVB at the Hungarian border.

Figure 5: *WHO-managed pandemic caused by COVID-19 pandemic 2020-2022*

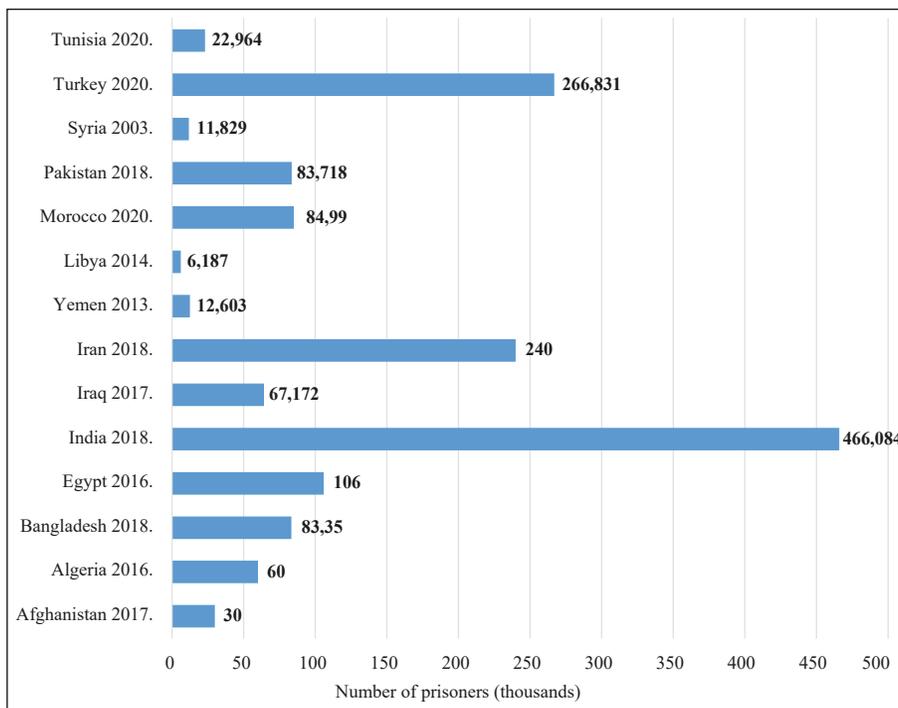


Source: ([URL16](#)).

According to the data managed by the Police, in the years 2020 and 2021, persons were returned to Serbia, the majority of whom were citizens of Tunisia, Turkey, Syria, Pakistan, Morocco, Libya, Yemen, Iran, Iraq, India, Egypt, Bangladesh, Algeria or Afghanistan, or declared themselves to be such in the absence

of a valid identity document (URL17; URL18). The numbers of detainees by year of reporting by the nations listed are shown in Figure 6 (URL19).

Figure 6: Number of persons detained in the main countries of origin concerned for Hungary (2020-2021)

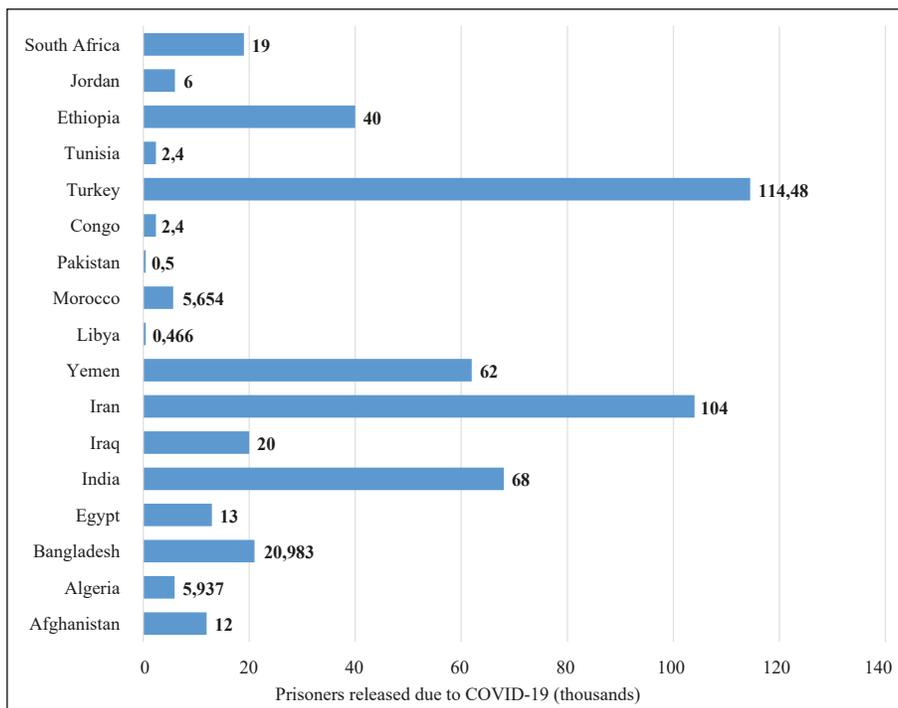


Source: The author’s own editing (URL17; URL18; URL19).

During the period of the COVID-19 human pandemic in early 2020, there was also an international effort to apply curfew restrictions, tightening and suspending movements at internal and state borders. These measures affected countries of origin, transit and destination.

Among the tasks of human pandemic prevention, the WHO has identified vulnerable groups (e.g. elderly, disabled, pregnant women, etc.). In a law enforcement context, one of the most at-risk populations is the prison population, prison inmates. To reduce this critical element, around 475,000 prisoners were released in 53 countries around the world between March and July 2020. Although these legal mechanisms have been reviewed, modified, abolished – or not applied – in several countries, the number of prisoners released was significant (URL20; URL21).

Figure 7: Number of detainees released from COVID-19 in 2020 in migration-releasing countries (thousands)



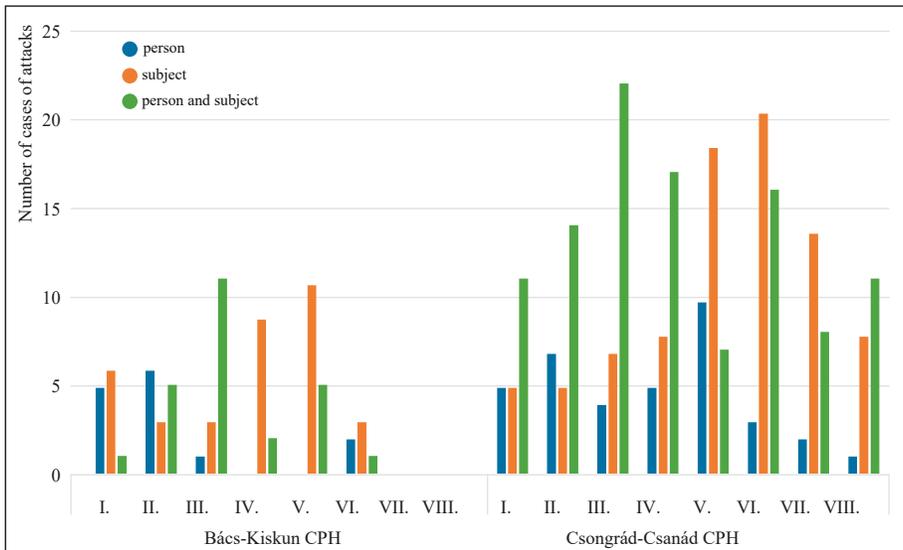
Source: The author's own editing (Penal Reform International, 2021; URL23; URL24; URL25; URL26; URL27; URL28; URL29; URL30).

While these parole arrangements have reduced the spread of COVID-19 in particular communities, the release of detainees also poses security risks. For those who were economically underdeveloped and had lost their social background and financial security, it was a way of stepping onto the path that they hoped would change their lives for the better. This is how the epidemiological preventive release of prisoners emerged as an irregular migration push factor. At the same time, the number of wanderers arriving on the Western Balkan migration route to our country increased, forming a base for the violence among the arrivals aimed at gaining access to the Hungarian state border.

On the basis of the analysed data from the research carried out, it would be unscientific to claim that all or even some of the half a million detainees released from these identified countries, or from elsewhere without a credible and unidentifiable identity (Éberhardt, 2021), would want to travel via Hungary to another destination country.

At the same time, by examining the elements of migration typology, the hypothesis that the countries listed as examples could have been or could be the destination of migrants who have lost their roots and who do not shy away from violence, including attacks against those guarding the security of the state border, could be substantiated. If only 1% of these persons arrive in the region and show their psychosocial condition and their tactically based offensive communication and action methodology as an example to be followed by the other arrivals, we can understand the change that has occurred in the Hungarian border with Serbia in recent years.

Figure 8: *MVSB attacks on the southern border of Hungary, January - August 2022*



Source: County Police Headquarters (CPH) data – The author’s own editing.

The analysis of the data for 2022 provided by the Border Police Department of the Police in the course of the research shows that no MVSB occurred in the territory of the Baranya County Police Headquarters (CPH), which is still protected by TSB. The analysis also showed that a lower number (1/3) of physical violence from the other side of the state border was detected in the border section controlled by the Bács-Kiskun (BKK) CPH compared to the Csongrád-Csanád (CSCS) CPH border section during the period under review.

There were 105 assaults against police officers at the CPH border section of BKK, one of which resulted in personal injury. 36 members of the Defence Forces were assaulted and no personal injuries occurred. Four members of the

Armed Security Guard (ASG) were assaulted and no personal injuries occurred. In the case of CSCS CPH, 93 police officers were attacked, five of whom were injured. 212 members of the Defence Forces were physically assaulted, 24 of whom were injured. Two members of the ASG were assaulted, with no injuries.

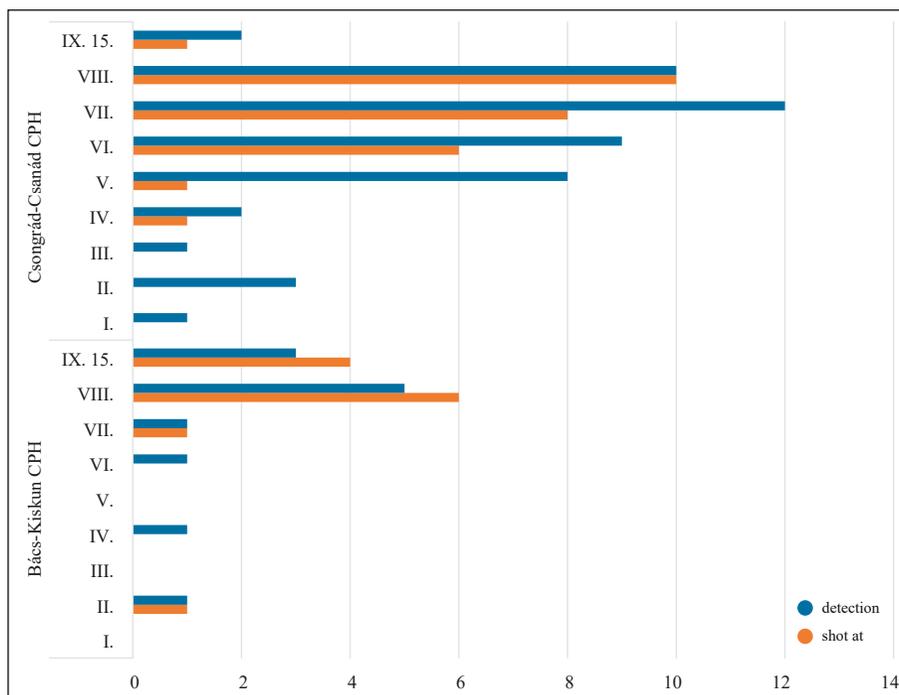
The number of perpetrators ranges from 1 perpetrator to small groups of a few to large groups of 100 perpetrators.

The means of perpetration are also very varied, depending on what or who is targeted. Mostly using tools and materials found on the overland route of movement, or objects obtained on purpose, the list is also wide. One of the simplest perpetrations is to move cameras mounted on the roof of the TSB, break them down, smear mud or paint on the lens, and tunnel under the fence to gain entry. The fence and its elements are cut with metal cutters. The perpetrators throw anything they can, e.g. gravel, stones, bricks, glass or metal balls, glass, tiles, wooden blocks, etc. Serious personal injuries and property damage are caused by the large mass of objects thrown at service officers, vehicles, etc. The offences also included the use of tear gas, rubber bullets, and objects that appeared to be alarm guns or firearms ([URL31](#), [URL32](#), [URL33](#), [URL35](#)).

Based on the analysis of the data received, it can be reiterated that the most dangerous events did not occur in Baranya CPH. A total of 39 shots fired on the Serbian side of the state border were detected at BKK CPH and CSCS CPH during the period under evaluation. 56% of these occurred in the CSCS CPH section. The shots were single shots, as well as occasional 2-3-4-5 shots and (presumably) machine gun bursts. Also on the other side of the border and in the TSB area, 60 firearms (apparent objects) were observed on persons who were linked to the MVSZ plot. Out of these, 12 were detected at the BKK CPH (25%) and 48 at the CSCS CPH (75%). Perpetrators typically commit their acts while covering their faces, making it difficult to identify them. The analysis of the data highlights the fact that this type of serious violent offence, which endangers the lives of border guards, is also committed during the daytime.

Based on the data provided by the territorial bodies of the Police during the research, it can be concluded that in the border section of the Baranya CPH in recent years acts of damage have occurred only in the case of TSB. These damages are repaired based on a framework contract. In addition to the damage to the TSB, damage to service vehicles and other equipment has also occurred at the BKK CPH. Out of these, the year 2020 stands out. About the border section guarded by the CSCS CPH, the damage to the TSB and repairs also take up a significant amount of money.

Figure 9: Sightings of shots and firearms on the southern border of Hungary (incident) 1 January - 15 September 2022



Source: County Police Headquarters (CPH) data – The author’s own editing.

At the same time, the amount of damage to service vehicles managed by the territorial body is higher than the other 2 bodies (63 million HUF in 2022). As a summary of the data analyses, it can be concluded that, in addition to the damage to military equipment, the police alone have seen damage values increase in recent years in proportion to the number of incidents and the aggressiveness of the MVSB, reaching hundreds of millions per year. The chances of recovering damages for these acts of vandalism are minimal due to the lack of possibility to identify and prosecute the perpetrator(s), and the costs are borne by the relevant organisational elements, the Police budget, and the Hungarian state.

In the last decade, the southern border of Hungary has been crossed by wanderers following the Islamic religion, mainly from the Western Balkans, and occasionally from the Eastern and Central Mediterranean.

The word Islam is of Arabic origin and means obedience, devotion, and resting in the will of God. The Islamic religion is familiar with the phenomenon of

migration, of emigration, which it identifies as being caused by economic or religious problems or simple resettlement. The Qur'an tells of several waves of migration among the followers of the Muslim faith. It allows, even recommends the oppressed and weak people to migrate from their habitat to another land of the Prophet, which has to be helped by those who have the power to help the wanderers, the refugees. The modern world has established geographical borders, checkpoints and conditions to divide nations and stop the flow of migration. In the teachings of Islam, all countries belong to God and all people are servants of Allah. According to Muhammad's teachings, refugees should be listened to, known, given the opportunity to integrate into their chosen environment and, if they accept the rules of the host nation, provided with all possible assistance (Saritoprak, 2011).

A correct interpretation of the teachings of the Qur'an can answer the question of whether the religion teaches its followers to commit acts of violence such as those we are witnessing on the Serbian-Hungarian border. The holy book says: *'There is no coercion in religion!'* (2 Sura 256), *'And whoever wills, let him believe, and whoever wills, let him deny!'* (18 Sura 29).

In recent years, mass, migration, violence and aggression have also become synonymous with each other in Hungary and across Europe, the reasons for which are less attributable to religious affiliation and hostile feelings than to the actions of individuals who may be linked to politically motivated provocations or organised crime (Póczik, 2016).

Conclusion

Source research has clearly confirmed my finding that violence by wanderers against state border guards is a poorly researched and published topic at the international level. As a typological element of the irregular migratory pressure on Hungary's southern border, this violence against guards and their equipment has become commonplace. A detailed media analysis study examined the terms used in reporting, which in Hungary in 2015 included the term *'violent'*, *'aggressive'*, and *'dangerous'* migrants, but beyond the perceived fears, the actual act was not common, except for the 15 September event (Boldizsár, Németh, Petrovszki & Szekeres, 2017).

The research results also supported the hypothesis that the number of irregular migrants from the Western Balkans arriving in the main direction of irregular migration to Hungary's southern border – increased substantially after the lifting of the free movement restrictions due to COVID-19. It can also be factually

established on the basis of authentic data services that the number of attacks by travellers against border guards and their support equipment, vandalism and other provocative and offensive manifestations is increasing very dynamically. In addition to official police data, the media have also drawn attention to the fact that firearms have appeared and are being used by wanderers on the other side of the state border ([URL36](#), [URL37](#)).

These uses of firearms during the research period have only caused personal injury or death among arriving wanderers, however, as there is documentation of shots being fired across the border near the state border, it is only a question of time before one of the personnel on duty there is hit.

How could this situation have developed despite the excellent Hungarian-Serbian inter-state relations? Perhaps the combination of the political line '*...migration is not Serbia's problem*' ([URL38](#)), the rise of organised human trafficking and by some migration-issuing countries to prevent COVID-19, may provide an answer.

The question also rightly arises: how is such a situation possible on the border of a country that has a sovereign right to protect its integrity and the lives of those who serve there?

The regulation of the use of firearms to prevent the unlawful crossing of state borders varies at the global level and from one nation-state to another. Hungary applies the '*defensive*' practice. Crossing the state border in an unauthorised manner does not in itself authorise guards to use firearms against a person ([Lacin, Turkan & Oyikum, 2020](#)).

In the Hungarian legal system, separate laws regulate the rights and obligations of the police and the defender, the measures to be taken, the means of coercion and the rules for the use of firearms.¹⁰ An analysis of these laws reveals that the National Defence Forces and the Police have different regulations regarding the means and the powers of the police. Hungarian regulations on the use of firearms for law enforcement and military purposes are also very strict at the international level. It has detailed prohibitive restrictions, the violation of which may give rise to criminal liability (Szabó, 2020).

The study has pointed out the poorly known and researched problems that threaten the state border of Hungary and the lives and physical safety of those serving there. The analyses and forecasts those warn of the changing typology of irregular migratory pressure are correct. These trends foresee negative effects in the short and medium term, but the problems need to be tackled in the long

10 Act XXXIV of 1994 on the Police, § 54 A police officer may use a firearm.
Act CXL of 2021 on National Defence and the Hungarian Defence Forces Act No. 51.

term at the global level, starting (preventive) management in the countries of origin and close cooperation between transit and destination countries.

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