

NATIONAL UNIVERSITY OF PUBLIC SERVICE

Faculty of Military Sciences and Officer Training

Doctoral School of Military Sciences

ABSTRACT OF PHD THESIS

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**OPTIONS FOR THE DEVELOPMENT OF THE INTEGRATED
BORDER MANAGEMENT SYSTEM**

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The research problem

In today's speeded-up and constantly changing world, the processes that take place involve a growing number of changes whose frequency has also grown, while the courses have speeded up, too. Therefore, the management of the changes — that often manifest themselves as threats or problems — is often made difficult by a large amount of unstructured, real-time information acquired by the organisations that provide security, thus jeopardising the maintenance of security levels. Because of the deficiencies in the systems applied to manage the obtained unstructured information, a part of this information is wasted, which makes the management of problems complicated and ambiguous. Most threats do not emerge one by one but as compound phenomena. Combating them also needs to be complex, but, because of the nature of globalisation, this complex intervention is not always feasible. Border security is a decisive component of the comprehensive concept of security and is closely and mutually related to the other components, e.g. public safety.

General security including border security is influenced to a large extent by migration as a human need. Among its triggers, natural processes such as climate change have recently been playing an increasing role again. The volume of migration has increased in the speeded-up world. People wish to enter one of the target areas of migration, the expanding European Union not solely in legal ways. Swarmed by hundreds of thousands of illegal migrants year by year, the EU faces the phenomenon of migration as an increasingly serious challenge for security policy.

Compensation for the undesirable effects of migration (and illegal migration as its component) requires coordinated action from the target countries. By the signing of the Treaties of Rome the free choice of place of work and residence for the member states' citizens was envisaged to facilitate internal migration. Since the Agreement implementing the Schengen Convention entered into force it has been accomplished — in a limited area — but it also applies to those coming from the present external regions and results in a synergy effect.

Hypotheses for research

1. Border security is part of the comprehensive concept of security and will continue to be one of its decisive elements in Central-Eastern Europe in the long run.

2. The establishment of the Integrated Border Management System in Hungary and its integration into the border security system of the European Union lived up to the expectations. However, the interpretation of border security has become one-sided, resulting in the inefficient operation of the Integrated Border Management System.

3. The European Union and its security are constantly exposed to challenges, risks and threats. Some of these directly, others indirectly jeopardize the Integrated Border Management System, too. When assessing the range of these challenges, risks and threats we need to consider both the internal and the external factors.

4. In order that the Integrated Border Management System will continue to operate in an efficient way it needs to be steadily developed in accordance with the challenges. Real-time unstructured information connected to security can only be managed with the help of integrated IT systems. Therefore, capabilities related to the gathering and organising of information will need to be developed in the near future. The significance of real-time information systems will grow. The mission and tasks of Frontex should be extended.

Aims of research

I specified the following aims for research: My *general aim* was to investigate integrated information systems and the comprehensive concept of security. My *key objective* or *principal aim* was to define the place and role of the Integrated Border Management System, with a specific aim to showcase the state of affairs in Hungary, with special regard to the situation in Hungary after it became a fully-fledged member of the Schengen area and its Border Guard and Police force were integrated.

I set as a *horizontal aim* to examine the impact the further enlargement of the EU and the evolution of the Schengen process might have on the Hungarian Integrated Border Management System. A specific aim was to look into the future of border policing and border security in Hungary.

This thesis does not wish to investigate areas that are related but peripheral to border security systems, e.g. professional issues of customs or animal and plant health.

Research methodology

While investigating, I tried to ensure consistency between the aims, applied methods, conclusions and the scientific findings based on them. When selecting the methods I regarded

that the concept of security is especially complex, due to which it can only be analysed by adapting a holistic approach and considering its interdisciplinary nature. In other words, no matter which branch of science this concept is investigated by, it should always refer to effects and circumstances that come from or ripple to other areas of science. Thus, in order to achieve the above aims, I collected special Hungarian and foreign literature and legislation available and examined them using historical and comparative methods.

I applied the method of written enquiry (questionnaire) in order to support one of my hypotheses and to make sure that its investigation is objective and versatile. After processing the answers to the questions, I summarised the findings in tables and analysed them before drawing the conclusions and formulating the experience gained. In the individual chapters I formulated partial conclusions by synthesising the explored knowledge.

The operation of the Integrated Border Management System is the responsibility of the Police and the border policing branch of service in particular, therefore in this special area I used methods such as data collection in the field and unstructured interview and analysed the data gained from them.

Also, I attended scientific and professional conferences where I has the opportunity to gain wider and more accurate knowledge of the subject, and also to give presentations.

The research period

I started my research related to the Integrated Border Management System as a university student in 2007 and I have been publishing its achievements ever since, both in Hungarian and English, in Hungary and abroad. The questionnaire-based research on how inland (also called in-depth) checks are carried out in Hungary, which is part of this PhD thesis was conducted in 2011. I concluded my research 11th March 2011, therefore this thesis does not include subsequent changes in the legislation or the institutional system.

The structure of the PhD thesis

When planning the structure of my PhD thesis, I applied the systemic approach and starting from the whole system I moved towards the partial or sub-systems.

The research problem laid down above is formulated in the Introduction to the thesis. Its topicality is proved, the aims, hypotheses of the research as well as the research methodology are outlined.

Chapter one presents the concept of border security, its significance and relationship with security, followed by its relations to policies concerning the area of freedom, security and justice. Focusing on Central-Eastern Europe, it is pointed out why border security is of great importance in this region.

In chapter two I used the historical method to investigate the formation of the Integrated Border Management System, its present structure and establishment in Hungary. Based on the data obtained by data collection in the field and unstructured interview, I compared the state of play of the legislation and the accomplishment of tasks in Hungary against the expectations set by the European Union. This chapter also contains the special modern interpretation of border security in Hungary and my research conducted among the staff of the Hungarian Police on inland checks.

Chapter three analyses the challenges set for the Integrated Border Management System, aiming at drawing a complete picture by elaborating both on the external and internal threats.

Chapter four describes the options for the development of the system, divided into categories such as ‘responding to the challenges’, ‘organisational structure’, ‘new methodology’, ‘new technical equipment’ and ‘the necessary changes in legislation’. In accordance with one of my hypotheses, I laid special emphasis on integrated IT systems.

Partial inferences are drawn at the end of each chapter, which were summarised in a final conclusion in chapter five, followed by the summary of scientific findings of the research and proposals for their application and the continuation of the research.

The Appendices include samples of documents as well as diagrams, tables and images to support the research findings.

Summary of research findings

Similarly to the challenges set for it, security has also become complex. The concept of comprehensive security has emerged involving several elements. Problems concerning international security manifest themselves as threats to the existence of the state (and not only of the state), thus it is the state or its representatives that take emergency measures to manage them. One of these issues concerning international security is illegal migration, which is included in almost all security strategies. The leaders and authorities of the EU and of the states turn to taking extraordinary measures to manage it, therefore *border security can be*

interpreted as an independent concept. The Schengen Convention and later the Agreement Implementing the Schengen Convention, their entry into force and transposition into Community legislation made border security – as part of the comprehensive concept of security – supranational.

The importance of Central-Eastern Europe in the Integrated Border Management System is supported by the fact that, although the neighbouring non-EU states certainly have the desire for integration, their accession to the European Union is unlikely even in the medium term. The present eastern (Schengen) borders will definitely be maintained and EU border security will mainly be guaranteed by the states situated along this border. Also, two major land migration routes cross this region.

The establishment of the EU Integrated Border Management System began in the 1960s, by the signing of the Treaties of Rome. The Treaty of Amsterdam resulted in the Schengen acquis being incorporated into the legal framework of the EU and thus the EU border control policy and the Schengen process became interconnected. The Laeken European Council introduced the “integrated management system for external borders”. A new phase in the elaboration of the European policy concerning the management of external borders was represented by the Hague Programme. Currently, the Integrated Border Management System comprises five tiers and besides its original elements (mainly law enforcement activities) it also includes components related to criminal investigation.

Accession to the European Union requires as one of the political objectives set by candidate countries the establishment of an integrated border management system within the country modelled on that of the European Union. That is what happened in Hungary, too. The Hungarian border management system is divided into ten components.

The Hungarian Border Guard was integrated into the organisation of the Police as of January 1, 2008, which also brought about changes in the structure of the tasks related to the system of border control and Integrated Border Management. They became responsibilities of the Police but continued to be carried out separately, being similar to ‘substances foreign to an organism’. Because of the peculiar interpretation of border security the emphasis was laid on external border control.

My investigation on inland checks pointed out the deficiencies in the system. The research was conducted among the staff of the Hungarian Police with the help of an Internet-based survey. The findings showed that the place of border policing was considered to be beyond

the scope of police duties. The survey also proved that the staff had insufficient knowledge of how inland checks are regulated and carried out.

We classify the threats the averting or change of which necessitates emergency measures in the public eye as security challenges. Security challenges for the states may emerge in various areas; for example mass immigration may also jeopardise the security of society.

The management of emergencies is carried out by the actors of general security. Threats that have a compound impact can only be managed by integrated security systems. Among the challenges posed to the Integrated Border Management System we must reckon with external and internal threats.

Globalisation influences migration, too. People who set out on the road of international migration keep in touch with those who remain at home. Thus push-pull factors have a larger impact, i.e. real-time communication and the push and pull factors increasingly produce synergy.

Global warming will probably bring about regional changes and we need to prepare for them at regional and national levels. Climate change must not be ignored from a security aspect, either. In our region it mainly concerns disaster management but because of the cross-border effects border security must also be considered.

A constant threat for the Integrated Border Management System of the EU is the existence of steady migration flows involving the movement of illegal and irregular migrants.

Demographic aging and the sustainability of the pension system are major internal challenges. Well-qualified EU citizens use the freedom of movement to seek opportunities in other member states. However, it is immigrants who apply for vacancies.

Relationships also figure among the push-pull factors of migration. However, the migration chain formed by expatriates may at worst result in clustering. Ghettoisation may start and even parallel worlds may come into being.

Unification, standardisation can also be found in the European Union but unfortunately not with regard to important policies like alien policing, immigration, nationality or asylum. In most cases the differences only appear in judicial matters.

In our speeded-up world information is of major value. Information of the moment or real-time information and systems that provide them have an ever growing role. SIS, VIS, EURODAC (and, similarly, AFIS) are systems already operating that help security work.

At present we only have plans for establishing a common border registrations system. Border checks are increasingly automatised. The Electronic Travel Authorisation System, the Registered Traveller Status and the development of face recognition systems are on the agenda.

Controlling the border area, which is about obtaining real-time information, means conducting surveillance within the state borders as well as beyond them. The technological development necessary to ensure it is also a task for the future. Gathering intelligence would be more efficient if satellite equipment and unmanned vehicles were deployed. Law Enforcement Integrated Mapping Application would play an important role in a network-based application of border guards and technology. Also, mass illegal migration as a source of threat makes the surveillance of social networks necessary.

Combating illegal migration may also require the introduction of new procedures. Joint operations could be carried out in the territory of member states or in third countries. The task could be to check infected inland areas in member states and intersections for crossing and lairs in external areas. National contact points between neighbouring countries could be set up, where an equal number of police officers from each country would carry out duties and would only do joint patrolling in the area of both countries. Inland checks are not efficient enough; new units adapted to the road and rail network should be established.

The role of FRONTEX has become more decisive in coordinating border control and its mandate has been strengthened. This could result in the regionalisation of the Agency, which is also included in the Stockholm Programme but the coordinating role of FRONTEX should be extended. As opposed to the management of the external borders that is emphasized in the name of the Agency it should focus on border security as a whole, i.e. contribute to the proper operation of the whole Integrated Border Management System. It should coordinate inland checks and the joint checks between member states, it should organise joint operations in non-member states. It should facilitate and be in the lead of purchasing new equipment and should give it to the member states for use. It should provide further training for RABIT members in order that they will be able to carry out operations.

The development mentioned above should appear in the legislation, therefore changes should be made both to community and national law.

The climate change mainly makes it necessary to supplement the training of the staff, which should be enlarged so they can carry out continuous, reliable border control and

provide constant health care. Because of the large number of illegal migrants waiting along the external borders we need to prepare constantly for migration emergencies and their management.

Most internal challenges are due to the differences between the various member states' policies related to the area of freedom, security and justice. Alien policing, asylum, immigration and nationality policies should be standardised and the unified implementation of standardised legislation should be enhanced.

Because of the differences between asylum procedures, anomalies around the catering for asylum seekers and especially the discrepancies related to the likelihood of accepting asylum applications an independent organisation is needed. The European Asylum Support Office should not only have a coordinating role but it should also assume tasks related to proceedings. Asylum seekers could be distributed according to a quota system, considering an equal level of commitment by member states.

In the long run, differences between immigration policies should also be done away with. It should be examined whether it is possible to initiate an action for failure to fulfil an obligation if an asylum policy contradicts the Blue Book.

New scientific findings

Based on the work on this PhD thesis that involved systematizing, synthesizing, comparative research and applying scientific methodology I wish to establish the following as new scientific findings:

1. I proved that border security is a concept that is related to internal security but can be interpreted independently and is part of the comprehensive concept of security. After the Schengen Conventions came into being and the Schengen acquis were incorporated into Community legislation, border security became supranational. Although intentions for integration certainly exist in the neighbouring states, their accession to the European Union is unlikely even in the medium term. Moreover, major international migration routes, also carrying irregular migration cross this region. The present eastern (Schengen) borders will definitely be maintained and EU border security will mainly be guaranteed by states along this border, therefore border security in Central-Eastern Europe will remain a decisive element in comprehensive security in the long run.

2. I found that the establishment of the Integrated Border Management System in Hungary and its integration into the EU border security system met the expectations, which is proved by Hungary becoming a fully fledged member of the Schengen area. By showcasing the organisational structure of the Police, analysing the statistical data of inland activities and those carried out along the internal borders and presenting the findings of my research conducted among Police staff I proved that the interpretation of border security has become one-sided, because of which the system of inland checks is inefficient.
3. I presented and analysed the challenges for the Integrated Border Management System, by which I proved that some of the challenges that the European Union and its security are constantly exposed to also directly jeopardize the Integrated Border Management System, while others pose an indirect threat to it. I also stated that most of the challenges for the Integrated Border Management System are of internal origin.
4. Mainly through discussing the issue of technological development, I proved that the efficient future operation of the Integrated Border Management System requires its continuous improvement. We must respond to the challenges. First of all, capabilities related to gathering and processing intelligence need to be developed. The significance of real-time IT systems is still increasing. New devices and procedures need to be introduced. I also pointed out the need for organisational development.
5. As a conclusion of my research, related to hypotheses 2 and 4 I made a proposal for certain modifications in the legislation and the introduction of some new elements of the structure of the Integrated Border Management System.

List of the author's publications

In foreign language periodicals published abroad

1. The impact of visa policy on integrated border management. Current Issues of Business and Law 2010/5(2) Lithuania pp. 388-404

In foreign language periodicals published in Hungary

2. Focal points on the external borders of Schengen. AARMS 2010/2 pp. 229-239
3. European Union's visa policy. AARMS 2011/1 pp. 103-113

In prominent Hungarian periodicals

4. Zsigovits László (Co-author): Határellenőrzés visszaállítása a belső határokon. Hadtudományi Szemle 2010/4 pp. 6-15
5. Az információs rendszerek szerepe az integrált határbiztonsági rendszerben. Hadmérnök 2010/4 pp. 201-211
6. A terrorizmus elleni fellépés lehetőségei az integrált határbiztonsági rendszerben. Szakmai Szemle 2009/3 pp. 110-126
7. A Schengeni Információs Rendszer szerepe az integrált határbiztonsági rendszerben. Hadmérnök 2010/3 pp. 138-149
8. Robotjárművek alkalmazhatósági lehetőségei az integrált határbiztonsági rendszer működésében. Hadmérnök 2010/4 pp. 212-226
9. Településőrök Vas Megyében. Belügyi Szemle 2011/3 pp. 67-81
10. A vízumpolitika hatása az integrált határbiztonsági rendszerre. Hadtudomány 2010/4 pp. 110-117
11. Fegyveres szervek-e a rendvédelmi szervek? Hadtudomány 2010/1-2 pp. 145-162

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2. A Rendőrség és a Határőrség egyesülésének hatásai az integrált határbiztonsági rendszerre. Határrendészeti Tanulmányok 2009/3. special issue, Budapest 2009. pp. 101-109

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4. Görögország migrációs katasztrófahelyzetben? Biztonságpolitika.hu 2010. 05. 20
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5. Ávár Imre (Co-author) Akcióban az Európai Unió határvédelmi csapatai.
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6. Az integrált határbiztonsági rendszer fejlesztésének egy lehetősége: közös műveletek végrehajtása harmadik országokban. MRTT Határrendészeti Tagozat honlapján
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7. A Stockholmi Program hatása az integrált határbiztonsági rendszerre. Hadtudomány electronic issue of 2010 http://mhtt.eu/hadtudomany/2010_e_22.pdf
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Curriculum Vitae

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Work experience:

2009-2011 Head of subdepartment at Department for Public Safety, Traffic Policing and Border Policing, Kőszeg Police Headquarters
2008-2009 Deputy Head of Department at Border Policing Department, Kőszeg Police Headquarters
2007 Head of Department at Border Policing Department, Border Policing Office, Szombathely
2004-2006 Head of subdepartment at Public Authority Subdepartment, Border Policing Office, Szombathely
2002-2004 Deputy Head of border guarding office at Border Guarding Office, Szombathely
1995-2002 Deputy Head of border guarding office at Border Guarding Office, Felsőcsatár

Education and Training:

2008-2011 PhD Training at Doctoral School of Military Sciences, Zrínyi Miklós National Defence University (final certificate)
2006-2008 Kossuth Lajos Faculty of Military Sciences, Zrínyi Miklós National Defence University, MSc in border policing and defence management
1996-1999 College of Finance and Accountancy, financial economist
1992-1995 Border Policing Speciality, Police College, BA in border policing

Personal skills and competences:

Computer skills and competences:	User of MS Office 2010 and Windows 7
Foreign language competences:	German: C2 (Advanced) English: B1 (Pre-Intermediate)

Scientific achievements:

1. A teljes jogú schengeni csatlakozás és a Határőrség-Rendőrség integrációjának várható hatásai a magyar-osztrák államhatáron, XXIX. Országos Tudományos Diákköri Konferencia, Had- és Rendészettudományi Szekció, Határrendészet és határvédelem tagozat, Budapest, 2009. (Students' Scientific Circles, (SSC) 29. National Conference, 1st place)
2. Az Európai Unió közös biztonság- és védelempolitikája Zrínyi Miklós Nemzetvédelmi Egyetem, Kossuth Lajos Hadtudományi Kar dékáni pályázat, Budapest, 2008 (3rd place in competition)
3. Illegális migráció a magyar-osztrák államhatáron Rendőrség Tudományos, Technológiai és Innovációs Tanács 2008. évi pályázata (1st place in competition)
4. Az illegális migráció és az ahhoz kapcsolódó más jogellenes cselekmények elleni fellépés erői a Magyar Köztársaság Rendőrségének kötelékében és az együttműködési lehetőségei Rendőrség Tudományos, Technológiai és Innovációs Tanács 2009. évi pályázata (2nd place in competition)
5. A mélységi ellenőrzés fejlesztésének lehetőségei Rendőrség Tudományos, Technológiai és Innovációs Tanács 2009. évi pályázata (3rd place in competition)
6. Fegyveres szervek-e a rendvédelmi szervek? Magyar Hadtudományi Társaság 2009. évi pályázata (2nd place in competition)
7. A településőrség, mint az önkormányzati rendészet lehetséges megvalósulási formája Rendőrség Tudományos, Technológiai és Innovációs Tanács 2010. évi pályázata (2nd place in competition)
8. Roboco(r)ps Belügyi Tudományos Tanács és a Belügyi Szemle 2010. évi pályázata (certificate of merit in competition)
9. A kartell, mint bünszervezet Belügyminisztérium Rendészeti Vezetőképző és Kutatóintézet 2011. évi pályázata (special prize in competition)
10. Focibunda büntetőjogi vetületei Belügyi Tudományos Tanács és a Belügyi Szemle 2012. évi pályázata (1st place in competition)

Talks at conferences:

1. A teljes jogú schengeni csatlakozás és a Határőrség-Rendőrség integrációjának várható hatásai a magyar-osztrák államhatáron. TDK (SSC Conference), ZMNDU, Budapest, 2007
2. A teljes jogú schengeni csatlakozás és a Határőrség-Rendőrség integrációjának várható hatásai a magyar-osztrák államhatáron. OTDK (SSC National Conference), ZMNDU, Budapest, 2009
3. Az idegen nyelvismeret szerepe a rendőri intézkedések végrehajtásában. Pécs, June 2009
4. A mélységi ellenőrzés szerepe az integrált határbiztonsági rendszerben. Rendészeti Doktoranduszok Országos Egyesülete I. konferenciája (1st Conference of the national Association of PhD Students of Law Enforcement), Police College, Budapest, 2009. november
5. Településőrség: kísérlet az önkormányzati rendészetre? Pécs, June 2010
6. Az illegális migráció jogi szabályozásának problémái. III. Hadtudományi Doktorandusz Fórum (3rd Forum of PhD Students of Military Sciences), ZMNDU, Budapest, October 2010
7. Fortress Europe. Rendészeti Doktoranduszok Országos Egyesülete II. konferenciája, Police College, Budapest, November 2010
8. Robotjárművek alkalmazhatósági lehetőségei az integrált határbiztonsági rendszer működésében. Robotkonferencia 10, November 2010.
9. Mélységi ellenőrzés Magyarországon. Pécs, June 2011.
10. Egy speciális gazdasági bűncselekmény – kutatásom margójára. Police College, Budapest, November 2011
11. Repedések az Európai Erődön - a Schengeni Egyezmény jövője. Pécs, June 2012