

DOCTORAL (PhD) DISSERTATION
AUTHOR'S LEAFLET

Pol. Colonel Gábor Éberhardt

THE POTENTIAL PUBLIC ORDER
IMPLICATIONS OF OVERLOAD MIGRATION

Theme leader:

Dr habil. Hautzniger Zoltán PhD.

Budapest, 2021.

FORMULATING THE SCIENTIFIC PROBLEM

The individual reactions to the negative effects of irregular migration, or the actions, methods and means used by local communities and social groups to ensure their security, must not violate the constitutional order, which the state must ensure is maintained at all times.

The data analysis of the synchronicity of the registered violations related to the unauthorised crossing of the state border and the criminal proceedings initiated based on certain specific provisions of the Hungarian Criminal Code can answer the question of whether the state achieves the desired goal of reducing and diverting irregular migration by enforcing the laws created or amended to protect society or by the preventive effect of their existence. In this context, research has been carried out into the implicit violations and the elements of personal security that are affecting the inhabitants of border settlements affected by the direction of movement of migrants crossing the state border in mass and unauthorised ways.

HYPOTHESES

Human migration, especially when it occurs on a massive scale, is a phenomenon which, by its very nature, puts pressure on the public and social environment concerned, overloading and affecting its accepting (tolerance or solidarity) or receiving (integrating or authoritarian) nature.

Human migration, especially its overburdening effect, has negative consequences for both the sense of social security and the subjective sense of security of the individual.

RESEARCH OBJECTIVES

My overall objective is to prevent, reduce and identify cost-effective ways to address mass irregular migration through targeted and complex methodologies. My further objective is to formulate, if the hypotheses are justified, law enforcement and normative recommendations to the responsible authorities involved in the management of the phenomenon of irregular migration, to the legislators. Furthermore, my statistical objectives include the analysis

of subjective and objective perceptions of security and the role of the measures taken to address the perceived negative effects on the population and the authorities. My operational objective is to formulate and disseminate practical application recommendations for organisations involved in law enforcement tasks in the management of irregular migration, based on the research findings.

My personal goal is that, if the recommendations are right, following them will reduce the burden on those primarily involved in managing irregular migration and will lead to a real solution that seeks to restore.

RESEARCH METHODS

The subject of my research is human migration in a broader sense and its impact on public order and public security. In a narrower sense, the overloading of the law enforcement activities of law enforcement agencies, which has occurred or is potentially occurring in the causal context of irregular migration, which I call overload migration, with local and then territorial scope.

The main goal of my research was to define the subjects of migration in a scientifically valuable way.

Because of the characteristics of the research topic, the combined use of quantitative and qualitative methods provided the basis for the thesis.

I conducted a search of sources and data collection in the relevant literature and in national, international, validated organisational databases that can be credibly assessed, and then I organised, compared, analysed, evaluated and drew conclusions. Due to the migration effects that are the subject of my research, I paid special attention to the conceptualisation and operationalisation. The partial information processed during the research period was continuously published and presented at scientific conferences.

The sample was drawn from the actors of irregular migration and the authorities representing the State, as well as civil society, aiming at representativeness and ensuring the related methodology, bipolarity.

Among the qualitative tools, I used face-to-face interviews and focus group discussions with people who were well representative of those involved in irregular migration processes, which constituted the main segment of the research. The interviews were documented in

compliance with data protection rules, as a guarantee of data processing, and were audio-recorded and transcribed verbatim using Happy Scribe and later analysed using Atlas. ti. During the research, I also conducted a questionnaire data collection among a similar group of respondents, for the analysis and evaluation of which I used IBM SPSS Statistic 25 in addition to MS Office Excel spreadsheet.

A CONCISE DESCRIPTION OF THE STUDY CARRIED OUT, CHAPTER BY CHAPTER

As a result of the research conducted using the questionnaire, it can be concluded that a high percentage of the members of the police sample group based on professional judgement completed the questionnaire in a way that was suitable for evaluation.

In the conceptual interpretation of those who represent the population, in addition to general and legal knowledge, there is a strong predominance of negative effects, mostly due to lived experiences, on the issue of migration and immigration. The principle of the inviolability of the state border and the conditions for its

controlled crossing is known, and law enforcement measures are expected from those who violate the relevant rules. The concepts of migrant, immigrant and refugee have changed with the changing pattern of migration, intending to be helpful.

In the case of those representing police officers, legal background and objective situational awareness are more visible, but at the same time, due to the change of the process and the circumstances, implicit elements can be identified, which are seen as a task for the police.

The situation assessment and conceptualisation of the interviewees, representing civil society, legal protection and charitable organisations, largely reflect the generally accepted principles of the social element represented, sometimes in opposition to each other, pointing out an element of the Islamic believers' migration awareness that is little known by Hungarian society.

The results of the interviews used in the research and the consistency of the documentary and data analysis also confirm the finding that in an unconventional irregular migration pattern, police actions were lawful, professional, proportionate, objective and humane.

The civil rights organisations and responsible authorities surveyed showed a fundamental difference in the way the situation was perceived, in the interpretation of the legal framework and its implementation, with a focus on the security of national society, rather than on the asylum approach to the problem, and with documented controls on the subjects of mass immigration.

SUMMARY CONCLUSIONS

It can be concluded that the massive wave of irregular immigration that reached Hungary has direct and indirect, implicit effects, which have not been the subject of previous research and have not been described in the literature. These and other findings can be used to introduce the concept of overload migration with unconventional patterns and can be effectively addressed by a novel preventive law enforcement methodology, which is also unprecedented.

The research revealed the conditions that were causing problems among both the local population and police staff.

The changes in public safety and subjective perceptions of safety suggest that public safety has deteriorated and that the police, as well as the population surveyed, have taken measures to improve safety.

NEW SCIENTIFIC RESULTS

As a result of this research, I have identified, described and scientifically validated the concept of overload migration as a negative impact of human migration on the functioning of law enforcement agencies. I placed the type circumscribed by this definition within the theory of migration. Based on the research findings, I have confirmed my hypotheses 1 and 2.

Based on the results of scientific research, I have identified the factors that weaken public safety and individual security through migration. Based on the research findings, I have confirmed my hypothesis 1.

I have described a complex methodology for border management to deal with the tasks arising from

overload migration, which presupposes the presence of 5 components (conjunctive). Based on the research results, I confirmed my hypothesis 2.

In the course of the research, I have explored and identified the distinction between verifiable person and unverifiable person migration types and made recommendations for interpreting these distinctions and mitigating the associated security risk. This has not yet been described in detail in the migration literature. Based on the results of this research, I have verified the subject matter of my hypothesis 2.

RECOMMENDATIONS

While the normative requirement can be met by applying elements of the complex border management methodology to ensure prevention, an additional modification of the existing normative framework is recommended for further consideration in the event of a crisis declared due to mass immigration.

In Act XXX of 2016 on Defence and Security Procurement, it is proposed for consideration to include in

the exceptions listed in point 6 elements for the surveillance of the state border and the effective management of mass immigration.

Because of the negative migration effects over three time periods, psychological screening of police officers on active border duty during periods of mass irregular immigration and with follow-up seems justified.

Among the training and information needs, the research has identified and confirmed the need to raise awareness of the psychosocial and cultural specificities of foreigners involved in migration. For police officers, it is recommended to provide uniform basic training on special tactics for action, aiming at an objective and humane culture of action, and for those who have management tasks, thematic training with special content, including recommendations on tactics for action. The results of the research also show that it is necessary and advisable to educate the border area population and other social and economic players about the racial characteristics and behavioural culture of irregular foreigners.

Based on the evaluation results of my research, I consider the establishment of an NMKA to be justified.

In addition to ensuring the legal provisions on the protection of classified personal data relating to the performance of law enforcement tasks, the basis for joint action may be a cooperation agreement, a transparency code, agreed by both parties.

The purpose of the research and analysis of the normative environment regulating the operation of the County Protection Committee was to find out why the body, which is well known in Csongrád-Csanád County, was not involved in the coordination of the management of mass immigration.

PRACTICAL USE OF RESEARCH RESULTS

Based on the summary of the thesis, further research and follow-up seem warranted to investigate xenophobia among law enforcement personnel involved in the management of irregular migration and the border area population. Further research is recommended to explore the justification for the NMKA, the implicit threats to individual and public security, and the possibilities for addressing them in legislation and organisational terms. Further research is also recommended to investigate the

epidemiological and public health risks associated with the three-time bands of negative migration effects, the integration intentions of migrants, and the analysis and international comparison of the health GDP costs of diseases in the tertiary time band for host societies.

PUBLICATION LIST

1. The importance of identification in migration theory. Police Studies, Budapest, Scientific Council of the Police, pp. 26-45. <https://www.bm-tt.hu/rtt/assets/letolt/rt/202102/02eberhardt.pdf> (2021)
2. Hungary at the gateway to another mass international migration. Domügyi Szemle, 69 (3), pp. 345-374. <https://doi.org/10.38146/BSZ.2021.3.1> (2021)
3. Refugee and mass detention in the United States along the Mexican border during COVID-19. Home Affairs Review, 69 (2), pp. 305-309. <https://doi.org/10.38146/BSZ.2021.2.7> (2021)
4. Policing the crown virus epidemic: elements and consequences of collective misconduct. International Law Enforcement Watch I. Home Affairs Review, 69(2), 285-303. <https://doi.org/10.38146/BSZ.2021.2.6> (2021)
5. The identifiable and unidentifiable identity of migration as a new typological element. Policing-Science-Updates, National Association of Doctoral Students, Budapest, online conference volume <http://real.mtak.hu/120949/> (2021)

6. The subject of the decision - the procedural flaw in the migration police protocol on non-identifiable persons. Police Science Council 2020, 2nd place <https://cutt.ly/jROu7uA> (2020)
7. Human Migration and the Pandemic 2020. In. ed.: Gyula Gaál: From Military Science to Police Science - Social Challenges in the Year of National Cohesion, Pécs Border Guard Scientific Publications, XXII. pp. 311-321. <http://www.pecshor.hu/periodika/XXII/eberhardt.pdf> (2020)
8. Identification of overloaded migration concept in migration theory. Domügyi Szemle, Budapest, 68 (Special issue), pp. 10-26. <http://doi.org/10.38146/BSZ.SPEC.2020.1.1> (2020)
9. Law enforcement challenges of objective overload in managing irregular migration. Internal Affairs Review, Budapest, 68(6), pp. 9-52. <http://doi.org/10.38146/BSZ.2020.6.1> (2020)
10. The presence of non-identifiable persons in the migration management protocol. Police Studies, Budapest, 3(special issue), pp. 129-147. <http://real.mtak.hu/109117/> (2020)
11. What next, Hungarian police code of ethics? Police Studies, Budapest, 3(1), pp. 119-141. <http://real.mtak.hu/107655/> (2020)
12. The emergence of objective overload in the law enforcement management of irregular migration. In Noémi Baráth - Viktória Lilla Pató, In the service of the homeland. Conference proceedings, Budapest, pp. 127-135. <http://real.mtak.hu/117670/> (2020)

13. Law enforcement and crime prevention in police science. *Internal Affairs Review*, Budapest, 68(2), pp. 115-119. <http://doi.org/10.38146/BSZ.2020.2.8> (2020)
14. Current issues, enforcement problems and proposals on legal migration: the possibility and impact of objective overload and its management by law enforcement. Ministry of the Interior Scientific Council Call for Proposals 2019, 2nd place <https://cutt.ly/xROdqN3> (2019)
15. Epidemiological risks and hazards associated with migration. Bratislava, *Casopis Policajna Teoria a Prax*, 27(4), pp. 57-68. <http://real.mtak.hu/107659/> (2019)
16. Migration and terrorism. *War Studies Review*, Budapest, 12(3), pp. 37-59. <http://doi.org/10.32563/hsz.2019.3.3> (2019)
17. The overload effect of regular migration and the link between crime prevention. In: Gyula Gaál - Zoltán Hautzinger. Pécs Border Patrol Scientific Publications, XXI. pp. 257-267. <http://real.mtak.hu/107663/> (2019).
18. The place of the term 'overload migration' in migration theory. *Domügyi Szemle*, Budapest, 67(10), pp. 41-58. <http://doi.org/10.38146/BSZ.2019.10.3> (2019)
19. The interaction between migration, policing, xenophobia. *Domügyi Szemle*, Budapest, 67(9), 23-46. o <http://doi.org/10.38146/BSZ.2019.9.2> (2019)
20. Cost-effective, secure border control of road freight traffic. Budapest, *Border Police Studies*, 16(1), pp. 87-124. <http://real.mtak.hu/107661/> (2019)
21. Migration and terrorism. In. ed. by Noémi Barát - József Mezei, Conference Proceedings, Policing-

- Science-Updates, Budapest, pp. 72-80. <http://real.mtak.hu/107662/> (2019)
22. Epidemiological risks and threats related to migration. In. Gyula Gaál - Zoltán Hautzinger, Security Challenges of the 21st Century, Pécs Border Guard Scientific Publications, XX. pp. 273-282. <http://real.mtak.hu/107665/> (2018)
 23. The theory and practice of the Schengen evaluation system. Budapest, Border Police Studies, 15(2), pp. 46-63. <http://real.mtak.hu/107657/> (2018)
 24. The results of investigations into discretionary decisions in the policing of border police stations. In. Ed.
 25. The emergence of intercultural characteristics in law enforcement tasks. Budapest, Border Police Studies, (4), pp. 68-81. <http://real.mtak.hu/107668/> (2017)
 26. Illegal immigration in the territory of the Csongrád County Police Headquarters. Internal Affairs Review, Budapest, 64(12), pp. 42-52. <https://doi.org/10.38146/BSZ.2016.12.4> (2016)
 27. The social perception of the law enforcement activities of the Szeged Border Police Station. Internal Affairs Review, Budapest, 63(6), pp. 98-103. <http://real.mtak.hu/107667/> (2015)
 28. Current issues in the management of illegal migration in Hungary. Budapest, In. Ed. by János Verhóczki, (VIII/1). Budapest. pp. 28-44. <https://m2.mtmt.hu/gui2/?mode=browse¶ms=publication;3254907> (2011).

29. The experience of integrating the Police and Border Guard. Budapest, Border Police Studies, (3), pp. 47-64. <http://real.mtak.hu/117671/> (2009)
30. Border management issues. In. Ed. pp. 364-411. <https://pdfslide.tips/documents/rendeszeti-ismeretek-a-kabitoszer-problemaival-kapcsolatban.html> (2009).

PROFESSIONAL-SCIENTIFIC BIOGRAPHY

Born in Szeged on 11.07.1969. In 1990, he graduated from the Kossuth Lajos Military College in Szentendre, Hungary, as a border guard officer and dormitory teacher.

After his commissioning as an officer, he was given his first post at the border section of the Kiskunhalas District Command in Bacs-Kiskun County as a passport officer at the Tompa Traffic Control Point.

In 1993-1997, he was deputy commander, and after his transfer to the Szeged Border Traffic Office, he was deputy commander there as well.

Between 1994-1997, he graduated from the Police College with a post-graduate diploma in administrative police.

In the period 2000-2004, he coordinated the administrative tasks of the Ministry of Interior's Office of Defence in Csongrád County, and after the administrative

reform, as a consultant of the Csongrád County Directorate of Disaster Management, alongside the Chairman of the County Defence Committee.

In 2005, he was deputy head of the Szeged Border Police Station, then head of the Szeged Border Police Station from 01 September 2006. From 01 January 2008, following the integration of the police, he was confirmed in his position.

As a result of its application in 2010, the branch was the first local law enforcement agency to win the IIASA-Shiba Award on 22 June 2011, also at the international level.

In recognition of his professional work, in addition to regional, national and ministerial awards, he was awarded the title of Chief Police Adviser, Police Officer of the Year, and in 2015 he was promoted to the rank of Colonel. He is the President of the Military Court, a member of the Hungarian Military Science and the Hungarian Police Science Society.

In 2015, he completed his studies at the Master of Law Enforcement Management Theory at the Faculty of Law Enforcement of the National University of Public Service.

On 15 December 2015, he was appointed Head of the Border Police Station in Kisombor, a post he took up on 01 March 2016.

In 2017, she passed the intermediate level complex language exam in English, and in 2019, she passed the complex exam of the NKE RTDI PHD course.

In 2019, his paper was awarded second place nationally by the Home Affairs Science Council, and in 2020 he was also awarded second place in the Police Science Council competition.

From 2020, he will be a peer-reviewer of the Internal Affairs Review.

As of 2021, he is an expert in the BiO-BiH project of the National Laboratory for Safety Technologies.

ORCID iD: 0000-0003-0325-1203