

# “Refugee Crisis” in the Southeastern European Countries: The Rise and Fall of the Balkan Corridor

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**Drago ŽUPARIĆ-ILJIĆ and Marko VALENTA**

## **‘Refugee Crisis’ in the South-East European Countries: the rise and fall of the West-Balkan corridor**

### **INTRODUCTION**

This chapter focuses on the asylum policies and measures in the South-East European countries that formed an essential part of the migration corridor during the recent mass-arrivals of refugees and other migrants travelling towards Germany, Sweden and other countries in Western Europe. It is argued that an important aspect of how transit countries dealt with “the crisis” was shaped by a concern to avoid becoming a migrant hotspot. This seemed more important to the authorities than concerns about refugees’ access to protection systems and integration into local communities. Such notions of crises have been especially fostered within the area commonly referred to as the Balkan corridor, which emerged as a semi-formalised route of safe passage for the massive transit of refugees and migrants, which lasted from spring 2015 to spring 2016. The idiosyncratic posturing of the countries in the region enabled more than one million people to trespass on Balkan sovereign states in a swift and, at times, overtly controlled and organised manner.

However, data and statistics concerning the numbers of refugees and migrants in transit over South-East Europe has been imprecise due to the massive numbers involved in terms of migrant flows, and the ill-prepared state actors responsible for the management of official statistical facilities. There were frequent instances of omitting the migrants’ registration deliberately. Yet, in spite of the lack of rigor applied, in terms of the reliability of the statistics, it is abundantly clear that the majority of asylum seekers that applied for asylum in Europe, during the above-mentioned period, did travel through the Western Balkan area.<sup>1</sup>

In the following pages, we discuss several research questions, namely: i) What were the responses at state level in the Balkan countries regarding recent migratory flows? ii) What were the structural frames that influenced the responses and the local constructions of the crisis? iii) How were the mass-migrations interpreted and constructed at the local and the regional levels? iv) What kind of relationships were established between local authorities, NGOs and civic society in the process of accommodating, assisting and organising further transit?

This chapter is divided into several interrelated parts. In the first part, we contextualize the discussion on responses and constructions of the crisis and discuss how various countries in the region responded to the mass arrivals. Thereafter, we discuss the local constructions of the crisis and the relationships between the authorities and the NGOs. Here, we focus primarily on the Croatian experience. Finally, we examine the closure of the corridor and the “post-crisis”

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<sup>1</sup> However, due to the large numbers of arriving refugees, some “EU official statistics” may, in some cases, have inadvertently, misrepresented the numbers of arrivals. Sigona (2015) pointed to the fact that FRONTEX, in its statistical exercise, counted multiple entries for migrants, by including each border they had crossed or attempted to cross, into the territories of EU member states. Thus, a transit of an individual person may be somewhat multiplied which, retroactively, influenced the media’s portrayal of the “mass-arrivals”, and framed - by political rhetoric - as the “crisis of the EU (Schengen) border protection” and/or the “crisis of the Common European Asylum System”, among other constructions of “crisis” (see de Genova and Tazzioli 2016, 7-15).

measures that followed. Discussion is based on the findings of a research project, conducted over a three-year period (2014-7). In 2014 and 2015, the focus was on conducting in-depth interviews with asylum seekers and refugees in Croatia, investigating their agency, and the reasons why they chose Croatia as a country of transit, and yet avoided it as the final destination country (see Valenta et al. 2015). Later on, during 2016 and 2017, our research focus shifted to that of examining the institutional responses of relevant authorities and NGOs in the region to mass-arrivals of refugees. This was conducted by means of expert interviews and documenting participant observations, as experienced within the transit reception centre camps and at border points along Croatia, Serbia and Slovenia.

## **RESPONSES ON THE MASS ARRIVALS ALONG THE BALKAN CORRIDOR**

In forced migration literature, a specific framing of “migration as crisis” (“migration crisis”) refers to situations of:

“complex, often large-scale migration flows caused by a crisis which, typically, involves significant attendant vulnerabilities for affected individuals and communities. A migration crisis may be i) sudden or of slow-onset, ii) have natural or manmade causes, iii) take place internally or across borders” (IOM, 2012, 1).

Therefore, “migration crisis”, as such, is understood as a consequence of “a crisis”, rather than its cause. Likewise, to conceptualise “crisis migration” requires a term which is politically, administratively, and socio-culturally constructed. Jane McAdam (2014, 29-31) understands “crisis migration” as mobility related to any crisis situation, whereby such circumstances, defined as exceptional and extraordinary, seek immediate measures and emergency solutions. Several of the above mentioned elements have characterised the mass arrivals of migrants in Balkan countries in 2015-6. However, some authors understand the events of the Balkan corridor not as a refugee/migration crisis *per se*, but as a specific type of politically and socio-culturally constructed, conveyed and perpetuated discourse on crisis (de Genova and Tazzioli 2016, 15-21).

In order to contextualise the discussion on responses and constructions of the crisis, we also need to stress some of the relevant historical and socio-economic factors that have framed the responses to a recent mass-migration occurrence in the region. First, it is important to remember that several countries in the region experienced recent armed conflict and refugee movements of their own populations. Displacement of more than four million people, as a result of war atrocities following the dissolution Yugoslavia in the 1990s, created multiple local and regional solutions for protracted refugee and internal-displacement status in the Balkans. This has, for a number of years, remained one of the crucial humanitarian and socio-political tasks for Croatia (Mesić and Babić 2011), and for several other countries in South-East Europe, primarily, Serbia, Kosovo and Bosnia and Herzegovina.<sup>2</sup>

Second, individual countries’ policy positions in the EU, and their relations with the EU, should be taken into consideration. Greece, Hungary and Slovenia are both part of the Schengen zone, and also part of the Dublin system of cooperation. In the case of EU countries

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<sup>2</sup> Most European countries managed refugees arriving from the West Balkans in 1990s using various forms of collective protection regimes. The massive number of arriving refugees, from the Balkans, resulted in amendments of the European asylum system, including the Temporary Protection Directive mechanism in 2001. In her criticisms on the shortcomings of the EU legal framework—and of the recent “refugee crisis management”—Bačić Selanec (2016) posits that this mechanism was unambiguously designed for “crisis situations”. However, it is still unclear why this mechanism was never tested with regard to the recent events of mass-arrivals of forced migrants.

Croatia and Bulgaria, they have also adopted the Dublin Regulation, but they are not part of the Schengen zone. Yet other countries in the region (such as Macedonia and Serbia) are not in the EU and thus are not part of the same cooperation dynamics. Nevertheless, the dynamics of developing their own asylum, migration and border management systems in most Balkan countries were driven mainly by their progression towards trying to achieve EU accession (Lalić Novak 2016; Stojić Mitrović 2014). Croatia became a member in July 2013, while Serbia, Macedonia and Bosnia and Herzegovina accession progress is hindered by various political and administrative impediments.

A third factor relates to the arrival of catastrophic floods in Croatia, Serbia and Bosnia during May 2014. The resultant huge material damage brought about a sort of “crisis migration” response where relevant authorities and NGOs were rapidly mobilised into helping temporarily displaced populations (Župarić-Iljić 2017). During and after this natural disaster, the crisis management response was one of evacuate, shelter, return of affected populations. Later, when the mass migrations from Syria and other countries started to arrive in the above-mentioned countries in 2015, some of the recent experiences and tools, which had been utilised during the earlier floods, were promptly deployed to manage the mass-arrivals of migrants.

Finally, we should take into account the fact that, without exception, the Southeast European states have weak economies and suffer from high levels of unemployment which, for a number of years, has generated substantial emigration flows, primarily to Western Europe. For example, Serbia in particular, is a state whose citizens form sizable share of asylum seekers in EU countries (Grupković et al. 2016, 16-20). In the case of Croatia, tens of thousands of its citizens became labour migrants in other EU countries. Joining the EU gave Croatians access to its labour markets. The economic recession and high unemployment levels in Croatia generated the largest, single, emigration wave towards Western Europe since the armed conflicts of the 1990s (Jutarnji list 2017). Within this context, it is not surprising that the West Balkan countries—and refugees and migrants in transit—were in tacit agreement that such countries could not be regarded, as destination countries. Indeed, the analysis of the mass-arrivals in 2015-16 should also take into account migrants’ agency and how they position themselves vis-à-vis the European migration system, and its different sub-elements. In this system, the EU countries at the South-eastern borders of the EU are usually considered as transit countries and a least desired final destination for migrants making their way towards large asylum destination countries in the Schengen area, with more developed reception conditions and better integration opportunities.

Several of the aforementioned structural factors need to be taken in account in any analysis of the local constructions of crisis and how West-Balkan countries responded to the mass-migrations of 2015-6, which also resulted in the rise and fall of Balkan corridor.<sup>3</sup>

### ***The rise of the Balkan corridor***

The so-called “refugee crisis” in Europe escalated in the summer of 2015 with mass-arrivals of migrants from Turkey to the Greek islands. Thereafter, hundreds of thousands of those migrants continued further onwards, towards Western Europe via Macedonia, Serbia,

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<sup>3</sup> There are several other factors that may influence the responses of the countries in the region such as differences in political orientations of local political elites. For example, Croatia had Social-Democrats in power at the time of mass-arrivals, while Hungary had a right-oriented government led by Viktor Orban. This has influenced the way of dealing with the “migration crisis”. Furthermore, a lack of willingness to provide more permanent protection to the migrants may also be related to the general attitudes towards immigrants in the region. The latest public opinion surveys suggest the countries of the Balkans and the former “Eastern bloc countries” are the migrants’ least-accepting countries (Gallup 2017).

Hungary, Croatia and Slovenia. It is maintained that the refugee crisis was the product of a combination of different push-forces, such as political instability and wars in Syria, and elsewhere, such as in Iraq, Afghanistan, Eritrea (Fargues and Fandrich 2012; Heisbourg 2015). But it is also clear that an important factor shaping the crisis was the array of various idiosyncratic responses from both transit and receiving countries in Europe.<sup>4</sup> Prior to the crisis, countries bordering the Union had applied, for many years, a set of established externalising asylum policies, border protection and deterrence measures in order to reduce numbers of irregular migrants and asylum seekers. Several states in the south and south-eastern regions of Europe have, for some years, engaged in cooperation with their neighbours regarding the prevention of irregular migrations, before migrants in transit can reach their borders, while also serving as “buffer-zones” for the rest of the core EU countries (Boswell, 2003). Another part of the externalisation of border control and asylum policy has been the readmission agreements between the EU and its neighbours, such as, the Western Balkans, Turkey, Ukraine, Belarus and Moldova. Countries lying on the borders of the Union have also, at times, reached bilateral readmission agreements such as those between Greece with Turkey, Spain with Morocco and Italy with Libya. In addition to these measures, several countries bordering EU territories have, at times, prevented migrants and refugees from reaching their destination country, either by intercepting them at sea or by various deterrence and pushback practices (Triandafyllidou and Dimitriadi 2014).

However, in 2015, the Balkan countries unexpectedly stopped serving as “buffer-zones” for the rest of the core EU countries, complying to the fact that Germany and Sweden had previously declared they would grant protection to Syrian asylum seekers reaching these two countries. The Balkan countries also maintained that they were not “wished for” final destinations, while Germany, Sweden and other West European countries were wanted destinations by refugees themselves.<sup>5</sup> Consequently, the Balkan territories defined themselves as transit countries, while, at the same time, engaging in the zero-sum game where each country along the Balkan corridor, overtly or covertly, avoided becoming a long-term receiver of asylum seekers. This was the main practice, with different countries reacting in different ways to the growing arrival of migrants, some opening their borders with a focus on short-term humanitarian aid, but with the overall aim of securitised and swift transit to the next country in the migration chain. Additionally, other countries also attempted to deflect migrants from their territories by building wire barriers, razor-fences and sending a military presence to protect their borders (i.e. Bulgaria, Macedonia, and Hungary).

Hungary was the most sought after as transit country since it was part of the Schengen Zone (FRONTEX 2015).<sup>6</sup> Migrants who managed to evade Hungarian border patrols and cross the border between Serbia and Hungary undetected, were able to continue to their target destination countries in the EU without facing new border controls. In early 2015, the major

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<sup>4</sup> Trauner (2016) warns on widening discrepancies between the legislative level of EU asylum laws and the regulations and particular policies and practices of member states. This reveals inherent inconsistencies within the Dublin system. In terms of implementing common policies, there is a strong shift towards a widening gap when comparing the core countries of the EU, with those overburdened with arrivals at the frontline south-east borders of Schengen.

<sup>5</sup> This strategy was possible to continue for a certain period of time, because in August of 2015, Germany suspended the Dublin regulation rule of returning (Syrian) asylum seekers to the first point of entry into the EU. Even if this was legally questionable and politically contestable, it was seen as a measure of solidarity with other EU member states which, at that time, shared the biggest responsibility of receiving asylum seekers (Greece, Italy, and Hungary) (see DW 2015).

<sup>6</sup> For migrants travelling via the Eastern Mediterranean with the aim of entering the Schengen area, the route from Turkey and Greece, via Macedonia and Bulgaria, in order to reach Serbia, and from there to Hungary, had appeared to be a shortcut (FRONTEX 2015). Later on, when Hungary, in October 2015, erected the fence on its borders with Serbia, the migrants were deflected to Croatia, and thus the route via Croatia became the major route until the fall of the Western-Balkan corridor.

response to the mass-arrivals in the region was to allow and tolerate non-assisted transit through their countries, such as in case of Serbia and Macedonia. In the first stages of the crisis, Hungary and most countries in the region oscillated between closing and reopening the borders, indeterminately tolerating transit to the West. When Hungary completed the construction of a barbed wire fence in September 2015 and closed the international border-crossings with Serbia, refugees and other forced migrants turned towards Croatia, trying to enter the Schengen Zone via Croatia through Hungary and later on through Slovenia. The response of Slovenia was to erect barbed wire fencing along its border with Croatia. In order to deflect migrants transiting via Greece, Macedonia also militarised its border with Greece and erected a barbed wire fence.

In autumn 2015 regular reception centres for accommodation of asylum seekers soon became very full. In response, Serbian, Croatian and Slovenian governments opened several “transit reception centres” along the corridor, hosting thousands of people in transit. Croatia and Slovenia continued with overtly assisted transit of migrants through their territories, regulating the pace of their movement by halting them in reception centres in which short-term accommodation and assistance was provided (Kogovšek Šalamon 2016; Šelo Šabić 2017).

The situation in southern parts of the corridor, which received the largest percentage of transiting migrants, was far worse. It resulted in overcrowded and poor conditions in reception camps and centres on Greek islands, and in centres close to the Greek-Macedonian and the Macedonian-Serbian borders. Due to insufficient state assistance, thousands of migrants were faced with inhumane living conditions - surviving in makeshift shanty towns that sprang up on the outskirts of the big cities (Lukić 2016). However, the majority of people stayed there only for short periods of time as the hasty transit of refugees was tolerated by the local authorities and carried out either in a self-organised or smuggling-assisted manner (like in Macedonia and—in part—Serbia) or by means of state-controlled and assisted ways, as in Croatia and Slovenia. This tolerated and overtly secured transit had reduced the sufferings of migrants along the Balkan corridor. It also lowered the human and economic costs of migration, but increased the pressure on the destination countries in the Western Europe.<sup>7</sup>

In sum, initial responses by all countries along the Balkan corridor in 2015 shared several similar features. Firstly, they were characterised by the application of *ad hoc* solutions in response to specific situations or perceived problems arising from developments on the ground. They formed part of an emergency and exceptional measures response, manifested through over displays of surveillance measures and physical deterrents. Another similarity that all countries along the Balkan corridor shared, when compared with receiving countries in Western Europe, was that they met arriving migrants with insufficient protection systems characterised by low and inadequate reception standards, high rejection rates for claimants, and few integration opportunities for refugees who were granted protection (Coleridge 2013; Valenta et al. 2015; Porobić and Župarić-Iljić 2017). Even so, we identified evident differences between the countries’ positioning in regard to “crisis management” strategies. In Macedonia and Serbia, refugees, after exiting registration and reception centres, were left to find their own ways and means of how best to travel across the country to the next border. In the case of Croatia and Slovenia, state budgets had been purchased as a matter of formal policy so that strict control could be exercised in terms of their entering and transiting through countries. At the same time, refugees’ minimal stay in transit reception centres, in both countries, has mainly been carried out in a highly excluding, isolating and segregating manner.

Rhetoric and the social constructions of the crisis also diverged at the peak of the mass-arrivals. Probably, the major difference was that Serbian and Croatian authorities alike,

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<sup>7</sup> Beznec et al. (2016, 61-62) posit how the Balkan route governments established the formalised corridor in response to *ad hoc* border openings and closures, which temporarily legalised mass transit migration and a swift transport of people. This also transferred the responsibility for reception and protection-granting to the next state as soon as possible, as a kind of an “exceptional arrangement”.

promoted a quite different approach to mass-arrivals in comparison with other West Balkan countries. They maintained that their responses were humane and humanitarian, and in strong opposition to the strategies of those countries that decided to “defend” their borders with walls and razor-fences (i.e. Macedonia, Bulgaria, Slovenia, and Hungary).<sup>8</sup>

The Hungarian rightist government, headed by Viktor Orbán, took the harshest stance against arriving migrants. Compared with Croatia and Serbia, Hungarian political elites used overtly xenophobic rhetoric. Also, in Slovenia, political elites were more concerned to close off the borders and, to this end, decided to build fences. The Slovenian government placed a constant emphasis on their role as protector of Schengen’s external borders and related security aspects, which resulted in growing public fear and discomfort (Kogovšek Šalamon and Bajt 2016). These kinds of attitudes and resort to rhetoric in Hungary, Slovenia and, subsequently, also in several other countries in the region, led to further securitisation of state responses in the form of “state of emergency”, and “state of exception” measures. This consequently led to further militarisation and securitisation of asylum, migration and border management policies, as well as the criminalisation and irregularisation of forced migrants’ movements.

## **CONSTRUCTIONS OF “THE CRISIS” IN CROATIA: YOU ARE WELCOME, BUT TRAVEL ON**

At the very peak of mass-arrivals in in the fall of 2015, we had the best opportunity to closely follow the public discourse and responses of authorities in Croatia. Indeed, Croatian society accepted the massive arrivals of refugees by expressing largely positive, humanitarian attitudes, both at the level of the Government’s representatives, that of the public, and of civil organisations. A welcoming atmosphere on the part of the public has been clearly noted amongst local citizens living in the Croatian post-war areas where refugees entered the country and where, later on, the first transit reception centre was located.<sup>9</sup> On the other hand, the way of placing people in closed facilities of transit reception camps, and then executing a highly controlled and managed transportation to the next border, in reality removed any possibility for the majority of the local population to come into direct contact with the refugees, as opposed to seeing them featured in media reporting. Those extraordinary reception centres were organised as short-term humanitarian camps, and run jointly by police forces, local and international humanitarian actors, volunteers and refugee-rights civil actors, utilising intertwined humanitarian and securitarian “crisis management” practices.

Several factors might have influenced the official responses and discourses, inter alia, how they have been shaped and reshaped by Croatian political turmoil in the parliamentary pre-election time and, secondly, through episodes of friction with neighbouring states that were affected via the Croatian authorities’ balancing between the national political and economic interests’ and pressures from the European Commission. Until November 2015, the main focus on practical challenges such as to organise reception for some 5,000 people who arrived daily at few entry-spots at borders. After their brief retention in the transit reception centres, the next

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<sup>8</sup> On the official daily reports on arrivals, reception, accommodation and transit of refugees in Croatia, see MoI (2015) and MoI (2016). Also, for the initial response of the Croatian state and civil actors to the massive arrivals of refugees see Čapo (2015) and Šelo Šabić and Borić (2016).

<sup>9</sup> On 16 September 2015, in the absence of state and/or humanitarian organisations, refugees arrived unexpectedly at the Croatian borders at the first entry points. Here, we witnessed people in the local community providing aid (food and beverages) to people. The empathy and solidarity expressed by local communities, albeit with limited resources and capacities to assist, might be linked to earlier experiences and memories of war and displacement within the region. Moreover, many citizens, volunteers and local officials, during the war and the floods of 2014, had interactions with humanitarian agencies and UN bodies and thus had relevant experiences with solidarity-based actions, as emphasized by Larsen et al. (2016).

task was to execute further state sponsored and organised transfer to Schengen borders. In the fall of 2015, the arrival numbers of refugees were not lessening. Additionally, Croatia aggravated the process further, in its transfer of refugees from the borders of Serbia to Hungary and, later, to the Slovenian border. Knowing that it would be unfeasible to control the possible attenuation of the Balkan route through Bosnia and Herzegovina to Croatia, the Croatian government did not close Croatian borders with Serbia, but instead, decided to facilitate a highly controlled “few-hours” reception and then hasten transit towards Hungary and Slovenia. Such strategy increased tension between Croatia and the above-mentioned countries. On the other hand, the state response of offering free transportation across Croatian territory significantly reduced the risk and incidence of smuggling, trafficking and exploitation (Šelo Šabić, 2017). Although, we should stress that Croatia’s positive, welcoming, humanitarian stance must be viewed in terms of an overtly proclaimed aim, namely, to ensure that arriving migrants were being welcomed into the country on a temporary basis only.

In Croatia, during that time, the Social Democratic government framed the crisis as the need to take a humane/humanitarian approach, as well as protecting their national (security) interests. The rightist opposition strongly criticised the government for occasional bouts of friction and disputes with neighbouring Slovenia and Hungary, even after agreeing upon a joint solution i.e. the corridor. Šelo Šabić and Borić (2016, 13) pointed out that the previous left-centrist government:

“needed to show that it was capable of controlling the crisis... [and that] Croatia would contribute to the orderly and humane transit of migrants across its territory, but would not allow itself to become a haven for migrants, a prospect feared and vociferously criticised by the opposition.”

This being so, the priority was to organise, control and execute the most effective way to achieve the swift transit of people along the Balkan corridor, with an emphasis on “responsibility, capability and humanity” of all actors in their handling of humanitarian challenges—and providing—at the very least, temporary shelter, food, clothes and medicine in the Croatian transit reception camps. Such a stance has been summarised, in the words of the former prime minister, thus:

*“You are welcome in Croatia and you can pass through Croatia. But, go on. Not because we don’t like you, but because this is not your final destination”.*<sup>10</sup>

Laid bare, the state’s “public-face” strategy of advocating human(itarian) approaches was, in practice, restricted to enabling a more humane “transit” process rather than one of aiding “longer-term solutions” such as assured residence status and local integration into Croatian society. Nonetheless, migrants personally, did wish for trajectories following that line, because a huge majority of them did want to leave Croatia and head further West.<sup>11</sup>

Parliamentary elections in Croatia, in November 2015, also influenced the ways in which the political, media and public discourse towards the movement of people was shaped and presented as a situation of, firstly, “refugee arrivals” and then, later, as one of “refugee/migration crisis”. This reconceptualization coincides with the start of more serious securitisation practices of ethnic profiling of “genuine refugees” (Syrian, Iraqi and Afghani nationals) as opposed to “other” migrant nationalities being contained at borders. In first days of people arriving and “trespassing” through Croatia, media reporting on refugees was, in the

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<sup>10</sup> See Guardian (2015).

<sup>11</sup> Out of 660,000 counts of migrants, only a small fraction of them (some twenty-four) lodged asylum applications during the corridor phase in Croatia (Ombudsman, 2016, 152).



main, mostly positive. The media promoted personal stories of people, exemplifying their suffering, gratitude of acceptance in Croatia and overall sympathetic treatment by police officers and other civil servants working with them. A level of annoyance at the way in which they were treated in Greece, Macedonia, Serbia and Hungary was visibly evident. One aspect was a focus on the stories of the local population from the easternmost Croatian counties, who recalled their own experience of displacement and solidarity during the war in 1990s.

Following parliamentary elections in November 2015 the new government—which was a political coalition dominated by rightist parties—has adopted a similar discourse of responsibility and humanity in their handling of the “refugee crisis”.<sup>12</sup> However, the new government’s focus, gradually over time, and especially after Paris terrorist attacks and Köln harassments shifted more and more towards convergence with Slovenian, Hungarian and the Visegrad group’s securitisation discourse on preventing irregular migration, fighting smuggling networks, handling the forcible returns and defending borders and presumed national interests.

Similarly, other countries along the Balkan corridor, also expanded gradually in a direction of securitisation of asylum issues and deterioration of refugee and migrant rights. When mass-arrivals started, the Macedonian government allowed the transit of migrants to Serbia. However, later on, push-back practices were implemented, enforced by the police, army patrols, and the use of tear-gas at borders, in order to deflect people back to Greece. This approach served only to further intensify already existing tensions between the two states.<sup>13</sup> Similarly, Vezovnik (2017, 25) stresses how, in order to protect state borders from irregular movements, both Croatian and Slovenian authorities in 2016 delegated some of the border-police tasks to the army forces, should the security situation merit such intervention.<sup>14</sup>

## **RELATIONS BETWEEN THE STAKEHOLDERS IN HANDLING “THE CRISIS”**

Deployment of emergency crisis measures shape what Rajaram (2015) calls “acceptable forms of mobilities” as solely those which are organised and controlled by states. This control was particularly evident during the overtly securitised, highly controlled and effective swift reception and transit of refugees within the Croatian territory. The transit system consisted of two reception camps. The first mass-arrivals were managed via the reception camp close to the Serbian border in Opatovac. At the beginning of November 2015, the new Winter Reception Transit Centre in Slavonski Brod opened. People were transported by train to this new camp from the Serbian border under police escort. Services in the camps for refugees included basic reception and accommodation in a large UNHCR-provided warehouse heated tents, with area for single men, and separate facilities for families and vulnerable groups. Also provided was emergency medical care, and food and clothing services. There was also a child-friendly place opened by UNICEF, and a support service to help with family tracing and reunification. In addition, the specific needs of pregnant women and mothers with babies was also addressed.<sup>15</sup> The Red Cross was mandated by the Croatian Government to coordinate the humanitarian assistance work of the NGOs operating within the camp (Hameršak and Pleše 2017).

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<sup>12</sup> Ultimately, the left-centrist government lost in the parliamentary elections, but more because of perceived poor economic performance and social politics, rather than the issue of “refugee crisis” management.

<sup>13</sup> Beznec et al. (2016, 26-27) argue how handling the crisis was seen by the Macedonian and Serbian government as an opportunity which could gain some diplomatic and political points in order to hasten their EU accession if both states continued to protect the borders, and proved to be a reliable supporter of EU migration policy.

<sup>14</sup> From February 2016, newly established right-oriented Croatian government, put the army and other national security forces on high alert preparing them for possible deployment on the borders (Večernji list 2016).

<sup>15</sup> For a gender-sensible perspective on coping and resilience mechanisms used among refugee women during perilous journeys across Mediterranean, see Freedman (2016).

In the report of Larsen et al. (2016) the authors concluded that, within the reception transit camps, mutually cooperative and coordinated action was evident. The report posits that the involvement of local authorities and communities was based on their responses during the humanitarian crises generated by war in 1990s and a natural disaster in 2014 (Larsen et al. 2016, 5). It involved an extensive number of international, national and local stakeholders that provided fast and appropriate responses to meet people's needs. At the same time, one arguably "beneficial consequence" of this level of effectiveness was that authorities could more easily achieve their particular aims, namely, to ensure the rapid mobility of migrants through and out of the country and thus out of their remit of responsibility.

Analysing how the state and society reacted to mass-arrivals of refugees at Keleti train station in Budapest, in the summer of 2015, Kallius et al. (2016, 10) writes how:

„[m]igrants both challenge and confirm the vertical politics of state power, whether that power is expressed through the state's immobilisation strategies or through volunteers' humanitarian intervention.”

At the same time, new forms of "horizontal solidarities" originated from dialectics of *ad hoc* coalitions among different stakeholders (such as various activists, volunteers, humanitarians, service providers, etc.) who were helping refugees. Similar tendencies were observed in the Croatian context. For example, humanitarian organisations' ability to operate in the state-led transit centres always had to be approved by the vertical, hierarchical power structure, embedded in the Ministry of the Interior. The crisis coordinating body that was set up during the floods crisis in Croatia was the same organisational structure mobilised by the "National Crisis Headquarters for the Migrant Crisis", which included several ministries, the National Protection and Rescue Directorate and the Croatian Red Cross. However, several representatives we met, from various NGOs, had stressed that the institutional capacity to manage large-scale movements of people was also shaped by the strategy of controlled and organised transit through the country rather than by unambiguously expressed solidarity towards refugees' concerns. And it seems that in achieving that aim many of the basic humanitarian and human rights' standards were called into question.<sup>16</sup>

Local NGOs played an important role as indirect or direct facilitators of transit migrations through the country, very often following the same humanitarian-securitisation logic. However, the authorities' aim of swift transit, and the security concerns of the police, stood in conflict with rights-based and direct solidarity approaches of humanitarian actors in assisting refugees in terms of meeting their daily needs within the camps. Different old and new refugee-rights, human-rights and humanitarian organisations, associations, initiatives and networks were involved in humanitarian work. They participated, more or less in a formal capacity, in immediate aid and assistance practices, responding to needs of people, working at border crossing points and in reception centres.<sup>17</sup> Few of them were religious and faith-based groups while others were more or less professional, secular, civil initiatives and networks.

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<sup>16</sup> This was also pointed out in the above-mentioned report: "[b]ecause migrants and refugees were passing through quickly. Many of their basic needs, as identified by humanitarian actors, could be met only partially. Typical ways of ensuring rights, protection and aid to meet basic needs had to be adjusted on the ground...between approaches that prioritise security in transit and rights-based humanitarian relief and protection." (Larsen et al. 2016, 5).

<sup>17</sup> Various local civil society organisations, religious and charity organisations, and local initiatives dedicated to protecting and advocating human and refugee rights, had also been active in helping refugees when they arrived in Croatia, through collecting donations, volunteering in camps or driving refugees by car through the territory to the borders of Slovenia and Hungary. Initially, the Croatian government tolerated transport assistance, but later considering to criminalise and thus penalise this sort of solidarity.

Some of them chose to participate only in humanitarian help yet—indirectly—they were also party to aiding the securitisation practices laid down by the authorities. The activities of the NGOs within the camps were also closely monitored by the state. Thus, until its closure in April 2016, the camp in Slavonski Brod had remained a highly securitised place where involvement of various actors was defined and restricted by the state apparatus. Within this framework, the activities and roles of humanitarian and solidarity based organisations became undermined. Within such a context there were few opportunities for political engagement in terms of challenging and opposing such a rigid state security regime. However, some of the NGOs were more sceptical than others in terms of how the authorities were constructing and dealing with “the crisis”. These actors remained critically oriented in their reflections on the securitisation practices of the state bodies: in particular, those that most directly interfered with their everyday activities in the camp, and the rights of refugees (for example, unreasonable detention of refugees, prohibiting volunteers’ specific activities across the various sectors, etc.).

Some civil organisations and individuals started the “Refugees Welcome Initiative”, as a kind of humanitarian platform, advocacy initiative, and a network for organising volunteers. Other citizens interested to help started the “Are you Serious?” network, which has become the largest grass-root citizens’ initiative all along the Balkan corridor. They expanded their network of volunteers and activities helping along the Syrian-Turkish border, at Idomeni and other camps in Greece, all the way to Calais. Both initiatives took on a more antagonistic stance towards the authorities, some of them taking on a “watch-dog” role and becoming increasingly critical to the work of the authorities fostering transnational and trans-border solidarity and cooperation while disobeying and challenging the dominant official discourses of the crisis and securitisation. Their similar humanitarian and solidarity practices also connected them with other regional and international humanitarian and refugee rights actors along and across the Balkan corridor, through activities such as information sharing, institutional and non-formal networking, political framing of solidarity as well as advocating welcoming, inclusive attitudes and more open, fair and humane EU policies and protection systems.<sup>18</sup>

## **FALL OF THE BALKAN CORRIDOR AND THE POST-CRISIS MEASURES**

At the beginning of 2016, Austria restricted the number of refugee arrivals by introducing restrictive limits on the number of asylum claims permitted. The drastic measure of reducing asylum applications to 80 per day came into force, with 3,200 refugees being transported into Germany on a daily basis. In mid-February 2016, the heads of police forces in the countries of Macedonia, Serbia, Croatia, Slovenia and Austria, came together to hold a meeting in the Croatian capital, Zagreb. At this meeting, they agreed on reducing “the refugee flow” (now conceptualised as “migrants’ flow”) through the joint adoption of a standardised migrant registration system, supporting the FRONTEX activities, and selecting and profiling migrants on the basis of their nationality. In effect, this meant the gradual ending of the Balkan corridor as a safe passageway for refugees. The aim of reducing the refugee flow was taken seriously by those countries in the region. In 2016, we witnessed several new deterrent measures being implemented. In Hungary, Slovenia and Macedonia, authorities decided to reinforce the barbed wire fence and boosted the presence of army and police forces along their borders. Also, Serbia formed joint police and military units for the purpose of patrolling its borders with Macedonia and Bulgaria. And in Croatia, the government proposed military measures in which the Croatian national army would be allowed to support the police in armed

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<sup>18</sup> See Župarić-Iljić and Valenta, 2018, *forthcoming*.

protection of the borders.<sup>19</sup> Such securitisation and deterrent measures were combined in most countries in the region with harsher treatment meted out on arriving migrants. These measures supplemented the EU-Turkey agreement which directly contributed to ending of the Western Balkan route.

The EU-Turkey Summit and agreement was signed on March 7, 2016.<sup>20</sup> On the following day, Slovenia closed its border, announcing its full compliance with the Schengen Border Code and, consequently, the same was done by Croatia, Serbia, and Macedonia. In the following days it became apparent that tens of thousands refugees and other forced migrants were trapped at Idomeni on the Greek-Macedonian border. Several reports made by NGOs emphasised that non-Syrian-Iraqi-Afghani (non-SIA) nationals had been denied access to protection system, let alone denied access to the desired territories of Schengen EU.<sup>21</sup> Thus, the basic provisions of international refugee law, skewed by “the crisis” in German politics (i.e. access to Germany as a “desired territory” where protection may be sought), in few months it became unattainable for asylum seekers previously passing through the Balkan corridor.

After the Balkan corridor was, to a great extent, closed off, we also can identify the increased resentment against migrants and increased interest of the involved authorities towards many of securitisation practices, that remained to take place in a “post-emergency setting”. This refers not only to direct detention, readmission and push-backs on the very borders of Schengen, but also to high rejection rates and resentment to relocation and resettlement quotas. Indeed, in several countries, these proposals were openly rejected by governments. Of those who are now being forcibly returned to countries in the South Eastern Europe, via the Dublin regulation, readmission arrangements result in an increasing number of rejected, stranded asylum seekers. Throughout the region, there is a clear lack of workable policies and programs of assistance for these people. Also a few of those who got protection and the refugee status experience absence of proper integration opportunities and assistance. This includes an absence of language learning facilities, a lack of education opportunities, inadequate welfare provision, exclusion from the labour market and civic participation. In this way, asylum seekers and refugees are kept in a situation of protracted stress and trauma.

Furthermore, changes in national asylum and migration policies of several countries in the region - lay down provisions which tend to criminalise certain solidarity practices of direct help and support to migrants, thus pushing the debate further into the scope of irregularity and illegality. It is repeatedly noted in various reports that these restrictive developments in the legal framework also include implementation of highly problematic, institutional obstacles for refugee arrivals. For example, the BCHR et al. (2017) report indicated that asylum seekers have, regularly, been arbitrarily expelled across the region, from one country to another, very often with the use of brute force, intimidation and devious tactics by state authorities, denying

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<sup>19</sup> In March 2016, the Croatian Act on State Border control, was amended with a series of provisions under which the army was given the right to “provide assistance to border police for protection of national borders in the event of security or humanitarian needs” (RoC 2016).

<sup>20</sup> The EU-Turkey agreement included several important elements that contributed to the reduction of migrant outflows from Turkey. For further details, see EC (2016) and CoEU (2016).

<sup>21</sup> According to some civil actors, individual or collective illegal push-backs of refugees found on Croatian territory carried out by Croatian police, and with the use of violence and humiliation, became a new reality, late in the year of 2016 (Banich et al. 2016; HRW 2017), and the same applies for situation on Serbian-Hungarian border (MSF, 2017). “Are You Syrious?” and “Refugee Welcome Initiative” openly warned the Croatian and regional public about these problematic police practices of using deterrence and violence tactics towards migrants along the borders of Schengen. Further criticism was also levelled at state’s deviations from the Dublin Regulation and the EU position on forcible returns, readmissions and unacceptable displays of non-solidarity when dealing with the rights and needs of newcomers. Civil actors warned about restrictive Croatian state’s practice that started to happen in late 2016 with the forcible returns of asylum seekers from Austria, Germany and other countries to Croatia via Dublin regulation, which resulted in a sudden increase of rejected applicants who were arbitrary denied a status based on a “security obstacle” qualification (AYS? and CPS 2017; MoI 2017).

them access to the asylum procedure.<sup>22</sup> In this way, even the two basic pillars, enshrined in the international refugee protection standards, such as an access to territory and access to procedure of applying for international protection, are obstructed and restricted.<sup>23</sup>

## CONCLUDING REMARKS

In this chapter, we contextualised and analysed the local responses on transit migrations over the Balkan corridor during the recent massive arrivals of refugees in Europe in 2015-6. It is maintained that the most of asylum-seekers who arrived to South-eastern Europe were not eager to apply for asylum in countries in this region. Inadequate reception conditions and lack of integration opportunities, and extremely high rejection rates, have been some of the major factors that deterred asylum seekers from the region.<sup>24</sup> Hence, only a small, insignificant number decided to apply for a status that acknowledges the Balkans as a transit area they need to traverse in order to reach anticipated destinations in Western Europe. However, the European asylum system has developed several lines of deterrence, which are intended to prevent asylum seekers to reach these wishing destinations.<sup>25</sup> In order to apply for asylum and get refugee protection, it is necessary to first arrive in Europe in various irregular ways. Several physical and juridical obstacles, designed to prevent such migrations, must first be overcome. These impediments have had a clear and marked effect on asylum migrations. The externalisation measures, the Schengen/Dublin cooperation, readmissions, pushbacks and other deterrent measures have, for years, contributed to reducing the numbers of asylum seekers reaching the core of the EU.

However, the deterring tools of the European migration system malfunctioned during the summer of 2015 when the (Western) Balkan corridor gradually emerged as a semi-institutionalised migration route for the swift transit of Syrian and other refugees and migrants via Turkey to Western Europe. It was a route that lasted until the spring of 2016. Indeed, with a rise of the Balkan corridor, many migration obstacles were put aside for a short period of time, and the existence of the corridor came to be a unique, controlled and state-managed passage for the massive transient movement of populations to desired destinations in Germany and other Western Europe countries. This recent mass influx of migrants will be remembered for being the impetus of several unexpected changes in positioning of countries at the south-eastern frontier of the EU. These countries, politically and administratively, constructed this phenomenon as one of refugee transit, and, later on, linked as one of “migrant crisis”. One that seeks exceptional and immediate emergency relief measures in a situation of mass-arrivals of

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<sup>22</sup> A research study conducted by *Médecins sans Frontières* confirmed that nearly one third of migrants who passed the corridor experienced some sort of physical violence and trauma on their journeys (Arsenijević et al. 2017).

<sup>23</sup> For example, the Hungarian authorities introduced in June 2016, “deep border control” which allows police to deport migrants who, if detected within eight kilometres from the border, are detained. The deep border control practice was criticised by several local and international humanitarian organisations and provoked strong reactions in Serbia, to where the greatest number of migrants had been returned. Most countries in the region have introduced restrictive measures. For example, in Croatia, the latest changes, made in 2017, included amending of the Foreigner Act, inter alia, the authorities want to penalise any kind of solidarity shown towards people that make repeated attempts to irregularly enter, or who are “illegally” staying on Croatian territory. Some of the NGOs we interviewed, argued that this might tend to serve as part of a fragmenting strategy which would prevent or demotivate locals for expressing solidarity with refugees and migrants. Ultimately, after recommendations made by the EU Fundamental Rights Agency (FRA), the Croatian Government decided not to incorporate these criminalising solidarity provisions in the law.

<sup>24</sup> See for more Coleridge 2013; Baričević 2013; Brekke and Brochmann 2015; Valenta et al. 2015; Porobić and Župarić-Iljić, 2017.

<sup>25</sup> For more see Boswell 2003; Triandafyllidou and Dimitriadi 2014.

people. Encountering thousands of migrants along their shores and borders, countries abandoned their usual standard responses. The ordinary measures of deterrence were put aside. Instead, Balkan countries formally defined themselves as transit countries, opening their borders, and allowing, even facilitating their further journey onto the next country through the corridor, into the core of the EU.

Indeed, at the peak of mass-arrivals, the national governments along the corridor prioritised a fast, controlled and accelerated transit over Dublin registrations and detainments. Moreover, this stance was supported by local NGOs as they saw that the corridor reduced the human costs of migration to the West. Thus, they cooperated with authorities by providing various forms of humanitarian help to transiting migrants. At the dawn of the crisis, security discourses were again more and more prominent in the official responses, media representations and public opinion, while measures of deterrence were re-established and reinforced. With these measures, criticisms of the authorities' policy also increased among the civil organisations, which resulted in the cooperation between the authorities and the local humanitarian actors becoming soured.

During the existence of the Balkan corridor, different approaches of humanitarianism and securitisation intertwined and interplayed together, balancing from humanitarian aid, assistance and solidarity with refugees – to that of detainment, forcible returns, push-backs and other securitisation practices.<sup>26</sup> The welcoming politics of transit assistance gradually diminished over restrictive solutions, embodied in the closure of the corridor, and re-introduction of rigid border regimes with interception at borders, readmission and deportation measures. In the post-crisis period, the SEE countries are not any more transiting areas for large numbers of migrants as they were in 2015 and 2016. Yet, hundreds of migrants are still trying to cross the region on a daily basis. In the post-crisis period, the costs of migration through the region have increased, since they are not assisted by the authorities as they were during the existence of the corridor. In the current situation, they have to trespass unnoticed on their journeys further north in the migration system, in order to avoid detention, registration and push-back. Those who end up as asylum seekers in the region have often been characterised as reluctant or stranded asylum seekers. They remain there against their will and, due to the Dublin regulation, are denied applying for asylum in intended destination countries.<sup>27</sup>

It seems that initial responses to the situation of mass-arrivals of more than a million refugees—and the unfolding of a potential “humanitarian crisis”—actually stem from the challenges of finding common and effective institutional solutions in order to facilitate burden-sharing, and reception of newcomers. Rejecting the responsibility of sharing in a form of relocation and resettlement quotas, the EU member states failed to provide mutual trust and contingency in terms of its basic values - achieving solidarity among member states, within the common asylum system. Indeed, the way the Union dealt with the refugee crisis has revealed deep weaknesses in the EU cooperation structure. The aim of Brussels to deal with the crisis through common, collective action – based on a responsibility-sharing principle – with cooperation and solidarity between the countries - has not been achieved. But what may be said about the particularities of the West Balkan countries' responses? Have they achieved their aims?

In the post-crisis period, there are still sizable numbers of asylum seekers in the region. Balkan countries have never been popular destination countries for asylum seekers. During the mass influx in 2015 and 2016, they were popular transit countries, but due to recently deployed deterrent policies and tools in the region, they are not popular in that sense neither. However, at the time of writing this chapter (Summer 2017) it seems that the strategy of aided transit

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<sup>26</sup> See Župarić-Iljić and Valenta, 2018, (*forthcoming*)

<sup>27</sup> See Brekke and Brochmann 2015; Valenta et al 2015.

further up in the system used by Croatia and most of the countries in the region in 2015 and 2016 has succeeded. The aim of the local authorities was to avoid becoming the hub/hotspot for large numbers of refugees and, indeed, most of the countries along the corridor that admitted hundreds of thousands of migrants in 2015 and 2016, did not end up as large hubs for asylum seekers, as was the case with Germany and Sweden. But, it should be noted that the above-mentioned strategy of aided transit has provoked many reactions in the EU. In terms of the Dublin regulation, EU countries bordering the Balkan corridor, such as Croatia, are currently being pressed by other EU countries to re-admit large numbers of asylum seekers that were transiting the Balkans during the crisis. The local authorities fiercely oppose these claims. It remains to be seen whether Croatia and other countries in the region will be forced to accept massive returns of asylum seekers from other EU countries.<sup>28</sup> It is unclear who will win this dispute, but, on the other hand, it is absolutely clear that the local authorities in the region do not have adequate reception and resettlement facilities as well as efficient integration programs to offer to large groups of persons seeking or enjoying international refugee protection. In these circumstances different socio-political, administrative, and humanitarian challenges may unfold even with smaller numbers of refugees than those we have witnessed trespassing during the corridor phase, one that was defined and contested as “the refugee/migration crisis”.

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<sup>28</sup> In July 2017, by the judgment of the Court of Justice of the European Union, and calling on Dublin III Regulation, the Republic of Croatia is regarded as responsible for all those who crossed its border irregularly in the mass-arrivals of 2015-6. It is yet to be seen how this decision will reshape the Croatian protection system in practice. For more see CJEU (2017).