

Visegrad Bloc and the EU's Future

Grand Aspirations behind Anti-Immigration Stances

Despite a considerably [assertive](#) and [costly](#) media campaign, the Hungarian Prime Minister Victor Orban did not manage to convince the majority of Hungary's citizens that the issue of migrants/refugees is the most critical "[for their own future and the future of Europe](#)". The 43,4% turnout (out of which 6% of votes were blank/invalid) at the infamous "[quota referendum](#)", point to the fact that exploiting the topic of migrants in a populist manner is not sufficient to mobilise the general electorate, worried about everyday issues, such as economic conditions.

The referendum itself, however, would have been redundant even if the 50% plus one vote threshold had been reached. Hungary, as a member state, is bound by the EU's founding treaties. The Lisbon treaty, being the last amended version of the founding treaties negotiated by all the member states in 2007 (including Hungary, who is an EU member since 2004), [introduced the qualified majority voting system in the Council of the EU for justice and home affairs](#) (among others). The introduction of this system signifies that even if a member state is outvoted in the Council by using this voting method, it is still obliged to implement the given piece of legislation. This was exactly the scenario with Hungary and the [Council Decision on the refugee quota](#). Namely, in December 2015, the Hungarian government even [challenged the Council Decision](#) before the European Court of Justice,

claiming that the Lisbon Treaty does not provide an adequate legal basis for the adoption of such a decision. The referendum campaign, aside from presenting the migrants as a security threat, blamed Brussels for wanting "[to take away a part of Hungary's sovereignty](#)". However, the Council Decision has so far proven to be ill-fated in any case – [one year since it was adopted](#), the member states have relocated only 5.2% of the agreed number of asylum applicants from Italy and Greece (5,651 out of agreed 106,000 persons). Hence, this referendum does not carry relevance even from the perspective of the implementation of this Decision, given that practically all member states have been failing to enforce it so far.

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Implicit Significance of the Hungarian Referendum and Anti-Immigration Discourse

Irrespective of the quota referendum results and the legal obligations all member states are faced with, the Hungarian referendum should be observed as one of the signs of the emerging ambition of this country, together with the remaining countries of the so-called Visegrad group (Poland, Czech Republic, Slovakia) to be perceived as agenda-setters for the post-Brexit European Union. Overall, there has been an abundance of media coverage on and political response to what the representatives of the Visegrad countries have been arguing concerning the refugee and migrant influx. However, we would argue that this perspective fails to adequately encompass what Visegrad cooperation is currently about. Namely, in our view, the anti-immigrant discourse represents just one facet and a pretext of the V4's overarching goal of building the influence of their bloc and affecting the direction of the discourse on EU's future.

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¹ The threshold of 106 000 persons in need of international protection is aimed to be reached within the two year period (Sept. 2015-Sept. 2017). This sets an almost impossible task to relocate the remaining 94,8% of asylum applicants within a year. Hungary has so far relocated none of the envisaged 1294 persons.

The Visegrad group, which was considered to be [long-dormant](#), has caused a stir in the already discordant EU's approach to resolving the refugee/migrant crisis. Spearheaded by Hungary, relevant political representatives have been criticised for a series of statements made in reference to the incoming migrant flows, statements which presented migrants and refugees as primarily security threats which could change the face of Europe. For example, while Victor Orban [has claimed](#) that refugees/migrants will "redraw Europe's religious and cultural makeup, restructure its ethnic composition," Slovakia's Prime Minister, Robert Fico, [stated](#) that "Slovak citizens and their security is of higher priority than the rights of migrants."

Along with Hungary's referendum, the media and political attention drawn by V4's anti-immigration stances have overshadowed the group's grander aspirations in the post-Brexit EU. [In the words of the Hungarian PM](#), "Brexit is a fantastic opportunity for us. We are at a historic cultural moment. There is a possibility of a cultural counter-revolution right now." The Polish Head of State Jarosław Kaczyński concurred: "For this counter-revolution to be conclusive, there must be some changes in the EU itself, its structure, its decision-making process." In fact, a quick analysis of the countries' [Joint Statement](#) issued a day before the European Council's meeting in Bratislava this September demonstrates the extent to which their focus is not primarily on migration, but rather on their role in the EU, as well as the future of the EU itself. For example, while there is no mention of the refugee or migration issues in the opening remarks, the statement does take an all-encompassing framework on what needs to be done in the EU after the British referendum. As they state: "Improvements are necessary to restore common trust in the European project and its institutions and empower the voice of member states."² In fact, with the document they also present their "determination," "readiness," and "commitment" for reassessing and identifying major priorities for the EU's future.

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Refugee/Migrant Influx as the Main Point of Connection?

Why has the issue of refugee quotas and refugee/migrant influx overall been the primary mobilisation point for Visegrad countries? This appears slightly illogical given that none of these four countries were considered as major destination countries for refugees. Moreover, they were required to take in a minor, arguably insignificant, number of refugees under the quota plan.⁴ In addition, only Hungary has been under strain due to the Dublin regulation which places the burden of accepting refugees on EU's border countries. Once Greece was excluded from this scheme in 2011, Hungary became one of the primary countries for asylum applicant transfers. However, a deeper analysis reveals several significant factors which influenced the V4 to mobilise around the issue of the refugee/migrant influx.

Firstly, the issue of the "refugee/migrant crisis" was one easily capitalised on within the domestic sphere in the Visegrad countries, as political parties in power could profit from the fear of migrants and easily mobilise the support of the electorate. This also implies that they are acting democratically and according to the will of their electorate, which is best seen in Orban's attempted referendum. The democratic nature of their rejection of quotas and criticism of the EU is relevant given that the V4's most common critique of the EU is its "[centralisation](#)" and lack of a democratic decision-making process.

² Joint Statement of the Heads of Governments of the V4 Countries, Bratislava, September 16, 2016, <https://www.vlada.cz/assets/media-centrum/aktualne/Bratislava-V4-Joint-Statement-final-15h30.pdf>.

³ Put together, the V4 countries were expected to take in around 8% of the overall allocations, more precisely, the four countries were expected to take in 8,769 asylum applicants from Italy and Greece, in accordance with the Annexes I and II of the Council Decision (EU) 2015/1601, <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D1601&from=EN>.

⁴ M.S.S. v. Belgium and Greece, Application no. 30696/09, Council of Europe: European Court of Human Rights, 21 January 2011, available at: <http://www.refworld.org/docid/4d39bc7f2.html> [accessed 4 October 2016].

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Secondly, the issue of the “refugee/migrant crisis” was one relevant for the EU as a whole, but also one through which the V4 could increase their political leverage. Since it is a burning issue, by taking a strong stance against the European Commission (EC) and Germany, the V4 are actually attempting to avoid being “[marginalised](#)” and pushing to place other issues on the political agenda as well. For example, rather than focusing predominantly on migration policy, the V4 Joint Statement from Bratislava directs attention to democratic legitimacy in the EU, the role of smaller Member States (what they frame as “the value of diversity”), security (touching on migration of course, but including issues of terrorism, EU data management, etc.), as well as the single market, which they claim needs to be better presented as a chief benefit of EU membership. The bloc has already announced it will be “[uncompromising](#)” with regards to the Brexit agreement to be negotiated by the UK and the EU, insisting that they might block the deal in case the right to work of the EU citizens would be limited.

Additionally, the “refugee/migrant crisis” is also one of the few uncontentious issues for the members of the Visegrad group. The political stances of these four countries diverge on a host of issues. For example, [the issue of Russia](#) is one where Poland and Hungary could clash politically. While Poland is lobbying for a stronger [NATO presence in Central Europe](#), Hungary has advocated for [ending sanctions against Russia](#). On the other hand, while Slovakia and the Czech Republic [have an interest in stronger ties with Germany](#), Poland has been [distancing itself](#) from the EU’s most powerful member state.

The Reach of the V4 Aspirations?

A question remains of whether the V4 countries will be able to attract a critical number of EU member states to push for the vision and reforms they propose. Their vision of Europe, which would involve the operation of a “cultural counter-revolution” and the behaviour of their current political elites diverge to an extent from other core EU values of rule of law, solidarity, non-discrimination, respect of human rights and pluralism. The officials of

all four countries have so far made numerous xenophobic statements on the account of refugees/migrants,⁵ but there is an array of other issues where these countries stand out. Poland is currently in the process of a dialogue with the Commission under the [Rule of Law Framework](#)⁶ on the issue of the independence of judiciary. Ultimately, if Poland does not address the EC’s concerns and recommendations regarding the “[systemic threat to rule of law in Poland](#)”, the EC can, as a last resort, initiate the procedure to suspend Poland’s right to vote in the Council under the “[Article 7 Procedure](#)”. Although it remains to be seen whether political considerations will allow this to happen in the case of Poland, the procedure is intended as a warning to member states that serious breaches of EU values will be met with sanctions. Furthermore, the Foreign Minister of Luxemburg [recently accused Hungary](#) of treating the refugees like “wild animals” and called for the expulsion from the EU of those countries that build fences against refugees, violate press freedom and judicial independence, explaining his appeal as “the only way to preserve the cohesion and values of the EU.” It can, thus, reasonably be expected that the countries that fare poorly on the fundamental values which constitute the “EU’s essentials” will not be in a strong position to shape or even strongly influence the debate on the future of the EU.

⁵ For example: Milos Zeman, president of the Czech Republic “Let them have their culture in their countries and not take it to Europe, otherwise it will end up like Cologne”, The Guardian, 18 Jan., 2016, <http://www.theguardian.com/world/2016/jan/18/integrating-muslims-into-europe-is-impossible-says-czech-president>; The Prime Minister of Slovakia, Robert Fico: “It may look strange but sorry ... Islam has no place in Slovakia,” Politico, 26 May 2016, <http://www.politico.eu/article/robert-fico-islam-no-place-news-slovakia-muslim-refugee/>; Victor Orban, Hungarian Prime Minister: “The death penalty question should be put on the agenda in Hungary. Hungary will stop at nothing when it comes to protecting its citizens.”, the Guardian, 29 April 2015, <https://www.theguardian.com/world/2015/apr/29/hungary-pm-death-penalty-work-camps-for-immigrants-viktor-orban>; Polish Prime Minister Beata Szydło: “...No possibility at this time of immigrants coming to Poland”, Politico, 23 March 2016, <http://www.politico.eu/article/poland-slams-door-on-refugees-beata-szydlo/>.

⁶ This mechanism, launched by the EC in 2014 to additionally ensure the respect of rule of law across the EU member states and thus complement the existing infringement procedures conducted by the European Court of Justice (ECJ) in case of violation of the EU laws.

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The Limits of Controversy in Achieving Impact

As the overview of the V4's statements and actions demonstrates, the Visegrad bloc has so far been using migration/security issues domestically as a means to exert the political pressure and increase their influence at the EU level. However, the Hungarian referendum has shown that the "mobilisation potential" of migration/security issues has its limits, despite extensive political and financial investments. The low turnout of Hungarian citizens at the referendum, together with [successful massive protest in Poland](#) against the controversial proposals to the amendments on the Law on abortion, represent a strong message for their governments who appear to have underestimated the power of citizens' engagement and political maturity. At the same time, the outcome of the Hungarian referendum should be taken as a warning to all political forces across Europe that have so far profited from focusing only on migration/security issues. The effects of the Visegrad "revolt" phenomenon are far from negligible, but in order to produce an actual impact, these countries' leaders obviously require more extensive efforts rather than inflexible discourse and costly referenda. However, the aspirations of the V4 additionally demonstrate the desire of smaller member states to influence the direction of EU's future and emphasise the need for greater efforts to nurture democracy within the EU, but efforts that do not feed on securitising refugees, increasing anti-immigrant sentiments in the Union and neglecting the basic principles and values the EU is built on.

Sena Marić is a Senior Researcher at CEP.

Katarina Kosmina is a Researcher at CEP.

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