At the heart of Fortress Europe II

Austria's Role in Border Externalisation Policies in the Balkans

Nidžara Ahmetašević | Klaudia Wieser

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Cover: Local activists in Austria commemorate the death of Hussein and Ilyes, two young Algerian workers who were hit by a train crossing into Austria from Slovakia. The two men were walking on the train tracks to hide from border police. Their death is a consequence of the militarisation of the European border regime. May they rest in power. Photo by Push-Back Alarm Austria.

1.
Introduction

In Kamičani, a small village in the northeast of Bosnia and Herzegovina (BiH), a group of local solidarity activists organised a funeral in the winter of 2022 for Arat Semiullah, a 20-year-old man from Afghanistan. Family members from the EU, those who had been waiting for him to arrive for the previous two years, came to say their last goodbye and a prayer. After the funeral was held, a tombstone was put up with his name and surname, year of birth and death, and sentence, in Bosnian and Farsi: "Marthy who died while trying to reach the EU, in the river Sava."

Arat died while trying to cross the river Sava, a natural border between Croatia (EU) and BiH. A few days before, he had left the camp in Sarajevo with three friends. Before leaving, he went to a barber and took a smiling selfie to send to his mother in Afghanistan. He sent her a photo and wrote: "I will be in Germany in three days." When Arat and his friends reached Kozarska Dubica, they bought a small plastic boat and headed toward a village by the river. The Sava looked calm and not so deep. But the river was cold and fast, with many whirlpools that swallowed the boat.

Arat's body was found a couple of days later near Kozarska Dubica. Even though he had his card issued in camp, with his name and surname, local authorities buried him in a black plastic bag at the city cemetery under the NN (no name) sign. Friends who survived were looking for him and contacted the family who got in touch with local activists. After weeks of searching, they learned about the burial of NN with a card with Arat's name on it. It took months to get a DNA test from Afghanistan and then to get the authorisation to excavate the grave. When the DNA match was confirmed, Arat's mother asked for the Islamic religious burial to be held in BiH because repatriation is too expensive and complicated.

The number of people who have died in the Balkans since 2015 along the EU's borders is unknown; activists from the region and some media have estimated several hundred. In one city cemetery near Bijeljina, a city on two rivers northeast of BiH, there are about 14 unmarked graves, and in Zvornik, a city east of BiH, by the river Drina, about 20. In the northwest – near Bihać – there are about 60 NN graves and many more in Sarajevo, Tuzla, and Banja Luka. People on the move have reported seeing numerous dead bodies in Bulgarian forests. In most countries,

Photo by Nihad Suljić, a local activist member of the Dead and Missing in the Balkans initiative. Kamičani, Bosnia and Herzegovina.

if the body is found near a village or city, burials are organised by the local authorities in a quick procedure. Often, no effort is put into identification. In Loznica, a town in Serbia by the river Drina, a natural border with BiH, activists from the Serbian NGO klikAktiv found 14 NN graves at the edge of the local cemetery. The local authorities told them that no identification process had been carried out, and based on the colour of the skin of people whose bodies were found, they presumed they were migrants. In Šid in Serbia, at the border with Croatia, there are 14 graves, including that of 6-year-old Madina Huseini, who was killed in a pushback in 2017.

"These are invisible deaths, and their invisibility is a part of the border regime control system and migration management", Mariana Hameršak, a scholar and activist from Croatia, said at the conference organised in January 2024 in Bijeljina dedicated to people who have died while migrating. "It is not the dangerous routes that kill them, nor the rivers they are forced to cross, but rather the borders, detentions, and camps," she concluded.

Fishermen in the river Drina find bodies regularly. For a while, they used to take bodies out and call the police. For some time, the police were helpful and compassionate. This changed in the last two years during which the border police got new equipment, underwent more training, and increased security in general. Now, the police put pressure on people who pull out bodies, making fishermen hesitant to do so. Instead, they decide to push them away and not talk about what they saw.

Mary Pat Brady, a geographer and critical race theorist, in her work from 2008, writes on "border deaths", describing them as "a kind of passive capital punishment where immigrants have been blamed for their death", which are described by the authorities and the media, if mentioned at all, as deaths of illegal migrants who died while trying illegally to cross borders.

While the EU and individual member countries are increasing their budgets for securitisation and border regime externalisation, a budget for the identifications and burials of people who are dying while migrating does not exist. These deaths are not mentioned in the negotiations over The New Pact on Migration and Asylum (New Pact). Moreover, when mentioned by those involved in *migration management*[1], deaths at the borders, in camps and migrant detention centres are instead made into a tool of propaganda, sending a message that migrating is dangerous and a threat to society, which ignores the fact that people are pushed into life-threatening situations due to strict border-regimes. People living in countries along the Balkan Route[2] and engaged in solidarity networks, or those working for NGOs and organisations focusing on migration, claim that wars, natural catastrophes, or political turmoil make this route busier. This is the case with the protracted conflict in Syria, armed conflict in Tigray, the withdrawal of the Western military forces from Afghanistan in the summer of 2021 or the recent earthquakes at the Turkish-Syrian border and in Morocco, as well as massive floods in Libya. In 2022, Iranians continued to protest their government, facing harsh repression, and political and economic situations are worsening in Lebanon, Egypt, Yemen, South Sudan, India, and Bangladesh. New arrivals are expected with yet another Israeli war on Gaza supported by the West.

Harsha Walia writes that border controls are most often deployed by "those Western regimes that create mass displacement and are most severely deployed against those whose very recourse to migration results from ravages of capital and military occupation"[3]. Border regime externalisation became a priority in this process, while countries that are aiming at EU membership or are in any way dependent on EU assistance and the West, including the Balkans, are becoming part of this militarised border regime[4]. In the Balkans alone, over EUR 201 million of so-called pre-accession assistance funds are used for these purposes[5]. Some EU members, including Austria, the Czech Republic, Denmark, and Germany, are more engaged in this process than others.

Over a year ago, the network transform! europe published the first part of the study At the Heart of the Fortress Europe, focusing on the role of Austrian actors and Austrian-based organisations in externalising the EU border regime in the Balkans, more specifically in Bosnia and Herzegovina. Considering the New Pact, Part II of the study follows up on Austria's involvement in EU border externalisation policies through *migration management*.

[1] "Migration management" the process through which states and international organisations impose rules that restrict migrants' rights and establish border regimes following a state's or group of states' political and strategic interests. These policies are implemented mainly to the detriment of the migrants being 'managed' by them. The methods used to 'manage' migration often involve militarisation, surveillance, and imprisonment, and may also result in severe human rights violations for which there is scant accountability" (Ahmetašević et al. 2023: 2).
[2] For this research, we look at the part of the Balkan Route which runs through Albania, North Macedonia, Kosovo, Serbia, BiH, and Montenegro.
[3] Harsha Walia, Undoing Border Imperialism, AK Press and the Institute for Anarchist Studies. 2013, p. 6.
[4] "European policy has been hijacked by a powerful fossil fuel and agribusiness lobby as well as a border and surveillance lobby. They are frog-marching us all to a more dangerous and insecure future", in the words of Nicolò Wojewoda, Europe Regional Director of 350.org.
[5] The EU Action Plan on the Western Balkans: "Under the instrument for pre-accession assistance (IPA III) from 2021 to date, the EU has put in place an overall package worth EUR 201.7 million in the area of migration and border management for the Western Balkans, with a particular focus on anti-smuggling, border management, judicial and police cooperation, strengthening capacities and key infrastructure and equipment. The Commission is ready to further increase the financial support in 2023 and 2024 to respond to the emerging needs across the region."

2. Bordering Balkans

> *Austria will continue to do everything in its power within the EU to create the political and legal conditions for asylum procedures to be carried out outside the EU. We will not give in.*

Austrian Chancellor **Karl Nehammer**

NEW PACT ON MIGRATION AND ASYLUM: TIMELINE AND MAIN ACHIEVEMENTS

Graphic: EU Commission

⁶Negotiations for the final draft continue in 2024, with a final plan to reach formal adoption before EU elections.
⁷At a high-level meeting in Luxembourg on 19 October, EU justice and interior ministers discussed the need to speed up the implementation of planned asylum reforms within the bloc. Before the meeting, the EU migration commissioner Ylva Johansson said "it was important that people who threatened European citizens be "immediately returned". "We need to be more efficient, close the loopholes and be quicker on decisions to carry out returns", she added.

Speaking for the German newspaper Die Welt, Austrian Chancellor Karl Nehammer counts migration among the severe problems that need to be addressed at the EU level, "as irregular migration can be an issue that can divide and possibly even destroy the European Union". The solution he proposes (among other measures) is creating adequate border protection, rapid asylum procedures both at the EU's external borders and in third countries and concluding agreements with other nations allowing for the rapid deportation of migrants. These "solutions" mirror the ideas proposed in the New Pact, which is due to be adopted in its final version in Spring 2024.⁶ The New Pact, which is presented as the solution, will allow the EU member states to fast-track the processing of applications from countries with approval rates, such as Morocco, Pakistan, and India, and foresees more rigid rules for emergencies, including more extended detention periods. In addition, more governments are favouring externalising their border regimes to neighbouring or faraway countries and outsourcing migration.⁷ Austria's involvement in proposing and shaping a concept of "border protection at the external frontiers of Europe" (Moreno-Lax 2017: 43) was already envisioned during its first EU presidency in 2018. A framework of concentric circles – linking EU neighbouring
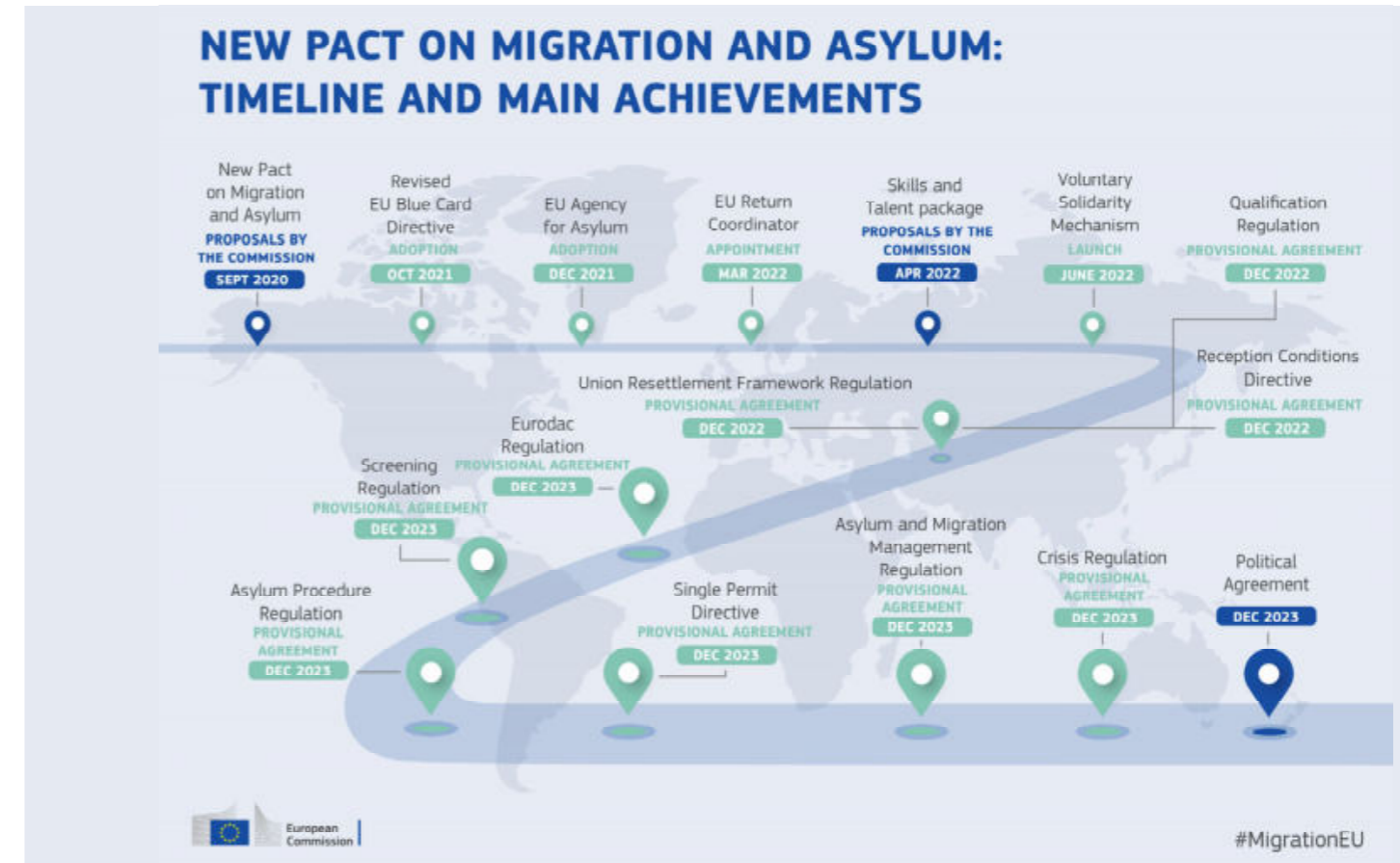
countries to a system of migration policies through tightening EU pre-accession strategies and establishing agreements with third countries in the context of readmission and return – would enable Europe's heartland to face security-related migration questions. While many member states downplayed the idea when the New Pact was proposed human rights organisations are describing it as the disastrous climax of a joint strategy on migration and asylum. What has been drafted as a strategy to contain migration in concentric circles has been developed into the full-scale implementation of land and sea border zones that legitimate control, tracking, militarisation, and the management of violence against people moving in circuits while trying to reach the EU Schengen Area.

Critics are expressing their worries that the New Pact focuses on security-related issues, a notion dismissed by Margaritis Schinas, Vice President of the EC, in an interview for the Spanish daily El País:

> *That is not how I see it. An imbalance that tips towards security would be Australia's policy, or those of countries that do not accept any kind of asylum. That is not our case. Europe is the European Union; we are destined for asylum, and we will continue to be. It's part of our European way of life that defines us. But, at the same time, those who do not have the right to protection in Europe will have to go back.*

For a long time, the Balkans have been a testing ground for *migration and border management* for the EU. Already in the early 1990s and specifically after the regime changes in some countries in the East and the wars in Yugoslav seceding countries, migration increased, and the newly founded EU and its Schengen Area introduced policies on asylum seekers and migration. Vedran Džihić, a Senior Researcher with the Austrian Institute for International Affairs (oiip), associates the development of the strict border regime with the rise of the far-right in Austria and the weak response from the rest of the political spectrum centre and centre-left in the EU[8]:

> *Since Jörg Haider took over the Freedom Party,[9] he began making populist, xenophobic politics, portraying migrants as something that is endangering the Austrian economy and Austrian society, mobilising the electorate around the question of migrants or as it is called here, Fremde or Ausländer.*

According to Džihić, instead of presenting a solid opposition, the governing Social Democrats (SPÖ), aware of the rising popularity of the FPÖ, adjusted their policies over the years and, when necessary, aligned with the anti-immigration rhetoric. This trend was followed by the rise of Islamophobia in Austria and the EU, directed often towards migrants coming from majority Muslim countries, who, after 9/11, were described by politicians and the media as people with possible ties to terrorist networks and a threat to society at large. The so-called global war against terrorism added to the strategic decision to use the Balkans as a buffer zone for EU externalisation and securitisation policies (Stojić at al. 2020).

This came at the same time as newly established countries in the Balkans, Serbia, BiH, Croatia, Slovenia, North Macedonia, Kosovo, and Montenegro, were expanding border regimes and defining borders between states while positioning themselves regarding the EU. The international community, represented by different transnational and intergovernmental organisations and bodies, governments, and the EU, which played a significant role in stopping wars, took the lead in introducing new legislation and assisting the region in establishing border regimes. Countries were promised that they were on a path to EU membership if several steps were followed. These steps were introduced with the Stabilisation and Association Process at the EU Summit in Thessaloniki in June 1999, during which the term "Western Balkans" was introduced (as elaborated in part 1 of the study).[10]

In 2010, anthropologist Steff Jansen and two other scholars conducted research that included a range of professionals involved in the bordering of BiH. Among them were two persons directly involved in border demarcation and negotiations, including the identification of the precise topographical coordinates of the borders and of undocumented border crossings. Jansen concludes that his interlocutors agreed that neither of these issues was prioritised by most people in BiH at the time. They presented their work regarding the EU conditionality for accession.

In 2010 (as today), the sovereign capacity of the country's "central" organs remained minimal, but border security received massive investment.

In the years to come, Austria took steps to enhance police cooperation and supported several agreements that allow for cross-border cooperation, particularly in combating terrorism and cross-border crime; these agreements constitute some of Austria's most important tools in migration management. In 2007, the Salzburg Forum,[11] one of Austria's long-standing informal spaces to propose, negotiate, test, and evaluate security cooperation, and joint police and border control efforts was joined by "a group of friends of Western Balkan countries". In return, the eight member states of the Salzburg Forum supported their EU accession process. Yet, this did not come without trade-offs. From the beginning, the Balkan states were called upon to "provide tangible assistance and successfully filter out people 'who don't belong on EU territory'" and to take action against them, which was intrinsically linked to people moving towards Western Europe. At that time, the Balkan states engaged more actively in controlling "the movement of their own nationals" and were engaged in applying "readmission obligations (asylum seekers from these states comprise a large portion of asylum seekers in the EU even today)" in return for increasing economic cooperation with the EU (Hameršak et al. 2020).

Efforts from the EU to make the Balkans part of its border regime intensified again after 2015, when over two million people, mainly from Syria, crossed the Balkans on their way toward the Schengen Area. The EU and its partner organisations involved in *migration management* described this as a "migration crisis", a term adopted by most mainstream media, politicians, and academia. Simultaneously, far-right political parties all over Europe significantly increased their presence and received enough votes to enter decision-making posts in state institutions. Defending the EU from what they describe as migration flows, spreading fear, and reproducing xenophobic narratives remain the focus of these far-right policies. The rise of the far-right is fuelled by the politics of fear *(*Wodak 2015*)* based on the populist narrative that migration is a threat to society from the outside. This trend persists almost a decade later, and it is predicted that the far-right could win significant votes in the elections for the European Parliament, but also in Austria, Belgium, France, Czechia, and Germany, in 2024.

While the so-called long summer of migration provided a short window for shifting the public narratives in Austria towards solidarity and humanitarian support for people on the move, Austrian politicians and state authorities soon shifted the discourse to the "presumed inability of the Balkan states to manage migration, or to manage it without the blatant use of violence" (Hameršak et al. 2020). Hans-Christian Strache (FPÖ) called for closing Austria's borders to protect the country from "population exchange" and "Islamisation" (Scheiblhofer 2017: 100). Former Integration Minister Sebastian Kurz (ÖVP) used

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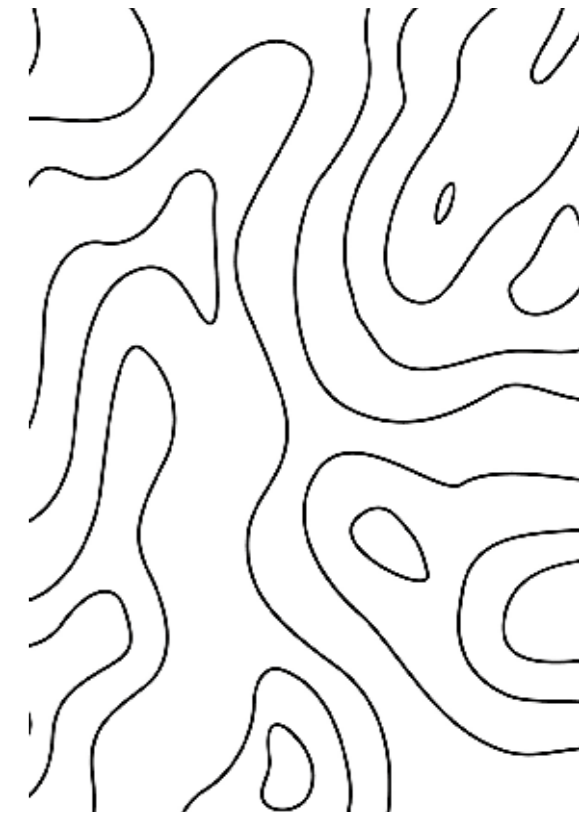
[8] Zoom interview with Vedran Džihić, 23 January 2024.
[9] Jörg Haider became chair of the Freedom Party in 1986.
[10] We use this term when we quote documents and interviews. However, the term is rejected by Balkan scholars, including Maria Todorova who calls it an oxymoron.
[11] See part I of the study At the Heart of Fortress Europe.

this moment to push for border externalisation and migration containment, coining the famous statement that closing the so-called Balkan Route will not be possible "without ugly pictures". The Austrian People's Party (ÖVP) – which has held the powerful offices of the Foreign and Interior ministries since the 2000s[12] – has led the implementation of border militarisation and externalisation policies as critical instruments of Austria's migration management strategy. In 2016 Foreign Minister Kurz prepared the grounds for close security cooperation with Aleksandar Vučić, already at that time a high-ranking politician in Serbia whose career began in 1993 as a far-right Serbian Radical Party member. In 2017, he formed his own party, the Serbian Progressive Party, and has been president since 2017. In 2017, Vučić became Kurz's most prominent ally in "closing the Balkan Route".[13]

This line of cooperation continued in the following years, as we see in then Austrian Minister of the Interior Karl Nehammer's statement, when visiting Belgrade:

I want to send an important message that we are united in our fight against terrorism, illegal migration, and organised crime.

In 2022, in one of his visits to Vienna, Serbian Interior Minister Aleksandar Vulin thanked Austria for "continued help they have been providing us in protecting our borders, especially for the recent donation of drones that enable Serbian police to better safeguard our border and our country". His host, the current Minister of the Interior Gerhard Karner, in response, praised the Serbian authorities' efforts in fighting "illegal migrations, smuggling and trafficking in people and narcotics", promising continued support to Serbia to protect the border with North Macedonia.

At the same time, Austria was increasing its presence in other Balkan countries, often calling them a priority for EU enlargement and development. This type of support, which mirrors the general EU attitude, has come despite the deterioration of the situation in the region, something citizens have been trying to draw attention to for decades but with little success. This deterioration is reflected in the worsening of press freedoms and general human-rights conditions, perpetual economic crisis, omnipresent corruption, with weak rule of law and almost non-existent institutions. This list is very long. However, all these issues are rarely addressed by the EU, which focuses on migration and topics related to police and military cooperation, which are typically not central concerns of local civil society.

[12] From December 2017 to May 2019, Herbert Kickl (FPÖ) acted as Interior Minister in the FPÖ/ÖVP coalition parliament. [and there were the independents: Ratz and Peschorn]
[13] The media in Serbia described Aleksandar Vučić and Sebastian Kurz as friends. In 2021, Vučić awarded one of the highest Serbian medals to Kurz in a public ceremony, a medal which had previously been awarded to the presidents of Russia and China, Vladimir Putin and Xi Jinping, among others. Before arriving in Belgrade, Kurz said that Austria considered Serbia an important partner and anchor of stability in the Balkans. "In addition to excellent bilateral relations and European expansion, we will also discuss the joint fight against illegal migration. Serbia can rely on our full support on the way to the EU. The European Union will only be complete when all the countries of the Western Balkans will have joined it."

3. Joint Solutions: Police Cooperation and Return

Even before the New Pact was agreed upon among member states, it was presented and promoted in the Balkans. The EU started allocating more funding for border securitisation-related issues, often using IPA funds, "an instrument for pre-accession assistance" meant to support reforms during the enlargement process. The EU has strengthened this close cooperation with more than EUR 158 million to address the immediate migration and integrated border management in Serbia since 2015 and has additionally poured more than EUR 57 million into the same sector through IPA III pre-accession support. In BiH, since 2018, the EU has allocated over 140 million Euros to "strengthen migration management capacity". Throughout the year, individual countries and EU members, including Austria, became more engaged in forming multilateral networks, organisations, and government bodies – which we point to in the first part of the study – including the Salzburg Forum, the Joint Coordination Platform and the International Centre for Migration Policy Development (ICMPD).

This cooperation became more visible in the Balkans, especially in Serbia, where Austrian police can be seen in their uniforms in some border areas, as the NGO klikAktiv reported from their regular visits. This is the result of the long-time cooperation mentioned above. A new level of collaboration was established in 2022 when the "Memorandum of Understanding [...] on enhancing trilateral cooperation in effectively combating illegal migration" was signed by Serbia, Austria, and Hungary.

The Memorandum created conditions for deploying the combined police forces of the three countries at the border with North Macedonia. In addition, it created a basis for cooperation in deporting people who are not granted asylum from Serbia or those sent back to Serbia through readmission agreements with EU member states. Serbian president Aleksandar Vučić explained how the partners would share the costs of these operations. While deportations have not yet been conducted on a significant scale, the existing laws and regulations have been adjusted to allow future operations. Milica Švabić from the NGO klikAktiv, which provides legal and psychological support for people on the move,[14] explains: "There is no need for Serbian police to accompany a person to the country of origin and back [...]. They shortened the time frame to appeal the decision on return. They changed the institution in charge of these appeals from the higher to the administrative court in Belgrade, which never dealt with detentions or deportations," explains Legal Expert Nikola Kovačević doubts that Serbia will be able to cover the costs of future deportations. "In BiH, deportations are funded from IPA funds. I am not aware if Serbia applied for it, but that is the only way to do it," he said.[15]

"Austria has a platform for deportation, and it will be made available to Serbia," Aleksandar Vučić announced after signing the Memorandum with Austria and Hungary. He was referring to the Joint Coordination Platform (JCP), a network enabling political and strategic intervention outside the Schengen

Area and monitoring and controlling the EU's external borders and actions in third countries. The platform coordinates and cooperates with individual countries, the EC, and EU agencies like Frontex and Europol.

The JCP was inaugurated in Vienna after the so-called Ministerial Return Conference at the beginning of 2022 when participants signed a joint declaration to support return policies from the Balkans to the countries of origin. Developing and fine-tuning a Standard Operational Return Procedure for partners delivered through customised service and network provision, the JCP represents another vital cornerstone in Europe's "steering group for migration control". The head of the office, ex-Frontex Deputy Director Bernd Körner, explained how the activities are coordinated with Frontex. The main activity is training of personnel that will be operative in the deportation procedure from the Balkan countries, as was done so far in BiH, Serbia, and North Macedonia. Other countries in the region, like Albania and Montenegro, are planning for the training, while a joint regional approach has been developed.[16] The personnel also help in developing contact between countries to facilitate returns. An example is their role in negotiations between Pakistan and BiH. Körner explains the JCP's role thus:

We organised visits and exchanges in the appropriate department in Modecenterstrasse so that the Bosnians could find out how the system works before they fly to Pakistan to negotiate. Negotiations are bilateral, but we have often been asked, 'yes, but couldn't we negotiate under your leadership'. But I say, I'm sorry, a bilateral agreement is a national affair. We can arrange informal exchanges, provide support, and provide information, but we cannot negotiate.[17]

A new trend embedded in the New Pact is a more effective use of the readmission agreements for third-country nationals from the EU to the Balkan countries. In 2023, cases of mass readmission from Croatia to BiH were registered. Some people who returned to BiH in this way had been readmitted to Croatia from other EU countries. After they were readmitted to BiH and placed in one of the existing accommodation centres, several people were expelled from the country. Using readmission agreements, 173 people were sent back to Serbia and 29 to Montenegro, 550 people were sent back to their original countries of origin, 432 through the voluntary return programme, and 118 were deported.[18] The JCP headquarters in Vienna claims that all the returns must take place following European standards and respecting human rights. Körner adds that only people who the entire legal procedure can be returned through readmission or deportation. Nevertheless, based on testimonies of some of the people who were returned to BiH through readmission from Croatia and previously from some other EU member state, at least in some

cases the procedures were not completed or even initiated. There is no information on whether people who were deported from BiH were processed at all.

A closer look at the operational profile of the JCP and its partners shows that the initiative provides alternatives where European legislation fails to offer quick solutions due to its long-standing bureaucratic processes. As migration policy experts already question the practical implementation of the New Pact, the platform's strength lies in its informality and its multilateral and international networks that function in parallel, yet independently, and are linked to business- and funding opportunities for its members.

Supported by the "extensive EU reform list" of major areas of reform in local law recently presented in the EC pre-accession evaluation reports on BiH and Serbia, one of the main focuses of the JCP is advising on and implementing administrative structures and systems that could facilitate asylum procedures and deportations Following the principle of "building systems that work,"[19] the platform invests in, for example, online training and workshops on structures of the EU asylum process, border management, and best practices in negotiating readmission agreements, law enforcement, and return procedures. The BiH and Serbian police agencies have already received practical training in deportation practices between 2021- 2023, which, according to Körner, built on the already well-functioning readmission procedures between Balkan countries and the EU for their nationals, which provides the model for initiating return procedures of third-country nationals.

Illustration: Border to Austria. *Helen Zeru*

4. Increasing Violence along the EU's Frontiers

Photo: BMI: Gerald Tatzgern (JOO) and Gerhard Karner (Minister of Interior) at the presentation of the Austrian Smuggling, and Gambling Report 2022.

Another body dealing with police coordination and operations along the Balkan route is the *Joint Operational Office* (JOO). It was inaugurated in 2016 as a regional coordination platform and an operational space for Europol's European Migration Smuggling Centre (EMSC) in Vienna. Since 2021, the JOO has operated under the coordination of the new Division 8 of Austria's Federal Police Department, which coordinates operations against smuggling, trafficking of human beings, "and other crimes related to illegal gambling and the falsification of documents". Acting as an interface for Europol[20] that shares and gathers information about "human smuggling and illegal migration", thus strengthening cooperation with criminal police departments in third countries, the JOO heads "the Western Balkan Task Force". This body was initiated by Europol's EMPACT security initiative that is "driven by EU Member States to identify, prioritise, and address threats posed by organised and serious international crime". In 2023, the JOO merged its operational offices with those of the JCP, which is headed by the ex-Frontex Deputy Director Bernd Körner.

Gerald Tatzgern and Bernd Körner together now operate these two offices as Austria's most effective migration management tools.

The JOO was also involved in conceiving and initiating a bilateral Austrian-Hungarian police cooperation project called Operation Fox to extend Austria's surveillance and control mechanisms eastward. Austrian police officers have been deployed to Hungary to assist its police in fighting cross-border crime, which in most cases, according to the Austrian Interior Minister, translates into detecting, stopping, and arresting human smugglers and stopping "illegal migration" on Hungarian or Austrian territory. Until October 2023, the Austrian police and Hungarian colleagues participated in around 12,000 joint operations. Around 40 Austrian police officers – this number will soon be increased to 60 – are operating[21] on Hungarian territory. In 2023, 288 so-called smugglers were arrested in Burgenland, Austria's region bordering Hungary, where the Austrian military had also been deployed. In 2022, the operation cost more than EUR 5 million. According to an Asylum Information Database, "until October 2022, 431 persons were denied entry by Austria at the border with Hungary".

Reading through local news reports in Burgenland, one regularly comes across information about Operation Fox's wild goose chases of lorries through field and dirt roads in border areas, deploying joint police patrols, and other military equipment, as well as the increasing use of police violence to stop lorries or cars in other regions of Austria. A similar unit was already introduced by far-right FPÖ Interior Minister Herbert Kickl when he initiated the unit Puma to stop "illegal migration" in 2018. It still exists and employs 2,488 officers working throughout the country. While the names and practices of these police units are discussed in public discourse, one rarely hears more about the people who decide to attempt dangerous routes towards central Europe and encounter these police forces. Their identity is quickly blurred into a mass of irregular or illegal migrants that are suggestively associated with criminal activities like smuggling and trafficking in human beings.
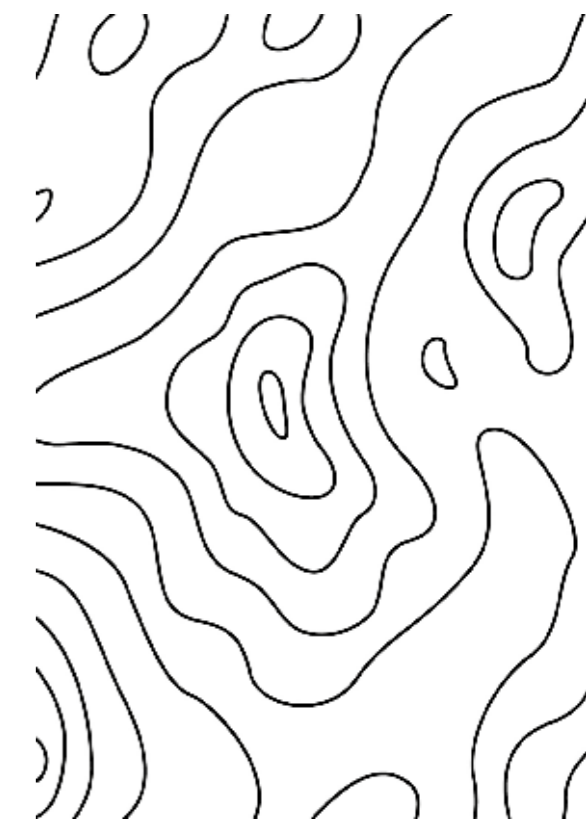
[20]Cooperation with Europol is one of the EU's requirements for the region, affecting possible accession.
[21]In addition, since 2015, Austria has deployed the assistance mission of the Austrian military to secure the border zone, which adds another security layer to the increasing cross-border operation with the Hungarian police.

How such police cooperation is materialising on the ground can be best understood by reading through one case of joint police violence documented by the Push-Back Alarm Austria in September 2023.

A 15-year-old boy from Afghanistan escaped from a group that promised to transport him from Serbia through Hungary to Austria. As the group demanded more money than he had and began to beat him, he decided to run. He reached a train station east of the country and eventually took the train from Budapest to Vienna. Not having slept or eaten properly for days, he hoped he would finally arrive in Vienna.

At the Hegyeshalom station, the last stop of the train in Hungary before crossing the border to Austria, Austrian police entered the train, racially profiling the passengers and asking the boy for his passport. He was unable to identify himself or communicate in any common language and was violently taken off the train by the police. In a small room at the train station, he was interrogated. In a conversation with Push-Back Alarm Austria, he recalled:

I told them "I don't/ can go back" in broken English. And then I said in Persian that I was threatened and beaten in Serbia and asked for money. I also said that I am at risk in Afghanistan. I said I can't go back to either country. But I don't know if they understood me.

I wrote my date of birth on a piece of paper right at the beginning in the train and showed it to the police because they asked me how old I was. I wrote 1387. I don't know how long I was there, but it was between 30 min and an hour.

I hadn't eaten for two days; I was hungry and thirsty (you could see it in my face) but I wasn't offered anything. I thought about whether I was worthy of being treated like this as a human being, and I had to cry a little. I didn't ask for a drink or food, and they offered nothing.

It took about one to two hours before the Hungarian police arrived and took the boy with them. This pushback had been initiated by the Austrian police around the early afternoon in Hegyeshalom, and he was then further processed by the Hungarian police, who transported the boy and other migrants to the Serbian border in the evening.

When we got out of the car, the policemen showed us a way and said that if we go in this direction, there would be a town. We were not handed over to anyone, no Serbian police were present.

The boy reached Belgrade but feared the group still wanting money for their services. As it was impossible to find shelter and safety in Serbia, he went to BiH, where he ended up in Blažuj Temporary Reception Centre for single men and with further support at Ušivak camp, a reception centre for families and minors. Some weeks later, the boy continued the nightmare of walking in circles to reach his destination.
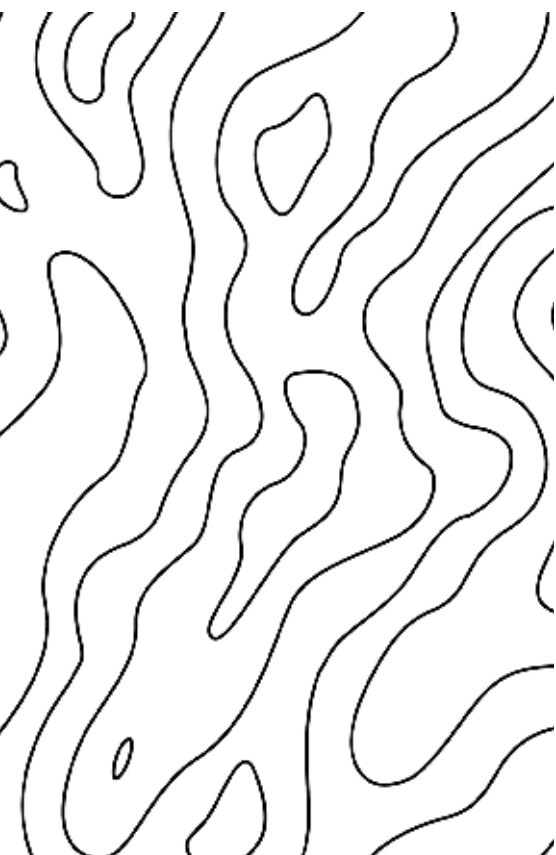
"I hadn't eaten for two days; I was hungry and thirsty (you could see it in my face) but I wasn't offered anything. I thought about whether I was worthy of being treated like this as a human being, and I had to cry a little. I didn't ask for a drink or food, and they offered nothing"...

5. Concentration, Detention and Deportation

During the COVID-19 pandemic, the EU, and its partner organisations in BiH were focused on facilitating return agreements with countries of origin, as a new accession requirement and creating high-security accommodation spaces and detention centres. According to the Service for Foreigners of BiH, in 2023, 30,813 people expressed their intention to seek asylum in BiH, most of whom were between 19 and 35 years old. The asylum system in BiH remains weak. According to UNHCR, the procedure's long duration, inefficiency, and poor quality are the biggest concerns. In addition, people lack basic information on asylum, even if they are staying in accommodation centres funded by the EU and installed and run by its partner the International Organization for Migration (IOM). These centres barely provide essential necessities or safety.

Again, Austria led these efforts, focusing on the Lipa Centre, near Bihać in the northwestern corner of BiH, close to the EU border with Croatia. The centre was created as an emergency shelter at the peak of the Covid-19 pandemic. But it never was in a condition to provide even basic care, and people who were forced to stay there often protested. After it was destroyed at the end of 2021 by a fire whose cause has so far not been determined, a new camp was built with about 3 million Euros from the EU and individual member countries, including Austria. Today, it is a centre that provides accommodation for about 1,500 people in containers for up to 6 persons. It has fences and security and is situated in a remote area, surrounded by minefields left over from the 1990s. In 2022, the Lipa camp was expanded by 12 container units that will serve as temporary detention. This addition was built with money from the EC through the project implemented by the ICMPD. The population in BiH was unaware of what was happening at Lipa, and only after the detention units were built did more information become available, including the fact that the unit is not functional due to the absence of legal provision. After German media published research on the ICMPD, mentioning its role in BiH, among other places, the organisation reacted by publishing an open letter and denying any wrongdoings. In the letter, the ICMPD claimed that "upon consultations with authorities in BiH", the EC adopted the Action Document on "straightening the response capacity to manage migration flows in favour of the WB [Western Balkans] for 2022". According to this open letter, the Action Document has dedicated significant funding to the extension of the Lipa Centre, which will temporarily hold people whose asylum was rejected and who are being deported:

ICMPD completed the construction of the temporary retention facility as of the end of January 2023. The facility was handed over to authorities on 10 May 2023. However, while the authorities of Bosnia and Herzegovina have taken over the constructed facility, they have not yet made a final decision relating to its opening. As of June 2023, the centre remains closed.

ICMPD: Q&A: Recent Coverage on ICMPD activities

Following media reports, the Austrian NGO SOS Balkanroute publicly criticised the ICMPD and its involvement in Lipa. The ICMPD reacted with a lawsuit, which it lost. Nevertheless, the controversy attracted the attention of some members of the European Parliament, who posed the question of the EU's role in Lipa and its connections with the ICMPD. Olivér Várhelyi, European Commissioner for Neighbourhood and Enlargement, replied that the EC contributed EUR 1.7 million for the construction of the centre and an additional 500,000 for the additional facility that will be used for temporary detention, "limited to cases provided for by law and subject to the necessary guarantees for the persons concerned, until transfer to the immigration centre in East Sarajevo or release".[22]

EU migration policy is based on a comprehensive approach, which combines increased external action, more effective control of EU external borders, and internal aspects, in compliance with international law, EU principles and values, and the protection of fundamental rights.

Olivér Várhelyi

Despite the criticism and the court case in Vienna, the EC extended the contract with this organisation. In June 2023, the ICMPD was awarded additional money "to construct a separate entrance to the temporary retention centre and build additional fencing to fully separate the retention centre from the rest of the multi-purpose reception centre". In addition, in responding to the media claims about its role in building detention and deportation system in the region, the ICMPD wrote that "a substantial portion" of its work revolves around establishing proper legal standards and professionalisation of involved services aimed at ensuring countries appropriately implement European Union fundamental rights standards during their national returns operations".

[22] The centre in Lukavica was built in 2004 by the EU with the assistance of the IOM. The capacity of the detention centre is 160. However, in 2023, the IOM, with EU financing, started working on an extension, and the centre will soon have capacity for 200

6. Conclusion

Austria has been active in border regime externalisations and policing in the Balkans for decades. Its actions are often implemented through different platforms, networks, and modes of cooperation that include other EU countries on bi- and multilateral levels. At the same time, Austria has encouraged a strong alliance of states that lobby for more restrictive border externalisation policies within the framework of the Salzburg Forum to coordinate their positions within EU decision forums and strategic committees (Müller 2016, 28).

Based in Vienna, at the heart of Fortress Europe, the 2016-inaugurated Joint Operational Office is a central contact point for Europol and its strategic focus on police cooperation in the Balkans. The Joint Coordination Platform adds another tool for outsourcing deportations to Europe's frontiers. Together, its heads, Gerald Tatzgern and Bernd Körner operate Austria's most powerful migration management mechanism to "outsource oppression". The JOO and the JCP function as a de facto parallel structure to EU policies and often guide EU policies of policing, securitisation, and militarisation of migration.

Over the last couple of years, the UK's proposal to outsource migrants to Rwanda was in the focus of the international media and numerous human rights organisations. Announcements from Italy about outsourcing migrants to Albania or about deals with some African countries also attract attention, while Austria's role has still not been in the spotlight of international media attention in the context of border regime externalisation. However, in the case of Camp Lipa in BiH, it can be said that Austria has achieved much more such externalisation than the UK, Italy, or any other country so far. By investing money and taking the lead in establishing rules and training police and security agencies, Austria was in the forefront in creating this centre, which in 2023 was enlarged with the added detention unit.[23]

Austria's preferred method in strengthening externalisation structures is to build strong connections with politicians in the region, in exchange for presumed assistance in the uncertain and slow-moving European integration processes, accompanied by the strengthening of the economic ties and investments in the region.

Part II of the study shows that on the ground, police agencies are more involved in "managing" migrations than are legal experts or humanitarian organisations. This approach has led to shifting the main focus away from establishing structures that meet the needs of people on the move and basic human rights – including the right to asylum or simply the right to freedom of movement – to combating smugglers, presented as the biggest challenge for the states, borders, and migrants. In this regard, the Austrian approach mirrors the EU one.

The *Smuggling, Trafficking, and Illegal Gambling Report 2022* by the Austrian Federal Criminal Police Office cites a massive rise in irregular migration due to illegal smuggling activities. More than two-thirds of "illegal" entrants who had to pay smuggling networks to cross into Austria are from Afghanistan, Syria, India, Tunisia, and Pakistan.

Criminals have established a profitable business with migration and refugee movements. They shamelessly exploit the fears and hopes of those affected and make them embark on daring journeys that often take place under life-threatening conditions and often end in the death of refugees.

(BMI 2023: 3)

Most of the 712 arrested smugglers in 2022 were captured by the police in Burgenland at the border with Hungary. According to the Report, national and international cooperation to combat illegal migration and organised crime needs to be intensified along the Mediterranean and Balkan routes to strengthen the effectiveness of police forces.

Analysing different court hearings of people being convicted for smuggling under §114 Alien Police Act in Burgenland conveys a more complex picture. It is important to realise that, according to much research, so-called "smugglers" describe a diverse group of people, often including migrants themselves, who are assisting crossings to save lives. Others coming from countries that have not yet joined the EU or are still negotiating EU accession are convicted of driving lorries across borders or directing and walking people from one place on the border to another. Sometimes they endanger migrants, sometimes they direct and support them. These people often act out of economic need or are loosely connected to organised structures. One recent example[24] was that of a Serbian national who worked undocumented in the construction business in Austria (earning 450 EUR per month) when he was hired during his work break at a construction warehouse in Vienna by a person who offered him 3,000 EUR to drive a lorry with more than 20 people from Hungary through Austria to Germany. The man was convicted and will serve up to 18 months in an overcrowded jail.

While the official narrative of the Austrian authorities celebrates the struggle against the smuggling business, claiming that

[23]The Lipa centre was constructed from the ground up with the financial support of the European Union as the main contributor and with additional support by the German Federal Agency for Technical Relief (Technisches Hilfswerk), the Austrian Federal Ministry of Interior, the Austrian Development Agency, the Swiss Government, the Holy See, the Italian Ministry of Foreign Affairs and International Cooperation, and the Council of Europe Development Bank.
[23]Court hearing attended by the author, Eisenstadt, October 2023.

"never before have so many illegal residents been detected by the police" in 2022, NGOs like Asylkoordination Austria challenge such narratives. Pointing to the failure of such actions to address the broader question of why people are engaging in smuggling or migration facilitation in the first place, a spokesperson for the organisation has said in a recent interview, "We are supporting Hungary with millions in taxpayers' money to track down people so they can make illegal pushbacks"[25], pointing out that the main problem is the EU border regime and Austria's prominent role in lobbying for such policies. Instead of imposing the fortress model, he advocates legal and safe modes of migration.

Those trying to find the solutions are looking into the "Ukrainian model", which includes freedom of movement, access to health and job systems, housing, and safety, when needed for all. Some of the proponents of this idea are rejecting the EU policy of controlled movement and border regimes, proposing an alternative approach. After the war in Ukraine began, the EU put into practice the Temporary Protection Directive for a broad group of people coming from the war-torn area, which is extended until March 2025. The directive created legal possibilities to enter, move around, and work in the EU.

The temporary protection directive has disrupted the business model of smugglers on a massive scale. It is likely the biggest anti-smuggling operation, and possibly one of the largest crime prevention operations, ever conducted in Europe, having prevented 6.5 million smuggling crimes from being committed.

Roberto Forin, Mixed Migration Centre, Danish Refugee Council

In the Balkans, there is little to no public awareness of migration control and the involvement of different EU states in these policies. The media – often under pressure or controlled by those in power, such as local politicians or international donors – do not question the EU or individual countries or what they do or require to be done while promising membership. As Vedran Džihić puts it, the region is more the object than the subject of policymaking. Local politicians are capitalising on this subjugation and promises of membership, making compromises to get some benefits at the national or local level. Civil society, impoverished and weak, depends on donors and cannot afford to be critical in most cases. Critical voices do exist, but they are weak and under constant pressure from all sides, whether local or international.

Džihić further points to migrants being stuck in the circuit on their way to the Schengen Area: They are "used as a kind of a mass that you can shift and make policies with. There is no kind of a progressive, forward-looking thinking about what to do with those who are stuck in the Western Balkans". The upcoming

elections in Austria will be dominated by the politics of fear and xenophobic narratives about dangerous migrants crossing from the Balkans to Central and Northern Europe, and those in charge of directing and implementing Austria's migration control and border externalisation are laying the groundwork for hate speech flooding public media and space on a massive scale. Whatever the outcome of the elections – with major gains predicted for the far-right Freedom Party (FPÖ) – institutions like the JOO and the JCP will continue their hard work of border externalisation. They have been carefully positioned and safeguarded by the Austrian People's Party and its international supporters.

In the opposition, those who still believe in the equal value of human life will continue to fight against these structures, insisting on the right of all people living in, moving through, or working in Europe to improve their living situation. The effort put into blaming people on the move for the economic crises in Fortress Europe should instead be put into creating the conditions for equality. Toward that end, the EU, including Austria, could start now by practicing what they preach and respect the rules and conventions of human rights.

25 www.derstandard.at/story/3000000201391/schlepper-bringen-justiz-im-burgenland-an-ihre-grenzen
26 It is important to point out that the "Ukrainian model" did not impose measures against racial profiling of residents from Ukraine coming from third countries and seeking protection in the EU.
27 Zoom Interview with Vedran Džihić, 23 January 2024.
28 Ibid.

"Never before have so many illegal residents been detected by the police" in 2022, NGOs like Asylkoordination Austria challenge such narratives. Pointing to the failure of such actions to address the broader question of why people are engaging in smuggling or migration facilitation in the first place, a spokesperson for the organisation has said in a recent interview, "We are supporting Hungary with millions in taxpayers' money to track down people so they can make illegal pushbacks"...

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