

WHAT FUTURE FOR THE CONCEPT OF BORDERLESS EUROPE?

INTERNATIONAL SEMINAR ON THE PERSPECTIVES
OF BORDER POLICIES AND TERRITORIAL
COOPERATION IN AN AGE OF MULTIPLE CRISES

PhD Session



NATIONAL RESEARCH, DEVELOPMENT
AND INNOVATION OFFICE
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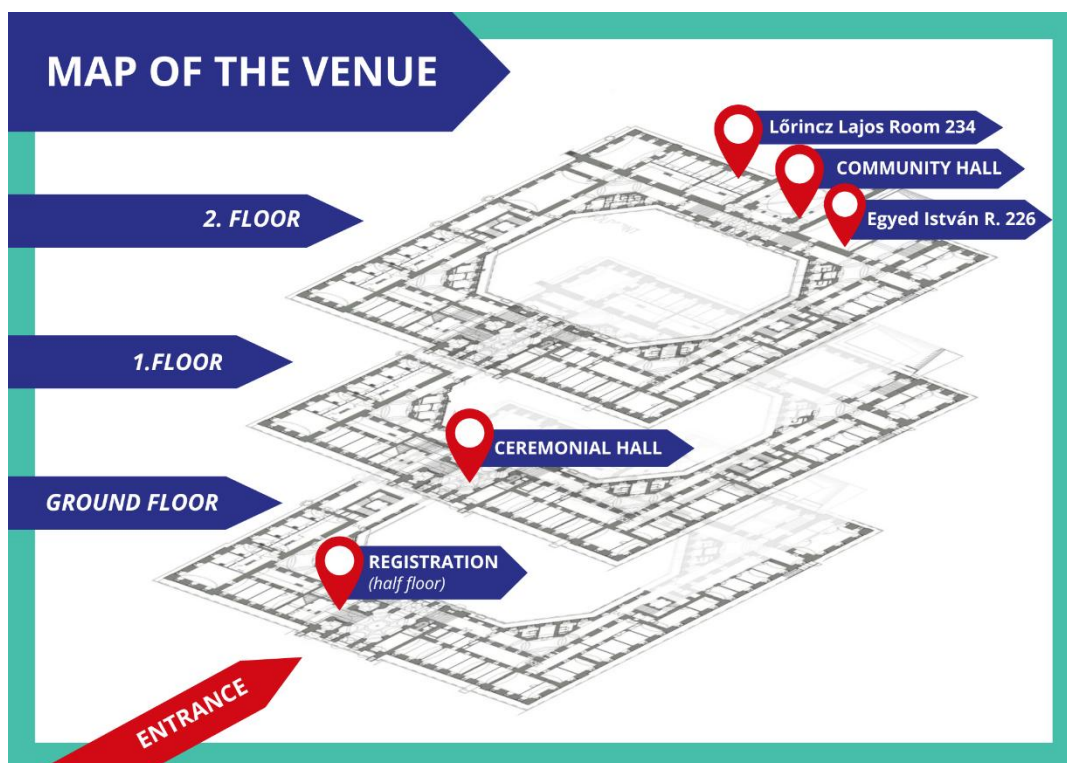


Time

14 May 2025: 11.00 to 15.30

Venue

The venue of your panel is Ludovika University of Public Service, Ludovika Main Building, 2nd floor, Lőrincz Lajos Room 234





Speakers and presentations

Moderator: Edit Soós

LUPS-CESCO Research Group on CBC, University of Szeged, Hungary

Keynote presentation: Susanne Sivonen

ITEM, Maastricht University, The Netherlands

Susanne Sivonen is a legal researcher specialising in cross-border healthcare and social security at ITEM (Institute for Transnational and Euregional cross border cooperation and Mobility at Maastricht University). She holds a master's degree in European law (LL.M.) and contributes to academic and project-related research at ITEM, particularly in the field of cross-border mobility and cooperation, labour mobility, cross-border healthcare and social security, including topics such as reimbursement of healthcare costs, recognition of professional qualifications and institutional cooperation across borders. In her PhD-research, she examines the legal obstacles faced in cross-border healthcare in border regions, specifically in the border regions between the Netherlands, Germany and Belgium, focusing on the perspectives of patients, healthcare workers and institutions.

1. Inhabitants of border regions: bridging legal gaps on geographical proximity on reimbursement of cross-border healthcare costs

The presentation examines legal framework on the reimbursement of healthcare costs from the perspective of inhabitants in border regions, focusing on the role of the EU legislator and, on the other hand, the role of Member States in ensuring quality healthcare access in border regions, specifically within the different healthcare systems in the Euregio Meuse-Rhine. The analysis is based on doctrinal and comparative research, alongside empirical findings derived from case studies.

Border regions in Europe, as well as inhabitants of these regions, have distinctive characteristics and needs that may differ from those of national centres of Member States. Due to their peripheral location and distinct demographics, these regions may face challenges in provision of adequate healthcare services, emphasizing the need for citizens to seek healthcare services just across the border. Citizens of border regions as healthcare users also distinguish themselves from other types of patients, 'medical tourists', domestic patients or even frontier workers, in that they may have a structural need for healthcare services across



the border. It is notable however, that in comparison to other mobile citizens such as pensioners or frontier workers, the EU framework does not grant explicit rules for inhabitants of border regions, whose lives do not necessarily contain any cross-border elements (such as cross-border work) other than living in the proximity of a national border.

The EU legal framework for cross-border healthcare, Regulation 883/2004 on the coordination of social security systems and Directive 2011/24 on patients' rights establish the rules on obtaining reimbursement for healthcare received in another Member State. This paper argues however, that despite its name and aim, the Directive on patients' rights only provides for a limited right to cross-border healthcare, particularly fragmented for citizens residing in border regions. An example is the prior authorisation system. In some situations, a patient must request a prior authorisation from their health insurer. Under these rules, the insurer may argue that similar treatment was available in the competent Member State in a timely manner, thereby justifying their refusal to grant authorisation. Thus, assessment must only be made to determine whether timely treatment is available within the national borders. This assessment fails to consider the geographical proximity and the perspective of the inhabitant of the cross-border region: for whom treatment could be had more timely and closer to home just across the border. Therefore, within this framework, it is possible that the inhabitants of cross-border regions are in a disadvantageous position compared to those residing in the central areas - the decision, including whether to consider other grounds such as geographical proximity, ultimately rests with the insurer, resulting in legal uncertainty and inconsistency in access to cross-border healthcare.

Although the EU legal framework does promote patient mobility in general, it does not sufficiently address the special characteristics and needs of cross-border regions and their citizens. From a legal perspective, proper realisation of this “cross-border regional dimension” in the European framework, however, seems difficult to achieve as long as healthcare remains a national competence. It is also questionable to what extent these issues can or should be resolved at the EU level, given the uniqueness of each EU border region, the differences between health systems, and the willingness of the Member States. This underscores the need and the role of the Member States in bridging this gap left from the EU legal framework: the absence of geographical proximity considerations as a legitimate ground to access cross-border healthcare in border regions. It is up to the Member States to decide whether to implement administrative or legal practices beyond the EU legal framework. This approach leaves the access to healthcare of these citizens at the mercy of health insurers, and national or regional agreements, potentially resulting in inconsistent or inadequate rights to cross-border healthcare across EU border regions.



Part 1 – Research on the future perspectives of a borderless Europe - EU Cohesion and border security

Kristóf Nagy

Ludovika University of Public Service, Hungary

2. Reimagining Borders: The Future of EU Cohesion Policy and Cross-Border Cooperation in the Context of Hungary's 2024 Presidency

This paper explores the relationship between the European Union's cohesion policy and the development of border regions in the context of Hungary's 2024 Presidency of the Council of the EU. It pays particular attention to the future of cohesion policy and the inherent tension between state borders and cross-border cooperation. The study aims to demonstrate how border-related issues are reflected in both Hungarian and EU policy discourses, and how recent crises - such as migration waves, the COVID-19 pandemic, and the war in Ukraine - have reshaped the interpretation of borders in terms of security and cohesion.

The first hypothesis of the study posits that EU cohesion policy has played a key role over the past decades in reducing territorial disparities and mitigating the divisive effects of borders, especially in Central and Eastern Europe. However, the growing dominance of renationalisation and security-driven narratives - exacerbated by successive crises - has shaken the Schengen system: increasing mistrust between Member States and the reintroduction of internal border controls undermine both the idea and the practice of cohesion.

The second hypothesis contends that cohesion policy remains the most effective tool for preserving the core values of European integration, particularly in border regions. These areas, often characterised by geographic and economic peripherality, require special attention not only for reasons of national interest but also for the EU's territorial balance. Although Hungary's presidency programme emphasises the future of cohesion policy, this topic was largely sidelined during the 2024 European Parliament election campaign in Hungary, which was dominated instead by issues of migration and national sovereignty.

The study presents in detail the significance of cross-border cooperation, highlighting the legal, administrative, and institutional barriers that limit regional integration. It also reviews recent legislative proposals by the European Commission that aim to simplify the legal framework for cross-border governance. The paper underscores that such cooperation is not only an economic necessity but also a means of restoring historical and social ties between communities once divided by borders.

The main conclusion of the study is that the future of the European Union is intrinsically linked to the future of its border policies. If integration is replaced by a purely security-oriented



approach, the role and relevance of cohesion policy may decline. In contrast, both European and national levels must foster an institutional and political environment conducive to sustainable and institutionalised forms of cross-border cooperation, thereby deepening territorial cohesion across the EU.

Barnabás Cseh

Ludovika University of Public Service, Hungary

3. The concept of “cross-border region” in the amended SBC and cohesion policy

The focus of the presentation is the 2024 amendment to the Schengen Borders Code and the situation of EGTCs (European Groupings of Territorial Cooperation) with Hungarian participation. The recent legislative change—which expands the possibilities for reintroducing internal border controls—has a serious impact on the so-called European project. The amendment negatively affects the everyday lives of people living along the borders, as well as the cooperation between Member States based on the four freedoms. The territorial dimension of cohesion policy is particularly sensitive to border permeability, so the consequences of the amendment are also evident in this area.

My hypothesis is that the term "border region" as used in the Schengen Code could, in principle, be applied to the functioning of EGTCs. However, the Code's geographical interpretation does not align with the legal and economic approach of cohesion policy. This contradiction can lead to significant challenges in terms of legal interpretation and implementation.

In the presentation, I will explore how the term "border region" can be interpreted based on the amended text, which leaves its definition to agreements between the Member States. In the case of EGTCs, this uncertainty may hinder their operation and the achievement of their long-term goals. In the second half of the presentation, I will address the practical challenges faced by EGTCs, with a particular focus on those involving Hungarian participation. Using empirical examples, I will demonstrate how the amendment to the Code affects both the current and future functioning of EGTCs.

My aim is to present this complex yet timely topic in a clear and accessible manner, while maintaining professional and academic rigor. I also intend to emphasize the importance of territorial cooperation in today's Europe. At the end of the presentation, I will offer recommendations on how to bridge the gap between these two different EU policy languages and practices.



János Gyula Pulics

Ludovika University of Public Service, Hungary

4. Issues related to the security of the external borders of the European Union (Schengen)

What do we mean about safe and security? A calm, peaceful life for people in a defined territory? A family, a tribe, a nation, a country and a growing society secured by contracts. In a supranational organization like the European Union how do we understand the public order and the internal security on this continent without borders.

In 1957 four fundamental rights of free movements were established in Rome in order to guarantee accessibility of the borders without any systematic checks. The free movement of persons, goods, services and the capital were fundamental objective to ensure the strengthening of the internal market and the development of the economy. However, these rights were only effectively available only from 1985, when five countries signed the Schengen Agreement and decided to abolish internal border controls. These five countries had to make many compromises in order to achieve borderless zone. Tough negotiations led to a desire to break the agreement, but in the end forty years ago an agreement was reached that changed the way we think about borders.

What was the reason of the compromises? The economy, money, taxes, customs and security. This last factor or element is again one of the most questioned today and has been questioned ever since. A Europe without borders is constantly expanding, currently with 449,2 million inhabitants. The main question is: how can we guarantee the security of this population? Are the border controls at the external borders adequate, appropriate and sufficient or do we need to change and improve it. The author of this research is an expert in Schengen evaluation. The European Commission has evaluated different Schengen member states since 2012 and the author was one of the experts who participated in the evaluation. He has evaluated Greece, Poland, Latvia, Estonia, Lithuania, Italy, Spain, Denmark, France and Croatia. The central element of each assessment was the identification and detection of areas of threats to border management. How member states are coping with these threats and what measures they are implementing to guarantee the security of their external borders. In this presentation the author will describe the main threats and the different border-related crimes that can create dangerous situation in a borderless Europe. He gives a brief overview of the typical shortcomings that led to the security deficiencies.



Cemre Erdal-Vigh

University of Szeged, Hungary

5. Migration Policy of Hungary in the Context of EU Migration Policies Through the Eyes of Small State Theory

One of the most significant and contentious global concerns of the 21st century is migration, which has an impact on international cooperation frameworks, political debate, and demographic trends. Utilizing Small State Theory as an analytical tool, this paper examines Hungary's migration policy within the larger framework of EU migration governance, evaluating the country's position in this context.

Hungary has taken a more securitized and sovereignty-driven approach to migration since the 2015 crisis, opposing EU-level initiatives and primarily framing migration as a threat to national security. The Hungarian government's political narrative has continuously placed a strong emphasis on border security, Christian history, and cultural identity, which has resulted in institutional and legal conflicts with EU institutions. These factors make Hungary an important case study for understanding how small states establish themselves in multilevel governance frameworks.

The main theories investigate how much domestic political narratives take priority over EU commitments, and what Hungary's policy trajectory indicates for the future of EU cooperation on migration governance. The results underline the need for a deeper comprehension of the function of internal differentiation in European integration and the shortcomings of top-down policy harmonization within the EU.

By providing a broader perspective on how states like Hungary balance domestic needs and supranational commitments, this research aims to develop the fields of migration studies, EU governance, and small state behavior. It argues for more cooperative, adaptable, and inclusive migration policies that maintain common European ideals while recognizing the diversity of national contexts.

Aadi Rajesh

Ludovika University of Public Service, Hungary

6. Migratory pressure due to Legal and Illegal Migration due to climate change

Climate change and unregulated over-exploitation of water resources in the developing world have exacerbated the pressures on global migration from the water scarce global south, towards the relatively water-stable global north.



This has created and will likely create more pressure on the idea of borderless Europe due to various sets of challenges faced by receiving countries. While countries on the Mediterranean coast, might be the first point of migratory flows, from Africa, the Middle East, and South Asia, northern, central, and western European countries, might see a larger net burden as well, due to better job opportunities and relatively generous state aid policies.

However, due to the rise of anti-migratory sentiments and political parties, across Europe, due to the security, cultural, and assimilation challenges, there is a growing trend towards temporarily closing or restricting Schengen borders, which challenge the core of borderless Europe.

The research focuses on how climate change and especially water scarcity in the developing world will increase migratory pressures in Europe, and its impact on open borders within the European Union. The research will also focus on how this could impact legal migration, and challenge the future of climate refuge within Europe.

Part 2 – Research on the perspectives of securitisation and CBC in an age of multiple crises

Balázs Szilágyi

Ludovika University of Public Service, Hungary

7. Constraints of a Three Seas Electricity Region

This paper examines if the countries of the Three Seas Initiative are heading towards a borderless region in terms of the trade of electricity. Is there a general tendency of increasing electricity trade among the Central European countries? Did Covid and the war in Ukraine influence the trends? Are there still physical barriers, bottlenecks for electricity to stream over the borders? Do double network system usage fees matter? How will the increasing investments in renewables influence the need and opportunities for cross-border trade of electricity? Will the market be increasingly balanced by cross-border trade or other forms of balancing (like battery energy storage systems) will take the leading role? How will legislative acts (like the new electricity market design), EU and national policies influence the future of cross-border electricity flows in the region? What impact does the development of e-mobility have on the regional market? Are there any interest conflicts between market actors? All in all, will there be an even more integrated electricity market where borders do not matter?



Ali Kılıçarslan Topuz

Ludovika University of Public Service, Hungary

8. Energy Cooperation Between Hungary and the Organization of Turkic States

Since Hungary is lacking energy supplies, the country is mainly dependent on Russia for fossil fuel. According to the agreement made between Russia and Hungary in 2021, Hungary receives 4,5 billion cubic meters (cbm) of natural gas from Russia through Bulgaria and Serbia. In fact, the energy dependency of Hungary is above 60% and the country receives more than 80% of gas and oil from Russia.

Hungary, after the outbreak of the Russia - Ukraine war, succeeded in exempting itself from the EU sanctions. Hungarian authorities claimed that they do not have any alternative routes like the other EU countries. In fact, the EU countries, in light of the ongoing Russia-Ukraine crisis, are trying to diversify their energy routes and Hungary is playing a key role in this regard. The fact that Hungary now is part of the Organization of Turkic States (OTS) it is taking part in all the cooperation areas in the OTS including energy. Hungary, not only increases its policy options with its observer status in the OTS but also provides new energy links with the Turkic countries.

The Azerbaijan-Hungary energy partnership is exemplary in this regard. A Azerbaijan and Hungary signed a gas deal on 2 June 2023. Hungary's state-owned energy group MVM agreed to purchase 100 million cubic meters of natural gas from Azerbaijan's state energy firm SOCAR, with the gas planned to be transported by the end of the year. Further to that, Hungarian oil firm MOL Group became a shareholder in Azerbaijan's Azeri-Chirag-Gunashli (ACG) offshore oil field. On 17 December 2022, Azerbaijan, Georgia, Romania and Hungary signed the "Agreement on Strategic Partnership on Green Energy" that supports effective long-term green energy cooperation.

In addition to these, Hungary already signed new energy agreement with Kazakhstan buying shares in the Caspian field. Further to that, an energy deal with Turkmenistan is also a possible alternative for Hungary.



Peter Igesha

Ludovika University of Public Service, Hungary

9. Assessing the Role of Interagency Collaboration in Enhancing Border Security and Reducing Illicit Trade at Kenya's One-Stop Border Posts (OSBPs)

The emergence of one stop Border (OSBP) in the East African trade corridors was established to support growth in cross border trade in the region. This study aimed to assess interagency collaboration's role in enhancing border security and reducing illicit trade at Kenya's One Stop Border Posts (OSBPs). The study's specific objectives were to evaluate if OSBP improved interagency coordination among enforcement agencies would reduce illicit trade and to ascertain whether OSBPs enhanced cross border interagency information sharing mitigated the vice. A descriptive research design was used to collect both primary and secondary data. The target population comprised community members living along the border, law enforcement officers, and relevant government officials whose information was valuable for the research. Primary data was collected through open-ended and closed ended questionnaires emailed to the respondents whereas secondary data was gathered from records such as books, reports, and online data on three one stop border posts. Statistical Packages for Social Sciences (SPSS version 24.0) was used to analyze the data collected.

Differences and similarities were summarized to establish trends, patterns, and information from the data collected to answer the research objectives. Hypotheses were tested using Pearson's Correlation Coefficient (r) at $\alpha = 0.05$ level of significance. The results obtained from Kenya's one stop border posts established that there has been significant improvement in inter-agency coordination such as improved information sharing among government agencies within the East African Community as well as coordinated operation. Corruption and weak enforcement mechanisms are also the primary factors driving illicit trade along the Kenya-Uganda border, accounting for 27% and 21% of respondent feedback, respectively. Smuggling routes (19%) also play a significant role, facilitating the illegal movement of goods. Additional contributors include cross-border demand (11%), political instability (9%), inadequate infrastructure (8%), and poverty (5%), each exacerbating the problem to varying degrees. Statistical analysis shows the critical role of technological adoption, inter-agency collaboration, and stringent border control measures in mitigating illicit trade. Pearson's Correlation Coefficients demonstrate strong negative correlations between these variables and illicit trade prevalence, indicating that increased adoption of technology, enhanced inter-agency cooperation, and stricter border inspections significantly reduce illicit trade. Recommendations include implementing robust anti-corruption measures, equipping and training border officials, investing in advanced surveillance technologies, and fostering inter-agency coordination with integrated policies to ensure a comprehensive and unified approach to combating illicit trade.



Omuria J. Nyandoro

Ludovika University of Public Service, Hungary

10. Exploring the Impact of Kenya's Peace and Diplomacy Policy on Its Border Security and Control Measures

One of the four pillars of Kenya's foreign policy is peace and diplomacy. It is founded on the understanding that stability and peace are essential prerequisites for growth and success. Kenya is likewise convinced that the stability of the continent of Africa, the rest of the world, and the sub-region are all necessary for its own stability and economic prosperity. The Kenya Citizenship and Immigration Act of 2011 and the Kenya Citizenship and Immigration Act Regulations of 2012 govern Kenya's border control policy. The goal of the strategy is to control the flow of people in and out of Kenya as well as to stop the movement of unauthorized products and people across the border. The Directorate of Immigration Services, which is in charge of handling immigration, implements the policy. Underlying Kenya's peace and security diplomacy is the recognition of peace and stability as necessary pre-conditions for development and prosperity. Linked to this, is Kenya's conviction that its own stability and economic wellbeing are dependent on the stability of the sub-region, Africa and the rest of the world. With international terrorism now elevated into a foremost threat to global security, combating this scourge has become a crucial agendum of Kenya's external relations and a subject of its strategic partnerships. The study adopted qualitative research design. The target population of the study was border control officials in four major entry points in Kenya, which are, Mombasa, Namanga, Busia and Moyale. Purposive sampling was used. Data was collected using interview schedules. Data was analyzed using descriptive statistics. The findings of the study include; majority of the participants felt border control has been improved than previously. Improvements such as screening, use of cameras, sniffing dogs and property declaration forms have decreased incidences of terrorism, smuggling of goods and drugs as well as illegal immigration.