DEVELOPMENTS IN BORDER AND MIGRATION MANAGEMENT IN THE SOUTH EAST ERUOPEAN REGION

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Abstract. The European Union's South Eastern border region, and bordering countries are representing a so-called epicenter of the migration process. Basically, it is one of the main migration routes, also called the Western Balkan track, used by thousands of migrants and refugees on their way to the EU member states.

Managing migration in the EU and in the neighboring countries is a social and economic investment that enables societies to strengthen their cohesion and resilience and become more prosperous. It can be considered also a societal process in which the responsibility does not rest with a specific group, but with several.

The increased and more complex mixed migration movements from recent years have placed additional pressure on the already strained capacities of the authorities dealing with migration management. This extra pressure led to difficulties in terms of effectively manage the borders and address arising border security issues.

The study aims to realize an inventory of the measures, proposals and activities which had an impact on transnational institution building which focuses on migration and border management.

Keywords: border, migration, management, civil society, Western Balkans

Introduction and context

The significant variation and diversity in migration and displacement in South East Europe make grabbing the new trends difficult. Migration issues and demographic issues are two of the key elements of modern society, bringing benefits and conflicts both to the receiving places and to the place of origin and raising issues of security, social measurements and multiculturalism in our globalized world (Polgár 2016).

The overwhelming majority of people migrate internationally for reasons related to work, family and study, involving migration processes that largely occur without fundamentally challenging either migrants or the countries they enter. This migration is mostly safe, orderly and regular. In contrast, other people leave their homes and countries for a range of compelling and sometimes tragic reasons, such as conflict, persecution and disaster (World Migration Report 2024).

Regular migration pathways boost public confidence in migration systems, while also protecting migrants. International migration and mobility occurring within regional and global economic, social, political and security environments increasingly reflect migration policy settings. Where, how, when and with whom people migrate often

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depends on the options available to them, with many of these options being determined or shaped by national level policies as well as regional integration (World Migration Report 2024).

One of the great challenges of the South East European space is related to migration, border management and the need for integration of minority communities, including immigrants. Evaluations conducted have shown that there is a great need for expertise and policies regarding the integration of minorities in both their countries of origin and in the new host countries which are dealing with migration (Polgár 2016).

In recent years, the discourse on migration has become increasingly negative. It is more and more obvious that the complex, transnational migration challenge cannot be handled or managed anymore only by the state. Especially because the states are no longer the most important actors in the migration process (Newland 2010). As a consequence, there is an increasing tendency to advocate for closing the borders and trying to stop migration. If we are trying to figure out how to manage migration, or how to elaborate comprehensive and sustainable migration policies, the issue of integration of migrants it must to be considered. Usually, the question of integration, or the method of integration is a very sensitive subject. When it is already difficult to discuss whether and how the migratory trajectory should happen, it is even harder to discuss how and whether immigrants should be helped to integrate (Polgár 2023).

There is a different perception between countries with regard to the definitions of the terms: migrant, national minority and ethnic minority. In some cases, states from the South East European region are treating migrants and minorities like own citizens, in other cases like non-citizens - their migration or minority background is viewed as irrelevant in statistical terms (Centre for Strategy & Evaluation Services 2011). There are also differences in the way these people are viewed as having an ethnic minority background irrespective of how long they have been in the certain country (Polgár-Popescu 2016).

The new socio-political realities, associated with a process of consolidation and strengthening democracy, have led to the redrawing of the social structures in the Balkan space. Competition and mutual distrust marked the first two decades after the fall of communism, but slowly, these societies matured and the injuries of the past began to heal and the idea of liberal democracy started to be more and more implemented (Polgár 2023).

The region of the Western Balkans, despite the fact that it is a major sub-region of Europe and is surrounded by EU member states, has remained out of EU borders. The European integration process has moved, but very slowly. The EU membership has been vital goal for the six Western Balkan states. The EU's condition-setting approach made a huge impact on the design of the democratization reforms in the region. The EU also through its wider political, economic and security presence in the region provided incentive for the development of the democratization-oriented strategies (Brie–Jusufi–Polgar 2021). The process of European integration seemed to be the solution in the context of widespread aspirations of the populations of these states towards democratization.

Managing migration in the EU and in the neighboring countries is a social and economic investment that enables societies to strengthen their cohesion and resilience and become more prosperous. It can be considered also a societal process in which the responsibility does not rest with a specific group, but with several. Border management and migration management are cross-compatible and can be achieved simultaneously through committing political support, resources, and respect for existing obligations and

commitments. Border management should not be seen in isolation, but as part of strengthening the national human rights system for the benefit of migrants, border communities, state institutions and the whole of society.

Methodology

The increased and more complex mixed migration movements from recent years have placed additional pressure on the already strained capacities of the authorities dealing with migration management. This extra pressure led to difficulties in terms of effectively manage the borders and address arising border security issues. While authorities from the South East European region, with international and EU support, have developed national identity management systems, some aspects thereof remain outdated, and do not provide the adequate legal and operational frameworks to effectively respond to the new, evolving challenges.

The lack of fully digitalized procedures and updated IT systems has hampered the efficiency and effectiveness of border management processes, thus causing delays in the effective identification of migrants and referral to appropriate rights-based services, in line with international and EU migrant protection standards, amongst others. Consequently, such insufficient capacities for effective ID management have left migrants in vulnerable situations without effective access to documentation and registration.

The emergence of civil society has been a major feature in many areas of everyday life. While a large amount of work has been developed on its significance for the legitimacy of a democratic regime, the question of its relationship with the European values and integration processes on one hand and conservative, or illiberal political systems on the other has been answered in limited ways. However, in a context in which the common understanding of European values is regularly undermined, civil society and its organizations are facing challenges such as the reduction of their advocacy role. At least as it relates to recent major developments that have affected the quality of democracies of the South East European states. While there has been a rapid and extensive spread of civil society institutions and practices in the region, the 'internalisation' of the 'norm' of civil society has emerged as a benchmark in assessing the capacities of civil society to bring or contribute to a change. Thus, the role of civil society in both integration processes and anti-migration tendencies can be further enlightened with the application of the benchmark of internalisation of the norm of civil society. However, the nature, culture, and dynamics of civil society, provide the government actors with numerous points of co-optation or capture of civil society. Civil society has its own organisational culture and dynamics and has a tendency to accommodate or remain receptive to new demands of the government. In this direction, the illiberal tendencies tend to contest the diffusion of civil society norms, resulting in a halting of internalisation of the norms related to civil society.

The cases of South East European countries, as we argue in this paper, are a case in point. From this discussion emerges the two hypotheses of our study: (H1): "Civil society organizations play an important role in border and migrant management"; (H2): "Civil society organizations working on the ground play a role in monitoring the implementation and impact of new policies and initiatives". Contributing to the empirical literature on the relationship between civil society and border management and migration management this article looks to tackle and answer the following research questions: Is cooperation improving between state authority's and civil society organizations in the

field of border and migration management? Has civil society acted as a counterbalance in the question of border and migration management against political scepticism?

We use a qualitative approach to choose data that comprised major developments as regards border and migration management and its obstacles in South East European countries, mainly after 2015. After collecting the data, we identified events that could be considered important factors in the developments surrounding the role of an integrated border and the management of civil society in migration management.

The cases of South East European countries are important in two main aspects. First, countries from the specified region have approximately 30 years of history of the emergence of civil society. Thus, assessing the relationship between civil society and border management or migration management tendencies can shed an important light on the role that civil society has. The second, most of the initiatives proposed by the civil society organisations in this region, in terms of migration management, are facing political scepticism or refusal.

South East European countries democratised during the post-Cold War era in the early 1990s with civil society mobilisation playing a crucial role in the downfall of their former communist regimes. Nevertheless, only in some countries from the region civil society was able to act as an effective counter to democratic backsliding and bring an end to it.

Migration trends in the Western Balkan subregion.

The European Union's South Eastern border region, and bordering countries are representing a so-called epicenter of the migration process. Basically, it is one of the main migration routes, also called the Western Balkan track, used by thousands of migrants and refugees on their way to the EU member states.

Based on the statistical data, the Western Balkan route can be considered **one of the main migratory ways towards the EU**. After the record number of arrivals in the European Union in 2015, the number of irregular migrants choosing this route fell steadily for a few years. However, since 2019 it has started to pick up again (European Council 2024).

Many irregular migrants reaching the EU via the Western Balkans route, move from the EU member state in which they first arrived to another EU country. This results in high numbers of detections of irregular migrants and asylum applications in Europe.

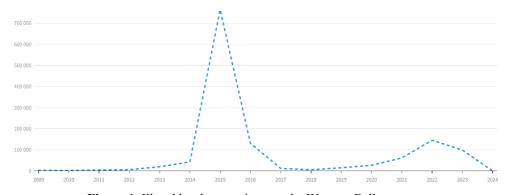


Figure 1. Illegal border crossings on the Western Balkans route

Source: European Council (2024), Illegal border crossings on the Western Balkans route

This region can be characterized also through its specific features, context and trends in the fields of economy, demography, socio-politic environment and migration. Although there are several differences between the countries of the region, the so-called sub regional migration dynamics connect these countries and create similar challenges and opportunities. The majority of the common issues and challenges are identified as a side effect of migration. These issues are concerning demographic shifts, skills and labor gaps, human trafficking and stranded migrants, inadequate access to health care, environmental and climate change impacts, irregular migration, and return and reintegration, as well as unaccompanied and separated children (International Organization for Migration 2020).

The history of South Eastern Europe, with a population consisting of different ethnic groups that overlap national borders makes it challenging to define and measure migration. Nowadays the region is experiencing an unprecedented influx of migrants, making the so-called Western Balkan route the most frequented migratory track.

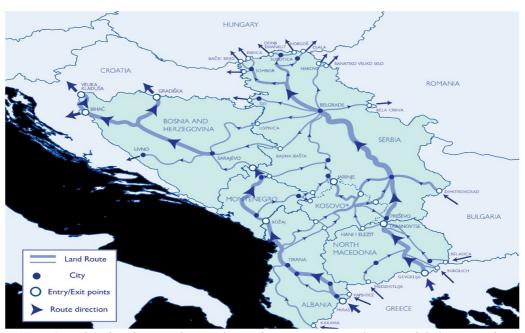


Figure 2. Main migration travel routes in South Eastern Europe. *Source*: Global Data Institute (2022): IOM Displacement Tracking Matrix (DTM): Migration Trends in The Western Balkans

Often with the assistance of smugglers, the Western Balkan subregion is a major transit area and characterized by mixed migration flows, particularly for migrants trying to reach Western and Northern Europe. The western Balkan route, referring to irregular arrivals in the European Union through the western Balkans, including via countries such as Albania, Bosnia and Herzegovina, and Serbia, among others in the subregion, has seen an increase in arrivals since 2018. Serbia continues to be the main transit hub, with the highest number of registrations in 2022. Upon arrival in the western Balkans, the routes most use are through North Macedonia, Serbia and then direct attempts to cross into the European Union across the Hungarian border. The three largest nationalities arriving in the Balkans include Afghans, Syrians and Pakistanis. The transit period of migrants

passing through the western Balkans was shorter in 2022, with many spending fewer days in each country compared to previous years (IOM 2023).

As it is presented in figure 2, as migrants reach the Western Balkan countries, the most active routes are through North Macedonia, Serbia and then directly attempting to cross into the European Union through the Hungarian border. Alternatively, once in Serbia, many others cross the border into eastern Bosnia and Herzegovina and then attempt the crossing into Croatia from the north and north-western part of Bosnia and Herzegovina.

Migrants take varying routes into the Western Balkans. The routes they travel depend on their nationalities, networks and financial means. In 2023, visa restrictions have played a role in reducing the numbers of specific nationalities in the Western Balkans.

These mixed migration movements are those in which different categories of people are travelling together, generally in an irregular manner, using the same routes and means of transport, but for different reasons. People travelling as part of mixed movements have varying needs and profiles and may include asylum seekers, refugees, trafficked persons, unaccompanied/separated children, and migrants in an irregular situation (IOM 2019).

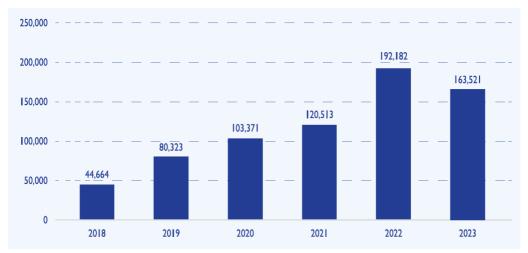


Figure 3. Annual arrivals of migrants in the countries and territories of the Western Balkans, 2018 – 2023. **Source**: Global Data Institute (2023): IOM Displacement Tracking Matrix (DTM): Migration Trends in The Western Balkans

The route north through the Western Balkans is not a new one, and has long been a pathway for those coming from the Middle East or Eastern Africa. According to the official statistical data, since 2018, authorities in the Western Balkans have consistently been registering more migrant arrivals.

As it is presented above in figure 2, in 2022, authorities registered 192,266 migrants in the Western Balkan countries. This is a 59.5 per cent increase in arrivals compared to 2021 and a 348 per cent increase when compared to 2018. High registrations on arrival continued in 2023, with 163,521 registrations. These numbers refer to any registration of a migrant in one of the six countries or territories of the Western Balkans (Global Data Institute 2023).

Registrations on arrival's refer to the registration of a migrant by official authorities. These registrations include migrants, refugees and asylum seekers as migrants enter the countries or territories of the Western Balkans in mixed migratory flows. A migrant may be registered by multiple authorities or institutions in the Western Balkans, meaning that double counting is possible as one migrant can be registered in multiple countries or territories.

Once migrants are inside the Western Balkans, the majority travel through Serbia having entered either directly from Bulgaria or from North Macedonia and in rare occasions from Kosovo. As shown in Figure 4 below, Serbia and Bosnia and Herzegovina record the highest numbers of registrations on arrival, as these are the two exit points into Western Europe. The prevalence of the Bulgarian route has also resulted in changes to the routes within the Western Balkans.

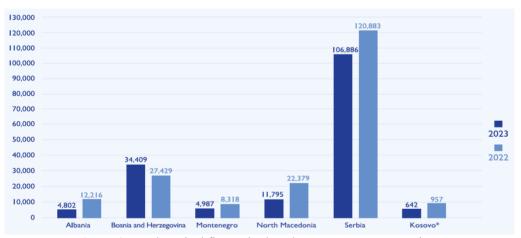


Figure 4. Yearly arrival figures broken down per country or territory

Source: Global Data Institute (2023): IOM Displacement Tracking Matrix (DTM):

Migration Trends in The Western Balkans 2023

Based on the data from figure 4, a small decrease is visible in the number of migrants registered in all countries or territories in the Western Balkans in 2023 compared to 2022. This reduction is possible because in the past years fewer migrants choose the Western Balkan route, probably because of the 2023 visa restrictions. Serbia remains the main transit hub in the region, accounting for almost two-thirds of all registrations (Global Data Institute 2023).

Situation becomes even more complicated, if we check the composition of the migratory flows. According to the figure below, mixed migratory flows present an increasing tendency, what makes the process of migrant management more complex.

As the figure shows, the still increasing number of arrivals and high turnover rate are representing a significantly bigger challenge to the civil society organizations involved in humanitarian actions. Authorities from the region face the same issue, their institutions are overwhelmed by the scale of the problem. In this case, neither the legal framework which stipulates the process of handling migrants and asylum seekers is enough. Over the logistic problems, there are missing mechanisms which should ensure the implementations of the laws and procedures (Malkki 1995). Even if these mechanisms or methodologies would exist, several times these are inadequate. All these

remarks are underlining the need of cooperation and common work between state and civil society organizations (Polgár 2023).

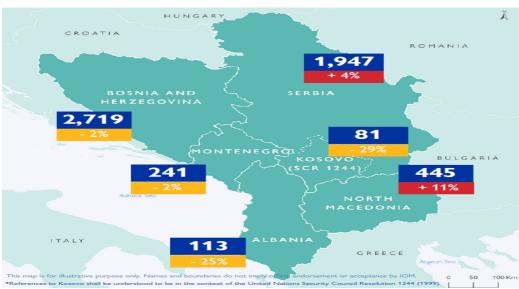


Figure 5. Mixed migratory flows in the Western Balkans (September 2024)

Source: Global Data Institute (2024): IOM Displacement Tracking Matrix (DTM): Western Balkans Mixed Migratory Flows report (September 2024)

But, over the high number of migrants, logistic and social issues, the role of civil society in migration management also represents a sensitive policy concern to. Most of the actions delivered by civil society organizations are taking place in border areas. These borderlands, or border areas represent key sovereign objectives over which states claim full control (Fauser-Di Stefano-Fattorelli 2023). Because of the specific reasons mentioned above, actions delivered by the civil society organizations face specific challenges. These specific challenges can represent a serious obstacle especially if the beneficiaries (migrants) have needs that are unrecognized or even forbidden by the state authorities (Polgár 2023).

In order to present some specific examples, first we choose the case of undocumented migrants. For these the most important thing is to stay and not to be deported. Another example is the case of migrants in transit, specific to the South East European territories. For them the most important is to continue their journey towards the destination country. All these situations are difficult to be handled and solved by the civil society organizations, since most of these needs are considered illegal by public authorities. Interfering and delivering actions to solve these issues can generate legal problems, both for the migrants and the civil society organization (Cuttitta-Pécoud-Phillips 2023). Since, the given context and status quo is at least awkward, but the need for support in migration management is high, compromises are necessary. This compromise means that civil society organizations are limiting their actions to humanitarian support for migrants, covering their basic needs. This way legal and political issues are avoided. On the other hand, we must emphasize that through these humanitarian actions, civil society organizations directly contribute to the fulfilment of governments agenda (Cuttitta 2018).

All the data and information's presented above underlines the complex and multifaceted roles of civil society as a distinct category of actors working in contemporary migration and border regimes. It is also visible that there still are unclear situations, lack of unity and motivation in the actions of civil society organizations. Also, there is no clear antagonism between civil society and public authorities, as both can perform the same tasks. But it is more than obvious that public authorities need to focus and consider the role of civil society in migration management (Polgár 2023).

Border management in the Western Balkan subregion

Countries in the South-eastern Europe region grapple with the dual challenge of securing borders and addressing irregular migration while enabling free movement. In terms of modern migration towards the EU member states, the Western Balkans, are located in a strategic region. This geographical position inevitably implies shared challenges and opportunities for cooperation with its European neighbors.

Not only in the case of the EU, even in the case of the Western Balkan region, we can admit that a high number of institutions and actors are involved in activities and tasks related to border management. While they clearly have a different focus and thus different objectives depending on their responsibilities and powers, they all work towards a common strategic goal. Traditionally, the strategic goals at the state level in relation to border management lie in the protection of the borders against threats to national security, the national economy and public health, but also in the prevention of cross-border criminal activities and unlawful entry into or exit from the state (European Commission 2007).

Since the beginning of 2018, the WB region has re-emerged as a transit route for migrants towards the EU. According to the International Organization for Migration (IOM), 2022 was "a paradigm shifting year" for migration in the Western Balkans: the number of irregularly travelling migrants rose, however the length of their stay in each transit country before attempting to enter the EU became shorter (IOM 2023).

The increasingly complex mixed migration dynamics at the borders of the WB countries, have revealed important institutional needs and gaps in the field of border management and border security in the region. Although significant efforts by the authorities have improved immigration and border management structures and capacities in place, migrant presence in the WB region continues to pose a significant challenge in management of mixed migration flows, including registration, identity and nationality determination, and effective referral to procedure and services (IOM 2024).

Most of the discussion regarding border management has been led in the context of securing the EU's external borders. Migration management represents an important issue in terms of EU neighborhood, development and international co-operation strategies, with corresponding funding that has been allocated to this end. The European Border and Coast Guard Agency (Frontex) increasingly supports third countries through technical co-operation agreements. The trend is set to continue during the 2021–2027 budget cycle, including through the pre-accession funds earmarked for the Western Balkans.

In this framework the European Commission's September 2020 proposal for a New Pact on Migration and Asylum has for the last three years provided the reference framework for these conversations and political negotiations (OSCE 2023).

In December 2022, the European Commission presented the EU Action Plan on the Western Balkans, spelling out its priorities for managing migration and enhancing

border management in the region. 20 operational measures are set out in 5 key thematic areas:

- 1. strengthening border management,
- 2. swift asylum procedures and supporting reception capacity,
- 3. fighting migrant smuggling,
- 4. enhancing readmission cooperation and returns,
- 5. achieving visa policy alignment (European Commission 2022a)

The European Commission has foreseen the increased deployment and joint operations involving Frontex on the territory of the non-EU members on the basis of so-called status agreements. Such agreements have been concluded with Albania, North Macedonia, Montenegro and Serbia. Bosnia and Herzegovina is seeking to conclude one in the coming period (Swaton 2023). Since late 2022, limitations on the deployment of Frontex corps to the border areas with EU Member States have been lifted and operations can now extend to the whole territory of the partner country's (European Commission 2022b).

The Screening Regulation proposed as part of the New Pact foresees the establishment of independent monitoring mechanisms at the external borders of the EU, with the view to ensure that the proposed screening procedures for third country nationals seeking to enter the EU are in line with human rights obligations (European Parliament 2020).

Conclusions

Managing migration in the European Union and at its South Eastern borders is a social and economic investment that enables European societies to strengthen their cohesion and resilience and become more prosperous. It can be considered also a societal process in which the responsibility does not rest with a specific group, but with several: migrants, host communities, public authorities and institutions, social and economic partners, civil society organizations, churches, religious and other philosophical communities, and the private sector.

Efficient cooperation among relevant actors from the field of border and migration management is probably more important than in any other policy area. Depending on the political ideology sometimes public authorities speak different languages when dealing with migration. This phenomenon is even more visible in the case of the dialog between state authorities and civil society organizations. Variations in the use of terms are also common depending on the person's field of work.

It is critical for borders to be open for trade and the movement of persons. They have also to be open for regional cooperation, a cornerstone of future integration and membership in the EU. They have to be open both within the region and also between the region and the EU. The facilitation of regular cross-border flows enhances the economic development of the whole region. Free trade and the movement of persons are key elements of the stabilization and association agreements.

In order to achieve and establish an efficient and well-functioning border management system and to have open but secure borders, national and international coordination and cooperation among all the relevant authorities and agencies involved in border security and trade facilitation represents a basic ingredient.

Civil society and its organizations play an important role in migration management in all the target countries. These carry out valuable work assisting or even substituting for governments by providing guidance and support in integration processes. However, their involvement in the design of migration management policies and integration activities does not always correspond to the importance of their role.

Basically, the results of this study confirm H1, which assumes that civil society organizations play an important role in border, but especially in the process of migration management. Therefore, South East European states should step up their efforts to achieve more structured cooperation between civil society organizations and government authorities so as to create synergies and make better use of the knowledge and resources available on both sides. The expertise of the civil sector should be much more used and capitalized when designing integration strategies and measures in order to increase their efficiency.

The second hypothesis which assumes that civil society organizations working on the ground play a role in monitoring the implementation and impact of new policies and initiatives is also confirmed. Civil society and social partners operate at different levels. Some organizations are active at EU level, others at national level, and others at regional or local level. Activities at different levels complement each other (EESC, 2020). Civil society working on the ground are monitoring the implementation and impact of new policies and initiatives. However, in addition to impacting political decisions, civil society also exists to actually deliver services to the people it represents (Polgar 2023).

Generally speaking, countries facing migration should apply a multi-stakeholder approach involving local and regional authorities, employers, trade unions and civil society organizations when developing border management and migration management policies to ensure that they correspond to actual needs and circumstances and benefit migrants and refugees in an optimal way.

The overall picture that emerges from the article presents that societies from the South East European region are in fact becoming more confrontational, more political, more polarized, and less open to compromise: these characteristics apply both to the government and to civil society itself (Polgar 2023). Civil society acts as a counterbalance in this so-called social turbulence, with a special focus on the question of migration management and integration, drawing new policy recommendations (Freedom House 2022).

The civil sector remains at the forefront in the defense and promotion of values across the South East European states, but its constant and tireless endorsement of values is not without challenges in the present volatile and interdependent national, European and global contexts.

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