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## The Visa in Practice at the Serbian and at the Ukrainian borders\*

*A Micro-level research*

**I**n the following article, I explore and evaluate the practices associated with the Hungarian visa policy. The results are based on field research carried out in the summer of 2006 in the region of Vojvodina and Novi Sad in Serbia and in Trans-Carpathia in Ukraine. Research focused on the primary actors involved: the applicants, the consulates and the border guards in Ukraine and Serbia. My research was conducted using qualitative research methods, and because of my focus on micro-level processes, there is a lack of representation that should be taken into consideration. Additionally, the number of researchers (two in Serbia; one in Ukraine) might also influence the results.

Our aim was to explore how obligatory visas practically and/or morally impact people's everyday lives and feelings in the given regions. We were not only interested in the current practices associated with the present visa-system; we were also concerned with the views, expectations and knowledge about Hungary's forthcoming accession to Schengen. Our research focused entirely on individual citizens and considered Border Guards and Consulates as institutions that possibly affect trans-border movements of *civilians*. Our primary aim was to develop a picture of the general opinion in Serbia and Ukraine about obligatory visas and Schengen accession.

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Relevant scientific literature was explored prior to and at the conclusion of our research. Our research indicated that there are rather few articles dealing with obligatory visas. In those that we did find, only Ukrainian and – in one case – Romanian situations were examined; the Vojvodina region in Serbia was never a focus. In a broad comparison of the Visegrad States' visa policies for Ukraine and Moldova, we found a useful macro-level description of the introduction of the Hungarian visa in Ukraine and Serbia-Montenegro.<sup>1</sup> The Debrecen Center for Regional Studies of the Hungarian Academy of Science also conducted research in 2003–2004 on trans-border co-operation in the Ukraine and Romanian border regions. The section on the Ukrainian border region proved to be an invaluable basis of comparison for our results.<sup>2</sup> Other beneficial comparisons could be made with the Polish Batory Foundation's outstanding report on the Polish visa policy's various dimensions.<sup>3</sup> Furthermore, two Hungarian statisticians' analysis of the sentiment about the border within the Hungarian border regions before Hungary's accession to the EU could be used as a basis.<sup>4</sup>

The Ukrainian and Serbian border regions were selected to be the focus of our research for two reasons. First, it is presumed that these states will long exist outside the borders of the European Union. Second, there is a rather high proportion of ethnic Hungarians living in these regions who, presumably, will be most affected by an obligatory visa.

Fieldwork consisted of several guided interviews (without a questionnaire), spontaneous conversations, and visual observations. The main research question was how the obligatory Hungarian visa impacts the everyday lives of those people – mainly ethnic Hungarians – who live in a region close to the Hungarian border. We also observed the preparations for and knowledge about the Hungarian Schengen accession. As they are part of a broader phenomenon, it is important to state that these issues could not be individually investigated. In other words, these questions cannot be dissociated from other issues such as people's

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<sup>1</sup> *Feasibility Study for Consular and Visa Co-operation among Visegrad States for Residents of Ukraine and Moldova: The Visegrad States Between Schengen and Neighbourhood*. Center for Policy Studies at the Central European University, 2006.

<sup>2</sup> Baranyi, Béla (ed.): *Az Európai Unió külső határán*. Debrecen: MTA Regionális Kutatások Központja, 2005.

<sup>3</sup> *Monitoring of the Polish Visa Policy – Report*. Warsaw: Batory Foundation, 2005.

<sup>4</sup> Székely, Andrea – Kotosz, Balázs: A határmenti lakosság határképe az EU-csatlakozás előtt. *Statistikai Szemle*, Vol. 83, Nr. 12, 2005.

feelings towards Hungary and the European Union, their everyday practices, the current political situation, etc. In order not to exaggerate the meaning of some extreme results, it is important to describe and take into consideration the broader public context of the research.

Field research was carried out in July 2006. The new Hungarian government had just taken office; it was clearly stated that public administration expenses would be drastically cut, primarily through a reduction in the number of employees and a complete restructuring of public administration. This decision directly impacted the Border Guards. The Ministry of the Interior – to which the Border Guards were affiliated – was eliminated and replaced (among others) by the new Ministry of Justice and Law Enforcement. Since the impact of the new regulations was not yet known in July, there was an understandable display of doubtfulness displayed from both the Border Guards and the consulates.

When organizing the new government, the Hungarian prime minister had stated the need to reorganize the institutional systems that deal with the ethnic Hungarians living in the Carpathian basin. Although some of the main institutions had been dismantled by July, it was not clear what type of institution – if any – would replace those that had been abolished. This uncertainty heavily influenced the general moral of ethnic Hungarians during the period of our research.

At the same time, the Ukraine's struggle to set up a new government aroused great interest from our Ukrainian interviewees. Since Montenegro voted for its independence in June, Serbia's new status also impacted the general moral. During our Serbian visit, the FIFA World Cup was also taking place and was of a great interest for most of Serbian society, including border guards and consuls.

A great proportion of the interviewees were contacted prior to research via email or telephone. When selecting interviewees, our aim was to find the best representatives from the consulates, the border guards and the civil society. In case of consulates and border guards, there was the possible danger of receiving only the official version of the situation, which was presumed to be different from daily realities. In order to avoid this, we did not use any official forms when contacting the interviewees and always stated our will for an informal conversation.

When searching for civil society representatives, we focused on NGOs that dealt with larger groups of the local community and, preferably, had a connection with Hungary. This was to ensure that the representatives

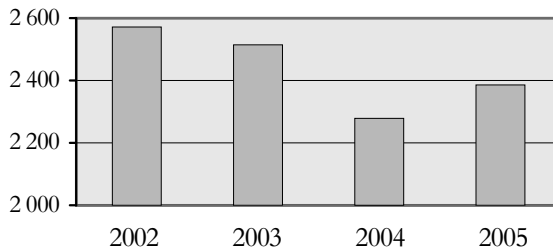
were aware of common opinions regarding the Hungarian visa. Because they can be understood as valid representatives of the local community, the mayors of the settlements in which we stayed were also interviewed.

Several interviews were carried out spontaneously. In these cases we talked to people at the Hungarian border, in front of the Hungarian Consulates and other visa issuing offices, at bus stations and train stations from where one could travel to Hungary and even on international railway lines without any preliminary arrangement. These interviews were conducted in either Hungarian or English, which limited the diversity of the interviewees. It should be emphasized that the Hungarian minority was our main focus; however, we collected information on the members of the majority ethnic group of the country whenever possible.

### *The Visa System*

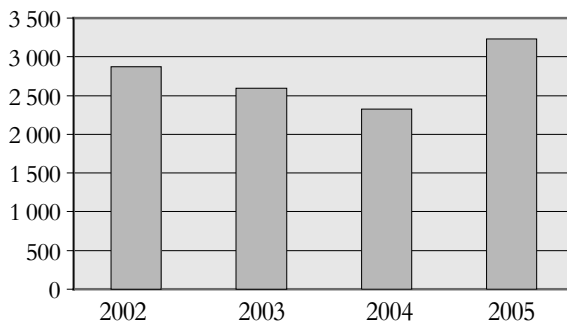
Before presenting our observations an overview of the visa-system should be given. Before its' accession to the EU, Hungary introduced an obligatory short-term visa for both the Ukraine and Serbia-Montenegro. Obligatory visas were introduced in Ukraine and Serbia-Montenegro on October 1, 2003 January 1, 2004 respectively. Before these obligatory short-term visas were introduced, citizens of both countries had to purchase Hungarian visa only if their stay in Hungary was to exceed 90 days.

*Figure 1. Number of Ukrainians Entering Hungary 2002–2005 (in thousand per year)*



*Based on the data of the Central Statistical Office*

Figure 2. Number of Serbia-Montenegrins Entering Hungary  
2002–2005 (in thousand per year)



*Based on the data of the Central Statistical Office*

The direct impact of the visa on the traveling habits of Serbians and Ukrainians cannot be ascertained. Statistical information indicates that there was a significant decrease in the number of Ukrainian citizens traveling to Hungary between 2002 and 2004; in 2005, the number of Ukrainian passengers slightly increased. It is important to note that there is no information available that indicates a direct correlation between these statistics and the Hungary's introduction of obligatory short-term visa.

In case of the visitors from Serbia-Montenegro it can be seen from the statistics that after a slight decrease between 2002 and 2004, the number of travelers started to decrease in 2005.

Since the early 1990's, small border traffic between Hungary and both Ukraine and Serbia-Montenegro existed as a type of institution. By 2003 – before the obligatory visa's introduction – EU pressure led Hungary to eliminate its bilateral agreements regarding this alternative form of transit. Regardless of this, the phenomenon still exists in some EU 15 countries, and there are on-going negotiations for the restoration of the small border traffic after Hungary's accession to the Schengen.

In the new visa-system, the role of consulates and the Border Guards has been concretely formulated: consulates are "friends" of visa applicants while borders guards are "foes." Consulates liberally issue visas – providing them to almost everyone who applies; border guards must invalidate some of these visas as they attempt to police the borders more effectively than the consuls.

### *The Public Opinion*

In Serbia and Ukraine, public opinion on obligatory visas and Schengen accession was fairly uniform. Most differences appeared to be generational and geographical (i.e. premised upon the type of settlement in which an interview was conducted). In general, the visa is understood as a type of punishment for ethnic Hungarians. Most of the interviewees did not mention the Hungarian EU-accession as a possible reason for the introduction of the visa but rather blamed the Hungarian government. People often stated that they felt as if the visa's introduction was a new iron-curtain – or *paper-curtain* – that once again divided them from the West.

The failed referendum on dual citizenship for all ethnic Hungarians living in adjacent states (5 December 2005) was often referred to as the symbol of “*how cruel the Hungarians of Hungary are with their ethnic brothers.*”<sup>5</sup> Seemingly, the introduction of the so-called *national visa* on January 1, 2006 has had a similar impact. Just as before, Ethnic Hungarians were hoping that the visa would facilitate their movement and were even more disappointed by the results. As they recalled, the *national visa* was introduced as a means of facilitating Hungarian residence for ethnic Hungarians, but as it turned out, “*it is only useful for grannies.*” Though only about 40–50 applications were handed in at both regions' consulates, there was great interest in a *national visa*.

During several interviews, it turned out that people usually do not apply for a visa when they are planning a trip to Hungary but when the previous visa expired. It also turned out that some people applying for a visa were not planning to go to Hungary at all. Some of our interviewees explained the visa was simply a means of security since “*nobody knows what will happen, so it is always better to have the possibility to go.*” Others mentioned the prestige that accompanied possession of a Hungarian visa.

All of the interviewees were asked whether they have ever been a refused visa application or if they knew anyone who had had such an experience. Except when speaking to consular staff, everyone answered negatively. According to these interviews, everyone who had applied for a visa seemed to understand and accept its obligatory nature; however, no one found it particularly convenient. It was also interesting to hear that the

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<sup>5</sup> The quotations from the interviews are translated by the author.

applicants were usually advised by consular staff to apply for tourist visa – even in cases where travel was for medical or other purposes. This is because it is simply easier to complete the application – and why no statistics on the types of short-term visas applied for are given in this essay.

Most of our interviewees assumed that they would travel to Hungary to shop. Some people said they only shopped for themselves; others admitted doing business with the goods bought on the other side of the border. The term “*living from the border*” was often used at both locations. This meant something along the lines of non-professional smuggling of goods that garnered enough profit for a moderate livelihood. Despite of the country, region or occupation of the interviewees, this expression could be heard at almost all of the interviews. The people clearly indicated that while cultural ties were important, the visa was primarily to aid such business endeavors.

Since those who wanted to move to Hungary have already done so and those who wish to remain in their homeland are not likely to change their minds, the rigid visa-system was often deemed unnecessary. It was interesting to hear how people found the Hungarian government’s program that attempts to keep ethnic Hungarians residing within neighboring states misleading. Interviewees could not reconcile the government’s sponsorship of ethnic-Hungarian students who want to study in Hungary as a means to improve the quality of life for ethnic-Hungarians in adjacent states. Because most students stay in Hungary or move further west, it seemed contradictory to them.

In regards to knowledge about the consequences of Hungary’s Schengen-accession, the interviewees had dishearteningly little information. Those who lived in the cities and belonged to younger generations had slightly better concepts about Schengen than others. Altogether three facts were generally known: the visa is for a fee, its criteria will be stricter, and the changes will commence in 2007. Those people who have previously heard the expression “Schengen” claimed they were fearful as well as doubtful about it. No interviewees knew about the possible restoration of small border traffic.

### *Issuing Visa at the Hungarian Consulate in Serbia*

Applicants understand Hungarian consulates as the obvious symbols of the obligatory visa. The innumerable references to this institution

demonstrated that it – and its communication efforts – played a significant role in the formation of applicants' views about the visa and Hungary. During field research, interviews were carried out with the consular staff at Subotica in Serbia and at Uzhhorod in Ukraine. An additional on-site inspection was made at the consulate in Beregovo, Ukraine. Since the experiences in the two countries' consulates were relatively different from each other, the Serbian and Ukrainian findings will be described separately.

*a.) One-day Process*

The Consulate of the Republic of Hungary in Subotica is situated in a beautiful Art Nouveau building in the centre of the old city. Any time we passed before noon, a considerable queue could be seen in front of it. Even the secretary based her directions on this information. In the surrounding area, there were several copy shops. After the consulate interviews, we understood their function in this part of the city.

We contacted and arranged an appointment with the consulate before our research began. During our appointment, an almost two-hour interview was conducted with Mr. Ferenc Nagy, consul general, on the priorities of the consulate and his impressions about the obligatory visa. He considered it shameful that everyday applicants were more interested in blaming Hungary and the Hungarian government for the new visa system than addressing the problem of at-large Serbian war criminals. According to his experience, applicants are unaware that the visa obligation is EU community legislative endeavour rather than a Hungarian initiative.

As he stated, the estimated number of visas issued yearly is 150 000, or approximately 500 visas daily. In order to handle this amount of work, the consulate has 40 employees; according to Mr. Nagy, "*It is a very well working system.*"

According to his knowledge, visa refusal is rather rare. He estimated that the proportion of rejected applications is less than one percent. Because of this, we agreed that the visa did not exactly work as a filtration device. Of course, it is possible – as Mr. Nagy indicates – that its very existence acts as a deterrent: those who are 'undesirable' for Hungary do not bother applying for the visa. When evaluating the current visa policy, the consul made it a point to note "*100 % filtering does not*



*exist.*” His experiences indicate that the visa has not caused a significant decrease in the number of Serbians traveling to Hungary. He remembers a slight lurch right after the introduction, but within a rather short period of time, everything returned to the status quo. “*As we see everyone has someone in Hungary, either a family member or friend; and there are all the cultural ties. These things do not change because of the visa.*”

The Subotica consulate runs a so-called *one-day program*. This means that if the application is handed in before noon, the visa can be collected after three o'clock on the same day. According to our experiences, people in the region are very satisfied with the *one-day program*. It is probably one of the reasons for the consulate's good reputation among Serbian citizens. However, after October 2007, the consulate will no longer be able to issue visas within a day; as this might be especially difficult to get used to, this advantage might become a disadvantage for the consulate. The *one-day process* costs the Hungarian government about a million Euros yearly, according to the consul general.

The consulate is also fairly liberal when issuing short-term visas. According to Mr. Nagy: “*We know that the human kind is normally absent-minded, so we try to tolerate this as much as possible.*” This means that the consuls try to be as helpful as possible when making their decisions. Once, for example, a group of farmers who had formed a folkdance group were invited to a festival in Hungary, but the invitation came incredibly late and they did not have enough time to purchase a necessary certification of their property from the Land Office. They asked for a personal interview with a consul during which they promised to recover the missing documents immediately after their trip to Hungary. The consul in charge asked the consul general, and they assumed an obligation to the group. Fortunately, the documents were handed in as promised, and the consul general did not have to face any further inconveniences. Of course, this is an unusual case, but it demonstrates the consulate's flexibility.

While the consulate aims to issue the obligatory visa as quickly and easily as possible, Mr. Nagy declared that the Hungarian government's primary goal should be to foster the Serbian EU approximation and, finally, its accession to the EU. He stated that he wishes that the border could be eliminated, which can only occur when the aforementioned circumstances are met.

The consul general provided an explanation about the line on the street in front of the Consulate. He said that, unfortunately, people

do not understand that the consulate only opens to the public at nine o'clock<sup>6</sup>, and that they are also afraid of being unable to hand in their applications before noon. As he stated, this is understandable for those applicants living further away from Subotica because it is important for them to complete the application process in one day. Since they are able to collect the visa on the following day, he tried to suggest as a solution that residents of Subotica not come during the morning hours. Anyhow, he mentioned that currently the lines are not at all as long as they were after the initial introduction of the visa, when everyone was panicking and wanted to get it right away.

### *b.) The Short-term Visa*

The short-term visa itself acts as a double source of protection. This is because of its focus on two main questions: Where will the person stay in Hungary? How will his/her livelihood be ensured while there? The consuls emphasize the latter question more and, because of this, require that every application has supporting documents. This can be either a certificate of the person's income or an employment contract<sup>7</sup>. In case of those without regular employment, a bank statement, a pension receipt, and or a reference to immediate family member's incomes can be used.

If someone is not able to purchase any of the above documents, there is still a possibility to apply for a visitors' instead of a tourist's visa. In these cases, one must purchase an invitation letter from someone with permanent Hungarian residence who willingly assumes the visitor's costs during his/her stay in Hungary. This is usually an awkward situation for applicants. While it was normally clear that Hungarian relative or friend would not cover the person's costs because the applicant intended to work on the black market or simply was unable to purchase necessary documents because of a lack of a bank account, our interviews indicate that people often receive negative answers when asking for such invitation letters from their Hungarian relatives or acquaintances. Our interviewees normally found it humiliating to ask for such a favour, and

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<sup>6</sup> Actually they work at the consulate from six in the morning, but they do not open to the public before nine.

<sup>7</sup> In the case of farmers, a certificate from the Land Office must be purchased and handed in certifying the person's property of land.

they were demeaned by the idea that they were persons “dangerous” to the Hungarian state.

The complete consular staff sees itself as trying to be helpful for every applicant by making the procedure as simple as possible. That is why the officers who regularly meet with the applicants speak both Serbian and Hungarian; it also explains the fact that the visa can be issued within the same day if the application is handed in before noon. In regards to the language and spelling options for completing an application, we were informed that Serbian and Hungarian as well as Latin and Cyrillic script are accepted. Since there is an official transliteration to Latin spelling, Cyrillic letters caused no problems.

According to the Consul general, there is an appeals process if the applicant is discontent with the decision or would like to claim grievances about the procedure. This, however, does not happen often if at all.

When asking who would be ineligible for a Hungarian visa, only a few criteria were mentioned. First, it is not possible to obtain the visa if the purpose of travel is different from that named. Second, visas are not issued to people who use fake supporting documents. This means, for example, an employment contract with a non-existent company or an invitation letter from Hungarian families who provide these letters as a business. These cases are generally discovered through a list of the non-existent companies and those families who were discovered by the Office of Immigration and Nationality that the consulate has amassed over a period of time. Normally, the consuls conduct personal interviews with any applicants who seem to be suspicious or whose application is unclear. As they have discovered over time, applicants normally confess during these face-to-face talks. We were informed that, of course, people on the so-called black list – consisting of the names of the people who have committed some kind of crime in Hungary – are also ineligible. This list is updated regularly by the Border Guards with whom the consulate purports to have an excellent relationship.

### *c.) Schengen Preparations*

The consulates indicated that they were adequately prepared for Schengen. Their strategy is step-by-step introduction of requirements. For example, upon introduction no supporting documents were needed for the visa application; they are now required. They also became strict

who may hand in the actual application. Since personal presence at the consulate is a requirement for the visa application, only immediate family members are allowed to manage the application process for each other, and consulate officers closely monitor this. Not long before our visit, the consulate just introduced a new requirement for a photocopy of the first page of the applicants' passport to be handed in along with the passport itself. This new arrangement explained all the copy-shops in the vicinity.

Of course, these are small steps when compared to the presumable effect of the longer issuing time and, especially, the future charge for the visa. Mr. Nagy told us that in a very positive case the price can be €35 and, in the worst, €60; however, €35 is already a heavy sum when compared to the region's average wages and the ease of free visas.

The building of the consulate was also renovated to fulfill Schengen requirements. They have added "intimate" interview rooms in accordance with the Schengen norms, and additional windows can be opened, when necessary, in the reception area. The consuls, as well, are participating in different preparatory courses in order to meet the requirements. Fortunately, they do not have to travel to Hungary because the lecturers go to Subotica. During the last months, there was more European monitoring, the results of which are always shifted into everyday practice.

Concerning the presumable reception of the changes by the applicants, the consul general was quite concerned. He stated that the people do not have enough information, and if someone knows about Schengen, what they know is that the visas will be expensive and the procedure will become much stricter. Therefore he encouraged everyone to try to issue the so-called national visa, which was going to be Schengen compatible and valid for maximum five years. The consulate has to be completely prepared with the new arrangements by the end of 2006, what does not seem to be impossible according to the consul general.

#### *d.) Corruption*

Besides the consuls, we were informed that Serbian nationals mainly work in the consulate. Their earnings are considerably better than the region's average salary, and they knew the consequences of such activities: immediate termination of employment (counter-corruption practices are described later). As insurance against corruption, consuls are controlled by state security monitoring in Hungary.

Although accepting an occasional bar of chocolate would not be considered a corrupt practice, Mr. Nagy the consul general informed us that there is no corruption at the consulate. This is because the two factors that lead to corruption (process speed and fee) are not concerns at this consulate. Visas are issued quickly enough, and the process cannot be made any cheaper for applicants. Additionally, many independent officers, making it practically impossible for corruption to exist, view the application.

*e.) Application for and Issuing of the Visa*

In order to see the issuing of a visa, we visited the hall where applications are held, decisions and visas are made, and the passports containing visas are given out. Interviews were conducted with a council that makes visa decisions and with the officers at the windows who take the applications and hand out visas. Participant-observation was carried out in this so-called window room.

The atmosphere of this room, the heart and soul of the consulate, was incredibly friendly. On the day of our visit, only female officers were taking applications at the windows. They spoke both Serbian and Hungarian very well, so there were no problems related to language difficulties. They seemed to be patient and helpful with the applicants who were, likewise, cooperative. The most common problem with the applications was the absence of the newly required copy of the passport's first page. It turned out that many of the applicants had not known about the recent change. When an application was accepted, the officers spent about three minutes checking supporting documents. They usually posed questions to the applicants. They always cooperated and tried to give all the necessary information. Besides the supporting documents, the passport was also carefully checked, to see if (a) the applicant held a valid Hungarian visa (which, interestingly, happened quite frequently), (b) see if there was enough space for the visa, and (c) check if the passport was valid for a long enough period of time. The officers also checked whether the application form was filled out correctly. In case of mistakes, the officers carefully explained the problem to and how to correct it to the applicants. Those applicants who had to correct something were allowed to return to the same officer without returning to the back of the line. Because only immediate family members are allowed to hand in someone else's

application, the relationship had to be verified if someone else was handing in another person's application. Besides the passport, the copy of its first page and the supporting documents, a passport photo that is not older than three months is also required.

In about 40% of the cases, there was some kind of imperfection. However, officers are not allowed to reject an application if the applicant is willing to hand it in, normally they accepted the advice. In these cases, the officers made suggests about how to correct the problem. Since the applicant is advised how to correctly fulfill the requirements, the statistics do not show any rejections. This type of serious pre-control can also be a reason for the low proportion of rejected visa applications.

Because there were several cameras observing the reception hall, counter-corruption practices could also be observed. Officers were not allowed to accept anything from the applicants that could not be seen by the cameras. For example, during our visit someone tried to hand in a folder filled with the necessary documents and forms. The officer did not accept it; instead, she asked the applicant to remove the papers from the folder and hand them in that way.

In general most of the applicants seemed to be content with the procedure, and anger was noticeable only in very few cases.

After the applications were taken, they were placed in small colourful plastic baskets that were present on the every reception-window officer's desk. The applications from the little baskets were collected and moved into larger baskets from time to time. Officers at the computers received the larger baskets; their task was to put an applicant's data into a special database that was designed especially for the consulate. The consuls in charge then checked the database during their three-hour shifts. They decided about the visa: whether one could obtain it and, if yes, for how long. Since the whole procedure was taking place in the same enormous hall, the consuls could ask the "window-officer's" opinion about certain applicants. If a problem arose during the submission of an application, the "window-officers" could ask the consul in charge for help.

After the consuls made their decisions, eligible passports were taken to a smaller chamber that opened onto the same hall. Only Hungarian nationals who were regularly checked by national security monitoring could enter this room. In this room, visas were printed. After they were finished, supporting documents were stored in special folders. If there was no reason to keep them longer, the documents were destroyed after

one year. Passports with printed visas were returned to the desks of the “window-officers” who then stuck the visas into the passports. They did this while still receiving applications, but used every spare second to place the visas.

After three o’clock a mob of applicants began to arrive to collect their visas. Since the decision-making and the printing of the visas is permanent, visas are often not ready by this time. If this was the case, the “window-officers” tried to learn about the current state of the application and told the applicants when to return. The promise was kept: whoever had handed in an application before noon received his/her visa in the afternoon of the same day. The officers at the windows were extremely supportive of the applicants and only sent them away if the visa was not completed.

During our visit, two visa applications were rejected. In one case, a travel agency asked for visa for a group of thirty. When checking the supporting documents, the consul has realized that only 23 of the applicants were on the agency’s list as registered participants for a tour of Hungary. The remaining seven people did not receive a visa, and the travel agent was invited to an interview in order to clarify the case. The other problem occurred because of three people asking for transit-visas in order to travel to Slovakia. Since they did not yet have their Slovak visas, their applications were rejected.

In general, the reception hall had a pleasant atmosphere. We also experienced the 71,000<sup>th</sup> application in this year. It was happily celebrated as every 1000<sup>th</sup> application is, with clapping and hoorays.

#### *f.) Waiting at the Consulate Office*

On a hot July morning, we watched as approximately thirty persons queued in front of the consulate in order to apply for a visa. They were from Subotica, from the nearby villages, but there were also people who had to come here from Novi Sad (100 km) – both (by mother tongue) ethnic Hungarians and Serbians. A policeman loafed around the queue; he did not speak Hungarian or English, only Serbian. People had heard or knew from previous experiences that getting the visa took much time and were, therefore, not in a hurry; they seemed to be excited but not nervous. People were familiar with the system, but they were often disappointed when they were sent away because of an incomplete application. This

problem was quite frequent because many did not know exactly which papers or how many copies were needed. A very old man came, and asked if his certificate of baptism was needed. No one could answer.

As we could observe the people waiting at the consulate seemed to be fairly well possessed, and as they were traveling regularly to Hungary, it was not the first time they had applied for Hungarian visa.

When asked about their previous visa experiences, they mainly found the visa inconvenient, even though the circumstances were as good as possible. No one with whom we spoke had had their applications rejected before nor had they heard about anyone with such an experience. When people – and there were many – were sent away, they remained positive, stating that they were happy that they would be allowed to return to the same officer instead of the end of the line. People were generally pleased with the officers, saying how nice and helpful they were; however, many people found the continually changing visa requirements to be a nuisance.

Overall, people were used to the visa obligation and arranged it whenever necessary. Since no one had ever heard of a refused application, they looked at it as a formality. *„I'm pleasantly surprised, the officers were so kind, I never experienced such quick administration”* an old lady said while waiting for her turn. *„It's only a day, and I have the visa for a year, it's not a big deal”* the majority asserted.

### *g.) Accessibility of the Information*

In order for the visa-system work efficiently, applicants need to be able to access all the necessary information in the most simple and convenient way. The consul general was relatively proud of the consulate's up-to-date website. This website contained all kinds of information related to the visa, including a downloadable application form that is in both Serbian and Hungarian as well as has bilingual samples of correctly completed application forms. Furthermore, the website has an online counseling service where anyone can ask questions about the visa procedure. Unfortunately, the answers are not made public, so it is impossible to learn from other people's problems. Despite the impressiveness of this homepage, it should be remembered that the use of the internet is not yet common in the Vojvodina region. This means that privileged people have the most access to this kind of information.



The consulate provides information over the phone as well; however, it is rather difficult to get an operator. When discussing this problem, the consul general informed us about a great dilemma. It is required, and also desirable, to develop a telephone-switchboard through which applicants can navigate the menu with their telephones' number pads. The only problem is that the telephones with a tone-mode are not common in the region. This would result in an even longer waiting period than now. By the time of our visit, no decision had been reached concerning the telephone switchboard.

In addition to these two possibilities, the most common way of receiving information was gossip and unofficial rumours that incessantly circulated among applicants.

#### *h.) Other Visa-issuing Places in Vojvodina*

Hungarian Visas in the Vojvodina region can be issued at locations other than the Subotica consulate. In order to fulfill the 2002 Status Law,<sup>8</sup> a chain of supply offices was developed in the region. The so-called CMH (Concordia Minoritatis Hungariae) offices were originally intended to issue the Hungarian Card that is provided to all ethnic-Hungarians who apply for it in the Carpathian basin. Since the obligatory visa's introduction in January 2004, these offices have expanded their tasks to include visa services as well.

In agreement with the consulate, these offices are allowed to accept applications, passports and the necessary documents and then transport them to the consulate. While applicants have to wait ten days instead of one to receive their visas, it saves them the hassle of standing in a long queue at the consulate, and traveling to Subotica. Six such offices are operating in the region, and according to both the CMH-officers and the consuls, the cooperation between the two institutions is excellent.

During our research, we inspected the Senta CMH-office. The office is situated close to the city centre in the building of the Hungarian Cultural Centre and Library and was, therefore, easily accessible. According to applicants, the greatest advantage of handing in applications here was that they did not have to travel all the way to Subotica. Additionally, the office has rather flexible open hours, so one is able to

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<sup>8</sup> Act LXII of 2001 on Hungarians living in neighboring countries

hand in his/her application without taking a day off work. The Senta office also provides its services in smaller villages of the area. Once a week, they traveled to the smaller settlements to collect the applications rather than operating in Senta so that applicants do not even have to travel to Senta.

Contrary to the consulate, there was never a long queue here. The maximum number of people we saw in line was three. The office was spacious, there was an information-board and correctly filled-out sample application forms were also accessible, however only in Hungarian. The office had two employees, one working at a time. They could speak both Serbian and Hungarian. As we observed, the officer was familiar with most of the applicants, and during their visits, they had enough time to ask many types of questions concerning the visa procedure. At the CMH-office the rules for handing in the application were not as strict as those at the consulate. Here, someone handed in the application for her aunt and another person collected the visa for her friend. The Senta office received about 40–50 applications daily, but the number depended on the time of year; for example, the office could receive more than 400 applications weekly in November, just before Christmas. The offices work free of charge but appreciate any contribution. According to the CMH-officer present, they receive no funding from the consulate and need to collect money for the fuel to be able to transport the applications to the consulate's office. The consuls process the applications from the CMH-offices after it opens. When they take in the new applications, the CMH-officers always took back the visas from their last transport are returned them to the applicants. In urgent and reasonable cases, consuls are able to make a decision immediately, and the CMH-officer can bring the visa back within the same day. Normally, applicants can get their visas within at least 9 days. The officers normally drive to the consulate on Thursday and transporting the applications received until the day before (Wednesday). Applicants generally receive their visas the following Friday. This schedule is acceptable for most applicants, especially when taking into consideration that usually people apply more for moral and security reasons than intentions to travel immediately.

### *Visa Issuing at the Hungarian Consulate in Ukraine*

The Consulate of the Republic of Hungary in Uzhhorod is situated in a very posh, modern building that was recently built; the consulate moved in just one month prior to our visit. Somehow, an inconvenient tension could be sensed between the building and the city of Uzhhorod.

The consulate was previously contacted this time as well, but unfortunately, the consul general was unable to participate in the research due to prior engagements. In his place, we were permitted to speak with two consuls and two officers from the consular staff. Unfortunately, the interviews could not be carried out in the consul's office as they had been in Subotica; instead, they took place in an expansive hallway that functioned as the consulate's reception area. Because of this, the intimacy of the previous interviews was lacking. I was further disappointed by the fact that I was not permitted to enter the room where applications decisions are made. As it was explained to me, a young sociologist with Hungarian nationality posed security threats for the consulate and the Republic of Hungary. As young sociologists are generally known for their menacing presence, I was unable to observe the most important aspect: how the consulate actually functions.

Accordingly, it should be taken into consideration that the following information is based purely on information provided by the consuls and the consular staff. The researcher could verify none of the information.

#### *a.) Multi-day process*

The consuls both stated that, according to their knowledge, the introduction of the obligatory short-term visa did not cause a significant decrease in the number of Ukrainians traveling to Hungary. As they told me, the termination of the small border traffic has had a more substantial impact on the people's everyday lives than the introduction of the obligatory visa. Interestingly, the greatest problem has been caused by the passport requirement for crossing the Hungarian border. During the period of small border traffic, this was not needed; nowadays, the issuing of a passport is extremely expensive, costing approximately USD 130 in normal cases and double this in urgent cases. Additionally, passports contain few pages and usually reach capacity before they expire. This means that they need to be issued fairly regularly.

When questioning the aims of the visa, it was revealed that the EU obligation, and not the aim, is relevant. Here, the consuls view the visa as preliminary filter that ensures controlled entry into Hungary. Considering the consulate's policy, the answer was even more straightforward: "*Every honourable person should obtain visa.*" Similar to the Serbian consul general, the consuls here also reported that they tried to be as liberal as possible.

Visa rules and practices in Ukraine are defined by a bilateral agreement between the Hungarian and the Ukrainian government on the *facilitation of the visa traffic of Ukrainian nationals* that was signed in October 2003, just before the introduction of the visa. The facilitation primarily means that the short-term visa is free of charge.

The 60 combined employees of the Uzhhorod and Beregovo consulates issue altogether about 160,000 visas yearly. The number of daily applications varies considerably and is dependent upon the season: there are about 550 applications daily in the summer, whereas the number of daily applications in the winter does not exceed 400. According to the consuls, the number of rejected applications is rather low. One placed this number at less than one percent; another said the proportion is lower than 3%.

### *b.) The Short-term Visa*

The principles of issuing short-term visas are generally identical with those found at Subotica. Main differences were between the time required for decision-making and the necessity of supporting documents. According to the consulate's homepage, the decision-making should not take longer than five days; however, according to consuls and the "window-officers" five days is in reality the minimal time; normally the visas are ready in ten days time. When submitting in the application, every applicant is informed on which day the visa can be collected. The practice of requiring longer time for consideration can be positive in regards to accession to the Schengen convention.

In contrast to the Serbian consulate's focus on an applicants' financial status, the Ukrainian consulate places more emphasis on the place of stay for Ukrainian citizen in Hungary. Normally no supporting documents are obliged; however interestingly, the consulate accepts certification of a hotel reservation from applicants, even though this does not

guarantee that the person intends to stay at the given hotel. The consuls also stated that they are trying to conduct as many personal interviews with the applicants as possible. At present, the consuls talk to about 25% of the applicants, but if talks with the “window-officers” are counted as personal interviews, the proportion is 100%.

Applications are checked upon submission at the windows as well by the officers and advice is offered if anything seems not to be in order. When asked about how applicants are selected for personal interviews, different criteria were listed. For example, people who reside a great distance away from Trans-Carpathia and should be submitting their applications at the Kiev consulate or those who appear suspicious to the “window-officers” for any reason. According to the consuls, it also often occurs that the applicants themselves ask for personal interviews, for example, if they have a special request.

The consulate only accepts applications filled out in Hungarian with Latin script. Since this might cause problems for a considerable proportion of the applicants, other people are allowed to fill out the application form for the applicant. To meet this need, several small businesses with bilingual staff opened in vicinity of the consulate. These businesses are housed in boutiques rather than offices and are recognizable by a small sign on the door. For approximately 5 Hryvnias (about 1 USD), they will complete an application. Although these services are well known and frequently used by those applying for visas, many times those completing the application do not know the application requirements and, therefore, make mistakes. Because of this, the consular’s staff views these businesses as providing an improper service.

The most common reasons for rejecting an application were similar to those in Serbia: applicants who are ineligible for a visa and/or who do not provide the real reason one for their travels. As in Serbia, it also holds that those who have committed a crime in the Republic of Hungary and are on the *black list* are ineligible for travel. Of course, faking documents results in automatic expulsion as well. In Ukraine, there is an additional problem caused by those who were at one time expelled from Hungary but have since changed their names. According to consuls, the official name alteration is a relatively uncomplicated process in Ukraine and, as such, rather popular among the criminals.

The process of appeals can be found on the consulate’s homepage: decisions are not reversed. However, everyone may reapply in the event

of an application's refusal. The locations where complaints may be lodged are listed on the homepage. According to the consuls, complaints regarding consular staff behaviour appear from time to time. These are always thoroughly investigated, "*and in case it is needed, the required consequences are drawn.*"

### *c. ) Schengen Preparations*

In preparation for Schengen, the consuls and the window-officers had considerably different views. Consuls were pleased with the state of preparedness, stating that this building had been constructed in accordance with Schengen norms. The consul also anticipated many changes in the visa issuing process. As one consul straightforwardly put it: "*Now we try to give visa to as many people as possible, after the accession, we should try to reject as many applications as possible.*" They believed it would be incredibly difficult to cope with the consulate's dichotomous role as the *tie with* and the *divider from* Hungary. According to one consul, a greater emphasis should be placed on the dispersal of information. "*The topic of Schengen should be talked about so much that by October 2007 the people should be completely bored of it.*" By the end of 2006, the consulate itself is expected to have completed preparations. This is so that it will have time to incorporate results from EU monitoring. The consular staff participated in preparatory courses at the Kiev consulate.

To summarize the general attitude towards Schengen, one of the consuls stated that he was not preparing for accession as much as for Christmas; however, he was more positive than negative, though perhaps slightly apprehensive.

When asking the "window-officers" about Schengen, they assumed that they knew little about it; they suggested speaking with their bosses who might possibly have more information.

### *d.) Corruption*

Answers about corruption were the same as provided in Subotica: Hungarian national employees are screened by national security means, and Ukrainians understand that any corrupt practice would result in their immediate termination. As the consuls informed me, cameras observe the area where applications are submitted. As both of consuls

recalled, there was a great pressure to minimize/eliminate corruption after the obligatory visa's introduction.

Previously, applicants had offered hefty sums so that the consuls “*could have become extremely rich if we accepted the money.*” In order to ensure that corruption is not present inside the consulate, he reported that all suspicious cases were taken very seriously. Actually a larger emphasis was placed on the fact that they cannot do anything about corruption that happens elsewhere.

Because of the aforementioned reasons, counter-corruption practices were unobservable.

#### *e.) Application for and Issuing of the Visa*

Since it was impossible to view the process, we must rely on the consul's assertions that indicate the system's similarity to Serbia's. According to him, applications are checked by the “window-officers” before they are accepted; data is then shifted to the electronic database, and finally a decision is made. Given that it takes at least five days to receive a visa, the process must be slower than at Subotica.

#### *f.) Waiting at the Consulate*

When we visited the Uzhhorod consulate, we were surprised to find only three people waiting in the reception area. Since the consulate had moved to a new building recently, no information could be provided on the length – if any – of the average queue. Contrariwise, a large queue could be seen on the street at the Beregovo consulate. Here, people were much more impatient than they had been in front of the Subotica consulate. This was because entry was not guaranteed and there was a significant possibility that people would have to return to the consulate and the line at a later date. According to locals, older people frequently fainted in the queue when waiting for extended periods in extreme weather conditions, and ambulances had to be called to the site.

The people were also much more negatively inclined towards the Hungarian visa than they had been in Serbia; they spoke angrily and disappointedly about the consular staff. As they told me, the “window officers” were mean and unhelpful and never provided enough information about the requirements. Many of the people we talked to have also

realized that, recently, the consulate started providing visas that are valid for much shorter periods of time than requested.

*g.) Accessibility of Information*

The homepage of the Ukrainian consulates provides all the information necessary to complete an application. The website is accessible in both Hungarian and Ukrainian, and in addition to downloadable application forms, it also contains phone numbers and the open hours of the consulates. Here, it is also possible to read the Hungarian visa's requirements, but in reality, not all of the listed requirements are demanded. Unfortunately, the use of internet is even more limited in the Trans-Carpathia than in Vojvodina, and only a rather slight minority benefits from the outstanding website. It is common in Ukraine for people to trade unofficial information with each other as well.

*h.) Other Visa-issuing Places in Trans-Carpathia*

The CMH-office system does not function in this region. Even though offices were set up in 2002 to issue Hungarian identity-cards, they are currently not allowed to accept visa applications. According to a consul, this is due to abuses of privileges when these offices were allowed to accept applications. As a CMH-office leader understood it, the Hungarian Ministry of Foreign Affairs had prohibited such activities in these offices, and he was surprised to hear about the current Serbian practice.

*Crossing the Borders*

We were able to conduct interviews and observations at different crossing points in both Serbia and Ukraine. At the Serbian border, we conducted interviews with the border guards and the passengers at the entrance side at Rösztke, the largest crossing point for vehicles. We also crossed the border and made observations on a train traveling from Subotica to Szeged.

At the Ukrainian border we interviewed border guards and passengers at Záhony, which is the largest crossing-point on the Ukrainian-Hungarian border stretch, and engaged in participant-observation at the



Beregsurány crossing-point. We were also allowed to accompany the border guards to the railway crossing point at Záhony and observe the passport-, visa- and customs control on the international train from Moscow.

When conducting interviews with border guards, we concentrated on three concerns: the obligatory visa, Schengen preparations, and possible corruption. In addition to these three issues, we let the officers talk about what they deemed to be important. The passengers with Ukrainian/Serbian license plates waiting to enter Hungary were asked about their experiences of visa issuing; when there was a queue and ample time, we also asked about their feelings and experiences with border guards.

Since the findings at the two borders were rather similar, the results of Rösztke and Záhony can be presented in parallel.

The Rösztke Border Guards' Office is situated in a rather new, not too friendly – however, exceptionally clean – building next to the crossing lanes. During the more than two-hour interview, a Serbian tourist bus was stopped right in front of the window of the interview-room, and we could readily observe how custom-officers check passengers' luggage as the passengers looked on. The Záhony building was similar to the one in Rösztke, if slightly larger and older. At both borders, our interviewees were very open and helpful. At Záhony, however, the presence of the commander made the visit more official; Rösztke, on the contrary, was less formal because the commander and second in command were absent.

In connection with the obligatory tourist visa, none of the border guards have experienced any radical changes in the travel habits of Serbian and Ukrainian citizens. According to their recollections, there was a short disruption in passenger numbers immediately following the introduction of visas in November 2003 and January 2004. Since this time, figures have returned to their previous amount, indicating that the change was not permanent.

Although, the Rösztke crossing point is a so-called *Border Crossing Point Entitled to Visa Issuing*, it is not common for visas to be issued here. As I was told, in the first six months after the introduction of the obligatory visa, the Border Guards were more liberal and issued visas when someone claimed they were unaware about the new visa requirement. According to these guards, passengers were “*brash and unblushing*” during this grace period. In order to avoid lines at the consulate, they went to the border where they hoped it would be possible to receive the visa faster. Interestingly, although they knew that they were issuing the visa for more than the consulate

(£ 85), the border guards were unaware that the Hungarian visa was – in fact – free of charge at the consulate. One of the border guards even stated how he found the idea that law enforcement bodies are service providers (e.g. the police's slogan, “*We serve and protect*”) misleading. According to his opinion: “*I don't serve anyone, just let him enter the country and leave the country...*” Because of the stricter guidelines for issuing visas at the border, we were unable to observe the visa issuing procedure. In fact, the officer on duty could not even remember when a visa was last issued at the border. We were informed that, currently, they only issue visas in specially justified and reasonable cases, which is at the discretion of the commander. At Záhony, the case was same.

At Záhony, the officers were aware that visas were issued for free at the consulates, and they were concerned about the efficiency of free visas. According to their understanding, every applicant received a short-term visa, and every month, they must invalidate 30–40 visas at the border. The border guards at the Ukrainian border mainly diagnose unacceptable visas according to the place of residence during the Hungarian stay provided by the passengers. For example, people sometimes list the Nyíregyháza Tesco hypermarket as the place of residence, and it became clear that these passengers were planning to shop rather than be tourists. While the border guards know that Ukrainians are not prohibited from shopping in Hungary, they were concerned about the legitimacy of this claim when applying for a tourist's visa. The officers at the Serbian border also have several complaints about the consulate-issued visas, which have previously been given to several people who appeared on their *black-list*.

According to the border guards, people in the region have been more affected by the Hungarian highway fees than the visa. According to the officers at the Serbian border, these fees work much more effectively against travel-potential than the visa. They also claim that most passengers go to Hungary to shop at the so-called hypermarkets (e.g. Tesco or Metro) that are not present in Serbia and Ukraine.

The border guard officers at both the Serbian and the Ukrainian borders were confident that it is impossible to cross the border at the legal crossing points without a valid visa. Actually, the border guard officers did not seem to be especially interested in the obligatory visa at either location but were instead focused on Schengen accession.

At both borders the officers believed that the staff was completely prepared for Schengen and that the only the technical supplies were missing.

In the words of one Záhony officer: “*The SIS<sup>9</sup> is the only thing detaching us from Schengen.*” Both offices have already begun developing the technical equipment, but the officers feel that there is still much to be done. The officers were familiar with the Schengen Codex at both locations. Both had a hard copy and a digital copy of the Codex as well as different samples of documents (e.g. Schengen-compatible settlement permits).

At different stretches of border, Schengen preparatory trainings differed slightly. The border guards at the Serbian border told us that during the last nine months they were participating in an obligatory Schengen-course, organized by the Kiskunhalas headquarters, twice a month (and only on their days off) in Szeged. They found the courses extremely intensive, but the new Schengen regulations did not deviate much from those adopted by Hungary before its EU accession. They also knew that at some future point they would be required to participate in a one-week Schengen course at the Police College in Budapest.

The officers at the Ukrainian border receive different kind of training than those at the Serbian border. First, they attend lectures about Schengen once a month at the Záhony office. The system is such that departmental seniors prepare themselves in one Schengen field and then pass their knowledge to the other officers. In regards to Schengen preparations, the officers also have to participate in Ukrainian, Russian, English, or German language courses. The courses were just about to begin when we were visiting. The officers were both excited and concerned because they must pass a language exam at the end of the course but are uncertain whether this is at a basic or intermediate level.

The officers at the Serbian border reported a great relationship with their Austrian colleagues who recently visited them at Rösztke. Since it turned out that the Hungarian border guards earn less than half as much as their Austrian fellows, Hungarian officers often referred to this relationship as the basis of their dissatisfaction. It was also a “sore spot” for the Hungarians to realize how much better the working conditions are for the Austrian border guards and how much more public honor they receive. At this point, the officers referred to the reforms initiated by the new Hungarian government. These reforms, they fear, could diminish their income and possibly further devalue their public esteem.

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<sup>9</sup> Schengen Information System

When asked about the possible reactions passengers might have towards the new regulations, the following, rather short answer was given: “*They will get used to it, because they have no other chances.*” Altogether the border guard officers seemed to look forward to the changes; as one of them said: “*it is going to be a great and beautiful task to protect the enlarged EU.*”

Concerning corruption, all of the interviewees were rather moderate. They were not willing to talk about this issue and the direct questions were answered in euphemistic ways. No one considered corruption a big problem. Even though everyone heard about such cases, no one has ever personally experienced it. No one knows how seriously corruption should be taken. At both offices there were different regulations to prevent the possibility of corruption. For example, everyone had to place his/her personal belongings in secure drawers before starting his/her shift; they were also allowed to have only HUF 2000 with them during their shift. Sometimes civil controllers arrive at the office and check if anyone holds more than this sum. As we were informed the border guards were able to recognize who the controllers were, so not even those concerned viewed this as an effective practice. Aside from this example, we were unable to discover more about the border guard’s anticorruption strategies.

Our experiences were much different crossing the Serbian and the Ukrainian border by rail. Unlike our experience at the Ukrainian border – where we accompanied the border guards on the train to perform passport and visa control, we were merely passengers on the train from Subotica to Szeged. This difference in positioning likely affected our overall experience.

The Subotica-Szeged line was more like a local tram than an international railway line. The distance was also comparatively short, only about 40 km, but our trip took almost two hours, a rather long time to cover the small space. The few passengers, mainly with Yugoslavian passports were obviously familiar with the visa system; from our observations, they traveled to Hungary daily. During the course of our trip, we experienced a common method of cigarette smuggling, but as it is not our aim in this essay to closely describe the phenomenon of *living from the border*, we will not address the issue further. Most of the passengers, border guards, and customs officers seemed to know each other. In fact, it is so uncommon to travel this line with a Hungarian passport that the border guards and custom officers appeared surprised by our

presence. The border guards were polite; they conducted conversations in Hungarian with the passengers, who mainly spoke the language or received translations from other bilingual passengers. Non-Hungarian passports were collected and checked in the office next to the station. Despite the large number of cigarettes hidden in the wagon, the whole scene was rather calm and friendly.

On the international line from Moscow to Budapest, the anxiety was more palpable. A considerable proportion of the mainly Ukrainian passengers held some sort of Schengen residence permit. As we were told, these – especially the Italian ones – are commonly faked, and the border guards take extreme caution when checking them. The passengers were quiet and seemed to be nervous, perhaps even scared. The train cannot be stopped for more than thirty minutes, so if someone's visa is suspicious, the border guards force the individual to follow them to the pretty spacious office next to the railway station. There, they clear his or her case and determine whether he/she will be allowed to leave with the next train or must return home because of an invalid visa. In extreme cases, the border guards have two cells at their disposal. These are, however, not often used.

### *Conclusions*

The research presented above on Vojvodina and Trans-Carpathia demonstrates that the obligatory short-term visa is an inconvenience for applicants who have gotten used to particular practices over the course of the last 2.5 years. Consulates have indicated that visas are issued according to fairly liberal criteria and that they act as a preparatory step for the Schengen regime. The consulates' visa-issuing systems seem to work properly and are generally accepted by applicants. It is obvious for all that people living in border areas travel mainly because of economic reasons and that cultural ties play a significantly weaker role. The institutions (i.e. Border Guards and consulates) seem to be prepared for Schengen accession while, conversely, applicants possess little to no information about the changes. People primarily feel afraid and doubtful in regards to Schengen. The lack of information about Schengen might eventually cause substantial problems. To subvert this, an effective information campaign must commence immediately.