

Hungary

Migration Profile Light

2014



Purpose of the report and disclaimer

After the adoption of the Building Migration Partnerships Joint Declaration in Prague in April 2009, the Building Migration Partnerships initiative (BMP) started to work on establishing the BMP Knowledge Base. The Knowledge Base, nowadays known as the Prague Process Knowledge Base, consists of a set of Extended Migration Profiles¹ elaborated and endorsed in 2010-2011 and the interactive online map (i-Map), which visualises the available information.

The Prague Process Targeted Initiative (PP TI) is an EU-funded project, which builds upon the BMP initiative and implements selected priorities identified in the Prague Process Action Plan endorsed in Poznan in November 2011. One of the objectives of PP TI is to maintain the Knowledge Base, keep it up-to-date and develop it further.

While continuous attention to updating and developing Extended Migration Profiles remains, the PP TI has taken into account the feedback received from the Prague Process participating states and has proposed a concept of the Migration Profile Light. In comparison to the Extended Migration Profile, which from its name indicates that the information should be of thorough and detailed nature, the Migration Profile Light should be a handy tool with a limited number of pages clearly indicating the areas of interest. The Migration Profile Light should aim at key priorities and problems, easy annual updatability and standardised data for all countries involved.

The proposed Migration Profile Light (MPL) concept has been well received by the Prague Process participating states and Germany volunteered in testing the concept by filling in the template. The MPL on Germany has been developed and the process of its establishment has led to identification of gaps in the first template, which have been covered in cooperation with the PP TI Support Team at ICMPD.

The aim of the PP TI is to establish the Knowledge Base as a useful tool consisting of state-owned migration profiles with standard and comparable data categories. While aiming at the seven leading states of PP TI and the PP TI non-EU participating states, the interest of the Prague Process is to collect national MPLs for all 50 Prague Process participating states.

The MPL is an exercise, which targets all states, believing that this will lead to mutual understanding of migration situation in partner states, existing migratory flows, priorities, problems and interests. The MPL should serve as an informative but also policy making tool. In case of need, methodological and expert support is planned to contribute to development of MPL in states with limited experience with such exercise.

Ownership and responsibility of the content in terms of data provided in this Migration Profile resides solely with the country elaborating the report.

The PP TI Support Team within the International Centre for Migration Policy Development (ICMPD) is ready to help and can be contacted at ppti@icmpd.org. The Knowledge Base of the Prague Process is accessible at www.pragueprocess.eu and www.imap-migration.org, section Prague Process.

¹Albania (endorsed 2010), Armenia (2011), Azerbaijan (2010), Bosnia and Herzegovina (2010), Czech Republic (2010), Georgia (2011), Hungary (2011), Kazakhstan (2010), Kyrgyzstan (2011), Poland (2010), Romania (2010), Slovakia (2010), Tajikistan (2010), Ukraine (2011). Belarus, Russia, Turkmenistan and Uzbekistan worked on their Extended Migration Profiles but the work has not been completed.

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1. Background information on the country

1.1. Size, population, bordering countries and length of borders

Official name	Hungary
Capital	Budapest
Area	93,028 km ² (land: 89,608 km ² , water: 3,420 km ²)
Population	9,938 thousand (2011 census)
Year of accession to the EU	2004
Member of the Schengen area	Yes
Neighbouring countries	Austria, Croatia, Romania, Serbia, Slovakia, Slovenia, Ukraine
Length of border:	2,185 km

1.2. Short characteristics of the country

Hungary is a parliamentary republic; the three main branches of the government - the legislature (the Parliament), the executive (the Government) and the judiciary (the Courts) - operate independently of each other. Hungary's public administrative regional units are comprised of the capital city and nineteen counties.

The Ministry of Interior has the main responsibility in the field of migration, integration and asylum. Under the supervision of the Ministry of Interior, the most important implementing authorities are the Office of Immigration and Nationality and the Police Headquarters, with responsibility for general policing as well as border management.

Migration flows are characterised by the migration of ethnic Hungarians coming from the neighbouring countries, as well as by the exercise of the right to free movement resulting from Hungary's accession to the EU. The migration situation in the country can be described by the fact that the majority of foreigners living in Hungary are the above mentioned ethnic Hungarians. This is due to the fact that the changes of the country's borders after World War I resulted in a numerous diaspora of ethnic Hungarians in the neighbouring countries. The number of migrants is not high, constituting less than 2% of the total population, and as regards migration, Hungary is currently considered mainly as a transit country.

2. General migration flows and stocks of immigrants and emigrants

2.1. Migration Flows

The **migration flows of foreign nationals** have been dominated by ethnic Hungarian minorities coming from neighbouring countries. Immigration peaked in 1990 when approximately 37,000 immigrants were registered (80% of them from Romania). The number of recorded immigration has varied between 20 to 35 thousand in the last ten years.

Table 1. Migration flows of foreign nationals, 2004-2013

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Legally resident population of HU	10,116,742	10,097,549	10,076,581	10,066,158	10,045,401	10,030,975	10,014,324	9,985,722	9,931,925	9,908,798
Recorded immigration	22 164	25 582	23 569	22 607	35 547	25 582	23 884	22 514	20 340	21 250
Recorded emigration	3 466	3 320	3 965	4 133	4 241	5 600	6 047	2 687	9 916*	13 111*

Source: Hungarian Central Statistical Office. Data contains estimations since 2012

2.2. Migration stock

As of 1 January 2014, **the number of foreign citizens residing in Hungary** was 140 536, or 1.42% of the population. Hungary is not among the most attractive destination countries within the EU, and the number of migrants is not high. This can be explained partly by the language barriers that the migrants are facing, but also by the fact that other states of the Schengen area, have higher employment potential and represent stronger economic power. In most cases, the migrants who have reached Hungary have also access to other states of the Schengen area. 74% of the foreigners come from Europe, more specifically from the countries of the region, mainly from Romania, Ukraine, Slovakia and Germany. Another 19% come from Asia, while

3% come from America and 3% from Africa, as well. As for the Asians, Chinese and Vietnamese nationals are of the highest number. The average age of the immigrants is lower than that of the Hungarian population, and there are more male than female immigrants.

Table 2. Foreign nationals residing in Hungary, by continent and by country, as of January 1, 2014 (including refugees)

Europe		Asia		America		Africa	Australia & Oceania	Total
101 538		28 832		5 102		4 492	572	140 536
Romania	30 924	China	12 716	USA	3 021			
Serbia	3 051							
Germany	18 669							
Ukraine	8 317							
Slovakia	8 275							
Austria	3 917							
Russia	3 657							
Poland	1 863							
Croatia	650							

Source: Hungarian Central Statistical Office

It is worth noting that the compiled number of **registered Hungarian citizens in other EU/EEA countries** reached the number of 230,000 persons in 2012 according to Eurostat data. For Hungarian citizens, the main countries of destination among the EU/EEA countries are Germany (34.4%), the UK (20.5%), and Austria (13.3%), followed by Spain (4.2%), Switzerland (3.5%) and Ireland (3.5%).

It has to be noted, however, that as regards free movement within the EU, stays not exceeding 90 days are not registered, and in many cases, longer stays are not registered officially, either. To have a realistic picture on the number of immigrants from and emigrants to EU member states, falling under the right of free movement, we have to rely strongly on estimations. According to a recent survey of the EU-funded SEEMIG project², at the beginning of 2013, 350.000 emigrant Hungarians lived abroad, concerning those who left the country after 1989 and at least one year prior the survey was conducted.

² <http://www.seemig.eu/>

3. Legal migration with special focus on labour migration

3.1. Responsible state authorities

The **Ministry of Interior** has the main responsibility in the field of migration and integration. The **Ministry of National Resources** is responsible for employment, social standards, pension, family, children and youth policy, education, culture and health, as well as for vocational and adult training and the issue of equal opportunities. The Ministry is also responsible for determining – in agreement with the other Ministries concerned – the highest number of work permits to be issued to foreign nationals at any given time, including the professions.

The implementation of the relevant law is the competency of the **Public Employment Service**, consisting of the National Employment and Social Office and seven regional labour centres. The regional centres are responsible for granting unemployment benefits, for labour exchange and other employment services, including adult training activities and issuing work permits to third-country nationals.

The **Office of Immigration and Nationality** (OIN) has responsibility for decision making in admission procedures, such as on residence permits.

3.2. Policies

In October 2013 the Hungarian Government, with its Resolution No 1698/2013, adopted the **Migration Strategy** and the seven-year strategic document related to the Asylum and Migration Fund of the European Union **for the period 2014-2020**. This document also emphasizes that - while it is still important to ensure the protection of national labour force - based on the needs of the country's economy and labour market, receiving additional migrant labour is a necessary. Attracting knowledge-based migration should also be set as a goal by providing increased chances of entry and stay for those arriving with the purpose of study and research, as well as by establishment and operation of effective recruitment/selection processes.

Act I of 2007 contains rules on the **entry and residence of persons exercising the right of free movement and residence**. The personal scope includes EEA nationals and their family members who do not have Hungarian citizenship, and also third-country national family members of Hungarian citizens. Pursuant to the provisions of this Act, EEA nationals may enter into the territory of Hungary in possession of a valid travel document or a personal identification document. Third-country nationals, who are family members, may enter into the territory of Hungary with a valid travel document and – unless otherwise prescribed by any directly applicable Community legislation or an international agreement – with a valid visa. In the case of stays of longer than three months, EEA nationals should apply for a registration certificate at the regional directorate of the immigration authority and justify their purpose (pursuit of gainful activities, studying or having sufficient resources) and conditions of their stay. This document is valid for an indefinite period. Third-country national family members are required to apply for a residence card (validity period: maximum

five years); after five years of a continuous and legal stay, a permanent residence card (renewed every 10 years) may be issued for both categories.

Act II of 2007 regulates the **entry and stay of third-country nationals**. This Act has a separate chapter on provisions for stays not exceeding three months within a six-month period, and a separate chapter containing provisions for residences longer than three months. Unless otherwise prescribed, third-country nationals shall be admitted for stays not exceeding three months, depending upon possession of a visa (airport transit visa, transit visa, and short-stay visa). As a general rule, the visa application shall be submitted to the Hungarian consular authority, which is located in the county where the applicant's permanent or habitual residence is. There are three types of visa for a validity period exceeding 3 months, namely seasonal employment visa, visa for entitlement to receive a residence permit and national visa.

In December 2012, Act II of 2007 was amended with the aim of **enhancing investment migration**. As a result, any third-country national whose investments in Hungary qualify his or her entry and stay as being “in the interest of the economy at large” may receive a residence permit. For this purposes a third-country national's stay in Hungary is considered to be “in the interest of the economy at large” in particular if the third-country national verifies that he/she or a company in which he/she holds a majority stake owns a security with a nominal value of at least EUR 250.000 and a duration of at least five years.

As from 1 January 2014, Hungary applies a **single application procedure** to all third-country nationals arriving with the purpose of work, and to a number of other migrants who also have a right to employment. A single permit is issued as a result of a single application procedure after the examination of the conditions of work and residence.

Bilateral contracts with third countries concerning legal migration only exist in the sphere of **Working Holiday Scheme (WHS)** in Hungary. The Working Holiday Program encourages cultural exchange by allowing young adults (aged 18-30/35 years) from partner countries, to have an extended holiday in Hungary, and young Hungarians to have holidays in partner countries. During these holidays they may engage in work or study but the primary reason for the visit is the holiday. WHS Agreement has been established with New Zealand in 2012, with the Republic of Korea in 2013 and with Taiwan in 2014. Hungary is currently negotiating WHS Agreements with Australia, Canada, Japan, Argentina, and Chile.

3.3. Statistics

The most common reasons for residence permit applications are **gainful activities, education-related reasons and family reunification**. The number of applications submitted to obtain a residence permit increased by 7.2% in 2013 compared to the previous year's figure. Applications submitted by Chinese, US, Iranian, and Ukrainian nationals constitute a significant percentage of all the applications received. The amount of Chinese residence permit applications raised by 19.4%, and US nationals submitted 10.3% more than in the preceding year. With regard to the number of applications originating from Ukrainian nationals, there was a dramatic 37.8% drop in comparison with the previous year's data. Tendencies of the reduced number of Ukrainian residence permit applicants are to be explained also by the simplified naturalisation

procedure, recently introduced in Hungary. Year by year, the number of Chinese nationals intending to reside in Hungary has been rising.

With regard to **employment purposes**, the number of Chinese applications showed stagnation in 2013. The number of applications submitted by Ukrainians decreased by 46.3% and 14.1% less Serbians applied for a residence permit compared to the year of 2012. In case of Vietnamese nationals, 16.2% growth was recorded. In relation to previously discussed employment purpose of migration, it is worth noting that in Hungary there is no developing tendency of highly qualified third-country nationals applying for the EU Blue Card – as a possible way to gain residence permit in an EU country - there were only three EU Blue Cards issued in 2013.

Application for **EU Blue Card** can be submitted since 1 August 2011. It is apparent that only a very limited number of highly qualified third-country nationals apply for an EU Blue Card; in 2013 only three EU Blue Cards were issued in Hungary.

As for the **residence permit for investors**, between May 2013 (since it is applicable) and December 2013, 440 applications were submitted. The majority of these applications (429) were submitted by Chinese citizens.

There was no relevant change in the year of 2013 with regard to records of migrants entering and staying for the purpose of **research activities**. On the other hand, the number of applications for the purpose of **studies** showed a considerable increase in 2013 (12.276) in comparison with the corresponding number in 2012 (10.176).

Table 3. First residence permits, by reason 2013

	First permits (all)	Family reasons	Education reasons	Remunerated activities reasons	Other reasons
Total	24 140	3 395	8 595	6 910	5 240
Female	10 435	2 095	3 675	1 950	2 715
Male	13 705	1 300	4 920	4 960	2 525

Source: Hungary's EMN Report 2013

Table 4. Third country nationals in possession of a residence permit, by nationality, as of 31 December 2013

China	Ukraine	US	Iran	Vietnam	Serbia	Other	Total
7914	2 203	2 514	1 699	1 493	1 480	16 282	33 585

Source: Office of Immigration and Nationality (OIN)

In 2013, the number of **work permits** issued for European third- country nationals decreased by 20% compared to the previous year, while the number of work permits issued for nationals of non-European countries increased by 10.8%.

Table 5. Individual work permits for third-country nationals, by country, 2013

China	Vietnam	Kosovo	Ukraine	Serbia	Japan	Thailand	Total
3 680	1 031	861	858	754	536	475	11 013

Source: Public Employment Service

4. Irregular migration in the country

4.1. Responsible state authorities

The **Ministry of Interior** has the overall responsibility in the field of migration. The **Office of Immigration and Nationality** is responsible for certain tasks related to illegal migration. Within the **Police Headquarters**, the related tasks are carried out by the Border Policing Unit that is responsible for data collection, analysis and evaluation concerning illegal migration. It is also responsible for proceedings in cases of readmission agreements falling under its competence, for the acquisition of the necessary documents for the removal by deportation of third-country nationals and for their professional supervision during detention in community shelters.

The **National Bureau of Investigation** is the central Hungarian investigative entity, subordinate to Hungarian National Police and the Ministry of Interior. Three Hungarian **immigration liaison officers (ILO)** work in Hanoi, Vietnam, in Ankara, Turkey, and in Cairo, Egypt. In addition, there are two **document**

expert liaison officers deployed in Istanbul, Turkey and Chisinau, Moldova in order to support the work of consulates as regards visa application and other consular cases.

4.2. Policies

Concerning illegal migration, Hungary can be deemed in general as a transit country; arising from its geographical situation, the country lies in the crossroad of East-Western and South-Eastern migration routes. Destination countries for the majority of migrants are mostly in Western Europe, and employment (economic) activities are revealed as the purpose of travel in the overwhelming majority of cases. Hungary has an important role to play in the protection of the EU's external borders; therefore control activities related to illegal migration have increased significantly at the Serbian, Romanian and Ukrainian border sections. Illegal migration pressure is not significant, however, at the Croatian border section.

The **Criminal Code** (Act C of 2012) contains the relevant provisions concerning trafficking in human beings and smuggling of human beings. Besides the Criminal Code, the **Petty Offences Act** (Act II of 2012) also contains relevant provisions in relation to irregular entry and stay. The Act on Labour Inspections stipulates that the labour authority will request the competent authority to take the necessary steps if a third country national has been employed without a valid residence permit or other permit allowing a gainful activity.

The **Migration Strategy** for the period 2014-2020 have special provisions in relation to irregular migration, e.g. on the improvement of cooperation and coordination in the fight against illegal migration, improvement of capacities, establishment and operation of detention facilities to ensure humane conditions, on forced and voluntary return, etc. The **National Strategy against Human Trafficking** for the period of 2013-2016 (published in the Government Resolution No. 1351/2013) has a comprehensive approach towards the issue of trafficking in human beings, and focuses on national action.

Cooperation against smuggling is important for Hungary. Since 2011 there have been ongoing tripartite consultations between the Ministers of Interior of Hungary, Austria and Serbia, aiming at further strengthening strategic and operational cooperation on combating smuggling of persons, trafficking in human beings and illegal immigration, as well as to strengthening the cooperation concerning border control. Hungary and Austria are the lead states of the **FIMATHU project** (Facilitation-Illegal-Migration-effected-Austria-Hungary) fighting against organized criminal activities related to illegal migration, with the participation of Bulgaria, Croatia, the Czech Republic, Germany, Greece, Poland, Romania, Serbia, Slovakia, Slovenia, Switzerland, and the EUROPOL. The project is funded under the ISEC programme and it is part of the EU policy cycle. **Joint Investigation Teams** aim to facilitate the investigation procedure in order to conduct the joint international prosecution procedure in a successful and timely way.

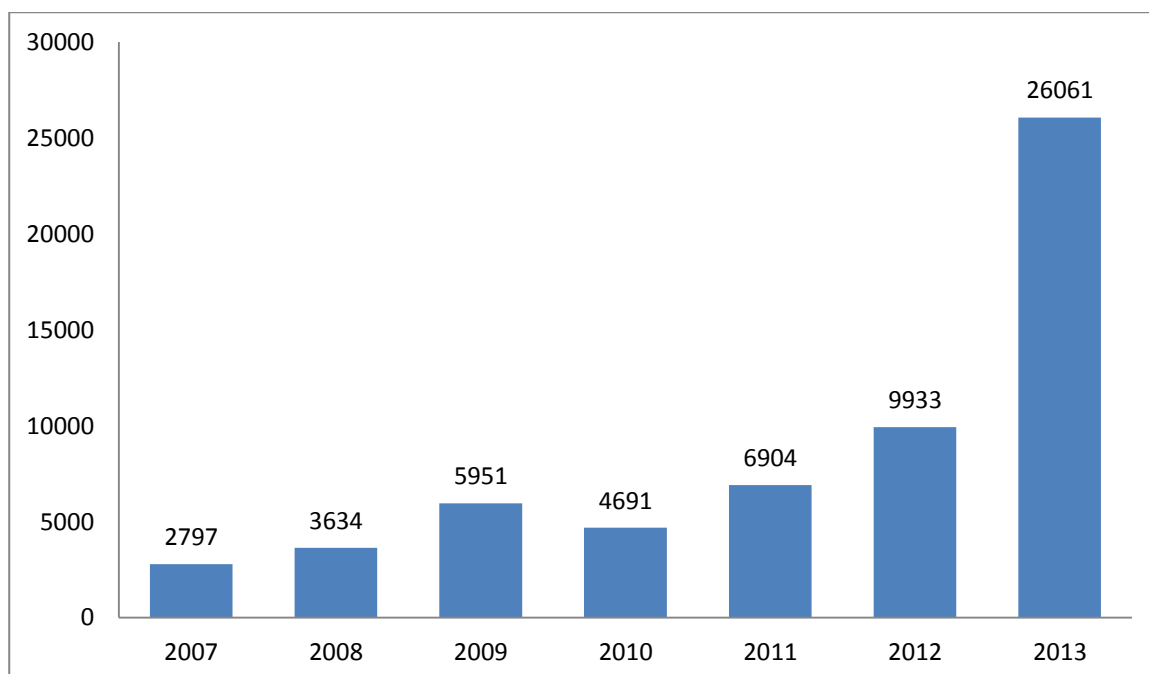
4.3. Statistics

In 2013, **extraordinary migratory pressure** could be observed in relation to Hungary. 26,061 cases of illegal border crossings or attempts to illegally cross the border were registered, and 22,877 of the cases took place at the Schengen external borders. Main categories of the citizenship of the irregular migrants are the

following: Kosovar (6,338), Pakistani (3,160), Afghan (2,274) and Algerian (1,085). At the same time, there has been a significant increase of Syrians in this context (1,039). Predominant number of the irregular migrants lodged asylum application.

According to FRONTEX analysis, Hungary experienced the second highest number of apprehended illegal migrants among the EU Member States at its external land borders in 2013. The most typical offence is illegal crossing of the green border. It has to be added that the number of unlawful acts related to illegal migration (e.g. forgery of documents, smuggling of persons, illegal border crossing) has increased continuously since 2008. The number of persons apprehended while committing unlawful acts related to illegal migration was 32.034 in 2013. 80% of the illegal border crossings took place at the Hungarian-Serbian border section.

Graph 1. Apprehended third country nationals for illegal crossing of the external borders



Source: Hungary's EMN Report 2013, OIN

The number of **apprehended smugglers of human beings** in 2013 was 417; this number shows an increase by approximately 8 % compared to the data of 2012 and by 98% compared to the number of 2011.

Table 6. Human smugglers apprehended

2009	2010	2011	2012	2013
278	218	210	384	417

Source: National Police Headquarters

In 2013, 3561 illegally residing migrants were apprehended; the main categories of citizenship of the apprehended persons were Kosovo (850), Pakistan (732) and Afghanistan (477).

The number of **rejections at the border** has not shown any significant increase recently; it has varied between 9 -11 000 in the previous four years.

Table 7. Rejections at the border

2009	2010	2011	2012	2013
7 135	11 362	11 842	9 316	11 086

Source: National Police Headquarters

5. Return

5.1. Responsible state authorities

The implementation of returns are also supported by the Hungarian **immigration liaison officers** (ILO) posted abroad into third countries (Egypt, Turkey, Vietnam) by the Office of Immigration and Nationality. The Office of Immigration and Nationality has also posted **specialised consular officers** to the Hungarian Embassy in Kiev and the Embassy Consular Offices in the following cities: Moscow, Beijing, Chisinau, Istanbul, Damascus, and Teheran. The Ministry of Interior itself has **internal affairs attachés** stationed at the Hungarian Embassy in Moscow and Kiev. The specialised consular officers and internal affairs attachés also participate in the practical cooperation with the relevant authorities of the countries of origin in order to support the returns of persons.

The **Police Headquarters** is responsible for proceedings related to readmission agreements falling under its competence, for the acquisition of the necessary documents for the removal by deportation of third country nationals. The assisted voluntary return and reintegration programmes are implemented in Hungary by the **IOM**.

5.2. Policies

In the field of addressing illegal migration ensuring efficient and sustainable return, especially voluntary return, continues to be the priority for Hungary. A third-country national in Hungary can be subject to the obligation of returning to another country (in most cases to the country of origin) by virtue of a return decision made by the Hungarian authorities, on different grounds. In line with the Return Directive, the return policy in Hungary supports the voluntary returns of persons who are subject to an obligation to leave the territory of Hungary in general.

The **Migration Strategy** for the period 2014-2020 have special provisions in relation to return: *“Removals are efficient tools of fighting illegal migration, having significant and direct deterrent effect on illegal migration to the EU territory. The quickest and therefore most cost-efficient way to make the highest number of third country nationals entering Hungary illegally leave the country is within the framework of readmission agreements in force with neighbouring countries. This brings an immediate result but does not actually solve the problem of the return of persons concerned to their countries of origin; they stay in the border territory of the intermediate transit country (e.g. Serbia) from where they try again crossing the external Schengen borders illegally. Lacking the opportunity of removal, there is a growing number of irregular migrants who are “tolerated”, i.e. are ordered to leave, but without their removal actually taking place, thus they may not be further detained, while their situation needs to be managed”*.

Readmission agreements give significant assistance to return policy endeavours and the implementation of expulsions mainly in relation to identification and issuing authorising documents which are necessary for the return of third country nationals. As regards readmission agreements, the most difficult is to **define the returning persons’ identity**. On the one hand, not all concerned states have representations in all Member States. The lack of consular interview makes the acquisition of the authorizing documents more problematic. On the other hand, representations (especially the Middle Eastern ones) could hinder the return process by issuing the documents only in case of voluntary return. Illegal migrants coming from the Middle East, North Africa and the Sub-Saharan Region often declare fake data about their country of origin. Many third-country nationals who are expelled from the territory of Hungary and are detained under immigration laws do not have documents to prove their identity and nationality.

Problems have been experienced especially with regard the **issuance of travel documents** required for return, in case of such countries of origin with which Hungary or the EU do not have readmission agreements (e.g. Afghanistan, Iran, Nigeria, Tunisia, Morocco, Algeria etc.). If the third country nationals can readmitted by readmission agreement we do not need for establishing his/her identity. In this case the evidence of illegal border crossing is enough. Most embassies are cooperative, but some embassy (e.g.: Iraq) asks the client’s valid documents for the identification. It is impossible because the requests include that

these persons do not possess any document. Some embassies do not answer for the authority's request (e.g. Morocco, Libya).

Third country nationals participating in the **assisted voluntary return programmes** are provided for an opportunity to return to their countries of origin under more humane conditions. No escort is provided in case of assisted voluntary return by means of which returnees do not feel stigmatized during their travel and arrival to the country of origin. Immigration authority is entitled not to put stamp referring to expulsion and ban on entry and stay into the travel document of the returnee if return is carried out through the Assisted Voluntary Return and Reintegration (AVRR) program or the third country national who fulfil the obligation to leave the territory of the EU.

5.3. Statistics

In 2013, the Office of Immigration and Nationality removed 599 persons; the Police removed 3,468 persons. The main countries of citizenship of the returned persons who were returned by the Office of Immigration and Nationality were Kosovo (319), Serbia (92), and Afghanistan (19). The number of returned persons by the Police was 3468, including Kosovars (823), Pakistani (574), Serbian (412) and Ukrainian (202) citizens.

Table 8. Third country nationals returned

	2009	2010	2011	2012	2013
By OIN	634	563	738	1,231	599
By the Police	1,023	1,409	2,919	3,529	3,264

Source: OIN, National Police Headquarters

Voluntary return

In 2013, 353 persons left Hungary within the framework of the assisted voluntary return programme. In the period of 2009-2013, approximately 1 800 third country nationals returned voluntarily within the programme of IOM with the contribution of the European Return Fund. In a breakdown by countries of nationality, the return persons included Kosovar (296), Mongolian (21), Albanian (11), Vietnamese (7), Moldovan (2) and others (16).

Table 9. The number of third-country nationals returned as part of an assisted voluntary return programme

2009	2010	2011	2012	2013
293	426	350	415	353

Source: OIN

6. Integration

6.1. Responsible state authorities

The **Ministry of Interior** has the overall responsibility in the field of migration and integration; however, there is no specialized institutional system to coordinate integration.

The **Office of Immigration and Nationality** is responsible for integration measures targeting the beneficiaries of international protection, as well as for preparing the decision of the cases of naturalisation of non-Hungarian citizens. The President of the Republic shall decide on all cases of acquisition and termination of citizenship in a discretionary manner. Applications shall be adjudged on recommendation of the Minister of Interior in traditional cases and on the recommendation of the Deputy Prime Minister in case of the simplified naturalisation procedure.

6.2. Policies

Foreigners account for less than 2% of the entire population of Hungary, and nearly two-third of them are ethnic Hungarians from other countries who do not encounter any significant obstacles in integrating into society. Support for integration is primarily needed for migrants arriving from third countries who do not speak Hungarian, for beneficiaries of international protection (refugees and beneficiaries of subsidiary protection), as well as stateless persons.

Foreign nationals living in Hungary (beneficiaries of international protection, EU citizens, third-country nationals) are entitled to a wide range of services, but these are fragmented, depending on the various types of residence permits, and appear in a dispersed manner in subsystems. Provisions are laid down in sectoral legal instruments regarding public and higher education, the recognition of foreign certifications and degrees, social benefits, job assistance and unemployment benefits, etc. There is no complex integration programme that applies to all foreign nationals and which is covered by the support system. However, in the Migration Strategy for the period of 2014-2020, the adoption of an independent Integration Strategy is envisaged.

Beneficiaries of international protection have the greatest need for integration assistance. The legislation amended in 2013 resulted in a more uniform treatment of aid (formerly fragmented) and has created a support system based on individual responsibility and on the quickest possible transition to an independent lifestyle. The integration measures are based on individual “integration contracts”, which contain a tailor-made ‘integration package’ with all rights, obligations and support for beneficiaries of international protection. Upon the contract beneficiaries receive services provided by the family assistance services and financial assistance provided by the refugee authority. The services may include language training, facilitating access to labour market, housing etc.

Acquisition of Hungarian citizenship

The Fundamental Law of Hungary stipulates that the President of the Republic shall decide on all cases of acquisition and termination of citizenship. According to Act LV of 1993 on Hungarian citizenship, a person can obtain Hungarian citizenship by birth, by naturalization upon request, by repatriation and by declaration addressed to the President of Hungary. The naturalisation procedure can be divided in two main categories: the traditional procedure (also under preferential terms) and the simplified procedure for ethnic Hungarians living outside of the borders of the country. In the latter case, one can acquire Hungarian citizenship without having residence status in Hungary; it is required to prove that one has an ancestor who was Hungarian citizen and to prove the knowledge of the Hungarian language.

The general requirements for naturalization are the following:

- the applicant has resided in Hungary continuously over a period of eight years
- the applicant has a clean criminal record and is not being indicted in any criminal proceedings before the Hungarian court;
- the applicant has sufficient means of subsistence and a place of abode in Hungary;
- his/her naturalization is not considered to be a threat to the interests of Hungary; and
- the applicant provides proof that he/she has passed the examination in basic constitutional studies in the Hungarian language, or that of being exempted (exemptions: if the applicant is over 65 or graduated in Hungarian in school).

Naturalisation can take place under preferential terms, if the applicant:

- has lived in the household of a Hungarian citizen in lawful marriage for at least three years, or the marriage has been terminated upon the spouse's death;
- has a minor child who is a Hungarian citizen;
- has been adopted by a Hungarian citizen; or
- has been recognised as a refugee by the competent Hungarian authority.
- In these cases a continuous residence of 3 years is required instead of 8 years. The same rule applies for stateless persons applying for Hungarian citizenship.

Following the amendment of Act LV of 1993 on Hungarian citizenship in 2010, **simplified naturalisation procedure** applies for every non-Hungarian citizen applying for Hungarian citizenship if:

- he/she or any of their ancestors was a Hungarian citizen or if he/she serves reason to believe his or her origin is from Hungary,
- he/she proves their knowledge of the Hungarian language, has no criminal record and is not under prosecution, and naturalization does not violate the public and national security of Hungary.

6.3. Statistics

Between 2001-2009, before the amendment of the law on Hungarian citizenship in 2010, in average 7,000 persons gained Hungarian citizenship every year, and approximately 90% of them were ethnic Hungarians. As result of the amendment, more than 510,000 persons received Hungarian citizenship in the framework of the simplified naturalisation procedure between 2011-2013. It can be noted that most of the naturalised

persons were citizens of one of the neighbouring countries. 75% of the naturalised persons come from Romania, 10% from Ukraine and 9% from Serbia, while only 3% of the applicants come from farther countries. At the same time, the number of the traditional naturalisation cases has dropped significantly.

Table 10. Acquisition of citizenship through the traditional and the simplified naturalisation procedure

	2007	2008	2009	2010	2011	2012	2013
Traditional naturalisation procedure	9 398	8 102	5 959	5 513	681	527	379
Simplified naturalisation procedure	n/a	n/a	n/a	n/a	135 317	176 817	196 200

Source: OIN

7. Migration and development

7.1. Responsible state authorities

The **Ministry of Interior** has the overall responsibility in the field of migration, and the **Ministry of Foreign Affairs and Trade** is responsible for planning, implementing an coordinating international development and humanitarian cooperation.

The **State Secretariat for Hungarian Communities Abroad** in the Prime Minister's Office is responsible for the autochthonous Hungarian communities in the neighbouring countries as well as the Hungarian diaspora communities living in Western Europe and overseas.

7.2. Policies

The **Framework Strategy on International Development and Humanitarian Cooperation for 2014-2020** emphasises the importance of the coherence with other policies, such as migration, that have an impact on developing countries. We believe that development policy is at the core of migration issues as it can contribute to tackle the root causes of migration. The recently adopted framework strategy, which is the first, comprehensive Hungarian strategy on development cooperation, indicates four regions as geographic priority: Western Balkans, Eastern Europa, Africa and the Middle East, and Asia/Southeast Asia. It provides the following priority areas: institutional development (rule of law, good governance, etc.), green culture, green economy, environmental and climate protection and the development of human resources and capacity. Development aspects are, however, not dealt with in the Migration Strategy.

Hungary is the Co-Chair of the **Budapest Process**, one of the longest-standing cooperation frameworks on migration for Europe and its eastern neighbours. It is a consultative forum with over 50 governments and 10 international organisations aiming at developing comprehensive and sustainable systems for orderly migration. The fifth ministerial conference of the Budapest Process in April 2013 adopted the “Istanbul Ministerial Declaration on a Silk Routes Partnership for Migration”, and subsequently the project “Support to the Silk Routes Partnership for Migration under the Budapest Process” was launched in February 2014, financed by the European Commission, with the participation of Hungary as leading state, and Bulgaria, the Netherlands, Sweden, Switzerland, Norway, Turkey, the United Kingdom and the ICMPD. The project has a component focusing on the linkages between migration and development in the beneficiary countries Afghanistan, Pakistan, Iraq, and will have a strong effect on all Silk Routes countries.

For Hungary, it is an important priority to **promote foreigners pursuing studies in Hungary**. The Stipendium Hungaricum Scholarship Program was founded by the Hungarian Government in 2013, providing approx. 2000 scholarships every year for the eligible students of the beneficiary countries.

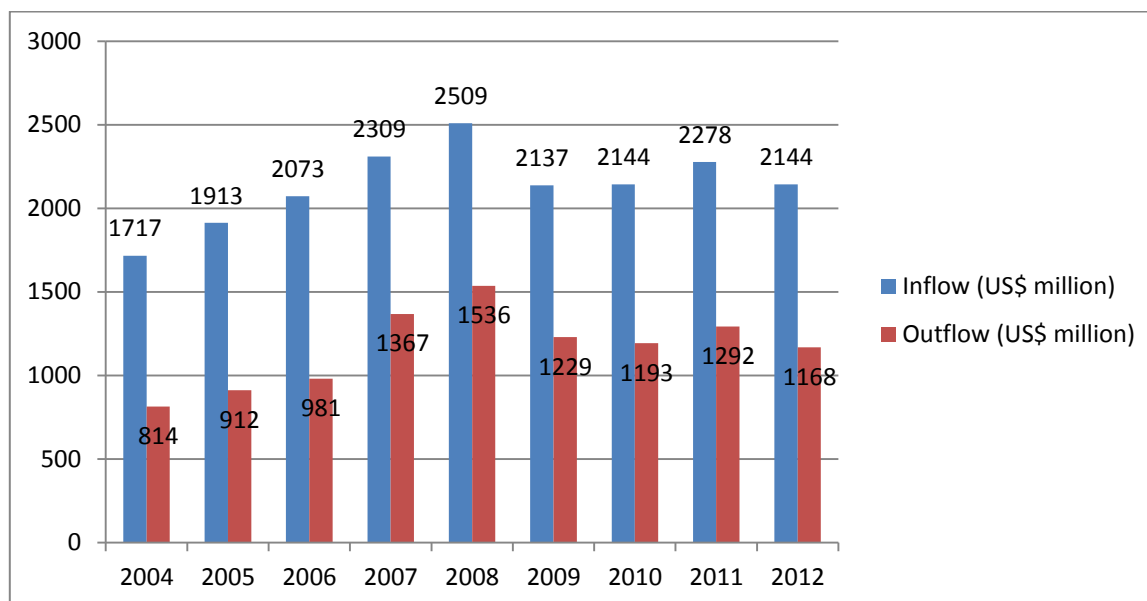
Hungary transposed the EU Directive 2007/64/EC on Payment Services and decided to implement it with the option to regulate so-called “one-leg” transactions, in which at least one of the payment service providers is located outside the EEA, so that **remittances can be sent with more transparency** and with adequate consumer protection.

The **Hungarian diaspora** can be divided in two large groups. The first are Hungarian communities in the neighbouring countries, with the most numerous ethnic Hungarian groups in Romania, Slovakia, Serbia, Ukraine and Austria. The other group comprises of emigrants who left Hungary at various times (e.g. as the aftermath of the revolution in 1956), mainly to the United States, Canada, and Western Europe. The issue of ethnic Hungarian communities is of great political importance; however, there isn't a policy concerning the Hungarian emigrants who have left the country in the recent years, as a result of the right to free movement provided by the EU-membership of Hungary.

7.3. Statistics

According to World Bank figures, the incoming **remittances** made up 1.7 % of the GDP of Hungary in 2012. The main remittance-sending countries are Germany (426 million USD), the USA (399 million USD), Canada (254 million USD), and Austria (185 million USD). From Hungary, remittances are sent in the first place to Romania (237 million USD) and Germany (101 million USD).

Graph 2. Remittances to and from Hungary



Source: World Bank

As regards **emigration of highly skilled persons**, only sparse data is provided. We can point at the fact that in 2013, the Office of Health Authorisation and Administrative Procedures issued certificate for 1950 persons in possession of Hungarian health care diploma or qualification in order to be recognised in other EEA countries. 955 doctors, 555 nurses, 263 dentists, and 77 pharmacists were among the Hungarian health care workers whose qualification was recognised. The main countries of destination for highly skilled Hungarian citizens among the EU/EEA countries are Germany, the UK, and Austria.

In 2013, Hungary's net **Official development assistance (ODA)** amounted to USD 120 million; the ratio of ODA as a share of GNI remained stable at 0.10%. In 2012, Hungary provided its bilateral development co-operation mostly to Ukraine, Serbia, Afghanistan, India and China. The main sectors of Hungary's bilateral development co-operation are political and economic transformation, good governance, education, migration, health, agriculture and water management. Hungary provides its bilateral development co-operation in the form of small-scale technical co-operation projects, scholarships and aid to refugees. Hungary provided its multilateral ODA primarily through the European Union (accounting for 82% of multilateral ODA in 2012) as well as through the United Nations and the World Bank Group.³

8. Asylum and international protection

8.1. Responsible state authorities

The **Ministry of Interior** has the main responsibility in the field of migration and asylum.

³ <http://www.oecd.org/hungary/hungarys-official-development-assistance.htm>

The **Office of Immigration and Nationality** has overall responsibility for decision-making in asylum procedures; the implementation of Dublin Regulation; tasks related to the Country of Origin Information System and database, the central visa, asylum and immigration register. Under the **Police Headquarters**, the Department of Border Policing is responsible for data collection, analysis and evaluation concerning asylum.

8.2. Policies

According to Article 14 (3) of the **Fundamental Law** adopted in 2011, Hungary shall, upon request, grant asylum to non-Hungarian citizens being persecuted or having a well-founded fear of persecution in their native country or in the country of their usual residence for reasons of race, nationality, membership of a particular social group, religious or political belief, if they do not receive protection from their country of origin or from any other country.

Act LXXX of 2007 on asylum sets down the basic principles and the necessary provisions in order to transpose the relevant EU directives and other legal norms in the field of asylum. The Hungarian legislation guarantees the asylum seekers' access to territory and to the asylum procedure. It ensures that asylum-seekers may not be expelled or their expulsion may not be implemented before the in-merit examination of their application. The refugee status and subsidiary protection are determined in a single unified procedure.

The applications are examined in a **two-phase procedure**. In the first phase – the preliminary assessment procedure – the Office of Immigration and Nationality (OIN) shall decide whether Hungary is responsible for examining the claim under the Dublin Procedure or whether another Member State is responsible for that. If Hungary is the responsible for the examination of the application, OIN shall decide on the admissibility of the claim. The preliminary assessment procedure takes up to 15 days. This is followed by an in-merit procedure that can take up to 60 days. At the end of the in-merit procedure the OIN shall recognise the applicant either as refugee or as beneficiary of subsidiary protection, or reject the claim and decide upon the question of non-refoulement. The decision of the administrative procedure is subject to appeal before the Metropolitan Court of Budapest.

The Migration Strategy for the period 2014-2020 confirms that the most important challenge of mixed migration is to filter out those in need of international protection from other migrants (who are generally economic migrants). As crises and conflicts that result in forced migration cannot be forecasted it is important to provide for a necessary level of flexibility in order to ensure humane and effective protection to arrivals to Hungary as a result of unforeseeable events.

Resettlement

Resettlement is understood as the transfer on a request from the UNHCR and based on the need for international protection, of a third-country national or stateless person from a third country to a Member State where he or she is permitted to reside.

Hungary has implemented resettlement programmes since 2012, and has been gradually increasing its quotas. In 2013, with the support of the European Refugee Fund, and with the consent of the European Commission, Hungary undertook the resettlement of 10 persons in 2013. Taking into consideration the

deeply deteriorating humanitarian situation of the region, this action targeted Syrian refugees. The Hungarian resettlement quota for 2014 and 2015 is 20 persons, respectively. These programs, implemented with the support of the Asylum, Migration and Integration Fund will continue to focus on Syrian refugees.

Statelessness determination

Act II of 2007 and its government decree lay down the rules of the procedure for the recognition of stateless status. Hungary is one of the few EU countries having such a comprehensive procedure established by law; with guarantees comparable to the refugee status determination procedure, taking into account the specific needs of the stateless persons.

In January 2012 the UNHCR, in cooperation with the Office of Immigration and Nationality, introduced the **Statelessness Quality Initiative**, which is considered **a unique programme in the world** so far. Between 1 February and 30 July 2012 a project for quality assessment development was organized in connection to the statelessness status determination procedure. This initiative has analysed the current structure, developed a system for the upgrading of the quality of procedures and aimed to set up a quality assurance unit within the frames of the national competent authority. As a result, a Handbook on Quality Evaluation and Development in Stateless Determination has been drafted, which then implemented the UNHCR Recommendations No 1-3 in the field of statelessness.

8.3. Statistics

The **number of asylum seekers** showed a dramatic increase in 2013, resulting in the highest number of applicants in the history of asylum since 1989. The number of asylum-seekers in 2013 was 18,900, which is almost equal to the compiled number of all applicants from 2006 to 2012. It can be stated that – in comparison to 2012, pro rata – during the elapsed period of the year 2013, among the Member States of the European Union, the largest rate of increase in the number of asylum applications submitted occurred in Hungary. The number of asylum seekers escalated as a result of the modified legislation on refugees that entered into force on 1 January 2013, abolishing the detention of asylum seekers. Therefore Hungary deemed it necessary to amend the legislation and introduced the option for asylum detention, in accordance with the relevant EU law. The new legislation came into force on 1 July 2013, and was followed by a decreasing number of asylum seekers. The number of applications in the first half of 2014, although decreased compared to 2013, is still higher than in the similar periods of the years before 2013.

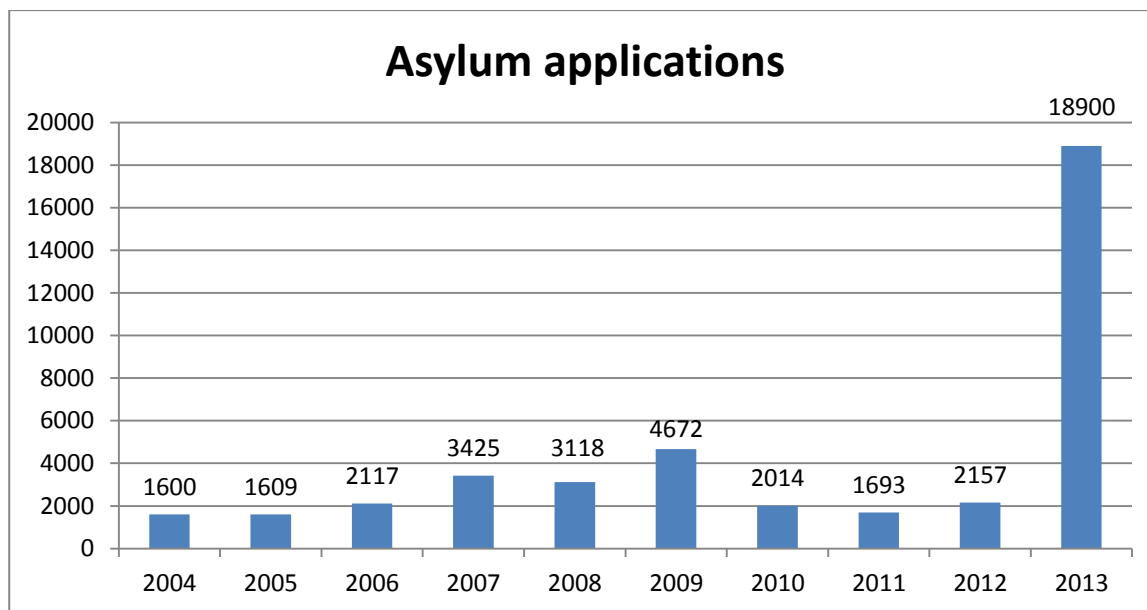
In 2013, **protection was granted** in 419 cases. In the breakdown, it can be seen that 173 applicants were recognised as refugee, 183 applicants received subsidiary protection, and in 4 cases, the protection from deportation was determined. In addition to that, following the decision of the judicial review, asylum was granted in an additional 25 cases and subsidiary protection in 34 cases. In 2013, most asylum seekers arrived from Kosovo (6212), from Pakistan (3081), and Afghanistan (2328), followed by Algeria (1116), Syria (977) and Bangladesh (679).

It is typical that after the submission of the applications for asylum, the majority – in most cases even before the completion of the procedure – **leave the country for a Western European state**. This fact has had serious impact on the caseload indicators of the Dublin procedure. In 2013, the number of requests within the Dublin procedure was 7.700, and showed an unprecedented increase compared to the number of requests in

2012 (1373). Hungary recognized its responsibility in 6526 cases for examining the asylum applications, in most cases on the reason of the former Hungarian asylum procedure.

In 2013, out of 19 applications, the **stateless status** of the applicants was determined in 13 cases (10 in the administrative and 3 in the judicial procedure). In 2012, the number of applications for the determination of stateless status was 50, and the stateless status was recognised in 22 cases (all in the administrative procedure). As of 31 October 2013, 110 stateless persons stayed in Hungary with a valid residence permit.

Graph 3. Number of Asylum applications between 2004 and 2013



Source: OIN, http://www.bmbah.hu/jomla/index.php?option=com_k2&view=item&layout=item&id=177&Itemid=1232&lang=hu



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