



COUNTRY FACTSHEET: HUNGARY 2016

EUROPEAN MIGRATION NETWORK

1. Introduction

This EMN Country Factsheet provides a factual overview of the main policy developments in migration and international protection in Hungary during 2016, including latest statistics.

2. International Protection including Asylum

The **reception system** in 2016 faced similar challenges in the asylum procedure as in previous years regarding the fact that Hungary was a transit country of westward migration. Compared to previous years the duration of stay significantly shortened for asylum seekers, leading to several changes to the reception regulations. Hungary thus continued to revise its asylum system in 2016.

As of 1 April 2016, asylum seekers at reception centres **no longer receive financial support**, only services such as housing and basic medical care. At the same time, the ceiling of 80 hours of permitted work per month at open reception facilities was removed.

As to **detention** during the asylum procedure, according to new regulations in 2016, the refugee authority can - in order to conduct the asylum procedure and to secure the Dublin transfer - take a person seeking recognition into asylum detention if his/her entitlement to stay is exclusively based on the submission of an application for recognition where it is necessary to carry out a Dublin transfer and there is a serious risk of escape.

According to the new regulations, third-country nationals who are caught by the police within eight kilometres from the border to Serbia are **brought back** to the entry of one of **the transit zones** that are located along the newly erected border fence.

From 1st June 2016 the **scope of the asylum legislation** was widened and now also applies to persons granted tolerated stay within the country (*non-refoulement*). Formerly, this was regulated within the legislation of third-country nationals.

Two temporary reception centres were closed, one near the Serbian border at Nagyfa, which was suspended in March 2016, and one near the capital at Bicske in December 2016. New centres were instead opened near the Austrian border at Körmend in May and one near the Serbian border at Kiskunhalas in July 2016.

In terms of intra-EU solidarity and cooperation with third countries, in 2016 Hungary deployed asylum experts to hotspots in Italy and Greece as part of the European Asylum Support Office activities and provided financial assistance to Turkey and Syria. Since 1st April 2016 Turkey is listed as **a safe country of origin** and safe third country in the national list of Hungary of safe countries of origin and safe third countries.

3. Unaccompanied Minors and other Vulnerable Groups

No further developments were reported.

4. Legal Migration and Mobility

4.1. PROMOTING LEGAL MIGRATION CHANNELS

In the framework of the project "Support to the Silk Routes Partnership for Migration" under the Budapest Process, a Migration Information Centre is planned to open in Afghanistan in 2017. The project aims at strengthening the migration management capacities of the Silk Routes countries Afghanistan, Iraq and Pakistan. The project is funded by the European Union, Bulgaria, Hungary (lead state), the Netherlands, Norway, Sweden, Switzerland, Turkey and the United Kingdom, and implemented by the International Centre for Migration Policy Development.

4.2. ECONOMIC MIGRATION

In connection with the transposition of the **Seasonal Workers Directive** (Directive 2014/36/EU) and the **Intra-Corporate Transferees Directive** (Directive 2014/66/EU), laws were amended in May 2016, introducing new employee-categories and laying down detailed rules on administrative procedures to result in a faster admission of these groups of third-country nationals to the labour market.

Hungary began drafting legislative measures to implement the Students and Researchers Directive (Directive 2016/801/EU) by the end of 2017.

Working Holiday Agreements were signed with Australia, Chile, and Hong Kong in 2016, and with Japan in February 2017. Within this annual scheme, 100 (200 for Australia) young people aged 18-35 can visit the contracting party's country primarily as a tourist, and during their stay they can also be employed on a temporary basis under preferential provisions.

More favourable provisions were adopted in May 2016 so that **"preferred employers"** shall be given a position statement within eight days and the time to issue a decision was reduced from 60 days instead of 70, when planning to employ in Hungary a third-country national from a neighbouring country for selected professions. These professions do not need an authorisation from the labour authorities. In addition, the evaluation criteria of these applications for a residence permit were largely simplified.

Furthermore, in case of fulfilment of certain conditions, the employer may also apply for the single residency and work permit on behalf of the third-country national employee. For example, if a third-country national plans to enter into a contract for employment relationship, an application for the issue or extension of a residence permit may be submitted by the prospective preferred employer as well, provided that the third-country national has consented in writing. In that case the competent authority may communicate with both the employer and third-country national. However, the third-country national will be notified of all procedural steps taken.

A Communication issued by the Minister of National Economy on 11 July 2016 listed those activities which do not need an authorisation from the labour authorities if the third-country national is a national from one of the neighbouring countries. According to the modification, **Ukrainian and Serbian employees** are allowed to work without authorisation in certain skills shortages (computer scientist, engineer, programmer, building engineer, driver, nurse, dressmaker, carpenter).

From 1st July 2016, migrant entrepreneurs can now apply for a Residence Permit for the Pursuit of Gainful Activity.

4.3. FAMILY REUNIFICATION

Amendments were made in July 2016 to the Government Decree 113/2007 affecting the **procedure of family reunification**:

- ★ When applying for a residence permit for a family member, the recognised **refugee** only needs to prove that certain conditions are fulfilled if more than three months have passed between the application for family reunification and the recognition as a refugee;
- ★ Concerning visas issued for a validity period not exceeding 90 days to a family member who is a third-country national, the documents that could be used to **prove family member status** have been specified: a birth certificate, a marriage certificate, a certificate of registered partnership, or a certificate of adoption. The existence of a family relationship can also be proven by any other credible way;
- ★ To avoid abuse of obtaining a visa regarding family reunification with a spouse, marriage certificates are not recognised as an equivalent to birth certificates.

4.4. MANAGING MIGRATION AND MOBILITY¹

In 2016, a **temporary border protection device** was erected on the southern border to strengthen the security of the green border. The construction of a new fence as the second line of the border fence began along the border section with Serbia where migrants can enter the country in specific transit zones.

Hungarian police contingents are to be deployed to Greece, Macedonia and Serbia in 2017 in order to support border surveillance tasks of host countries.

With regard to the **visa policy**, the law was amended on 1st July 2016 concerning the rules for a stay not exceeding 90 days within a 180 day period. Among other changes, it is now the duty of the consular officer who issued the visa to have it annulled or revoked. Previously, this was carried out by the relevant authority before entry into Hungary.

5. Integration

Hungary **restricted its integration support for recognised refugees and beneficiaries of subsidiary protection**: As of June 2016, financial integration support and social support services, that aimed to help with their integration into the society is no longer available within the legislation, the possibility to enter into an integration agreement with the Asylum Authority was discontinued. Services and stay at reception facilities were reduced from 60 days to 30 days.

¹ "Managing migration and mobility" refers to the following themes: visa policy, Schengen governance and border monitoring.

6. External Dimension of EU Migration Policy

In 2016, Hungary signed an EU Mobility Partnership agreement with Belarus.

Hungary also contributed to relevant multilateral funds, such as the EU Emergency Trust Fund for Africa. Various bilateral projects with the aim of improving the life standards and strengthening resilience of local communities have also been implemented.

7. Irregular Migration and Return

7.1. THE FIGHT AGAINST FACILITATION OF IRREGULAR MIGRATION

New legislation was introduced in the Hungarian Criminal Code in 2016 in connection with human trafficking, human smuggling and the illegal employment of third-country nationals. Overall, the new legislation substantially increased the penalties that may be imposed in connection with human trafficking and its special cases. Therefore the criminal offence that was punishable by imprisonment not exceeding three years is now punishable by imprisonment between one to five years. Also, the

criminal offence that was punishable by imprisonment between one to five years is now punishable by imprisonment between two to eight years, and the act that was punishable by imprisonment between two to eight years is now punishable by imprisonment between five to ten years according to the new law. Finally, new and aggravated criminal offences were integrated into the relevant section of the Criminal Code referring to the organiser or coordinator of the criminal offence of human trafficking.

A **border police reinforcement unit** was set up within the Hungarian Police with 3,000 new police officers, to prevent illegal entry into the country and in order to identify and combat crimes related to irregular migration.

7.2. RETURN OF IRREGULAR MIGRANTS

With regard to vulnerable groups, from July 2016 to June 2018, a new Assisted Voluntary Return programme was introduced by the International Organisation for Migration. The reintegration component of the programme aims at assisting vulnerable returnees and returnees with chronic medical condition by offering reintegration counselling and a reintegration grant from which the beneficiary can finance the various activities of a pre-defined reintegration plan. This project aims at assisting up to 60 vulnerable returnees or returnees with a medical chronic condition.

In addition, the following measures and legislative changes have been made or have been initiated in 2016:

- ★ Directive 29/2016 (XI.10.) of the national High Commissioner of the Police about execution of return operations by air;
- ★ Negotiations about the implementing protocol of the Agreement between the European Union and Ukraine on the readmission of persons were finalised; initiated with Pakistan and Turkey; and are planned with Montenegro.

8. Actions against Trafficking in Human Beings

Part of Hungary's National Anti-Trafficking Strategy is to hold **trainings for 600 experts** working in the field of victim identification, including those authorities dealing with third-country nationals.

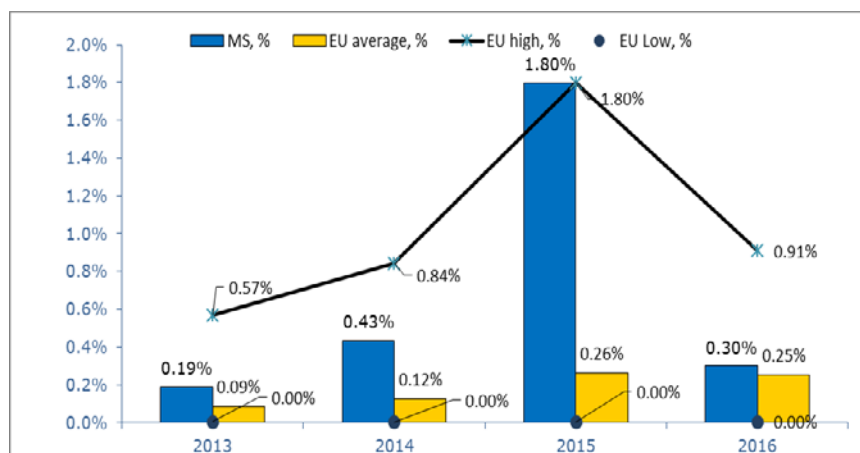
STATISTICAL ANNEX

The Statistical Annex provides an overview of the latest available statistics for Hungary on aspects of migration and asylum (2013-2016), including residence, asylum, unaccompanied minors, irregular migration, return and visas. Where statistics are not yet available, this is indicated in the Annex as "N/A".

Statistical Annex: Migration and Asylum in Hungary (2013-2016)

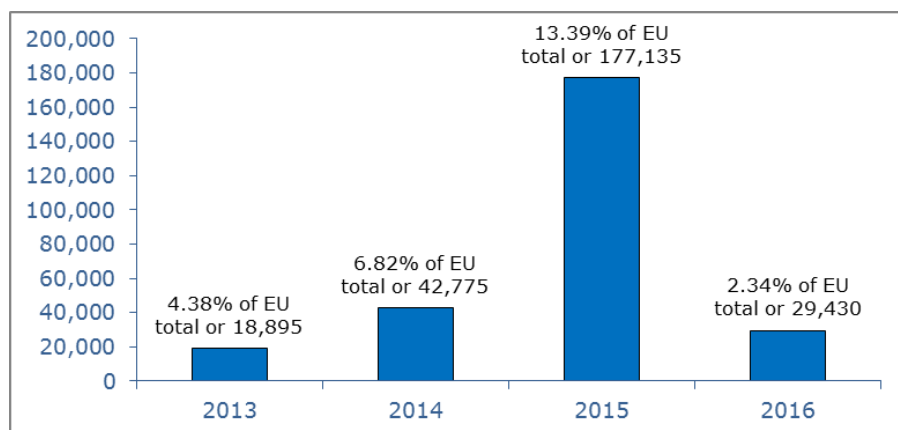
1. INTERNATIONAL PROTECTION AND ASYLUM

Figure 1: Asylum applications as a share of the total population in Hungary, EU average and EU high and low (2013-2016)



Source: Eurostat migration statistics ([migr_asyappctza](#))², data extracted 03/08/2017

Figure 2: Number of asylum applications and as a share of the total number of applications in the EU (2013-2016)



Source: Eurostat migration statistics ([migr_asyappctza](#)), data extracted 03/08/2017

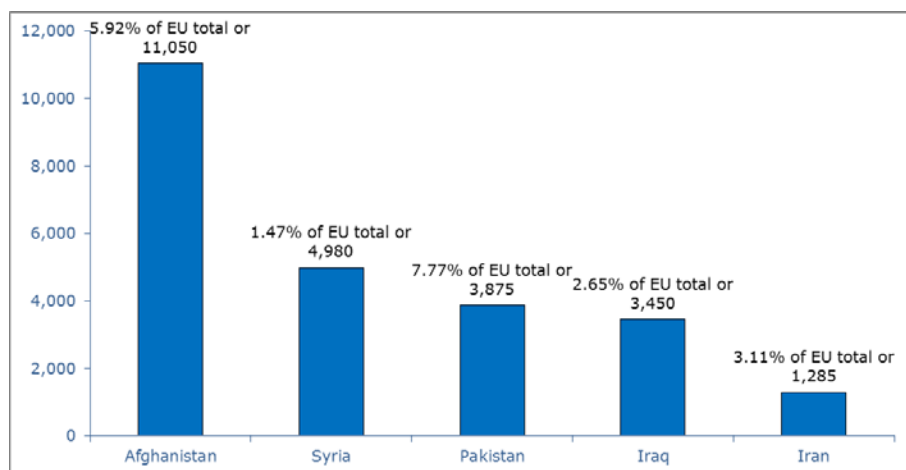
Table 1: Asylum applications: Top five third-country nationalities (2013–2016)

2013			2014			2015			2016		
Nationality	No.	% of total	Nationality	No.	% of total	Nationality	No.	% of total	Nationality	No.	% of total
Kosovo	6,210	41%	Kosovo	21,455	50%	Syria	64,585	36%	Afghanistan	11,050	38%
Pakistan	3,080	15%	Afghanistan	8,795	21%	Afghanistan	46,230	26%	Syria	4,980	17%
Afghanistan	2,330	10%	Syria	6,855	16%	Kosovo	24,455	14%	Pakistan	3,875	13%
Algeria	1,115	7%	Palestine	875	2%	Pakistan	15,155	9%	Iraq	3,450	12%
Syria	975	3%	Unknown	705	2%	Iraq	9,280	5%	Iran	1,285	4%

Source: Eurostat migration statistics ([migr_asyappctza](#)), data extracted 03/08/2017

² Figures regarding the total population were extracted from Eurostat ([demo_gind](#))

Figure 3: Asylum applications: Top five third-country nationalities as a share of EU total per given nationality (2016)



Source: Eurostat migration statistics ([migr_asyappctza](#)), data extracted 03/08/2017

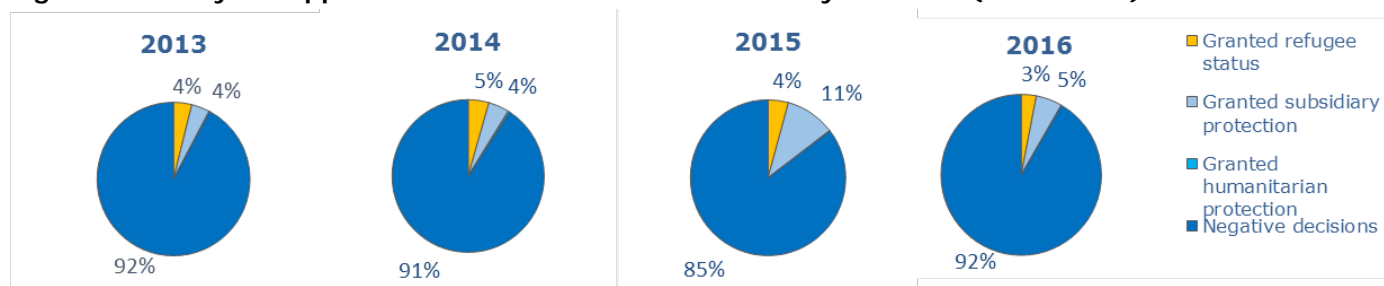
Note: the figure reads as: Hungary received 11,050 asylum applications from Afghans or 5.92% of all asylum applications lodged by Afghans in EU in 2016.

Table 2: Asylum applications - First instance decisions by outcome (2013-2016)

Year	Total decisions	Positive decisions	Of which:		Humanitarian reasons	Negative decisions
			Refugee status	Subsidiary protection		
2013	4,540	360	175	175	5	4,180
2014	5,445	510	240	240	20	4,935
2015	3,420	505	145	355	5	2,915
2016	5,105	430	155	270	5	4,675

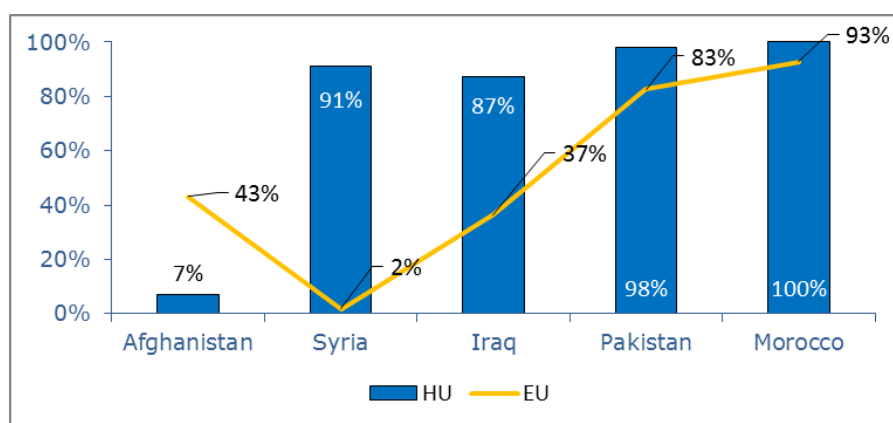
Source: Eurostat migration statistics ([migr_asydcfsta](#)), data extracted 03/08/2017

Figures 4-7: Asylum applications - First instance decisions by outcome (2013-2016)



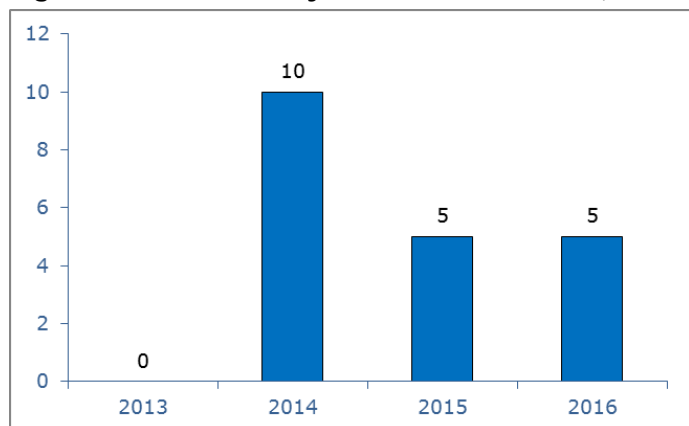
Source: Eurostat migration statistics ([migr_asydcfsta](#)), data extracted 03/08/2017

Figure 8: Negative decision rate for the top five nationalities of applicants at the first instance in comparison with EU for the same given nationality (2016)



Source: Eurostat migration statistics ([migr_asydcfsta](#)), data extracted 03/08/2017

Figure 9: Third-country nationals resettled (2013-2016)



Source: Eurostat migration statistics ([migr_asyresa](#)), data extracted 09/05/2017

2. UNACCOMPANIED MINORS

Figure 10: Unaccompanied minors applying for asylum (2013-2016)

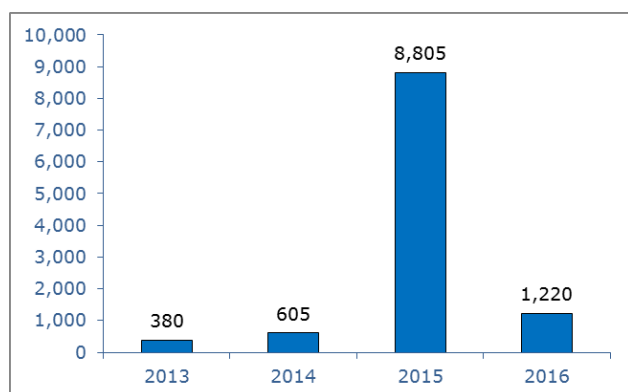


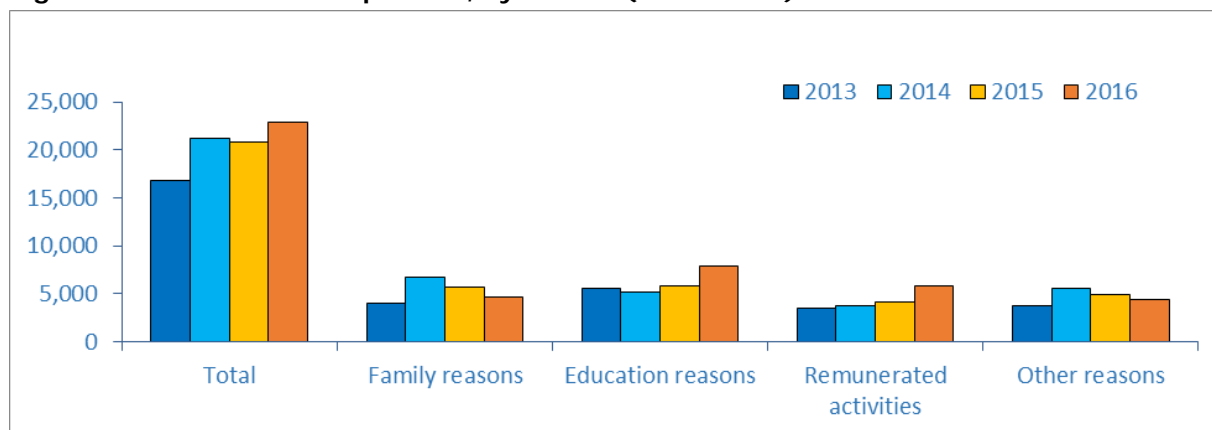
Table 3: Unaccompanied minors (2013-2016)

	2013	2014	2015	2016
Unaccompanied minors (total)	N/A	N/A	N/A	N/A
Unaccompanied minor asylum applicants	380	605	8,805	1,220

Source: Eurostat Asylum applicants considered to be unaccompanied minors by citizenship, age and sex Annual data (rounded) ([migr_asyunaa](#)), data extracted 03/08/2017; EMN NCPs

3. LEGAL MIGRATION AND MOBILITY

Figure 11: First residence permits, by reason (2013-2016)



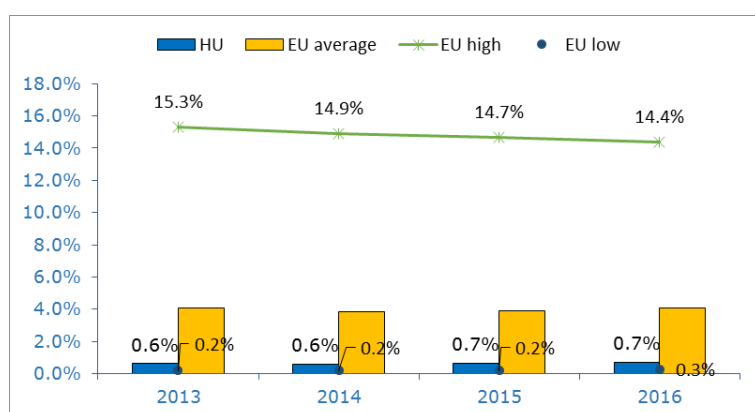
Source: Eurostat ([migr_resfirst](#)), data extracted 03/08/2017; EMN NCPs

Table 4: First residence permits: Top five third-country nationalities (2013–2016)

2013		2014		2015		2016	
Nationality	Number	Nationality	Number	Nationality	Number	Nationality	Number
China (incl. Hong Kong)	2,657	China (incl. Hong Kong)	6,269	China (incl. Hong Kong)	4,286	China (incl. Hong Kong)	2,889
United States	1,614	United States	1,655	Ukraine	1,686	Ukraine	2,375
Brazil	1,519	Russia	1,500	United States	1,679	United States	2,245
Turkey	994	Ukraine	1,164	Russia	1,321	Iran	1,338
Ukraine	930	Turkey	1,002	Turkey	988	Turkey	1,280

Source: Eurostat migration statistics ([migr_resfirst](#)), data extracted 03/08/2017

Figure 12: Resident population of third-country nationals as a share of total population in Hungary, EU average, EU high and low (2013-2016)



Source: Eurostat migration statistics ([migr_pop1ctz](#)), data extracted 17/04/2017

4. IRREGULAR MIGRATION AND RETURN

Table 5: Number of third-country nationals refused entry at external borders (2013–2016)

Third country nationals:	2013	2014	2015	2016
Refused entry at external borders	11,055	13,325	11,505	9,905
Found to be illegally present	8,255	56,170	424,055	41,560
Ordered to leave	5,940	5,885	11,750	10,765
Returned following an order to leave	4,395	4,345	5,975	780

Source: Eurostat migration statistics ([migr_eirfs](#))([migr_eipre](#))([migr_eiord](#)),([migr_eirtn](#)) data extracted 09/05/2017

Table 6: Third-country nationals returned (2012-2015)

Year	Returned as part of forced return measures	Returned voluntarily	Returned through an Assisted Voluntary Return Programme
2013	4,067	N/A	353
2014	355	N/A	491
2015	5,741	N/A	N/A
2016	612	N/A	N/A

Source: EMN NCPS

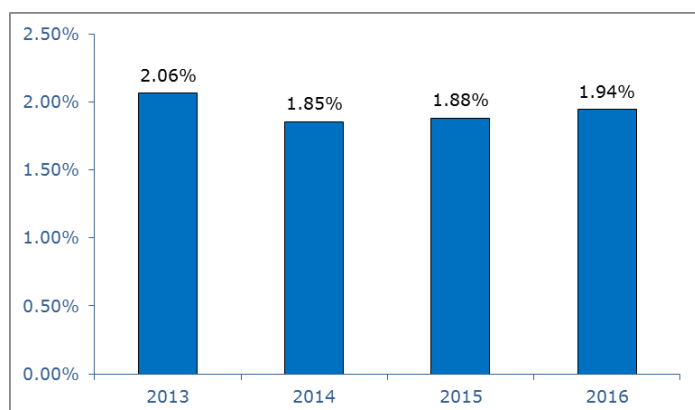
5. SECURING EUROPE'S EXTERNAL BORDERS

Table 7: Number of Schengen visas applications (2013–2016)

	2013	2014	2015	2016
Uniform visas (short-stay visas)	356,869	309,894	290,798	295,226

Source: DG Migration and Home – Complete statistics on short-stay visas issued by the Schengen States

Figure 13: Uniform visa applications received in MS as a share of the total number of uniform visa applications in all Schengen states consulates (2013-2016)



Source: DG Migration and Home affairs – Complete statistics on short-stay visas issued by the Schengen States

Table 8: Top five countries in which the highest number of visa applications for MS was lodged (2013-2016)

2013		2014		2015		2016	
Countries	Number	Countries	Number	Countries	Number	Countries	Number
Ukraine	152,073	Ukraine	118,740	Ukraine	118,045	Ukraine	199,268
Russia	89,618	Russia	76,911	Russian Federation	53,719	Russian Federation	110,768
China	19,343	Belarus	21,982	China	23,487	Turkey	59,976
Moldova, Republic of	18,089	China	18,424	Turkey	22,155	China	36,903
Belarus	17,202	Turkey	15,188	Belarus	14,526	India	16,258

Source: DG Migration and Home affairs