

# Hungary

## EMN COUNTRY FACTSHEET

# 2018

MAIN DEVELOPMENTS IN MIGRATION AND INTERNATIONAL PROTECTION, INCLUDING LATEST STATISTICS



### LEGAL MIGRATION AND MOBILITY

#### PROMOTING LEGAL MIGRATION CHANNELS

*No relevant changes were reported.*

#### ECONOMIC MIGRATION

The Students and Researchers Directive ((EU)2016/801)<sup>1</sup> was transposed in the national legislation and entered into force on 1 January 2018. As a result of the transposition, new residence titles were introduced. The *Residence Permit for the Purpose of Job-searching or Entrepreneurship* is available for researchers and for students when completing, respectively, their research activity or studies; the permit is valid for nine months. A *Residence Permit for the Purpose of Traineeship* was introduced as well. Further amendments concerned family reunification, rights of researchers, mobility cases and rules for volunteers participating in the European Voluntary Service.

#### FAMILY REUNIFICATION

The Hungarian Parliament accepted a change in legislation concerning the third-country national family members of Hungarian citizens. According to the change, third-country national family members of a Hungarian citizen belong under the scope of Act II of

<sup>1</sup> Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing

### KEY POINTS



The 'Stop Soros' legislation was introduced which resulted in changes to the criminal code (criminalising the support and facilitation of irregular entry /unauthorised stay)



Work on a new national strategy against trafficking in human beings was initiated. The document is planned to be assigned for the period 2020-2022 and will set specific guidelines for action and identify national level priorities.



The Asylum Act was supplemented with the following ground of inadmissibility: An application shall be considered inadmissible if the applicant has arrived in Hungary through a safe third country and where she/he would have had the opportunity to apply for effective protection.

2007 and thus do not enjoy the right of free movement. Due to this change they are entitled to a residence permit for family reunification and after a certain period of legal stay in Hungary, can apply for permanent residence permit. The legislation entered into force on 1 January 2019.



## INTERNATIONAL PROTECTION INCLUDING ASYLUM

Article 51 (2) of Act LXXX. of 2007 on Asylum was supplemented with the following ground of inadmissibility: an application shall be considered inadmissible if the applicant has arrived through a country where there is no risk of persecution under Article 6 (1), or there is no risk of serious harm as defined in Section 12 (1), and the appropriate level of protection is provided in the country through which he/she has arrived in Hungary.<sup>2</sup>



## UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

As the number of unaccompanied minors significantly decreased during 2018, no significant developments occurred. However, new measures were introduced regarding the protection of other vulnerable groups. In January 2018, legislation has been amended providing special attention to lesbian, gay, bisexual, and transgender persons when housing asylum seekers, recognised refugees and subsidiary protection holders in reception facilities and also during detention.



## INTEGRATION

*No relevant changes were reported.*



## CITIZENSHIP AND STATELESSNESS

*No relevant changes were reported.*



## BORDERS, SCHENGEN AND VISA

*No relevant changes were reported.*



## IRREGULAR MIGRATION INCLUDING MIGRANT SMUGGLING

With a view to tackling migrant smuggling, a new set of measures was introduced in national legislation

<sup>2</sup> This development was contested by the European Commission in the context of an ongoing infringement procedure.

(Stop Soros legislative package). The objective of the adopted package is to close legal loopholes through which certain organisations were aiding irregular migration and human trafficking under the guise of humanitarian assistance.<sup>3</sup>



## TRAFFICKING IN HUMAN BEINGS

Work on a new national strategy against trafficking in human beings began in 2018. The document is planned to cover the period 2020-2022 and will set specific guidelines for action and identify national level priorities.

The adoption of the new strategy is accompanied by the implementation of a short-term Action Plan, setting out measures necessary to be taken as a rapid response to certain challenges that require more immediate action.



## RETURN AND READMISSION

Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals was modified. Regarding return and readmission, this means that the procedural rules – e.g. usage of language, communication of decisions etc. – are now included in the Act II of 2007 instead of the new law on administrative proceedings which covers other administrative procedures outside of aliens' policing.

## STATISTICAL ANNEX

The Statistical Annex provides an overview of the latest available statistics for Hungary on aspects of migration and international protection (2015-2018), 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".

<sup>3</sup> Development was contested by the European Commission in the context of an ongoing infringement procedure.

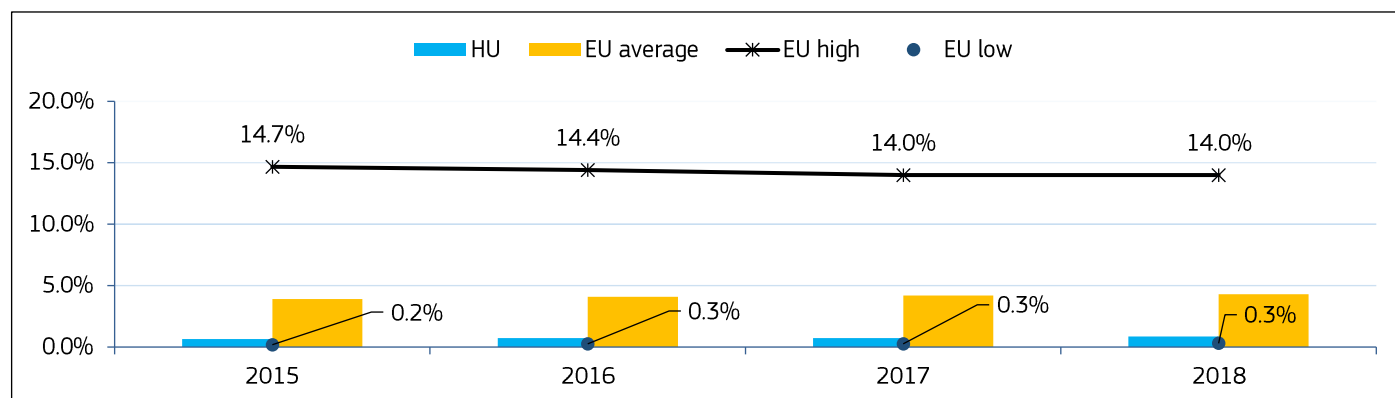
## STATISTICAL ANNEX: MIGRATION AND ASYLUM IN HUNGARY (2015-2018)



### LEGAL MIGRATION AND MOBILITY

Eurostat data on first residence permits for 2018 was not available at the time of writing. Please consult the 2018 ARM Statistical Annex for statistics on the number of first residence permits by reason (to be published in July 2019).

**Figure 1: Resident population of third-country nationals as a share of total population in Hungary, EU average, EU high and low (2015-2018)**

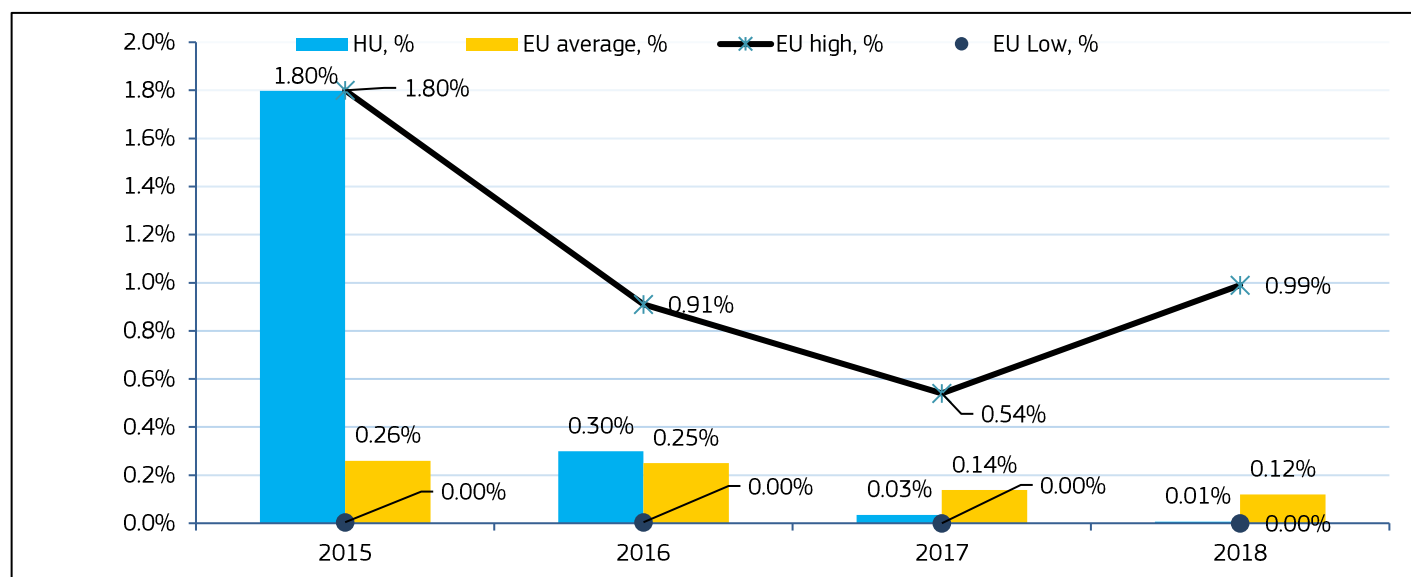


Source: Eurostat migration statistics ([migr\\_pop1ctz](#)), data extracted 02.05.19



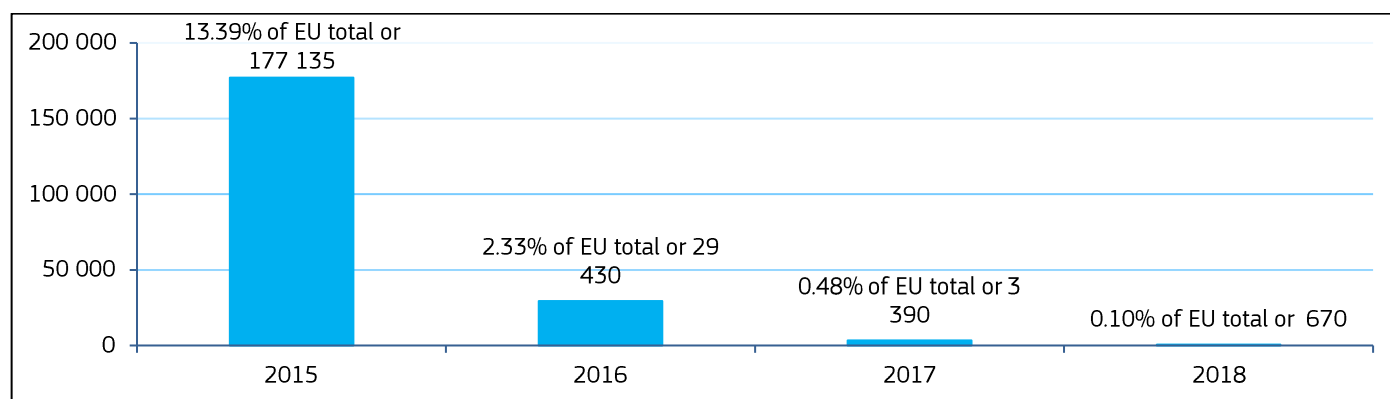
### INTERNATIONAL PROTECTION INCLUDING ASYLUM

**Figure 2: Asylum applications as a share of the total population in Hungary, EU average and EU high and low (2015-2018)**



Source: Eurostat migration statistics ([migr\\_asyappctza](#)), data extracted 26.04.19

**Figure 3: Number of asylum applications and as a share of the total number of applications in the EU (2015-2018)**



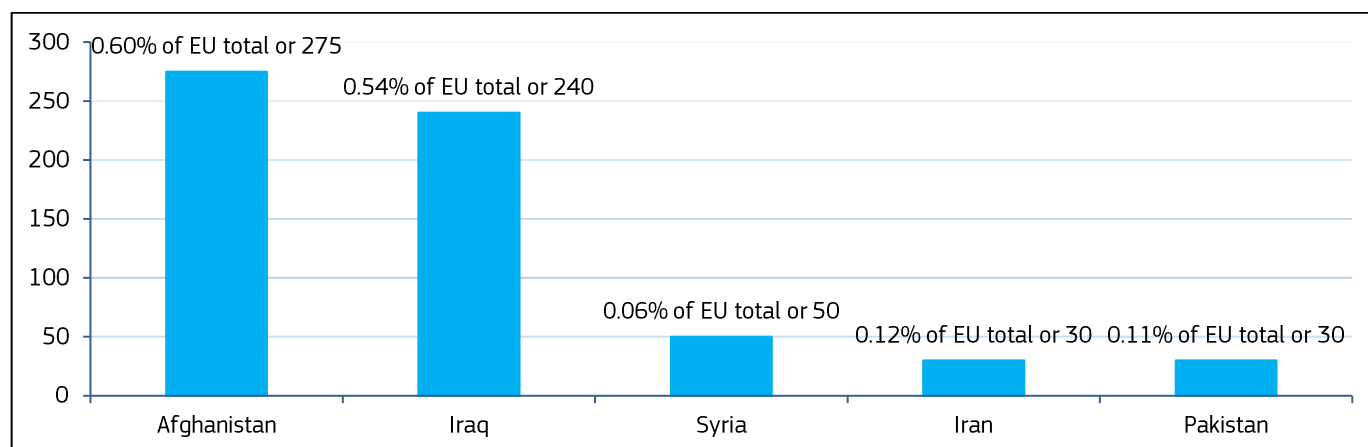
Source: Eurostat migration statistics ([migr\\_asyappctza](#)), data extracted 26.04.2019

**Table 1: Asylum applications: Top five third-country nationalities (2015-2018)**

2015			2016			2017			2018		
Nationality	No.	% of total	Nationality	No.	% of total	Nationality	No.	% of total	Nationality	No.	% of total
Afghanistan	25 265	29%	Afghanistan	11 795	28%	Syria	7 355	30%	Syria	3 305	25%
Syria	25 015	28%	Syria	8 775	21%	Afghanistan	3 780	15%	Afghanistan	2 055	15%
Iraq	13 545	15%	Iraq	2 860	7%	Pakistan	1 575	6%	Iran	1 095	8%
Iran	3 430	4%	Pakistan	2 495	6%	Nigeria	1 405	6%	Russia	935	7%
Pakistan	3 035	3%	Iran	2 460	6%	Iraq	1 405	6%	Irak	725	5%

Source: Eurostat migration statistics ([migr\\_asyappctza](#)), data extracted 29.04.2019

**Figure 4: Asylum applications: Top five third-country nationalities as a share of EU total per given nationality (2018)**



Source: Eurostat migration statistics ([migr\\_asyappctza](#)), data extracted 26.04.2019

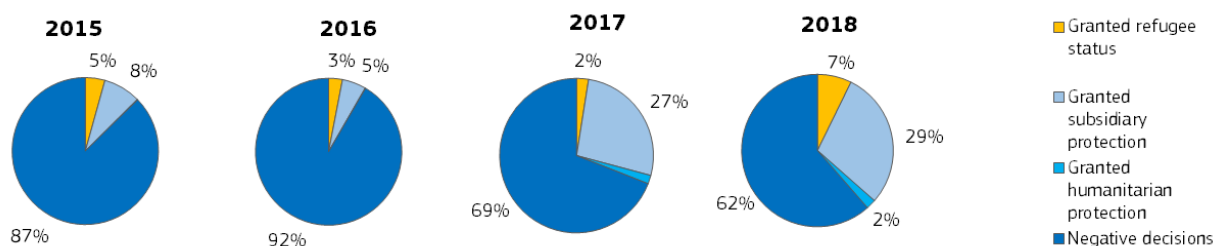
Note: the figure reads as: Hungary received 275 asylum applications from Afghanistan or 0.60 % of all asylum applications launched by Afghanistan in EU in 2018.

**Table 2: Asylum applications – First instance decisions by outcome (2015-2018)**

	Total decisions	Positive decisions	Of which:		Humanitarian reasons	Negative decisions
			Refugee status	Subsidiary protection		
<b>2015</b>	3 340	425	145	275	5	2 915
<b>2016</b>	5 105	430	155	270	5	4 675
<b>2017</b>	4 170	1 290	105	1 110	75	2 880
<b>2018</b>	960	365	70	280	20	590

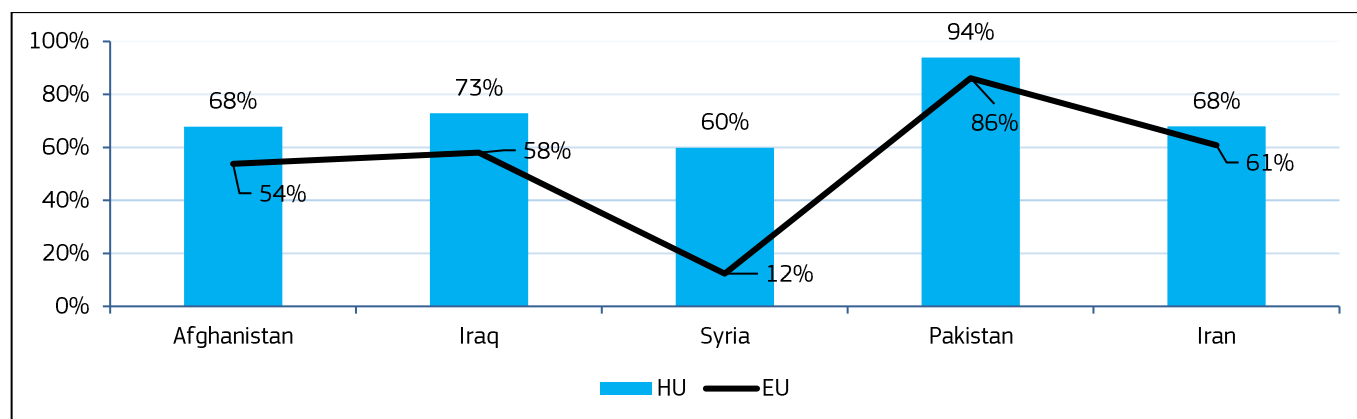
Source: Eurostat migration statistics ([migr\\_asydcfst](#)), data extracted 29.04.2019

**Figure 5: Asylum applications – First instance decisions by outcome (2015-2018)**



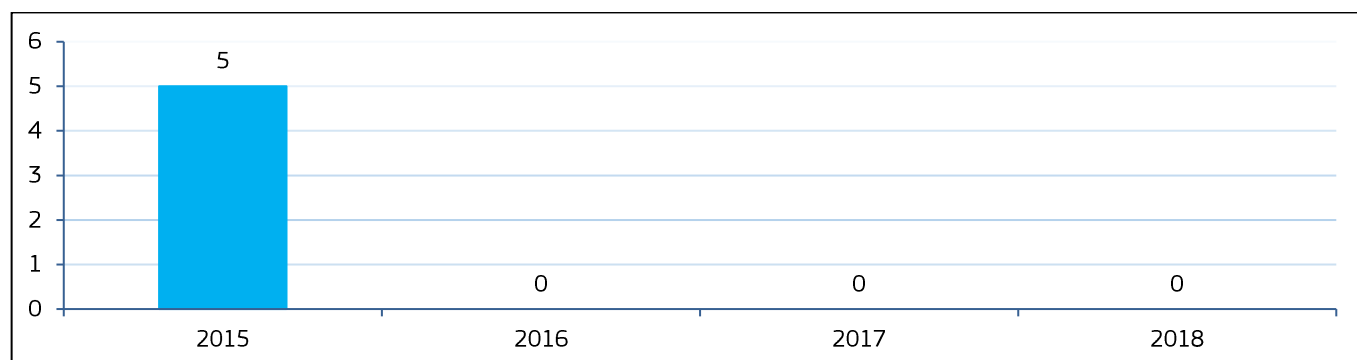
Source: Eurostat migration statistics ([migr\\_asydcfst](#)), data extracted 30.04.19

**Figure 6: Negative decision rate for the top five nationalities of applicants at the first instance in comparison with EU for the same given nationality (2018)**



Source: Eurostat migration statistics ([migr\\_asydcfst](#)), data extracted 30.04.19

**Figure 7: Third-country nationals resettled (2015-2018)**

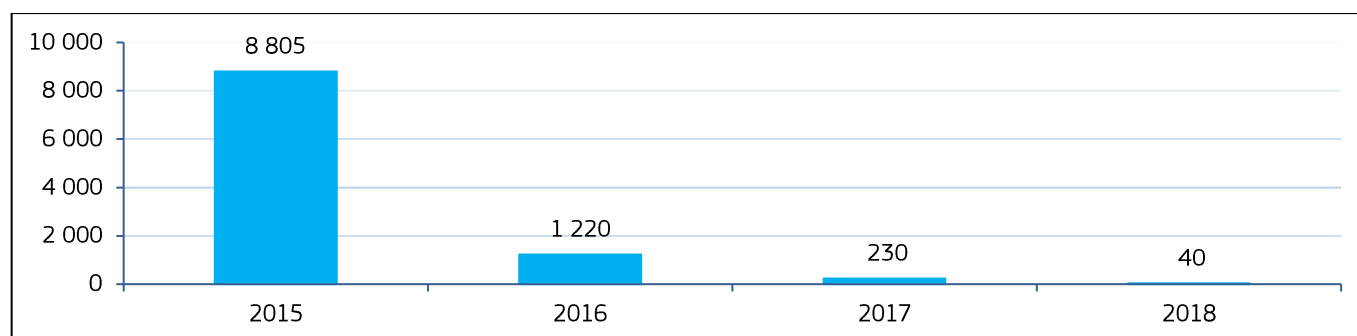


Source: Eurostat migration statistics ([migr\\_asyresa](#)), data extracted 02.05.19



## UNACCOMPANIED MINORS

**Figure 8: Unaccompanied minors applying for asylum (2015–2018)**



Source: Eurostat Asylum applicants considered to be unaccompanied minors by citizenship, age and sex Annual data (rounded) ([migr\\_asylum](#)), data extracted 02.05.19.



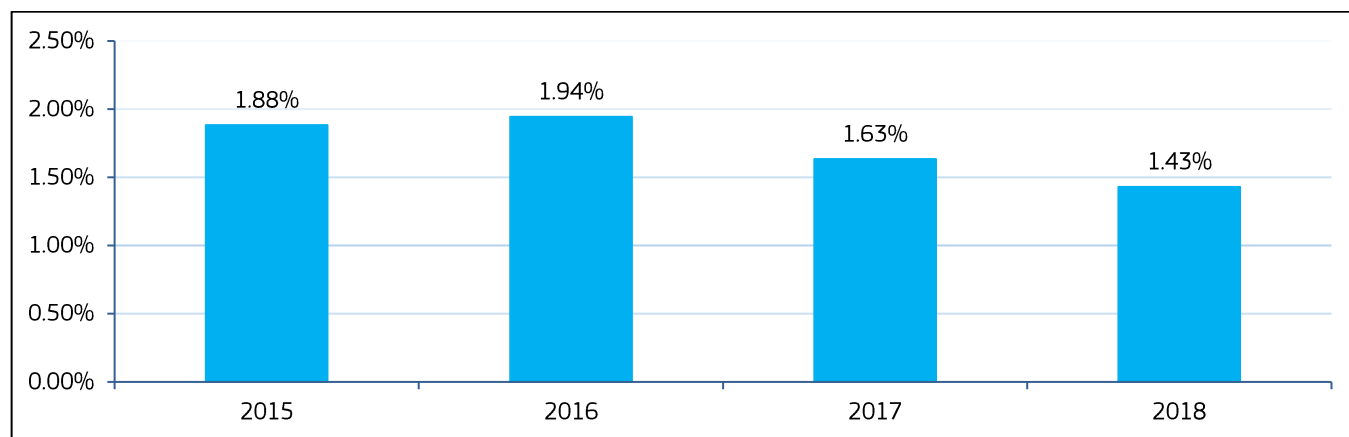
## BORDERS, SCHENGEN AND VISA

**Table 3: Number of Schengen visas applications (2015–2018)**

	2015	2016	2017	2018
<b>Uniform visas (short-stay visas)</b>	290 798	295 226	263 940	228 793

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

**Figure 9: Uniform visa applications received in Hungary as a share of the total number of uniform visa applications in all Schengen states consulates (2015–2018)**



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

**Table 4: Top five countries in which the highest number of visa applications for Hungary was lodged (2015-2018)**

2015		2016		2017		2018	
Country	Number	Country	Number	Country	Number	Country	Number
Ukraine	118 045	Ukraine	199 268	Russian Federation	61 690	Russian Federation	64 095
Russian Federation	53 719	Russian Federation	110 768	Ukraine	59 591	China	30 501
China	23 487	Turkey	59 976	China	28 230	Turkey	27 342
Turkey	22 155	China	36 903	Turkey	24 944	India	21 704
Belarus	14 526	India	16 258	India	16 295	Kazakhstan	11 991

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



## IRREGULAR MIGRATION

**Table 5: Number of third-country nationals refused entry at external borders, found to be illegally present, ordered to leave and returned following an order to leave (2015-2018)**

Third-country nationals:	2015	2016	2017	2018
Refused entry at external borders	11 505	9 905	14 010	15 050
Found to be illegally present	424 055	41 560	25 730	18 915
Ordered to leave	11 750	10 765	8 730	8 650
Returned following an order to leave	5 975	780	2 445	1 310

Source: Eurostat migration statistics ([migr\\_eirfs](#))([migr\\_eipre](#))([migr\\_eiord](#))([migr\\_eirtn](#)) data extracted 03.05.2019



## RETURN

**Table 6: Third-country nationals returned (2015-2018)**

Year	Returned as part of forced return measure	Returned voluntarily	Returned through an Assisted Voluntary Return Programme
2015	5 741	n/a	n/a
2016	612	n/a	n/a
2017	2 018	428	2 175
2018	241	31	31

Source: EMN Hungary.