

**ANNUAL REPORT 2018 ON MIGRATION AND ASYLUM  
IN HUNGARY  
NATIONAL REPORT (PART 1)**

**Summary of Changes to the National Migration/Asylum System in 2018**

0. Overarching changes to the national migration and asylum system in 2018

Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals was modified, mostly due to the fact that the Act CXL of 2004 on the General Rules of Administrative Proceedings and Services – containing the general rules on procedural law regarding administrative proceeding, including aliens policing – lost its effect. The main elements and rules from the Act CXL of 2004 were incorporated in the Act II of 2007.

The Stop Soros legislation was introduced which resulted changes in the criminal code (criminalizing the support and facilitation of illegal entry /unauthorized stay)

1. Legal Migration

The mobility directives concerning students, researchers, trainees, job-seekers, volunteers and au pairs were transposed in the national legislation and entered into force on 1 January 2018.

The Hungarian Parliament accepted the change in the legislation concerning the third country citizen family members of Hungarian citizens. The legislation entered into force on 1 January 2019. According to the change, the third country citizen family members of a Hungarian citizen do not enjoy the right of free movement and they belong under the scope of Act II of 2007. They are entitled to a residence permit for family reunification and after a certain legal stay in Hungary, can apply for permanent residence permit.

2. 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), or if the appropriate level of protection is provided in the country through which he/she has arrived in Hungary.

3. Unaccompanied Minors and Other Vulnerable Groups

As the number of unaccompanied minors significantly decreased during the period, no significant changes occurred. New measures were introduced regarding the protection of other vulnerable groups.

4. Integration

No significant developments to report.

## 5. Citizenship and Statelessness

No significant developments to report.

## 6. Borders, Schengen and Visas

The amendment of the national law (Act II of 2007, Act I of 2007, Government Decree 114/2007 (V.24), Government Decree 113/2007 (V. 24.)) due to the new (EES, ETIAS, Interoperability) and the amended (VIS, Visa Codex) acquis of the European Union is a continuous and ongoing procedure.

## 7. Irregular Migration including Migrant Smuggling

Hungary is devoted to tackle migrant smuggling; therefore a new set of measures has been introduced in the national legislation (Stop Soros legislative package). The objective of the adopted package is to close legal loopholes through which certain organizations were aiding illegal migration and human trafficking under the guise of humanitarian assistance.

## 8. Trafficking in Human Beings

In Hungary, a new national strategy against trafficking in human beings is currently under development. The document is planned to be assigned for the period 2019-2022 and will set specific guidelines for action and identify national level priorities.

The adoption of the new strategy is – in time – accompanied by the implementation of a short-term Action Plan, which – in the meantime – sets out measures necessary to be taken as a rapid response to certain challenges that require more instant action.

The Office of the Prosecutor General issued a new position in late 2018 on possibly categorizing cases of pandering as human trafficking. The review of relevant cases is already ongoing and the implementation of the Prosecutor General's position will most probably lead to an increase in human trafficking cases. It must be noted, however, that the number of crimes registered in police procedures in Hungary has been significantly decreasing for years. In this context, the expectation of an increase in the number of prosecutions and convictions is not necessarily appropriate with the in-depth analysis of the number of actual human trafficking cases.

On 1 July 2018 the new Act on Criminal Proceedings entered into force, resulting in certain developments that have relevance in trafficking in human beings cases as well.

The Act on Criminal Proceedings has a separate chapter (Chapter XIV.) about the rules for the persons, who require special treatment. Now the natural person victim and the witness can qualify as persons requiring special treatment. Furthermore, the possibility to pronounce someone as a specially protected witness is also given. The institution of personal protection has also been reviewed.

## 9. Return and Readmission

Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals was modified, mostly due to the fact that the Act CXL of 2004 on the General Rules of Administrative Proceedings and Services – containing the general rules on procedural law regarding administrative proceeding, including aliens policing – lost its effect. The main elements and rules from the Act CXL of 2004 were incorporated in the Act II of 2007.

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 rules other administrative procedures outside of aliens policing.

**0 OVERARCHING CHANGES TO THE NATIONAL MIGRATION AND ASYLUM SYSTEM IN 2018****Were there any overall changes in the national migration and asylum system in 2018?**

During 2018 there were no significant changes regarding the national asylum and migration system. The general rules are the same as they were in 2017.

However some connecting legislative packages have been introduced which changed some major parts within the system.

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), or if the appropriate level of protection is provided in the country through which he/she has arrived in Hungary.

A new procedural act has been introduced regarding the administrative court procedures. This new act affected the asylum system, since the asylum appeal procedure is subject of the new I Act of 2017 on the Administration Court Procedure. The new act hasn't changed the court procedures just the reference to the old procedural act has been replaced to the new references.

Hungary is devoted to tackle migrant smuggling; therefore a new set of measures has been introduced in the national legislation (Stop Soros legislative package). The objective of the adopted package is to close legal loopholes through which certain organizations were aiding illegal migration and human trafficking under the guise of humanitarian assistance.

## 1 LEGAL MIGRATION

### 1.1 TRANSPPOSITION OF EU LEGISLATION ON LEGAL MIGRATION

Please provide a 'snapshot' on the status of transposition of each of the EU Directives relating to legal migration listed below as of (the end of) 2018. If developments have taken place in 2018 in terms of the implementation of these Directives, please elaborate these in the respective sections below.

EU Legislation	Equivalent National Legislation	Status*	Additional information
<i>Directive on the conditions of entry and residence of third-country-nationals for the purpose of research, studies, training ...<sup>1</sup> (23 May 2018)</i>	Since 1 January 2018	a)	
<i>Directive on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers (30 September 2016)<sup>2</sup></i>	Since 30 September 2016	a)	
<i>Directive on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer (29 November 2016)<sup>3</sup></i>	Since 30 September 2016	a)	

\*Please state whether the equivalent national legislation is a) in force; b) passed but not in force c) in progress; d) not applicable.

### 1.2 ECONOMIC MIGRATION

#### 1.2.1 ADMISSION POLICIES OF SPECIFIC CATEGORIES OF THIRD-COUNTRY NATIONALS

Please describe any **new** concrete developments regarding admission of the following categories of third-country nationals. Please state the driver for the change / intended impact (e.g. incentive mechanisms, measures to prevent mis-use) if applicable.

##### 1.2.1.1 Highly skilled/qualified workers

**Were there any new developments in relation to highly skilled/qualified workers in 2018? Y/N.**

**NO**

If **yes**, please elaborate below. Please include one development per row and indicate the nature of each development in the tick boxes below. If needed, please add additional rows to the table below.

Development (Please describe)	Nature*
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy

<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.

<sup>2</sup> Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers.

<sup>3</sup> Directive 2014/66/EU on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer

	<input type="checkbox"/> Practice/Other
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

**1.2.1.2 Intra-corporate transferees**

**Were there any new developments in relation to intra-corporate transferees in 2018? Y/N.**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

**1.2.1.3 Seasonal workers**

**Were there any new developments in relation to seasonal workers in 2018? Y/N.**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

**1.2.1.4 Low and medium skilled workers (other than seasonal workers)**

**Were there any new developments in relation to low and medium skilled workers, other than seasonal workers, in 2018? Y/N.**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

#### 1.2.1.5 Entrepreneurs and investors

**Were there any new developments in relation to entrepreneurs and investors in 2018? Y/N.**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

#### 1.2.1.6 Trainees, au-pairs and volunteers

**Were there any new developments in relation to trainees, au-pairs and volunteers in 2018? Y/N.**

**YES**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
The mobility directive concerning students, researchers, trainees, job-seekers, volunteers and au pairs were transposed in the national legislation and entered into force on 1 January 2018.	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

### 1.2.1.7 Other remunerated workers

Were there any **new** developments in relation to other remunerated workers in 2018? **Y/N.**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

### 1.2.2 SATISFYING LABOUR MARKET NEEDS - ADMISSION POLICIES

Were there any **new** developments to satisfy labour market and skill needs/shortages in relation to the employment of third-country nationals (which were not already covered in question 1.2.1 above) in 2018? **Y/N.**

**NO**

If **yes**, please elaborate below.

Development (Please describe)	Nature*
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

### 1.2.3 'SOCIAL DUMPING'<sup>4</sup> AND LABOUR EXPLOITATION

Were there any **new** developments aimed at tackling labour exploitation and/or social dumping of third-country national workers legally residing in your (Member) State in 2018? **Y/N.**

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<sup>4</sup> While there is no definition of the concept of "social dumping" in EU law, the term is generally used to point to unfair competition due to the application of different wages and social protection rules to different categories of worker (Parliamentary questions, 27 May 2015, E-008441-15). The European Commission described the practice as a situation 'where foreign service providers can undercut local service providers because their labour standards are lower', more info at [Eurofound](#)



**NO**

If **yes**, please elaborate below, stating the drivers for the change / intended impact if applicable.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

#### **1.2.4 CIRCULAR MIGRATION**

**Were there any new developments regarding circular migration in 2018? Y/N.**

**NO**

If **yes**, please elaborate below, stating the drivers for the change / intended impact if applicable.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

**Were there any new developments regarding other bilateral labour agreements between your (Member) State and third countries in 2018? Y/N.**

**YES**

If **yes**, please elaborate below, stating the drivers for the change / intended impact if applicable.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
Bilateral agreement has been accepted between the Ministry of National Economy of Hungary and the Ministry of Labour, Employment, Veteran and Social Policy of the Republic of Serbia regarding the field of Employment.	<input type="checkbox"/> Legislation <input checked="" type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

#### **1.2.5 OTHER DEVELOPMENTS IN ECONOMIC MIGRATION**

**Were there any other new developments in the area of economic migration in 2018? Y/N.**

**NO**

If **yes**, please elaborate below, stating the drivers for the change / intended impact if applicable.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

### **1.3 STUDENTS AND RESEARCHERS**

**Were there any new developments in relation to a) Students and b) Researchers in 2018? Y/N**

**YES**

If **yes**, please elaborate below. Please state the driver for the change / intended impact (e.g. incentive mechanisms to attract / retain students, measures to prevent mis-use etc.) if applicable.

<b>Development for a) STUDENTS (please describe)</b>	<b>Nature*</b>
The mobility directive concerning students and researchers were transposed in the national legislation and entered into force on 1 January 2018.	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
.....	<input type="checkbox"/> Legislative <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>Development for b) RESEARCHERS (please describe)</b>	<b>Nature*</b>
The mobility directive concerning students and researchers were transposed in the national legislation and entered into force on 1 January 2018.	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
.....	<input type="checkbox"/> Legislative <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

### **1.4 FAMILY REUNIFICATION AND FAMILY FORMATION**

**Were there any new developments regarding family reunification and family formation in 2018? Y/N.**

**YES**

If **yes**, please elaborate below. Please state the driver for the change / intended impact (e.g. facilitation of family reunification, measures to prevent mis-use etc.)

Development (Please describe)	Nature*
<p>Amendments of Act II of 2007 and Act I of 2007: the third country national family members of a Hungarian citizen will fall under the scope of Act II of 2007 from 01.01.2019 (earlier they enjoyed the right of free movement). Those who hold a right to stay as a third country national member of a Hungarian citizen will receive a National Permanent Residence Permit. The issuance of the national residence permit can be only refused if:</p> <ul style="list-style-type: none"> <li>- they have disclosed false information or untrue facts</li> <li>- against whom an initiative for refusing the right stay has been issued by the competent authorities (national security, public security, public safety)</li> <li>- relationship of convenience</li> <li>- criminal record</li> <li>- if the marriage was dissolved after 3 years after receiving the current permit or if the parental custody was revoked</li> <li>- a cohabitation relationship does not exist</li> <li>- the person has left the territory of Hungary for a period longer than 6 months</li> <li>- the linked Hungarian national has settled abroad</li> </ul> <p>The Parliament accepted the change in the legislation concerning the third country citizen family members of Hungarian citizens but the amendments are only effective from the 1st of January 2019</p>	<input checked="" type="checkbox"/> Legislation <input checked="" type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

### 1.5 INFORMATION ON ROUTES TO AND CONDITIONS OF LEGAL MIGRATION

Were there any **new** developments in 2018 to improve the provision of information on the routes to and conditions of legal migration for third-country nationals? **Y/N.**

**NO**

For example, provision of information through:

- a) Information campaigns, websites, specific centres etc.
- b) Cooperation with third countries, for example on pre-departure measures, which may include provision of information on **visas** and residence / work permits, which take place both in the (Member) State and/or a third country.

If **yes**, please elaborate below.

Development (please describe)	Nature*
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

### 1.6 OTHER MEASURES REGARDING LEGAL MIGRATION

Were there any **other new** developments regarding legal migration? **Y/N.**

**NO**

If **yes**, please elaborate below, and state the driver for the change / intended impact in 2018

<b>Development</b> <i>(please describe)</i>	<b>Nature*</b>
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

## 2 INTERNATIONAL PROTECTION INCLUDING ASYLUM

*NB: THIS SECTION WILL ALSO FEED INTO EASO'S ANNUAL REPORT ON THE SITUATION OF ASYLUM IN THE EU.*

### 2.1 IMPLEMENTATION OF THE COMMON EUROPEAN ASYLUM SYSTEM (CEAS) AND RELATED POLICY DEVELOPMENTS

#### 2.1.1 CHANGES IN LEGISLATION, POLICIES AND PRACTICES

Please provide **information on new developments** relating to any of the following areas:

##### 2.1.1.1 Access to the asylum procedure

Were there any **new** developments in relation to access to the asylum procedure in 2018? Y/N.

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development <i>(Please describe)</i>	Nature*
a) <b>First arrival to territory</b> (including information provided at the time of first arrival to the EU territory and operations to help asylum seekers on arrival);	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
b) <b>Access to the asylum procedure</b> (including applications made at the border, within the (Member) State's territory and in detention) - including making and lodging applications;	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
c) <b>Registration of applications for international protection</b> (including subsequent applications and Dublin returnees), identification and fingerprinting.	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation

	<input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
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\*Please tick the appropriate box

2.1.1.2 Reception of asylum applicants

**Were there any new developments in relation to reception of asylum applicants in 2018? Y/N.**

**YES**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
<b>a) Reception of applicants</b> (please include information on reception capacities – rise/fall/stable, material reception conditions, i.e. housing, food and clothing and financial support, contingency planning in reception, access to labour market and vocational training, medical care, schooling and education, residence and freedom of movement)	
<p>From January 2018 legislation has been amended as follows:</p> <p>When housing asylum seekers in reception facilities the gender identity other than the applicant's registered sex, shall take into account by the asylum authority.</p> <p>When housing asylum seekers, recognized refugees and subsidiary protected persons in reception facilities and also during detention special attention is given to LGBT persons.</p> <p>Special attention is being paid to asylum seekers with special needs, children receive 5 meals a day, pregnant women and mothers with newborn children and children receive fruit and dairy products daily. The legislation has been amended that for these vulnerable groups meals are provided in all accommodation facilities similarly (5 meals per day), previously this was only provided for children under 14 years old.</p>	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>b) Detention during the asylum procedure</b> (detention capacity – rise/fall/stable, practices regarding detention, grounds for detention, alternatives to detention, time limit for detention)	
<p>From January 2018 legislation has been amended as follows:</p> <p>When housing asylum seekers, recognized refugees and subsidiary protected persons in reception facilities and also during detention special attention is given to LGBT persons.</p>	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

2.1.1.3 Asylum procedures

**Were there any new developments in relation to asylum procedures in 2018? Y/N.**

**YES**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development ( <i>Please describe</i> )	Nature*
a) <b>Access to information and legal counselling/representation</b> (including at the border and during the asylum procedure);	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
b) <b>Provision of interpretation;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
c) <b>Dublin procedure</b> (including changes in: the organisational framework, IT systems <sup>5</sup> , practical development and suspension of transfers to selected countries, detention in the framework of Dublin procedures);	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
d) <b>Special procedures:</b> border procedures, procedures in transit zones, accelerated procedures, admissibility procedures, prioritised procedures or any special procedure for selected caseloads;	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
e) <b>Safe country concept:</b> safe country of origin, safe third country, European safe third country, first country of asylum (introduction of the concept into law, applicability of the concept in practice, measures undertaken to create, revise or implement a list of safe countries);	
Article 51 (2) of Act LXXX. of 2007 on Asylum was supplemented with the following ground of inadmissibility: An application shall be	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy

<sup>5</sup> For example, information on setting up new databases that allow managing of Dublin cases, problems with managing DublinNet which can cause a delay in sending/receiving Dublin requests, acquisition of new equipment, such as Eurodac machines etc. as it is a relevant development in boosting the capacity to conduct Dublin procedures.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
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), or if the appropriate level of protection is provided in the country through which he/she has arrived in Hungary.	<input type="checkbox"/> Practice/Other
f) <b>Procedures at first instance</b> (relevant changes in: the authority in charge, organisation of the process, interviews, evidence assessment, international protection status determination, decision making, timeframes, case management, including backlog management);	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
g) <b>Appeal/judicial review</b> (changes in: organisation of the process, hearings, written procedures, timeframes, case management, including backlog management);	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
h) <b>Country of origin information</b> (changes or updates in: organisation, methodology, products, databases, fact-finding missions, cooperation between (Member) States).	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

#### *2.1.1.4 Residence/entry documents and rights/obligations of beneficiaries of international protection*

**Were there any new developments in relation to the rights and obligations related to the status of beneficiary of international protection in 2018? Y/N.**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
<b>a) Residence/entry documents</b> granted to beneficiaries of international protection (including length/duration);	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>b) Rights and obligations</b> regarding family reunification, access to social welfare scheme, access to accommodation, healthcare, citizenship, education, employment etc.	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy



	<input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

[2.1.1.5 Provision of information on residence/entry documents and rights/obligations of beneficiaries of international protection](#)

**Were there any new developments in relation to the provision of information to beneficiaries of international protection on the rights and obligations related to that status, in a language that they understand or are reasonably supposed to understand in 2018? Y/N.**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
<b>a) Information on residence/entry documents</b> granted to beneficiaries of international protection (including length/duration);	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>b) Information on rights and obligations</b> regarding family reunification, access to social welfare scheme, access to accommodation, healthcare, citizenship, employment and integration programme.	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

[2.1.1.6 Withdrawal of international protection](#)

**Were there any new developments regarding the withdrawal of international protection? Y/N.**

**NO**

Please include information in relation to institutional and organisational aspects, procedural rules, cessation, grounds for revocation of, ending of, or refusal to renew international protection (grounds for ending international protection include: exclusion, misrepresentation or

omission of facts and danger to national security or the community) and consequences following revocation of, ending of, or refusal to renew international protection.

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

#### 2.1.1.7 Cooperation with third countries

**Were there any new policies/measures in 2018 implemented in cooperation with third countries, including activities related to the external dimension of the CEAS** (e.g. participation in capacity building activities in third countries, Regional Development Protection Programmes or any relevant activities under Partnership Framework with Third Countries and European Neighbourhood Policy)?

If evidence is available, please describe the outcomes of these developments in the box below

-N/A

#### 2.1.1.8 Other developments in asylum legislation, policy and practices

**Were there any other new developments in 2018 which were not covered above, in particular in relation to any specific challenges?**

Development (Please describe)	Nature*
<p>From 5th February during office hours, Pastu translator was available at the Röske Transit Zone through AMIF funding to help client communication with social and medical services.</p> <p>From 11th April an Urdu and from 13th April an Arabic interpreter was available at the Röske transit zone.</p> <p>From April mandatory chest x-ray screening was done at the local hospitals.</p> <p>Within the framework of AMIF projects, upgrades have been made to the transit zones from June throughout the whole year. Equipment for community activities and school supplies have been acquired from AMIF funding in these months, these include foosball (table soccer), lots of different kinds of balls (volleyball, football, table tennis balls, etc), board games, card games, puzzles, etc.</p> <p>While previously available AMIF funded services continue uninterrupted, in July, the psychiatric care - due to project's ending on 30th June - was limited to the specialists' services offered by the</p>	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other

<p>legislation, until the new project activities could start.</p> <p>From 1st September an additional social worker was hired, funded within an AMIF project in the Röszke Transit Zone.</p> <p>From 7th September in both transit zones (Tompá and Röszke) a psychologist was available at each location once a week 4 hours a day. (Previously at Röszke, availability was 9 hours a week and at Tompa, 6 hours a week, the reduction is due to decrease in number of inhabitants.)</p> <p>Arabic interpretation at Tompa transit zone due to illness was not available in November and December, pastu interpretation was not available at Röszke transit zone from 10th December due to end of contract.</p>	
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*\*Please tick the appropriate box*

**2.1.2 INSTITUTIONAL CHANGES IN THE NATIONAL ASYLUM SYSTEM**

**Were there any new institutional changes in the asylum field at ministry/agency/section level (including changes in mandate, creation of new entities, internal restructuring and transfer of competences, increase/decrease of staffing) in 2018? Y/N.**

**NO**

**2.1.3 EFFICIENCY AND QUALITY OF THE NATIONAL ASYLUM SYSTEM**

**Were there any measures undertaken to improve:**

**YES**

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
a) <b>Safeguards of the national asylum system</b> (preventing and combatting unfounded applications, credibility assessment, <sup>6</sup> establishing identity, nationality verification, detection of security concerns, age fraud) including information on tools, mechanisms and training provided to staff;	
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), or if the appropriate level of protection is provided in the country through which he/she has arrived in Hungary.	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/>

<sup>6</sup> According to EASO, credibility assessment is performed in order to establish if the applicant’s statements substantiating the claim are truthful in the light of other circumstances of the case and other means of evidence.

Development <i>(Please describe)</i>	Nature*
b) <b>Quality of the national asylum system</b> (internal measures to improve quality in decision-making processes and the content of issued decisions, e.g. creation of guidelines and instructions). Please include information on training, tools and mechanisms and state how results are measured.	Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
c) <b>Efficiency of the processing of (first) applications and appeals</b> (increasing speed, reducing costs, use of new technology, specialised training provided) of the national asylum system. Please indicate if there are any procedural changes, which are specific to subsequent applications.	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

*Please include information on **effectiveness** of above listed measures (where evidence exists and stating how this is measured).*

## 2.2 RELOCATION AND RESETTLEMENT PROGRAMMES

**NB: Please note that information collected under this section, will be presented in the Synthesis Report together with the EU overview of relocation and resettlement schemes.**

### 2.2.1 RELOCATION<sup>7</sup>

#### 2.2.1.1 Intra-EU relocation mechanism

**Were there any changes in your national practices with regard to applicants relocated under the intra-EU relocation mechanism in 2018? Y/N.**

**NO**

If **yes**, please elaborate below. Please also mention any challenges related to this mechanism.

#### 2.2.1.2 National relocation mechanisms

**Were there any actions undertaken in 2018 with regard to relocation activities organised under national schemes (i.e. on bilateral basis, not EU level schemes)? Y/N.**

**NO**

If **yes**, please elaborate below.

### 2.2.2 RESETTLEMENT AND HUMANITARIAN ADMISSION PROGRAMMES<sup>8</sup>

#### 2.2.2.1 EU Joint Resettlement Programmes

**Were there any activities related to resettlement and humanitarian admission programmes implemented by your (Member) State under EU resettlement programmes in 2018? Y/N.**

**NO**

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<sup>7</sup> Relocation: The transfer of persons having a status defined by the Geneva Refugee Convention and Protocol or subsidiary protection within the meaning of Directive 2011/95/EU (Recast Qualification Directive) from the EU Member State which granted them international protection to another EU Member State where they will be granted similar protection, and of persons having applied for international protection from the EU Member State which is responsible for examining their application to another EU Member State where their applications for international protection will be examined. In the context of the EU emergency relocation programme, the transfer of persons in clear need of international protection, as defined in Council Decision 2015/1601 and 2016/1754, having applied for international protection from the EU Member State, CH or NO which is responsible for examining their application to another EU Member State, CH or NO where their application for international protection will be examined. (see EMN Glossary V6).

<sup>8</sup> Resettlement: In the EU context, the transfer, on a request from the United Nations High Commissioner for Refugees (UNHCR) and based on their need for international protection, of a third-country national or stateless person, from a third country to an EU Member State, where they are permitted to reside with one of the following statuses: (i) refugee status within the meaning of Art. 2(d) of Directive 2011/95/EU (Recast Qualification Directive); (ii) a status which offers the same rights and benefits under national and EU law as refugee status. (see EMN Glossary Version 6).

If **yes**, please elaborate below. Please also mention any challenges related to these programmes.

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### 2.2.2.2 National Resettlement Programmes

Please note that this question focuses on national resettlement programmes, such as those implemented by UNHCR, whilst the question on above 2.2.2.1 focuses on EU joint resettlement programmes

**Please describe 2018 resettlement activities to your (Member) State, differentiating between the types of programme indicated below.**

*If applicable, for each of the programmes described, please indicate the resettlement quota established, the actual number of people resettled/admitted and from which countries. Please describe any evidence of the results / outcomes of this cooperation, if available.*

a) <b>National resettlement programme</b> (UNHCR); N/A
b) <b>National Humanitarian Admission Programme</b> ; N/A
c) <b>Private sponsorship programme/scheme</b> ; N/A
d) <b>Ad-hoc special programmes</b> (e.g. national initiatives, and/or international initiatives) N/A

### **2.3 INFORMATION FOR EASO PURPOSES (REPORT AND EASO DATABASE ON CASE LAW) ONLY, NOT FOR INCLUSION IN EMN SYNTHESIS REPORT:**

#### **Jurisprudence**

Please provide information on precedent setting new national jurisprudence relating to asylum with major policy implications (preferably final judgments) by using the following structure:

- **Court Name**
- **Date of Decision**
- **Title/Parties**
- **Case Number/ Citation/Document Symbol/ECLI**
- **Abstract**
- **Link to the full version/or attach original document**

Please provide information on the impact of **CJEU/ECHR judgements** on national policy

No relevant final judgement was delivered within the period.

### 3 UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

#### 3.1 UNACCOMPANIED MINORS APPLYING FOR ASYLUM

Were there any new developments at national level in 2018 in relation to unaccompanied minors (UAMs) who were applying for asylum using the specific headings outlined below ? Y/N.

Throughout the year, the number of asylum applications by unaccompanied minors has significantly decreased. Thus, the low number of unaccompanied minors does not necessitate an increase in the number of human resources or changes in the policy.

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
<b>a) Increase/Decrease of human resources</b> and/or training of staff;	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>b) Improvement of protection and care</b> of UAMs, including reception facilities;	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>c) Legal guardianship</b> and foster care;	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>d) Age assessment;</b>	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>e) Procedural safeguards;</b>	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>f) Provision of information</b> (info material, e.g. videos, leaflets, booklets etc.);	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>g) Other.</b>	<input type="checkbox"/> Legislation



Development (Please describe)	Nature*
	<input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

### 3.2 OTHER VULNERABLE GROUPS APPLYING FOR ASYLUM

Were there any **new** developments at national level in relation to other vulnerable groups<sup>9</sup> applying for asylum in 2018? Y/N.

**YES**

Other vulnerable groups include minors, disabled people, elderly people, lesbian, gay, bisexual, transgender, queer or questioning, and intersex (LGBTQI) people, pregnant women, single parents with minor children, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation, following the specific headings outlined below.

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
<b>a) Measures clarifying the definition of vulnerable groups;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>b) Special reception facilities for vulnerable groups;</b>	
<p>From January 2018 legislation has been amended as follows:</p> <p>When housing asylum seekers in reception facilities the gender identity other than the applicant's registered sex, shall take into account by the asylum authority.</p> <p>When housing asylum seekers, recognized refugees and subsidiary protected persons in reception facilities and also during detention special attention is given to LGBT persons.</p> <p>Special attention is being paid to asylum seekers with special needs, children receive 5 meals a day, pregnant women and mothers with newborn children and children receive fruit and dairy products daily. The legislation has been amended that for these vulnerable groups meals are provided in all accommodation facilities similarly (5 meals per day), previously this was only provided for children under 14 years old.</p>	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>c) Identification mechanisms/referrals;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/>

<sup>9</sup> Not including victims of human trafficking, as this is covered in Section 7.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
	Policy <input type="checkbox"/> Practice/Other
<b>d) Applicable procedural safeguards;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>e) Other.</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

### 3.3 UNACCOMPANIED MINORS NOT APPLYING FOR ASYLUM

Were there any **new** developments at national level in 2018 in relation to unaccompanied minors (UAMs) NOT applying for asylum, following the specific headings outlined below? **Y/N.**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
<b>a) Increase/Decrease of human resources</b> and/or training of staff;	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>b) Improvement of protection and care</b> of UAMs, including reception facilities;	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>c) Legal guardianship</b> and foster care;	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>d) Age assessment;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>e) Procedural safeguards;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
	<input type="checkbox"/> Practice/Other
<b>f) Provision of information</b> (info material, e.g. videos, leaflets, booklets etc.);	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>g) Other.</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

### **3.4 OTHER VULNERABLE GROUPS NOT APPLYING FOR ASYLUM**

Were there any **new developments at national level in 2018 in relation to other vulnerable groups NOT** applying for asylum (such as (accompanied) minors, disabled people, elderly people, lesbian, gay, bisexual, transgender, queer or questioning, and intersex (LGBTQI) people, pregnant women, single parents with minor children, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation) , following the specific headings outlined below? **Y/N.**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
<b>a) Measures clarifying the definition of vulnerable groups;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>b) Special reception facilities</b> for vulnerable groups;	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>c) Identification mechanisms/referrals;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>d) Applicable procedural safeguards;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>e) Other.</b>	

	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
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*\*Please tick the appropriate box*

## 4 INTEGRATION

### 4.1 INTEGRATION OF THIRD-COUNTRY NATIONALS

#### 4.1.1 INTEGRATION THROUGH SOCIO-ECONOMIC PARTICIPATION

Were there any new developments to facilitate integration of third-country nationals, through socio-economic participation in 2018? Y/N.

**NO**

*Please note that this question is intended to capture generic integration policies. Measures targeting specific categories of third-country nationals are addressed in Section 4.2.*

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
<b>a) Measures to improve attainment in schooling and/or the education system and/or vocational training;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>b) Measures to enhance language skills;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>c) Access to social security, social assistance, healthcare, housing and other basic services;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>d) Integration into the labour market.</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/>

	Practice/Other <input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>e) Other.</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

#### 4.1.2 INTEGRATION THROUGH CIVIC PARTICIPATION

**Were there any new developments to promote the integration of third-country nationals through civic participation in 2018? Y/N.**

**NO**

For instance, consider measures to increase the participation of third country nationals (both women and men) in the design and implementation of integration policies; outreach programmes, capacity-building within migrant organisations; and measures to enhance democratic participation, for example, training, civic courses on national history, political institutions and values, mentors etc.

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

#### 4.2 PROMOTING INTEGRATION OF SPECIFIC CATEGORIES OF THIRD-COUNTRY NATIONALS

**Were there any new developments specifically targeted to facilitate integration of specific categories of third-country nationals, such as beneficiaries of international protection, family migrants, UAMs and other vulnerable groups etc. in 2018? Y/N.**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
a) <b>Measures to improve attainment in schooling and/or the education system</b>	

<b>and/or vocational training;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>b) Measures to enhance language skills;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>c) Access to social security, social assistance, healthcare, housing and other basic services;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>d) Integration into the labour market;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>e) Other.</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/>

\*Please tick the appropriate box

#### 4.3 NON-DISCRIMINATION

**Were there any new relevant developments in 2018 that concern promotion, implementation and monitoring of non-discrimination policies, in particular on grounds of ethnicity, race and others, as well as the intersection of several grounds for discrimination that would be particularly relevant for third-country nationals? Y/N.**

**NO**

Specifically mention any measures beyond those introduced through the transposition and implementation of EU legislation.<sup>10</sup>

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

#### 4.4 PROMOTING INTEGRATION AT LOCAL LEVEL AND COOPERATION, CONSULTATION AND COORDINATION OF LOCAL STAKEHOLDERS

**Were there any new relevant activities implemented by national, regional and/or local governments on the integration of third-country nationals involving the active participation of local authorities and/or civil society in 2018? Y/N.**

**NO**

They might include activities addressing integration challenges in disadvantaged urban areas; improving multi-level cooperation between different levels of governance (e.g. national, regional, local government) and stakeholders (e.g. civil society organisations, economic and social partners, education institutions, public employment services); granting voting rights in local elections.

If **yes**, please elaborate below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

<sup>10</sup> European non-discrimination law, as constituted by the EU non-discrimination directives (Racial Equality and Employment Equality Directive), Article 21 of the EU Charter of Fundamental rights and Article 14 of and Protocol 12 to the European Convention on Human Rights, prohibits discrimination across a range of contexts and a range of grounds.



	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
--	--

*\*Please tick the appropriate box*

**4.5 AWARENESS RAISING ON MIGRATION IN THE HOSTING (MEMBER) STATE**

**Were there any new developments aimed at raising awareness / engaging the receiving community within the (Member) State in order to enhance its understanding of the phenomenon of migration and thereby promote integration and social cohesion (information campaigns, websites, etc.) in 2018? Y/N.**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

**4.6 INTEGRATION MEASURES IN THE COUNTRIES OF ORIGIN AND/OR INVOLVING DIASPORA COMMUNITIES**

**4.6.1 PRE-DEPARTURE INTEGRATION MEASURES IN COUNTRIES OF ORIGIN**

**Were there any new pre-departure policies / measures taking place in the countries of origin of third-country nationals to prepare for their integration after arrival in 2018? For example, language training, vocational training, recognition of qualifications and skills. Y/N.**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

**4.6.2 INTEGRATION MEASURES INVOLVING THE DIASPORA COMMUNITIES IN MEMBER STATES**

**Were there any new integration developments involving the diaspora communities in your Member State (as a host country) in 2018?** For example, activities either organised by public authorities or by diaspora communities with the government’s support, to promote cultural awareness and/or integration activities for particular diaspora communities. **Y/N.**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development <i>(Please describe)</i>	Nature*
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

## 5 CITIZENSHIP AND STATELESSNESS

### 5.1 CITIZENSHIP

#### 5.1.1 ACQUISITION OF CITIZENSHIP

Were there any **new** developments in relation to the acquisition of citizenship (prerequisites and conditions) for legally residing third-country nationals in your (Member) State during 2018? **Y/N**.

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

#### 5.1.2 GROUNDS FOR REVOCATION OF CITIZENSHIP

Were there any new developments regarding the grounds for revocation of citizenship during 2018? **Y/N**.

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

### 5.2 STATELESSNESS

#### 5.2.1 STATELESSNESS DETERMINATION, STATUS AND RIGHTS GRANTED

Were there any **new** developments in relation to statelessness determination and status during 2018? **Y/N**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
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Development <i>(Please describe)</i>	Nature*
<b>a) Ratification of international conventions on statelessness;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>b) A dedicated statelessness determination procedure (SDP) or any other procedures or mechanisms by which statelessness can be identified and status determined;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>c) Good practices;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>d) Rights granted to recognised statelessness persons.</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

## 6 BORDERS, VISA AND SCHENGEN

### 6.1 ENHANCED BORDER MANAGEMENT AT THE EXTERNAL BORDERS

#### 6.1.1 BORDER CONTROL MEASURES/MANAGEMENT

Were there any **new** developments in relation to border control measures/management implemented during 2018? Y/N.

**YES**

**NB:** This question only pertains to technical developments and measures taken at the external borders.

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development <i>(Please describe)</i>	Nature*
<p>The Hungarian liaison officer network was further developed with one more document expert liaison officer who started his activities in Turkey (Istanbul). (Previously, there was one document expert in Nigeria and one in China.)</p> <p>Within a procurement, 14 ABC gates are being installed at the Budapest Liszt Ferenc International Airport (12) and at the Debrecen International Airport (2).</p> <p>The Hungarian Police's carried out a procurement for 328 document inspection devices and for 215 mobile document examiner devices for border crossing points.</p>	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other
<p>In order to accelerate the border control, new devices (normal and mobile document and fingerprint readers) were purchased and were set up on 11 July 2018. (407 normal and 93 mobile document- and fingerprint readers)</p>	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other

\*Please tick the appropriate box

#### 6.1.2 ACTIVITIES TO IMPROVE THE EFFECTIVENESS OF CONTROLS AT EXTERNAL BORDERS

Were there any **new** developments to ensure more effective control of the external borders, such as reinforcing border control staff, providing training, increasing overall resources, introducing action plans or protocols, etc. in 2018? Y/N.

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development <i>(Please describe)</i>	Nature*
<p>100 new passport-controller posts (Police staff) were set up as of 1 July 2018.</p>	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other
<p>In order to meet the expectations of the Schengen criteria, an action plan was accepted for the period of preparation for the Schengen evaluation (until September 2019).</p>	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other

\*Please tick the appropriate box

### 6.1.3 REINFORCED COOPERATION WITH THIRD COUNTRIES IN THE AREA OF BORDER MANAGEMENT.

Please list any 2018 agreements, and other forms of bilateral and multilateral cooperation with third countries with an objective to strengthen the operational capacity in combatting irregular migration and controlling of external borders.

Title of agreement (where relevant)	Third country (countries) with whom the cooperation exists	Description (e.g. provision of border equipment, training of border guards, etc.)
Police Cooperation Convention for Southeast Europe	North-Macedonia, Serbia	joint border patrol

In 2018 Hungary have sent police officers on a monthly basis (altogether 522 persons) to Serbia and North-Macedonia to give support preventing illegal border crossing and other illegal acts related to illegal migration.

In 2018 3 Joint Return Operations were organized by Hungary (both of them to Afghanistan). A pool of escorts was trained and 5 persons were deployed to a JRO to Congo organized by Belgium. Hungary used to organize return operation by scheduled flights (Frontex SROs).

### 6.2 VISA POLICY

Were there any new developments in relation to the implementation of the Visa Code and the Visa Information System (VIS) or any other Visa related developments, in particular in relation to cooperation between (Member) States' consulates and the set-up of joint consular services for visas in 2018? Y/N

YES

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
<p>The amendment of the national law (Act II of 2007, Act I of 2007, Government Decree 114/2007 (V.24), Government Decree 113/2007 (V. 24.)) due to the new (EES, ETIAS, Interoperability) and the amended (VIS, Visa Codex) acquis of the European Union is a continuous and ongoing procedure.</p> <p>Based on the foreseen amendments the Immigration and Asylum Office will have a direct access to the EES and can request data and upload/register data based on the law. HU has to appoint the ETIAS Central Unit and has to amend the national law according to the regulation. The Immigration and Asylum Office will also have access to this system. The ongoing amendments of the VIS regulation and Visa Codex do not affect the national law at the moment.</p>	<input checked="" type="checkbox"/> Legislation <input checked="" type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

### 6.3 SCHENGEN GOVERNANCE

Were there any new developments in relation to Schengen governance during 2018? Y/N

**YES**

Where relevant, please include any (planned) actions in relation to the new Schengen acquis, temporary suspension of Schengen, etc.

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
In Hungary at the end of 2018 a new governmental working group was set up in order to coordinate the implementation of EES and ETIAS EU Regulations.	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

## 7 IRREGULAR MIGRATION INCLUDING MIGRANT SMUGGLING

### 7.1 PREVENTING AND TACKLING OF MISUSE OF LEGAL MIGRATION CHANNELS

#### 7.1.1 IRREGULAR MIGRATION AS A RESULT OF VISA LIBERALISATION

Were there any **new** developments introduced in 2018 to prevent irregular migration as a result of visa liberalisation? **Y/N.**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development <i>(Please describe)</i>	Nature*
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

#### 7.1.1.1 Effects of visa free regimes

Were there any **new** developments to monitor the effects of visa free regimes in your (Member) State in 2018? **Y/N**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development <i>(Please describe)</i>	Nature*
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

#### 7.1.1.2 Key findings of monitoring activities

Please describe the results/key findings of these monitoring activities – especially in relation to impact on the number unfounded asylum applications registered in your (Member) State.



N/A

### 7.1.2 IRREGULAR MIGRATION AS A RESULT OF MISUSE OF LEGAL MIGRATION CHANNELS

#### 7.1.2.1 Misuse of legal migration channels by third-country national workers

Were there any **new** developments in 2018 to tackle misuse of legal migration channels by third-country national workers? **Y/N.**

**YES**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
The amendment of the national law (Act II of 2007, Act I of 2007, Government Decree 114/2007 (V.24), Government Decree 113/2007 (V. 24.)) due to the new (EES, ETIAS, Interoperability) and the amended (VIS, Visa Codex) acquis of the European Union is a continuous and ongoing procedure.	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other

\*Please tick the appropriate box

#### 7.1.2.2 Misuse of legal migration channels by third-country national students and researchers

Were there any **new** developments in 2018 to tackle misuse of legal migration channels by third-country national students and researchers? **Y/N.**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

#### 7.1.2.3 Misuse of family reunification migration channels

Were there any **new** developments in 2018 to tackle misuse of family reunification migration channels? **Y/N.**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
	<input type="checkbox"/> Legislation <input type="checkbox"/>

	Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

### 7.1.3 FALSE TRAVEL DOCUMENTS

Were there any **new** developments in 2018 to prevent, identify and/or investigate fraudulent acquisition and use of false travel documents? **Y/N.**

**YES**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
Amendment of Chapter V of Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals.	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<p>The Hungarian liaison officer network was further developed with one more document expert liaison officer who started his activities in Turkey (Istanbul). (Previously, there was one document expert in Nigeria and one in China.)</p> <p>Within a procurement, 14 ABC gates are being installed at the Budapest Liszt Ferenc International Airport (12) and at the Debrecen International Airport (2).</p> <p>The Hungarian Police's carried out a procurement for 328 document inspection devices and for 215 mobile document examiner devices for border crossing points.</p>	<input type="checkbox"/> Legislation <input type="checkbox"/> <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other
In order to accelerate the border control, new devices (normal and mobile document and fingerprint readers) were purchased and were set up on 11 July 2018. (407 normal and 93 mobile document- and fingerprint readers)	<input type="checkbox"/> Legislation <input type="checkbox"/> <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other

\*Please tick the appropriate box

### 7.1.4 IRREGULAR MIGRATION CAUSED BY THE MISUSE OF FREE MOVEMENT RIGHTS BY THIRD-COUNTRY NATIONALS AND PREVENTING THE FRAUDULENT ACQUISITION AND USE OF FREE MOVEMENT RIGHTS BY THIRD-COUNTRY NATIONALS

Were there any **new** developments in 2018 to prevent the fraud and misuse of free movement rights? **Y/N.**

**YES**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
Preparing amendments of Act II of 2007 regarding the transfer of the third country national family members of a Hungarian citizen from the scope of Act I of 2007 under the scope of Act II of 2007. Therefore the possibility to apply for a C/EEA visitor visa will not be available for the third country family members of a Hungarian citizen from 01. January 2019. Schengen C visa cannot be issued for them in the future. In the future the third country national family member of the Hungarian citizen will be able to	<input type="checkbox"/> Legislation <input checked="" type="checkbox"/> Policy <input type="checkbox"/> <input type="checkbox"/> Practice/Other

Development (Please describe)	Nature*
<p>apply for a "d" type visa when applying for the residence permit with the purpose of family reunification if the person accompanies or joins to a Hungarian national. The application will be forwarded to the regional directorate of the Immigration and Asylum Office. Regarding the documents that need to be submitted, it is Act II of 2007 which needs to be considered.</p> <p>It is important to emphasize that this change will not affect the third country national family members of the EEA citizens. They can apply for C/EEA visitor visa and these applications will be considered and decided upon by the foreign representation of Hungary, without any differentiation based on the nationality of the third country national.</p>	

\*Please tick the appropriate box

## 7.2 THE FIGHT AGAINST FACILITATION OF IRREGULAR MIGRATION ('SMUGGLING') AND PREVENTION OF IRREGULAR STAY

### 7.2.1 COMBATTING FACILITATION OF IRREGULAR MIGRATION (SMUGGLING)

**Were there any new developments aimed at preventing and combatting facilitation of irregular migration (smuggling), including facilitation of unauthorised entry in 2018? Y/N.**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
<p>Hungary is devoted to tackle migrant smuggling; therefore a new set of measures has been introduced in the national legislation (Stop Soros legislative package). The objective of the adopted package is to close legal loopholes through which certain organizations were aiding illegal migration and human trafficking under the guise of humanitarian assistance.</p>	<p><input checked="" type="checkbox"/> Legislation</p> <p><input type="checkbox"/> Policy</p> <p><input type="checkbox"/> Practice/Other</p>
<p>As regards the illegal migration flows toward Western-European countries, Hungary still has a transit role. The relevant criminal organisations are settled abroad and organize their illegal activities in the neighbouring countries, so for this reason, more emphasis was put on international cooperation.</p> <p>From the direction of Serbia, the attempts of illegal migrants to cross border were focused both at the triplex-border areas and areas where due to the natural/geographical features border fences can be only used in a restricted way.</p> <p>As regards the HU-RO and HU-CR border range, it can be concluded that illegal border crossing (green border) along these border sections do not appear to be a tendency, and it can be also stated that such crossing attempts are limited, and there are no cases of organized smuggling.</p> <p>The use of modus operandi of hiding in heavy good vehicles is frequent. Hot spot in this regard is Rösztke border crossing point but sometimes group of 2-4 people are also apprehended at Tompa BCP. An experience was the increasing tendency in attempts of illegal border crossing committed by the use of forged documents. This has been influenced by the visa free regime introduced by Serbia with China, Suriname, Iran Vietnam and Philippines. The visa agreement provided the possibility of staying in Serbia legally for 30 days. (8000 Iranian tourist arrived in Serbia in a year). As regards people from Kosovo and Metohija, they use look-alike passport of Western-Balkan countries.</p>	<p><input type="checkbox"/> Legislation</p> <p><input type="checkbox"/> Policy</p> <p><input checked="" type="checkbox"/> Practice/Other</p>

\*Please tick the appropriate box

## 7.2.2 PREVENTION OF IRREGULAR MIGRATION

Were there any **new** developments responding to the objective of prevention of irregular migration from third countries of origin and transit (information campaigns, websites, projects with grass-roots NGOs or involving the diaspora, etc., with the exception of cooperation activities with third countries to be reported in section 7.2.4) in 2018? **Y/N.**

**YES**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
Hungarian police contingents were deployed to Macedonia (30 police officers) and Serbia (15 police officers) in order to support border surveillance tasks of host countries.	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other

\*Please tick the appropriate box

## 7.2.3 PREVENTION OF IRREGULAR STAY

Were there any **new** developments aimed at preventing irregular stay and combatting facilitation of irregular stay, including disincentives and sanctions in 2018? **Y/N.**

**YES**

Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
Fine tuning of complex in-depth control was carried out throughout the country to prevent and combat facilitation of irregular stay.	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other

\*Please tick the appropriate box

## 7.2.4 COOPERATION WITH THIRD COUNTRIES TO PREVENT IRREGULAR MIGRATION

Were there any specific cooperation activities developed in 2018 in your (Member) State to prevent irregular migration in relation to the specific regions outlined below? **Y/N.**

**YES**

If **yes**, please elaborate below.

a) <b>The Western and Southern Mediterranean countries</b> (i.e. Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Mauritania Palestine*, Syria and Tunisia);
b) <b>The Eastern Partnership countries</b> (i.e. Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine);
c) <b>The Western Balkans countries</b> (i.e. Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia);
In the year of 2018 the Hungarian Police provided support and reinforcement for implementation of national border surveillance activities of Western Balkan countries. Republic of North Macedonia (ex FYROM) and Republic of Serbia received our technical and staff support on the basis of a bilateral agreement.
In the year of 2018 according to the bilateral agreement, 357 officers were deployed to Republic of North Macedonia and 175 officers to Republic of Serbia to prevent and reduce illegal migration.

d) **Countries in the African Atlantic coast** (e.g. Gambia, Ghana, Nigeria, Democratic Republic of Congo, Ivory Coast etc.).

### 7.2.5 MONITORING AND IDENTIFYING IRREGULAR MIGRATION ROUTES

**Were there any new developments with regard to identifying, monitoring and aggregating information on irregular migration routes in 2018? Y/N**

**Yes**

If yes, please indicate the nature of each development in the tick boxes below.

*Please explain how this information is used to develop your (Member) State's response to migratory flows.*

Development <i>(Please describe)</i>	Nature*
<p>The complex series of border protecting measures taken by Hungary and the amending of the legislation has contributed to diverting the illegal migration routes. Analysis reports made by Europol and Frontex also confirmed our experiences.</p> <p>New routes emerged: SRB-CR-SLO-AT and ALB-MNE-BiH-CR-SLO-AT. Migrants entering illegally Hungary intend to leave our contry mainly for Austria directly or via Slovakia. This latter route developed due to the strict control measures introduced by Austria at Hegyeshalom/Nickelsdorf border crossing.</p>	<p><input type="checkbox"/> Legislation</p> <p><input type="checkbox"/> Policy</p> <p><input checked="" type="checkbox"/> Practice/Other</p>

*\*Please tick the appropriate box*

## 8 TRAFFICKING IN HUMAN BEINGS

**This Section should be completed in the context of the "EU Strategy towards the Eradication of Trafficking in Human Beings (2012-2016)" and related Communication<sup>11</sup>. You should liaise with your National Rapporteur on Trafficking in Human Beings or Equivalent Mechanism (NREMs).**

*Please note that the scope of this section refers only to third-country national victims of trafficking.*

*NREMs share information with the Commission (via the informal EU Network of NREMs) on a biannual basis on developments relevant to their national legal and policy framework. This information can be used for this reporting exercise too. All information is uploaded accordingly to the EU Anti-Trafficking Website under the section of national pages.<sup>12</sup>*

### 8.1 NATIONAL STRATEGIC POLICY DEVELOPMENTS

**Were there any new developments or actions regarding the prevention and/or the fight against trafficking in human beings of third-country nationals (e.g. national action plans or national strategies introduced during 2018)? Y/N**

**YES**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
<p>In Hungary, a new national strategy against trafficking in human beings is currently under development. The document is planned to be assigned for the period 2019-2022 and will set specific guidelines for action and identify national level priorities. The adoption of the new strategy is – in time – accompanied by the implementation of a short-term Action Plan, which – in the meantime – sets out measures necessary to be taken as a rapid response to certain challenges that require more instant action.</p> <p>In the framework of the implementation of the Action Plan and the preparation of the new national anti-trafficking strategy, revision of relating legislation (partly touching upon the identification of, referral protocol and assistance for third country national victims) is on the agenda and discussions involving relevant stakeholders of both governmental and non-governmental formations have already began in the end of 2018 and are currently taking place.</p>	<p><input checked="" type="checkbox"/> Legislation</p> <p><input checked="" type="checkbox"/> Policy</p> <p><input type="checkbox"/> Practice/Other</p>

\*Please tick the appropriate box

### 8.2 IMPROVING IDENTIFICATION OF AND PROVISION OF INFORMATION TO THIRD-COUNTRY NATIONAL VICTIMS OF HUMAN TRAFFICKING

#### 8.2.1 PROVISION OF INFORMATION ON ASSISTANCE AND SUPPORT TO THIRD-COUNTRY NATIONAL VICTIMS

**Were there any new developments in relation to the improvement of the provision of information and assistance to third-country national victims (including child victims and applicants for asylum)\_during 2018? Y/N**

<sup>11</sup> Communication (COM (2017) 728 Final) Reporting on the follow-up to the EU Strategy towards the Eradication of trafficking in human beings and identifying further concrete actions, available at <http://ec.europa.eu/anti-trafficking/>

<sup>12</sup> EU Strategy towards the Eradication of trafficking in human beings, EU Member States, at <https://ec.europa.eu/anti-trafficking/member-states>

**YES**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development <i>(Please describe)</i>	Nature*
<b>a) Training and awareness raising ;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>b) Measures on cooperation between national authorities;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>c) Measures on cooperation between (Member) States.</b>	
<p>Other: Besides Govt. Decree 114/2007, Act CXXXV of 2005 on Crime Victim Support and State Compensation regulates the assistance of all victims, including third-country nationals receive. In the framework of the implementation of the Action Plan and the preparation of the new national anti-trafficking strategy, revision of relating legislation is on the agenda and discussions involving relevant stakeholders of both governmental and non-governmental formations have already began in the end of 2018 and are currently taking place.</p> <p>Other: The Ministry of Justice opened two further Victim Support Centres in Spring 2018, on 19 March in Miskolc and on 26 March in Szombathely, with a view to carry out certain tasks of the Victims Support Services much more effectively and in a more focused manner. The aim of the centre is to support victims whose life has changed owing to crimes or offences against property, to provide customized psychological and emotional support as well as information required for the enforcement of interests of those concerned. Victim support centre are parts of the Victim Support Services. The Ministry of Justice provides individual psychological crisis intervention in the victim support centres. Staff working in the victim support centres endeavours to reveal the kind of assistance that the national they are advising needs. They strive to provide support adjusted to the actual wishes and needs of victims within the shortest possible time. By establishing the victim support centres, the Ministry of Justice aimed to enable victims to become more aware of their rights and the options available for them, and gain information on what to do and who to</p>	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other

Development (Please describe)	Nature*
<p>contact for further assistance in a wider geographical area. The most important duty of the victim support centres is to offer support to victims who turn to them for help, to accept and listen to them, and to offer appropriate – customized – help for them.</p>	

\*Please tick the appropriate box

### 8.2.2 IDENTIFICATION OF VICTIMS

**Were there any new developments in relation to the improvement of the identification of victims (including child victims and applicants for asylum) during 2018? Y/N.**

**YES**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
<p>a) <b>Training and awareness raising ;</b></p> <p>The Immigration and Asylum Office provides different training opportunities to its staff in the field of human trafficking. In the reporting period, THB-specialists of the Hungarian Baptist Aid held a half-day sensitivity training for the social workers of the main operating reception facilities.</p> <p>Furthermore, the ISF-project „Successful identification of human trafficking victims during the IAO procedures” carried out between 1 January 2017 and 31 January 2018 included an obligation to maintain the training program and see about training at least 50 more employees. In the framework of this undertaking the first session took place in December 2018 with the participation of immigration officers and case workers of the Immigration and Asylum Office; lecturers represented the relevant stakeholders of the National Coordination Mechanism (National Police Headquarters, IOM, etc.). During the last year the Immigration and Asylum Office revised the internal protocols in terms of victim identification among asylum-seekers and beneficiaries of international protection. It was eventually found that the official victim identification form set out in the Government Decree No. 354/2012 shall be replaced, as some of its indicators are misleading when it comes to screening of migrants.</p> <p>To this end, the IAO explored the best practices of EU member states through the European Migration Network and collected the recommendations of international organizations (such as UNODC, ILO, IOM) and <b>added THB-related questions to the asylum interview sheet</b>. The extended interview template has been duly communicated to the staff in the reporting period.</p> <p>The same issue has been tackled in case of the social workers of the Immigration and Asylum Office. A <b>new identification form specially adapted to the asylum-seekers has been developed with the professional support of the Hungarian Baptist Aid</b>. It gives more leeway to the social workers and takes into account that any exploitation suffered by migrants took place in the past, along the Balkan migration route (or in the country of origin), and migrants might fall victim in the country of destination as well if they (believe to) owe the smugglers, which entails a slightly different approach.</p>	<p><input type="checkbox"/> Legislation  <input checked="" type="checkbox"/> <u>Policy</u>  <input checked="" type="checkbox"/> <u>Practice/Other</u></p>
	<p><input type="checkbox"/> Legislation  <input type="checkbox"/> Policy</p>



	<input type="checkbox"/> Practice/Other
<b>b) Measures on cooperation between national authorities;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>c) Measures on cooperation between (Member) States.</b>	
<p>Other: The identification procedure is conducted in accordance with the provisions of Government Decree no. 354/2012 (XII. 13.) on the Rules of procedure of the identification of victims of trafficking in human beings. In the framework of the implementation of the Action Plan and the preparation of the new national anti-trafficking strategy, revision of relating legislation is on the agenda and discussions involving relevant stakeholders of both governmental and non-governmental formations have already began in the end of 2018 and are currently taking place.</p> <p>Other: The Immigration and Asylum Office has stepped up its efforts in the field of fight against human trafficking and in line with the recommendations of the GRETA-commission of the Council of Europe and the main findings of the TIP-report, the Office revised its internal protocols in terms of victim identification among asylum-seekers and beneficiaries of international protection. They came to the conclusion that the victim identification sheet of the Government Decree No. 354/2012 shall be replaced, as some of its indicators are misleading when it comes to screening of migrants – it can be regarded as a spin-off in the Office’s EU-funded project, „Successful identification of human trafficking victims during the IAO procedures”, carried out between 1 January 2017 and 31 January 2018.</p> <p>To this end, the Office explored the best practices of EU member states through the European Migration Network and collected the recommendations of international organizations (such as UNODC, ILO, IOM) and added THB-related questions to the asylum interview sheet. It makes the screening easier more efficient and replaces the form set out in the Government Decree No. 354/2012. The extended interview template has been communicated to the relevant staff on 22 August 2018.</p> <p>In the case of the social workers of the Immigration and Asylum Office, in the third quarter of 2018 a new identification form specially adapted to the asylum-seekers has been developed with the professional support of the Hungarian Baptist Aid. It gives more leeway to the social workers and takes into account that any exploitation suffered by migrants took place in the past, along the Balkan migration route (or in the country of origin), and migrants might fall victim in the country</p>	<input checked="" type="checkbox"/> Legislation <input checked="" type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

<p>of destination as well if they (believe to) owe the smugglers, which entails a slightly different approach. THB-specialists of the Hungarian Baptist Aid introduced the new identification sheet during a half-day-training on 17 October 2018. In total, 18 social workers attended the session coming from the currently operating reception facilities (Röszke, Tompa, Vámosszabadi, Békéscsaba). In order to involve each and every social worker, it is now planned to repeat the training in the coming months.</p>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

### 8.2.3 COOPERATION WITH THIRD COUNTRIES

**Were there any new developments involving cooperation with third-countries on the prevention and fight against trafficking in human beings in 2018? Y/N.**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
<b>a) Training and awareness raising ;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>b) Joint investigation teams;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>c) Information and prevention campaigns.</b>	
<p>Other: Establishment of a transnational referral mechanism to support the fight against trafficking in human beings in relation to Switzerland – The aim of the measure was to develop a Hungarian–Swiss victim identification, referral, protection and assistance model, which is a part of an international victim-management mechanism of trafficking in human beings, with the involvement of government and non-governmental institutions in the country of origin and destination, and, where possible, international organizations. The project was implemented by IOM and the National Police Headquarters, and the</p>	<input type="checkbox"/> Legislation <input checked="" type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
<p>Ministry of the Interior participated as a partner, and co-financed by the EU's Internal Security Fund. The final conference of the initiative took place in November 2017, and the results of the project on the related RAVOT-EUR website had already been published by the end of 2018. The project was the continuation of the RAVOT-EUR project that ended in 2016 by the addition of Switzerland to the transnational referral mechanism. Results:</p> <ul style="list-style-type: none"> <li>- set up Transnational referral mechanism</li> <li>- Comprehensive information manual: BE, EN, NL, HU + CH</li> <li>- Website: www.ravot-eur.eu (BE, EN, NL, HU + CH)</li> <li>- RAVOT-EUR website update and supplement with the Swiss aspects and source information &amp; made available in DE language as well (by the end of 2018)</li> </ul>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

## 9 RETURN AND READMISSION

### 9.1 ENHANCING RETURN MIGRATION MANAGEMENT INCLUDING COOPERATION AMONG EU MEMBER STATES ON RETURN PRACTICES

PLEASE NOTE THAT THIS **SECTION 9.1** OF THE SYNTHESIS REPORT WILL CONSIST OF THE FOLLOWING

- 9.1.1. **SUMMARY OF THE EMN REG RETURN AND REINTEGRATION ACTIVITIES DEVELOPED DURING 2017 (TO BE DRAFTED BY THE EMN SERVICE PROVIDER)**
- 9.1.2. **SUMMARY OF THE FRONTEX RETURN IMPLEMENTATION FRAMEWORK, INCLUDING JOINT RETURN OPERATIONS (JTOS) (TO BE PROVIDED BY FRONTEX)**
- 9.1.3. **MAXIMISING THE POTENTIAL OF A COMMON EU APPROACH IN THE FIELD OF RETURN, BOTH VOLUNTARY AND FORCED IN COMPLIANCE WITH EXISTING EU ACQUIS (TO BE DRAFTED BY COM)**

### 9.2 MAIN NATIONAL DEVELOPMENTS IN THE FIELD OF RETURN

#### 9.2.1 SWIFT, SUSTAINABLE AND EFFECTIVE RETURN

##### 9.2.1.1 General policy developments in the area of return

**Were there any new developments with regard to the development of swift, sustainable and effective return in 2018? Y/N.**

**YES**

If **yes**, please elaborate. Please indicate the nature of each development in the tick boxes below.

Development <i>(Please describe)</i>	Nature*
In order to make the removal procedure faster, Act II of 2007 was modified: the removal of a TCN can be carried out in the event of an ongoing criminal procedure if the competent judge or prosecutor agrees.	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<p>In 2018 the (nr:MMIA-3.2.1.-2015-00001) AVR program with a reintegration component ended by 30<sup>th</sup> of June 2018. I (described in EMH report 2017)</p> <p>The new (nr:MMIA-3.2.1/2018-00001) AVR program with reintegration component started on the 26<sup>th</sup> of September 2018.</p> <p>Within the reintegration component 16 people – TCNs who suffers from a chronicle disease or vulnerable persons - may apply for a reintegration support up to 700 Euro. A complex reintegration support is also available for 6 people up to a support of 2500 Euro in-kind which amount can be used for specialized/vocal training, starting or to enlarge small companies/business, language courses or even to wages when it relates to a business or to build business-partnerships.</p>	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other

\*Please tick the appropriate box

##### 9.2.1.2 Issuing Return decisions

**Were there any new developments with regard to issuing return decisions in 2018? Y/N.**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

**9.2.1.3 Issuing Entry bans**

**Were there any new developments with regard to issuing entry bans in 2018? Y/N**

**YES**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
Change in Act II of 2007: The aliens policing authority cannot derive from the initiative of law enforcement agencies delegated under the relevant government decree when issuing an entry ban or expulsion order.	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

**9.2.1.4 (Assisted) voluntary return**

**Were there any new developments with regard to (assisted) voluntary return in 2018? Y/N.**

**YES**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
In order to promote the positive effects of voluntary return programs: change in Act II of 2007: the authority may decide whether to record or not the expulsion in the passport if the person leaves the country within the framework of an assisted voluntary return program.	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

**9.2.1.5 Use of (alternatives for) detention in return procedures**

**Were there any new developments with regard to the use of detention and alternatives to detention in return procedures in 2018? Y/N**

**YES**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
Change in Act II of 2007: In case a TCN does not leave the community shelter as ordered, the execution of the order to leave the community shelter can be ordered and the Police enforces it. (This measure can be contested)	X Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

**9.2.1.6 Recording of entry bans in the SIS and exchange of information**

**Were there any new developments with regard to recording entry bans in the SIS and facilitating the exchange of information on entry bans in 2018?<sup>13</sup> Y/N.**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

**9.2.1.7 Operation of national forced return monitoring system**

**Were there any new developments with regard to the operation of the national forced return monitoring system (established in accordance with Article 8 (6) of the Return Directive) in 2018?<sup>14</sup> Y/N.**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
	<input type="checkbox"/> Legislation <input type="checkbox"/>

<sup>13</sup> This category of measure relates to the commitments of the Stockholm Programme specifically.

<sup>14</sup> Directive 2008/115/EC

	Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

**9.2.1.8 Other actions related to swift, sustainable and effective return**

**Were there any new developments related to the field of return in 2018 which were not covered above? Y/N.**

**NO**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

**9.2.2 RETURN OF REJECTED ASYLUM SEEKERS**

**Were there any new developments regarding the return of rejected asylum applicants (including measures in relation to reception and supports, (alternatives) to detention, etc.) in 2018? Y/N.**

**YES**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

*Please specify if there are any specific measures for unaccompanied minors and other vulnerable groups<sup>15</sup>.*

<b>Development</b> <i>(Please describe)</i>	<b>Nature*</b>
Change in Act LXXX of 2007: Aliens policing procedure starts immediately after a negative decision on asylum application. Applying for judicial review does not have a suspensive effect automatically but immediate judicial protection can be requested in the application.	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

*\*Please tick the appropriate box*

<sup>15</sup> This group includes minors, disabled people, elderly people, lesbian, gay, bisexual, transgender, queer or questioning, and intersex (LGBTQI) people, pregnant women, single parents with minor children, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation.

### 9.2.3 RETURN OF IRREGULAR MIGRANTS

Were there any **new** developments to ensure the swift return of persons, overstaying permissions to stay or otherwise misusing legal migration channels in 2018? **Y/N.**

**YES**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

*Please specify if there are any specific measures for unaccompanied minors and other vulnerable groups.*

Development (Please describe)	Nature*
Preparing a change of Act II of 2007 which will be effective of 2019: the identification procedure by the immigration authority can already be started if the TCN has been expelled by the court and is currently imprisoned.	<input type="checkbox"/> Legislation <input checked="" type="checkbox"/> <u>Policy</u> <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

### 9.2.4 EVIDENCE OF THE EFFECTIVENESS OF THE MEASURES TO ENSURE RETURN

Please provide information regarding the **effectiveness** of the above-mentioned measures in ensuring return (where evidence exists and stating how this is measured).

-N/A

## 9.3 STRENGTHENING COOPERATION WITH THIRD COUNTRIES OF ORIGIN AND TRANSIT ON RETURN AND REINTEGRATION MANAGEMENT

### 9.3.1 INVOLVEMENT OF THIRD COUNTRIES IN RETURN MEASURES

Were there any **new** developments regarding return activities implemented in cooperation with third countries in 2018? **Y/N.**

**YES**

If **yes**, please elaborate below. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
JWF: Since the end of 2017 charters based on JWF to Afghanistan can be carried out. Since the second half of 2017 the Afghani authorities started to issue travel documents even in case of involuntary returns	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> <u>Practice/Other</u>
SOP: since the signature of the SOP with Bangladesh, HU managed to obtain 4 travel documents and carried out 3 forced return operations (1 persons whereabouts are unknown)	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> <u>Practice/Other</u>

\*Please tick the appropriate box



### 9.3.2 ENSURING IMPLEMENTATION OF ALL EU READMISSION AGREEMENTS TO THEIR FULL EFFECT<sup>16</sup>

Please report on activities undertaken to support the implementation of **EU readmission agreements** (implementing protocols, cooperation (including diplomatic pressure) with third countries to encourage implementation) by completing the table and providing any additional relevant information in the box below:

EU Readmission agreement (country)	National development (i.e. implementing protocol, cooperation)	Date of agreement (if relevant)
See above	See above	

### 9.3.3 REINTEGRATION MEASURES IMPLEMENTED IN COOPERATION WITH THIRD COUNTRIES, E.G. COUNTRIES OF ORIGIN.

Were there any **new** developments regarding **reintegration activities** implemented in cooperation with countries of origin in 2018? **Y/N**

**NO**

*Measures to support reintegration may include developing a rights-based framework for reintegration and for temporary and circular migration.*

Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

\*\*\*\*\*

<sup>16</sup> Norway is invited to report on any national agreements in place.

**ANNUAL REPORT 2018**  
**ON MIGRATION AND ASYLUM POLICY (PART 2)**  
**IN HUNGARY**

**Executive Summary**

The Annual Policy Report 2018 provides an overview of the developments in migration and asylum policy in Hungary for the time period from 1 January 2018 to 31 December 2018. The present report was drafted by the Hungarian National Contact Point of the European Migration Network (EMN) seated within the Ministry of Interior of Hungary.

**Overarching changes to the national migration and asylum system in 2018**

During 2018 there were no significant changes regarding the national asylum and migration system. The general rules are the same as they were in 2017.

However some connecting legislative packages have been introduced which changed some major parts within the system.

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), or if the appropriate level of protection is provided in the country through which he/she has arrived in Hungary.

A new procedural act has been introduced regarding the administrative court procedures. This new act affected the asylum system, since the asylum appeal procedure is subject of the new I Act of 2017 on the Administration Court Procedure. The new act hasn't changed the court procedures just the reference to the old procedural act has been replaced to the new references.

Hungary is devoted to tackle migrant smuggling; therefore a new set of measures has been introduced in the national legislation (Stop Soros legislative package). The objective of the adopted package is to close legal loopholes through which certain organizations were aiding illegal migration and human trafficking under the guise of humanitarian assistance.

**Legal Migration**

The mobility directives concerning students, researchers, trainees, job-seekers, volunteers and au pairs were transposed in the national legislation and entered into force on 1 January 2018.

The Hungarian Parliament accepted the change in the legislation concerning the third country citizen family members of Hungarian citizens. The legislation entered into force on 1 January 2019. According to the change, the third country citizen family members of a Hungarian citizen do not enjoy the right of free movement and they belong under the scope of Act II of 2007. They are

entitled to a residence permit for family reunification and after a certain legal stay in Hungary, can apply for permanent residence permit.

### **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), or if the appropriate level of protection is provided in the country through which he/she has arrived in Hungary.

### **Unaccompanied Minors and Other Vulnerable Groups**

As the number of unaccompanied minors significantly decreased during the period, no significant changes occurred. New measures were introduced regarding the protection of other vulnerable groups.

### **Integration**

No significant developments to report.

### **Citizenship and Statelessness**

No significant developments to report.

### **Borders, Schengen and Visas**

The amendment of the national law (Act II of 2007, Act I of 2007, Government Decree 114/2007 (V.24), Government Decree 113/2007 (V. 24.)) due to the new (EES, ETIAS, Interoperability) and the amended (VIS, Visa Codex) acquis of the European Union is a continuous and ongoing procedure.

### **Irregular Migration including Migrant Smuggling**

Hungary is devoted to tackle migrant smuggling; therefore a new set of measures has been introduced in the national legislation (Stop Soros legislative package). The objective of the adopted package is to close legal loopholes through which certain organizations were aiding illegal migration and human trafficking under the guise of humanitarian assistance.

### **Trafficking in Human Beings**

In Hungary, a new national strategy against trafficking in human beings is currently under development. The document is planned to be assigned for the period 2019-2022 and will set specific guidelines for action and identify national level priorities.

### **Return and Readmission**

Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals was modified, mostly due to the fact that the Act CXL of 2004 on the General Rules of Administrative Proceedings and Services – containing the general rules on procedural law regarding administrative

proceeding, including aliens policing – lost its effect. The main elements and rules from the Act CXL of 2004 were incorporated in the Act II of 2007.

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 rules other administrative procedures outside of aliens policing.

## **1. INTRODUCTION**

The EMN Annual Policy Report 2018 of Hungary aims to highlight and summarize the most significant developments that took place in the various fields of migration and asylum in the given period of time for its national audience. The reference period of the present Report extends from 1 January to 31 December 2018.

In Hungary, the Ministry of Interior is in charge of policy-making in the field of migration and asylum, as well as it is in charge of related EU matters. It works in close cooperation with other relevant ministries such as the Ministry of Foreign Affairs and Trade, the Ministry of Justice, the Ministry of National Economy, and the Ministry of Human Resources. Further, the most important executive authorities of the Ministry of Interior of Hungary are the OIN and the Police. In addition to government bodies, relevant international organisations such as UNHCR, ICMPD, IOM, as well as local and national civil society organisations also contribute to the work of the Ministry of Interior.

The present Report is compiled by the Hungarian National Contact Point of the EMN (**EMN HU NCP**) seated within the Department of European Cooperation of the Ministry of Interior (**MoI**) of Hungary. The EMN HU NCP collected information from the Immigration and Asylum Office (**IAO**), a subordinated governmental body and various divisions of the Police, a separate entity, both in charge of the implementation of legislation relevant to migration and asylum. Statistical data were drawn from databases maintained and presented by the IAO and the Police.

## **2. OVERVIEW OF ASYLUM AND MIGRATION POLICY DEVELOPMENTS**

In Hungary, the asylum and migratory situation remained relatively stable compared to previous years, especially 2015 and 2016. However, as irregular migration to Europe still remains a tremendous challenge, Hungary's ultimate aim is unchanged, stemming irregular migration. This overarching goal serves as the basis for the comprehensive approach towards all fields relating to migration such as border management, law enforcement, return and readmission and asylum issues.

Based on the above, Hungary puts a great emphasis on international and cross-border cooperation by taking active part in international processes where most relevant stakeholders (such as countries of origin, countries of transit and also countries of possible destinations) are duly represented (e.g. Prague Process, Budapest Process).

In 2018 the Hungarian authorities reported the number of registered asylum applications were 671 in total (3 397 in 2017). During the year 274 applicants came from Afghanistan, 239 from Iraq and 48 from Syria. Other significant countries of origin were Pakistan (30), Iran (29).

The Immigration and Asylum Office has made decisions in 1 122 cases; final decisions have been made in 962 cases, as the rest of the procedures have been terminated because before they could be

completed asylum seekers have left for unknown destinations. From the 1 122 decisions, 367 were positive. The recognition rate was 33% within the period (positive decisions/all decisions).

In total, 367 people have been granted international protection, i.e. this is the number of migrants who have been recognized as refugees, persons granted subsidiary protection or persons permitted to stay temporarily.

<b>Decisions made by Asylum Authorities</b>	
<b>Type of Decision</b>	<b>Number of the decisions made</b>
<b>Beneficiary of Refugee Status</b>	68
<b>Beneficiary of Subsidiary Protection</b>	281
<b>Beneficiary of Non-refoulement</b>	18
<b>Termination of Procedure</b>	160
<b>Rejection</b>	595

### **3. LEGAL MIGRATION**

The mobility directive concerning students, researchers, trainees, job-seekers, volunteers and au pairs were transposed in the national legislation and entered into force on 1 January 2018.

Bilateral agreement has been accepted between the Ministry of National Economy of Hungary and the Ministry of Labour, Employment, Veteran and Social Policy of the Republic of Serbia regarding the field of Employment.

Amendments of Act II of 2007 and Act I of 2007: the third country national family members of a Hungarian citizen will fall under the scope of Act II of 2007 from 01.01.2019 (earlier they enjoyed the right of free movement).

Those who hold a right to stay as a third country national member of a Hungarian citizen will receive a National Permanent Residence Permit. The issuance of the national residence permit can be only refused if:

- they have disclosed false information or untrue facts
- against whom an initiative for refusing the right stay has been issued by the competent authorities (national security, public security, public safety)
- relationship of convenience
- criminal record
- if the marriage was dissolved after 3 years after receiving the current permit or if the parental custody was revoked
- a cohabitation relationship does not exist

- the person has left the territory of Hungary for a period longer than 6 months
- the linked Hungarian national has settled abroad

The Parliament accepted the change in the legislation concerning the third country citizen family members of Hungarian citizens but the amendments are only effective from the 1st of January 2019.

#### **4. 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), or if the appropriate level of protection is provided in the country through which he/she has arrived in Hungary.

Regarding the reception of applicants, from January 2018 legislation has been amended as follows:

When housing asylum seekers in reception facilities the gender identity other than the applicant's registered sex, shall take into account by the asylum authority.

When housing asylum seekers, recognized refugees and subsidiary protected persons in reception facilities and also during detention special attention is given to LGBT persons.

Special attention is being paid to asylum seekers with special needs, children receive 5 meals a day, pregnant women and mothers with newborn children and children receive fruit and dairy products daily. The legislation has been amended that for these vulnerable groups meals are provided in all accommodation facilities similarly (5 meals per day), previously this was only provided for children under 14 years old.

Within the framework of AMIF projects, upgrades have been made to the transit zones from June throughout the whole year.

#### **5. UNNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS**

As the number of unaccompanied minors significantly decreased during the period, no significant changes occurred. New measures, as mentioned above were introduced regarding the protection of other vulnerable groups.

#### **6. INTEGRATION**

No significant developments to report.

#### **7. CITIZENSHIP AND STATELESSNESS**

No significant developments to report.

## **8. BORDERS, SCHENGEN AND VISAS**

The amendment of the national law (Act II of 2007, Act I of 2007, Government Decree 114/2007 (V.24), Government Decree 113/2007 (V. 24.)) due to the new (EES, ETIAS, Interoperability) and the amended (VIS, Visa Codex) acquis of the European Union is a continuous and ongoing procedure.

Based on the foreseen amendments the Immigration and Asylum Office will have a direct access to the EES and can request data and upload/register data based on the law. HU has to appoint the ETIAs Central Unit and has to amend the national law according to the regulation. The Immigration and Asylum Office will also have access to this system. The ongoing amendments of the VIS regulation and Visa Codex do not affect the national law at the moment. The Hungarian liaison officer network was further developed with one more document expert liaison officer who started his activities in Turkey (Istanbul). (Previously, there was one document expert in Nigeria and one in China.)

Within a procurement, 14 ABC gates are being installed at the Budapest Liszt Ferenc International Airport (12) and at the Debrecen International Airport (2).

The Hungarian Police's carried out a procurement for 328 document inspection devices and for 215 mobile document examiner devices for border crossing points.

In order to accelerate the border control, new devices (normal and mobile document and fingerprint readers) were purchased and were set up on 11 July 2018. (407 normal and 93 mobile document- and fingerprint readers)

In 2018 Hungary have sent police officers on a monthly basis (altogether 522 persons) to Serbia and North-Macedonia to give support preventing illegal border crossing and other illegal acts related to illegal migration.

In 2018 3 Joint Return Operations were organized by Hungary (both of them to Afghanistan). A pool of escorts was trained and 5 persons were deployed to a JRO to Congo organized by Belgium. Hungary used to organize return operation by scheduled flights (Frontex SROs).

## **9. IRREGULAR MIGRATION INCLUDING MIGRANT SMUGGLING**

Hungary is devoted to tackle migrant smuggling; therefore a new set of measures has been introduced in the national legislation (Stop Soros legislative package). The objective of the adopted package is to close legal loopholes through which certain organizations were aiding migrant smuggling and human trafficking under the guise of humanitarian assistance.

As regards the illegal migration flows toward Western-European countries, Hungary still has a transit role. The relevant criminal organisations are settled abroad and organize their illegal activities in the neighbouring countries, so for this reason, more emphasis was put on international cooperation.

## **10. TRAFFICKING IN HUMAN BEINGS**

In Hungary, a new national strategy against trafficking in human beings is currently under development. The document is planned to be assigned for the period 2019-2022 and will set specific guidelines for action and identify national level priorities.

The adoption of the new strategy is – in time – accompanied by the implementation of a short-term Action Plan, which – in the meantime – sets out measures necessary to be taken as a rapid response to certain challenges that require more instant action.

The Office of the Prosecutor General issued a new position in late 2018 on possibly categorizing cases of pandering as human trafficking. The review of relevant cases is already ongoing and the implementation of the Prosecutor General’s position will most probably lead to an increase in human trafficking cases. It must be noted, however, that the number of crimes registered in police procedures in Hungary has been significantly decreasing for years. In this context, the expectation of an increase in the number of prosecutions and convictions is not necessarily appropriate with the in-depth analysis of the number of actual human trafficking cases.

On 1 July 2018 the new Act on Criminal Proceedings entered into force, resulting in certain developments that have relevance in trafficking in human beings cases as well.

The Act on Criminal Proceedings has a separate chapter (Chapter XIV.) about the rules for the persons, who require special treatment. Now the natural person victim and the witness can qualify as persons requiring special treatment. Furthermore, the possibility to pronounce someone as a specially protected witness is also given. The institution of personal protection has also been reviewed.

## **11. RETURN AND READMISSION**

In order to make the removal procedure faster, Act II of 2007 was modified: the removal of a TCN can be carried out in the event of an ongoing criminal procedure if the competent judge or prosecutor agrees.

Change in Act II of 2007: In case a TCN does not leave the community shelter as ordered, the execution of the order to leave the community shelter can be ordered and the Police enforces it. (This measure can be contested)

Change in Act LXXX of 2007: Aliens policing procedure starts immediately after a negative decision on asylum application. Applying for judicial review does not have a suspensive effect automatically but immediate judicial protection can be requested in the application.

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