



EMN

ANNUAL POLICY REPORT 2013

ON ASYLUM AND MIGRATION POLICY

IN HUNGARY

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ANNUAL REPORT 2013

ON MIGRATION AND ASYLUM POLICY

IN HUNGARY

Executive Summary

The Annual Policy Report 2013 provides an overview of the developments in Hungarian migration and asylum policy from 1 January 2013 to 31 December 2013. This report was drafted by the European Migration Network (EMN) Hungarian National Contact Point (HU NCP) within the Ministry of Interior (MoI).

In October 2013 the Hungarian Government, with its Resolution No 1698/2013. (X. 4.) Korm., adopted the **Migration Strategy and the seven-year strategic document related to the Asylum and Migration Fund** of the European Union for the period 2014-2020.

Legal Migration

The Migration Strategy emphasizes the fact that based on the needs of Hungary's economy and labour market, receiving additional migrant labour would be a necessity, moreover, attracting knowledge-based migration has also been set as a strategic goal, thereby promoting increased chances of entry and stay for those arriving for the purposes of study and research as well as the establishment and operation of effective recruitment/selection processes with the involvement of government bodies responsible for education and education institutions. As for economic migration, from 1 January 2014 after the transposition of the Directive 2011/98/EU of the European Parliament and of the Council, Hungary applies a single application procedure for all the third-country nationals (TCNs) coming to our country to work, and to a number of other migrants who also have a right to employment, therefore, a single permit is issued after the examination of the conditions of work and residence which has facilitated the application procedure considerably.

Combatting Illegal Migration

For Hungary, combating illegal migration is currently the utmost priority. This overall goal has various aspects which cover border management, law enforcement, return and readmission as well as asylum issues.

Due to its geographical location, Hungary is one of the main transit countries of illegal migration on land towards other Member States of the European Union and the Schengen area. Eastern and South-Eastern migration routes are crossing the territory of the country, the so-called Western Balkan route (via Turkey, Greece, Macedonia to Serbia, then via Hungary to other EU Member States) being the most active.

The illegal migration pressure on Hungary – primarily along the Hungarian-Serbian border – has been steadily increasing since 2008 and in 2013, Hungary faced an extraordinary pressure on its migration and asylum system. In the field of addressing illegal migration ensuring efficient and sustainable return, especially voluntary return, continues to be the priority for Hungary. According to the reports of FRONTEX, Hungary is the second EU Member State in terms of the apprehended illegal migrants at its external land borders in 2013.

There were 26,061 illegal border crossings completed or attempted in 2013. 22,877 of them took place at the Schengen external borders. Main categories of citizenships were the following:

Kosovars (6,338), Pakistani (3,160), Afghan (2,274) and Algerian (1,085). There is a significant increase of Syrian nationals in this context (1,039), mainly seeking asylum. Predominant part of the apprehended illegal migrants lodged an asylum application.

Return

In 2013, an extraordinary migration pressure could be observed in relation to Hungary that resulted in an increase in the return activities as well. The Office of Immigration and Nationality (OIN) removed 599 persons, the Police removed 3,500 persons in 2013, while in the same period 353 persons left Hungary within the framework of the AVR programme jointly managed by IOM and OIN. In the period of 2009-2013 1,755 TCNs returned voluntarily within the AVR programme with the support of the Return Fund.

Combating Trafficking in Human Beings

In 2013, Hungary transposed the Directive 2011/36/EU of the European Parliament and of the Council¹ and ratified the Council of Europe Convention on Action against Trafficking in Human Beings (promulgated by Act XVIII of 2013). Moreover, Act C of 2012 on the new Criminal Code entered into force on 1 July 2013, then Act CXXXV of 2005 on Crime Victim Support and State Compensation has been amended and a new Government Decree No 354/2012 (XII.13.) on the identification system of victims trafficking in human beings entered into force that contribute to increasing the efforts against trafficking in human beings.

The National Strategy against Trafficking in Human Beings for 2013-2016 has been adopted by the Government on 29 May 2013 and the Government Resolution No 1351/2013. (VI.19.) Korm. on the Strategy was published in the Official Gazette on 19 June 2013.

Hungary has been actively engaged in the fight against human trafficking in practical terms, too: several trainings, prevention programmes and campaigns were organized for experts, potential victims and public at large at the same time the cooperation among competent authorities at national and at international level was further intensified.

Fostering International Cooperation

The fifth ministerial conference of the Budapest Process was held in April 2013, where more than 50 States and the European Commission adopted the “Istanbul Ministerial Declaration on a Silk Routes Partnership for Migration”. Hungary, as Co-Chair of the Budapest Process wishes to ensure in the both mid- and long term that the goals of the Declaration will be implemented. As a huge step forward, the project “Support to the Silk Routes Partnership for Migration under the Budapest Process” lead by Hungary started in February 2014 focusing on enhancing the migration management capacities of Afghanistan, Pakistan, Iraq, but will also have a strong effect on all Silk Route countries.

International Protection

The number of asylum seekers showed a dramatic increase in 2013, resulting in the highest number of applicants in the history of asylum since 1989. This increase created challenges in the Hungarian asylum system. Hungary – with the support of the emergency funding provided by the European Refugee Fund – introduced measures to meet these challenges (modernisation and increase of reception capacities, increase of the number of social workers, etc.). Legislative changes made in 2013 concerning asylum aimed at ensuring faster and more efficient asylum procedures in line with the newly adopted CEAS instruments and respecting human rights. The main changes relate to increasing asylum seekers’ access to territory and to asylum procedure, establishment of specific legal regime on the detention of asylum-seekers (asylum detention) and its alternatives, clarifying the rules of refusal and withdrawal of material reception conditions,

¹ Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA.

increasing asylum seekers' access to the labour market and further harmonisation of the status of recognized refugees and beneficiaries of subsidiary protection. Moreover, a new integration system for beneficiaries of international protection has been introduced where the integration of beneficiaries of international protection is to be accomplished on the basis of individual "integration contracts".

Besides that, various measures (such as special trainings and education activities) were taken related to the integration of persons granted international protection. The majority of the projects were funded through the European Refugee Fund.

In addition, in the framework of its Annual Plan for resettlement and with the support of the European Refugee Fund, Hungary has committed to undertake the resettlement of 10 persons from Syria, the resettlement was completed by the end of March 2014.

Border Management

The Hungarian Police purchased and installed 6 mobile vehicles with thermal cameras, 20 systems of license plate recognition cameras in 2013. The extension of two border crossing points was completed (in Záhony with Ukraine and in Röszke with Serbia) to support better separation of EU/EEA and third country nationals and to facilitate border crossing. The National Police established an automated biometric passport control system at Ferenc Liszt International Airport (Budapest) in 2013, which is to be further developed to support Registered Traveller Programme (RTP) later. A new border crossing point was opened at the Hungarian-Serbian border section in Ásotthalom. After the EU accession of Croatia, a one-stop border checks system has been set up at the Hungarian-Croatian border section.

1. INTRODUCTION

The Annual Policy Report 2013 of Hungary aims at highlighting and summarizing the most significant developments that took place in the fields of migration and asylum. The reference period of the report goes from 1 January until 31 December 2013.

In Hungary, the Department of European Cooperation within the Ministry of Interior (MoI) is appointed as the National Contact Point of the EMN. Since this department is responsible for formulating the policy in the field of migration and asylum as well as EU matters in these fields, the report was compiled by the HU EMN NCP. The HU EMN NCP made use of the contributions of the Office of Immigration and Nationality (OIN) and the National Police Headquarters which are subordinated governmental bodies responsible for the implementation of the legislation in the field of migration and asylum. Relevant reports and analysis of the relevant NGOs were also taken into account when drafting this report. Statistical data was provided by the Office of Immigration and Nationality and the National Police Headquarters which are responsible for the processing of data in the field of migration and asylum.

1.1 Structure of Asylum and Migration policy

In Hungary, the Ministry of Interior is responsible for setting the policy guidelines and also for EU matters in the areas of migration and asylum. It works in close cooperation with other relevant ministries, such as the Ministry for National Economy, the Ministry of Foreign Affairs and Ministry of Human Resources and the Ministry of Justice and Public Administration. The most important executing authorities are the Office of Immigration and Nationality and the National Police Headquarters, which are subordinated organs of the Ministry of Interior. Relevant international organizations, such as UNHCR, ICMPD and IOM also contribute to the work of the

Ministry of Interior with their expertise and close collaboration is maintained with them and with NGOs as well.²

Regarding the wider legal environment of asylum and migration policy, the Fundamental Law of Hungary was adopted on 25 April 2011, and entered into force on 1 January 2012, which replaced the former Hungarian Constitution (Act XX of 1949).

In October 2013 the Hungarian Government, with its Resolution No 1698/2013. (X.4.) Korm., adopted the Migration Strategy and the seven-year strategic document related to the Asylum and Migration Fund of the European Union for the period 2014-2020. The Strategy establishes strategic objectives in all fields of migration, including visa policy, free movement and legal immigration, fight against illegal migration, international protection and integration and defines the activities aiming at these objectives. The Migration Strategy also called for the establishment of an independent Integration Strategy.

2. OVERVIEW OF ASYLUM AND MIGRATION POLICY DEVELOPMENTS

2.1 Political developments

As a Member State of the European Union (EU), Hungary's migration and asylum policy has to be in conformity with the legislation adopted at EU level. Hungary fully transposed the EU legislation in the field of migration and asylum into its national law.

Over the past 20 years, Hungarians living around the world and in the Carpathian Basin formulated the need for a simplified naturalization procedure similar to the practice of other countries as a significant assistance in maintaining relations with Hungary and preserving their Hungarian identity.

2.2 Overall developments in asylum and migration

In October 2013 the Hungarian Government, with its Resolution No 1698/2013 (X.4.) Korm., adopted the **Migration Strategy and the seven-year strategic document related to the Asylum and Migration Fund** of the European Union for the period 2014-2020.

In 2013, Hungary faced an extraordinary pressure on its asylum and migration system. For Hungary, combating illegal migration is currently the utmost priority. This overall goal has various aspects which cover border management, law enforcement, return and readmission as well as asylum issues.

The number of applicants for asylum showed a dramatic increase in 2013, resulting in the highest number of applicants in the history of asylum since 1989. This increase created challenges in the Hungarian asylum system. Hungary – with the support of the emergency funding provided by the European Refugee Fund – introduced measures to meet these challenges (modernisation and increase of reception capacities, increase of the number of social workers, etc.).

Legislative changes in the field international protection completed in 2013 concerning asylum issues aimed at ensuring faster and more efficient asylum procedures in line with the newly

² The Hungarian EMN NCP submitted the study on the „Organization of Asylum and Migration Policies”, therefore only a short summary was provided under this section and the most important actors are mentioned. More detailed information can be found in the study. This information was also provided in previous Annual Policy Reports. The abovementioned reports and studies can be found at <http://www.emn.europa.eu>.

adopted CEAS instruments while fully respecting human rights. The main changes relate to increasing asylum seekers' access to territory and to the asylum procedure, establishment of specific legal regime on the detention of asylum-seekers (asylum detention) and reinforcement of its alternatives, clarifying rules on the refusal and withdrawal of material reception conditions, increasing asylum seekers' access to the labour market and harmonisation the status of recognized refugees and beneficiaries of subsidiary protection. Moreover, a new integration system for beneficiaries of international protection has been introduced where the integration of beneficiaries of international protection is to be accomplished on the basis of individual "integration contracts".

The fifth ministerial conference of the Budapest Process was held in April 2013, where more than 50 States and the European Commission adopted the "Istanbul Ministerial Declaration on a Silk Routes Partnership for Migration". Hungary, as Co-Chair of the Budapest Process wishes to ensure in the both mid- and long term that the goals of the Declaration will be implemented. As a huge step, the project "Support to the Silk Routes Partnership for Migration under the Budapest Process" lead by Hungary will start in February 2014 focusing on enhancing the migration management capacities of Afghanistan, Pakistan, Iraq, but will also have a strong effect on all Silk Route countries.

The National Strategy against Trafficking in Human Beings for 2013-2016 has been adopted by the government on 29 May 2013 and the Government Resolution No 1351/2013 (VI.19.) on the Strategy was published on 19 June 2013 in the Official Gazette. Hungary has been actively engaged in the fight against human trafficking in practical terms, too: several trainings, prevention programmes and campaigns were organized for experts, potential victims and public at large at the same time the cooperation among competent authorities at national and at international level was further intensified.

3. LEGAL MIGRATION AND MOBILITY

In October 2013 the Hungarian Government, with its Resolution No 1698/2013 (X.4.) Korm., adopted the Migration Strategy and the seven-year strategic document related to the Asylum and Migration Fund of the European Union for the period 2014-2020. This document also emphasizes the fact that although it is still important to ensure the protection of the national labour force, however, based on the needs of our country's economy and labour market, receiving additional migrant labour is a necessity. Attracting knowledge-based migration should also be set as a goal that is providing increased chances of entry and stay for those arriving for the purposes of study and research as well as establishment and operation of effective recruitment/selection processes with the involvement of ministries responsible for education and education institutions.

Among the legal migrants those coming with purposes of employment, family reunification long-term migration, or those coming due to other incentives, such as entrepreneurs, business people, tourists, students, athletes, scientists, culture and arts representatives, can all be found in Hungary.

The number of applications submitted to obtain a residence permit increased by 7.2% in 2013 compared to previous year's figures. Applications submitted by Chinese, American (U.S.), Iranian, and Ukrainian nationals constitute a significant percentage of all the applications received.

The amount of Chinese residence permit applications raised by 19.4%, and American (U.S.) nationals submitted 10.3% more than in the preceding year. With regard to the number of applications originating from Ukrainian nationals, there was a dramatic 37.8% drop in comparison with the previous year's data. Tendencies of the reduced number of Ukrainian residence permit applicants are to be explained also by the *simplified naturalisation procedure*, recently introduced in Hungary. Year by year, the number of Chinese nationals intending to reside in Hungary has been rising. More motivations should be considered to determine why the Chinese nationals

decide to come, reside and work in Hungary. They arrive to the country mainly to seek employment, gainful activity and to reunite with their families. Among other reasons, these can be explained by the preferable legislation, legal framework in Hungary related to economic and taxation-related matters. Cheap Hungarian labour force and the continuously growing demand of the Hungarian market for Chinese goods, products and restaurants can also be identified as attracting factors for those aiming to come and reside in Hungary.

With regard to the most typical purposes of entry and stay of migrants, ideas of gaining employment, education-related reasons and family reunification goals should be mentioned on the first page.

According to the accessible data, with regard to employment purposes, the number of Chinese applications showed stagnation in 2013. The number of applications submitted by Ukrainians decreased by 46.3% and 14,1% less Serbians applied for a residence permit compared to the year of 2012. In case of Vietnamese nationals, 16.2% growth was recorded. In relation to previously discussed employment purpose of migration, it is worth noting that in Hungary there is no developing tendency of highly qualified third-country nationals applying for the *EU Blue Card* – as a possible way to gain residence permit in an EU country - there were only three *EU Blue Cards* issued in 2013.

3.1 Promoting legal migration

3.1.1 Students and Researchers

It is an important policy goal to **promote pursuing studies and research activities in Hungary**. Foreigners entering and staying for the purpose of studies and research can contribute significantly to the development of a knowledge-based society and the further increase of reputation of higher education institutions. In addition, migrants returning after the completion of their studies and research activity can make use of their experiences in Hungary, and strengthen positive image of Hungary in their country of origin.

There was no relevant change and no new tendencies were experienced in the year of 2013 with regard to records of migrants entering and staying for the purpose of research activities.

On the other hand, the number of applications for the purpose of studies showed a considerable increase in 2013 (12.276) in comparison with the corresponding number in 2012 (10.176).

Considering this purpose of entry and stay, the number of applications submitted by Turkish nationals for study-related reasons showed a 16.7% increase, while 8.3% more nationals from Nigeria intended to stay and study in Hungary. It is also important to note that the number of residence permit applications of Brazilian nationals increased considerably, while less Iranian applications were recorded in 2013.

With regard to entries for the purpose of studies, there has been a minor modification in Hungarian legislation. Act XCIII of 2013 amending certain law enforcement related Acts (hereinafter referred to as Act XCIII of 2013) came into force on 1 July 2013. There was a necessity for some changes in the phrasing – based on the need to unify the system of concepts in related legislation – with the wording of Act CXC of 2011 on National Education and of Act CCIV of 2011 on National Higher Education.

The modified Article 21 of Act II of 2007 on the Entry and Stay of Third-Country Nationals (hereinafter referred to as Act II of 2007) sets the required conditions for the legal entry and stay of third-country nationals for the purpose of studies in Hungary, to be satisfied.

Besides the requirement of proven language knowledge sufficient for following courses and for the studies in general, there are additional criteria to fulfil. Namely, the chosen secondary or higher education institution shall be registered at the national information system of public education and the education pursued shall be based on the rules applicable for full-time study programmes. Also, third-country nationals shall be registered and hold their student status at accredited higher education institutions in Hungary and follow regular full-time studies or studies organized by the certain institutions as pre-training programmes for the successful preparation of the future students for their regular full-time studies.

The proposal for a common recast of the Directive 2004/114/EC on the conditions of entry and residence of third-country nationals for the purposes of research, and the Directive 2005/71/EC on studies, pupil exchange, unremunerated training and voluntary service may have an effect on the purposes and actions set out in the Hungarian Migration Strategy. Nonetheless, attracting knowledge-based migration should be set as a goal – that is providing increased chances of entry and stay for those arriving for the purposes of study and research as well as establishment and operation of effective recruitment/selection processes with the involvement of ministries responsible for education and education institutions.

3.1.2 Other legal migration

The so-called **Working Holiday Program** encourages cultural exchange by allowing young adults (aged 18-30/35 years) from partner countries, to have an extended holiday in Hungary, and young Hungarians to have holidays in partner countries. During these holidays they may engage in work or study but the primary reason for the visit is the holiday. Bilateral contracts with third countries concerning legal migration only exist in the sphere of Working Holiday Scheme (WHS) in Hungary.

WHS Agreement has been established with **New Zealand** in 2012 and with the **Republic of Korea** in 2013 (promulgated by the Act LIV of 2012 and the Act of LXIV of 2013). Hungary is currently negotiating WHS Agreements with Australia, Canada, Japan, Argentina, and Chile. Hungary completed negotiations with **Taiwan** and as the signature of the WHS agreement took place in February 2014.

The **Prague Process** is a targeted migration dialogue process promoting migration partnerships among the countries of the European Union, Schengen Area, Eastern Partnership, Western Balkans, Central Asia, Russia and Turkey (50 participating states). Four Pilot Projects are being implemented within the framework of the Prague Process Targeted Initiative. The purpose of Pilot Project 2, which is led by Hungary, is to share experiences and best practices in organising labour migration. The project in particular looks at improving information flow towards potential migrants on available legal migration channels with a view to promoting labour matching. The main intention is to bring closer countries of origin and destination with a view to discussing common interests as well as identifying practical difficulties. As the better management of legal migration is the best tool to fight illegal migration more emphasis should be put on the legal channels in order to ensure prevention of illegal movements. The Pilot Project 2 led an expert mission to Minsk, Belarus in 2013 in order to analyse its situation concerning labour migration and pre-departure measure.

3.2 Economic migration

Applications for **EU Blue Cards** can be submitted from 1 August 2011 in Hungary since the national implementing legislations modified Act II of 2007 and the Government Decree No 114/2007. (V.24.) Korm. on the Implementation of Act II of 2007. It is apparent that only a very limited number of highly qualified third-country nationals apply for an EU Blue Card in Hungary.

In 2013 only three EU Blue Cards were issued in Hungary. The reason for this is partly that the transposition of the EU Blue Card Directive into national law entailed a combined application procedure which is yet quite unfamiliar for the employers; furthermore, the salary threshold defined in the Directive is a condition difficult to meet, given the Hungarian labour environment. Consequently, highly qualified third-country nationals still tend to prefer to apply for a residence permit issued for the purpose of gainful employment, then having been obtained this residence permit and after having spent three years in Hungary they can apply for a national permanent residence permit, which grants them, in many respect, equal treatment with Hungarian citizens.

The external contractor of the European Commission has phrased numerous remarks with regard to the evaluation of the implementation of the EU Blue Card Directive. Certain provisions related to family reunification were under the magnifying lens, among others. The external contractor has identified the need for providing clarification and corrections with regard to the rules applicable for the holders of long-term residence permits. Furthermore, the evaluation also requested the use of more precise definitions, in order to ensure legal certainty. Modifications carried out as a result of these comments came into force on 1 July 2013 by Act XCIII of 2013.

As from 1 January 2014, after the transposition of the Directive 2011/98/EU of the European Parliament and of the Council, Hungary applies a **single application procedure** for all the third-country nationals coming to our country to work, and to a number of other migrants who also have a right to employment. A single permit is issued as a result of a single application procedure after the examination of the conditions of work and residence. Giving authorization for work and residence in one single procedure completely transforms the law and practice of authorization that affects the institutional structure as well. Act XCIII of 2013 therefore extended the single application procedure previously only applied for those applying for EU Blue Cards to the majority of workers (e.g. seasonal workers and students do not fall under the scope of single application procedure).

Consequently the cooperation of the Office of Immigration and Nationality, receiving the applications from the third-country nationals and also issuing the single permit for them at the end of the procedure, and the employment authorities, giving a specialized opinion as well as carrying out labour market test when necessary, had to be regulated in a detailed way, which was carried out by Government Decree No 445/2013. (XI.28.) Korm. on the authorization of employment of third-country nationals in Hungary in procedures other than the single application procedure, on the exemptions of such authorization obligation, on the involvement of the metropolitan and county government offices as opinion makers in single application procedures, and on the notification of employment of third-country nationals' authorization free employment in Hungary and salary reimbursement. This piece of legislation also entered into force on 1 January 2014.

The Hungarian **Migration Strategy** adopted in October 2013 sets out that in order to stimulate the domestic labour market motivation of those arriving for the purpose of work can primarily be achieved by simplifying and facilitating the rules of employment, and, in order to support this, by the on-going review and transformation of rules of entry and stay of foreigners continuously adjusted to the current labour market situation. Consequently it is necessary to take into account the national economic and labour market needs in the shortage occupations determined by the county development and training committees, and the development of the potentials to attract foreign workers based on such needs.

In December 2012 the Hungarian Parliament adopted Act CCXX of 2012 on amending Act II of 2007 with the aim of enhancing **investment migration**. As a result any third-country national whose investments in Hungary qualify his or her entry and stay as being "in the interest of the economy at large" may receive a residence permit. For this purposes a third-country national's

stay in Hungary is considered to be “in the interest of the economy at large” in particular if the third-country national verifies that he/she or a company in which he/she holds a majority stake owns a security with a nominal value of at least EUR 250.000 and a duration of at least five years. The security is issued by an enterprise that invests exclusively in zero-coupon Hungarian government bonds issued for this particular purpose with a nominal value of EUR 250.000 and a duration of at least five years, and does so only under the conditions specified in the Ministry for National Economy Decree No 4/2013 (II.19) NGM on the specific rules for issuing the government bonds specified in the Act on the Entry and Stay of Third-Country Nationals.

Third-country nationals fulfilling the conditions described above are entitled to receive a residence permit for “other” purpose. Having obtained this specific type of residence permit for 6 months, they can apply for a national long-term residence permit, which allows its holder to establish permanent residence in Hungary for an indefinite time. The application for the national long-term residence permit may be submitted at a consulate of Hungary abroad, and the issued national long-term residence permit cannot be withdrawn based on the holder’s permanent absence from Hungary.

As for the residence permit for investors, between May 2013 (since it can be applied for) and December 2013 440 applications were submitted out of which 434 were granted, 1 was rejected, while the rest was still on-going at the end of 2013. The majority of these applications (429) were submitted by Chinese citizens, while 1 or 2 applications were submitted by Russian, Syrian, Egyptian, Lebanese, Iranian, American and Ukrainian citizens. As for national long-term residence permits no applications were submitted in 2013.

3.3 Family Reunification

In Hungary Act II of 2007 and Implementing Government Decree No 114/2007. (V.24.) Korm. **transpose the Family Reunification Directive (2003/86/EC)**. In general, it can be stated that Hungarian legislation already contains more favourable provisions when implementing the Directive reflecting a liberal approach to family reunification on behalf of the Hungarian legislators in order to support family life and provide for an effective integration of third-country nationals.

Under Hungarian legislation not only nuclear **family members** (spouse, minor children) can be granted residence permit for the purpose of family reunification but also the dependent parents of the sponsor and as well as the spouse, furthermore the siblings of the sponsor or the spouse who are unable to provide for themselves due to health reasons. National legislation on registered partnership recognizes the partnership of same sex couples equivalent to marriage.

National legislation concerning family reunification applies not only to **refugees**, but the right of family reunification is also extended to **beneficiaries of subsidiary protection** in setting out that beneficiaries of subsidiary protection are, as a general rule, eligible for the same rights applicable for refugees.

National legislation does not pose any **integration requirement**. Only within the framework of the naturalization procedure it is required from applicants to pass a so-called citizenship exam.

The **information on rules** in force regarding third-country nationals’ entry and stay exceeding three months are accessible on governmental websites, on the sites of Hungarian foreign representations, the Hungarian Ministry of Foreign Affairs and the Office of Immigration and Nationality. These sources provide appropriate, detailed information and guidelines in Hungarian and in foreign languages.

Besides this, all **relevant documents** necessary for the submission of the residence permit applications can be found on and downloaded from the Office of Immigration and Nationality’s

website. This website has gone through a considerable modernisation, representing a new image and it functions now on a client-focused and user-friendly manner. Those who are in need of additional information, who have more detailed questions about the application procedure or whose circumstances are special can receive personalized support and guidance through contacting the competent authority by telephone or e-mail. At the time the residence permits are issued, foreigners are provided verbal information about the rules applicable for the future procedure of extending their residence, their rights and obligations.

In relation to **applications** for legal entry and stay for the purpose of family reunification, no extraordinary tendencies, circumstances can be reported. The number of those who submitted application for residence permit for family reunification reasons increased by 21% (5.609) compared to the number of documented applications (4.635) in the year before. The applications submitted by Chinese, American (U.S.), South-Korean and Russian third-country nationals constitute a significant percentage of all the applications registered.

Relations of convenience represent a current problem not only in other Member States of the European Union but also in Hungary. Yet Hungary has not detected any major problem of sham marriages in relation to family reunification between third-country nationals. Abuses have rather been detected in case of family reunification between Hungarian or other EEA nationals and their third-country national family members. According to the Hungarian legislation application for residence permit has to be refused, or if already issued has to be withdrawn from third-country nationals, who fail to comply with either of the general requirements set out in law; or who established the family relationship solely for the purpose of obtaining a residence permit on the grounds of family reunification.

National legislation provides equal status to **third-country national family members of Hungarian citizens** with third-country national family members of EU citizens, thus allowing gaining residence rights under more favourable provisions as well as a smoother implementation of family reunification, and consequently this results in a faster and more efficient integration. As a result of the more favourable provisions provided for both EU citizens and their family members as well as for third-country national family members of Hungarian citizens, a substantial number of abuses of legal migration channels is also related to the attempt to acquire the right to free movement. A series of marriages of convenience have been revealed in 2013 by Hungarian investigation authorities in which Hungarian citizen women were searched to marry Serbian citizen man in order for the Serbian citizens be able to gain residence rights in Germany based on free movement. Due to the high number of cases the investigation is still on-going.

A **new criminal offence** under the title “Abuse by establishing family relationship” (Article 355) was introduced by the new Criminal Code of Hungary (Act C of 2012) entered into force on 1 July 2013. According to the new provisions anyone above the age of eighteen, who, for financial gain, establishes a family relationship or provides an official paternity statement with full force only for acquiring residence, unless a graver crime is realized, is to be punished for an offense with a maximum of two years imprisonment.

3.4 Integration

The Migration Strategy for the period of 2014-2020 approved by the Government of Hungary in October 2013 called for the establishment of an independent **Integration Strategy** that envisages promoting the integration of migrants through an integrated co-operation network between key actors involving the national, local governments and non-government organisations. The establishment and continuous implementation of the Integration Strategy are to be completed with the support of the Asylum, Migration and Integration Fund.

Moreover, a **new integration system** for beneficiaries of international protection has been introduced since 1 January 2014 where the integration of beneficiaries of international protection is to be accomplished on the basis of individual “integration contracts”, providing for tailor-made integration packages including all rights, obligations and support for beneficiaries of international protection. The beneficiaries of international protection may initiate the conclusion of the integration contract within 2 months following the granting of international protection. Upon the contract beneficiaries receive services provided by the family assistance services and financial assistance provided by the refugee authority. The services include language training, facilitating access to labour market, housing etc. In terms of language training, until the end of 2013, the Office of Immigration and Nationality provided free Hungarian language courses for beneficiaries of international protection, now it is a possible element of the integration contract. Since 1 January 2014, housing support is provided as well in the framework of the integration contract up to 2 years after granting international protection.

3.4.1 Citizenship and Naturalisation

On 1 January 2014 the modification of the Act LV of 1993 on Hungarian citizenship entered into force. The new legislation now allows **stateless people** to apply for naturalization two years earlier compared to the previous provisions applying for stateless people, that is having to prove only three years of permanent residence in Hungary, instead of five before submitting the application for naturalization.

In January 2012 the UNHCR, in cooperation with the Hungarian Office of Immigration and Nationality, introduced the **Statelessness Quality Initiative**, which is considered a unique programme in the world so far. Between 1 February and 30 July 2012 a project for quality assessment development was organized in connection to the statelessness status determination procedure. The project was run by the Office of Immigration and Nationality and the UN High Commissioner for Refugees Regional Representation for Central Europe.

This initiative has analysed the current structure, developed a system for the upgrading of the quality of procedures and aimed to set up a quality assurance unit within the frames of the national competent authority. As a result of the respective cooperation, a **Handbook on Quality Evaluation and Development in Stateless Determination** has been drafted, which then implemented the UNHCR Recommendations No 1-3 in the field of statelessness.

3.5 Managing migration and mobility

3.5.1 Visa Policy

At this moment Hungary is responsible for the visa representation of 17 Member States in 27 visa issuing stations. On the other side 14 Member States represent Hungary in 63 visa issuing stations.

We do not participate in the so called “Schengen houses”, however some of our diplomatic missions function as visa application centres. We must mention in this category our Common Application Centre (CAC) in Chisinau, where we are representing 14 member states and partly Croatia as well. We have similar establishments in Istanbul (4 member states represented) and Almaty (9 member states represented) as well as Yekaterinburg (6 member states represented) and Chungking (7 member states represented).

Visa representation agreements in force are functioning without problems, representing and represented countries as well as host countries are satisfied with these instruments. Hungary is also satisfied with the activity of those countries which are representing Hungary in visa procedures

and we wish to further widen the circle of such agreements. These agreement can usually be concluded by a simple exchange of notes between the Ministries of Foreign Affairs concerned.

As far as the future is concerned we plan to join to CAC's in the framework of V4 cooperation and community allocation. In connection there is a permanent discussion with our V4 partners. Cooperation of Visegrad Group in the form of co-location is already operated in Cape Town, South-Africa. The legal basis for these agreements is laid down in Regulation 810/2009/EC (Community Visa Code). All these cooperations are based on the mutual confidence of the MS's, applying the Schengen Aquis.

(Member) State with which the visa representation agreement exists	Country acting as representative for Hungary in the following cities:
Austria	Addis Abeba, Astana, Dakar
Belgium	Ouagadougou, Manila, Kinshasa, Kigali
Czech Republic	Baghdad, Ulaanbaatar
Finland	Lima, Dar Es Salaam
France	Cotonou, Moroni, N'djamena, Djibouti, Abidjan, Suva, Libreville, Kingston, Lomé, Bangui, Nouakchott, Niamey, Port Moresby, Castries
Greece	Mariupol, Caracas
The Netherlands	Aruba, Willemstad, Quito, Accra, Hong Kong, Kuala Lumpur, Maputo, Muscat, Paramaribo, Port of Spain
Latvia	Tbilisi, Kaliningrad, Tashkent
Lithuania	Chicago, Tallinn, Helsinki, Riga, Oslo, Yerevan, Lisbon, Stockholm
Germany	Houston, Gaborone, Yaoundé, Rangoon, Windhoek, Kathmandu, Colombo, Lusaka, Sanaa, Khartoum, Ankara-Istanbul-Izmir (for a defined circle of applicants),
Poland	<i>Under negotiations</i>
Portugal	Panaji (Goa), Chungking, Macao <i>Under negotiations the representation of Hungary in Luanda by Portugal.</i>
Switzerland	Sydney, Sao Paolo, Santiago, Bogotá, Wellington, Vancouver
Slovakia	Abuja
Slovenia	Podgorica, Ljubljana

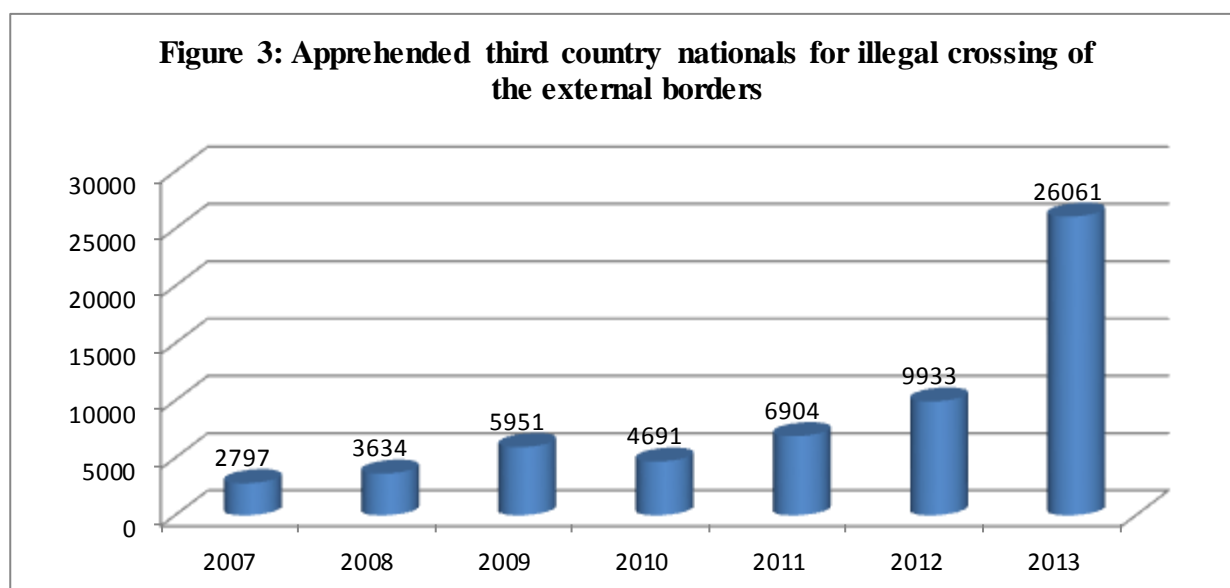
Visa representation agreements also exist with Denmark, Estonia, Luxemburg, Norway and Sweden, but upon these agreements only Hungary represents these countries in third states.

3.5.2 Schengen Governance

Due to its geographical location, Hungary is one of the main transit countries of illegal migration on land towards the other Member States European Union and the Schengen area. Eastern and south-eastern migration routes are crossing the territory of the country, the so-called Western Balkan route (via Turkey, Greece, Macedonia to Serbia, then via Hungary to other EU Member States) being the most active.

According to FRONTEX, Hungary is the second country in terms of the apprehended illegal migrants at its external land borders.

It is to be added that the increase of unlawful acts related to illegal migration (e.g. forgery of documents, smuggling of persons, illegal border crossing) is continuous since 2008. In 2013 Hungary faced an extraordinary increase of illegal migration flows. The number of persons apprehended while committing unlawful acts related to illegal migration was 32034 in 2013. 80% of the illegal border crossings took place at the Hungarian-Serbian border section. The number of smugglers of human beings apprehended in 2013 shows an increase by 84% compared to the data of 2012.



Since 6 October 2011 there have been ongoing **tripartite consultations** between the Ministers of Interior of Hungary, Austria and Serbia, aiming at combating smuggling of persons, trafficking in human beings and illegal immigration, as well as to strengthening the cooperation concerning border control. Hungary is involved in the FIMATHU (i.e. Facilitation-Illegal-Migration-effected-Austria-Hungary) project (funded under the ISEC programme and being part of the EU policy cycle) fighting against organized criminal activities related to illegal migration. In December 2013, Hungary has applied for funding to extend the project.

3.5.3 Border Monitoring

The Hungarian Police purchased and installed 6 mobile vehicles with thermal cameras, 20 systems of license plate recognition cameras in 2013. The extension of 2 border crossing points was completed (in Záhony with Ukraine and in Röszke with Serbia) to support better separation of EU/EEA and third country nationals and to facilitate border crossing. The National Police started the establishment of an automated biometric passport control system at Ferenc Liszt International Airport (Budapest) in 2013. The new automated gate, which starts its operation in July 2014. The

gate is to be further developed to support Registered Traveller Programme (RTP) later. A new border crossing point was opened at the Hungarian-Serbian border section in Ásotthalom. After the EU accession of Croatia, a one-stop border checks system has been set up at the Hungarian-Croatian border section.

The National Coordination Centre of Hungary within the EUROSUR became operational in December 2013, and is able to cover not just the border surveillance but also the border checks. The relevant Hungarian authorities have completed the accession to SIS II in April 2013 without major problems. Hungary has its own entry-exit system (since 2004); however, we fully support the setup of the EU entry/exit system and the RTP system.

Hungarian Police investigated more irregular migration related cases than in 2012 (till 31 October, 2013, there was a 108% increase; i.e. total number of irregular migration related to criminal cases were 27,895 in 2013 until 31 October, 2013). The number of border crossings increased at the Serbian and Ukrainian border sections (were the main developments of border crossing points were implemented). There the increase was 7% compared to the similar period of 2012. 7,499,538 persons crossed the Hungarian-Serbian border and 3,907,190 persons crossed the Hungarian-Ukrainian border in 2013 until 31 October, 2013.

The Hungarian Police were reinforced with more than 600 officers in 2013 (they started the basic police trainings in 2012). 720 border guard officers received further training programmes in 2013.

The new Border Management Strategy of the Hungarian Police was adopted in 2012.

Hungary participated in four phases at the joint operation Poseidon at the Greek-Turkish land border. During the three period of the operation, Hungary deployed two experts with patrol car; and in one of the phases, four guest officers were deployed with a thermovision van.

Along the Hungarian-Serbian border, police officers participate in law enforcement measures and interrogations of immigrants due to 'focus point actions' and bilateral agreements. These materials and practices are shared with the law enforcement organs of the bordering EU Member States, furthermore, meeting are held every six months on a territorial and national level for further discussions.

In the field of cooperation in criminal matters, the so-called FIMATHU project, launched at Hungarian-Austrian initiative in the framework of EUROPOL is considered as a significant success. Furthermore, in the framework of Hungarian-Austrian-Serbian cooperation, an exchange of police intelligence in criminal matters has been fostered. The Hungarian Liaison Office of EUROPOL, Hungarian National Police Headquarters, the office of the International Centre for Cooperation in Criminal Matters and that of SIRENE, together with the Law Enforcement Cooperation Points ensure the continuous information flow between the above-mentioned organs.

3.5.4 FRONTEX

Hungary has participated at several FRONTEX activities as a hosting country. Hungary hosted joint operation Neptune, joint operation Jupiter, joint operation Focal Points Land and RABIT exercise (REX 2013). Hungary deployed experts at joint operation Jupiter, joint operation Focal Points Land, joint operation Poseidon, joint operation Coordination Points, joint operation Mizar, joint operation Focal Points Air and joint operation Hermes.

4. INTERNATIONAL PROTECTION INCLUDING ASYLUM

In Hungary, during the reference year of 2013, the most challenging situation in the whole field of asylum and migration comes from the increased pressure on the Hungarian asylum system.

In 2013, Hungary claimed the European Refugee Fund to support emergency measures in order to facilitate the increased asylum pressure on the Hungarian asylum system.

Certain institutional and coordination changes were made to counter this challenge.

Firstly, a temporary reception centre with a capacity of 300 persons was opened at Nagyfa by the Office of Immigration and Nationality, intended to ease the migration pressure mainly at the Southern border section. However, given the nature of the temporary reception centre (the accommodation had to be solved in army tents); it could only operate during summer and early autumn. It has thus become reasonable to open a new reception institution that can accommodate asylum seekers during the winter weather conditions, too. For this objective a reception centre was opened in August 2013 of Győr-Moson-Sopron County's Vámoszabadi with a total capacity of 215 persons. However, the expansion of reception capacity does not provide a durable solution to accommodate the increased number of asylum seekers.

Such a scale of the asylum situation and the change that occurred in such a short time puts a heavy burden on the Hungarian asylum system. The number of the employees of the asylum authority could not keep up with the numbers of applicants to that extent, so the enforcement of emergency measures became necessary in both areas. To responding the challenge an extraordinary power transfer became necessary within the asylum authority and between the departments of the Office of Immigration and Nationality as well, primarily by means of diversion, the imposition of overtime, and the setting of target tasks.

4.1 International protection procedures

Due to the dramatically increasing number of asylum seekers in 2013 Hungary introduced legislative changes that came into force on 1 July 2013. The modifications not only reflect the recently adopted legislative instruments of the second phase of the Common European Asylum System and therefore are in line with latest EU asylum *acquis* but have also tried to further improve the national asylum and reception system while addressing issues of possible abuse.

1. The Hungarian legislation guarantees the **asylum seekers' access to territory and to asylum procedure**. The amendments to the Third Country Nationals Act entered into force already on 1 January 2013 reconfirmed that asylum-seekers enjoy the right to stay on the territory of Hungary during the course of the whole asylum procedure (both administrative procedure and judicial review). The amendments to the Act on Asylum in November 2013 further reconfirmed the guarantees to the right to stay of asylum seekers. This amendment clarified the rules on subsequent applications so that the right to stay in the territory is guaranteed for the duration of the admissibility procedure in the case of subsequent applications as well.

2. In 2013, a new, **specific legal regime for detention** (asylum detention) was created in accordance with the provisions of Articles 8-11 of the recast Reception Conditions Directive and Article 28 of the recast Dublin Regulation³. Detention may only be ordered on the basis of an individual assessment and the full consideration of alternative options.

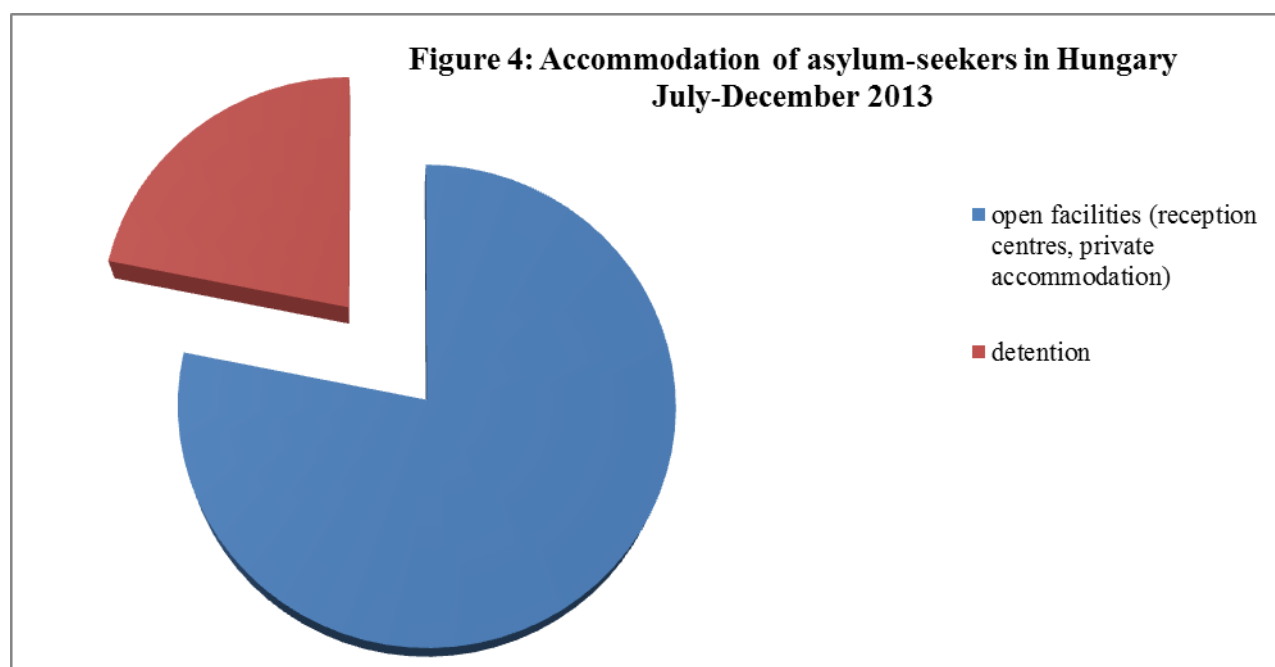
³ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person, OJ L 180, 29/06/2013, p. 31–59

The detention of asylum seekers must only be exceptional and has to be proportionate to the objectives to be achieved. It should serve as a last resort in order to ensure the presence of the applicant and possible alternative measures to detention shall be used as a priority measure before proceeding with the asylum detention. The refugee authority can choose between three other ways in order to ensure the presence of the asylum-seeker. The alternatives for asylum-detention are: 1) designated place of residence, 2) asylum bail, and 3) regular reporting before the refugee authority.

It is important to note that asylum detention may not be ordered for the sole reason that the person seeking recognition has submitted an application for recognition. Moreover, unaccompanied minors must not be detained and families with minors may only be placed in asylum detention as a measure of last resort and the best interest of the child must be taken into account as a primary consideration. Families with minors may only be detained for up to 30 days. In order to ensure family unity and with a view to their special needs, a specific closed reception centre was assigned to host families with minors in detention.

The period of the asylum detention is much shorter than the period of immigration detention and is carried out in special facilities serving the sole purpose for asylum detention. The asylum detention lasts for a maximum of 72 hours which can be extended by the competent court maximum two times, by a maximum of sixty days, for a maximum total length of 6 months. The asylum seekers are entitled to move freely inside the premises of the guarded, closed reception centre, but cannot leave the centre during the procedure.

The practice has confirmed the exceptional nature of asylum detention as between 1 July (the introduction of asylum detention) and 31 December 2013 only 22% of the asylum seekers were detained, thus more than 6300 asylum-seekers were accommodated at open reception centres or private accommodation.



4.2 Reception of applicants for international protection

1. According to the modified Act on Asylum (Act LXXX of 2007) refusal of **material reception conditions** may not be applied any longer. The rules stipulate that the refugee authority may restrict and – in exceptional and duly justified cases – withdraw material reception conditions when the applicant:

- leaves the private accommodation for an unknown place for at least 15 days;
- submits a subsequent application for recognition based on the same facts as his/her previous application;
- fails to meet his/her reporting obligations in the asylum procedure and to provide information and data or does not fulfil his/her obligation to appear on personal hearings; or
- concealed his/her financial resources and thus unduly availed himself/herself of the material reception conditions.

The restriction or withdrawal of reception conditions should be proportionate to the perpetrated act and the personal situation of the asylum seeker should be of primary interest.

The refugee authority has the possibility to impose a sanction (assign another lodgement) in cases when the applicant breaches the rules of conduct of the designated accommodation or acts in a seriously violent manner.

2. Another aim of the modifications was to **simplify access to the labour market** by reducing the time limit. From 1 July 2013, asylum seekers are entitled to work inside the territory of the reception centre within 9 months⁴ from the submission of their asylum applications. After that period they have access to the labour market under the general rules applicable to third-country nationals.

3. In the framework of our Annual Plan for and with the support of the European Refugee Fund – with the consent of the European Commission – Hungary has committed to undertake the resettlement of 10 persons. This was the second resettlement exercise of Hungary and, taking into consideration the deeply deteriorating humanitarian situation of the region, this action will target Syrian refugees. The selection mission has been carried out; the transportation of the persons has been completed in March 2014.

4.3 Integration of asylum applicants and persons with international protection status

The amendment of asylum legislation in 2013 aimed at establishing a new refugee integration system from 1 January 2014. The integration measures are based on individual “integration contracts”, which contain a tailor-made ‘integration package’ with all rights, obligations and support for beneficiaries of international protection. Upon the contract beneficiaries receive services provided by the family assistance services and financial assistance provided by the refugee authority. The services may include language training, facilitating access to labour market, housing etc.

Under the 2012 national allocation of the European Refugee Fund the following types of projects were realized in 2013 in the field of integration of asylum applicants and persons with international protection status.

Integration pilot programmes (Győrság, Csór)

⁴ Before the amendments this was 12 months.

The purpose of the project is to develop and implement a model that assists the integration of refugee families into small rural communities. Almost all recognised refugees and protected individuals living in Hungary are concentrated in Budapest. The need for the programme is also supported by the fact that it contributes to the settlement of the target group in the countryside, where cooperation local municipalities and institutions, employment, development of relations with local residents, building of personal ties i.e. the social integration process could be faster and more effective. Within the framework of the model project, the housing, schooling and other vocational training, Hungarian language training and travel expenses of target groups consisting of one family, were financed by European Refugee Fund. The information, involvement of and creation of interest in the local community to assist the settlement and integration of refugee families are extremely important both during the preparatory and the implementation phases. The long-term objective was to provide knowledge to refugees during the 18-month programme, which is satisfactory for the actual workforce requirements and which also helps them settle down successfully for a long term.

Vocational training for refugees (OIN)

The project aimed to train recognized refugees and beneficiaries of subsidiary protection for various professions. To ensure the success of vocational training 'profession specific' Hungarian language courses were provided for the participants during the implementation of the project.

Complex Integration Trainings (OIN, Bicske Reception Centre)

As a result of the social work of professionals recognized refugees and beneficiaries of subsidiary protection living in the reception centre attended individual and group occupations that helped to manage their lives after their moving out. Culture orientation group sessions were held where the participants got acquainted with the customs of host society that contributed to their successful integration in to the Hungarian society. With the help of the labour market force orientation sessions members of target group got to know their competence, they gained self-knowledge that was/is helpful for them in finding a job. Those recognized refugees and beneficiaries of subsidiary protection who participated in the internal employment programme in the reception centre got familiar with the Hungarian working conditions, the expectations of employers and based on their experiences their employment opportunities greatly improved.

School Integration Programme (Reformed Church Mission)

The project aimed to facilitate the integration of children, young refugee and beneficiaries of subsidiary protection into mainstream school system. The main elements of the project were: Hungarian as a foreign language courses, remedial tutoring, providing work experience and labour market orientations. Students, parents, schools and workers of healthcare system worked together with the help of social work to manage conflicts and to bridge cultural barriers.

Adult education: Migrant Learning Center – a pilot program (Educational Research and Development Institute)

Within the framework of the project, the experts of the Education Research and Development Institute worked out a validation method adapted to the specific situation of the target group (adult refugees and beneficiaries of subsidiary protection) to measure and recognize their knowledge acquired outside a formal education program which can be used in the education of adults with refugee background who speak Hungarian as foreign language. In the end of the project all participants finished the primary education.

Unaccompanied Minors (Károlyi István Children Centre)

In the framework of two projects activities were organised for unaccompanied minors, which helped the integration of the target group to daily life at the centre and into the education system. Special emphasis was added to avoid further victimization of the minors, therefore sessions were held on the dangers of human trafficking/smuggling and on the opportunities of victim assistance. In addition, in the framework of the complex, multi-step integration program for unaccompanied minors and children granted international protection participating in the post-care system that have learning disability teachers held capacity and skill development sessions before their enrolling to school. Due to the cultural orientation discussions individually and in groups their knowledge of the fundamental norms of the Hungarian society, its culture and traditions has expanded. The active mental health counselling helped to manage the ongoing internal tensions and to resolve problems caused by culture shock. Children in the post-care system received a complex service for promoting to start their independent lives (sessions on working life, educational institutions, private sector, self-sufficiency). In this framework, many of them found student work opportunities, and they were more prepared to started their lives outside of the centre.

Integration of persons requiring special treatment (Cordelia Foundation)

The project tried to improve the mental states, quality of life and the chance of integration of traumatised recognised refugees and protected individuals with the help of complex psycho-social therapy and rehabilitation. Severe traumas are handled with the help of professional experts.

4.4 Measures to implement aspects of the CEAS

In connection with the Act LXXX of 2007 on Asylum and Government Decree No 301/2007 (XI.9.) Korm. on the Implementation of Act LXXX of 2007 on Asylum, certain greater and relevant legislative changes were carried out in 2013. These new rules entered/will enter into force on 1 July 2013 and 1 January 2014.

Main changes have been made concerning:

- establishment of asylum detention and reinforcement of its alternatives;
- refusal of material reception conditions may not be applied any longer and the refugee authority may only restrict and – in exceptional and duly justified cases – withdraw material reception conditions;
- asylum seekers are entitled to work inside the territory of the reception centre within 9 months from the submission of their asylum applications. After that period they have access to the labour market under the general rules applicable to third-country nationals;
- harmonising the status of recognized refugees and beneficiaries of subsidiary protection by clarifying the relevant rules on public education and social issues;
- changes were also made to promote the integration of the beneficiaries of international protection by setting up a new regime.

As reagrds Act II of 2007 on Third Country Nationals, the following changes were made:

The Hungarian legislation guarantees the asylum seekers' access to territory and asylum procedure. The relevant amendments to the Third Country Nationals Act entered into force already on 1 January 2013 reconfirmed that asylum-seekers enjoy the right to stay on the territory of Hungary during the course of the whole asylum procedure (both administrative procedure and judicial review). Subsequent amendments to the Act on Asylum in November 2013 further reconfirmed the guarantees to the right to stay of asylum-seekers also in subsequent applications

so that the right to stay in the territory is guaranteed for the duration of the admissibility procedure in the case of subsequent applications as well.

5. UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

5.1 Unaccompanied Minors

As a result of the huge asylum pressure experienced by Hungary in 2013, the number of UAMs applying for asylum also rose. In 2012 the Office of Immigration and Nationality registered 183 persons, while a year later the number of asylum-seeker unaccompanied minors (UAMs) increased to 394. Basically, the main sending countries remained unchanged. Afghanistan is still the top sending country, 209 Afghan UAMs applied for asylum compared to 128 persons in 2012. However there was a significant change in the composition of asylum-seeker UAMs. The proportion of Kosovar UAM citizens considerably rose (2 persons in 2012, 38 persons in 2013). There were no asylum-seeker UAMs from Bangladesh in 2012, but during 2013 19 citizens submitted applications.

Due to the increase in their number the policy and legislation related to UAMs has undergone remarkable changes. As in the previous two years, the improvement of the quality of accommodations for UAMs is still an ongoing important task and the main challenges to be achieved are as follows:

- improve housing conditions,
- clarify the outcome of the age determination procedure,
- shorten the duration of the asylum procedure as much as possible,
- safeguard the rights of children.

During 2013 modifications were carried out in order to fully meet the legislation requirements of the European Union. These amendments contain a number of provisions for the benefit of UAMs, such as the prohibition to be placed in detention or the right to have access to education. The Office of Immigration and Nationality in collaboration with the child protection institutions makes great efforts to tracing family of the child concerned.

Furthermore, an **age assessment protocol** was adopted by the Police to precisely define the content of the age assessment procedure as well as designate the medical experts competent to conduct such a procedure. The main objective of the protocol is to determine the age of the minors with a maximum of 1-2 years of margin of error. The protocol also makes it possible to challenge the expert opinion on the age of the minor in the review procedure. The protocol is applicable from 1 January 2014.

5.2 Other Vulnerable Groups

Hungary participated in the **Response to Vulnerability in Asylum (RVA)** project of UNHCR which commenced in late 2012 and ended in December 2013. The project was financed by the European Refugee Fund and involved the following states: Bulgaria, Hungary, Poland, Romania, Slovakia and the United Kingdom. As part of the RVA project activities, participating states have exchanged information on national asylum policies and processes.

The aim of the project was to promote an understanding of the particular difficulties and challenges faced by vulnerable asylum-seekers and therefore to work towards improving their identification and focus on their particular needs.

Within the framework of the RVA project in-depths research and activities related to national asylum processes has been carried out in all of the countries.

Moreover, a **Standard Operation Procedure on victims of Sexual and Gender-based Violence (SGBV)** was introduced in 2011 for two open reception centres in collaboration with the UNHCR and civil society organizations. The guidance defines relevant principles, the responsibility of the various actors and establishes a protocol on cooperation.

National legislation confers an obligation on the asylum authority to assess whether the provisions applicable to persons requiring special treatment should apply.

The Hungarian Government adopted the Migration Strategy (2014-2020) in October 2013 including the state's commitment for the future to establish a method to identify special needs and vulnerability factors at an early stage.

6. ACTIONS ADDRESSING TRAFFICKING IN HUMAN BEINGS

6.1. General information

Hungary is primarily a country of origin and transit for women and girls trafficked for sexual exploitation, and a source country for men and women trafficked for labour exploitation. Arising from its geographical situation Hungary is a transit country of illegal migration, it lays in the crossroad of east-western and south-eastern migration.

Primary destination countries for sexual exploitation are the Netherlands, Germany, Austria and Switzerland but among traffickers United Kingdom is becoming also a significant destination. In most cases of criminal proceedings brought in respect of trafficking in persons for sexual exploitation the aggrieved party is aware of the fact that he/she will be working as a prostitute, they apply for this kind of "job". The aggrieved party typically reports the crime only if infringements occur, e.g. the income is not shared equally or as it was discussed in advance; the aggrieved party is physically injured; or because of jealousy.

6.2. Legislation

All forms of trafficking in human beings are prohibited in Hungary. The specific offence of trafficking in persons has existed since 1998, under crimes against personal freedom and human dignity.

The relevant EU and international norms as well as national legislation are the following:

- **Directive 2011/36/EU** of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA has been published on 5 April 2011 its transposition deadline was 6 April 2013. Hungary has accomplished its implementation obligations deriving from the Directive.
- **Council of Europe Convention on Action against Trafficking in Human Beings** was signed by Hungary on 10 October 2007 and ratified by the Act of XVIII of 2013 on 04 April 2013 which entered into force on 1 August 2013.
- **Act C of 2012 on the Criminal Code** entered into force in the 1 of July 2013. The New Criminal Code incorporates the criminal offence of trafficking in human beings which was harmonized with the Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA and with the legal provisions of the Palermo Protocol to prevent, suppress and punish trafficking in persons,

especially woman and children, supplementing the United Nations Convention against Transnational Organized Crime and the Council of Europe Convention on Action against Trafficking in Human Beings.

- The Hungarian Government passed on 27 September 2012 the amendment of **Act CXXXV of 2005 on Crime Victim Support and State Compensation**. It aims to introduce the concept shelter, as a victim support service and authorizes the Government to develop detailed regulation for the identification of human trafficking victims. The Act specifies the right to legal, social, financial and psychological assistance for victims of human trafficking. Article 9/A and Article 43(3) transposed Articles 5 and 6 of Council Directive 2004/81/EC (on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities).
- **Government Decree No 354/2012 (XII.13.) on the identification system of victims trafficking in human beings** entered into force on 1 January 2013. This Government Decree serves the purpose of compliance with Article 11 of Directive 2011/36/EU.

6.3. National Strategy/National Action Plan

The national strategy against human trafficking published in Government Resolution No 1018/2008 (III.26.) on the National Strategy against Trafficking in Human Beings for 2008-2012 has been repealed as from 31 December 2012. The European Commission presented the EU Strategy towards the eradication of trafficking in Human Beings (hereinafter EU Strategy) on 19 June 2012, which prescribes also for Hungary actions to be implemented between 2012 and 2016.

The current National Strategy against Trafficking in Human Beings for 2013-2016 has been adopted by the Government on 29 May 2013 and the Government Resolution No. 1351/2013 (VI. 19.) was published on 19 June 2013.

The strategy has a comprehensive approach towards the issue of trafficking in human beings, and focuses on national action. The strategy identifies five main priorities in the field of human trafficking and for the period of 2013 – 2016 47 measures have been planned:

- A. The operation of an appropriate and well-running victim identification, referral and protection system
- B. Efficient prevention, awareness building and awareness raising
- C. The detection and prosecution of perpetrators; the protection of the rights and interests of plaintiffs and victims
- D. Enhancing coordination with the relevant government, semi-governmental and civil organisations involved
- E. Mapping opportunities for safe return and reintegration at the government level; designing supportive action

6.4. Prevention

Efforts to prevent human trafficking in Hungary have included awareness raising campaigns as well as training for officials. For example:

Trainings:

1. The Ministry of Interior took part in the project **“Integrated approach for Prevention of Labour exploitation in origin and destination countries”**. In the framework of the project a **regional seminar was held in 28-29. March 2013** in the Ministry of Interior in Budapest to improve inter institutional cooperation, to increase the capacity of fight against trafficking in human beings for labour exploitation and to

broaden the participants' theoretical and practical knowledge in the field of trafficking in human beings for labour exploitation.

2. On the occasion of the “Memorial Day for the Victims of Crime” on **19 March 2013** a conference and workshops were organized by the **Ministry of Justice and Public Administration and the Office of Public Administration and Justice**. Participants gained information about the measures taken at national level against the phenomenon, about victim identification, challenges in investigations, victim assistance and shelter.
3. On **5 June 2013** in the framework of a State Reform Operational Project (SROP, Hungarian abbreviation ÁROP) training was organized for victim assistance officers. In the framework of workshops participants gained information about legislative changes and legislative background, forms of human trafficking, referral and identification of victims, challenges in identification and referral.
4. On **30 September – 04 October 2013** training was held for the Deputy-Prosecutor Generals in Balatonlelle. On the first day of the event they gained knowledge about the measures taken at national level against trafficking in human beings in Hungary, about the country profile of Hungary, victimization factors, institutional background of human trafficking, legislative background and legislative changes of the offence trafficking in human beings, national strategy against human trafficking for the period 2013 – 2016, international cooperation and international projects, awareness raising and prevention, issues and challenges in the field of data collection.
5. On **15 – 16 October 2013** a conference was organized, in the framework of the event the strategy against trafficking in human beings for the period 2013 – 2016 was presented. A section meeting focused on the topic of trafficking in human beings which provided an excellent opportunity for participants to gain more knowledge about the phenomenon, the difference between human smuggling and human trafficking, the forms of human trafficking, and status of Hungary as a source and transit country.
6. On **6-8 November 2013** a national training of EURES (European Employment Service) was held in Balatonboglár. In the framework of the training participants gained knowledge about the role of labour inspectors in the fight against illegal employment agencies, the legal and practical background of victim identification and referral, the forms of human trafficking, difference between human trafficking and human smuggling, signs of labour exploitation, sexual exploitation, forced begging, legislative background and legislative changes of human trafficking offences, national strategy against trafficking in human beings for the period 2008 – 2012, and short videos about human trafficking were presented too.
7. On **5 December 2013** training was held at the National Police Headquarters for police officers, investigators, victim support officials organized by the **National Police Headquarters, the Office of Public Administration and Justice and the Ministry of Interior**. The training was attended by 80 participants, who gained knowledge about the forms of human trafficking, the difference between human trafficking and human smuggling, victims of human trafficking, signs of labour exploitation, sexual exploitation, forced begging, identification of victims, legal background and legislative changes of human trafficking and related offences, strategy against trafficking in human beings for the period 2013 – 2016, theoretical and practical information about identification and referral process of victims, issues and challenges of data collection and short videos about human trafficking were presented too.

Awareness raising:

1. The **Ministry of Interior** participated in the project “**Integrated approach for prevention of labour exploitation in origin and destination countries**” which general objective is to decrease labour exploitation in origin, transit and destination

countries. In the framework of the project a **prevention campaign** have been implemented which aimed to increase public awareness about the risks associated to labour exploitation and to increase the awareness of the population, policy makers, potential victims of human trafficking on the dimension and forms of labour exploitation. The prevention campaign has officially started on **26 June 2013** with a press conference held in the Ministry of Interior and finished on **14 July 2013**.

2. **Between 7-11 August 2013** an “Anti-trafficking tent” welcomed guests at the Civil Island during the SZIGET Festival who had the opportunity to acquaint themselves with the phenomenon of human trafficking, the indicators of victimization and possible solutions, important steps and measures to be taken before going abroad to work and the activities of the organizations taking part in the fight against human trafficking.
3. As part of a country-wide information campaign between **1 June 2013 and 31 December 2014 EURES and the National Police Headquarters** continued the “Don’t become a victim abroad!” prevention campaign. Aim of the campaign is to inform people how to avoid labour exploitation and human trafficking.
4. The **Ministry of Human Resources** supported a prevention pilot project for adolescents between 14-18 years with the aim to prevent becoming a victim of human trafficking. In the first phase of the pilot programme there will be activities in the frame of form-master’s classes and sensitizing trainings reached altogether 551 students. The main objective of the second phase of the ongoing programme in 2013-2014 financially supported by the Ministry is to prevent becoming a victim, but the knowledge-widening and sensitizing activities – because of the probability of the greater involvement – focus more on vocational schools.
5. On the occasion of the Anti-Trafficking Day (18 October) on **17 October 2013** the **Crime Prevention Department of Somogy County Police Headquarters and the Roma Minority Self-government of Kaposvár** organized an awareness raising and prevention programme. Mainly secondary-level school Roma students and their parents took place on the event. Participants gained knowledge about the phenomenon of trafficking in human beings, preventive measures, labour exploitation abroad, forms of human trafficking, measures to be taken before going abroad and where to ask for information.
6. On the occasion of the Anti-Trafficking Day on **18 October 2013**, the **Crime Prevention Department of Somogy County Police Headquarters** held presentation in the Eötvös Loránd Vocational Technical School and College of Kaposvár. They gained knowledge about the phenomenon of trafficking in human beings, prevention, labour exploitation abroad, forms of human trafficking, measures to be taken before going abroad and where to ask for information.

6.5. Assistance and support provided to victims

Hungary provides for victims of crime the following assistance:

- information
- victim support service (immediate financial aid, facilitating the enforcement of the victim's interest, legal help, psychological assistance, shelter) and
- state compensation (only for victims of intentional assault and offence)

All victims of crime are provided with the above mentioned assistance, not only victims of human trafficking irrespective of gender, age or disability. In order to provide special treatment for child victims, Office of Public Administration and Justice prepares a child-friendly protocol. Victims with disabilities are provided assistance with the help of sign language interpreters, the costs of the interpretation are born by the Victim Assistance Service.

Based on Act CXXXV of 2005 on Crime Victims Support and State Compensation types of assistance provided for victims of human trafficking:

- in case the crime took part in Hungary, person identified as victim of human trafficking is entitled to victims assistance services and to state compensation (In case of the existence of the conditions of state compensation);
- in case victim of human trafficking has Hungarian nationality or is a person with the right of free movement and residence – regardless of the criminal prosecution – is entitled to be accommodated in shelter
- in case the victim of human trafficking is third-country national than the following additional support is provided:
 1. additional information: besides of general information the victim is provided additional information
 - the victim is given a 1 month reflection period to decide whether he/she is willing to cooperate with the authorities investigating the crime. For this period of time the victim is entitled to a certificate of temporary stay
 - in case the victim is willing to cooperate with the authorities, he/she is entitled to a residence permit for the period of cooperation with the authorities
 2. Victim assistance service initiates the issuance of a certificate for temporary stay at the immigration authority (Office of Immigration and Nationality)

The Ministry of Human Resources supports the Chance for Families 2005 Foundation that runs the Temporary Shelter, which provides with complex services and assistance victims of human trafficking forced to labour exploitation or prostitution. The Temporary Shelter has been able to provide 8 persons with services at the same time for 90 days since 2014. The duration of stay can be extended once with 90 days on the basis of request. The Temporary Shelter can provide full services including accommodation, meal, sanitary, travel reimbursement, legal and mental counselling and the involvement of a medical expert if necessary. **The Temporary Shelter provides the following services, forms of assistance:**

- Accommodation in a safe place,
- Full supply according to individual needs (meeting the physical needs, meals, clothing, bed linen, medicines),
- Assistance in administrative issues (transfer, replacement of documents, postal fee),
- Availability of professionals for improving the status of the victims (social worker, social helper, psychologist, psychological counsellor, psychiatrist, lawyer, doctor).

Special protective measures for children

The Office of Immigration and Nationality opened a special Centre for Unattended Minors for child victims of trafficking and migrant smuggling in January 2008. The Centre consults the National Bureau of Investigation on a regular basis in order to help investigations in cases involving minors.

6.6. Investigation and prosecution

The **Trafficking in Human Beings Unit** is a special unit at the Intelligence Division of the National Bureau of Investigation which is part of the Riot Squad Police. The investigators working at the Unit are responsible for handling international human trafficking cases. The

National Bureau of Investigation cooperates continuously with its foreign partner authorities and provides legal assistance.

The Trafficking in Human Beings Unit of the National Bureau of Investigation and the Metropolitan Police Service of the United Kingdom has set up a **Joint Investigation Team 30 January 2013**. The investigations target the form of sexual exploitation, criminal proceeding has been commenced, and there is no judgment of the Court yet.

Hungary is part of a **Joint Investigation Team with Belgium and the Netherlands** as well which targets the form of sexual exploitation too and criminal proceeding has been commenced.

Joint operations and investigations with other countries:

Mainly with Austria, Germany, Switzerland, Belgium, the Netherlands, United Kingdom.

The **Hungarian and Dutch Police** signed an **Action Plan on operational cooperation**. The fight against trafficking in human beings will be realised in form of common investigations, sharing best practices and personal experiences. The aim of the cooperation is “to clarify the competences, the legal and judicial system of the two countries”, underlined the Police. Guidelines will be provided by a practical, user friendly manual in Hungarian, English and Dutch language. The fast and efficient data transfer between Intelligence Services will be supported by the established signalling system.

6.7. International cooperation

The Ministry of Interior participated in the project “**Integrated approach for prevention of labour exploitation in origin and destination countries**” which general objective was to decrease labour exploitation in origin, transit and destination countries. Project partners were Romania, Bulgaria, Greece, Cyprus, FYROM. The project’s general objective is to **decrease the dimensions of trafficking in persons for labour exploitation in origin, transit and destination countries**. In the framework of the project a **regional seminar** was organized in the end of March 2013 for Hungarian experts, a **transnational study** has been prepared and a **prevention campaign** took place in summer 2013.

Under the ISEC General Call in the framework of “Prevention of and Fight against Crime” an application was submitted in March 2013 in relation to enhancing victim assistance at a theoretical and practical level. The partners of the project are **the Netherlands and Belgium**. The project covers the establishment of a Transnational Referral Mechanism between Hungary and its destination countries covering victims of trafficking for sexual and labour exploitation. Following the evaluation the European Commission awarded a grant for the proposal “**Referral of and assistance for victims of human trafficking in Europe**”.

Hungary actively participates in the work of the **Informal Network of the National Rapporteurs and Equivalent Mechanisms** launched by the European Commission and shares information with other EU member states on a regular basis.

Council of Europe Convention on Action against Trafficking in Human Beings was signed by Hungary on 10 October 2007 and ratified by the Act XVIII of 2013 on 4 April 2013 which entered into force on 1 August 2013. According to Rule 3 of the Rules of procedure for evaluating implementation of the Convention, Group of Experts on Action against Trafficking in Human Beings (GRETA) is going to carry out an evaluation in Hungary in the first half of 2014.

7. MIGRATION AND DEVELOPMENT POLICY

Hungary is actively participating in the High Level Working Group on Migration and Asylum (**HLWG**) of the EU Council where the topic of migration and development was very intensive throughout 2013. As the EU and all Member States were preparing on the course of 2013 for the debate at the second UN High Level Dialogue on Migration and Development (held in New York in October 2013) this has intensified national internal debates regarding the better mainstreaming

migration into development practices. Hungary has subscribed to the EU statement which was delivered on behalf of the EU at the **UN High Level Dialogue in New York**, in October 2013. Moreover, Hungary has also participated at the Dialogue. Hungary has delivered a statement in which the most important message was the increasing value of regional cooperation platforms such as the Budapest process. Hungary is actively and continuously participating in the **GFMD** discussions too. We see these fora as a useful tool to address all GAMM priority pillars such as migration and development. During discussions at the HLWG the Ministry of Interior (responsible for migration issues) has developed a closer working cooperation with the Ministry of Foreign Affairs (responsible for development and humanitarian issues).

In May 2013 the Commission issued the Communication “Maximising the Development Impact of Migration”. The Communication underlines that “to support work on developing a shared understanding of the importance of migration among development actors, more data is needed on how migration can drive or hinder progress towards achieving development goals”. Based upon the highlighted gap Hungary suggested a **migration and development study topic for the EMN for 2014**. This study proposal had the aim to map existing data and structural deficiencies moreover to present best practices. This proposal became a joint proposal of IE, LU, BE, LU, UK and HU, however finally the study topic was not chosen. Still, taking into account the need for policy debates in this area **HU EMN NCP dedicated a full session at its last EMN National meeting (3-5 December 2013 in Budapest) to migration and development**.

The fifth ministerial conference of the **Budapest Process** took place in April 2013 in Istanbul, where participants adopted the “Istanbul Ministerial Declaration on a Silk Routes Partnership for Migration”. The signatories have agreed to establish a “Silk Routes Partnership for Migration” with the objective to promote further dialogue and mutual cooperation in managing migration flows taking place along the Silk Routes as the Budapest Process priority. Hungary, as Co-Chair of the Budapest process wishes to ensure in the both mid- and long term that the goals of the Istanbul Ministerial Declaration (adopted by more than 50 States and the European Commission) will be implemented. In the Declaration the signatories have committed to focus dialogue and cooperation on, but not limited to, the objectives and activities identified in the list of initiatives. This list contains a special chapter on migration and development as well. Moreover, **remittances** are listed as one key area.

As a huge step forward, a project lead by Hungary started in February 2014 in the framework of the Budapest Process. This project was developed on the course of 2013 on the basis of previous projects (like the Silk Routes I. project or the UK Bridging project) and the Istanbul Ministerial Declaration (adopted in April 2013). The project “**Support to the Silk Routes Partnership for Migration under the Budapest Process**” has a component focusing on and addressing the linkages on migration and development in the beneficiary countries Afghanistan, Pakistan, Iraq, but will have a strong effect on all Silk Route countries.

Hungary is actively participating in the **Prague Process** as well. In the framework of this partnership Hungary is leading state of the Pilot Project “Legal migration” but works very closely with the Pilot Project “Migration and Development” lead by the Czech Republic. The two pilot projects have had several joint workshops and one more joint workshop is planned for 2014. The overall aim of the joint workshops is to highlight the strong interlinkages between migration and development and legal migration for the participating countries (Belarus, Bosnia and Herzegovina, Croatia, Georgia, Kosovo, Kyrgyzstan, Macedonia (FYROM), Moldova, Tajikistan, Ukraine and Russia, Poland, Czech Republic, Sweden and Slovenia, with the assistance of the IOM and the ICMPD). In the framework of the Targeted Initiative (PPTI), Hungary hosted a study visit from Belarus in 2013 in the asylum and international protection component. Hungary is also active in the illegal migration component of the PPTI.

Preparations for the **European Year 2015 of Development** have already started in Hungary. We hope the migration and development linkages to be strengthened throughout the preparations and the European Year 2015.

In Hungary the State Secretariat for Hungarian Communities Abroad in the Ministry of Public Administration and Justice is responsible for the **autochthonous Hungarian communities in the neighbouring countries as well as the Hungarian diaspora** communities living in Western Europe and overseas. In the series of the IOM International Dialogue on Migration 2013, a **Diaspora Ministerial Conference** was organised on 18-19 June 2013. Hungary was represented by Deputy State Secretary Zsuzsanna Répás at this first global meeting gathering ministers responsible for diaspora. She presented Hungary's efforts and results in relation to Hungarians living in diaspora and in strengthening their identity. The final outcome can be consulted at http://publications.iom.int/bookstore/index.php?main_page=product_info&cPath=2_4&products_id=1013.

The State Secretariat for Hungarian Communities Abroad and the Research Institute for Hungarian Communities Abroad organised a joint, **two-day international conference on diaspora policies**. The conference entitled „Diaspora Engagement: State and Civil Approaches” took place on 25 and 26 September 2013 in Budapest, with the participation of Hungarian and international politicians, government officials, ambassadors and academics. For more information please refer to <http://www.nemzetiregiszter.hu/budapest-hosts-two-day-international-conference-entitled-diaspora-engagement-state-and-civil-approaches>.

The new electoral law grants to **Hungarian citizens living abroad permanently**, even without a permanent address in Hungary, the **right to vote at the national elections**. The right to vote is linked to previous registration and Hungarian citizens without a permanent address in Hungary can only vote on national lists of the political parties. The new law on the election of the representatives of the National Assembly (Act CCIII of 2011) entered into force on 1 January 2012 and will be first applied at the upcoming parliamentary elections on 6 April 2014.

The **Fourth Global Meeting of Chairs and Secretariats of Regional Consultative Processes on Migration (RCPs)** was held in Lima, Republic of Peru, on 22 and 23 May 2013. Hungary, as Co-chair of the Budapest Process participated at this important event. Hosted by the Government of Peru and IOM, the meeting sought to facilitate the sharing of experiences and the exchange of views on the value and benefits of cooperation and dialogue on migration. Taking place against the backdrop of the 2013 UN High-Level Dialogue on International Migration and Development (HLD), a session was dedicated to the exchange of views on planned actions in the lead up to the HLD, and to reflection on possible outcomes.

Apart from the Prague Process Targeted Initiative another projects have also been launched to implement the Action Plan of Poznan. The “Eastern Partnership cooperation in the fight against irregular migration – Supporting the implementation of Prague Process Action Plan” (**EaP-SIPPAP project**) is an EU funded project, led by the Hungarian Ministry of Interior and implemented in cooperation with State Border Guard of Latvia, The Border Guard of the Republic of Poland, General Directorate for European Affairs and International Relations of Romania, Bureau of Border and Aliens Police of the Presidium of the Police Force of Slovakia and International Centre for Migration Policy Development (ICMPD). The project aims to contribute to an enhanced strategic and operational co-operation in the Eastern Partnership region. This cooperation primarily aims at prevention irregular migration and support border management in more efficient and coordinated way. The kick-off conference of the project was held in Budapest in September 2013.

Hungary has hosted the event “Irregular Migration peer-to-peer meeting” in Budapest on 28-29 May 2013 in the framework of the EU-funded **EUROMED Migration III project**. The overall objective of EUROMED Migration III is to foster cooperation on migratory issues between the ENPI South partner countries and EU countries, as well as among ENPI South partner countries themselves. One of the specific objectives of the project is to promote synergies between migration and development in ENPI South countries

On 2-3 December 2013, a **study visit from Kazakhstan, Tajikistan, Turkmenistan and Kyrgyzstan on procedures relating to statelessness determination** took place in Hungary,. Hungary is deeply committed regarding the awareness raising in relation to statelessness (it was also a pledge of Hungary at the UNHCR anniversary conference in 2011). The participants are expected to take back to their countries the knowledge and lessons learned and which could inform the establishment of statelessness determination procedures in Central Asia.

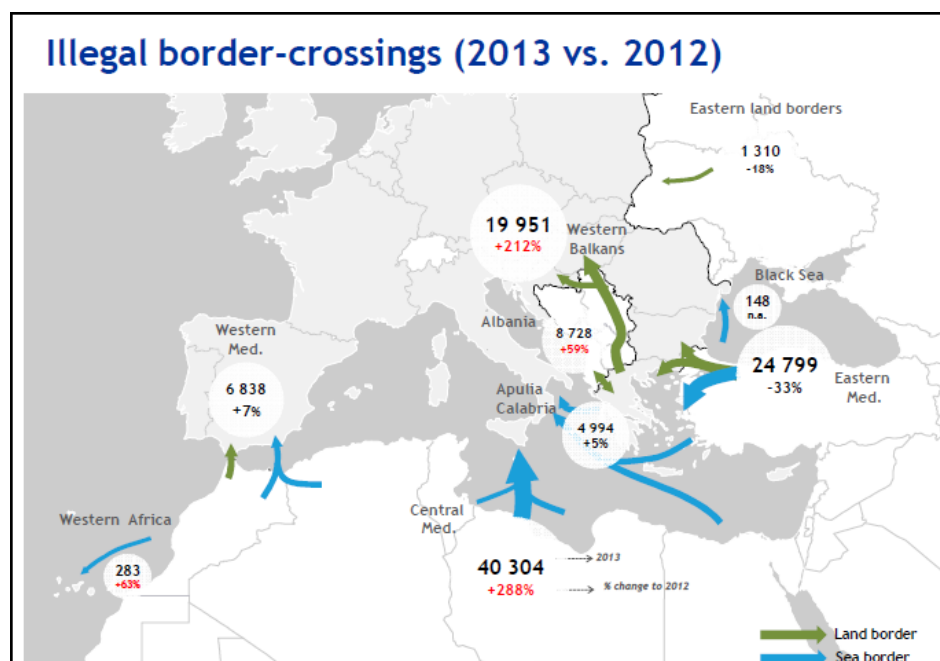
In the framework of the **Eastern Partnership Panel on Migration and Asylum** in March 2013 Hungary and Georgia co-organized a seminar regarding **return, readmission and reintegration**. The seminar took place in Tbilisi, Georgia. In December 2013 Hungary and Moldova co-organized an expert seminar on **statelessness**. The event took place in Budapest, Hungary.

Hungary is also involved in the **Brdo Process** and is member of the **Regional Cooperation Platform for the Black Sea Region**.

Hungary was happy to welcome IOM Director-General William Lacy Swing on 11 November 2013 in Budapest where he launched **IOM’S World Migration Report 2013: Migrant Well-being and Development**. Hungary has also contributed financially to the elaboration of the [Report](#).

In the framework of the GAMM, Hungary has participated in actions implementing the **Mobility Partnerships with Moldova** (agreement on social security between Moldova and Hungary was signed on 28 November 2013) and **Armenia** (project aiming at establishing an ILO network and performing training activities).

8. IRREGULAR MIGRATION



by FRONTEX

In 2013, an extraordinary migration pressure could be observed in relation to Hungary. There were 26,061 illegal crossings or its attempts. 22,877 of them took place at the Schengen external borders. Main categories of citizenships are the followings: Kosovars (6,338), Pakistani (3,160), Afghan (2,274) and Algerian (1,085). There is a significant increase of Syrians in this context (1,039). Predominant part of the caught irregular migrants lodged asylum application.

Three Hungarian **immigration liaison officers (ILO)** work in Hanoi, Vietnam, in Ankara, Turkey, and in Cairo, Egypt. In addition, there are 2 document expert liaison officers deployed in Istanbul, Turkey and Chisinau Moldova in order to support the work of consulates in the frame of visa application and other consular cases. In 2013, 2 experts detected 393 cases of document forgery in relation with supporting documents.

Schengen countries are aiming to facilitate visa application procedure on the spot, for instance, in Ho Chi Minh City, which facilitation could be implemented via immigration liaison officers and could enhance cooperation between Vietnam and EU Member States.

As for the transposition of the **Employers Sanctions Directive** (2009/52/EC), the Hungarian implementing legislation allows the authorities to decrease the amount of the financial sanctions if the employer is a natural person. Article 7(3) of the Act on Labour Inspections differentiates between sanctions based on whether the infraction is a first offence, or if an employee is employed illegally within 3 years after a decision establishing such an offence.

The Act on Labour Inspections provides that the labour authority will request the competent authority to take the necessary steps if a third country national has been employed without a valid residence permit or other permit allowing a gainful activity, and if this circumstance (in the option of the authority) presents a danger to public order, public security, national security, public health or epidemic control. In such an event, the competent authority is entitled to close down (temporarily or permanently) the establishment used in the infringement.

All legal relations on private law are governed by the principle of good faith and fairness. The principle sets up an ethical standard for the conduct of persons and requires reasonable conduct.

Cooperation against smuggling is important for Hungary and this policy goal is being implemented on various levels. On the national level, the most important actor is the National Detective Agency (especially its department focusing on illegal migration) which has largely been involved in the FIMATHU project (funded under the ISEC programme as part of the EU policy cycle) initiated by Hungary and Austria in 2011 with the aim of fighting against organized criminal activities related to illegal migration. In December 2013, Hungary has applied for funding to extend the project together with Austria, Germany, Slovakia, Poland and Serbia in order to further increase cooperation between EU Member States and third countries. Vis-à-vis Serbia, there has been numerous border meetings as well, where illegal migration and fight against smuggling is a primary topic. Furthermore, the creation of Joint Investigation Teams aims to harmonize, facilitate the investigation procedure in order to conduct the joint international prosecution procedure in a successful and timely way.

The Migration Strategy and the seven-year strategic document related to Asylum and Migration Fund established by the European Union for the years 2014-20 have been created in 2013. These documents have special provisions (see as follows) in relation to irregular migration.

Main source and transit areas of the continuously increasing illegal migration flows actually affecting Hungary are the Middle East, Asia Minor, Northern Africa and the Balkans. Illegal migration poses a significant risk of public and national security as besides the hope of a better living and subsistence the aim of committing crimes and the increasing danger of terrorism have also appeared at the same time with the changes in the citizenship (of illegal migrants). Destination countries indicated by migrants are mostly in Western Europe, and employment (economic) activities are revealed as the purpose of travel in the overwhelming majority of cases. Since Hungary appears mostly as a transit country on the international route of illegal migration, related crimes do not mean determining risk factors and do not have a direct effect on the population and society. At the same time it can be forecasted, that Hungary's character as a destination country will be more intensive, which can result the purpose of settling and a staying longer in Hungary by illegal migrants in greater numbers.

Illegal migration as a threat is unpredictable and significant as it is the unambiguous substrate of organized crime and terrorism. Since most criminal groups working on international level gather considerable assets from illegal migration, they deploy everything, so that their „service” could be ever more reliable and smooth. Methods in the background of facilitating illegal migration are constantly changing, they are affected by an amendment of legislation or a successful action of authorities, thus other *modi operandi* for ensuring illegal entry or stay is generated. In many cases it cannot be tackled by solely law enforcement instruments and requires all resources and instruments of all competent authorities in migration management, and it is necessary to implement the resources in a coordinated and purposefully focused manner.

It is essential to improve the systems of co-operation aiming at reintegration with the national authorities of the most important countries of origin (such as Afghanistan, Pakistan, Kosovo), relying upon the best practices already available in Western Europe and searching for the possibilities of co-operation within the European Union with member states, international and non-governmental organizations. As an early phase of return policy in a broader sense – as a response to the root causes migration – it is important for Hungary in the future as well to shape its international development policy in accordance with development priorities of the European Union and along the interests of Hungarian national economy in a wider sense.

Irregular migration objectives of the documents are the followings:

- improve co-operation, information exchange and co-ordination among competent actors in the field of fight against illegal migration;
- increase the effectiveness of the fight against illegal migration by improving capacities and capabilities and by increasing the quality of risk analysis and evaluation;
- increase the effectiveness of fight against illegal migration by the development of information technology;

- increase mobility related to the fight against illegal migration;
- establish and operate facilities serving the purpose of aliens policing detention meeting uniform conditions and ensuring humane detention;
- maintaining an experienced personnel having specific skills and extensive international and national relations at the authorities managing legal and illegal migration;
- humane, effective and sustainable return prioritising voluntary return;
- implement escorted forced returns;
- ensuring effective measures against abuses by the development of legal background.

9. RETURN

A third-country national in Hungary can be subject to the obligation of returning to another country (in most cases to the country of origin) by virtue of a return decision made by the Hungarian authorities, on different grounds.

In line with the Return Directive, the return policy in Hungary supports the **voluntary returns** of persons who are subject to an obligation to leave the territory of Hungary in general.

Readmission agreements give significant assistance to return policy endeavours and the implementation of expulsions mainly in relation to identification and issuing authorising documents which are necessary for the return of third country nationals.

In the field of addressing illegal migration ensuring efficient and sustainable return, especially voluntary return, continues to be the priority for Hungary. The assisted voluntary return and reintegration programmes implemented in Hungary by the IOM.

The illegal migration pressure on Hungary primarily along the Hungarian-Serbian border has been steadily increasing since 2008. 6,725 persons in 2012; 22,877 persons in 2013 entering or trying to enter the country illegally were apprehended by the Police. The most frequent nationals of illegal migrants were Afghan, Kosovar and Pakistani nationals in 2013, then the number of Algerian, Moroccan and Syrian illegal border crossings has risen as well until the end of year. The Office of Immigration and Nationality (OIN) removed 599 persons⁵, the Police removed 3,500⁶ persons in 2013, while in the same period 353 persons left Hungary within the framework of the AVR programme. In the period of 2009-2013 1,755 TCNs returned voluntarily within the AVR programme of IOM⁷ with the contribution of the European Return Fund.

The Migration Strategy and the seven-year strategic document related to Asylum and Migration Fund established by the European Union for the years 2014-20 have been created in 2013. These documents have special provisions (see as follows) in relation to return.

„Removals are efficient tools of fighting illegal migration, having significant and direct deterrent effect on illegal migration to the EU territory. The quickest and therefore most cost-efficient way to make the highest number of TCNs entering Hungary illegally leave the country is within the framework of readmission agreements in force with neighbouring countries. This brings an immediate result but does not actually solve the problem of the return of persons concerned to their countries of origin; they stay in the border territory of the intermediate transit country (e.g. Serbia) from where they try again crossing the external Schengen borders illegally. Lacking the opportunity of removal, there is a growing number of irregular migrants who are “tolerated”, i.e.

⁵ Source: OIN (http://www.bmbah.hu/jomla/images/stat/2013_2014_I.xls).

⁶ Source: www.police.hu.

⁷ International Organisation for Migration.

are ordered to leave, but without their removal actually taking place, thus they may not be further detained, while their situation needs to be managed.”

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

Problems have been experienced especially with regard the **issuance of travel documents** required for return, in case of such countries of origin with which Hungary or the EU do not have readmission agreements (e.g. Afghanistan, Iran, Nigeria, Tunisia, Morocco, Algeria etc.). If the third country nationals can readmitted by readmission agreement we do not need for establishing his/her identity. In this case the evidence of illegal border crossing is enough.

Most embassies are cooperative, but some embassy (e.g.: Iraq) asks the client's valid documents for the identification. It is impossible because the requests include that these persons do not possess any document. Some embassies do not answer for the authority's request (e.g. Morocco, Libya).

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

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

EU Readmission agreement (country)	National development (i.e. implementing protocol, cooperation)	Date of agreement
EU-BIH RA	The HU-BIH implementing protocol was concluded in summer 2012 and entered into force only on 24 April 2013.	The HU-BIH IP was incorporated into Hungarian law by Government Decree No 152/2012.

		(VII.18.).
EU-GE RA	The Protocol between the Government of Hungary and the Government of Georgia on the implementation of the Agreement between the European Union and Georgia on the readmission of persons residing without authorisation, signed in Brussels on 22 November 2010 and entered into force on 30 March 2013.	The HU-GE IP was incorporated into Hungarian law by Government Decree No 360/2012. (XII. 17.)
EU-PAK RA	Hungary initiated negotiations for an implementing protocol with PAK and submitted the first draft agreement in September 2013 (authorisation given by Resolution of the Prime Minister No 119/2013 (IX.20.) ME), but there was no reaction so far from the PAK side.	-

10. IMPLEMENTATION OF EU LEGISLATION

Transposition of EU legislation 2013

Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA

- Transposition required by: 6 April 2013
- Status: Transposed through the following legal acts:
 - Act No. C of 2012 on the Criminal Code;
 - Act No. XIX of 1998 on Criminal Proceedings;
 - Act No. CLXXX on the Cooperation with EU Member States in Criminal Matters;
 - Act CXXXV of 2005 on Crime Victim Support and State Compensation;
 - Act No. CIV of 2001 on Measures Applicable to Legal Entities under Criminal Law;
 - Act No. II of 2007 on the Admission and Right of Residence of Third-Country Nationals;
 - Government Decree No. 114/2007 (V. 24.) on the Implementation of Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals
 - Act No. LXXX of 2007 on Asylum;
 - Government Decree No. 301/2007 (XI. 9.) on the Implementation of Act LXXX of 2007 on Asylum;
 - Act No. LXXX of 2003 on Legal Aid;
 - Act No. I of 2002 on the Amendment of Act XIX of 1998 on Criminal Proceedings;
 - Act No. CXXXII of 2004 on the Amendment of Act XIX of 1998 on Criminal Proceedings;
 - Act No. LI of 2006 on the Amendment of Act XIX of 1998 on Criminal Proceedings;
 - Act No. CLXXXI of 2012 on the Information Exchange in the framework of the Second Generation of the Schengen Information System and other Law Enforcement Acts relating this Topic on the modification of the Magyar Simplification Program;
 - Act No. XXVI of 2008 on the Amendment of Act CIV of 2001 on Measures Applicable to Legal Entities under Criminal Law;
 - Act No. CXXII of 2010 on the National Tax and Customs Administration;
 - Act CLV of 2009 on the Protection of Classified Information.

Legislation was also carried out in order to include the necessary implementing provisions in our national law for introducing the SIS II System. These implementing provisions were set out in the following pieces of legislation:

- Act No. CLXXXI of 2012 on the Information Exchange in the framework of the Second Generation of the Schengen Information System and other Law Enforcement Acts relating this Topic on the modification of the Magyar Simplification Program;
- Government Decree No. 15/2013 (I. 28.) on the Detailed Rules of the Information Exchange in the framework of the Second Generation of the Schengen Information System and on the Amendment of Certain Related Government Decrees;
- Act No. CV of 2007 on Cooperation and Information Exchange within the Schengen Implementation Agreement (repealed);
- Government Regulation No. 242/2007 (IX. 21.) on Appointing a Body for the Execution of the Tasks of the N.SIS IT Centre, on Ordering and Executing Data Input into SIS and on the regulation of the technical and administrative tasks of the N.SIS Bureau and the SIRENE Office;
- Decree No. 45/2007 (IX. 21.) of the Ministry of Justice and Law Enforcement Amending the Decree No. 35/2000 (XI. 30.) of the Ministry of Interior on the Document Samples Used for SIS Data Input and on the Traffic Administration Tasks, the Issuing and Withdrawal of Road Circulation Documents;
- Act No. XXXIV of 1994 on the Police;
- Act No. CXXV of 1995 on the National Security Services;
- Act No. I of 2007 on the Admission and Residence of Persons with the Right of Free Movement and Residence;
- Government Decree No. 113/2007 (V. 24.) on the Implementation of the Act I of 2007 on the Admission and Residence of Persons with the Right of Free Movement and Residence;
- Act No. II of 2007 on the Admission and Right of Residence of Third Country Nationals;
- Government Decree No. 114/2007 (V. 24.) on the Implementation of Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals;
- Government Decree No. 301/2007 (XI. 9.) on the Implementation of the Act LXXX of 2007 on Asylum;
- Act No. XVIII of 2001 on the Warrant of Caption of Persons and Objects;
- Government Decree No. 276/2006 (XII. 23.) on the Formation, Scope of Duty and Authority of the Central Office for Administrative and Electronic Public Services;
- Act No. XII of 1998 on Traveling Abroad;
- Act No. LIV of 1999 on Cooperation and Information Exchange Within the Framework of the European Union's Criminal Investigation System and the International Criminal Police Commissions;
- Act No. LXXXIV of 1999 on the Rules of the Road Transport;
- Government Decree No. 326/2011 (XII. 28.) on the Administrative Tasks of the Road Transport and the Release and Recall of the Road Transport Documents;
- Act No. CXXII of 2010 on the National Tax and Custom Administration;
- Act No. LXVI of 1992 on Keeping Records on the Personal Data and Address of Citizens.

11. OTHER RELEVANT NATIONAL POLICY DEVELOPMENT IN THE FIELD OF MIGRATION AND ASYLUM

The Hungarian “**National strategy on humanitarian aid and on international cooperation in the field of development**” for the period of 2014-2020 has been elaborated during 2013. The latest such document was adopted in 2001 therefore a revision was timely. The Strategy – in line with international trends and commitments – aims at improving the efficiency of development and humanitarian actions, suggests to gradually increase the national visibility of the actions or the financial means available for these purposes. The Strategy identifies challenges to be tackled and introduces a new structure of priority regions for development as well. One of the most important novelties of the Strategy (which is yet to be adopted in early 2014) is to foresee strengthening the links between development and other policy areas, such as migration. Also a new website has been created: <http://nefe.kormany.hu/> (Hungarian development and humanitarian aid website – yet test mode).

APR National Report ANNEXES:

ANNEX A: Methodology and Definitions

In Hungary, the Department of European Cooperation within the Ministry of Interior is appointed as the National Contact Point of the EMN. Since this department is responsible for formulating the policy in the field of migration and asylum and EU matters, the report was compiled by the HU EMN NCP. The HU EMN NCP made use of the contributions of the Office of Immigration and Nationality (OIN) and the National Police Headquarters which are an integrated governmental body responsible for the implementation of the legislation in the field of migration and asylum. Relevant reports and analysis of the relevant NGOs and other governmental bodies were also taken into account when drafting this report. Statistical data was provided by the Office of Immigration and Nationality and the National Police Headquarters which are responsible for the processing of data in the field of migration and asylum. Solely official information sources are considered for ensuring the reliability of the current report.

ANNEX 1

STATISTICS ANNEX 2013 FOR HUNGARY

CONTRIBUTING TO COMMISSION AND EASO ANNUAL REPORTS

The key statistics requested in this Statistics Annex are in line with Council Regulation 862/2007 on Union Statistics on migration and international protection and will provide some “headline” statistics in the area of migration, international protection and external border management. In addition, EMN NCPs are requested to try to provide statistics (even tentative) which are not available through Eurostat, but are relevant for some of the topics required under the Commission’s Annual Report. We would, therefore, request that you provide, where possible and even if tentative, statistics on any of the following on or before the submission date of **31st March 2014**:

- First residence permits, by reason;⁸
- Average annual unemployment rates⁹ of (Member) State citizens and third-country nationals;
- The number of visas issued in 2013 (including the number of Schengen visas and national visas);
- The number of third-country nationals being returned to their home country as part of forced return measures, the number of third-country nationals being returned voluntarily and, within these, the number of third-country who returned as part of an assisted return programme and, if available, the number of persons among the returned (forcibly or

⁸These data are generated by Eurostat, but are usually not available for the publication of the Commission’s Annual Report on Immigration and Asylum.

⁹ Unemployed persons are defined in Eurostat as persons aged 15-74 (in ES, IT, SE (1995-2000), UK, IS and NO: 16-74), who were without work during the reference week, but currently available for work, or who were either actively seeking work in the past four weeks or who had already found a job to start within the next three months

voluntarily) who had applied for international protection and were served with a final negative decision;

- Statistics on sanctions and measures against illegally-staying third-country nationals;
- The number of identified smuggled persons, and the number of smugglers arrested and convicted
- The number of third-country nationals relocated to your Member State;
- The number of third-country nationals resettled in your Member State (unless provided to Eurostat);
- The number of unaccompanied minors (UAMs), differentiating between those applying and those not applying for asylum;
- The number of third-country nationals granted a reflection period / residence permit as victims of trafficking in human beings, and the number of traffickers arrested and convicted.

The Standardised Tables in the Statistics Annex are a template to provide these statistics. In keeping with the practice of Eurostat, your statistics should be rounded up or down to the nearest 5. Please provide, if possible, statistics for the whole of 2013 within the same timeframe as set out in your final and complete National Report Part 1: i.e. by the **31st March 2014**. In addition, for all the additional statistics that you provide, please give the source.

By requesting all EMN NCPs to provide such statistics for the same time period, it will then be possible to provide an EU-28 overview, plus Norway, as well as better comparability between (Member) States. Denmark (not participating in the EMN) is invited to submit a report. Croatia (joining the EU as of mid-2013) may report on the activities in the 2nd semester of 2013, but is asked to provide statistics for the full year, to ensure comparability.

In view of taking into account the gender dimension of EU policies, we kindly ask EMN NCPs to distinguish, to the extent possible, or relevant, between men/women, boys/girls both in their National Reports and also in the statistic tables, to enable conclusions to be drawn on gender specific challenges. Given that we haven't previously collected such information in the Annual Policy Reports, we would like to use 2013 as a pilot exercise to test the feasibility for collecting this level of detail of the statistics in subsequent years. EMN NCPs are therefore asked to provide, in the tables that follow, all totals, and to the extent possible separate statistics by gender. Where relevant, a breakdown by age should also be provided.

In specific cases, when one (Member) State reports on figures related to other(s) (Member) State(s) (e.g. resettlement figures) and the figures provided by one (Member) State differ from those provided by another (Member) State, discrepancies will be discussed trilaterally, between the concerned EMN NCPs, the Commission and the EMN Service Provider. In order to assist your gathering of the necessary statistics, if needed, each EMN NCP is encouraged to make contact with your relevant Ministry(ies) and other relevant entities (e.g. your corresponding National Contact Points on Integration (NCPI), EASO NCP, national Frontex risk analysis Network (FRAN) member etc.

For all of the Tables which follow, please indicate the total, and provide disaggregated data where possible.

1. LEGAL MIGRATION AND MOBILITY

1.1 Key Statistics

<i>First residence permits, by reason 2013</i>					
	First permits (all)	Family reasons	Education reasons	Remunerated activities reasons	Other reasons
Total	24 140	3 395	8 595	6 910	5 240
Female	10 435	2 095	3 675	1 950	2 715
Male	13 705	1 300	4 920	4 960	2 525

1.6 Integration¹⁰

1.6.1 Statistics

Please complete the Table below.

	<i>Annual average unemployment rates of (Member) State citizens versus third-country nationals residing in the (Member) State for 2013</i>					
	Third country nationals			Total national population		
	<i>Total</i>	<i>Female</i>	<i>Male</i>	<i>Total</i>	<i>Female</i>	<i>Male</i>
Unemployment rate (%)	<i>Data not to be submitted by EMN, Eurostat data to be used.</i>					

1.7 Managing Migration and Mobility

1.7.1 Statistics

<i>Visas issued (by gender where possible) in 2013</i>				
	Schengen Visas		National Visas	
	<i>Issued to third country nationals coming directly from a third country</i>	<i>Issued to third country nationals resident in another EU Member State</i>	<i>Issued to third country nationals coming directly from a third country</i>	<i>Issued to third country nationals resident in another EU Member State</i>

¹⁰Please also refer to the European Agenda for the Integration of third-Country nationals, COM(2011)455 final.

Total	TO BE PROVIDED BY DG HOME	TO BE PROVIDED BY DG HOME	11 183	
<i>Female</i>			5 028	
<i>Male</i>			6 155	

Visas issued (by gender where possible) in 2013 for the period between 1st January 2013 – 31th December 2013)				
	Schengen Visas (Total number: 349315 152178 male 197137 female)		National Visas (Total number: 9593 5113 male 4480 female)	
	<i>Issued to third country nationals coming directly from a third country</i>	<i>Issued to third country nationals resident in another EU Member State</i>	<i>Issued to third country nationals coming directly from a third country</i>	<i>Issued to third country nationals resident in another EU Member State</i>
Total	349301	14	9457	136
<i>Female</i>	197129	8	5062	51
<i>Male</i>	152172	6	4395	85

2. IRREGULAR MIGRATION AND RETURN

2.6 Priority VI: Enhancing migration management including cooperation on return practices

2.6.3 Key statistics

<i>Third-country nationals returned (by gender / nationality where possible)</i> ¹¹												
	<i>Returned as part of forced return measures</i>				<i>Returned voluntarily</i>				<i>Among third-country nationals returned voluntarily, the number of third-country nationals returned as part of an assisted return programme</i>			
	Total	<i>Female</i>	<i>Male</i>	<i>Minor</i>	Tot.	<i>Male</i>	<i>Fem.</i>	<i>Min.</i>	Tot.	<i>Male</i>	<i>Fem.</i>	<i>Min.</i>
<i>Nationality 1</i>	Kosovar: 319								Kosovar: 296			
<i>Nationality 2</i>	Serbian: 92								Mongolian: 21			
<i>Nationality...</i>	Afghani: 19								Albanian: 11			
<i>Total</i>	599								353			

Data source :OIN

<i>Third-country nationals returned (by gender / nationality where possible)</i> ^{12*}												
	<i>Returned as part of forced return measures</i>				<i>Returned voluntarily</i>				<i>Among third-country nationals returned voluntarily, the number of third-country nationals returned as part of an assisted return programme</i>			
	Total	<i>Female</i>	<i>Male</i>	<i>Minor</i>	Tot.	<i>Male</i>	<i>Fem.</i>	<i>Min.</i>	Tot.	<i>Male</i>	<i>Fem.</i>	<i>Min.</i>
Afghan	129											
Albanian	167											
Algerian	170											
Azerbaijan	1											
Bangladesh	122											

¹¹ Please provide the total number of third country nationals ordered to leave and returned in 2012. Please provide a breakdown of this total by nationality where possible.

¹² Please provide the total number of third country nationals ordered to leave and returned in 2012. Please provide a breakdown of this total by nationality where possible.

Belorussian	1											
Bissau-Guinea	1											
Bosnian	20											
Brasilian	1											
Burkina Faso	6											
Comorre-islands	10											
South-Korea	1											
Dominica	1											
Egyptian	18											
Ivory Coast	10											
Eritrea	47											
Gambia	2											
Ghana	28											
Georgian	9											
Guinea	3											
Stateless	4											
Croatian	5											
Indian	38											
Iraqi	1											
Iranian	13											
unknown	8											
Israel	2											
Jordan	1											
Cameroon	6											
Chineese	1											

<i>Columbian</i>	<i>2</i>											
<i>Congo</i>	<i>1</i>											
<i>Kosovar</i>	<i>823</i>											
<i>Central-african</i>	<i>1</i>											
<i>Liberian</i>	<i>2</i>											
<i>Lybian</i>	<i>12</i>											
<i>Macedonian</i>	<i>44</i>											
<i>Mali</i>	<i>24</i>											
<i>Moroccan</i>	<i>67</i>											
<i>Mauritanian</i>	<i>5</i>											
<i>Myanmar</i>	<i>7</i>											
<i>Moldovan</i>	<i>15</i>											
<i>Mongolian</i>	<i>3</i>											
<i>Montenegro</i>	<i>8</i>											
<i>Nepal</i>	<i>1</i>											
<i>Niger</i>	<i>4</i>											
<i>Nigerian</i>	<i>62</i>											
<i>Russian</i>	<i>14</i>											
<i>Pakistani</i>	<i>574</i>											
<i>Palestin</i>	<i>5</i>											
<i>Ruanda</i>	<i>1</i>											
<i>Sierra Leone</i>	<i>3</i>											
<i>Senegal</i>	<i>56</i>											
<i>Serbian</i>	<i>412</i>											
<i>Syrian</i>	<i>109</i>											
<i>Somalian</i>	<i>12</i>											

<i>Sudan</i>	<i>3</i>											
<i>Togo</i>	<i>1</i>											
<i>Turkish</i>	<i>103</i>											
<i>Tunesian</i>	<i>65</i>											
<i>Ukrain</i>	<i>202</i>											
<i>Total</i>	<i>3468</i>											

Data source: Police

2.7 Other measures to combat irregular migration

2.7.4 Key statistics

<i>Sanctions and measures against illegally staying third-country nationals in 2013</i>		
<i>No of Employers investigated</i>	<i>No of Employers sanctioned</i>	<i>Sectors where irregular activity concentrated – please refer to the international standard classification of occupations¹³</i>

2.8 The fight against facilitation of irregular migration ('smuggling')

2.8.1 Key statistics

<i>Third country nationals identified as smuggled persons, reflection periods provided to smuggled persons and Residence permits granted to smuggled persons, 2013 including definition.</i>			
<i>Definition of 'smuggling' in your (Member) state i.e. whether this covers facilitated entry only, or facilitated entry and stay, to assist comparability.</i>			
	Total	Female	Male
<i>Number of third country nationals identified as smuggled persons</i>			
<i>Number of reflection periods provided to smuggled persons (e.g. in accordance with Directive 2004/81/EC where your Member State implements this for smuggled persons)</i>			
<i>Number of residence permits granted to smuggled persons (e.g. in accordance with Directive</i>			

¹³ <http://www.ilo.org/public/english/bureau/stat/isco/>

2004/81/EC where your Member State implements this for smuggled persons)			
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2.8.2 Key statistics

<i>No of smugglers arrested as suspects and smugglers convicted 2013</i>	
<i>Arrested / otherwise involved in a criminal proceeding</i>	<i>Convicted</i>

3. INTERNATIONAL PROTECTION INCLUDING ASYLUM

NB Key asylum and international protection statistics will be collected directly from Eurostat by COM. Additional statistics to be provided by Member States where available are set out below:

3.3 Intra-EU solidarity including relocation¹⁴

3.3.2 Key statistics

<i>Third-country nationals relocated <u>to</u> your (Member) State in 2013</i>						
Number of third country nationals relocated <u>to</u> your (Member) State			Male	Female	Total	Top 3 countries of origin of third-country national (if known).
From Member State 1:	<i>E.g. Austria</i>					
From Member State 2:	<i>E.g. Belgium</i>					
From Member State..	<i>Etc.</i>					
Total						

3.4 Enhancing the external dimension including resettlement¹⁵

¹⁴ Relocation: the transfer of persons having a status, defined by the Geneva Convention or subsidiary protection (2004/83/EC) from the Member State which granted them international protection to another Member States where they will be granted similar protection (see EMN Glossary V2).

¹⁵ Resettlement: the transfer on a request from the UNHCR and based on their need for international protection, of a third-country national or stateless person from a third country to a Member State where they are permitted to reside

3.4.2 Key statistics

Third-country nationals resettled in your (Member) State in 2013				
Country from which third country nationals were resettled (if known).		Number of third country nationals resettled in your (Member) State		
		Male	Female	Total
From Country 1:	E.g. Afghanistan	DATA TO BE PROVIDED BY THE COMMISSION VIA EUROSTAT BY MARCH 2014		
From Country 2	Etc.			
Total				

4. UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

4.3 Key statistics

<i>Unaccompanied minors 2013</i>					
Number of unaccompanied minors not applying for asylum			Number of unaccompanied minors applying for asylum		
Total	Female	Male	Total	Female	Male
14	8	6	380	16	364

5 ACTIONS ADDRESSING TRAFFICKING IN HUMAN BEINGS

5.1 Priority A: Identifying, protecting and assisting victims of trafficking

5.1.1 Key statistics

a) Please complete the Table below, providing statistics on:

- i. Total number of third country nationals presumed to be victims of trafficking in human beings, disaggregated by sex where available.
- ii. Total number of third country nationals presumed to be victims of trafficking in human beings disaggregated by sex, age and form of exploitation where available. Please also provide information on citizenship of victims (where available).
- iii. Number of victims of trafficking in human beings granted a reflection period,

with one of the following statuses: i. refugee status ii. a status which offers the same rights and benefits under national and EU law as refugee status (see EMN Glossary Version 2).

- iv. Number of requested residence permits and the number of granted residence permits to victims

Please specify whether these were granted on the basis of Directive 2004/81/EC and for the granted residence permit, if applicable, other reason (e.g. permits on humanitarian grounds, etc.). Please disaggregate the statistical data by age and gender and if possible, by citizenship and by form of exploitation.

<i>Victims of trafficking 2013</i>				
		<i>Total</i>	<i>Female</i>	<i>Male</i>
<i>Total number of third country nationals ‘presumed’ to be victims of trafficking in human beings¹⁶ in 2013</i>				
<i>Age</i>	<i>Over 18 years of age</i>			
	<i>Under 18 years of age</i>			
<i>Form of exploitation</i>	<i>Sexual exploitation</i>			
	<i>Labour exploitation</i>			
	<i>Other (please state: 1. 2. 3. etc.</i>			
<i>Citizenship (top 3 countries)</i>	<i>1. 2. 3.</i>			
<i>Total number of third country nationals ‘identified’ as victims of trafficking in human beings¹⁷ in 2013</i>				
<i>Disaggregated according to:</i>				
<i>Age</i>	<i>Over 18 years of age</i>			
	<i>Under 18 years of age</i>			
<i>Form of exploitation</i>	<i>Sexual exploitation</i>			
	<i>Labour exploitation</i>			

¹⁶ ‘Presumed’ victims are persons who fulfil the definition of victim of trafficking in human being, as outlined in Directive 2011/36/EU, but whom have not been formally identified by the relevant authorities (i.e. the national person/body authorised to formally identify victims).

¹⁷ ‘Identified’ victims are those whom have been formally identified by the relevant authority (i.e. the national person/body authorised to formally identify victims).

	<i>Other (please state:</i> 1. 2. 3. <i>etc.</i>			
<i>Citizenship (top 3 countries)</i>	1. 2. 3.			
Total number of reflection periods granted 2013:				
<i>Disaggregated according to:</i>	Dir. 2004/81/EC			
	Other			
Total number of residence permits granted 2013:				
<i>Disaggregated according to</i>	Dir. 2004/81/EC			
	Other			

Note: this terminology is in keeping with terminology used by Eurostat¹⁸

5.3 Priority C: Increased prosecution of traffickers

5.3.3 Statistics

Traffickers arrested as suspects and traffickers convicted		
	Arrested / otherwise involved in a criminal proceeding	Convicted
Traffickers		

¹⁸ Eurostat (2013) Eurostat Methodologies and Working papers: Trafficking in human beings. Available at: http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf

Annex 2:

NATIONAL REPORT

CONTRIBUTION TO COMMISSION AND TO EASO ANNUAL REPORTS

The Annual Policy Report **National Report (Part 1)** has been structured as a common template and includes spaces for EMN NCPs to provide information and in relation to developments at national level that have been developed to implement EU policy, legislative and financial instruments, or any developments which were the result of actions at EU level in relation to specific policy topics.

Key statistics are requested to illustrate each topic of the Commission's Annual Report on Immigration and Asylum. These statistics are set out in the **Statistics Annex** (Annex 1) and will be sourced from Eurostat, once available, and (where not available through Eurostat) through national sources. The source to be used will be determined by whichever statistics are first available.

The information collected shall be used to inform the Commission's Annual Report on Immigration and Asylum, and shall be the only source of factual information at (Member) State level for the topics covered by the Report plus EASO's Annual Report. In light of the ending of the Stockholm Programme, the Annual Policy Report in 2013 will also be a tool to evaluate, to the extent possible, the implementation of the "Action Plan Implementing the Stockholm Programme"¹⁹. In view of this, each sub-section of the Annex maps the relevant commitments of the Stockholm Programme to which each section relates. This will support the (multiple) use of the Annex for evaluating the Stockholm Programme.

Thus when providing information, as with all EMN Common Templates, it is important to emphasise that the content should be as relevant to the topic under consideration, and as concise, as possible. You should aim to provide only one or two paragraphs for each of your responses. It should also, where relevant, describe concrete actions or measures, for example, resulting from the entry into force of new legislation. Examples are given in each of the sub-sections. You will be given the opportunity to describe your (Member) State activities in more detail in your National Report (Part 2). If there has been no significant development, then this should be explicitly stated in the relevant section.

You should also foresee liaising with respective EASO NCPs as information requested in this template will also serve to inform EASO's Annual Report. In addition, information collected in this Template should also be coordinated with information made available at (Member) State level via National Contact Points on Integration (NCPis), the Frontex Risk Analysis Network (FRAN) and National Rapporteurs or Equivalent Mechanisms working against Trafficking in Human Beings. To ensure consistency and to facilitate your work, examples of elements to consider in relation to the various topics are given. Note that you should differentiate clearly between actions undertaken by your government or public authorities and those by civil society or NGOs, for example, which should only be described in the National Report (Part 2). No separate consultation round with the permanent representations is foreseen by the Commission. However, you should also aim to liaise with your respective Permanent Representations to the EU in submitting replies to the Commission. The European Commission will inform the Permanent Representations of this process separately.

¹⁹ COM(2010)1471 final of 20.4.2010

As mentioned above, the Specifications have been structured to support the evaluation of activities undertaken (e.g. by asking about drivers of the change and preliminary results / impacts). EMN NCPs are requested only to use secondary data (e.g. published evaluations and reports and media reports) for these questions, where available. In relation to identifying the drivers to changes, please also draw on published evaluations of previous / existing measures.

1. LEGAL MIGRATION AND MOBILITY

Correspondence with the commitments of the Stockholm Programme

Section 1 pertains to the following sections of the **Stockholm Programme**:

- Section 6.1.3 - a concerted policy in keeping with national labour-market requirements;
- Section 6.1.4 - Proactive policies for migrants and their rights; and
- Section 6.1.5 – Integration.

And some sections of:

- Section 6.1.1 - Consolidating, developing and implementing the EU Global Approach to Migration;
- Section 6.1.2 – Migration and Development; and
- Section 7 - the ‘external dimension’.

1.1 Key Statistics

See Annex 1 Table 1.1 – to be completed separately, as per the timetable in Section I.4.

1.2 Economic migration

1.2.1 Satisfying labour market needs

Has your (Member) State changed the way it analyses its labour market and skills needs / shortages in relation to the employment of third-country nationals?

- a) Please describe the (planned) introduction of any new labour migration policies or changes to the existing ones, e.g. introduction / revision of quotas, lists of professions, facilitation of intra-EU mobility of third-country nationals living in another Member State, agreement with specific third countries, use of private recruitment agencies / services, etc.).²⁰
- b) Do the changes affect specific sectors / categories of worker in particular? If so, why? Why are these sectors / workers considered specifically important?
- c) What were the drivers of the changes? For example, these might be specific labour market needs and demands. Specifically highlight whether the policy is designed to facilitate economic migration’s contribution to economic growth.
- d) What are the expected or desired results of the changes? Is there any evidence of the impact / results of these changes already? (If so, please provide it here).

Changes from 2013

²⁰ Please do not describe any new policies to facilitate skills recognition here. This is covered in question 1.3.2

The Magyar Simplification Program carried out in 2013 resulted in changes both in the procedures of residence permits and work permits, the modified provisions of which entered into force on 1st January 2013.

As for the procedure of the work permit, the notification of the employment services about the need for work force – that previously had to precede the application for a work permit – can be arranged at the same time when lodging the application for the work permit. Consequently, a one-stop-shop is created as for the employment administration resulting in the reduction of deadlines; the complete employment administration can be arranged within 30 days including both the labour market test as well as the issuance of the work permit. This procedure can optionally be chosen by the employer, therefore the employer can still opt for notifying about the work force need at least 15 days before the work permit application is submitted. Parallel to this change the application forms for different types of work permits have also been reformed and unified in one single application form.

As for the reforms concerning the residence permits, the deadlines are also decreased and therefore all the applications for residence permits are decided within 21 days. As for economic migrants, those requesting residence permits based on their own company in Hungary, they do not have to submit a document about being public debt-free, as the immigration authorities can directly contact the competent authority for such information.

Changes from 2014

As a result of the transposition of the Single Permit Directive (2011/98/EU) Hungary introduces a single application procedure from 1st January 2014 that creates a one-stop-shop system including employment and immigration procedures for those coming for employment purposes and with other primary purpose of stay, who also having the right to be employed.

As a result of the procedural reform, the single application procedure established in case of the EU Blue Card applications will be extended for the majority of workers. It means the application for a single permit will have to be lodged by the third-country national worker at the competent Regional Office of the Office of Immigration and Nationality, which requests the official opinion of the employment services concerning the employment related criteria that are to be checked during the procedure. Finally, the immigration authorities will make a decision based on their own findings and the official opinion of the employment services and in case of a positive decision the residence permit will be issued as a single application permit.

Plans for the Future

The National Migration Strategy adopted in 2013 also sets out the vision for the future of economic migration on Hungary, as follows below.

Although it is still important to ensure the protection of the Hungarian labour force, however, based on the needs of our country's economy and labour market, particularly observing stronger emigration of Hungarian labour in certain sectors, receiving additional migrant labour is a necessity. This concerns mainly the skilled and unskilled manual labours as well as the highly skilled mental workers, as long-term deficit shows an increasing trend in these segments among the specific sectors of the labour market.

In order to stimulate the domestic labour market motivation of those arriving for the purpose of work can primarily be achieved by simplifying and facilitating the rules of employment, and, in order to support this, by the on-going review and transformation of rules of entry and stay of foreigners continuously adjusted to the current labour market situation. Consequently, it is

necessary to take into account the national economic and labour market needs in the shortage occupations determined by the county development and training committees, and the development of the potentials to attract foreign workers based on such needs.

Hungary continues to expect that the number of third-country national employees from neighbouring countries will decrease; especially that ethnic Hungarians in neighbouring countries can acquire Hungarian citizenship by means of a simplified naturalization, while an increase in the number of third-country national workers from Asia is expected.

From 2014 after the transposition of the Directive 2011/98/EU of the European Parliament and of the Council, Hungary is going to apply a single application procedure for all the migrants coming to our country to work, and to a number of other migrants who also have a right to employment. A single permit is going to be issued as a result of a single application procedure after the examination of the conditions of work and residence. Giving authorization for work and residence in one single procedure completely transforms the law and practice of authorization that affects the institutional structure as well.

Given that the current system of standards already provide for effective, proportionate and dissuasive sanctions to deter employers from unlawful employment, effective practical implementation of these provisions and increased controls shall be ensured for the development of labour inspection results.

Based on the above described future situation the following actions to be completed in the period of 2014-2020 are set out within the purpose of ensuring economic development by migration: attracting investors, workers placed in shortage occupations and highly skilled migrants, continuous ensuring the effective functioning of the single application procedure.

1.2.2 Skills Recognition and labour matching

Has your (Member) State changed (or made plans to change) policy / practice on skills recognition / labour matching?

- a) Describe any (planned) measures to improve the validation of diplomas, qualifications and skills of third-country nationals.
- b) Describe any (planned) measures to improve labour matching between your (Member) State and third countries (including online employment, etc.).
- c) Do any of these measures:
 - a. Apply specifically to already resident third-country nationals (in the context of better integration)?
 - b. Involve exchanges of practical information / co-operation with other Member States?
 - c. Aim at avoiding brain waste?
- d) What were the drivers of the changes?
- e) What are the expected / desired results of the change? Specifically highlight any information on how such measures are expected to contribute to economic growth. Is there any evidence of the impact / results of these changes already? (If so, please provide it here)?

The National Migration Strategy adopted in 2013 (Government Decree No. 1698/2013) also sets out the tasks for the future concerning the topic of labour matching, as follows:

Although it is still important to ensure the protection of the Hungarian labour force, however, based on the needs of our country's economy and labour market, particularly observing stronger emigration of Hungarian labour in certain sectors, receiving additional migrant labour is a necessity. This concerns mainly the skilled and unskilled manual labours as well as the highly skilled mental workers, as long-term deficit show an increasing trend in these segments among the specific sectors of the labour market.

In order to stimulate the domestic labour market motivation of those arriving for the purpose of work can primarily be achieved by simplifying and facilitating the rules of employment, and, in order to support this, by the on-going review and transformation of rules of entry and stay of foreigners continuously adjusted to the current labour market situation. Consequently, it is necessary to take into account the national economic and labour market needs in the shortage occupations determined by the county development and training committees, and the development of the potentials to attract foreign workers based on such needs.

Hungary also facilitates the idea of labour matching by being the leading state of Pilot Project 2 within the Prague Process Targeted Initiative. The purpose of the proposed pilot project is to share experiences and best practices in organising labour migration. The project will in particular look at improving information flow towards potential migrants on available legal migration channels with a view to promoting labour matching. The main intention is to bring closer countries of origin and destination with a view to discussing common interests as well as identifying practical difficulties. As the better management of legal migration is the best tool to fight illegal migration more emphasis should be put on the legal channels in order to ensure prevention of illegal movements.

The project offers unique opportunity to the participating countries to exchange experience and information within the framework of several workshops as well as to visit non-EU partner countries and EU countries to that end. As a result participating countries will be able to strengthen their cooperation and improve their capacities in the area.

The activities within the project have been carried forward in 2013, as well by distributing a detailed questionnaire to the participating states concerning economic migration. A joint Expert Mission with Objective 2 (Knowledge Base) to Belarus, Minsk, was accomplished on 22-24 October 2013. In 2014 further expert missions and study visits are envisaged within this project.

In order to foster the labour market integration of migrants, different types of projects run in 2013 in the framework of the European Integration Fund, inter alia the following ones.

The Subjective Values Foundation in its project of “By your own efforts – services for the entrepreneurial” provides business knowledge and skills necessary for being successful on the labour market. The project helped them in creating the image of their own business activity and preparing their starting products. Several workshops, a published business guide, practical testing of business ideas and a closing event formed the project.

The Artemisszió Foundation in its NetWork Integration Program also aimed to facilitate the integration of third country nationals into the labour market. The steps of the program were: individual need mapping and orientation phase, personal development plan, mentoring provided by a social worker, individual labour market counselling, labour market training, DET competence mapping interviews and a school and internship program.

Efforts were also done to overcome the language barriers the migrants face with during entering and functioning in the labour market. Economic activity of Chinese migrants in Hungary is relevant, but because of language difficulties they are not always familiar with their rights and obligations. The Eastern Languages School Foundation prepared a Chinese translation and publication of relevant tax and customs information, developed a Chinese information website, supporting the direct communication of the National Tax and Customs Administration with the target group.

To provide a wider picture for migration policy makers the Central Statistical Office developed the data-collection of Labour Force Survey on third-country nationals.

1.2.3 Cooperation with partner / third countries for economic migration

- a) Please complete the Table below on (planned) EU level or bilateral agreements linked to labour migration (e.g. Mobility Partnerships) planned or implemented:

Type of agreement (EU or bilateral)	Status of agreement (negotiated, signed, ratified, implemented) and the date of the action	Third countries involved including Southern Mediterranean ²¹ and Eastern Partnership ²² countries	Main purpose and rationale for the agreement (incl. relevant elements of content)
Bilateral contracts with third countries concerning legal migration exist in the sphere of Working Holiday Scheme (WHS).	WHS Agreement has been established with New Zealand in 2011 and with the Republic of Korea in 2013 (promulgated by the Act LIV of 2012 and the Act of LXIV of 2013). Hungary is currently negotiating WHS Agreements with Australia, Canada, Japan, Argentina, and Chile. Hungary completed negotiations with Taiwan; the signature is foreseen in 2014.		The working holiday program encourages cultural exchange by allowing young adults (aged 18-30/35 years) from partner countries, to have an extended holiday in Hungary, and young Hungarians to have holidays in partner countries. During these holidays they may engage in work or study but the primary reason for the visit is the holiday.

- b) Please also indicate whether any of the agreements favour circular migration (if so, list which ones here).

²¹ Morocco, Algeria, Tunisia, Libya and Egypt.

²² Ukraine, Belarus, Moldova, Georgia, Armenia and Azerbaijan.

- c) In the framework of Mobility partnerships (and Common Agendas) please advise whether Migration and Mobility Resource Centres (MMRCs) have been / will be set up in the partner countries.

Bilateral agreements with third countries concerning legal migration have been established in the sphere of Working Holiday Programmes. Hungary has concluded a Working Holiday Scheme (WHS) Agreement with New Zealand in 2011, the fulfilment of which necessitated several legal modifications as well as IT developments in 2012. As a result a new basis for acquiring residence permit was introduced by Government Decree no. 130/2012 (VI. 26.) in setting out provisions on temporary residence permit entering into force on 1st November 2012. In addition to that, Hungary completed negotiations on a WHS Agreement with the Republic of Korea promulgated by the Act LIV of 2012 and the Act of LXIV of 2013. Hungary is currently negotiating WHS Agreements with Australia, Canada, Japan, Argentina, and Chile. Hungary completed negotiations with Taiwan; the signature is foreseen in 2014.

WHS agreements very much facilitate circular migration in relation to their target groups.

1.2.4 Efforts to mitigate ‘brain drain’.

Please describe any (planned) measures to mitigate brain drain. These might include awareness rising actions, development of data and indicators on this phenomena, prevention, list of countries and professions subject to brain drain. For reference also see the Section 3.6 "Brain Drain and Brain Circulation" in the *"EMN Synthesis report - Attracting Highly Qualified and Qualified Third-Country nationals"*²³

- a) What were the drivers of the changes?
- b) What are the expected / desired results of the change? Is there any evidence of the impact / results of these measures already? (If so, please provide it here)?

No specific measures are identified.

1.2.5 Efforts to avoid ‘social dumping’

Social dumping refers to the practice where workers from third countries are exploited as “cheap labour” in order to increase profit margins of companies.²⁴

- a) Please describe any (planned) measures to mitigate social dumping. These might include, for example, sanctions on employers who employ legally-staying migrants irregularly.²⁵
- b) What were the drivers of the changes?
- c) What are the expected / desired results of the change? Is there any evidence of the impact / results of these measures already? (If so, please provide it here)?

Employment authorities detected 674 non-Hungarian nationals being employed irregularly in the period between 1 January and 30 November, 2013. The number of total inspected non-Hungarian nationals was 975, i.e. 69% of non-Hungarian nationals were employed irregularly. In the referred

²³ At the time of writing this is a draft report, publication date tbc.

²⁴ <http://www.eurofound.europa.eu/areas/industrialrelations/dictionary/definitions/socialdumping.htm>

²⁵ For questions on sanctions to employers who employ irregularly-staying migrants see section 2.7

timeframe, 34 payment obligations caused by irregular employment of third country nationals were exposed.

1.2.6 Highly qualified workers

- a) Has your Member State introduced (or made plans to introduce) any new measures to facilitate access of highly qualified workers? Specifically mention any incentive mechanisms for highly qualified workers above and beyond those introduced through the transposition and implementation of EU legislation.
- a) What were the drivers of the changes? Specifically mention whether or not it was related to the implementation of the EU Blue Card Directive
- b) What are the expected / desired results of the change? Specifically highlight any information on how such measures are expected to contribute to economic growth. Is there any evidence of the impact / results of these changes already? (If so, please provide it here).

The Blue Card Directive facilitates the employment-based entry of the highly qualified foreigners coming from countries outside of the EEA Member States, moreover specifies a single application procedure. Application for EU Blue Cards can be submitted from 1 August 2011 in Hungary since the modifications of Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals (RRTN) and the Government Decree No. 114/2007 (V.24.) on the Implementation of Act II of 2007.

The European Commission has made several observations during the implementation assessment, which were mainly related to implementing provisions on family reunification, long term residence, and definitions. Consequently, Hungary corrected the transposition by amendments came into force on 1 July 2013 promulgated by the Act XCIII of 2013 in order to provide full compliance with the EU Blue Card Directive.

1.2.7 Intra-Corporate Transferees (ICTs)

- a) Has your Member State introduced (or made plans to introduce) any new measures to facilitate access of ICTs?
- b) What were the drivers of the changes?
- c) What are the expected / desired results of the change? Specifically highlight any information on how such measures are expected to contribute to economic growth. Is there any evidence of the impact / results of these changes already? (If so, please provide it here).

There are no specific migration-related provisions on intra-corporate transferees in Hungary, therefore specific provisions are expected to be introduced when transposing the presently negotiated draft Directive on Intra-Corporate Transferees.

1.2.8 Seasonal workers

- a) Has your Member State introduced (or made plans to introduce) any new measures to facilitate access of seasonal workers?
- b) What were the drivers of the changes?

- c) What are the expected / desired results of the change? Specifically highlight any information on how such measures are expected to contribute to economic growth. Is there any evidence of the impact / results of these changes already? (If so, please provide it here).

Even after the transposition of the Single Permit Directive, the separate system of work permit and long-stay visa will remain, as Hungary does not apply the Single Permit Directive to seasonal workers. A seasonal employment visa may be applied for after having acquired an agricultural seasonal work permit and seasonal employment cannot exceed 180 days within a calendar year with an option breaking it up into several periods. Permits for agricultural seasonal work are issued in compliance with the rules of individual employment but a fast-track procedure is applied. Such permits are issued based on labour market tests, except in cases when the term of seasonal employment does not exceed 60 days in a calendar year.

1.3 Students and researchers

- a) Has your Member State introduced (or made plans to introduce) any measures to facilitate greater mobility of students and researchers, also as a pathway towards meeting labour market needs? Specifically mention any incentive mechanisms in place for students and researchers beyond those introduced through the transposition and implementation of EU legislation. (Information relating to the mitigation of 'brain drain' should be provided in Section 1.2.4).
- b) What were the drivers of these changes?
- c) What are the expected / desired results of the change? Specifically state whether the measures are aimed at providing a pathway towards meeting labour market needs. / contributing to economic growth. Is there any evidence of the impact / results of these changes already? (If so, please provide it here).

There was a minor amendment concerning the entries for the purpose of study, which came into force on 1st July 2013 pursuant to Act XCIII of 2013 on the amendment of legislation regarding law enforcement. Its reason was clarification in compliance with the terminology of the Act CXC of 2011 on national public education and of the Act CCIV of 2011 on the national higher education. Pursuant to the amendment of RRTN those third-country nationals may receive a residence permit for study purpose, who form/has formed apprenticeship relationship according to full-time school education or to the work schedule of full-time education with a public educational institution which is registered as operating in the information system of the public education, or decides to stay in the territory of Hungary in order to participate in full-time education of state-certified higher educational institution, or rather in preparatory training for the continuation of education which is organised by the higher educational institution and certifies the necessary language knowledge for the purpose of studies.

No statistical data are available on how many third-country nationals holding a residence permit for the purpose of study are engaged in gainful employment.

No statistical data are available on the economic utility of third-country nationals holding residence permit for research and study purposes.

1.4 Family Reunification

- a) Has your Member State introduced (or made plans to introduce) any new policies / legislation or changes to existing policies and legislation regulating family reunification?

- b) What were the drivers of these changes?
- c) What are the expected / desired results of the change? Please also describe any concrete (planned) measures to further promote the integration of third-country nationals coming for the purpose of family reunification. Is there any evidence of the impact / results of these changes already? (If so, please provide it here).
- d) Specifically state whether the admission procedure for family members includes / covers:
 - o Human rights obligations,
 - o Reception capacity, and
 - o The family member's capacity to integrate, e.g. knowledge of the country's language, level of education, professional background, other.

Point 18 of Article 10 (1) of Decree No. 16/2010 (V.13.) SZMM on the Authorization of the Employment of Third-Country Nationals in Hungary transposed the provisions of the EU Blue Card Directive on the employment of family members in a way that work permits for family members of EU Blue Card holders shall be issued without having to apply a labour market test, therefore the Hungarian legal system does not set any time limit in respect of access to the labour market to the employment of family member of the third country national holding an EU Blue Card.

The European Commission has made several observations during the implementation assessment which were related to family reunification, long term residence and certain definitions. The amendments following the evaluation came into force on 1 July 2013 promulgated by Act XCIII of 2013.

Hungarian legislation on migration provides the right of free movement not only to family members of the Union citizen but also to the third-country national family members of the Hungarian nationals in order to avoid reverse discrimination and provide the same preferential rules for the family members of Hungary's own nationals. The Hungarian national legislation provides equal status to third-country family members of Hungarian citizens with third-country national family members of EU citizens, thus allowing gaining residence and work rights under more favourable provisions, which results in a faster and more efficient integration. The Hungarian legislation therefore not only complies fully with Directive 2004/38/EC, but provides right to free movement and residence for a wider scope of persons.

The Act II of 2007 on the admission and right of residence of third-country nationals (hereinafter referred to as Act II of 2007) and Government Decree No. 114/2007 (V. 24.) transpose the Family Reunification Directive.

Family reunification can be applied in case the family member has already obtained a residence permit and also when it is being applied for, thus family reunification is possible without having to meet any integration requirement²⁶ or requiring any previous stay in the territory of Hungary from the sponsor.

1.5 Promoting legal migration channels

²⁶ In Hungary, no such requirements are in place in the course of application for the permanent resident permit. Only within the framework of the naturalization procedure it is required from applicants to pass a so-called citizenship exam.

- a) Has your Member State introduced (or made plans to introduce) any measures to improve the provision of information on the routes to and conditions of legal migration for third-country nationals? These could include, for example, information campaigns, websites, specific centres, referring to any approaches that combine information with pre-departure measures, for example, upgrading skills and / or proficiency in EU languages.
- b) What were the drivers (if any) to the introduction of these measures?
- c) What are the expected / desired results of the measures? Is there any evidence of the impact / results of these measures already? (If so, please provide it here).
- d) Specifically, what has been the role and impact of the EU Immigration Portal in your (Member) State. Provide evidence of the impact.

The National Migration Strategy sets out that despite the fact that the ratio of total foreign population in the last three decades has continuously been upward; it is likely that migration to Hungary as a destination country will not continue to grow in the period of 2014-2020.

Because of national economic and demographic reasons it is necessary to stimulate the arrival of those coming with the economic purposes and purposes of carrying out gainful activities, as well as the range and number of incoming knowledge-based migration, but it is crucial to enforce safety aspects as well. For the safety of Hungary and the European Union, it is essential that a particular emphasis is given to the "controlled openness". It is necessary to take advantage of economic development opportunities of migration more efficiently by welcoming third-country national migrants that contribute to economic development by their investments and creation of jobs.

As for the achieved practical measures Hungary has been renewing the website of the Office of Immigration and Nationality in order to provide the necessary information on migration related procedures in a more efficient and practical way.

1.6 Integration²⁷

1.6.1 Statistics

See Annex 1 Table 1.6.1– to be completed separately, as per the timetable in Section III.

1.6.2 Promoting integration through participation: socio-economic

- a) Please describe any (planned) measures to facilitate integration of migrants (including vulnerable migrants) through socio-economic participation including:
 - measures to enhance migrants' language skills, to improve attainment in the education system;
 - migrant access to social security, healthcare and housing
- b) What were the drivers of these changes?
- c) What are the expected / desired results of the measures? Is there any evidence of the impact / results of these measures already? (If so, please provide it here).

²⁷Please also refer to the European Agenda for the Integration of third-Country nationals, COM(2011)455 final.

- d) Describe how EU funding (e.g. the European Fund for the Integration of Third-Country Nationals and the European Refugee Fund) is being (better) used to support migrants' participation.

NB Information in relation to labour market integration should be provided in Section 1.2.2.

a) The Migration Strategy for 2014-2020 includes a chapter on integration which determines inter alia the socio-economic aims in the field of migrant integration; furthermore the document envisages the creation of a detailed individual integration strategy.

The possibility of an integration contract for refugees and for beneficiaries of international protection will be available from January 2014. The elaboration of the implementation rules is still in progress. According to the currently available information the asylum authority will enter into an integration contract that forms the basis of tailor-made services upon the needs of the individual and will cover services in the field of the above mentioned systems. The asylum authority (Office of Immigration and Nationality) will monitor the accomplishment of the duties.

Several projects were running during 2013 in order to promote socio-economic participation. See point d).

b) The tools for integration are fragmented in the Hungarian legislation and practice, rights and benefits can be found in asylum/migration legislation, legislation on social benefits, health care, education, etc.

Housing beneficiaries of international protection is a challenge. Beneficiaries of international protection usually live in the reception centre serving as pre-integration facility. This solution may lead to hospitalisation. Beneficiaries of international protection take part in pre-integration programs and language lessons (520 hours), for legal migrants NGO-s and language schools provide some free language courses. The acquirement of the Hungarian language is hard task that requires a proper education and takes a long time.

c) The development of a specific Integration Strategy envisaged in the Migration Strategy for 2014-2020 would ensure a more coordinated approach and more targeted and effective measures helping the integration of migrants and beneficiaries of international protection.

With the introduction of the integration contract, tailor-made tools could be used to provide assistance and enable beneficiaries of international protection to become self-reliant. The new system established the possibility of a more effective follow-up in the way that the asylum authority could maintain the connection with the foreigner through the family assistance service and could follow the changes in the social circumstances of the person.

d) Integration programs at the first place are implemented in the framework of the European Integration Fund (EIF) secondly by the European Refugee Fund (ERF). The Ministry of Interior provides the co-financing (25%) for the organisations implementing the projects awarded. NGO-s, actors of the private sector, central and local government bodies and religious organisations, academic institutions, etc. can apply for project support.

Socio-economic integration of third-country nationals is fostered by Hungarian language courses/trainings and provides the target group basic knowledge in specific fields, like everyday life and business issues in order to help them. In connection with the above, mentor programmes will be organised in order to promote on the one hand the school integration of third-country nationals (which highly contributes to the communication and cooperation between the students/parents and teachers), and on the other hand to facilitate the employability of the target

group. Integration in the education system is also helped by special learning aid materials. Integration project during 2013 integration projects were financed in the framework of the allocations between 2011 and 2013.

Among the language trainings the following project were running during 2013.

Tudomány Language School: ‘How to find your way in Hungary?’ The goal of the project was to provide practical training, instruction and hands-on courses to nationals of third countries, to facilitate their integration into society and the labour market. Common challenges of third country nationals are the lack of communicative competence in Hungarian language, unfamiliarity with official procedures, incompetence in entering the labour market and difficulties in bridging the cultural gap. This project was based on the “How to handle official proceedings in Hungarian?” project, completed with necessary elements such as: teaching the Latin alphabet, using the Hungarian course content in real life situations and familiarization with Hungarian culture. The course organization is flexible and highly depends on target group needs with special attention on disadvantaged groups.

Eötvös Loránd University: ‘Hungarian, as a foreign language courses for Chinese citizens’: Purpose of the project was offering Hungarian language courses on 4 level for 200 Chinese citizens living in Hungary. One of the biggest foreign communities in Hungary is the Chinese one.

The possibility of involving more students in higher education was investigated by the Budapest University of Technology and Economics in the project of ‘Conditions of the Expansion of the Number of Foreign Students’: The aim of the project was to size up to what extent the environment is ready for a radical increase in the number of self-financing foreign students in higher education. Governmental intentions justify the research; the rise in the number of students, at least presumably regarding the engineering programs, will be aimed at students from third countries. A literature review was performed within the frame of the project, and surveys were carried out with students of BUTE (Budapest University of Technology and Economics) coming from third countries, with employers and with potential employees. The surveys also covered conditions of employment, based on the assumption that a part of these students coming from third countries will stay in Hungary, and will perform their internships / professional practices in the country.

Integration of students was helped by learning aid materials, produced by the Miskolc University in the framework of project ‘StepTogether III. – Migrant Children at Schools’. The project’s goal was to develop the Hungarian language skills of migrant children, to enable them to attend integrated classrooms and participate in classroom-work. Migrant children are often unable to attend the teaching-learning process effectively. The goal of the learning aid materials in mathematics, Hungarian grammar and literature and environmental studies was to boost their school-achievement and prevent dropouts.

Special services to integrate students in the education system were provided inter alia in the ‘Mentoring program for integration in Southern Great Plains and Budapest’ organised by MIDAB that aimed at helping educational integration of third country’s pupils with the support of mentors in Southern Great Plains and Budapest. Many times teachers are not prepared for educating third country pupils. The pupils’ language deficiencies and cultural differences thus often lead to difficulties in integration and learning.

The project ‘Promotion of non-EU students’ integration’ by Budapest University of Technology and Economics intended to help the integration of non-EU students to university life and to create necessary background for this activity. More than 1,000 foreign students study at BUTE every year either full time or exchange. These foreigner students don’t have many opportunities to create

new relations and so to integrate themselves to student life. The project comprised the following elements: university assignment about cultural recognition, language course, student counselling, integration to the labour market, summer university, tandem programme, conference concerning the integration process.

1.6.3 Promoting integration through participation: rights and obligations, achieving equal treatment and belonging:

- a) Please describe any (planned) measures to facilitate integration of migrants (including vulnerable migrants) through improving rights and obligations, achieving equal treatment and belonging:
- b) - measures might include increasing the participation of migrant representatives (including women) in the design and implementation of integration policies; outreach programmes and work placements to build capacity within migrant organisations and encourage support at local level; and measures to enhance democratic participation, for example, training mentors etc.
- c) What were the drivers of these changes?
- d) What are the expected / desired results of the measures? Is there any evidence of the impact / results of these measures already? (If so, please provide it here).
- e) Describe how EU funding (e.g. the European Fund for the Integration of Third-Country Nationals and the European Refugee Fund) is being (better) used to support migrants' participation.

a) The Migration Strategy for 2014-2020 determines the following objectives in this field:

Providing information for third country nationals about the possibilities and process of acquiring Hungarian citizenship and preparing them for the naturalisation exam; Facilitating their involvement in social and political life; Involvement of migrants in the implementation of integration measures, creation of a mentor system; Promoting the establishment of civil organizations with migration background, capacity building of the existing organizations, creation of a forum in order to help their cooperation; Elaboration of information materials, development of networks.

b) Annual programs and activities of the European Integration Fund are determined after public consultation with the members of the civil society working on the field or partially dealing with migrant integration. Involvement of migrants in the projects took place mainly in awareness raising campaigns, cultural events and preparation of documentary films supported by the European Integration Fund. Migrant organisations and organisations helping migrants are planned to be involved in the new partnership for the implementation of the Asylum and Migration Fund.

c) The need of improving the democratic participation of migrants was expressed in several integration forums and studies.

d) Improvement in the above mentioned fields can be seen during the following years.

e) There was no specific project running in 2013 in this field. The School of Eastern Languages in its project supported the integration of Chinese migrants, enabling the target group's more efficient access to public services, by helping their communication on their native language with the National Tax and Customs Administration (NAV) of Hungary. The main problem was that tax and customs legislation and information was not available in their native language.

1.6.4 Non-discrimination

- a) Please describe any relevant activity, legal or policy development and related actors that concerned promotion, implementation and monitoring of non-discrimination policies, in particular on grounds of ethnicity, race or others that would be particularly relevant for third-country nationals. Specifically mention any measure beyond those introduced through the transposition and implementation of EU legislation.
- b) Please describe how these are linked to and can bring benefit to third-country national integration policies at EU, national and local level.

a) The Migration Strategy lays down the fundamental principle that Hungary as a host country needs to have an attitude of acceptance and openness, migrants do not have to give up their culture, language and customs, and they may exercise these in accordance with Hungarian law. In this regard, the Strategy envisages a more targeted use of information campaigns, development of communication of migration-specific information in the years 2014-2020.

Taking into consideration the above mentioned objectives, programs or fora with the intention to promote intercultural dialogue were supported in 2013 as well, under which Hungarian citizens and third-country nationals were given a chance to meet directly or through mediators, to get to know each other and the culture (culinary customs, language, history) thereby facilitating a better understanding. Developing a community place to host these programmes was also supported.

In addition, addressing the host society funding was also provided for information activities related to immigration, third-country communities living in Hungary, integration of third-country nationals or intercultural dialogue with the help of the media or by other means. Moreover, actions with the purpose to provide objective and justified information through the media on immigration and integration, social inclusion of third-country nationals and also to present the life of third-country nationals living in Hungary were supported by the European Integration Fund.

The following projects also aimed at the sensitization and prevention of xenophobia in the young generation.

A project to mention is 'ColourSchool' by Odeon Ltd. It was a complex program mainly based on screenings to increase the social sensitivity of secondary school classes during a whole school year. Improvement of social awareness and openness, increase of the students' knowledge on immigration and improving the integration and acceptance of third-country nationals living in Hungary were among the objectives of the project. In the course of the project a quiz questionnaire and a booklet was developed that serves multiplying the effect of the project.

Another example was the project titled 'Being different means being the same' and implemented by Menedék - Hungarian Association for Migrants. The project aimed at increasing society's awareness and sensitivity related to migration, as well as strengthening the openness of school-age children by the means of playful, interactive and informative thematic workshop sessions. Lower grade pupils participating in the project learned about the specificities of five geographical regions, upper grade pupils worked on five intercultural topics in an interactive way. One lower grade and one upper grade class from each of the five primary schools in Budapest participated in the workshops throughout two semesters. One lower grade class from each of the five primary schools in the countryside did the same; altogether 701 pupils participated in the project.

b) Intercultural dialogue and social awareness towards migration and integration was enhanced for example by successful project 'Lunar New Year 2013' organised by the Subjective Values Foundation. Migrant communities from the Far East countries were introduced to the host society by a colourful cultural event, thus allowing host society and migrant communities to get to know

each other better and become more open towards each other. Main elements of the project were the followings: organisation of a media workshop, creation of a thematic press product distributed free of charge, organization of the Lunar New Year festival, dissemination by photo exhibition and online media.

Another awareness raising campaign and family weekend program was completed in the framework of the project 'They live among us. Let's get to know them' by Rendezvényparádé Ltd. The project aimed at increasing openness of Hungarian citizens towards third-country migrants. Main elements of the project were a five-month nationwide media campaign, a two-day cultural festival where the number of visitors was approx. 2500 people; the campaign reached more than 1 million people.

The project of the Office of Immigration and Nationality titled 'Media Course II' aimed at fostering the publication of precise and objective information in the media in order to raise the awareness of the Hungarian society in the field of migration and integration. The main element of the project was a two-day seminar organized for about 80 journalists, television or radio experts and media-school students (about 40-40 people) in order to learn the basic knowledge about migration and integration.

1.6.5 Cooperation, consultation and coordination of stakeholders and promoting action at local level

- a) Please describe any relevant activity on the integration of migrants which has had the active involvement of local authorities and/or civil society. Measures might include activities addressing integration challenges in disadvantaged urban areas; improving multi-level cooperation between different levels of governance; granting voting rights in local elections.
- b) Please describe any additional information on the processes for cooperation, consultation and coordination of national, regional and local authorities, including civil society, countries of origin and with EU level institutions and actors.
- c) Please describe relevant activity, such as the development of a national website and / or forum on integration, development of information exchanges between institutions, and possible contributions to the European Integration Forum, the European Website on Integration and the National Contact Points on Integration.

a) Beside the Ministry of Interior other ministries are also active in the complex field of migrant integration. The Ministry of Human Resources is responsible for social policy and policies for social inclusion whereas the Ministry of National Economy is responsible for labour and employment policies, etc. As integration takes place at the local level, the role of local governments, educational, health and social institutions are crucial. Furthermore, several non-governmental organizations and actors of the private sector - providing non-profit services as well - play a key role in migrant integration. Integration projects for migrants are mainly operated by NGOs and educational institutions often with EU and/or national financial support. The Office of Immigration and Nationality has an outstanding role in integration of refugees. Unaccompanied minors are included in the child protection system.

Based on this complex situation consultation is a real need in elaborating a successful integration management system. Hungary does not have a permanent, structured form of cooperation with other stakeholders in the field of integration. Nevertheless, the Ministry of Interior as the authority responsible for migration and integration uses the tool of social consultation in case of relevant questions in policy making and when elaborating the annual

national plans for the European Integration Fund and the European Refugee Fund. The Migration Strategy for 2014-2020 was elaborated with the leadership of the Ministry of Interior in cooperation with several public actors and with providing a consultation forum for representatives of the civil society and academia. The Migration Strategy also envisages the consultation of policy makers with other stakeholders when shaping and implementing the planned Integration Strategy.

Other type of cooperation between the Ministry of Interior and the integration service providers is the project based cooperation of the European Integration Fund and the European Refugee Fund. The Ministry provides the co-financing (25%) from its own budget for the organisations implementing the projects awarded. NGOs, actors of the private sector, central and local government bodies, religious organisations and academic institutions, etc. can apply for project support.

b) An example of consultation fora supported by EIF was the Budapest Migration Roundtable that was established in order to facilitate the development of an effective network of all stakeholders in this field, to empower the NGOs, to develop the activities of the city of Budapest targeting migrant inhabitants and to foster the municipalities' activities in this field. The project aimed at activating the local administration in the field of migration through regular meetings. The activities of Budapest involved government organizations and NGOs, while local leadership intended to activate all the social actors of the city competent in social participation and to strengthen the processes of integration and the inclusion of migrant communities into the society of Budapest.

In order to promote action on local level the Menedék Hungarian Association for Migrants in its project of 'Helping efficiently' aimed at enhancing professionals' migrant-specific knowledge, skills and competence, and developing their networks. Professionals who work with third-country nationals have only limited access to complex methodological training; their lack of knowledge often results in refusal of applications which hinders successful integration of immigrants. The development of intercultural and professional competence of helpers was achieved through the following activities: Migrant-specific training for helpers; Advanced training, supplemented with internship; Intercultural training aiming at developing trainers' skills; Developing intercultural competence and self-knowledge of professionals working with migrants; Migrant specific case discussion group. Altogether 95 people completed the trainings.

The project 'European Integration Modules – Exchange of Experience' by ICCR Foundation aimed at familiarising national experts dealing with the integration of third-country nationals with the European Modules on Migrant Integration, to launch a public debate on the potential application of international best practices in Hungary and to contribute to the development of the future national integration strategy. 12 experts were selected – researchers and practitioners interested in the integration of third country nationals – to study good practices and modules presented in the European Modules on Migrant Integration during a two-day long field-research. The participants produced written summaries and analyses, which were presented at a workshop involving 50 experts. Based on the results of the workshop, a final study was produced and a closing conference involving 100 participants representing all stakeholders (government, NGOs, academia) was organised.

Developing international consultation was aimed at by a project of Office of Immigration and Nationality. The highlight of the project was a two-day international conference for the experts of the member states and the national authorities (Ministry of Interior, Ministry of Foreign Affairs) to provide an opportunity to share experiences, best practices and information.

c) Hungary regularly takes part in the international conferences of the National Contact Point of Integration and of the European Integration Forum. The Department of European Cooperation in the Ministry of Interior is responsible for the professional tasks related to the National Contact Point of Integration. Public actors like representatives of the ministries and the Central Statistical Office and representatives of the civil society visit the sessions of the Forum.

1.6.6 Involvement of countries of origin

Countries of origin may play a role in the integration of migrants before departure, during stay in the EU, and on return.

- a) Please describe any measures to support integration involving countries of origin at any / all of these stages.

Pre-departure measures may include provision of information on visas and work permits, language training, vocational training, recognition of qualifications and skills; measures during stay may include support to diaspora communities, promotion of transnational entrepreneurship, increasing trade between countries of origin and stay; measures to support return may include developing a rights-based framework for re-integration and for temporary and circular migration.

- b) What were the drivers to these measures?

- c) What are the expected / desired results of the measures? Is there any evidence of the impact / results of these measures already? (If so, please provide it here).

a) Project ‘Voivodina Information Point’ of DARTKE Association aimed at pre-departure integration with the support of EIF. The objective of the project was to create an Information Point in Subotica, Serbia, in order to support the pre-departure phase of integration, provide trainings for third-country nationals, especially for citizens of Western Balkan countries. In many cases these citizens consider Hungary as a transit country, especially highly skilled workers. Their aim was to reach out to this target group by organizing language courses, information workshops and provide guidance for a tailor-made individual migration strategy. The project intended to strengthen Hungary’s role as a target country of migration among the highly skilled citizens of Western Balkan countries or among skilled workers of these countries who work in fields where Hungary lacks professionals, as well as to promote their settlement and integration in Hungary.

The Office of Immigration and Nationality in its project of ‘Website development for the high-quality customer information services’ contributed to improving the communication between the customers and the Office by using state-of-the-art IT tools. The aim of the project was to create a customer-friendly and modern website providing easy access to information and interactive surfaces. In the framework of the project, customer needs were analysed, results of the analysis serve a basis for the development of the website of the Office by developing customer-friendly and informative content available on the website, making the full content available in English and French and by ensuring continuous updating of the website in the future.

- b)** Serbia is a significant country of origin of migrants living in Hungary.

The website of the Office of Immigration and Nationality is one of the most important sources of information for potential migrants, by developing this source, Hungary can be made more attractive for skilled and highly skilled migrants and the entry and residence procedures could be facilitated by providing in advance all necessary information for the applicants.

c) Newcomers will have more information on the entry and stay conditions and about life in Hungary; they receive detailed information on the documents required in the procedures and about entry and residence procedures.

1.7 Managing Migration and Mobility

1.7.1 Statistics

See Annex 2 Table 1.7.1 – to be completed separately, as per the timetable in Section III.

1.7.2 Visa Policy

- a) Please describe (planned) developments in relation to the implementation of the Visa Code and the Visa Information System (VIS). Please specifically mention any developments in relation to biometric visas (share of visas issued which are biometric, regions covered, pilot measures and testing, cooperation between (Member) States' consulates and the set up joint consular services for visas).
- b) What were the drivers to these measures?
- c) What are the expected / desired results of the measures? Is there any evidence of the impact / results of these measures already? (If so, please provide it here).

a) Developments in relation to biometric visas

Hungary was fully prepared for the introduction of the biometric visa procedure. At present in 22 missions of Hungary are biometric visas issued, those are: Algiers, Cairo, Rabat, Tripoli, Tunis, Chisinau, Amman, Beirut, Tel-Aviv, Abu Dhabi, Doha, Kuwait, Riyadh, Teheran, Nairobi, Pretoria, Buenos Aires, Almaty, Bangkok, Hanoi, Jakarta and Singapore. It shall be mentioned that in Chisinau, Moldova in the framework of the CEUVIS project, the VIS was launched on 11th October, 2011.

Joint consular services for visas

Regarding the cooperation of Member States on the basis of Article 41 of the Visa Code, the Embassy of Hungary in Chisinau serves as common application centre. On the basis of Article 8 of the Visa Code Hungary represents other Member States in more than 30 missions in visa issuance and Hungary is represented by other Member States in more than 70 places. Cooperation of Visegrad Group in the form of co-location is operated in Cape Town, South-Africa.

All these cooperation are based on the mutual confidence of the Member States, applying the Schengen *acquis*.

b) The Visa Code and the gradual roll-out of the VIS have created important new opportunities for further developing the common visa policy. That policy must also be part of a broader vision that takes account of relevant internal and external policy concerns. It is of great importance to guarantee the security of the EU and the Schengen Area, and – simultaneously – to facilitate the entry and stay of third countries' nationals. Common application centres and the agreements on representation in visa issuance facilitate the visa issuing procedure: while the consular service is brought closer to the visa applicants, and the geographical representation of Hungary is also better ensured, providing a client-friendly procedure, it is also important to ensure the possible ways and means for combating illegal migration (as for example the effective change of information,

preventing visa shopping, to facilitate checks at external borders and strength the fight against fraud and, within the territory of the Member States, assist in the identification and return of illegal immigrants and the prevention of threats to the internal security of the Member States).

In these times of austerity, where all Member States are faced with increasing difficulties to ensure sufficient staff in Embassies/Consulates for visa issuing and even have to close down Consulates in many third countries, Hungary is of the opinion that increased cooperation among Member States can mitigate to a large extent the adverse effects of these economic realities on the visa issuing process. The Visa Code already sets the framework for such cooperation.

In the context of visa policy, the European Commission tabled three important documents at the end of 2012. The first is a communication on how to implement and to develop the common visa policy to spur growth in the EU. It describes the possibilities for facilitating travel opportunities mainly for tourists, with a view to boosting the tourism industry in the EU. The second is a report on the assessment of the functioning of the Local Schengen Cooperation between Member States, two years following the implementation of the Visa Code. The third is a report on certain third countries' maintenance of visa requirements in breach of the principle of reciprocity.

Hungary supports the determined aims of the European Commission with emphasizing the followings: Hungary is of the opinion that the Schengen visa procedure has enough flexibility and capability for renewal to comply with and to fulfil the European and national interests. Cooperation of Member States have the advantage of reinforcing and streamlining Local Schengen Cooperation, resources can be pooled and shared that benefits to Member States and visa applicants, too.

- d) Please report on any relevant progress in relation to cooperation between (Member) State consular services and the set-up of joint consular services for visas by listing the visa representation agreements signed and the (Member) States involved in the Table below.

(Member) State with which the visa representation agreement exists	Country acting as representative for Hungary in the following cities:
Austria	Addis Abeba, Astana, Dakar
Belgium	Ouagadougou, Manila, Kinshasa <i>As of 1st January, 2014. Belgium is to take over the representation of Hungary in Kigali.</i>
Czech Republic	Baghdad, Ulaanbaatar
Finland	Lima, Dar Es Salaam
France	Cotonou, Moroni, N'djamena, Djibouti, Abidjan, Suva, Libreville, Kingston, Lomé, Bangui, Nouakchott, Niamey, Port Moresby, Castries
Greece	Mariupol, Caracas
The Netherlands	Aruba, Willemstad, Quito, Accra, Hong Kong, Kuala Lumpur, Maputo, Muscat, Paramaribo, Port of Spain
Latvia	Tbilisi, Kaliningrad, Tashkent

Lithuania	Chicago, Tallinn, Helsinki, Riga, Oslo, Yerevan, Lisbon, Stockholm
Germany	Houston, Gaborone, Yaoundé, Rangoon, Windhoek, Kathmandu, Colombo, Lusaka Ankara-Istanbul-Izmir (for a defined circle of applicants), <i>Sanaa (from the 1st January, 2014)</i> <i>Kigali (to be finished on 31st December, 2013)</i> <i>Khartoum (suspended for undefined period)</i>
Poland	<i>A visa representation agreement is to be signed in the first part of 2014.</i>
Portugal	Panaji (Goa), Chungking, Macao <i>Under negotiations the representation of Hungary in Luanda by Portugal.</i>
Switzerland	Sydney, Sao Paolo, Santiago, Bogotá, Wellington
Slovakia	Abuja
Slovenia	Podgorica, Ljubljana

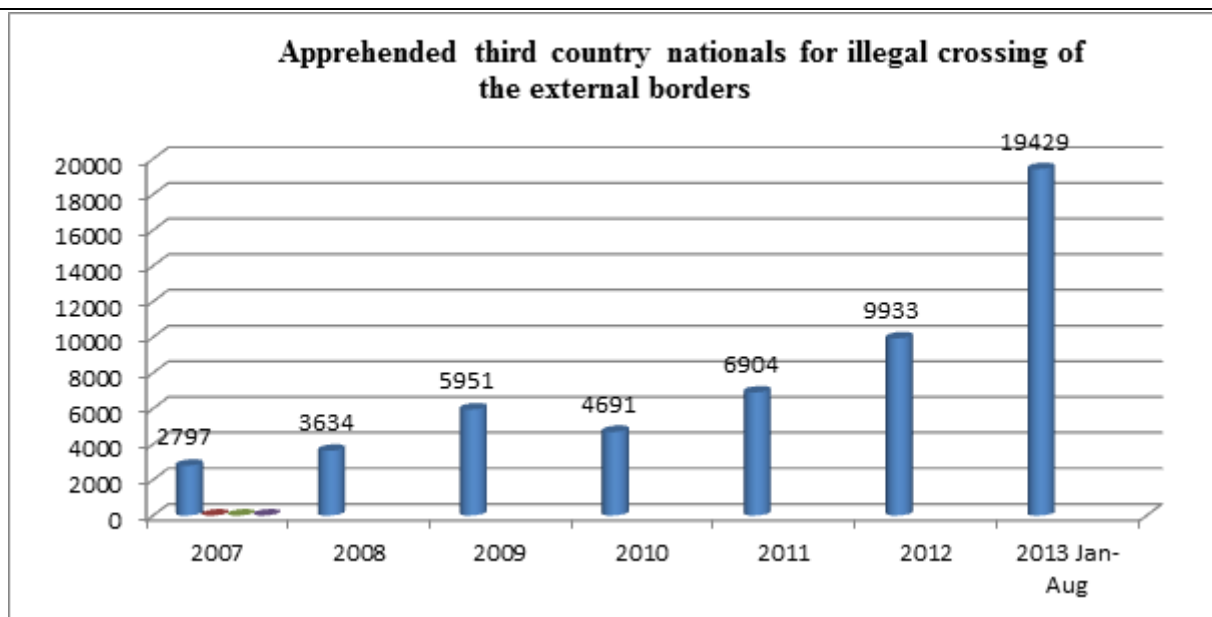
1.7.3 Schengen Governance

- Please describe any recent developments in relation to Schengen Governance. Where relevant, please include any (planned) actions in relation to the new Schengen acquis, temporary suspension of Schengen, developments in relation to Regulation (EU) No 1342/2011 facilitating border crossing for Kaliningrad area etc.
- What were the drivers to these measures?
- What are the expected / desired results of the measures? Is there any evidence of the impact / results of these measures already? (If so, please provide it here).

Due to its geographical location, Hungary is one of the main transit countries of illegal migration on land towards the other Member States European Union and the Schengen area. Eastern and south-eastern migration routes are crossing the territory of the country, the so-called Western Balkan route (via Turkey, Greece, Macedonia to Serbia, then via Hungary to other EU Member States) being the most active.

According to the report of FRONTEX of 2012, Hungary is the second country in terms of the apprehended illegal migrants at its external land borders.

It is to be added that the increase of unlawful acts related to illegal migration (e.g. forgery of documents, smuggling of persons, illegal border crossing) is continuous since 2008. Until 20 August 2013 the number of persons apprehended while committing unlawful acts related to illegal migration is 22702. 80% of the illegal border crossings took place at the Hungarian-Serbian border section.



Since 6 October 2011 there have been ongoing tripartite consultations between the Ministers of Interior of Hungary, Austria and Serbia, aiming at further strengthening strategic and operational cooperation on combating smuggling of persons, trafficking in human beings and illegal immigration, as well as to strengthening the cooperation concerning border control. Hungary is particularly active in the FIMATHU (i.e. Facilitation-Illegal-Migration-effected-Austria-Hungary) project (funded under the ISEC programme and being part of the implementation of the EU policy cycle) fighting against organized criminal activities related to illegal migration. In December 2013, Hungary has applied for funding to extend the project.

2. IRREGULAR MIGRATION AND RETURN

Correspondence with the commitments of the Stockholm Programme

This section pertains to the following sections of the **Stockholm Programme**:

- Section 5.1 - Integrated management of the external borders; and
- Section 6.1.6 - Effective policies to combat illegal immigration;

And some sections of:

- Section 5.1 - Integrated management of the external borders;
- Section 5.2 - Visa policy;
- Section 6.2.1 - A common area of protection; and
- Section 7.5 - Geographical priorities and international organisations.

NB. The questions in this Section have the purpose of reporting activities in Member States that have contributed to the six Strategic Priority Areas outlined in the Strategic Response to EU Action on Migratory Pressures.²⁸

2.1 Priority I: Strengthening cooperation with third countries of transit and origin on migration management

2.1.1 Ensure implementation of all EU readmission agreements to their full effect

- a) 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)
EU-BIH RA	The HU-BIH implementing protocol was concluded in summer 2012, but it entered into force only on 24 April 2013, so it is applicable since then.	The HU-BIH IP was incorporated into Hungarian law by Government Decree No 152/2012. (VII.18.).
EU-GE RA	The Protocol between the Government of Hungary and the Government of Georgia on the implementation of the Agreement between the European Union and Georgia on the readmission of persons residing without authorisation, signed in Brussels on 22 November 2010 entered into force on 30. March 2013.	The HU-GE IP was incorporated into Hungarian law by Government Decree No 360/2012. (XII. 17.)
EU-PAK RA	Hungary initiated negotiations for an implementing protocol with PAK and submitted the first draft agreement in September 2013 (authorisation given by Resolution of the Prime Minister No 119/2013 (IX.20.) ME), but there was no reaction so far from the PAK side.	-

In 2013, there was a project called International Exchange of Country of Information – Pakistan. The aim of the project is the training - based on exchange of experience - of experts on the field of return and country of origin information, in order to both enable the cognition of the Member State practices and experience relating to return, mapping the risks, on the other hand to provide detailed relevant information on Pakistan, especially on Afghan refugees in the country.

In addition to that, Kazakhstan repeatedly expressed its interest to conclude a bilateral readmission agreement with Hungary. Hungary submitted a draft agreement in October 2013, but since then there was no reaction from the Kazakh side so far.

²⁸ 8714/1/12 REV 1 <http://register.consilium.europa.eu/pdf/en/12/st08/st08714-re01.en12.pdf>

2.1.2 *Enhance the capacity of countries of origin and transit to manage mixed migration flows*

Please describe any specific developments to equip third-countries of first asylum with the means to guarantee refugee protection and to better manage mixed migration flows. If evidence is available, please describe the outcomes of these developments (e.g. increased number of asylum applications processed in countries of first asylum)

An outstanding goal of the European Union is to improve the management of refugee and migration flows, as well as to enhance protection capacities in regions (non-EU countries) from which many refugees originate or pass in transit and combat illegal immigration and human trafficking.

Hungary strongly believes that solidarity and burden sharing in the field of asylum - that can contribute to the aim of the EU - is an emphatic principle both in relation with third countries and between Member States of the European Union, however it can only be done on a flexible and voluntary basis.

For better implementing cooperation, the European Commission established Regional Protection Programmes and Resettlement Schemes, supported mostly by EU financing. They improve refugee protection through durable solutions such as return (voluntary repatriation), local integration and resettlement.

The measures of these protection programmes are as follows:

- action to enhance protection capacity;
- a biometric registration scheme;
- an EU-wide resettlement scheme;
- assistance for improving the local infrastructure;
- aid to promote local integration of asylum-seekers;
- cooperation on legal migration;
- action on migration management;
- return policy.

2.1.3 *Prevention of irregular migration from (a) the Southern Mediterranean countries; (b) the Eastern Partners; (c) the Western Balkans; and (d) the Western Mediterranean and the African Atlantic coast*

- a) Please describe any specific cooperation activities in your Member State to prevent irregular migration in relation to the specific geographical regions outlined above.

a) Hungary hosted the event “Irregular Migration peer-to-peer meeting” in Budapest on 28-29 May 2013 in the framework of the EU-funded EUROMED Migration III project. The project runs from January 2012 until December 2014. The overall objective of EUROMED Migration III is to foster cooperation on migratory issues between the ENPI South partner countries and EU countries, as well as among ENPI South partner countries themselves. In addition, it assists partner countries in their efforts to govern international migration. The specific objectives of the project are 1) to promote the establishment of networks and exchanges between labour administrations, employment agencies, employer organisations, trade unions and higher education institutions to facilitate legal migration channels and workers’ mobility; 2) to promote synergies between migration and development in ENPI South countries; and 3) to support the prevention of irregular migration, the enhancement of border management capacity and the improvement of reception of and assistance to vulnerable groups, such as unaccompanied minors. The project has the following consortium partners: the European-Mediterranean University (EMUNI), the

International Training Centre of the International Labour Organization (ITC-ILO), the International and Ibero-American Foundation of Administration and Public Policies (FIIAPP) and the French Office for Immigration and Integration (OFII). The project targets ENPI South partner countries' relevant national institutions, particularly Ministries of Employment, Ministries of Interior and General Directorates for National Security, Planning authorities, Statistical Institutes and Ministries of Foreign Affairs. ICMPD is the consortium leader in charge of the implementation.

b) Hungary is the Co-Chair of the Budapest Process (chaired by Turkey, and supported by ICMPD as the Secretariat) which is a consultative forum of more than 50 countries and associated organizations involving both EU Member States and countries from the region neighbouring EU in the East and South-East aiming at exchanging information and experiences on legal and illegal migration, asylum, return, readmission, visa, trafficking in human beings, smuggling of migrants and border management issues. With its 20 years of operation, the Budapest Process has provided the longest-standing cooperation framework on migration for Europe and its eastern neighbours. The development of activities under the framework of the Process has taken place parallel to the dynamic development of migration policy in Europe and beyond.

The Commission Communication on the Global Approach to Migration and Mobility of November 2011 expresses the view that “well-planned refocusing of all the activities under [the Budapest Process] towards the Silk Routes and possibly other Asian countries would be timely.” It also states that there is a “need to address the overlap between the Prague and Budapest Process”. The GAMM Council Conclusions of May 2012 stipulate, in the same spirit, that “efforts should (...) be made to establish an effective dialogue with the countries along the Silk-route, including in the framework of the Budapest Process”.

In 2010, following a decision at the Senior Officials Meeting in Istanbul, a Working Group on the Silk Routes Region was established and the so-called "Silk Routes countries" (Afghanistan, Bangladesh, China, Iran, Iraq, Pakistan and Syria) were invited as new participating states of the Budapest Process. In September 2011, the Netherlands, Norway, Sweden, Switzerland and Turkey launched a project on “Fostering Cooperation in the Area of Migration with and in the Silk Routes Region”. The purpose of the project (which ran up to December 2013) was to develop a comprehensive knowledge base on migration realities in the Silk Routes countries and to establish a common framework for dialogue and informal cooperation between the countries along the Silk Routes and the participating countries of the Budapest Process.

The Budapest Process is implemented through annual meetings of Senior Officials, guided by Ministerial Conferences. The fifth ministerial conference took place in April 2013 in Istanbul, where participants adopted the “Istanbul Ministerial Declaration on a Silk Routes Partnership for Migration”. The signatories have agreed to establish a “Silk Routes Partnership for Migration” with the objective to promote further dialogue and mutual cooperation in managing migration flows taking place along the Silk Routes as the Budapest Process priority. The priority goals of this Partnership were listed as follows:

- Better organise and improve conditions for legal migration and mobility;
- Support the integration of migrants and counteract phenomena of discrimination, racism and xenophobia;
- Strengthen the positive impact of migration on development, both in countries of origin and of destination;
- Prevent and counteract irregular migration, facilitate return and readmission of irregular migrants, and combat criminal networks involved in smuggling of migrants;

- Prevent and combat trafficking in persons, address its root causes and provide adequate protection and support to trafficked persons;
- Promote international protection and the respect of the rights of refugees, in line with international standards.

While the Istanbul Ministerial Conference defined the framework of the cooperation and its objectives, it could not address in detail a series of more specific questions. In this respect, the Istanbul Ministerial Declaration has also mandated the Senior Officials of the Budapest Process to “agree at their first meeting after this Ministerial Conference on the priority issues for concrete action”. The Ministerial Declaration contains a long list of initiatives to be implemented in the framework of the Silk Routes Partnership for Migration; however the Declaration does not prioritize among the actions listed. The first Senior Officials Meeting took place on 9-10 December 2013 in Istanbul and it has established the Multi-Annual Strategy of the Budapest Process Silk Routes Partnership for Migration.

The Fourth Global Meeting of Chairs and Secretariats of Regional Consultative Processes on Migration (RCPs) was held in Lima, Republic of Peru, on 22 and 23 May 2013. Hungary, as Co-chair of the Budapest Process participated at this important event. Hosted by the Government of Peru and organized in collaboration with the International Organization for Migration (IOM), the meeting sought to facilitate the sharing of experiences and the exchange of views on the value and benefits of cooperation and dialogue on migration, in particular with respect to how global migration challenges are being addressed at the regional level. Under the broad theme of “Defining the Place of RCPs in a Changing International Migration Landscape”, the meeting invited RCPs to collectively review key developments on the global migration landscape and to reflect on the role they are playing in addressing contemporary migration challenges. Taking place against the backdrop of the 2013 High-Level Dialogue on International Migration and Development (HLD), the meeting provided a platform for reflection on potential synergies with other processes and fora that deal with migration at the global and inter-regional level. To this end, a session was dedicated to the exchange of views on planned actions in the lead up to the HLD, and to reflection on possible outcomes.

Hungary has been actively participating in the Prague Process. The respective Prague Process Action Plan was adopted in November 2011 in Poznan, Poland; the implementation of the Action Plan (after intensive preparatory work) began in August 2012 with the Prague Process Targeted Initiative. The principal aim is to help countries of origins, transits and destinations already taking part in the cooperation improve migration management and to facilitate building of migration partnerships through exchange of good practices, moreover the Action Plan sets down a number of strategic priorities as well. Hungary has taken up the leading state role of the second Pilot Project of the Prague Process Targeted Initiative. This pilot focuses on the theme legal migration, while the other three pilots on illegal migration, international protection and migration and development. The pilot project will last altogether 36 months. Hungary is implementing the project together with Belarus, Bosnia and Herzegovina, Croatia, Georgia, Kosovo, Kyrgyzstan, Macedonia (FYROM), Moldova, Tajikistan, Ukraine and Russia, Poland, the Czech Republic, Sweden and Slovenia, with the assistance of the IOM and the ICMPD. In 2013, a workshop and a three-day expert mission to Belarus took place in the framework of the Hungary lead pilot project. A questionnaire was also circulated to the participating states and the answers are serving as a basis for the handbook which will be developed in the framework of the project.

In the framework of the Prague Process Targeted Initiative the pilot project number four (lead by SE and DE) focuses on international protection. Hungary has received a study visit from Belarus in the framework of this pilot. The study visit lasted four days during which Belorussian experts

visited all relevant facilities and authorities working in the asylum field (Ministry of Interior, Office of Immigration and Nationality, Police, Shelter for Unaccompanied minors etc.).

Moreover Hungary has also participated actively in the first pilot project with the leading team irregular migration.

Apart from the Prague Process Targeted Initiative other projects have also been launched to implement the Action Plan of Poznan. The “Eastern Partnership cooperation in the fight against irregular migration - Supporting the implementation of Prague Process Action Plan” (EaP-SIPPAP project) is an EU funded project, led by the Hungarian Ministry of Interior and implemented in cooperation with State Border Guard of Latvia, The Border Guard of the Republic of Poland, General Directorate for European Affairs and International Relations of Romania, Bureau of Border and Aliens Police of the Presidium of the Police Force of Slovakia and International Centre for Migration Policy Development (ICMPD). The project aims to contribute to an enhanced strategic and operational co-operation in the Eastern Partnership region. This cooperation primarily aims at prevention irregular migration and support border management in more efficient and coordinated way. The kick-off conference of the project was held in Budapest in September 2013, which prepared the ground for the following activities: 1. Workshop on blue border for representatives of Azerbaijan, Georgia, Ukraine and workshop on Moldovan-Ukrainian green border for Moldovan and Ukrainian representatives on 20-22 November 2013 in Odessa, 2. Workshop on air border for representatives of Azerbaijan, Belarus, Ukraine and workshop on Belarus-Ukraine green border for the representatives from Belarus and Ukraine on 10-12 December 2013 in Belarus. Very soon after the beginning of 2014 these activities will take place: a workshop on green border for Armenian and Georgian Border Guards and workshop on air border for Moldovan, Georgian and Armenian Border Guards in Georgia on 27-29 January 2014 and a workshop on green border for Azerbaijan and Georgian Border Guards in Azerbaijan on 25-27 February 2014).

Hungary continuously took part in the Söderköping Process since 2004 (being the rotating chair of the process in 2010), having as principal objective to facilitate cross-border cooperation between new EU Member States and the Western NIS (Belarus, Moldova and Ukraine) on asylum, migration and border management issues. Since 2012 the Söderköping Process is incorporated into the EU initiative Eastern Partnership were successful as the Process continues as the Migration and Asylum Panel. Hungary was active in co-organizing and hosting events in 2013: In May 2013 Hungary and Georgia co-organized a seminar regarding return, readmission and reintegration. The seminar took place in Tbilisi, Georgia. In December 2013 Hungary and Moldova co-organized a seminar on statelessness. The event took place in Budapest, Hungary.

Hungary is member of the Regional Cooperation Platform for the Black Sea Region, which has been established under leadership of Romania in 2007.

c) Europol launched a project to gather and analyse data on smuggling along the Balkan route (FIMATHU, i.e. Facilitation-Illegal-Migration-effected-Austria-Hungary). A common Austrian-Hungarian situation report is developed on a monthly basis.

d) Nothing to report.

2.2 Priority II: Enhanced border management at the external borders

In responding to each of the questions below, please wherever possible state whether the measure specifically affects the land, sea or air border or all external borders.

2.2.1 Border control measures: technology, equipment and infrastructure, including systems linked to EU instruments and actions to coordinate different types of border checks

- a) Please describe any new border control and surveillance developments, including technological equipment for border control purchased and used during the reference period, such as IT systems, advanced passenger information systems, surveillance equipment, automated border controls and fast track lanes, etc.
- b) Specifically, please describe, if possible, how the developments relate to (i) the EU entry / exit system, (ii) the EU Registered Traveller Programme, (iii) the Schengen Information System (SIS II) and (iv) European Border Surveillance System (EUROSUR).
- c) Where relevant, please describe any (other) drivers to these measures.
- d) If information is available, please describe any evidence of the effectiveness of these measures in preventing irregular migration
- e) If information is available, please describe any evidence of effectiveness of these measures in streamlining and facilitating the smooth crossing of legitimate travellers

a) Main Developments

The Hungarian Police purchased and installed 6 mobile vehicles with thermal cameras, 20 systems of license plate recognition cameras in 2013. 3 buses, 45 patrol cars, 17 cell phones and 145 desktop biometric identification tools, 257 PCs (for border-traffic control), 45 manual thermal cameras, 45 manual document examination equipment, 11 video scopes and 27 police dogs were purchased for border control purposes (including border surveillance) in 2012. The extension of 2 border crossing points was completed (in Záhony and in Röszke) to support better separation of EU/EEA and third country nationals and to facilitate border crossing. The National Police established an automated biometric control system at Ferenc Liszt International Airport (Budapest) in 2013, which is to be further developed to support Registered Traveller Programme (RTP) later. A new border crossing point was opened at the Hungarian-Serbian border section in Ásotthalom. After the EU accession of Croatia, a one-stop border checks system has been set up at the Hungarian-Croatian border section.

b) The National Coordination Centre of Hungary within the EUROSUR became operational in 2013, and is able to cover not just the border surveillance but also the border checks. The relevant Hungarian authorities have completed the accession to SIS II in April 2013 without major problems. Hungary has its own entry-exit system (since 2004); however, we fully support the setup of the EU entry/exit system and the RTP system.

c) Nothing to report.

d) Hungarian Police investigated more irregular migration related cases than in 2012 (till 31 October, 2013, there was a 108% increase; i.e. total number of irregular migration related to criminal cases were 27,895 in 2013 until 31 October, 2013). The number of border crossings increased at the Serbian and Ukrainian border sections (were the main developments of border crossing points were implemented). There the increase was 7% compared to the similar period of

2012. 7,499,538 persons crossed the Hungarian-Serbian border and 3,907,190 persons crossed the Hungarian-Ukrainian border in 2013 until 31 October, 2013.

e) Nothing to report.

2.2.2 Border control measures: (other) activities to improve the effectiveness of controls at external borders (e.g. training and policy)

- a) Please describe any relevant (planned) 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.
- b) If information is available, please describe any specific drivers behind these developments.
- c) If information is available, please describe any evidence of the impact / results of these activities / measures.

The Hungarian Police were reinforced with more than 600 officers in 2013 (they started the basic police trainings in 2012). 720 border guard officers received further training programmes in 2013.

The new Border Management Strategy of the Hungarian Police was adopted in 2012.

2.2.3 Border control measures: support to Member States experiencing disproportionate pressures at the border (including participation in Frontex operations)

- a) Please describe whether your (Member) State has benefited from / has provided any support with regard to border control in case of specific and disproportionate pressures in your / in another (Member) State.
- b) With regard to your (Member) State's participation in Frontex activities in this regard, please complete the Table

Hungary has participated at several FRONTEX activities as a hosting country. Hungary hosted joint operation Neptune, joint operation Jupiter, joint operation Focal Points Land and Rabbit exercise (REX 2013). Hungary deployed experts at joint operation Jupiter, joint operation Focal Points Land, joint operation Poseidon, joint operation Coordination Points, joint operation Mizar, joint operation Focal Points Air and joint operation Hermes.

2.2.4 Preventing and combating irregular immigration by ensuring strong and efficient border control agreements with third countries

- a) Please list any new or planned agreements, and other forms of bilateral and multilateral cooperation with third countries, specifying which countries, specifically in order to strengthen the control of external borders. This could include the provision of border equipment, training of border guards, etc. Please do not describe actions implemented with Frontex here (*these should be described below in question 2.2.3*).
- b) If information is available, please describe any evidence of the effectiveness of these measures

Title of agreement (where relevant)	Third country with whom the cooperation exists	Description / further information
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Trilateral Memorandum of Understanding	Serbia and Austria	on enhanced cooperation in the area of internal security
Bilateral Agreement	Serbia	on joint patrols
Action Plan	Serbia	on cooperation for combating illegal immigration at the Hungarian-Serbian border
Bilateral Implementing Protocol of EU Readmission Agreement	Georgia	

2.3 Priority III: Preventing irregular migration via the Greek-Turkish Border

2.3.1 Ensuring effective border controls are in place at the Greek-Turkish border and combating irregular immigration transiting Turkey to EU

- a) Please also describe any activities undertaken to increase operational capacity at the Greek-Turkish border. These could include activities implemented in conjunction with Frontex
- b) Please describe any bilateral activities to assist the Turkish authorities to strengthen their capacity to (i) combat irregular migration and (ii) to ensure the dignified return of third-country migrants through escorted transit and assisted voluntary return projects via Turkey.
- c) If information is available, please describe any evidence of the (positive) impact / results of these activities.

Hungary participated in four phases at the joint operation Poseidon at the Greek-Turkish land border. During the three period of the operation, Hungary deployed two experts with patrol car; and in one of the phases, four guest officers were deployed with a thermovision van.

2.4 Priority IV: Better tackling of abuse of legal migration channels

2.4.1 Combating and preventing irregular migration caused by visa liberalisation

- a) Please describe any measures introduced to monitor the effects of visa free regimes in your Member State.
- b) What have been the results of these monitoring activities? Describe here any key findings – especially in relation to impact on the **number unfounded asylum applications** registered in your Member State.
- c) Please describe measures taken to ensure the accelerated and swift return of persons from visa-free third countries found to be making unfounded asylum applications, to be overstaying permissions to stay or otherwise abusing legal migration channels.
- d) Please describe any evidence of the effectiveness of the measures to ensure return.

Based on EU readmission agreements, Hungary can smoothly implement readmissions of persons coming from visa-free third countries.

2.4.2 Combating and preventing irregular migration through mis-use of family reunification

- a) Please provide data and further information on the number of cases of mis-use of family reunification identified in your country.
- b) Please describe any measures introduced to decrease the number of such cases.
- c) What were the drivers to these measures?
- d) What are the expected / desired results of the measures? Is there any evidence of the impact / results of these measures already? (If so, please provide it here).

A new criminal offence under the title “Abuse by establishing family relationship” (Art.355) was introduced by the new Criminal Code of Hungary (Act C of 2012) entered into force on 1st July 2013. According to the new provisions anyone above the age of eighteen, who, for financial gain, establishes a family relationship or provides an official paternity statement with full force only for acquiring residence, unless a graver crime is realized, is to be punished for an offense with a maximum of two years imprisonment.

National legislation provides equal status to third-country family members of Hungarian citizens with third-country national family members of EU citizens, thus allowing gaining residence rights under more favourable provisions as well as a smoother implementation of family reunification, and consequently this results in a faster and more efficient integration.

Among the types of residence documents provided for persons with the right to free movement the most significant one is the residence card provided for EU citizens most frequently for the purpose of employment.

With respect to the social security system the persons with the right to free movement and residence enjoy complete equal treatment with Hungarian citizens.

As a result of the more favourable provisions provided for both EU citizens and their family members as well as for third-country national family members of Hungarian citizens, a substantial number of abuses of legal migration channels is also related to the attempt to acquire the right to free movement. Many abuses have occurred in such a way that false family relationships were presented as real ones and on this basis they tried to obtain the right to free movement and residence. Typical forms of such abuses are marriages of convenience, or false statement of paternity. It can have an effect on the public and national security of both Hungary and the EU (including terrorist threats as well) as the person fraudulently having obtained a status, who poses security risk, after gaining the right to freedom of movement and residence can actually practice their illegal activities throughout the EU.

2.4.3 Combating and preventing irregular migration through mis-use of student migration

- a) Please provide data and further information on the number of cases of mis-use of student migration identified in your country.
- b) Please describe any measures introduced to prevent, identify and/or investigate mis-use of student migration in your Member States
- c) What were the drivers to these measures?

- d) What are the expected / desired results of the measures? Is there any evidence of the impact / results of these measures already? (If so, please provide it here).ü

In recent times, the visa authority has regularly encountered cases where applicants abuse the favourable admission conditions applying to students when entering in the Schengen zone, while their real purpose is to engage in gainful employment activities. Nowadays the ratio of foreign students from remote countries admitted for the purpose of study is increasing in Western Europe; the same applies to Hungary as well. However, it is important to put in place rigorous entry exam and selection procedures so as to avoid possible forms of abuses. By applying for, and being granted, a visa/residence permit with the purpose of studying these persons get the opportunity to enter the territory of the European Union and the Schengen zone.

Regarding residence permits with the purpose of study it has to be emphasized that following the receipt of notification on admission to the respective educational institution the residence permit will be granted. Experience has shown, however, that in many cases, primarily Chinese, Vietnamese, Egyptian, Indian and Pakistani citizens, once they enter the territory of Hungary they either fail to show up at the university or, following the registration during the first semester, they establish an undertaking and extend their residence permit with the purpose of gainful activity. Besides, in the course of residence permit procedures it has been found – based on the experience gained during the personal interviews held by consular officers - that the applicant either did not speak the language of the training programme or at a very poor level which rendered his/her real intents of entry and stay dubious, that is to say, whether s/he really wishes to pursue studies in a foreign language. Upon these findings some provisions of the RRTN were amended as of 24 December 2010, in line with the best practices found in several Members States and with the provisions of the Students Directive, thus making it possible to review the language knowledge of applicants required to pursue studies. We can find that applicants are capable of verifying their language knowledge (e.g. by submitting language certificates) and various institutions indicate the official language of education on the certification of enrolment as well as verify whether the applicant has the requisite language skills.

With a view to identifying faked certifications of enrolment the immigration authority, in case doubts arise over the validity of such documents and before a decision is made, contacts the issuing educational institution in order to verify the student status of the applicant.

2.5 Priority V: Safeguarding and protecting free movement by prevention of abuse by third-country nationals

2.5.1 Improving the understanding of abuse of free movement rights by third country nationals and preventing the fraudulent acquisition and use of free movement rights by third-country nationals

- a) Please describe any activities to monitor and analyse information on the fraud and abuse of free movement – specifically describe any procedures newly introduced for detecting false documents
- b) Please describe any measures to share / disseminate the findings of the monitoring and analysis with other (Member) States to contribute to a better understanding of misuse of free movement. In particular, describe any activities undertaken as part of EU Joint Investigation Teams, via the FREEMO expert group, or through the EUROPOL Platform for Experts.
- c) Please describe measures taken to:

- i. Implement enhanced security standards for EU documentation on legal stay (residence cards etc.), including use of biometrics;
 - ii. Ensure common validation standards at borders and domestic controls; and
 - iii. Improve the security of the application and issuance processes for identity/EU documentation.
- d) If information is available, please describe any evidence of the effectiveness of these measures

a) Hungary welcomes the Commission's efforts to reveal and analyse available data in the field. Abuses such as marriage of convenience, tax fraud, dangers to public order, are becoming increasingly common in Hungary as well; therefore, Hungary is engaged in the fight against such abuses and is open to cooperation in this matter. However, Hungary considers that free movement and free stay in another EU member state are fundamental elements of European citizenship; thereby, relevant measures and regulations need to be further provided by all means. The latest V4 declaration from November 2013 said that the four freedoms of movement cannot be only selectively provided, for it would damage the single market thereby hindering the growth of Europe. Nevertheless, due to Hungary's commitments to fight against such abuses, Hungary wishes for reliable data needed for thorough investigation in order to identify and tackle the above-mentioned problems.

b) Hungary as a Schengen country pays special attention to track down false documents, analysing new methods and sharing best practices: the colleagues of the police forces, refugee agency and Ministry of Foreign Affairs participate in continuous trainings and become familiar with the practice of forging documents via online data bases. All of these organs have access to iFADO and NEKOR (Hungarian National Official Records System), due to which not only the forging techniques may be understood but the new findings can be also registered.

c) The Hungarian Police continuously monitor, analyse and evaluate migratory movements in the field of border traffic control as well as in criminal matters. As for law enforcement measures, the EUROSUR system, launched by FRONTEX, contributes to the management of daily updated data. Moreover, every county police headquarters together with the analysing-evaluating working group of the National Police Headquarters carry out analysis on the actual trends and threats on a monthly basis.

Along the Hungarian-Serbian border, police officers participate in law enforcement measures and interrogations of immigrants due to 'focus point actions' and bilateral agreements. These materials and practices are shared with the law enforcement organs of the bordering EU Member States, furthermore, meeting are held every six months on a territorial and national level for further discussions.

In the field of cooperation in criminal matters, the so-called FIMATHU project, launched at Hungarian-Austrian initiative in the framework of EUROPOL is considered as a significant success. Furthermore, in the framework of Hungarian-Austrian-Serbian cooperation, an exchange of police intelligence in criminal matters has been fostered. The Hungarian Liaison Office of EUROPOL, Hungarian National Police Headquarters, the office of the International Centre for Cooperation in Criminal Matters and that of SIRENE, together with the Law Enforcement Cooperation Points ensure the continuous information flow between the above-mentioned organs.

2.6 Priority VI: Enhancing migration management including cooperation on return practices

The relevant challenges in the Strategic Response for this sub-section are in particular:

2.6.1 Ensuring that all Member States have efficient migration management systems in place in order to be prepared for fluctuating migration pressures

- a) Please describe any specific measures undertaken to address unexpected migration flows to your own country
- b) Please provide any evidence of the effectiveness of these measures, where available.

a) From the end of 2012, the number of Asian and African migrants has increased significantly. The most affected border phase was the Hungarian-Serbian borderline where, due to the legislative changes, the number of migrants suddenly increased five times. Almost 90% of them submitted asylum application. The police forces were raised significantly along the external borderline by nearly 600 officers and law enforcement inquiry officers were delegated to these areas, building partnerships with Austrian organs in the in-depth investigation system in the bordering Austrian counties.

b) Firstly, the in-depth investigation system, as explained above, was successful in interrogating more illegal immigrants in 2013 than in 2012. Secondly, due to the more effective collaboration with police organs of other EU Member States, for instance, starting from 1 July, 2013, a direct deportation flight has been launched to Pristina deporting illegal migrants due to which measure the number of Kosovo asylum-seekers has significantly dropped since then.

2.6.2 Maximising the potential of a common EU approach in the field of return, both voluntary and forced in compliance with existing EU acquis

- a) Please describe measures taken to develop swift, sustainable and effective return using a common EU approach and in particular actions relevant to:
 - i. Recording entry bans in the SIS and facilitating exchange of information on entry bans;²⁹
 - ii. Sharing best practice on return (voluntary and forced);
 - iii. Improving diffusion of the information to the persons affected;
 - iv. Improving cooperation with stakeholders in the field (e.g. civil society);
 - v. Improving operational cooperation with other (Member) States on joint return operations;
 - vi. Encouraging voluntary return programmes;
 - vii. Improving cooperation with stakeholders in the field (e.g. civil society) on assisted voluntary return programmes;
 - viii. Operation of national forced return monitoring system (established in accordance with Article 8 (6) of the Return Directive³⁰
 - ix. Other actions.
- b) Please provide any evidence of the effectiveness of these measures, where available.

i. OIN keeps an up-to-date registry of those being under ban of entry and residence.

²⁹ This category of measure relates to the commitments of the Stockholm Programme specifically.

³⁰ Directive 2008/115/EC

ii. Due to the new immigration law, deportation has dropped by nearly 60%, furthermore, the IOM initiative financing voluntary return, has significantly contributed to enhance the safe return of those whose asylum application has been refused.

viii. Prosecutor's Office bears primer responsibility in case of forced return monitoring.

2.6.3 Key statistics

See Annex 1 Table 2.6.3– to be completed separately, as per the timetable in Section I.4.

2.7 Other measures to combat irregular migration

The following question does not specifically correspond to the priorities of the Strategic Response to EU Action on Migratory Pressures but rather corresponds to the commitments of the Stockholm Programme.

2.7.1 *Developing a network of immigration liaison officers*

- a) Please describe any measures to develop the network of immigration liaison officers.
- b) Please provide any evidence of the effectiveness of these measures, where available.

a) Three Hungarian immigration liaison officers work in Hanoi, Vietnam, in Ankara, Turkey, and in Cairo, Egypt.

b) Schengen countries are aiming to facilitate visa application procedure on the spot, for instance, in Ho Chi Minh City, which facilitation could be implemented via immigration liaison officers and could enhance cooperation between Vietnam and EU Member States.

2.7.2 *Monitoring and identifying migration routes*

- a) Please describe measure to identify, monitor and aggregate information on migration routes
- b) What role do national immigration liaison officers (NLOs) play in gathering this data?
- c) How is this information used to develop your (Member) State's response to migratory flows³¹

a) Threat assessment of EUROPOL helps to identify, monitor and aggregate information on migration routes.

b) They have a better understanding of the local situation, and they can gather relevant data on the spot.

2.7.3 *Sanctions and measures against employers of illegally staying third-country nationals*

- a) Please describe actions to implement sanctions and measures against employers of irregularly staying third-country nationals mentioning in particular measures beyond implementation of EU legislation.

³¹ This question relates to section 6.1.6 of the Stockholm Programme.

- b) Please describe any specific (national) drivers / context to these measures.
- c) Please provide any evidence of the effectiveness of these measures to date, including any employment sectors where irregular activity is particularly concentrated

The Hungarian implementing legislation allows the authorities to decrease the amount of the financial sanctions if the employer is a natural person. Article 7(3) of the Act on Labour Inspections differentiates between sanctions based on whether the infraction is a first offence, or if an employee is employed illegally within 3 years after a decision establishing such an offence.

The Act on Labour Inspections provides that the labour authority will request the competent authority to take the necessary steps if a third country national has been employed without a valid residence permit or other permit allowing a gainful activity, and if this circumstance (in the option of the authority) presents a danger to public order, public security, national security, public health or epidemic control. In such an event, the competent authority is entitled to close down (temporarily or permanently) the establishment used in the infringement.

All legal relations on private law are governed by the principle of good faith and fairness. The principle sets up an ethical standard for the conduct of persons and requires reasonable conduct.

2.7.4 Key statistics

See Annex 1 Table 2.7.4 – to be completed separately, as per the timetable in Section I.4.

2.8 The fight against facilitation of irregular migration ('smuggling')

The following questions do not specifically correspond to the priorities of the Strategic Response to EU Action on Migratory Pressures but are important in relation to the development of future EU policymaking in this area.

2.8.1 Key statistics

See Annex 1 Table 2.8.1 – to be completed separately, as per the timetable in Section I.4.

2.8.2 Activities to monitor smuggling

- a) Describe any challenges faced by your (Member) State in collecting statistical data on smuggling?
- b) How does your (Member) State (plan to) address these issues?

a) There is a room for improvement in relation to the sharing and exchange of information among the relevant bodies.

b) Hungary is planning to further contribute to a more effective international cooperation fostering higher level of expert pooling (the role of trainings shall be highlighted; and whereas better coordinated collaboration is emphasized).

2.8.3 EU and international cooperation against smuggling

- a) Please describe any measures (e.g. cooperation agreements, joint actions) to enhance practical cooperation among different actors at:
 - i. National level;

- ii. Between (Member) States);
- iii. Via EU agencies (e.g. Frontex);
- iv. With third countries; and
- v. Through international organisations (e.g. UN).

b) Please provide any evidence of the effectiveness of these measures, where available.

Cooperation against smuggling is important for Hungary being implemented on various levels. On the national level, the most important actor is the National Bureau of Investigation (especially its department focusing on illegal migration) which has largely been involved in the FIMATHU project (funded under the ISEC programme as part of the EU policy cycle) initiated by Hungary and Austria in 2011 with the aim of fighting against organized criminal activities related to illegal migration. In December 2013, Hungary has applied for funding to extend the project together with Austria, Germany, Slovakia, Poland and Serbia in order to further increase cooperation between EU Member States and third countries. Vis-à-vis Serbia, there has been numerous border meetings as well, where illegal migration and fight against smuggling is a primary topic. Furthermore, the creation of Joint Investigation Teams aims to harmonize, facilitate the investigation procedure in order to conduct the joint international prosecution procedure in a successful and timely way.

3. INTERNATIONAL PROTECTION INCLUDING ASYLUM

Correspondence to the Commitments of the Stockholm Programme

This section pertains to the following sections of the **Stockholm Programme**:

- Section 6.2.1 - A common area of protection;
- Section 6.2.2 - Sharing of responsibilities and solidarity between the Member States; and
- Section 6.2.3 - The external dimension of asylum

This Section will also be used to provide information to inform EASO's Annual Report. Please note that questions about combating misuse of the national asylum system) are tackled under Section 2.4.1(b).

3.1 Common European Asylum System

3.1.1 Key statistics

NB Relevant statistics will be collected directly from Eurostat by COM.

3.1.2 The implementation of the Common European Asylum System

- a) Please provide information on changes in policies and practices relating to:
 - i. Access to the asylum procedure (information-provision/effective access to the procedure)
 - ii. Access to legal counselling and/or representation and provision of interpretation
 - iii. Dublin procedure (incl. transfers)
 - iv. Accelerated procedures (safe country policies, manifestly (un)founded procedures, etc.)
 - v. Reception of asylum-seekers and vulnerable groups (accommodation, financial and social support, access to labour, access to medical care, detention during the asylum procedure)
 - vi. First instance (interviews, refugee status determination, timeframes, case management, training)
 - vii. Appeal/Judicial Review (hearings, written procedures, timeframes, suspensive or not)
 - viii. Country of Origin Information
 - ix. Vulnerable groups e.g. unaccompanied minors (UAMs), gender, lesbian, gay, bisexual, transgender and intersex (LGBTI) within the asylum procedure
- b) Please describe any specific driver / context to these measures
- c) What are the expected / desired results of the measures? Is there any evidence of the impact / results of these measures already? (If so, please provide it here)?

a) (i) Access to the Asylum Procedure

New brochures to inform asylum-seekers on the details of the asylum-procedure were published and translated into many languages by the Office of Immigration and Nationality (hereinafter: OIN).

(ii) Access to Legal Counselling and/or Representation and Provision of Interpretation

From 1 January 2013, a new free legal assistance service started its work in all reception centres in Hungary. In addition, OIN built strong cooperation with other organizations (e.g. Hungarian Helsinki Committee) that provide free legal assistance for asylum-seekers.

(iii) Dublin Procedure

In 2013, experts from OIN participated in trainings for preparing the implementation of the recast Dublin Regulation³². In accordance with the new regulation, bilateral agreements are being reviewed and Croatia was contacted in order to conclude bilateral agreement.

(iv) Accelerated Procedures

N/A

(v) Reception of Asylum-Seekers and Vulnerable Groups

1. Taking into consideration the provisions of the recast Directive, changes were made paying particular attention to reception conditions.

According to the modified Act on Asylum (Act LXXX of 2007) refusal of material reception conditions may not be applied any longer. The rules stipulate that the refugee authority may restrict and – in exceptional and duly justified cases – withdraw material reception conditions when the applicant:

- leaves the private accommodation for an unknown place for at least 15 days;
- submits a subsequent application for recognition based on the same facts as his/her previous application;
- fails to meet his/her reporting obligations in the asylum procedure and to provide information and data or does not fulfil his/her obligation to appear on personal hearings; or
- concealed his/her financial resources and thus unduly availed himself/herself of the material reception conditions.

The restriction or withdrawal of reception conditions should be proportionate to the perpetrated act and the personal situation of the asylum seeker should be of primary interest.

The refugee authority has the possibility to impose a sanction (assign another lodgement) in cases when the applicant breaches the rules of conduct of the designated accommodation or acts in a seriously violent manner.

2. From 1 July 2013, a person seeking recognition shall be entitled to work within the reception centre within nine months of the submission of the application for recognition, and beyond according to the general rules applicable to foreigners.

3. A new, specific regime for detention (asylum detention) was created in accordance with the provisions of Articles 8-11 of the Directive and Article 28 of the recast Dublin Regulation.

Detention may only be ordered on the basis of an individual assessment and the full consideration of alternative options. The detention of asylum seekers must only be exceptional and has to be proportionate to the objectives to be achieved. It should serve as a last resort in order to ensure the

³² REGULATION (EU) No 604/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 June 2013 on establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast).

presence of the applicant and possible alternative measures to detention shall be used as a priority measure before proceeding with the asylum detention.

It is important to note that asylum detention may not be ordered for the sole reason that the person seeking recognition has submitted an application for recognition.

Unaccompanied minors must not be detained.

Families with minors may only be placed in asylum detention as a measure of last resort and the best interest of the child must be taken into account as a primary consideration. Families with minors may only be detained for up to 30 days. In order to ensure family unity and with a view to their special needs, a specific closed reception centre was assigned to host families with minors in detention.

The period of the asylum detention is much shorter than the period of immigration detention and is carried out in special facilities serving the sole purpose for asylum detention. The asylum detention lasts for a maximum of 72 hours which can be extended by the competent court maximum two times, by a maximum of sixty days, for a maximum total length of 6 months.

The asylum seekers are entitled to move freely inside the premises of the guarded, closed reception centre, but cannot leave the centre during the procedure.

One of the main goals of the asylum detention is to ensure that asylum seekers are present during the asylum procedure, including the Dublin procedure.

The asylum detention lasts for a maximum of 72 hours which can be extended by the competent court maximum two times, by a maximum of sixty days, for a maximum total length of 6 months.

The refugee authority can choose between three other ways in order to ensure the presence of the asylum-seeker. The alternatives for asylum-detention are: designated place of residence, asylum bail, and regular reporting before the refugee authority.

(vi) First Instance

N/A

(vii) Appeal/Judicial Review

The Hungarian legislation guarantees the asylum seekers' access to territory and asylum procedure. The amendments to the Third Country Nationals Act entered into force already on 1 January 2013 reconfirmed that asylum-seekers enjoy the right to stay on the territory of Hungary during the course of the whole asylum procedure (both administrative procedure and judicial review).

The legislation excludes the possibility of returning (expelling and implementing the expulsion of) an asylum-seeker before his/her claim was examined in merit – except for the cases where the application may not be examined in merit as the asylum-seeker explicitly withdrew his/her asylum application in writing (see: Article 27 of the Directive). Thus, the Hungarian legislation ensures that asylum-seekers may not be expelled or their expulsion may not be implemented before the in merit examination of their application.

If a foreigner makes an asylum application after the expulsion decision has been issued, the expulsion has to be suspended in accordance with the Third Country Nationals Act (Act II Of 2007 Article 48 (4)), except for those cases where the foreigner lodges a subsequent application after a final negative decision on his/her previous application (and on the same grounds as in his/her previous applications) or after a final decision on the termination of the procedure because of the applicant's explicit withdrawal (in writing) of the previous application. Nevertheless, the

expulsion may only be implemented if the Hungarian authorities/court have established that the foreigner will not be subject to *refoulement*.

(viii) Country of Origin Information

In 2013, the quality of COI was developed due to the financial support from European Refugee Fund. Conferences and training were held and regular country reports were made during the year.

(ix) Vulnerable groups

Unaccompanied minors are placed in child protection institutions. From 2011 only one, the Károlyi István Children Centre in Fót operated, but from the beginning of 2013 there are two more new possible locations to accommodate them, in Hódmezővásárhely and in Ópusztaszer.

3.1.3 Institutional and legislative changes

- a) Please provide information on institutional changes in the asylum field at ministry/agency/section level (incl. changes in mandate),
- b) Please provide information on legislative changes pertaining to asylum implemented, adopted or pending in 2013.

N/A

3.1.4 Jurisprudence

- a) Please provide information on important new jurisprudence relating to asylum (with policy implications)
- b) What are the implications / possible impacts of the jurisprudence?

N/A

3.1.5 Efficiency and Quality

Please provide information on measures undertaken to safeguard or improve:

- a) Efficiency (increase speed, reduce costs) of the national asylum system, and
- b) Quality of the national asylum system.
- c) Please include information on effectiveness (where evidence exists).

N/A

3.1.6 Challenges in the asylum field

- a) Please indicate which aspects of the national asylum system have (i) proven to be particularly challenging or (ii) have been subject to criticism from third parties.
- b) Provide information on actions undertaken to counter these challenges.

Please only provide information additional to that presented in 3.1.2

a) Challenges in 2013

In Hungary, during the reference year of 2013, the most challenging situation in the whole field of asylum and migration comes from the increased pressure on the Hungarian asylum system.

The illegal migration route (the so-called Balkan route) via Turkey and Greece, Kosovo or Macedonia and Serbia to Hungary has recently become extremely frequent among illegal immigrants choosing Europe as a target, resulting in about 8 to 10-fold increase in the number of illegal migrants coming from Serbia to Hungary and then applying for asylum in our country. While 1693 asylum-seekers were registered in Hungary in the year of 2011, this number was 2157 in the year of 2012, this year their number may reach 18,000 (17,777 as of 5 December, 2013).

By May 2013 the number of applicants (2400 persons) accommodated at the open reception centres maintained by the Office of Immigration and Nationality has considerably exceeded the overall normal accommodation capacity (1500 persons). In order to handle difficulties provisional new reception facilities were opened and the reception capacity of the existing ones was increased.

The number of asylum-seekers in 2013 as of 25 September 2013 was 15 804, the annual number of applicants is expected to approach 18,000 by the end of the year, which is almost equal to the number of all applicants of the last seven years (from 2006 to 2012). In June 2013 in a single month twice as many foreigners applied for asylum in Hungary than last year. It can be stated that – in comparison to 2012, pro rata – during the elapsed period of the year, among the Member States of the European Union, the largest rate of increase in the number of asylum applications submitted occurred in Hungary.

It is typical that after the submission of the applications for asylum, the majority – in most cases even before the completion of the procedure – leave the country for a Western European state. This phenomenon had a serious impact on the caseload indicators of the Dublin procedure as well, since the number of requests received from the co-bodies of Member States have shown a previously not experienced increase: during the first eight months of 2013 the number of substantive requests received from other Member States (4496), is nearly five times the number of requests received between 1 January 2012 – 31 August 2012 (916). It is important to note that the number of substantive requests received from Member States during the first eight months of the year makes up more than three times of the number of requests registered last year (1373). Hungary recognized its responsibility in 3914 cases for examining the asylum applications, in most cases (3721) as a reason of the former Hungarian asylum procedure. During the first eight months of 2013 541 persons were transferred or returned to Hungary under the Dublin procedure.

b) Actions

In 2013, Hungary claimed the European Refugee Fund to support emergency measures in order to facilitate the increased asylum pressure on the Hungarian asylum system.

Certain institutional and coordination changes were made to counter this challenge.

Firstly, a temporary reception centre with a capacity of 300 persons was opened at Nagyfa by the Office of Immigration and Nationality, intended to ease the migration pressure mainly at the Southern border section. However, given the nature of the temporary reception centre (the accommodation had to be solved in army tents); it could only operate during summer and early autumn. It has thus become reasonable to open a reception institution that can accommodate asylum-seekers during the winter weather conditions. For this objective a reception centre was opened in August 2013 of Győr-Moson-Sopron County's Vámoszabadi with a total capacity of 215 persons. However, the expansion of reception capacity does not provide a durable solution to accommodate the increased number of asylum-seekers.

Such a scale of the asylum situation and the change that occurred in such a short time puts a heavy burden on the Hungarian asylum system. The number of the employees of the asylum authority could not keep up with the numbers of applicants to that extent, so the enforcement of emergency

measures became necessary in both areas. To responding the challenge an extraordinary power transfer became necessary within the asylum authority and between the departments of the Office of Immigration and Nationality as well, primarily by means of diversion, the imposition of overtime, and the setting of target tasks.

3.2 Cooperation with the European Asylum Support Office (EASO)

3.2.1 *Participation in EASO activities*

- a) Please provide information on your (Member) State's relevant participation in EASO activities, by type of activity (e.g. provision of staff for Asylum Support Teams).

The Director of the Office of Immigration and Nationality (OIN) is the member of the Management Board of the EASO delegated by Hungary; OIN experts regularly participate in various EASO working group meetings.

3.2.2 *Provision of support by EASO to the Member States*

- a) Please provide information on relevant support provided by EASO to your (Member) State, by type of activity (e.g. training, emergency support etc.)

In July 2013, an EASO emergency exercise took place in Hungary. In 2013, Hungarian asylum experts of the OIN participated in conferences and workshops held by EASO.

3.3 Intra-EU solidarity including relocation

3.3.1 *Support to national asylum systems including relocation*³³

- a) Please provide information on support provided to (Member) States experiencing specific and disproportionate pressures on their national asylum systems. This might include support in the processing of requests for international protection, seconding staff (for the Asylum Intervention Pool / EAC Expert Pool), sending resources or equipment.
- b) Please specify any action undertaken with regard to the relocation (note that this information may also be captured in the Table below)
- c) Please describe any evidence of the results / outcomes of this support, if available.

During 2013 Hungary did not participate in relocation programmes.

3.3.2 *Key statistics*

See Annex 1 Table 3.3.2 – to be completed separately, as per the timetable in Section I.4.

3.4 Enhancing the external dimension including resettlement

3.4.1 *Cooperation with third countries including resettlement*³⁴

³³ Relocation: the transfer of persons having a status, defined by the Geneva Convention or subsidiary protection (2004/83/EC) from the Member State which granted them international protection to another Member State where they will be granted similar protection (see EMN Glossary V2).

³⁴ Resettlement: the transfer on a request from the UNHCR and based on their need for international protection, of a third-country national or stateless person from a third country to a Member State where they are permitted to reside

- a) Please describe *specific* cooperation with relevant non-EU countries to strengthen their asylum systems, including national asylum legislation and asylum policy frameworks (e.g. through Regional Protection Programmes).
- b) Please describe resettlement activities to your (Member) State of people placed under the protection of the Office of the UNHCR in third countries, specifying from which countries
- c) Please describe any evidence of the results / outcomes of this cooperation, if available.

In the framework our Annual Plan for and with the support of the European Refugee Fund – with the consent of the European Commission – Hungary has committed to undertake the resettlement of 10 persons. This will be the second resettlement exercise of Hungary and, taking into consideration the deeply deteriorating humanitarian situation of the region, this action will target Syrian refugees. The selection mission has been carried out; the transportation of the persons - who are expected to arrive by the end of 2013 - is in progress.

3.4.2 Key statistics

See Annex 1 Table 3.4.2 – to be completed separately, as per the timetable in Section I.4.

4. UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

Correspondence to the Commitments of the Stockholm Programme

This section pertains to the following sections of the Stockholm Programme:

- Section 6.1.7 - Unaccompanied Minors; and

Some sections of:

- Section 2.3.2 – Protection of children.

4.1 Unaccompanied minors

- a) Please describe any changes in policy and/or practice in relation to unaccompanied minors (UAMs) at national and international levels.
- b) How do these developments relate to the Action Plan on UAMs³⁵ and its Mid-term Review?
- c) Please provide any other relevant information on drivers of the changes to policy / practice.
- d) What are the expected / desired results of the developments? Is there any evidence of the impact / results of these changes already? (If so, please provide it here)?

The policy and legislation related to unaccompanied minors (hereinafter: UAMs) have undergone significant changes due to the increase in their number. As in the previous 2 years, the improvement of the quality of accommodations for UAMs is still an ongoing important task.

The challenges to be achieved: improve housing conditions, clarify the outcome of the age determination procedure, shorten the duration of the asylum procedure as much as possible and safeguard the rights of children.

With regard to UAMs the Hungarian legislation has fully met the Community legislation requirements. The legislation contains a number of provisions for the benefit of UAMs, for example the prohibition to be placed in detention or the right to have access to education. The Office of Immigration and Nationality in collaboration with the child protection institutions makes great efforts to tracing family of the child concerned.

4.2 Other vulnerable groups

- a) Please describe any changes to policy and/or practice in relation to other vulnerable groups at national and international levels.
- b) Please provide any other relevant information on drivers of the changes to policy / practice
- c) What are the expected / desired results of the developments? Is there any evidence of the impact / results of these changes already? (If so, please provide it here)?

N/A

4.3 Key statistics

³⁵ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0213:FIN:EN:PDF> plus the Mid-term Review Report : http://ec.europa.eu/dgs/home-affairs/e-library/docs/uam/uam_report_20120928_en.pdf

See Annex Table 4.3 – to be completed separately, as per the timetable in Section I.4.

5. ACTIONS ADDRESSING TRAFFICKING IN HUMAN BEINGS

Correspondence to the Commitments of the Stockholm Programme

This section pertains to the some part of the following section of the Stockholm Programme:

- Section 6.1.6 - Effective policies to combat illegal immigration

This Section should be completed in the context of the "EU Strategy towards the Eradication of Trafficking in Human Beings (2012-2016)"³⁶, and you should liaise with your National Rapporteur on Trafficking in Human Beings or Equivalent Mechanism (NREMs).

NREMs share information with the Commission (via the informal of 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.³⁷ In section 5.1, EMN NCPs are invited to add any information corresponding and additional to that uploaded onto the EU Anti-trafficking website if necessary / appropriate; the remainder of the questions in Section 5 correspond to the EU Strategy.

5.1 Information corresponding to the EU Anti-trafficking website

The structure of the information on the EU anti-trafficking website on national actions for addressing trafficking in human beings (THB) is as follows:

- a. General Information (includes information on the National Strategy on THB, Action Plans on THB; Annual reports on THB and links to internet sites, where it is available; information on the state of play within the country regarding to THB (data on victims, criminal proceedings etc.)
- b. Institutional and legal Framework (includes legislation on THB; anti trafficking actions at national level; tasks of National Rapporteur or Equivalent mechanism (NREM)
- c. Implementation of Anti-Trafficking Policy (Prevention, national Referral mechanism, assistance and support to victims, campaigns, trainings and other activities related to anti-trafficking policy)
- d. EU and International Cooperation (EU or other institutions funded projects etc.)

Please provide any additional information you deem appropriate from your services perspective

Hungary is primarily a source and transit country for women and girls subjected to trafficking for sexual exploitation and on a lesser extent for men and women for trafficking for labour exploitation. Besides the transnational form, human trafficking exists in Hungary internally in a lesser extent, too.

High-risk groups for trafficking are usually under-educated young adults, mainly women of Roma origin, who resided in poor conditions or child welfare facilities in Eastern and North-eastern part of Hungary. Although authorities in Hungary are not entitled to register the ethnicity of Hungarian citizens, it can still be established that the Roma community, mainly Roma women, might be more

³⁶ <http://ec.europa.eu/anti-trafficking/>

³⁷ <http://ec.europa.eu/anti-trafficking/section.action;jsessionid=FlnYRm0cwWGc3ZQv58Qy1LrdG8bRRTJhj2t6dzJS6fdVQm0xZ6GP!909126266?sectionPath=National+Info+Pages>

vulnerable to fall victims of human trafficking, due to their disadvantaged situation, especially underage female victims, lived in state-provided welfare homes. The main causes of human trafficking include vulnerability to poverty, social integration, lack of access to employment opportunities. Taking into consideration that the majority of people in extreme poverty are of Roma origin, approximately 80-85% of female victims of sexual exploitation are Roma.

Victims are usually recruited by way of the false promise of a well-paid job that might even be prostitution.

The Ministry of Interior takes part in the fight against human trafficking in cooperation with the relevant authorities and is also responsible for the national coordination.

A National Coordination Mechanism is in operation since 2008 which is based on the Government Decree No. 1018/2008 on the National Strategy against Trafficking in Human Beings. Members of the National Coordination Mechanism are the Ministry of Human Resources (Department for Social Inclusion, Department for Equality); the Ministry of Foreign Affairs (Consular Department); the Office of Immigration and Nationality; the National Police Headquarters; the National Bureau of Investigation (Counter-Trafficking Unit); the Chief Prosecutors' Office; the Metropolitan Court; the National Office for the Judiciary; the National Employment Service; EURES, Office of Public Administration and Justice, the Victims Support Service; the National Crisis Management and Information Service, the International Organization for Migration and the Chance for Families Foundation, which operates the shelter for the victims of human trafficking.

Besides of the National Coordination Mechanism an NGO Roundtable exists too which first session was held in December 2011 and is also chaired by the National Coordinator. Members of the NGO Roundtable are the International Organization for Migration, the Hungarian Baptist Aid, the Chance for Families Foundation, the National Crisis Management and Information Service, the Helping Hand 2003 Association, the Blue-line Child Crisis Foundation, the Indít Public Foundation, the SA Foundation, the Periféria Association, the Sex Educatio Foundation, the NANE Women's Rights Association, the Halfway Foundation, the MONA Foundation for the women in Hungary, the European Roma Rights Center the the Terres des Hommes Foundation.

The National Coordination Mechanism and the NGO Roundtable aim to increase the effectiveness of the fight against trafficking in human beings, to strengthen the cooperation and enhance dialogue between the national coordinator and the concerned authorities.

In the recent period important steps have been taken in the field of legislative changes, prevention and awareness raising.

Legislative Changes

Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA were properly transposed into the national legislation on time, until 6 April 2013. This new Directive establishes minimum rules at European Union level concerning the definition of criminal offences and sanctions in the area of trafficking in human beings. It also provides measures aimed at better prevention of this phenomenon, and at improving the protection of victims.

The Council of Europe Convention on Action against Trafficking in Human Beings aims to prevent trafficking in human beings, protect victims of trafficking, prosecute traffickers, and promote coordination of national actions and international cooperation. Transposition of Directive

2011/36/EU lifted the obstacles to ratification of the Convention with the Act XVIII. of 2013 which entered into force on 1 August 2013.

The New Criminal Code entered into force on 1 July 2013. It incorporates the criminal offence of trafficking in human beings which was harmonized with the Directive 2011/36/EU, with the legal provisions of the Palermo Protocol to prevent, suppress and punish trafficking in persons, especially woman and children, supplementing the United Nations Convention against Transnational Organized Crime and the Council of Europe Convention on Action against Trafficking in Human Beings. The new Criminal Code contains a new provision on forced labour too.

Specific provisions of the Act CXXXV of 2005 on Crime Victim Support and State Compensation have been amended; therefore victims of trafficking in human beings are entitled to services independently from their cooperation in criminal proceedings.

Government Regulation No. 354/2012 of 13 December 2012 on the identification system of victims of trafficking in human beings applies regulation on the national victim referral system which is of general scope and obligatory for all responsible authorities. It laid down the system of the authorities' cooperation. The regulation satisfies the requirements of Article 11 Assistance and support for victims of trafficking in human beings of the Directive 2011/36/EU.

National Strategy against Trafficking in Human Beings

On 29 May 2013 the Government accepted the new national strategy against trafficking in human beings for the 2013-2016 period. According to the future vision of the strategy Hungary endeavours to combat against all manifestations of human trafficking as efficiently as possible at the national level, and as a reliable partner at the international level, respecting human rights, free of discrimination and paying special attention to the protection of children.

Similarly to the EU Strategy towards the Eradication of Trafficking in Human Beings 2012 – 2016, the new national strategy also established 5 main priorities:

- A. The operation of an appropriate and well-running victim identification, referral and protection system;
- B. Efficient prevention, awareness building and awareness raising;
- C. The detection and prosecution of perpetrators; the protection of the rights and interests of plaintiffs and victims;
- D. Enhancing coordination with the relevant government, semi-governmental and civil organisations involved;
- E. Mapping opportunities for safe return and reintegration at the government level; designing supportive action.

International Cooperation – Projects

Integrated approach for prevention of labour exploitation in origin and destination countries – with Romania, Bulgaria, Cyprus, Greece, Macedonia

The Ministry of Interior participated in the project “Integrated approach for prevention of labour exploitation in origin and destination countries” funded by the Directorate General Home Affairs of the European Commission, the general objective of which is to decrease labour exploitation in origin, transit and destination countries.

In the framework of the project a transnational study has been developed on “Characteristics of policies on trafficking in human beings for labour exploitation”.

A regional seminar was held in March 2013 in the Ministry of Interior to improve inter-institutional cooperation and increase the capacity of fighting against trafficking in human beings for labour exploitation for labour inspectors, judges, prosecutors, police officers, social workers, NGOs.

During the project a prevention campaign was implemented that aimed to increase public awareness about the risks associated with labour exploitation and to increase the awareness of the population, policy makers and potential victims of human trafficking on the dimension and forms of labour exploitation.

Target groups of the campaign were public at large, aged between 18 and 40 who are willing to work abroad, high school students aged between 14 and 18 who are primarily attending secondary vocational school or vocational training and decision makers responsible for preventing and combating trafficking for labour exploitation.

In the framework of the campaign direct meetings were organised, TV and radio spots were broadcasted, questionnaires were filled in, campaign materials were disseminated.

Development of a Transnational Referral Mechanism – with Belgium and the Netherlands

The Ministry of Interior submitted an application “Referral of and assistance for victims of human trafficking in Europe” (RAVOT-EUR) for Action Grants under the Programme “Prevention of and Fight against Crime” 2012 ISEC General Call for Proposals (submission deadline 6 March 2013) of the European Commission.

The project aims to develop a transnational referral mechanism between Hungary (Ministry of Interior), Belgium (Payoke vzw.) and the Netherlands (Ministry of Security and Justice) which would contribute to the safe return and referral of victims and facilitate transnational networking between professionals. The expected outcome of the project is that the needs and problems of the victims as well as the capacity and network of victim assistance services and NGOs will be clear. In the framework of the project a training manual and a website will be developed which will provide help in victim identification, assistance and cooperation of experts.

Following the evaluation process the European Commission awarded a grant for the realisation of the project activities. The 24 months project is planned to be implemented between 1 February 2014 and 31 January 2016.

Awareness Raising

Key element for prevention of human trafficking is awareness raising therefore a website on human trafficking is available on Hungarian and English language (<http://emberkereskedelem.kormany.hu/>, <http://thb.kormany.hu/>) and a Facebook site (<https://hu-hu.facebook.com/thbHungary>) was created for the topic of human trafficking too.

In 2012 and between 7 and 11 August 2013, a five-day prevention and awareness-raising programme took place at the Sziget Fesztivál, where visitors were provided with information on the phenomenon of human trafficking, preventive measures and victim assistance opportunities.

Besides of the Hungarian Police Headquarters, the EURES, the Victims Support Service, the White Ring Public Benefit Association, the Embassies of the United Kingdom, the Netherlands,

Austria and Switzerland also contributed to the implementation of the programme. In the framework of the programme 1,073 questionnaires on trafficking in human beings have been filled in, 74.37% (798 visitors) were Hungarian, 25.63% (275 visitors) were foreign nationals.

5.2 Implementation of the EU Strategy towards the Eradication of Trafficking in Human Beings: Identifying, protecting and assisting victims of trafficking

5.2.1 Key statistics

See Annex 1 Table 5.2.1 – to be completed separately, as per the timetable in Section I.4.

5.2.2 Improving the identification of and provision of information to victims

- a) Please describe any (planned) measures introduced / developed in 2013 relation to improving / facilitating the identification of victims, e.g. new guidelines, training of frontline officers, improving coordination between relevant actors, creation of task forces, etc.
- b) Please describe any (planned) measures introduced / developed in 2013 to improve the provision of information on rights and access to services to victims of trafficking in human beings
- c) If available, please provide any evidence of the effectiveness / impact of the measures.

Government Regulation No 354/2012 of 13 December 2012 on the identification and referral system of victims of trafficking in human beings applies regulation on the national victim referral system which is of general scope and obligatory for all responsible authorities, it laid down the system of the authorities' cooperation. The Government Regulation entered into force on 1 January 2013. The regulation satisfies the requirements of Article 11 Assistance and support for victims of trafficking in human beings of the Directive 2011/36/EU. The Government Regulation contains an identification note with indicators which has to be used during the identification process.

Priority A of the National Strategy against Trafficking in Human Beings covers the operation of an appropriate and well-running victim identification, referral and protection system and Priority B stipulates efficient prevention, awareness building and awareness raising which contain several measures in connection with victim identification, improvement of the provision of information on rights and access to services to victims of trafficking in human beings too.

The Ministry of Interior took part in the project "Integrated approach for Prevention of Labour exploitation in origin and destination countries" with Romania. The project's general objective was to decrease the dimensions of trafficking in persons for labour exploitation in origin, transit and destination countries. In the framework of the project a regional seminar was held in March 2013 in the Ministry of Interior to improve inter-institutional cooperation and increase the capacity of fighting against trafficking in human beings for labour exploitation for labour inspectors, judges, prosecutors, police officers, social workers, NGOs.

5.2.3 Protection of Child³⁸ Victims of Trafficking

³⁸ In line with Directive 2011/36/EU 'child' shall mean any person below 18 years of age.

- a) Please describe any (planned) measures introduced / developed in 2013 in relation to the protection of child victims specifically. This might include the introduction of specific policies and/or guidelines, actions to improve coordination between child welfare officers / guardians and other relevant actors (e.g. law enforcement) or the establishment of child-specific shelters.
- b) If available, please provide any evidence of the effectiveness / impact of the measures.

The Ministry of Human Resources launched a prevention project with pilot project characteristics in December 2012, which aimed the potential victims of trafficking in human beings, in order to prevent victimization. The project which was implemented between 15 December, 2012 and 30 September, 2013 in cooperation with the Hungarian Inter-Church Aid aimed at organising awareness raising workshops and enforcement of interest prevention trainings for secondary school students in order to reduce the possibility of victimization. The pilot program addressed the age group from 14 to 18 under the framework of form master's class. The 45 minutes long information-providing and knowledge-transferring workshops focussed on the topic of trafficking in human beings, violence in relationships and child abuse, during the sensitizing trainings besides the youngster's knowledge broadening there was an opportunity to shape attitudes, to enable how to recognize the abuser's behaviour notes in time and to familiarize more deeply with the danger sources of victimization. Under the program's framework implemented impact assessment (attitude examination among the target group at the beginning of the program and after the workshops) made possible the comparison and examination of the efficiency of the two used methods. Under the pilot program's framework development of a methodology package will be carried out, which established the realization of a nation-wide distributable prevention program.

In the framework of the project "Integrated approach for prevention of labour exploitation in origin and destination countries" a prevention campaign was implemented that aimed to increase public awareness about the risks associated with labour exploitation and to increase the awareness of the population, policy makers and potential victims of human trafficking on the dimension and forms of labour exploitation. Target groups of the campaign were public at large, aged between 18 and 40 who are willing to work abroad, high school students aged between 14 and 18 who are primarily attending secondary vocational school or vocational training and decision makers responsible for preventing and combating trafficking for labour exploitation. In the framework of the campaign direct meetings were organised, TV and radio spots were broadcasted, questionnaires were filled in, campaign materials were disseminated.

5.3 Implementation of the EU Strategy towards the Eradication of Trafficking in Human Beings: Enhanced coordination and cooperation among key actors and policy coherence

5.3.1 Coordination and cooperation among key actors

- a) Please describe any developments with regard to interagency coordination and cooperation among key actors and policy coherence at national and EU level. Is there a multidisciplinary and multiagency approach?
- b) Please describe any developments with regard to coordination and cooperation between national civil society organisations (e.g. participation in the EU civil society platform)³⁹

Please only refer to cooperation with regard to addressing trafficking in human beings in this section.

³⁹ For more information, see: <http://ec.europa.eu/anti-trafficking/entity.action?path=EU+Policy%2FCommission+launches+Platform>

The framework for combating human trafficking was laid down by the Government Decree No. 1018/2008 on the National Strategy against trafficking in human beings. It established a National Coordination Mechanism and appointed a national coordinator. The National Coordinator is the Deputy State Secretary who is responsible for EU and International Relations in the Ministry of Interior. Her main role is to enhance Hungary's counter trafficking efforts and to facilitate interaction between different state and non-state organisations in relation to the fight against human trafficking. She represents Hungary's anti-human trafficking response both at a national, European and international level.

The national coordinator chairs the meetings of the national coordination mechanism, which is the main forum of cooperation of the relevant organisations in Hungary. The mechanism meets 3-4 times per year.

Besides the formal coordination an informal NGO Roundtable is operating too which started its activity in 2011. The NGO Roundtable meets 3-4 times a year and is also chaired by the national coordinator.

Priority D of the National Strategy against Trafficking in Human Beings (Enhancing coordination with the relevant Hungarian government, semi-governmental and civil organisations involved) contains also measures in connection with cooperation and coordination.

5.3.2 Coordinating EU External Policy Activities

- a) Please describe any (planned) cooperation mechanisms with source countries (third countries only) to strengthen cooperation, create partnerships and improve coordination and coherence and awareness raising.

Hungary is primarily a source and transit country for women and girls subjected to trafficking for sexual exploitation and on a lesser extent for men and women for trafficking for labour exploitation. The main destination countries are the Netherlands, Switzerland, Austria, Germany, Belgium, and United Kingdom. Therefore coordination and cooperation is increased primarily with these countries.

5.3.3 Key statistics

See Annex 1 Table 5.3.3 – to be completed separately as per the timetable in Section I.4

5.4 Implementation of the EU Strategy towards the Eradication of Trafficking in Human Beings: Increased knowledge of and effective response to emerging concerns related to all forms of trafficking in human beings

5.4.1 Developing an EU-wide system for data collection

- i. Describe any challenges faced by your (Member) State in collecting statistical data on reflection periods and residence permits to victims of trafficking in human beings?
- ii. How does your (Member) State (plan to) address these issues?
- iii. Linked to this, please describe any measures to improve the registration of victims of trafficking in human beings / collection of statistical data (specifically by immigration offices) on the given reflection period, requested and granted residents permit, taking into account data protection legislation?

- iv. Please also describe how your (Member) State cooperates with other actors such as civil society organisation and the national rapporteur or equivalent mechanisms (NREMs) in order to provide a complete overview of victims given the reflection period and the residents permit.

The lack of a specific standardised data collection system addresses for Hungary and for the EU Member States a problem in data collection. A standardised system would provide an accurate picture on the number of victims and perpetrators and would help to understand the phenomenon and reason of human trafficking, would contribute to define targeted measures.

Therefore the National Strategy against Trafficking in Human Beings for the period 2013-2016 puts huge emphasis on the harmonization of the data collection mechanism. Our aim is to develop an anonym and regular data collection process with the involvement of all relevant governmental authorities and NGOs. 5 main measures in the field of data collection:

- Setting up an anonymous database to examine the trends of human trafficking and making a map of intervention especially considering age, gender and the form of exploitation;
- Setting up a uniform database facilitating the follow-up on and the filtering of victims, from their identification to their release from the victim protection system;
- Setting up a data provision mechanism facilitating the monitoring of and follow-up on victims and their involvement in the victim protection system;
- Encouraging data provision by organs cooperating in the identification of victims;
- Working out a set of criteria for annual, statistics-based assessments.

In June 2012 a special data collection has started involving relevant members of the National Coordination Mechanism, data is collected about the victims (gender, date of birth, marital status, citizenship, status of residence of the foreigner upon arrival in Hungary, educational level, means of travel, recruitment method, forms of exploitation, methods used during the exploitation, relationship with the trafficker, measures and assistance taken by the services), and traffickers (gender, date of birth, marital status, citizenship, status of residence of the foreigner upon arrival in Hungary, educational level, recruitment method, forms of exploitation, methods used during the exploitation, relationship with the victim, measures taken by the authorities – prosecution, indictment, conviction).

6. MAXIMISING DEVELOPMENT IMPACT OF MIGRATION AND MOBILITY

Correspondence to the Commitments of the Stockholm Programme

This section pertains to elements of the following sections of the **Stockholm Programme**:

- Section 6.1.1 - Consolidating, developing and implementing the EU Global Approach to Migration
- Section 6.1.2 - Migration and development
- Section 7 - External dimension

6.1 Progress towards mainstreaming of migration in development policies

Please describe any relevant activity - e.g. studies, development of approaches to make migration an integral part in sectoral policies (e.g. agriculture, health, education etc.), solidarity development projects, etc. – to mainstream migration in development policies.

Hungary is actively participating in the High Level Working Group on Migration and Asylum (HLWG) where the topic of migration and development was very intensive throughout 2013. As the EU and all Member States were preparing on the course of 2013 for the debate at the second UN High Level Dialogue on Migration and Development this has intensified national internal debates regarding the better mainstreaming migration into development practices. Hungary has subscribed to the EU statement which was delivered on behalf of the EU at the UN High Level Dialogue in New York, in October 2013.

Moreover, Hungary has also participated at the UN High Level Dialogue in New York, in October 2013. Hungary has delivered a statement in which the most important message was the increasing value of regional cooperation platforms such as the Budapest process. We see these fora as a useful tool to address all GAMM priority pillars such as migration and development.

During discussions at the HLWG the Ministry of Interior (responsible for migration issues) has developed a closer working cooperation with the Ministry of Foreign Affairs (responsible for development and humanitarian issues).

In May 2013 the Commission issued the Communication “Maximising the Development Impact of Migration - The EU contribution on the 2013 UN High Level Dialogue on Migration and Development and on broadening the development-migration nexus” (9886/13 MIGR 54 DEVGEN 128 ONU 49) as a contribution in the preparation of the approach of the EU and its Member States for the High Level Dialogue but also as a framework to start working on the stronger links and synergies between migration and development in the EU context. The Communication underlines that “To support work on developing a shared understanding of the importance of migration among development actors, more data is needed on how migration can drive or hinder progress towards achieving development goals, especially in sectors most influenced by demographics and labour issues. Tools to translate this knowledge into operational guidance are also needed; otherwise political commitments on mainstreaming migration will remain unfulfilled.” Based upon the highlighted gap and discussions at the HLWG Hungary has had the idea to suggest a migration and development study topic for the EMN for 2014. This study proposal had the aim to map existing data and structural deficiencies moreover to present best practices. COM did not favour this study topic, although this proposal became a joint proposal of IE, LU, BE, LU, UK and HU, therefore in the end the study topic was not chosen. However taken into account the need for policy debates in this area HU EMN NCP dedicated a full session at its last EMN National meeting (3-5 December 2013 in Budapest) to migration and development.

As a huge step, a project will start in February 2014 in the framework of the Budapest Process. This project was developed on the course of 2013 on the basis of previous projects (like the Silk routes I. project or the UK Bridging project) and the Istanbul Ministerial Declaration (adopted in April 2013). The Istanbul Ministerial Declaration and the project “Support to the Silk Routes Partnership for Migration under the Budapest Process” have a component focusing on and addressing the linkages on migration and development.

Hungary is actively participating in the Prague Process as well. In the framework of this partnership Hungary is the leading state of the Pilot Project “Legal migration” but works very closely with the Pilot Project “Migration and Development” lead by the Czech Republic. The two pilot projects have had several joint workshops and one more joint workshop is planned for 2014. The overall aim of the joint workshops is to highlight the strong linkages between migration and development and legal migration for the participating countries.

Preparations for the European Year 2015 of Development have already started in Hungary. We hope the migration and development linkages to be strengthened throughout the preparations and the European Year 2015.

6.2 Migrants’ Remittances

- a) Please describe any relevant developments and activities in the area of remittances, including financial support to such actions, implementation of an instrument for transferring migrants' remittances, co-development actions etc.
- b) What are the expected / desired results of the development? Is there any evidence of the impact / results of these changes already? (If so, please provide it here).

Hungary is actively and continuously participating in the GFMD discussions. Moreover, Hungary has also participated at the UN High Level Dialogue in New York, in October 2013. Hungary has delivered a statement in which the most important message was the increasing value of regional cooperation platforms such as the Budapest Process. We see these fora as a useful tool to address all GAMM priority pillars such as migration and development (and remittances).

Hungary, as Co-Chair of the Budapest Process wishes to ensure in the both mid- and long term that the goals of the Istanbul Ministerial Declaration (adopted by more than 50 States and the European Commission) will be implemented. In the Istanbul Ministerial Declaration the signatories have committed to focus dialogue and cooperation on, but not limited to, the objectives and activities identified in the list of initiatives, where this list contains a special chapter on migration and development, moreover remittances are listed as one key area (e.g. “Facilitating the transfer of remittances including through reducing costs and providing training on financial literacy, and improving the use of monetary and social remittances for the benefit of the sustainable economic and social development of the countries of origin, while taking into account the private nature of such assets”).

6.3 Working with Diasporas

- a) Please provide information on (planned) national policies or actions for involving diaspora groups in EU development initiatives and supporting diaspora groups in their efforts to enhance development in their countries of origin.
- b) Specifically describe any specific activities to address migrant rights and the empowerment of migrants.

- c) What are the (other) expected / desired results of the development? Is there any evidence of the impact / results of these changes already? (If so, please provide it here).

In Hungary the State Secretariat for Hungarian Communities Abroad in the Ministry of Public Administration and Justice is responsible for the autochthonous Hungarian communities in the neighbouring countries as well as the Hungarian diaspora communities living in Western Europe and overseas and is led by Deputy State Secretary. The State Secretariat is under the supervision of Deputy Prime Minister who coordinates and guides the work related to nationality policy and church affairs.

In the series of the IOM International Dialogue on Migration 2013, a Diaspora Ministerial Conference was organised on 18-19 June 2013. Hungary was represented by Deputy State Secretary at this first global meeting gathering ministers responsible for diaspora. She presented Hungary's efforts and results in relation to Hungarians living in diaspora and in strengthening their identity. The final outcome can be consulted at http://publications.iom.int/bookstore/index.php?main_page=product_info&cPath=2_4&products_id=1013.

The State Secretariat for Hungarian Communities Abroad and the Research Institute for Hungarian Communities Abroad organised a joint, two-day international conference on diaspora policies. The conference entitled "Diaspora Engagement: State and Civil Approaches" took place on 25 and 26 September 2013 in Budapest, with the participation of Hungarian and international politicians, government officials, ambassadors and academics. For more information please refer to <http://www.nemzetiregiszter.hu/budapest-hosts-two-day-international-conference-entitled-diaspora-engagement-state-and-civil-approaches>.

The new electoral law grants to Hungarian citizens living abroad permanently, even without a permanent address in Hungary, the right to vote at the national elections. The right to vote is linked to previous registration and Hungarian citizens without a permanent address in Hungary can only vote on national lists of the political parties. The new law on the election of the representatives of the National Assembly (Act CCIII of 2011) entered into force on 1 January 2012 and will be first applied at the next parliamentary elections in 2014.

For questions in relation to 'brain drain' please see section 1.

7. PROVISION AND EXCHANGE OF INFORMATION TO SUPPORT POLICY DEVELOPMENT

Correspondence to the Commitments of the Stockholm Programme

This section pertains to the some part of the following section of the **Stockholm Programme**:

- Section 6.1.3 - A concerted policy in keeping with national labour-market requirements
- Section 6.1.4 - Proactive policies for migrants and their rights

7.1 Exchange of Information at EU level

- a) Please describe any additional actions to provide and exchange information to support policy development at EU level. This might include for example, through networks such as the EMN, the Mutual Exchange Mechanism (MIM), EASO etc.

Note: There are intersections with section 2.1.3.

Hungary is the Co-Chair of the Budapest Process (chaired by Turkey, and supported by ICMPD as the Secretariat) which is a consultative forum of more than 50 countries and associated organizations involving both EU Member States and countries from the region neighbouring EU in the East and South-East aiming at exchanging information and experiences on legal and illegal migration, asylum, return, readmission, visa, trafficking in human beings, smuggling of migrants and border management issues. With its 20 years of operation, the Budapest Process has provided the longest-standing cooperation framework on migration for Europe and its eastern neighbours. The development of activities under the framework of the Process has taken place parallel to the dynamic development of migration policy in Europe and beyond.

The Commission Communication on the Global Approach to Migration and Mobility of November 2011 expresses the view that “well-planned refocusing of all the activities under [the Budapest Process] towards the Silk Routes and possibly other Asian countries would be timely.” It also states that there is a “need to address the overlap between the Prague and Budapest Process”. The GAMM Council Conclusions of May 2012 stipulate, in the same spirit, that “efforts should (...) be made to establish an effective dialogue with the countries along the Silk-route, including in the framework of the Budapest Process”.

In 2010, following a decision at the Senior Officials Meeting in Istanbul, a Working Group on the Silk Routes Region was established and the so-called “Silk Routes countries” (Afghanistan, Bangladesh, China, Iran, Iraq, Pakistan and Syria) were invited as new participating states of the Budapest Process. In September 2011, the Netherlands, Norway, Sweden, Switzerland and Turkey launched a project on “Fostering Cooperation in the Area of Migration with and in the Silk Routes Region”. The purpose of the project (which ran up to December 2013) was to develop a comprehensive knowledge base on migration realities in the Silk Routes countries and to establish a common framework for dialogue and informal cooperation between the countries along the Silk Routes and the participating countries of the Budapest Process.

The Budapest Process is implemented through annual meetings of Senior Officials, guided by Ministerial Conferences. The fifth ministerial conference took place in April 2013 in Istanbul, where participants adopted the “Istanbul Ministerial Declaration on a Silk Routes Partnership for Migration”. The signatories have agreed to establish a “Silk Routes Partnership for Migration” with the objective to promote further dialogue and mutual cooperation in managing migration flows along the Silk Routes, which is being the Budapest Process priority. The priority goals of this Partnership were listed as follows:

- Better organise and improve conditions for legal migration and mobility;
- Support the integration of migrants and counteract phenomena of discrimination, racism and xenophobia;
- Strengthen the positive impact of migration on development, both in countries of origin and of destination;
- Prevent and counteract irregular migration, facilitate return and readmission of irregular migrants, and combat criminal networks involved in smuggling of migrants;
- Prevent and combat trafficking in persons, address its root causes and provide adequate protection and support to trafficked persons;
- Promote international protection and the respect of the rights of refugees, in line with international standards.

While the Istanbul Ministerial Conference defined the framework of the cooperation and its objectives, it could not address in detail a series of more specific questions. In this respect, the Istanbul Ministerial Declaration has also mandated the Senior Officials of the Budapest Process to „agree at their first meeting after this Ministerial Conference on the priority issues for concrete action”. The Ministerial Declaration contains a long list of initiatives to be implemented in the framework of Silk Routes Partnership for Migration; however the Declaration does not prioritize among the actions listed. The first Senior Officials Meeting took place on 9-10 December 2013 in Istanbul and it has established the Multi-Annual Strategy of the Budapest Process Silk Routes Partnership for Migration.

The Fourth Global Meeting of Chairs and Secretariats of Regional Consultative Processes on Migration (RCPs) was held in Lima, Republic of Peru, on 22 and 23 May 2013. Hungary, as Co-chair of the Budapest process participated at this important event. Hosted by the Government of Peru and organized in collaboration with the International Organization for Migration (IOM), the meeting sought to facilitate the sharing of experiences and the exchange of views on the value and benefits of cooperation and dialogue on migration, in particular with respect to how global migration challenges are being addressed at the regional level. Under the broad theme of „Defining the Place of RCPs in a Changing International Migration Landscape”, the meeting invited RCPs to collectively review key developments on the global migration landscape and to reflect on the role they are playing in addressing contemporary migration challenges. Taking place against the backdrop of the 2013 High-Level Dialogue on International Migration and Development (HLD), the meeting provided a platform for reflection on potential synergies with other processes and fora that deal with migration at the global and inter-regional level. To this end, a session was dedicated to the exchange of views on planned actions in the lead up to the HLD, and to reflection on possible outcomes.

Hungary has been actively participating in the Prague Process. The respective Prague Process Action Plan was adopted in November 2011 in Poznan, Poland; the implementation of the Action Plan (after intensive preparatory work) began in August 2012 with the Prague Process Targeted Initiative. The principal aim is to help countries of origins, transits and destinations already taking part in the cooperation improve migration management and to facilitate building of migration partnerships through exchange of good practices, moreover the Action Plan sets down a number of strategic priorities as well. Hungary has taken up the leading state role of the second Pilot Project of the Prague Process Targeted Initiative. This pilot focuses on the theme legal migration, while the other three pilots on illegal migration, international protection and migration and development. The pilot project will last all together 36 months. Hungary is implementing the project together with Belarus, Bosnia and Herzegovina, Croatia, Georgia, Kosovo, Kyrgyzstan, Macedonia (FYROM), Moldova, Tajikistan, Ukraine and Russia, Poland, the Czech Republic, Sweden and Slovenia, with the assistance of the IOM and the ICMPD. In 2013 one workshop and one 3-day expert mission to Belarus took place in the framework of the Hungary lead pilot project. A

questionnaire was also circulated to the participating states and the answers are serving as a basis for the handbook which will be developed in the framework of the project.

In the framework of the Prague Process Targeted Initiative the pilot project number four (lead by SE and DE) focuses on international protection. Hungary has received a study visit from Belarus in the framework of this pilot. The study visit lasted four days during which Belorussian experts visited all relevant facilities and authorities working in the asylum field (Ministry of Interior, Office of Immigration and Nationality, Police, Shelter for Unaccompanied minors etc.).

Apart from the Prague Process Targeted Initiative another projects have also been launched to implement the Action Plan of Poznan. The “Eastern Partnership cooperation in the fight against irregular migration - Supporting the implementation of Prague Process Action Plan” (EaP-SIPPAP project) is an EU funded project, led by the Hungarian Ministry of Interior and implemented in cooperation with State Border Guard of Latvia, The Border Guard of the Republic of Poland, General Directorate for European Affairs and International Relations of Romania, Bureau of Border and Aliens Police of the Presidium of the Police Force of Slovakia and International Centre for Migration Policy Development (ICMPD). The project aims to contribute to an enhanced strategic and operational co-operation in the Eastern Partnership region. This cooperation primarily aims at prevention irregular migration and support border management in more efficient and coordinated way. The kick-off conference of the project was held in Budapest in September 2013, which prepared the ground for the following activities: 1. Workshop on blue border for representatives of Azerbaijan, Georgia, Ukraine and workshop on Moldovan-Ukrainian green border for Moldovan and Ukrainian representatives on 20-22 November 2013 in Odessa, 2. Workshop on air border for representatives of Azerbaijan, Belarus, Ukraine and workshop on Belarus-Ukraine green border for the representatives from Belarus and Ukraine on 10-12 December 2013 in Belarus. Very soon after the beginning of 2014 these activities will take place: a workshop on green border for Armenian and Georgian Border Guards and workshop on air border for Moldovan, Georgian and Armenian Border Guards in Georgia on 27-29 January 2014 and a workshop on green border for Azerbaijan and Georgian Border Guards in Azerbaijan on 25-27 February 2014).

Hungary has hosted the event “Irregular Migration peer-to-peer meeting” in Budapest on 28-29 May 2013 in the framework of the EU-funded EUROMED Migration III project. The project runs from January 2012 until December 2014. The overall objective of EUROMED Migration III is to foster cooperation on migratory issues between the ENPI South partner countries and EU countries, as well as among ENPI South partner countries themselves. In addition, it assists partner countries in their efforts to govern international migration. The specific objectives of the project are 1) to promote the establishment of networks and exchanges between labour administrations, employment agencies, employer organisations, trade unions and higher education institutions to facilitate legal migration channels and workers’ mobility, 2) to promote synergies between migration and development in ENPI South countries, and 3) to support the prevention of irregular migration, the enhancement of border management capacity and the improvement of reception of and assistance to vulnerable groups, such as unaccompanied minors. The project has the following consortium partners: the European-Mediterranean University (EMUNI), the International Training Centre of the International Labour Organization (ITC-ILO), the International and Ibero-American Foundation of Administration and Public Policies (FIIAPP) and the French Office for Immigration and Integration (OFII). The project targets ENPI South partner countries' relevant national institutions, particularly Ministries of Employment, Ministries of Interior and General Directorates for National Security, Planning authorities, Statistical Institutes and Ministries of Foreign Affairs. ICMPD is the consortium leader in charge of the implementation.

On 2-3 December 2013, a study visit from Kazakhstan, Tajikistan, Turkmenistan and Kyrgyzstan on procedures relating to statelessness took place in Hungary. Hungary is deeply committed regarding the awareness raising in relation to statelessness (it was also a pledge of Hungary at the UNHCR anniversary conference in 2011). The main purpose of the study visit was to provide the participants with a first-hand experience of a State which has acceded to the Statelessness Conventions and to observe established Statelessness Status Determination (SSD) procedures. The participants are expected to take back to their countries the knowledge and lessons learned and which could inform the establishment of statelessness determination procedures in Central Asia. The break-up of the Soviet Union and emergence of independent States led to increased statelessness in Central Asia. Many became stateless by post-Soviet demarcation of territories. Another group is people moving back to their ethnic roots, sometimes from places where they were deported in the Soviet era. The great majority of stateless persons originate from within the Central Asia region. Drawing on official figures, UNHCR recorded 33,691 stateless persons in Central Asia as at March 2013. However, the actual number is expected to be higher as most States in the region only report on stateless individuals who have been officially recognized as stateless.

Hungary continuously took part in the Söderköping Process since 2004 (being the rotating chair of the process in 2010), having as principal objective to facilitate cross-border cooperation between new EU Member States and the Western NIS (Belarus, Moldova and Ukraine) on asylum, migration and border management issues. Since 2012 the Söderköping Process is incorporated into the EU initiative Eastern Partnership were successful as the Process continues as the Migration and Asylum Panel. Hungary was active in co-organizing and hosting events in 2013: In May 2013 Hungary and Georgia co-organized a seminar regarding return, readmission and reintegration. The seminar took place in Tbilisi, Georgia. In December 2013 Hungary and Moldova co-organized a seminar on statelessness. The event took place in Budapest, Hungary.

Hungary is member of the Regional Cooperation Platform for the Black Sea Region, which has been established under leadership of Romania in 2007.

Hungary regularly participates and takes active part at the meetings of the Global Forum on Migration and Development. This was a special year as no GFMD meeting took place but the UN High Level Dialogue on Migration and Development for the second time. As the EU and all Member States were preparing on the course of 2013 for the debate at the second UN High Level Dialogue on Migration and Development this has intensified national internal debates regarding the better mainstreaming migration into development practices. Hungary has subscribed to the EU statement which was delivered on behalf of the EU at the UN High Level Dialogue in New York, in October 2013. Moreover, Hungary has also participated at the UN High Level Dialogue in New York, in October 2013. Hungary has delivered a statement in which the most important message was the increasing value of regional cooperation platforms such as the Budapest process. We see these fora as a useful tool to address all GAMM priority pillars.

Hungary was happy to welcome Director-General William Lacy Swing on 11 November 2013 in Budapest where he launched the IOM'S World Migration Report 2013: Migrant Well-being and Development. IOM's World Migration Report 2013 (WMR; see also: <http://www.iom.int/cms/wmr2013>) draws upon the findings from the Gallup World Poll, conducted in 150 countries that contain more than 98% of the world's adult population. The poll, which surveyed over 25,000 migrants, makes it possible to take a fresh look at what life is really like for migrants in the world today. The report investigates how migration leads to or does not lead to a better life, finally giving migrants a voice. The World Migration Report 2013 underlines the critical need to learn about how migrant well-being varies according to location and personal experience. This variation is seen, for example, in the effect of migration on the well-being of

different migrant categories, including labour migrants, students, irregular migrants, returned migrants, or migrants stranded due to conflict or environmental disasters. IOM'S WMR 2013 contributes to current policy forums seeking to understand how migration's benefits can be best harnessed for development.

7.2 Exchange of Information at Regional and National levels

- a) Please describe any additional actions to provide and exchange information to support policy development at regional and national levels. These might include specific actions with national contact points or rapporteurs, and the exchange of information within the 'regions' of Europe, for example, amongst the Baltic States.
- b) Please also describe any (planned) sharing and exchanging of information on migration with other (Member) States, through existing networks and other instruments (e.g. the European Migration Network, the Mutual Information Mechanism (MIM)).
- c) Please also describe the involvement of EU agencies

Hungary ended the 6-month Presidency of the Salzburg Forum on 31 December 2012, however – as before – continues to be active member of the platform. The Salzburg Forum initiated by Austria in 2000, is a Central-European internal security partnership between the Interior Ministers of Austria, Bulgaria, the Czech Republic, Croatia, Hungary, Poland, Romania, Slovakia and Slovenia. The Salzburg Forum focuses on three major areas: fostering regional cooperation in internal security, improving representation of interests in EU fora and strengthening relations with third countries.

The newly developed 18-month work programme, applicable from 1 July 2012 started to be implemented under the Hungarian Presidency of the Forum. As for migration related priorities Hungary has laid a particular emphasis on the fight against illegal migration by the setting up of a regional contact list among the relevant authorities, in order to improve the practical cooperation and exchange of information to prevent and combat illegal migration.

The Salzburg Forum also reacted to the recent developments in 2013: the significant migratory pressure coming from and through the Balkan region and challenge of illegal migration and mixed migration flows were a repeated topic at the ministerial meetings of the Forum. The Member States of the Forum have also developed a joint paper for the post-Stockholm policy debates in which migration issues were greatly touched upon.
