

# ANNUAL REPORT 2019 ON MIGRATION AND ASYLUM

IN [(MEMBER) STATE]

NATIONAL REPORT (PART 1)

[CONTRIBUTION TO EMN AND TO EASO ANNUAL REPORTS]

Data collection for the Annual **National Report (Part 1)** has been structured as a common questionnaire. The questionnaire aims to collect information on both a) national policy developments and b) statistical data.

## a) National Policy Developments

EMN NCPs are requested to provide information on key measures (legislative, policy, or practice) developed **during the reporting year (2019)** on migration and asylum policies, including both measures on the implementation of EU policy, legislative and financial instruments and any additional key national developments as follows:

- ✓ Developments resulting from actions at EU level in relation to specific policy topics
- ✓ Key national developments in legislation, policy and practice.

### Instructions on the content and information to be provided

Please consider the following points while responding to the questionnaire provided in this document:

- ✓ Please only report on developments that took place **during the reporting year (2019)**. The report is aimed at focusing on a single year and not on developments that took place in earlier years or at developments planned.
- ✓ Content should be as **relevant** to the topic under consideration, and as **concise**, as possible. (e.g. provide only one or two paragraphs for each of your responses).
- ✓ Please report on all relevant measures – i.e. legislation, policy developments or practices, or other developments as appropriate. To improve comparability, please **classify the measures according to their nature** ticking the appropriate box and using the following EASO guidance:
  - **Legislative changes:** when reporting legislative changes, please indicate the current status of a given piece of legislation, e.g. legislative proposal being drafted, legislation submitted for adoption; legislation adopted, but not entered into force; legislation adopted and entered into force. If possible, please include the link to the legislative act (in original language).
  - **Policy measures:** “guidance/operational directions on how authorities are to handle specific issues within the current general legal framework. Changes in policy measures may include new circulars, policy guidance, implementing regulations, and standard operating procedures on how to apply the existing legal framework in a certain manner. They may also refer to declarations of intent (e.g. by high-level policy makers), and strategic documents indicating a shift in how certain issues are addressed. Please note that a shift in how a pre-existing law is applied *in practice*, may be also considered a policy change (e.g. legal provisions that may have been pre-existing, but were not applied in practice before).”<sup>2</sup>
  - **Practice / other measures:** “developments in how specific issues are addressed in practice and organised on the ground. Changes in practice may not necessarily be the result of legislative or policy changes, but may come about due to practical considerations, such as addressing emerging needs, changing circumstances, new solutions found, and changing availability of resources. Practice measures may include: trainings, organisational changes, increase/decrease in (human) capacity, new information campaigns, new technological solutions put in place etc.”<sup>3</sup> Please 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 to ensure consistency and to facilitate your work. Whenever possible, please also provide examples of good practices.
- ✓ To the extent possible, please provide **additional analysis** to explain the drivers for the measures and their intended impacts.

<sup>2</sup> Examples of policy measures: Example 1: In July, in [(Member) State], a decree set rules for asylum seekers residing in reception facilities, including the procedure for the allocation of (private) rooms, and the provision of information to asylum seekers about the norms and values of the host society. Example 2: In [(Member) State], in May, the Council of Ministers decided to increase detention capacity with the aim of facilitating the return of persons in an irregular situation. The current detention capacity for migrants in irregular stay is currently around 600 places and the new policy will gradually increase capacity to 1,066 places by the year 2020.

<sup>3</sup> Example of practices: Example 1: In [(Member) State], the asylum agency developed a variety of multi-lingual information materials, including a mobile app on reception and a website with links to an information sheet on the asylum application procedure, an information guide on the asylum interview, and a film and brochure on the asylum process. Example 2: In [(Member) State], between December 2017 and January 2018, the asylum agency organised a training course on gender for the interpreters who work for the agency. During the course, interpreters received advice on how to interpret asylum stories based on gender-related motives in a more professional way, on an emotional, attitudinal as well as a linguistic level. The course aims at enhancing the interpreters' neutrality and open-mindedness during such interviews. Example 3: In 2017, [(Member) State] introduced video interpreting hubs to overcome shortages of interpreters in certain regions and for certain languages. Interviews can be linked to interpreter workstations (hubs) in selected locations via video conferencing.

- ✓ If there has been **no significant development, please explicitly state it** in the relevant section- and do not add any further information- (less is more).
- ✓ Please **clearly differentiate** between actions undertaken by your government/ public authorities and non-governmental organisations (NGO). Reference to projects developed by NGOs / civil society actions should only be described where these are directly linked to the specific implementation of policy measures. All other activities or projects implemented together with civil society need to be reflected in the National Report (Part 2).
- ✓ Please foresee the liaison and coordination with relevant national contacts including:
  - National Contact Points on Integration (NCPs)
  - Frontex Risk Analysis Network (FRAN)
  - National Rapporteurs or Equivalent Mechanisms working against Trafficking in Human Beings.

### b) Statistics

**Key statistics** are requested to illustrate each policy area of the EMN Annual Report on Migration and Asylum, these are set out in the **Statistics Annex** (Annex 1). Where available, statistics will be sourced from Eurostat. Other statistics will have to be obtained directly from national sources. **An Excel template will be circulated in due course.**

## Summary of Changes to the National Migration/Asylum System in 2019

This section aims to reflect any overarching changes to the national migration / asylum systems as well as the main/key developments per “policy area”. Please note that while all the information provided in your National Report will contribute to the development of the EMN Country Factsheets, the information you enter in this section will be used as a starting point for developing your Factsheet. **Therefore, information in this section must be concise and should only focus on legal and policy developments that had a significant impact in the (Member) State during the reporting year (2019).**

The 2019 ARM Synthesis Report this year aims to determine the most significant trends across Member States. In your summary, please highlight in bold those developments considered **the most significant** and with the greatest impacts.

### 0. Overarching changes to the national migration and asylum system in 2019

Instead of the Immigration and Asylum Office – and as a continuation of the former organization regarding tasks and authorities – a new organization with policing functions has been set up since the 1st of July 2019. The new organization is called National Directorate-General for Aliens Policing (NDGAP).

Act II of 2007 on the entry and stay of third-country nationals describes the tasks of the aliens policing authorities. Government Decree 114/2007 (which is for the implementation of Act II of 2007) states that the NDGAP is an aliens policing authority in (c) of Section 1 (the NDGAP itself) and (d) of Section 1 (NDGAP’s regional directorates). In practice, the law has been changed such as where formerly the Immigration and Asylum Office or its regional directorates were mentioned; now it is the NDGAP or its regional directorates. As earlier, the authorities of the Police and the NDGAP are remained strictly and clearly divided by the law.

The new organization is a policing authority compared to the former one, as it was a civilian organization. The change in this attribute means that the colleagues at the organization became police officers.

The reasoning in the proposal for the amendment of the law regarding the status of the organization claimed that the aliens policing and asylum authorities are responsible for both administrative and policing tasks during their procedures. The former structure of the organization made the administrative tasks emphasized but currently the asylum and aliens policing tasks reach further than the general administrative powers. Aside from this, the possibility of the detection and the screening of national and public security threat during the asylum and aliens policing procedure justify the policing functions.

As the former organization, Immigration and Asylum Office and as the Police, this new organization also falls under the Ministry of Interior and the NDGAP has the same mandate, authority and competences as the former Immigration and Asylum Office. The structure from the former Immigration and Asylum Office remained intact, the NDGAP functions with 7 regional directorates.

The legal basis of the procedures have not changed, the new organizations still acts based on Act II of 2007 regarding third-country nationals and its implementing acts, and as the aliens policing procedure is in nature an administrative procedure, as a general rule, Act CL of 2016 on the general rules of administrative procedures is applicable, as earlier. The change in the organization did not result in any change regarding the procedure.

Changes in the Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals: Before 1st January 2019, family members of Hungarian citizens were covered by the Act I of 2007 on the Admission and Residence of Persons with the Right of Free Movement and Residence. Since 1st January 2019 they are covered by the Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals. Holding valid residence card or permanent residence card, they have the right to National Permanent Residence Permit without examination of conditions – if there is no negative condition written in the law.

### 1. Legal Migration

Amending the national law due to the new and the amended acquis of the European Union is a continuous and ongoing procedure. There were amendments prepared to legislation due to Regulation (EU) 2017/1954 of the European Parliament and of the Council.

The most important change in the legislation is concerning the third country citizen family members of Hungarian citizen:

The legislation entered into force on 1 January 2019. According to the change, the third country citizen family members of Hungarian citizens do not enjoy the right of free movement and they belong under the scope of Act II of 2007. They are entitled to a residence permit for family reunification and after a certain legal stay in Hungary, can apply for permanent residence permit. (Section 2 of Act II of 2007)

## 2. International Protection including Asylum

Apart from the transformation of the Immigration and Asylum Office into the National Directorate-General for Aliens Policing, the most significant developments were the decisions of the CJEU in the *Aleksiy Torubarov v. Hungary* and *Ilias and Ahmed v. Hungary* cases. (See below)

## 3. Unaccompanied Minors and Other Vulnerable Groups

No significant developments in this policy area.

## 4. Integration

No significant developments in this policy area.

## 5. Citizenship and Statelessness

No significant developments in this policy area.

## 6. Borders, Schengen and Visas

In 2019, the greatest challenge of the policy area was the discussion over the new EBCG Regulation. Hungary agreed with the strengthening of the European Border and Coast Guard's (Frontex) mandate so that the Agency could provide wider support for Member States and third countries in stemming irregular migration. At the same time, the position of the Hungarian Government is that Frontex's mandate should not undermine Member States' sovereignty over their primary responsibility for the protection of their external borders, nor should it jeopardize the implementation of Member States' border protection tasks or negatively affect national capabilities.

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

## 7. Irregular Migration including Migrant Smuggling

Concerning Hungary the detected criminal organisations are settled abroad, and organize their illegal activities in the neighbouring countries, so for this reason, the Hungarian authorities put more emphasis on international cooperation.

From the direction of Serbia, the attempts of illegal migrants to cross border, focuses both at the triplex-border areas (Hungary-Romania-Serbia) and areas where due to the natural/geographical features the border fence effects is less restricted.

As regards the Hungarian-Romanian and Hungarian-Croatian border section, it can be concluded that illegal border crossing (green border) along these border sections do not appear to be a tendency, and it can be also stated that such crossing attempts are limited, and there are no cases of organized smuggling.

The complex series of border protecting measures taken by Hungary, including changes in legislation has contributed to diverting the illegal migration routes. Analysis report made by Europol and Frontex also confirmed

our experience.

Routes identified last year as Serbia- Croatia-Slovenia-Austria and Albania-Montenegro-Bosnai and Hercegovina – Croatia –Slovenia – Austria. Are still active routes.

Migrants entering illegally Hungary intend to leave our country mainly for Austria directly or via Slovakia. This latter route developed due to the strict control measures introduced by Autria at Hegyeshalom/Nickelsdorf border crossing.

## 8. Trafficking in Human Beings

Several measures were taken to combat the phenomenon, in line with the general strategy accepted in line with the adopted Govt. Decision 1125/2019 (III. 13.) on the measures necessary to increase the efficiency of combatting human trafficking.

## 9. Return and Readmission

Certain return related provisions of Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals came into force on 1 January 2019.

## 10. Migration and Development

No significant developments in this policy area.

## 0 OVERARCHING CHANGES TO THE NATIONAL MIGRATION AND ASYLUM SYSTEM IN 2019

Please describe any overarching changes in the national migration and asylum system that have taken place in 2019. These are likely to result from a change of government or an overarching policy change that affects the overall approach to policymaking which in turn accounts for changes reported in the specific policy areas.

**Were there any overall changes in the national migration and asylum system in 2019? Y/N**

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

On 1st of January 2019, the regional asylum offices were closed. As of the mentioned date, a central department based in Budapest will arrange to take all measures relating to the asylum procedures.

At the end of the year 2018 the independent organizations in charge of reception namely the Reception Centre and Community Shelter (open reception) and the Asylum Detention Reception Centre (closed reception) ceased to exist. From 1st of January 2019 the Reception Facilities Supervisory Unit of Asylum Directorate of the Immigration and Asylum Office is in charge of operating and managing reception facilities.

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Act II of 2007 on the entry and stay of third-country nationals describes the tasks of the aliens policing authorities. Government Decree 114/2007 (which is for the implementation of Act II of 2007) states that the NDGAP is an aliens policing authority in Section 1 c) (the NDGAP itself) and in Section 1 d) (NDGAP's regional directorates). In practice, the law has been changed such as where formerly the Immigration and Asylum Office or its regional directorates were mentioned, now it is the NDGAP or its regional directorates. As earlier, the authorities of the Police and the NDGAP are remained strictly and clearly divided by the law.

The new organization is a policing authority compared to the former one, as it was a civilian organization. The change in this attribute means that the colleagues at the organization became police officers.

The reasoning in the proposal for the amendment of the law regarding the status of the organization claimed that the aliens policing and asylum authorities are responsible for both administrative and policing tasks during their procedures. The former structure of the organization made the administrative tasks emphasized but currently the asylum and aliens policing tasks reach further than the general administrative powers. Aside from this, the possibility of the detection and the screening of national and public security threat during the asylum and aliens policing procedure justify the policing functions.

As well as the former organization, Immigration and Asylum Office and as the Police, this new organization falls under the Ministry of Interior and the NDGAP has the same mandate, authority and competences as the former Immigration and Asylum Office. The structure from the former Immigration and Asylum Office remained intact, the NDGAP functions with 7 regional directorates.

The legal basis of the procedures have not changed, the new organizations still acts based on Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals and its implementing acts, and as the aliens policing procedure is in nature an administrative procedure, as a general rule, Act CL of 2016 on the General Rules of Administrative Procedures is applicable, as earlier. The change in the organization did not result in any change regarding the procedure.

**Were there any developments in your Member State in 2019 regarding preparations for the impact of the UK's departure from the EU for example, the development of a specific strategy, in relation to your Member State's immigration system? Y/N**

If **yes**, please elaborate below.

The Act XV of 2019 and Act LXXXVII of 2019 were announced to amend certain Acts in case of no-deal Brexit. Based on the orderly withdrawal these Acts will not enter into force. National rules for the deal situation – on the future status of the beneficiaries of the Withdrawal Act, and related questions – have not yet been established.

## 1 LEGAL MIGRATION

### 1.1 TRANSPOSITION OF EU LEGISLATION ON LEGAL MIGRATION

Please provide a 'snapshot' on the status of transposition of each of the EU Directives relating to legal migration listed below as of (the end of) 2019. If developments have taken place in 2019 in terms of the implementation of these Directives, please elaborate these in the respective sections below.

EU Legislation	Equivalent National Legislation	Status*	Additional information
<i>Directive on the conditions of entry and residence of third-country nationals for the purpose of research, studies, training ...<sup>4</sup> (23 May 2018)</i>	II Act of 2007	a) Since 1 January 2018	
<i>Directive on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers (30 September 2016)<sup>5</sup></i>	II Act of 2007	a) Since 30 September 2016	
<i>Directive on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer (29 November 2016)<sup>6</sup></i>	II Act of 2007	a) Since 30 September 2016	

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

### 1.2 WORK-RELATED MIGRATION

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

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

##### 1.2.1.1 Highly skilled/qualified workers

Were there any **new** developments in relation to highly skilled/qualified workers in 2019? **Y/N**.

**NO**

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

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

\*Please tick the appropriate box

##### 1.2.1.2 Intra-corporate transferees

Were there any **new** developments in relation to intra-corporate transferees in 2019? **Y/N**.

<sup>4</sup> Directive (EU) [2016/801](#) of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing.

<sup>5</sup> Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers.

<sup>6</sup> Directive 2014/66/EU on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer

NO

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

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

\*Please tick the appropriate box

1.2.1.3 Seasonal workers

Were there any **new** developments in relation to seasonal workers in 2019? **Y/N**.

NO

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

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

\*Please tick the appropriate box

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

Were there any **new** developments in relation to low and medium skilled workers, other than seasonal workers, in 2019? **Y/N**.

NO

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

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

\*Please tick the appropriate box

1.2.1.5 Entrepreneurs, start-ups, and investors

Were there any **new** developments in relation to entrepreneurs, business start-ups and investors in 2019? **Y/N**.

NO

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

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

\*Please tick the appropriate box

## 1.2.1.6 Trainees, au-pairs and volunteers

Were there any **new** developments in relation to trainees, au-pairs and volunteers in 2019? **Y/N**.

**NO**

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

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

\*Please tick the appropriate box

## 1.2.1.7 Other remunerated workers

Were there any **new** developments in relation to other remunerated workers in 2019? **Y/N**.

**NO**

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

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

\*Please tick the appropriate box

### SATISFYING LABOUR MARKET NEEDS - ADMISSION POLICIES

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

**NO**

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

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

\*Please tick the appropriate box

### 'SOCIAL DUMPING'<sup>7</sup> AND LABOUR EXPLOITATION

Were there any **new** developments aimed at tackling labour exploitation and/or social dumping of third-country national workers legally residing in your (Member) State in 2019? **Y/N**.

**NO**

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

<sup>7</sup> While there is no definition of the concept of "social dumping" in EU law, the term is generally used to point to unfair competition due to the application of different wages and social protection rules to different categories of worker (Parliamentary questions, 27 May 2015, E-008441-15). The European Commission described the practice as a situation 'where foreign service providers can undercut local service providers because their labour standards are lower', more info at [Eurofound](#)

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

\*Please tick the appropriate box

**CIRCULAR MIGRATION**

Were there any **new** developments regarding circular migration in 2019? **Y/N**. If **yes**, please elaborate below, stating the **drivers for the change / intended impact** if applicable.

**NO**

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

\*Please tick the appropriate box

Were there any **new** developments regarding bilateral labour agreements between your (Member) State and third countries in 2019? **Y/N**.

**NO**

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

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

\*Please tick the appropriate box

**OTHER DEVELOPMENTS IN WORK-RELATED MIGRATION**

Were there any **other new** developments in the area of work-related migration in 2019? **Y/N**.

**NO**

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

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

\*Please tick the appropriate box

**1.3 STUDENTS AND RESEARCHERS**

Were there any **new** developments in relation to a) Students and b) Researchers in 2019? **Y/N**

**NO**

If **yes**, please elaborate below. Please state the **driver for the change / intended impact** if applicable.

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

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

\*Please tick the appropriate box

#### 1.4 FAMILY REUNIFICATION AND FAMILY FORMATION OF ECONOMIC MIGRANTS

Were there any **new** developments regarding family reunification and family formation in 2019? **Y/N**.

If **yes**, please elaborate below. Please state the **driver for the change / intended impact**.

Development (Please describe)	Nature*
Since 1st January 2019 family members of Hungarian citizens are covered by the Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals. Holding valid residence card or permanent residence card, they have the right to National Permanent Residence Permit without examination of conditions – if there is no negative condition written in the law.	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
.....	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

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

Were there any **new** developments in 2019 to improve the provision of information on the routes to and conditions of legal migration for third-country nationals? **Y/N**.

**NO**

For example, provision of information through:

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

If **yes**, please elaborate below.

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

\*Please tick the appropriate box

#### 1.6 OTHER MEASURES REGARDING LEGAL MIGRATION

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

**NO**

If **yes**, please elaborate below, and state the **driver for the change / intended impact** in 2019.

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

\*Please tick the appropriate box

## 2 INTERNATIONAL PROTECTION INCLUDING ASYLUM

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

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

#### CHANGES IN LEGISLATION, POLICIES AND PRACTICES

Please provide information on *new developments* relating to any of the areas as indicated below. Please state the driver for the change/intended impact in 2019, as applicable.

##### 2.1.1.1 Access to the asylum procedure<sup>8</sup>

Were there any new developments in relation to access to the asylum procedure (making, registering and lodging of applications for international protection in 2019)? Y/N.

NO

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

Development (Please describe)	Nature*
a) <b>First arrival on the territory</b> (including information provided at the time of first arrival on the EU territory and services to help asylum seekers to access the asylum procedures on arrival);	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
b) <b>Access to the asylum procedure</b> (i.e. developments related to making and lodging applications, including at the border, within the (Member) State's territory and in detention); <sup>9</sup>	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
c) <b>Registration of applications for international protection</b> (including subsequent applications and Dublin returnees), identification and fingerprinting.	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

##### 2.1.1.2 Reception of asylum applicants

Were there any new developments in relation to reception of asylum applicants in 2019? Y/N.

NO

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

Development (Please describe)	Nature*
a) <b>Reception of applicants</b> (please include information on reception capacities – rise/fall/stable, material reception conditions, i.e. housing, food and clothing and financial support, contingency planning in reception, access to	

<sup>8</sup> Questions in this sub-section cover developments related to Articles 6 and 7 of Directive 2013/32/EU (Recast Asylum Procedures Directive).

<sup>9</sup> This question refers to any developments related to the Member State's obligation to ensure that a person who intends to make an application for international protection has an effective opportunity to lodge it as soon as possible, in line with Directive 2013/32/EU (Recast Asylum Procedures Directive).

Development (Please describe)	Nature*
labour market and vocational training, medical care, schooling and education, residence and freedom of movement)	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>b) Detention during the asylum procedure</b> (detention capacity – rise/fall/stable, practices regarding detention, grounds for detention, alternatives to detention, time limit for detention)	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

### 2.1.1.3 Asylum procedures<sup>10</sup>

Were there any **new** developments in relation to asylum procedures in 2019? Y/N.

NO

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

Development (Please describe)	Nature*
a) <b>Access to information and legal counselling/representation</b> (including at the border and during the asylum procedure);	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
b) <b>Provision of interpretation;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
c) <b>Dublin procedure</b> (including changes in: the organisational framework, IT systems, <sup>11</sup> practical development and suspension of transfers to selected countries, detention in the framework of Dublin procedures);	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
d) <b>Special procedures:</b> border procedures, procedures in transit zones, accelerated procedures, admissibility procedures, prioritised procedures or any special procedure for selected caseloads;	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
e) <b>Safe country concept:</b> safe country of origin, safe third country, European safe third country, first country of asylum (introduction of the concept into law, applicability of the concept in practice, measures undertaken to create, revise or implement a list of safe countries);	

<sup>10</sup> Questions in this sub-section cover developments related to Articles 8-43 and 46 of Directive 2013/32/EU (Recast Asylum Procedures Directive). and the Dublin III Regulation (for point b).

<sup>11</sup> For example, information on setting up new databases that allow managing of Dublin cases, problems with managing DubliNet which can cause a delay in sending/receiving Dublin requests, acquisition of new equipment, such as Eurodac machines etc. as it is a relevant development in boosting the capacity to conduct Dublin procedures.

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

\*Please tick the appropriate box

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

Were there any **new** developments in relation to the rights and obligations related to the status of beneficiary of international protection in 2019? Y/N.

NO

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

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

\*Please tick the appropriate box

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

Were there any **new** developments in relation to the provision of information to beneficiaries of international protection on the rights and obligations related to that status, in a language that they understand or are reasonably supposed to understand in 2019? Y/N.

NO

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

Development (Please describe)	Nature*
a) <b>Information on residence/entry documents</b> granted to beneficiaries of international protection (including length/duration);	

Development (Please describe)	Nature*
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>b) Information on rights and obligations</b> regarding family reunification, access to social welfare scheme, access to accommodation, healthcare, citizenship, employment and integration programme.	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

#### 2.1.1.6 Withdrawal of international protection

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

NO

Please include information in relation to institutional and organisational aspects, procedural rules, cessation, grounds for revocation of, ending of, or refusal to renew international protection (grounds for ending international protection include: exclusion, misrepresentation or omission of facts and danger to national security or the community) and consequences following revocation of, ending of, or refusal to renew international protection.

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

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

\*Please tick the appropriate box

#### 2.1.1.7 Cooperation with third countries

Were there any **new** policies/measures in 2019 implemented in cooperation with third countries, including activities related to the external dimension of the CEAS (e.g. participation in capacity building activities in third countries, Regional Development Protection Programmes or any relevant activities under Partnership Framework with Third Countries and European Neighbourhood Policy)?

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

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

Were there any **other new** developments in 2019 which were not covered above, in particular in relation to any specific challenges?

Development (Please describe)	Nature*
A new AMIF funded project started 1st of July 2019 to ensure the continuation of the one ending 30th of June 2019. The content of the services provided has not changed: Pastu interpreter (3x8hrs/week) at Röske, Arabic interpreter (3x8hrs/week) at Tompa, psychologist (4hrs/week), psychiatrist (3hrs/week) and additional food supplies once a week at both zones.	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other
Equipment for community activities and school supplies have been acquired from AMIF funding during 2019, these include lots of different kinds of balls (volleyball, football, table tennis balls,	

etc), board games, card games, puzzles, exercise book, pencil, pen, crayon etc.	
Arabic interpreter and Pastu interpreter were available during the whole year of 2019 (exception 2 weeks in September).	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

#### INSTITUTIONAL CHANGES IN THE NATIONAL ASYLUM SYSTEM

Were there any **new** institutional changes in the asylum field at ministry/agency/section level (including changes in mandate, creation of new entities, internal restructuring and transfer of competences, increase/decrease of staffing) in 2019? **Y/N**.

If **yes**, please elaborate below, and state the **driver for the change / intended impact** in 2019.

<p>On 1st of January 2019, the regional asylum offices were closed. As of the mentioned date, a central department based in Budapest will arrange to take all measures relating to the asylum procedures.</p> <p>At the end of the year 2018 the independent organizations in charge of reception namely the Reception Centre and Community Shelter (open reception) and the Asylum Detention Reception Centre (closed reception) ceased to exist. From 1st of January 2019 the Reception Facilities Supervisory Unit of Asylum Directorate of the Immigration and Asylum Office is in charge of operating and managing reception facilities.</p> <p>Instead of the Immigration and Asylum Office – and as a continuation of the former organization regarding tasks and authorities – a new organization with policing functions has been set up since the 1st of July 2019. The new organization is called National Directorate-General for Aliens Policing (NDGAP)</p>
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#### EFFICIENCY AND QUALITY OF THE NATIONAL ASYLUM SYSTEM

Were there any measures undertaken to improve:

If **yes**, please state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

**NO**

Development (Please describe)	Nature*
a) <b>Safeguards of the national asylum system</b> (preventing and combatting unfounded applications, credibility assessment, <sup>12</sup> establishing identity, nationality verification, detection of security concerns, age fraud) including information on tools, mechanisms and training provided to staff.	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
b) <b>Quality of the national asylum system</b> (internal measures to improve quality in decision-making processes and the content of issued decisions, e.g. creation of guidelines and instructions). Please include information on training, tools and mechanisms and state how results are measured.	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
c) <b>Efficiency of the processing of (first) applications and appeals</b> (increasing speed, reducing costs, use of new technology, specialised training provided) of the national asylum system. Please indicate if there are any procedural changes, which are specific to subsequent applications.	<input type="checkbox"/> Legislation
	<input type="checkbox"/> Legislation

<sup>12</sup> According to EASO, credibility assessment is performed in order to establish if the applicant's statements substantiating the claim are truthful in the light of other circumstances of the case and other means of evidence.

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

\*Please tick the appropriate box

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

## 2.2 RELOCATION AND RESETTLEMENT PROGRAMMES

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

### RELOCATION<sup>13</sup>

#### 2.2.1.1 Intra-EU relocation mechanism

**Did your Member State carry out activities in the framework of the voluntary relocation exercise coordinated by the European Commission since January 2019? Y/N.**

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

#### 2.2.1.2 National relocation mechanisms

**Were there any actions undertaken in 2019 with regard to relocation activities organised under national schemes (i.e. on bilateral basis, not EU level schemes)? This also includes informal relocation arrangements following disembarkation in Italy and Malta, outside of official EU-relocation programmes. Y/N.**

If **yes**, please elaborate below.

### RESETTLEMENT AND HUMANITARIAN ADMISSION PROGRAMMES<sup>14</sup>

#### 2.2.1.3 EU Joint Resettlement Programmes and national resettlement programmes

**Please report on any activities related to resettlement and humanitarian admission programmes by filling in the table below. Please distinguish between EU- and national resettlement programmes, whereby the latter do not contribute to EU resettlement pledges, but may be implemented through UNHCR.**

<sup>13</sup> Relocation: The transfer of persons having a status defined by the Geneva Refugee Convention and Protocol or subsidiary protection within the meaning of Directive 2011/95/EU (Recast Qualification Directive) from the EU Member State which granted them international protection to another EU Member State where they will be granted similar protection, and of persons having applied for international protection from the EU Member State which is responsible for examining their application to another EU Member State where their applications for international protection will be examined. In the context of the EU emergency relocation programme, the transfer of persons in clear need of international protection, as defined in Council Decision 2015/1601 and 2016/1754, having applied for international protection from the EU Member State, CH or NO which is responsible for examining their application to another EU Member State, CH or NO where their application for international protection will be examined. (see EMN Glossary V6).

<sup>14</sup> Resettlement: In the EU context, the transfer, on a request from the United Nations High Commissioner for Refugees (UNHCR) and based on their need for international protection, of a third-country national or stateless person, from a third country to an EU Member State, where they are permitted to reside with one of the following statuses:

(i) refugee status within the meaning of Art. 2(d) of Directive 2011/95/EU (Recast Qualification Directive); (ii) a status which offers the same rights and benefits under national and EU law as refugee status. (see EMN Glossary Version 6).

	Type of programme	Name of programme	Resettlement quota	Number of resettlements carried out in 2019	Country/ies of origin of resettled persons	Challenges
<b>EU programmes</b>	EU Joint resettlement programme					
	Resettlements in framework of UNHCR programmes counting towards EU pledges					
<b>National programmes</b>	National Resettlement programme					
	National Humanitarian Admission Programme					
	Private Sponsorship programme/scheme					
	Ad-hoc special programmes (national or international initiatives)					

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

**Jurisprudence**

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

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

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

Court Name: CJEU  
Date of decision: 29.07.2019.  
Title/Parties: Aleksiy Torubarov v. Hungary  
Case number: C-556/17.

The CJEU stated that „Article 46(3) of Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection, read in conjunction with Article 47 of the Charter of Fundamental Rights of the European Union, must be interpreted as meaning that, in circumstances, such as those at issue in the main proceedings, where a first-instance court or tribunal has found —

*after making a full and ex nunc examination of all the relevant elements of fact and law submitted by an applicant for international protection — that, under the criteria laid down by Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted, that applicant must be granted such protection on the ground that he or she relied on in support of his or her application, but after which the administrative or quasi-judicial body adopts a contrary decision without establishing that new elements have arisen that justify a new assessment of the international protection needs of the applicant, that court or tribunal must vary that decision which does not comply with its previous judgment and substitute its own decision for it as to the application for international protection, disapplying as necessary the national law that would prohibit it from proceeding in that way.”*

Court name: ECHR Grand Chamber  
Date of decision: 15.11.2019.  
Title/Parties: Ilias and Ahmed v. Hungary  
Case number: 47287/15

Relevant decisions of the case:

*„There has been a violation of Article 3 of the Convention with regard to the applicants’ removal to Serbia. It is not necessary to examine the complaint under Article 13 of the Convention in conjunction with Article 3 of the Convention concerning the alleged ineffectiveness of the domestic remedies against the applicants’ removal to Serbia.*

*There has been no violation of Article 3 of the Convention with regard to the conditions in the Röszke border transit zone.*

*The applicants’ complaints under Article 5 §§ 1 and 4 of the Convention are incompatible ratione materiae with the provisions of the Convention and accordingly declares this part of the application inadmissible.”*

### 3 UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

Across (Member) States, unaccompanied minors may be recorded within the national asylum system or in other migration / protection procedures, or may remain outside of such systems. Please check the relevant boxes as applicable in your Member State:

**X** unaccompanied minors are recorded within the asylum system (please fill in section 3.1);

unaccompanied minors not applying for asylum who are recorded within the child protection system and may apply for a different migration status. If so, please specify which procedures are used and fill in section 3.2):

unaccompanied minors not applying for asylum who remain outside the asylum/migration/(child) protection-system (please fill in section 3.3).

#### 3.1 UNACCOMPANIED MINORS APPLYING FOR ASYLUM

Were there any **new** developments at national level in 2019 in relation to unaccompanied minors (UAMs) who were applying for asylum using the specific headings outlined below? **Y/N**.

**NO**

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

\*Please tick the appropriate box

#### 3.2 UNACCOMPANIED MINORS RECORDED WITHIN THE CHILD-PROTECTION SYSTEM

Were there any **new** developments at national level in 2019 in relation to unaccompanied minors (UAMs) who were recorded within the child protection system and may apply for a different migration status (other than asylum) using the specific headings outlined below? **Y/N**.

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
<b>a) Increase/Decrease of human resources</b> and/or training of staff;	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>b) Protection and care</b> of UAMs, including reception or detention facilities;	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>c) Legal guardianship</b> and foster care;	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>d) Age assessment;</b>	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
During an aliens policing procedure - if from the circumstances it can be assumed that the client is an unaccompanied minor - the aliens policing authority shall contact child protection authority (in order to get a guardian assigned for the UAM) without delay. Until the Guardian has not been assigned, in order to clarify the age and health status, it is possible to ask the UAM for consent on a health and age assessment as well – bearing in mind his mental capacity and maturity – to ask the UAM to state his/her name, date of birth, place of birth, mother’s name, usual place of stay, the data of his/her guardian and contact information. The interview shall be carried out in a mood respecting the age of the child and it shall be easy to understand. A provisional place of stay may be designated for the UAM without the presence of the appointed guardian but the guardian authority shall be informed about the provisional place of stay. [Subsection (2) and (2a) of Section 72 of Act II of 2007]	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>e) Procedural safeguards</b> (e.g. modalities on the assessment of best interests);	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>f) Provision of information</b> (info material, e.g. videos, leaflets, booklets etc.);	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>g) Other.</b>	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

**3.3 UNACCOMPANIED MINORS NOT APPLYING FOR ASYLUM WHO REMAIN OUTSIDE THE ASYLUM/MIGRATION/(CHILD) PROTECTION-SYSTEM**

Were there any **new** developments at national level in 2019 in relation to unaccompanied minors (UAMs) NOT applying for asylum who are also not recorded as part of another migration/protection-related procedure, following the specific headings outlined below? Y/N.

NO

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
<b>a) Increase/Decrease of human resources</b> and/or training of staff;	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>b) Protection and care</b> of UAMs, including reception facilities;	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy

Development (Please describe)	Nature*
	<input type="checkbox"/> Practice/Other
<b>c) Legal guardianship and foster care;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>d) Age assessment;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>e) Procedural safeguards;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>f) Provision of information</b> (info material, e.g. videos, leaflets, booklets etc.);	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>g) Other.</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

### 3.4 OTHER VULNERABLE GROUPS APPLYING FOR ASYLUM

Were there any **new** developments at national level in relation to other vulnerable groups<sup>15</sup> applying for asylum in 2019? **Y/N**.

**NO**

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

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

<sup>15</sup> Not including victims of human trafficking, as this is covered in Section 7.

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

\*Please tick the appropriate box

### 3.5 OTHER VULNERABLE GROUPS NOT APPLYING FOR ASYLUM

NO

Were there any **new developments at national level in 2019 in relation to other vulnerable groups NOT** applying for asylum (such as (accompanied) minors, disabled people, elderly people, lesbian, gay, bisexual, transgender, queer or questioning, and intersex (LGBTQI) people, pregnant women, single parents with minor children, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation) , following the specific headings outlined below? **Y/N**.

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

\*Please tick the appropriate box

## 4 INTEGRATION

### 4.1 INTEGRATION OF THIRD-COUNTRY NATIONALS

#### INTEGRATION THROUGH SOCIO-ECONOMIC PARTICIPATION

Were there any **new** significant developments to facilitate integration of third-country nationals, through socio-economic participation in 2019? **Y/N**.

**NO**

Please note that this question is intended to capture generic integration policies. Measures targeting specific categories of third-country nationals are addressed in Section 4.2. Please also consider measures to increase the participation of third-country nationals (both women and men) in the design and implementation of integration policies.

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

\*Please tick the appropriate box

#### INTEGRATION THROUGH ACTIVE PARTICIPATION AND SOCIAL INCLUSION

Were there any **new** developments to promote the integration of third-country nationals through active participation and social inclusion in 2019? **Y/N**.

For instance, consider measures to increase the participation of third country nationals (both women and men) in the design and implementation of integration policies; outreach programmes, capacity-building within migrant organisations;

and measures to enhance democratic and civic participation, for example, training, civic courses on national history, political institutions and values, mentors etc.

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

\*Please tick the appropriate box

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

Were there any **new** developments specifically targeted to facilitate integration of specific categories of third-country nationals, such as beneficiaries of international protection, family migrants, UAMs and other vulnerable groups etc. in 2019? **Y/N**. Please also consider measures to increase the participation of specific categories of third-country nationals in the design and implementation of integration policies.

NO

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

\*Please tick the appropriate box

#### 4.3 NON-DISCRIMINATION

Were there any **new** relevant developments in 2019 that concern promotion, implementation and monitoring of non-discrimination policies, in particular on grounds of ethnicity, race and others, as well as the intersection of several grounds for discrimination that would be particularly relevant for third-country nationals? **Y/N**.

**NO**

Specifically mention any measures beyond those introduced through the transposition and implementation of EU legislation.<sup>16</sup> Please also consider measures to increase the participation of third-country nationals (both women and men) in the design and implementation of non-discrimination policies.

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

\*Please tick the appropriate box

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

Were there any **new** relevant activities implemented by national, regional and/or local governments on the integration of third-country nationals involving the active participation of local authorities and/or civil society in 2019? **Y/N**.

**NO**

They might include activities addressing integration challenges in disadvantaged urban areas; supporting integration through the involvement of local communities/organisation, including private sponsorship schemes; improving multi-level cooperation between different levels of governance (e.g. national, regional, local government) and stakeholders (e.g. civil society organisations, economic and social partners, education institutions, public employment services); granting voting rights in local elections. Please also consider measures to increase the participation of third-country nationals (both women and men) in the design and implementation of such policies.

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019.

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

\*Please tick the appropriate box

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

Were there any **new** developments aimed at raising awareness / engaging the receiving community within the (Member) State in order to enhance its understanding of the phenomenon of migration and thereby promote integration and social cohesion (information campaigns, websites, etc.) in 2019? **Y/N**.

**NO**

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

<sup>16</sup> European non-discrimination law, as constituted by the EU non-discrimination directives (Racial Equality and Employment Equality Directive), Article 21 of the EU Charter of Fundamental rights and Article 14 of and Protocol 12 to the European Convention on Human Rights, prohibits discrimination across a range of contexts and a range of grounds.

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

\*Please tick the appropriate box

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

##### PRE-DEPARTURE INTEGRATION MEASURES IN COUNTRIES OF ORIGIN

Were there any **new** pre-departure policies / measures taking place in the countries of origin of third-country nationals to prepare for their integration after arrival in 2019? For example, language training, vocational training, recognition of qualifications and skills. **Y/N**.

**NO**

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

\*Please tick the appropriate box

##### INTEGRATION MEASURES INVOLVING THE DIASPORA COMMUNITIES IN MEMBER STATES

Were there any **new** integration developments involving the diaspora communities in your Member State (as a host country) in 2019? For example, activities either organised by public authorities or by diaspora communities with the government's support, to promote cultural awareness and/or integration activities for particular diaspora communities. **Y/N**.

**NO**

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

\*Please tick the appropriate box

## 5 CITIZENSHIP AND STATELESSNESS

### 5.1 ACQUISITION OF CITIZENSHIP

Were there any new developments in relation to the acquisition of citizenship (prerequisites and conditions) for legally residing third-country nationals in your (Member) State during 2019? Y/N.

**NO**

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

\*Please tick the appropriate box

\*Please tick the appropriate box

### 5.2 STATELESSNESS

#### STATELESSNESS DETERMINATION, STATUS AND RIGHTS GRANTED

Were there any new developments in relation to statelessness determination and status during 2019? Y/N

**NO**

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

\*Please tick the appropriate box

## 6 BORDERS, VISA AND SCHENGEN

### 6.1 ENHANCED BORDER MANAGEMENT AT THE EXTERNAL BORDERS

#### BORDER CONTROL MEASURES/MANAGEMENT

Were there any **new** developments in relation to border control measures/ management implemented during 2019? **Y/N**.

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

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
In case of refusal of entry or a return decisions issued in case the time limit for issuing a refusal of entry decision is exceeded, there is no obstacle against carrying out the refusal of entry/return decision if the person tried to use a forged or fraud document or used a document issued for other person. [Subsection (3) of Section 41 of Act II of 2007]	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
Equipment procurement for the National Police (cameras, thermo- and night vision systems, command centres)	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other

\*Please tick the appropriate box

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

Were there any **new** developments to ensure more effective control of the external borders, such as reinforcing border control staff, providing training, increasing overall resources, introducing action plans or protocols, etc. in 2019? **Y/N**.

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
Hungarian Police organised trainings on the following subjects: <ul style="list-style-type: none"> <li>- fundamental rights</li> <li>- communication</li> <li>- document inspection</li> <li>- methodology of examination of cars</li> <li>- tactics of police measures</li> <li>- language (English)</li> <li>- leadership</li> <li>- methodology for the capture of large numbers of illegal migrants</li> <li>- how to use technical equipment in border surveillance</li> <li>- border control</li> </ul>	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other

\*Please tick the appropriate box

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

Please list any 2019 agreements, and other forms of bilateral and multilateral cooperation with third countries with an objective to strengthen the operational capacity in combatting irregular migration and controlling of external borders.

Title of agreement (where relevant)	Third country (countries) with whom the cooperation exists	Description (e.g. provision of border equipment, training of border guards, etc.)

If information is available, please describe any evidence of the effectiveness of these measures

### 6.2 VISA POLICY

Were there any **new** developments in relation to the implementation of the Visa Code and the Visa Information System (VIS) or any other Visa related developments, in particular in relation to cooperation between (Member) States' consulates and the set-up of joint consular services for visas in 2019? **Y/N**

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
<p>Amending the national law [Act II of 2007, Act I of 2007, Government Decree 114/2007 (V. 24.), Government Decree 113/2007 (V. 24.)] due to the new (EES, ETIAS, Interoperability) and the amended (VIS, Visa Codex) acquis of the European Union is a continuous and ongoing procedure .</p> <p>Based on the foreseen amendments the NDGAP will have a direct access to the EES and can request data and upload/register data based on the law.</p> <p>The NDGAP will also have access to ETIAS.</p> <p>The ongoing amendments of the VIS regulation does not affect the national law at the moment.</p> <p>Amending of the Visa Code is finished. National law harmonization is ongoing at the moment.</p>	<input type="checkbox"/> Legislation <input checked="" type="checkbox"/> <b>Policy</b> <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

### 6.3 SCHENGEN GOVERNANCE

Were there any **new** developments in relation to Schengen governance during 2019? **Y/N**

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

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
<p>The amended Schengen visa code will come into effect on 2 February 2020.</p> <p>The most important new rules:</p> <ul style="list-style-type: none"> <li>• <b>More flexible procedures for legal travellers.</b> <ul style="list-style-type: none"> <li>– Travellers will be able to submit their applications up to six months in advance of their planned trip (instead of the current three months), and no later than 15 days before the trip;</li> <li>– Where available, travellers will be able to complete and sign their visa application form electronically; and</li> <li>– Frequent travellers with a positive visa history can receive a multiple-entry visa valid for a period from one year up to five years.</li> </ul> </li> <li>• <b>Increased visa fee.</b> The fee for a short-stay visa will increase from EUR 60 to EUR 80 for adults; and from EUR 35 to EUR 40 for 6-12 year olds. These fee amounts will be reassessed every three years.</li> <li>• <b>Improved cooperation on readmission of irregular migrants.</b> A new mechanism will be introduced under which the conditions for processing visa applications can be adapted depending on the third countries' cooperation on readmission of irregular migrants. If required, the European Union can adopt a more restrictive or generous implementation of certain provisions of the Code, including the maximum processing time of applications, the visa fee amounts and length of the validity of the visas issued on a country-by-country basis.</li> </ul> <p>National law harmonization is ongoing at the moment.</p>	<input type="checkbox"/> Legislation <input checked="" type="checkbox"/> <b>Policy</b> <input type="checkbox"/> Practice/Other

## 7 IRREGULAR MIGRATION INCLUDING MIGRANT SMUGGLING

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

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

Were there any **new** developments introduced in 2019 to prevent irregular migration as a result of visa liberalisation? **Y/N**.

**NO**

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

\*Please tick the appropriate box

#### 7.1.1.1 Effects of visa free regimes

Were there any **new** developments to monitor the effects of visa free regimes in your (Member) State in 2019? **Y/N**

**NO**

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

\*Please tick the appropriate box

#### 7.1.1.2 Key findings of monitoring activities

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

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

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

Were there any **new** developments in 2019 to tackle misuse of legal migration channels by third-country national workers (e.g. overstay, misuse of rights granted by a permit)? **Y/N**.

**NO**

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
A new criteria regarding the possibility to renew a residence permit has been added to the	<b>X</b> Legislation

Development (Please describe)	Nature*
law: the residence permit can be renewed – even if other criteria set out in the law is met – only if the applicant had been staying for a period more than 90 days within 180 days before the application for renewal has been submitted. [Subsection (4) of Section 16 of Act II of 2007]	<input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

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

Were there any **new** developments in 2019 to tackle misuse of legal migration channels by third-country national students and researchers (e.g. overstay, misuse of rights granted by a permit)? Y/N.

NO

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

\*Please tick the appropriate box

#### 7.1.1.5 Misuse of family reunification migration channels

Were there any **new** developments in 2019 to tackle misuse of family reunification migration channels? Y/N.

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
For the cases in which the authority can decide on a period for voluntary departure less than 7 days, a new criteria has been added: A period for voluntary departure can be less than 7 days in case the person have used false/forged information in order to mislead the authority or have established a family relationship only for the reason of obtaining the right of residence (scam marriages and paternal rights). [in (b) of Subsection (6) of Section 42 of Act II of 2007]	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

#### FALSE TRAVEL DOCUMENTS

Were there any **new** developments in 2019 to prevent, identify and/or investigate fraudulent acquisition and use of false travel documents? Y/N.

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

Development (Please describe)	Nature*
In case of refusal of entry or a return decisions issued in case the time limit for issuing a refusal of entry decision has been exceeded, there is no obstacle against carrying out the refusal of entry/return decision if the person tried to use a forged or fraud document or used a document issued for an other person. [in Subsection (3) of Section 41 of Act II of 2007]	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
The Hungarian Police sent a document expert liaison officer (hereinafter referred to individually as "DELO" ) to Cairo (Egypt). Thus, a total of four DELO serving in TC. (Actually 4 DELOs are delegated to the TCs by the Hungarian Police – Istanbul, Abuja, Ho Si Minh, Cairo)	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

A document inspection training (train the trainers) for non-commissioned officers was held. The training were held five times a years (one day training). Example of training materials: Impostor.	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
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\*Please tick the appropriate box

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

Were there any **new** developments in 2019 to prevent the fraud and misuse of free movement rights? **Y/N**.

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

Development (Please describe)	Nature*
For the cases in which the authority can decide on a period for voluntary departure less than 7 days, a new criteria has been added: A period for voluntary departure can be less than 7 days in case the person have used false/forged information in order to mislead the authority or have established a family relationship only for the reason of obtaining the right of residence (scam marriages and paternal rights). [in (b) of Subsection (6) of Section 42 of Act II of 2007]	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

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

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

Were there any **new** developments aimed at preventing and combatting facilitation of irregular migration (smuggling), including facilitation of unauthorised entry in 2019? **Y/N**.

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

\*Please tick the appropriate box

#### PREVENTION OF IRREGULAR MIGRATION

Were there any **new** developments responding to the objective of prevention of irregular migration from third countries of origin and transit (information campaigns, websites, projects with grass-roots NGOs or involving the diaspora, etc., with the exception of cooperation activities with third countries to be reported in section 7.2.4) in 2019? **Y/N**.

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
Hungarian police contingents were deployed to Macedonia (30 police officers) in order to support border surveillance tasks of host country.	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other
Hungarian police contingents were deployed to Serbia (15 police officers) in order to support border surveillance tasks of host country.	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other
Hungarian police contingents were deployed to Albania (4 police officers) in order to support border surveillance tasks of host country.	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other
Hungarian police officers were deployed to Greece (total 46 police officers) in order to support: - border surveillance tasks - debriefing	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other

- force return escort	
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\*Please tick the appropriate box

### PREVENTION OF ILLEGAL STAY

Were there any **new** developments aimed at preventing illegal stay and combatting facilitation of irregular stay, including disincentives and sanctions in 2019? **Y/N**.

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

Development (Please describe)	Nature*
For the cases in which the authority can decide on a period for voluntary departure less than 7 days, a new criteria has been added: A period for voluntary departure can be less than 7 days in case the person have used false/forged information in order to mislead the authority or have established a family relationship only for the reason of obtaining the right of residence (scam marriages and paternal rights). [in (b) of Subsection (6) of Section 42 of Act II of 2007]	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
Fine tuning of complex in-depth control throughout the country to prevent and combat facilitation of irregular stay.	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other

\*Please tick the appropriate box

### COOPERATION WITH THIRD COUNTRIES TO PREVENT IRREGULAR MIGRATION

Were there any specific cooperation activities developed in 2019 in your (Member) State to prevent irregular migration in relation to the specific regions outlined below? **Y/N**.

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019.

a) <b>The Western and Southern Mediterranean countries</b> (i.e. Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Mauritania Palestine*, Syria and Tunisia); In 2019 a document expert/visa advisor was deployed to Cairo (Egypt) for a year.
b) <b>The Eastern Partnership countries</b> (i.e. Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine);
c) <b>The Western Balkans countries</b> (i.e. Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia);  In 2019 the Hungarian Police provided support and reinforcement for implementation of national border surveillance activities of Western Balkan countries. Republic of North Macedonia (ex FYROM) and Republic of Serbia received our technical and staff support on the basis of a bilateral agreement.  In 2019 according to the bilateral agreement, 360 officers were deployed to Republic of North Macedonia and 190 officers to Republic of Serbia to prevent and reduce illegal migration.
d) <b>Countries in the African Atlantic coast</b> (e.g. Gambia, Ghana, Nigeria, Democratic Republic of Congo, Ivory Coast etc.)  In 2019 a document expert/visa advisor was deployed to Abuja (Nigeria) for a year.

### MONITORING AND IDENTIFYING IRREGULAR MIGRATION ROUTES

Were there any new developments with regard to identifying, monitoring and aggregating information on irregular migration routes in 2019? **Y/N**

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

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

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

\*Please tick the appropriate box

## 8 TRAFFICKING IN HUMAN BEINGS

This Section should address key developments in the migration context with regard to **third-country national victims of trafficking in human beings**.

In order to respond to this section, please ensure that you liaise with the appointed **National Rapporteur or Equivalent Mechanism on Trafficking in Human Beings (NREMs)**. Please note that based on Article 19 of Directive 2011/36/EU the tasks of NREMs include the carrying out of assessments of trends in trafficking in human beings, the measuring of results of anti-trafficking actions, including the gathering of statistics in close cooperation with relevant civil society organisations active in this field, and reporting. In this context, every two years based on Articles 19-20 of Directive 2011/36/EU, Member States report such information to the EU Anti-trafficking Coordinator for the European Commission's Progress Report. The European Commission regularly collects EU-wide statistical data, including with respect to non-EU victims and perpetrators, which is gender- and age specific.

NREMs share information with the Commission (via the informal EU Network of NREMs) on a biannual basis on developments relevant to their national legal and policy framework. This information can be used for this reporting exercise, too. All information is uploaded accordingly to the EU Anti-Trafficking Website under the section of national pages.<sup>17</sup>

### 8.1 NATIONAL STRATEGIC POLICY DEVELOPMENTS

Were there any **new** developments or actions regarding the prevention and/or the fight against trafficking in human beings of third-country nationals (e.g. national action plans or national strategies introduced during 2019)? Y/N

If **yes**, please elaborate below and **state the driver for the intended change/impact** in 2019. Please indicate the nature of each development in the tick boxes below, and whether the development targeted specific groups of victims (e.g. labour, sexual exploitation).

Development (Please describe)	Nature*
<p>The Office of the Prosecutor General issued a guideline in October 2018 to standardize the practice of prosecuting crimes of trafficking in human beings, which, given that vulnerable victims may not give valid consent to crimes that violate their dignity or personal freedom, procedures initiated for the crime of pandering should be reviewed and, if necessary, be reclassified as human trafficking. As a result of the guidelines, it is clear from the criminal statistical data for 2018 and the first half of 2019 that the number of cases involving trafficking in human beings has increased significantly. On this basis, it can be concluded that the new guidelines for prosecutors may, with the modified interpretation of the facts of trafficking and pandering, be a positive direction for the development of the number of proceedings and prosecutions.</p> <p>On 13 March 2019, the Government adopted Govt. Decision 1125/2019 (III. 13.) on the measures necessary to increase the efficiency of combatting human trafficking. The Government agreed that prostitution should be prohibited for persons under the age of eighteen and that a procedure should be established for the provision of child protection services to persons under the age of eighteen engaged in prostitution. The necessary legislative proposal to this end has been prepared to amend the rules relating to administrative procedures, the fight against organized crime and the protection of children. As per the Govt. Decision, the National Police Headquarters has prepared an Action Plan for the preparation of training and prevention information materials. In this context, the development of an interactive e-learning course on the identification of victims of trafficking in human beings for the training of organizations involved in the detection of human trafficking and related crimes should be highlighted. The acquisition of an emergency vehicle for transporting minor victims within the country, as well as real estate for a new shelter and a halfway house is underway.</p> <p>Hungary's new National Anti-Trafficking Strategy, which was prepared by the National Coordination Mechanism against Trafficking in Human Beings and the NGO Roundtable, is pending approval. Its goal is to develop a national strategy that responds to the ever-changing nature of human trafficking and to the domestic trends, and takes into account international recommendations (such as the US TIP Report, the Council of Europe GRETA Country Report) as well as the guidelines set by the European Commission. The strategy follows the</p>	<p>x Legislation</p> <p><input type="checkbox"/> Policy</p> <p><input type="checkbox"/> Practice/Other</p>

<sup>17</sup> EU Strategy towards the Eradication of trafficking in human beings, EU Member States, at <https://ec.europa.eu/anti-trafficking/member-states>

international paradigm of "4P": prevention, protection, prosecution, partnership. The specific activities and deadlines are determined in biennial action plans.	
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\*Please tick the appropriate box

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

### Provision of information on assistance and support to third-country national victims

Were there any new developments in relation to the provision of information and assistance to third-country national victims (including child victims and applicants for asylum) during 2019? Y/N.

If yes, please elaborate below and state the driver for the intended change/impact in 2019. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
a) <b>Training and awareness raising;</b>	
On 26-27 March 2019, social workers employed in the transit zones attended training organised by IOM. The main objective of the training was to improve the knowledge of the staff especially, health professionals, social workers and law enforcement officers on the public health implication of migration and how to pay better attention to the health of migrants.	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other
b) <b>Measures on cooperation between national authorities;</b>	
In November 2019, a joint awareness-raising training for investigators, prosecutors and judges was held in Budapest with the aim of providing law enforcement professionals with additional knowledge on the phenomenon of human trafficking.	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other
c) <b>Measures on cooperation between (Member) States.</b>	

\*Please tick the appropriate box

Identification of victims Of human trafficking in human beings

Were there any new developments in relation of the identification of victims (including child victims and applicants for asylum) during 2019? Y/N.

If yes, please elaborate below and state the driver for the change / intended impact in 2019. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
a) Training and awareness raising;	
A member of the Aliens Policing Directorate of the NDGAP took part in an EASO training focusing on combating human trafficking and victim identification, and became a trainer herself.	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other
One asylum case officer who works in the transit zone attended a training abroad organised by European Asylum Support Office (EASO) in June 2019. The module on Trafficking in Human Beings was composed of two levels. The first level aims to raise awareness amongst officials that can come across a victim or potential victim of trafficking. Its goal is to provide the participants with the knowledge and skills needed to identify potential victims of trafficking. The second level focuses on victims of trafficking who may be in need of international protection. It explains how to prepare and conduct an asylum interview with a victim or potential victim of trafficking and how to approach decision-making in a protection claim involving such persons.	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other
On 26-27 March 2019, social workers employed in the transit zones attended training organised by IOM. The main objective of the training was to improve the knowledge of the staff especially, health professionals, social workers and law enforcement officers on the public health implication of migration and how to pay better attention to the health of migrants.	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other
On 29 March and on 16 December 2019, Hungarian Baptist Aid organised a one-day training event for social workers, psychologist and interpreters during reception who work in reception facilities. The aim of this training was how to use efficiently the identification form for victims of human trafficking.	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other
During the first half of 2019, social workers took part a training about domestic violence and	<input type="checkbox"/> Legislation

trafficking in human beings. The training was organised by Családbarát Ország Nonprofit Alapítvány (Family-Friendly Country Not-for-Profit Public Benefit Company)	<input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other
<b>b) Measures on cooperation between national authorities;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>c) Measures on cooperation between (Member) States.</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

**COOPERATION WITH THIRD COUNTRIES**

Were there any new developments involving cooperation with third-countries on the prevention and fight against trafficking in human beings in 2019? Y/N.

NO

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
<b>a) Training and awareness raising ;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>b) Joint investigation teams;</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
<b>c) Information and prevention campaigns.</b>	
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

## 9 RETURN AND READMISSION

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

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

- 9.1.1 SUMMARY OF THE EMN REG RETURN AND REINTEGRATION ACTIVITIES DEVELOPED DURING 2019 (TO BE DRAFTED BY THE EMN SERVICE PROVIDER)
- 9.1.2 SUMMARY OF THE FRONTEX RETURN IMPLEMENTATION FRAMEWORK, INCLUDING JOINT RETURN OPERATIONS (JTOS) (TO BE PROVIDED BY FRONTEX)<sup>18</sup>

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

#### SWIFT, SUSTAINABLE AND EFFECTIVE RETURN

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

Were there any **new** developments in 2019 with regard to swift, sustainable and effective return? **Y/N**.

If **yes**, please elaborate and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
In case of refusal of entry or a return decision issued in case the time limit for issuing a refusal of entry decision has been exceeded, there is no obstacle against carrying out the refusal of entry/return decision if the person tried to use a forged or fraud document or used a document issued for other person. In practise this means that the authority does not have to wait for the outcome of the criminal investigation in order to carry out the refusal of entry/return decision. [in Subsection (5) of Section 48 and in Subsection (3) of Section 41 of Act II of 2007]	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other
The law now contains a specific time-limit for contesting a return decision based on an expulsion ordered by the court in its judgement (24 hours from the communication of such). The identification of third-country national who have been expelled from the territory of Hungary as a punishment and are still imprisoned can be started before the release from prison and before the return decision has been issued. [in Section 49 of Act II of 2007]	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other
In case an expulsion (ordered by the court in its judgement) has been deemed as non-enforceable by the criminal judge, before 30 days after 2 years starting from the deliverance of this decision on non-enforceability, the regional directorate of the NDGAP shall initiate the reassessment of non-enforceability. [in Section 52 of Act II of 2007]	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

##### 9.2.1.2 Issuing Return decisions

Were there any **new** developments with regard to the issuance of return decisions in 2019? **Y/N**.

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

\*Please tick the appropriate box

##### 9.2.1.3 Issuing Entry bans

Were there any **new** developments with regard to issuing entry bans in 2019? **Y/N**

<sup>18</sup> Please do not include any information related to participation in Frontex joint return operations, as this will be provided by Frontex.

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
<p>The execution of a decision regarding the costs (which were advanced by the authority during the return procedure and are due to pay back to the state) affecting a third-country national – residing abroad or in an unknown place – shall be suspended until an entry ban issued with the return decision is in force. The limitation period shall rest during the suspension. [in Subsection (5) of Section 89/B of Act II of 2007]</p> <p>In practise this means that an independent entry ban may be issued due to the fact the third-country national have failed to pay back the costs advanced by the authority after the period when the entry ban issued with the return decision has expired.</p>	<p><input checked="" type="checkbox"/> Legislation</p> <p><input type="checkbox"/> Policy</p> <p><input checked="" type="checkbox"/> Practice/Other</p>
	<p><input type="checkbox"/> Legislation</p> <p><input type="checkbox"/> Policy</p> <p><input type="checkbox"/> Practice/Other</p>

\*Please tick the appropriate box

#### 9.2.1.4 (Assisted) voluntary return

Were there any **new** developments with regard to (assisted) voluntary return in 2019? Y/N.

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

\*Please tick the appropriate box

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

Were there any **new** developments with regard to detention and effective alternatives to detention in return procedures in 2019? Y/N

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
<p>A new criteria has been added to the list of circumstances when the authority can order the compulsory confinement of a third-country national: it is possible to order it based on grounds that the third-country national is under aliens policing procedure. [in (h) of Subsection (1) of Section 62 of Act II of 2007]</p>	<p><input checked="" type="checkbox"/> Legislation</p> <p><input type="checkbox"/> Policy</p> <p><input type="checkbox"/> Practice/Other</p>
	<p><input type="checkbox"/> Legislation</p> <p><input type="checkbox"/> Policy</p> <p><input type="checkbox"/> Practice/Other</p>

\*Please tick the appropriate box

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

Were there any **new** developments with regard to recording entry bans in the SIS and facilitating the exchange of information on entry bans in 2019?<sup>19</sup> Y/N.

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

<sup>19</sup> This category of measure relates to the commitments of the Stockholm Programme specifically.

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

\*Please tick the appropriate box

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

Were there any **new** developments with regard to the operation of the national forced return monitoring system (established in accordance with Article 8 (6) of the Return Directive) in 2019?<sup>20</sup> Y/N.

**NO**

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

\*Please tick the appropriate box

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

Were there any **new** developments related to the field of return in 2019, which were not covered above? Y/N.

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

Development (Please describe)	Nature*
<p>The time limit prescribed for communicating the execution of the return (removal) has been changed. Earlier it had to be communicated 36 hours earlier than the beginning of the (actual) removal procedure, now the date and time of the execution of the expulsion (removal) shall be communicated to the client at latest of the beginning of the removal procedure. [in Subsection (2a) of Section 143 of Act II of 2007]</p> <p>In practise this may ensure a better execution rate as the client does not have the time to hinder the execution of the return (e.g. by self-harm).</p>	<input checked="" type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

#### RETURN OF REJECTED ASYLUM SEEKERS

Were there any **new** developments regarding the return of rejected asylum applicants (including measures in relation to reception and supports, (effective alternatives) to detention, etc.) in 2019? Y/N.

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

Please specify if there are any specific measures for unaccompanied minors and other vulnerable groups<sup>21</sup>.

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

<sup>20</sup> Directive 2008/115/EC

<sup>21</sup> This group includes minors, disabled people, elderly people, lesbian, gay, bisexual, transgender, queer or questioning, and intersex (LGBTQI) people, pregnant women, single parents with minor children, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation.

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

\*Please tick the appropriate box

**RETURN OF IRREGULAR MIGRANTS**

Were there any **new** developments to ensure the swift return of persons overstaying permissions to stay, misusing legal migration channels or otherwise illegally staying in 2019? **Y/N.**

If **yes**, please elaborate below and state the **driver for the change / intended impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

Development (Please describe)	Nature*
Hungary does not have any post-arrival or post-return activities related to forced return. For voluntary returns - within the framework of the IOM assisted voluntary return program - there is a possibility to apply for a reintegration support provided by IOM. The IOM program is financed from AMIF funds.	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

**EVIDENCE OF THE EFFECTIVENESS OF THE MEASURES TO ENSURE RETURN**

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

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

**INVOLVEMENT OF THIRD COUNTRIES IN RETURN MEASURES**

Were there any **new** developments regarding return activities implemented in cooperation with third countries in 2019? **Y/N.**

If **yes**, please elaborate below and state the **driver for the intended change/impact** in 2019. Please indicate the nature of each development in the tick boxes below.

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

\*Please tick the appropriate box

**ENSURING IMPLEMENTATION OF ALL EU READMISSION AGREEMENTS TO THEIR FULL EFFECT<sup>22</sup>**

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

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

<sup>22</sup> Norway is invited to report on any national agreements in place.


## REINTEGRATION MEASURES

Were there any **new developments** regarding **reintegration activities, including those** implemented in cooperation with countries of origin in 2019? **Y/N**

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

If yes, please elaborate below and state the **driver for the intended change/impact** in 2019. Please indicate the nature of each development in the tick boxes below.

Development <i>(Please describe)</i>	Nature*
<p>Hungary does not have any post-arrival or post-return activities related to forced return. For voluntary returns - within the framework of the IOM assisted voluntary return program - there is a possibility to apply for a reintegration support provided by IOM. The IOM program is financed from AMIF funds.</p> <p>The support consists of the followings:</p> <ul style="list-style-type: none"> <li>- for 16 returnees: reintegration support <ul style="list-style-type: none"> <li>o for 6 returnees: in-kind support for a business/reintegration plan in a value of 2500 euro/person. This support can be used to set up a business, to join an already existing business as a business partner, to pursue studies, and to ensure an addition to monthly wages</li> <li>o for 6 vulnerable returnees: only for vulnerable returnees, in-kind support in a value of 700 euro/person to lessen the vulnerability</li> <li>o for 4 vulnerable returnees: only for vulnerable returnees, in-kind support for a business/reintegration plan in a value of 3200 euro/person if submitted with a business/reintegration plan</li> </ul> </li> </ul>	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Practice/Other
	<input type="checkbox"/> Legislation <input type="checkbox"/> Policy <input type="checkbox"/> Practice/Other

\*Please tick the appropriate box

## 10 Migration and development

### 10.1 MOBILITY PARTNERSHIPS

Were there any **new developments** regarding your Member State's participation in the EU Mobility Partnerships (MPs)/Common Agendas on Migration and Mobility (CAMMs) under the Global Approach to Migration and Mobility (GAMM)?<sup>23</sup> Please provide your response below according to the priority themes of the GAMM.

#### 10.1.1 BETTER ORGANISING LEGAL MIGRATION AND FOSTERING WELL-MANAGED MOBILITY

Mobility Partnership / CAMM	Name of the activity	Objective(s) and nature of the activity	Funding mechanism	Period of implementation	Partner(s) (if any)
EU-Jordan Mobility Partnership	Support to the Mobility partnership between the European Union and the Hashemite Kingdom of Jordan	<p>The objective of the project was to support the implementation of the Mobility Partnership between the EU and Jordan with a specific focus on strengthening the capacity of the government to develop and implement their national migration policy.</p> <p>Specific objectives:</p> <ul style="list-style-type: none"> <li>Strengthen the capacities of Jordan to more effectively reach out and engage with Jordanian expatriates (Component I).</li> <li>Enhance the effort of relevant authorities to prevent trafficking in human beings, and increase the prosecution of traffickers and provide protection and assistance to victim of trafficking (Component II).</li> </ul>	N/A HU provided expertise to the Component II.	January 2016-June 2019	Implementing agency: ICMPD  Partners: Bulgaria, Hungary, Poland, Portugal, Romania

#### 10.1.2 PREVENTING AND COMBATting IRREGULAR MIGRATION AND ERADICATING TRAFFICKING IN HUMAN BEINGS

Mobility Partnership / CAMM	Name of the activity	Objective(s) and nature of the activity	Funding mechanism	Period of implementation	Partner(s) (if any)

#### 10.1.3 MAXIMISING THE DEVELOPMENT IMPACT OF MIGRATION AND MOBILITY

Developments here could include: facilitating the positive impact of remittances, facilitating the engagement of the diaspora in development of the country of origin; efforts to mitigate brain drain, mainstreaming of migration in development policies, capacity-building in partner countries etc.

Mobility Partnership / CAMM	Name of the activity	Objective(s) and nature of the activity	Funding mechanism	Period of implementation	Partner(s) (if any)

<sup>23</sup> <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0743:FIN:EN:PDF>


**10.1.4 PROMOTING INTERNATIONAL PROTECTION AND ENHANCING THE EXTERNAL DIMENSION OF ASYLUM**

Mobility Partnership / CAMM	Name of the activity	Objective(s) and nature of the activity	Funding mechanism	Period of implementation	Partner(s) (if any)

**10.2 NATIONAL ACTIONS TO SUPPORT MIGRATION AND DEVELOPMENT**

Were there any significant **new national legal / policy developments** in your Member States and or **new national projects and / or other activities** (e.g. national strategies or specific nationally-funded project) aimed at facilitating migration and development with third countries, not reported on above? Please **only report on activities implemented through national funding**. If yes, please provide a brief overview of activities by filling in the below table (add rows as needed)

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

**ANNUAL REPORT 2019**  
**ON MIGRATION AND ASYLUM POLICY (PART 2)**  
**IN HUNGARY**

**Executive Summary**

The Annual Policy Report 2019 provides an overview of the developments in migration and asylum policy in Hungary for the time period from 1 January 2019 to 31 December 2019. The present report was drafted by the Hungarian National Contact Point of the European Migration Network (EMN) seated within the Ministry of Interior of Hungary.

**Overarching changes to the national migration and asylum system in 2019**

During 2019, there were no significant changes regarding the national asylum and migration system. The general rules are the same as they were in 2018.

The most important change of the system was of organisational nature. The Immigration and Asylum Office was transformed to a new organization with policing in 1 July 2019. The new organization is called National Directorate-General for Aliens Policing (NDGAP). Act II of 2007 on the entry and stay of third-country nationals describes the tasks of the aliens policing authorities. Government Decree 114/2007 (which is for the implementation of Act II of 2007) states that the NDGAP is an aliens policing authority in (c) of Section 1 (the NDGAP itself) and (d) of Section 1 (NDGAP's regional directorates). In practice, the law has been changed such as where formerly the Immigration and Asylum Office or its regional directorates were mentioned; now it is the NDGAP or its regional directorates. As earlier, the authorities of the Police and the NDGAP are remained strictly and clearly divided by the law.

**Legal Migration**

The most important change in the legislation is concerning the third country citizen family members of Hungarian citizens. According to the change, the third country citizen family members of Hungarian citizens do not enjoy the right of free movement and they belong under the scope of Act II of 2007 on the Entry and Stay of Third-Country Nationals. They are entitled to a residence permit for family reunification and after a certain legal stay in Hungary, can apply for permanent residence permit. (Section 2 of Act II of 2007) The legislation entered into force on 1 January 2019.

**International Protection including Asylum**

Apart from the transformation of the Immigration and Asylum Office into the National Directorate-General for Aliens Policing, the most significant developments were the decisions of the CJEU in the Aleksiy Torubarov v. Hungary and the ECtHR in the Ilias and Ahmed v. Hungary cases.

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

No significant developments to report.

## **Integration**

No significant developments to report.

## **Citizenship and Statelessness**

No significant developments to report.

## **Borders, Schengen and Visas**

In 2019, the greatest challenge of the policy area was the discussion over the new EBCG Regulation. Hungary agreed with the strengthening of the European Border and Coast Guard's (Frontex) mandate so that the Agency could provide wider support for Member States and third countries in stemming irregular migration. At the same time, the position of the Hungarian Government is that Frontex's mandate should not undermine Member States' sovereignty over their primary responsibility for the protection of their external borders, nor should it jeopardize the implementation of Member States' border protection tasks or negatively affect national capabilities.

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

## **Irregular Migration including Migrant Smuggling**

Combatting irregular migration, including migrant smuggling is a priority for Hungary. The complex series of border protecting measures taken by Hungary during the last years, including changes in legislation has contributed to diverting the illegal migration routes. Analysis report made by Europol and Frontex also confirmed our experience.

To support border surveillance, Hungarian police contingents were deployed to Macedonia, Serbia, Albania and Greece throughout the year.

## **Trafficking in Human Beings**

Several measures were taken to combat the phenomenon, in line with the general strategy accepted in line with the adopted Govt. Decision 1125/2019 (III. 13.) on the measures necessary to increase the efficiency of combatting human trafficking.

## **Return and Readmission**

Certain return related provisions of Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals came into force on 1 January 2019.

## **1. INTRODUCTION**

The EMN Annual Policy Report 2019 of Hungary aims to highlight and summarize the most significant developments that took place in the various fields of migration and asylum in the given period of time for its national audience. The reference period of the present Report extends from 1 January to 31 December 2019.

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

The present Report is compiled by the Hungarian National Contact Point of the EMN (**EMN HU NCP**) seated within the Department of European Cooperation of the Ministry of Interior (**MoI**) of Hungary. The EMN HU NCP collected information from the National Directorate-General for Aliens Policing, various divisions of the Police and other governmental bodies. Statistical data were extracted from Hungarian databases and Eurostat.

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

Regarding migration, the main principles and priorities of the Hungarian Government did not change in 2019. Stemming irregular migration is still of utmost importance. The legal framework created to combat the phenomenon is still in force, including the crisis situation due to mass immigration. Although the asylum and migratory situation was relatively stable throughout the year, migratory pressure remained substantial at the Western Balkan route, as the external causes of illegal migration to Europe remain. At the same time, Hungary meets its obligations set out by international and national law with regard to international protection.

The most important change of the system was of organisational nature. The Immigration and Asylum Office was transformed to a new organization with policing in 1 July 2019. The new organization is called National Directorate-General for Aliens Policing (NDGAP). Act II of 2007 on the entry and stay of third-country nationals describes the tasks of the aliens policing authorities. Government Decree 114/2007 (which is for the implementation of Act II of 2007) states that the NDGAP is an aliens policing authority in (c) of Section 1 (the NDGAP itself) and (d) of Section 1 (NDGAP's regional directorates). In practice, the law has been changed such as where formerly the Immigration and Asylum Office or its regional directorates were mentioned; now it is the NDGAP or its regional directorates. As earlier, the authorities of the Police and the NDGAP are remained strictly and clearly divided by the law.

The new organization is a policing authority compared to the former one, as it was a civilian organization. The change in this attribute means that the colleagues at the organization became police officers.

The reasoning in the proposal for the amendment of the law regarding the status of the organization claimed that the aliens policing and asylum authorities are responsible for both administrative and

policing tasks during their procedures. The former structure of the organization made the administrative tasks emphasized but currently the asylum and aliens policing tasks reach further than the general administrative powers. Aside from this, the possibility of the detection and the screening of national and public security threat during the asylum and aliens policing procedure justify the policing functions.

As the former organization, Immigration and Asylum Office and as the Police, this new organization also falls under the Ministry of Interior and the NDGAP has the same mandate, authority and competences as the former Immigration and Asylum Office. The structure from the former Immigration and Asylum Office remained intact, the NDGAP functions with 7 regional directorates.

The legal basis of the procedures have not changed, the new organizations still acts based on Act II of 2007 regarding third-country nationals and its implementing acts, and as the aliens policing procedure is in nature an administrative procedure, as a general rule, Act CL of 2016 on the general rules of administrative procedures is applicable, as earlier. The change in the organization did not result in any change regarding the procedure.

In 2019, a total number of 500 asylum applications were registered in Hungary (compared to 670 in 2018.) The number of first time applications was 465. From the 500 applicants, 195 were Afghan, and 170 were Iraqi nationals. Other significant countries of origin were Pakistan and Iran and Syria.

The asylum authority has made first instance decisions in 710 cases; of which 60 were positive. The recognition rate was 8,4% within the period (positive decisions/all decisions).

In total, 60 people have been granted international protection, i.e. this is the number of migrants who have been recognized as refugees, persons granted subsidiary protection or persons permitted to stay temporarily.

<b>First instance decisions made by the asylum authority in 2019</b>	
<b>Type of Decision</b>	<b>Number of the decisions made</b>
<b>Beneficiary of Refugee Status</b>	22
<b>Beneficiary of Subsidiary Protection</b>	31
<b>Beneficiary of Non-refoulement</b>	7
<b>Rejection</b>	650

Regarding case law, the two most important decision were delivered by the CJEU on the Aleksiy Torubarov v. Hungary (C-556/17.) case and by the ECtHR on Ilias and Ahmed v. Hungary (47287/15)

In the decision of Torubarov case, the CJEU stated that „Article 46(3) of Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection, read in conjunction with Article 47 of the Charter of

Fundamental Rights of the European Union, must be interpreted as meaning that, in circumstances, such as those at issue in the main proceedings, where a first-instance court or tribunal has found — after making a full and ex nunc examination of all the relevant elements of fact and law submitted by an applicant for international protection — that, under the criteria laid down by Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted, that applicant must be granted such protection on the ground that he or she relied on in support of his or her application, but after which the administrative or quasi-judicial body adopts a contrary decision without establishing that new elements have arisen that justify a new assessment of the international protection needs of the applicant, that court or tribunal must vary that decision which does not comply with its previous judgment and substitute its own decision for it as to the application for international protection, disapplying as necessary the national law that would prohibit it from proceeding in that way.”

In the decision of the Ilias and Ahmed case (two asylum-applicants placed in a Hungarian transit zone), the Grand Chamber of ECtHR decided that there has been a violation of Article 3 (Prohibition of torture) of the Convention with regard to the applicants’ removal to Serbia. It is not necessary to examine the complaint under Article 13 of the Convention in conjunction with Article 3 of the Convention concerning the alleged ineffectiveness of the domestic remedies against the applicants’ removal to Serbia.

At the same time, according to the decision, there has been no violation of Article 3 of the Convention with regard to the conditions in the Rösztke border transit zone.

The applicants’ complaints under Article 5 §§ 1 and 4 of the Convention are incompatible *ratione materiae* with the provisions of the Convention and accordingly declares this part of the application inadmissible.”

### **3. LEGAL MIGRATION**

As for legal migration, Hungary still emphasises the national competence to decide on its extent. Legal migration is not regarded as a solution to the demographic, social and economic challenges of the country.

According to the data of the Hungarian Central Statistical Office, there were 180 773 non-Hungarian nationals residing in Hungary in 2019 (compared to 161 809 in 2018). The vast majority (117 552 persons) of them were nationals of European countries, mostly EU/EEA nationals. The number of nationals was 49 056 from Asian countries, 6 850 from the Americas, 6 660 from Africa and 655 from Australia and Oceania.

The most important change in the legislation is concerning the third country citizen family members of Hungarian citizens. According to the change, the third country citizen family members of Hungarian citizens do not enjoy the right of free movement and they belong under the scope of Act II of 2007 on the Entry and Stay of Third-Country Nationals. They are entitled to a residence permit for family reunification and after a certain legal stay in Hungary, can apply for permanent residence permit. (Section 2 of Act II of 2007) The legislation entered into force on 1 January 2019.

Amending the national law due to the new and the amended *acquis* of the European Union is a continuous and ongoing procedure. There were amendments prepared to legislation due to Regulation (EU) 2017/1954 of the European Parliament and of the Council.

Regarding the UK's departure from the EU, the Act XV of 2019 and Act LXXXVII of 2019 were announced to amend certain Acts in case of no-deal Brexit. Based on the orderly withdrawal these Acts will not enter into force. National rules for the deal situation – on the future status of the beneficiaries of the Withdrawal Act, and related questions – have not yet been established.

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

The following legislation was introduced in the policy area:

During an aliens policing procedure - if from the circumstances it can be assumed that the client is an unaccompanied minor - the aliens policing authority shall contact child protection authority (in order to get a guardian assigned for the unaccompanied minor) without delay. Until the Guardian has not been assigned, in order to clarify the age and health status, it is possible to ask the unaccompanied minor for consent on a health and age assessment as well – bearing in mind his mental capacity and maturity – to ask the UAM to state his/her name, date of birth, place of birth, mother's name, usual place of stay, the data of his/her guardian and contact information. The interview shall be carried out in a mood respecting the age of the child and it shall be easy to understand. A provisional place of stay may be designated for the UAM without the presence of the appointed guardian but the guardian authority shall be informed about the provisional place of stay. [Subsection (2) and (2a) of Section 72 of Act II of 2007]

## **6. INTEGRATION**

No significant developments to report.

## **7. CITIZENSHIP AND STATELESSNESS**

No significant developments to report.

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

In 2019, the greatest challenge of the policy area was the discussion over the new EBCG Regulation. Hungary agreed with the strengthening of the European Border and Coast Guard's (Frontex) mandate so that the Agency could provide wider support for Member States and third countries in stemming irregular migration. At the same time, the position of the Hungarian Government is that Frontex's mandate should not undermine Member States' sovereignty over their primary responsibility for the protection of their external borders, nor should it jeopardize the implementation of Member States' border protection tasks or negatively affect national capabilities.

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

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

Combatting irregular migration, including migrant smuggling is a priority for Hungary. The complex series of border protecting measures taken by Hungary during the last years, including changes in legislation has contributed to diverting the illegal migration routes. Analysis report made by Europol and Frontex also confirmed our experience.

To support border surveillance, Hungarian police contingents were deployed to Macedonia, Serbia, Albania and Greece throughout the year.

To combat the misuse of legal migration channels, a new criteria regarding the possibility to renew a residence permit has been added to the law: the residence permit can be renewed – even if other criteria set out in the law is met – only if the applicant had been staying for a period more than 90 days within 180 days before the application for renewal has been submitted. [Subsection (4) of Section 16 of Act II of 2007]

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

The Office of the Prosecutor General issued a guideline in October 2018 to standardize the practice of prosecuting crimes of trafficking in human beings, which, given that vulnerable victims may not give valid consent to crimes that violate their dignity or personal freedom, procedures initiated for the crime of pandering should be reviewed and, if necessary, be reclassified as human trafficking. As a result of the guidelines, it is clear from the criminal statistical data for 2018 and the first half of 2019 that the number of cases involving trafficking in human beings has increased significantly. On this basis, it can be concluded that the new guidelines for prosecutors may, with the modified interpretation of the facts of trafficking and pandering, be a positive direction for the development of the number of proceedings and prosecutions.

On 13 March 2019, the Government adopted Govt. Decision 1125/2019 (III. 13.) on the measures necessary to increase the efficiency of combatting human trafficking. The Government agreed that prostitution should be prohibited for persons under the age of eighteen and that a procedure should be established for the provision of child protection services to persons under the age of eighteen engaged in prostitution. The necessary legislative proposal to this end has been prepared to amend the rules relating to administrative procedures, the fight against organized crime and the protection of children. As per the Govt. Decision, the National Police Headquarters has prepared an Action Plan for the preparation of training and prevention information materials. In this context, the development of an interactive e-learning course on the identification of victims of trafficking in human beings for the training of organizations involved in the detection of human trafficking and related crimes should be highlighted. The acquisition of an emergency vehicle for transporting minor victims within the country, as well as real estate for a new shelter and a halfway house is underway.

Hungary's new National Anti-Trafficking Strategy, which was prepared by the National Coordination Mechanism against Trafficking in Human Beings and the NGO Roundtable, is pending approval. Its goal is to develop a national strategy that responds to the ever-changing nature of human trafficking and to the domestic trends, and takes into account international recommendations (such as the US TIP Report, the Council of Europe GRETA Country Report) as well as the guidelines set by the European Commission. The strategy follows the international paradigm of "4P": prevention, protection, prosecution, partnership. The specific activities and deadlines are determined in biennial action plans.

## **11. RETURN AND READMISSION**

Certain return related provisions of Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals came into force on 1 January 2019.

In case of refusal of entry or a return decision issued in case the time limit for issuing a refusal of entry decision has been exceeded, there is no obstacle against carrying out the refusal of entry/return decision if the person tried to use a forged or fraud document or used a document issued for other person. In practise this means that the authority does not have to wait for the outcome of the criminal investigation in order to carry out the refusal of entry/return decision. [in Subsection (5) of Section 48 and in Subsection (3) of Section 41 of Act II of 2007]

The law now contains a specific time-limit for contesting a return decision based on an expulsion ordered by the court in its judgement (24 hours from the communication of such).

The identification of third-country national who have been expelled from the territory of Hungary as a punishment and are still imprisoned can be started before the release from prison and before the return decision has been issued. [in Section 49 of Act II of 2007]

In case an expulsion (ordered by the court in its judgement) has been deemed as non-enforceable by the criminal judge, before 30 days after 2 years starting from the deliverance of this decision on non-enforceability, the regional directorate of the NDGAP shall initiate the reassessment of non-enforceability. [in Section 52 of Act II of 2007].

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