

The Migration Strategy and the seven-year strategic document related to Asylum and Migration Fund established by the European Union for the years 2014-20

SUMMARY

Migration – as an international phenomenon, its effect to the Hungarian economic, social relations and not least to the security and public order of Hungary deserves special attention. Its nature, importance requires complex and forward-looking solutions, the importance of which is underlined by all stakeholders of the national decision-making process.

The Migration Strategy lays down the action trail and the tools for achieving the goals in the field of admission, residence, integration, international protection and return policies and in a comprehensive manner. Moreover the Strategy makes it possible to use the benefits of migration for the national economy, demography and society by defining the concrete tasks and actions stemming from the positive and negative effect of migration for the years 2014-20. It clearly envisages the potential societal, social and budgetary effects of migration, emphasises the requirement of fair treatment and the human rights dimension of migration, and provides firm responses to the risks of national security, public order and public policy related to illegal migration. Furthermore the Strategy highlights the foreigner's obligation of the foreigners to respect the European Union norms, the Fundamental Law and the laws and regulations of Hungary and the rules of social coexistence.

The principles of Migration Strategy

In managing and controlling migration activities Hungary

- supports and facilitates all forms of legal migration, by its legal instruments, Hungary provides opportunities for long-term or permanent residence and the acquisition of Hungarian nationality (naturalisation). In the latter area, Hungary pays special attention to the simplified naturalisation of members of the Hungarian diaspora without obliging them to tear away from their birthplace; (**principle of safeguarding free movement**)
- fulfils its obligations laid down by international law and the European Union and provides protection in accordance with international and national instruments for those seeking asylum; (**principle of providing international protection**)
- facilitates the integration of long-term residents: of legal migrants and beneficiaries of international protection (**principle of integration**)
- while reducing cases of statelessness, provides effective assistance for stateless persons by granting an independent status and protection of high standard (**principle of protecting stateless persons**)
- takes firm actions against violations of the rules of entry, admission and stay in Hungary and for terminating the illegal situations stemming from abuse of legal migration and residence opportunities (**principle of fighting illegal migration**)
- by means of effective communication facilitates delivering the society credible information on migration flows thus decreasing prejudice related to immigration (**principle of the importance of communication**).

General migration situation of Hungary

The migration trends and flows indicate that Hungary – situated in the junction of the main migratory routes from the East and South-East – is a country of transit migration. Nevertheless, observing the example of other member states of the European Union, the importance of Hungary as a country of destination of migrants will likely increase. Irrespective of this – based on Hungary’s Foreign Policy Strategy – “the increasing migration flows have a multidimensional effect. (...) Having regard to the decreasing demographic trends and the low employment rate, the controlled admission of skilled workers can contribute to growth, redistribution, the sustainability of retirement benefits...”.

Migration on one hand is an element of free movement (comprising of free movement of goods, capital, services as well as labour and persons). On the other hand migration is an economic phenomenon that has detectable effect on areas like human resources management, social security, education and even sport management. Migration also means obligation for the state to guarantee fundamental rights of migrants irrespective of their status. Moreover, migration from the budgetary point of view also constitutes significant expenditure which needs to be provided for.

Hungary is in a specific situation as most of the foreigners living on its territory are ethnic Hungarians arriving from neighbouring countries. In accordance with the **Strategic Principles on National Policy for Hungarian Communities**, the founding principle of the Migration Strategy – as stated in the Fundamental Law of Hungary – is that Hungary feels responsibility for the Hungarians living outside its borders. With a view to this principle a reaching out and informing those persons who could benefit from the simplified naturalisation needs to be highlighted in the future as well. By sharing the same ethnic identity, the common language, culture and history, the ethnic Hungarians create a positive effect on the migratory situation of Hungary where the challenges stemming from the different cultural, religious background of the migrants and the host society that can be studied in Western Europe do not occur. Furthermore, the strategy also facilitates maintaining the ties with the country of origin by examining the possibilities of circular migration.

In implementing its priorities in the broader field of migration, Hungary uses a comprehensive set of tools. These tools can take the shape of supporting the visa liberalisation processes of neighbouring countries (Serbia, Ukraine), maintaining the existing procedure and administrative structure of simplified naturalisation, administrative and financial assistance and support of the countries of Western Balkans that already have taken steps towards European integration, implementing actions fostering investments in Hungary with a view to the policy of “Opening to the East/Global Opening”, furthermore, proactive participation in regional, bilateral cooperation and mobility partnerships (Budapest Process, Prague Process, Eastern Partnership – Migration and Asylum Panel). Hungary wishes to be active in the regional and bilateral dialogues which contribute to the cooperation with countries alongside the Eastern or Southern migratory routes.

Nevertheless it has to be noted that Hungary as a member state of the European Union uses some of its competences in the field of migration jointly with other member states. For this reason, Hungary acts in accordance with the objectives and existing instruments of the European Union in the field of visa policy, legal immigration and mobility, international protection and the development aspects of migration and mobility. Moreover, Hungary’s membership in the European Union also means that it actively takes part in the formulation of the EU’s migration policy, contributes to the legislation process and cooperates with other member states, EU institutions in the process of implementation of the EU *acquis*. Another result of the EU membership is that the decisions, attractiveness or problems of other member

states have a direct impact on the migration flows to Hungary: the economic development, social benefits of a member state attracts many migrants who consider Hungary as a transit country, likewise deficiencies of a member state in managing migration could increase migration pressures on Hungary.

Migration poses risks on the national security and public order as well. On one hand – based on the National Security Strategy of Hungary – Hungary’s borders will be the external borders of the European Union or the Schengen area in the foreseeable future which entails the responsibility and burdens of managing the external borders of the European Union. In addition, as migration knows no borders the public health aspects need also be taken into account. Moreover, in the fighting illegal migration the competent authorities prioritise the continuous analysis of information related to controlling legal entry and exit and stay.

Guarantees for the implementation of the Migration Strategy

The most important guarantee for the implementation of the strategy is the legislative environment and operating the administrative structures putting the legislation into practice. In this regard, ensuring the administrative and material conditions necessary for the implementation of the tasks and the possibilities for developing the technical and human resources deserve special attention.

Defining the activities related to migration needs a multidimensional approach. In the development, establishment of policies, strategies and in implementing them in the fields of labour market and employment, economy, demography, education (development of human resources), social policy, health, equal opportunities, security and law-enforcement the specific needs of migration should be taken into account. Managing migration flows require the collaboration of the Ministry of Interior (bearing primary responsibility) and other relevant ministries, moreover cooperation and contribution of local governments, civil and religious organisations, international organisations and scientific research institutions, and economic organisations is indispensable.

Providing the necessary funding for realising the objectives defined in the strategy is a fundamental condition for its implementation. In addition to the funding allocated in the national budget, resources of the Asylum and Migration Fund will also be available in the next seven years. Besides the Asylum and Migration Fund, other EU resources – Internal Security Fund, Rights and Citizenship Programme, the financial support for external relations (geographic and thematic programmes) and the European Social Fund could contribute to the implementation of the activities specified in the Migration Strategy.

The structure of Migration Strategy

An effective Migration Strategy requires the establishment of goals and actions in the fields of visa policy, the facilitation of free movement and legal migration, fighting illegal migration, and in the fields of international protection and integration.

VISA POLICY

Situation assessment

Should a third country national travel to Hungary with a visa (s)he can stay legally in the country for a maximum of three months. Although such a short term stay cannot be strictly

considered as migration, due to the following factors, visa policy needs to be addressed in the migration strategy.

- **Illegal migration:** The most widely used migration practice of illegal migration in the world is having someone with a valid visa enter the country legally but staying beyond the validity date, therefore illegally staying (overstaying) which prevents them from legally working, studying, etc. Similarly typical is misleading the authorities during the visa procedure before entering the country.
- **Legal migration:** Visa policy and visa issuance are the first elements of migration policy. In fact in order to legally stay for a long term, undertake a job or found a business legally in Hungary it might be necessary for a third-country national to enter the country beforehand for a shorter period of time, to participate in a job interview or to size up the market. This is usually done by obtaining a Schengen visa (C-type) for tourists even though the real reason of entry is not tourism.
- **Nation (diaspora) policy:** It needs to be taken into consideration that Hungarians living in Zakarpathia, due to the EU visa requirement vis-à-vis Ukraine, can only enter the motherland with a visa – or with a local border traffic permit within border zone stretching to Nyíregyháza. Quasi all questions regulating the entry and stay not exceeding 3 months falls within the exclusive competence of the EU legislator.

Among legal migrants in Hungary there can equally be found employees, migrants seeking family reunification, migrants aiming at settling permanently as well as incentivised migrants – entrepreneurs, businessmen, tourists, students, athletes, scientists, including cultural and art representatives.

The applicable legislation of the European Union leaves a rather small margin of manoeuvre for the Member States so as to achieve their migration goals through visa policy, but it is important not to forget that these EU rules are formed and shaped by Hungary together with the other Member States. In addition, implementing EU visa policy makes the national legislation a necessary supplement to the legal instruments of the EU (e.g. determining the rules of procedure and jurisdiction, signing of partial visa waiver agreements), furthermore Hungary has the opportunity to realise strategic goals and express national interests in the practice by weighing different views (e.g. facilitations within the framework of the Visa Code, preferential visa issuance practice by the consulates).

Hungary has the opportunity to enforce government interests attached to the development of foreign policy, foreign economic, cultural, scientific and educational relations in its visa policing activities. Visa policy is often a decisive element of our relationship with a specific country or a region, therefore it is high priority to promote and improve the relationship with countries or regions important from a political, economic, cultural or educational point of view.

Hungary's visa policy corresponds with two parallel requirements: while our visa issuing policy is in line with the Schengen security norms, it also supports the entry of third country nationals subject to visa requirement, who are important because of Hungarian or EU interests. Hungary has been applying different kinds of visa facilitations in the visa procedure for bona fide applicants (regular, reliable travellers, businessmen). The visa procedure carried out by our diplomatic and consular missions fully complies with requirements set forth by the EU Visa Code, nevertheless we offer several procedural facilitations having due regard to the national economic interests. Hungarian diplomatic and consular missions cooperate with accredited local travel agencies building on the experiences gained within the Local Schengen

Cooperation and following guidance of the EU Delegations when it comes to speedy processing of visa applications. Furthermore we cooperate along the lines with our national interests, with external service providers in line with the EU Visa Code.

In order to efficiently represent the national economic interests of Hungary and to control migration flows from third countries representing a threat to national security we make use of immigration liaison officers (ILO) and special migration attachés as an integral part of the Hungarian institutional structure implementing visa policy. ILOs foster the fight against illegal migration in the short term visa procedures by bringing additional specific migration related knowledge into consular activities. Special migration attachés can alike contribute to curbing illegal migration by providing assistance on document security and aliens policing counselling for the everyday work of the consular officers. The use of benefits of the experiences obtained through the operation of the network and of the results of the activities of the experts in the public administration of home affairs shows the necessity of maintaining and developing this network on the medium term.

Although the number of tourists is constantly increasing year by year, this ratio is still meagre compared to neighbouring countries with similar environmental and cultural attributes (Czech Republic, Slovakia, Austria, etc.); nevertheless with tourism not only may the culture of a country be experienced but other purposes of visit (study, work, investments, etc.) may make Hungary attractive, too.

Visa issuing practice in many cases determines the first impressions of third country nationals about Hungary, so it is of utmost importance to carry out applicant friendly, modern and transparent visa procedures with highly qualified and trained consular officers and other staff members, thus to contributing to strengthen Hungary' economic and cultural relations outside Europe.

Vision for the future

In relation to visa policy it is a priority for Hungary that the members of the Hungarian minority living in Ukraine and Serbia may enter the territory of motherland without a visa. At present Serbian nationals can cross the common state border without a visa, all efforts should therefore be made in order to avoid reaching a decision by the EU, which would – even temporarily – introduce visa requirement for Serbia.

Because of our economic, security and other interests of foreign policy, Hungary has strengthened the cooperation with the Western Balkan countries and we support their integration into the European Union as well. It is found as our important interest that they would be able to travel to the EU without a visa, so Hungary endeavours to contribute to their activities aiming at continuously complying with every security and other requirements. It is important to mention that – with the exception of Kosovo – there are EU-level readmission agreements in force with all Western Balkan countries, which are operating well in practice.

One of our important national interests is the development of tourism in Hungary. It is associated with the “Opening to the East” policy, that in the case of those countries which present a lower migration risk (e. g. Turkey, the Gulf States, Russia, Azerbaijan, Kazakhstan) Hungary endeavours to simplify entry conditions, we provide facilitations within the framework of the EU Visa Code (e.g. waiving the visa fee), furthermore we support their visa-free travel at EU level, hoping that the number of businessmen, investors, tourists travelling from there will increase. Hungary supports this process with those elements of the applicant-centred visa procedure like the development of staff of the foreign representations concerned, the renovation, enlargement, maintenance of the facilities, closer cooperation with

external service providers, accredited travel agencies, alongside with giving priority for visas which enable longer-term stay.

Objectives

II.1. The most favourable treatment should be provided in the visa issuing procedure for individuals with Hungarian ethnic origin, who speak Hungarian, but do not possess Hungarian citizenship

Activities

- Consultations with the organizations representing Hungarians living outside the borders about the difficulties they face with in the process of visa issuing;
- Accepting documents – with the widest scope possible – confirming the purpose of the residence in Hungary as supporting documents.

II.2. Establishment of a visa-free travel regime for Ukrainian nationals

Activities

- Providing all possible support for completing the visa liberalisation process of Ukraine

II.3. Supporting the EU in making full use of the possibilities provided by visa facilitation agreements in shaping its external relations. Visa facilitation agreements should be concluded simultaneously with readmission agreements

Activities

- In fora with respect to Hungary's strategic aims, in regional migration processes, the preparation of third countries conducting visa facilitation negotiations should be supported, and simultaneously the same should hold true, as far as possible, for the preparation of readmission agreements (primarily with trainings, depending on the development needs of the third countries concerned).

II.4. The possibility of applying for Hungarian visa should be widened worldwide. The quality improvement of visa procedures is needed.

Activities

- Geographic and other (security, economic) assessment supported by statistical data of areas which are not covered and, setting priorities;
- Cooperation will be widened with reliable travel agencies in line with our security interests aiming at the strengthening of service-providing and client-centred character of visa policing as well as gradually use the possibility of outsourcing;
- Wide-ranging information should be provided about the visa process, the arrangement of an appointment for the submission of the application should be simplified, at the same time providing the conditions of biometric data recording (change, replacement). The practice of monitoring professional work should be introduced in compliance with the authorization pursuant to Article 38(4) of the Visa Code.

II.5. Fighting the misuse of regular migration channels

Activities

- Differentiated assessment of the group of persons committing the abuses based on geographical and other (mainly economic, political) aspects.
- In order to react quickly to misuses, expanding and modernizing the available technical and IT equipment.(e.g. VIS)

- In the field of information exchange the establishment of unified protocol for all the authorities concerned in visa issuing;
- Establishment of joint risk analysis, evaluation among the authorities concerning visa issuing;
- Broadening the means in the visa issuing process is needed, above all relating to the hearing and profiling of the applicant – with a view to the presumption of bona fide applicant, and to the monitoring of the case history of the applicant.

II.6. Establishing efficient and client-centred administration in the visa application process, in particular with regard to third country nationals targeted by the “Opening to the East” policy.

Activities

- On the basis of the figures of visa applications submitted and the most important entry destinations indicated the authorities involved in the visa application process – in particular consulates/foreign representations – should be developed
 - by increasing their number, personal and technical capacity
 - by purchasing, replacing security equipment
 - by renovation, maintenance of the properties of the representations involved in the visa application process, and
 - by evaluating the possibilities to broaden the cooperation with accredited travel agencies and external service providers
- For no migration risk applicants if possible, the issue of large number of multiple entry visas with a validity of more than one year to be issued in simplified, client-friendly procedures should be pursued. Törekedni kell arra, hogy egyszerűsített eljárásban, kulturált körülmények között lehetőség szerint minél nagyobb számú többéves érvényességű és többszöri beutazásra jogosító vízumot adjunk ki a migrációs kockázatot nem jelentő kérelmezői kör részére
- II.7. Hungary’s aim is to facilitate the entry of the „bona fide passenger” as referred to in EU visa policy – that is an applicant who has legally used and not misused Schengen visas issued for him/her earlier.

Activities

In order to define and broaden the „bona fide passenger” concept, it has to be established which group of individuals - besides present ones - can be put into the „bona fide” category and which incentives would increase their number; and the types of misuses relating to this category and individuals committing them should be assessed according to geographical and other aspects. **II.8. Particular attention should be paid on verifying the financial commitments of those agencies and individuals who send, organise the travel, support applicants wishing to enter in order to participate in sport or cultural events, conferences. In case of tourist and visitor, or health purposes, examination the justification of the purpose, of the person or organisation obliged to cover the costs of subsistence, and of the existence of the intention of return is in many cases insufficient. As personal motivations in these cases are much harder to inspect than in the case of mass tourism, the improvement of consular interviews, personal attendance, consular profiling (psychological) is most important.**

Activities

- In order to ensure continuous examination and analysis of migration trends – on the basis of organisations and individuals misusing the entry purposes and supporting documents should be assessed based on geographical and other aspects.
- To develop of tools providing credible confirmation of the most typical and at the same time supported entry purposes, like the continuous review and where appropriate, extension or reduction the requested supporting documents, making the institution/actors of outsourcing interested in applicant profiling and in filtering misuses.
- It is necessary to build in effective safeguards and security elements, such as establishing an automated follow-up of legal visa use at the visa authorities, elaboration of system of sanctions - proportionate to the gravity of the abuse - for visa holders misusing the most typical entry purposes and for the visa holders abusing their visas (elaboration of cases which according to the present legal provisions do not call for sanctions or are not regulated at all, i.e. introducing the sanction of not allowing a visa application within a specific period - six months/one year).

II.9. Quality development and the development of document security should be prioritised in the course of operating of the Central National Visa Register linked to the Schengen systems and of providing reliable statistical data. Specimen documents, supporting documents (forms meeting the necessary requirements) issued by third countries need to be assessed, collected, moreover more document advisers need to be posted to Hungary’s foreign representations and trainings of accredited document experts need to be organised in the framework of the consular training or trainings organised by other authorities delegating experts.

Activities

- Annual review of uses of falsified/counterfeit documents based on the frequency, nature, type, reason of these activities and statistical indicators.
- Thorough assessment of the possibilities of the application of instruments adjusted to the result of the annual review and supporting the strategic objective – partly through Hungarian cooperation in regional/local Schengen consular and migration working parties.
- The results of the assessment should be taken into consideration in the decision-making process on document security issues
- Increase and continuous and further training of the staff of the migration authorities concerned – in particular the Police and the Office of Immigration and Nationality

II.10. Reform of the network of special consuls for migration and of immigration liaison officers (ILO)

Activities

- Assessment of migration risks, deployment of officials based on the assessment, development of the capacities of the institution supporting the network, development of the formal structure of selection and training of experts, partial revision of the current selection and training structure and the tasks and

competences of the government stakeholders contributing to the above-mentioned tasks;

- Establishment of continuous, timely and structured dialogues on fundamental questions relating to the deployment of officials involving government bodies competent in consular and migration issues;
- Training of ILOs, special consuls for migration and document advisers on country of origin information (COI), migration and document security issues based on a preliminary selection concept.

II.11. Making Hungary more attractive who intend to make an investment or start an enterprise of significant importance for the national economy without wishing to settle in Hungary.

Activities

- With the involvement of competent bodies the concrete rules of incentives for investing or creating employment to be implemented in third countries should be defined. Moreover the problems hindering the investment purposes third-country nationals face in visa procedures should be assessed.

II.12. In the framework of supporting entry for tourism purposes, preferred ways of organised tourism should be facilitated.

Activities

- To create consultative (and decision-making) mechanism for organised tourism, to determine travel needs (target country, target group) with the involvement of government and private actors in the field of tourism.

II.13. Development of cooperation, coordination and exchange of information with the between Schengen countries, other member states and the Hungarian foreign representations

Activities

- Further development of the visa representation system
- Reinforcement of local consular cooperation (among the Hungarian foreign representations and with EU partners as well) is essential for more effective functioning of the visa policy

FREE MOVEMENT AND LEGAL MIGRATION

A) Persons having the right to free movement

Situation assessment

The national legislation provides equal status to third-country family members of Hungarian citizens with third-country national family members of EU citizens, thus allowing gaining

residence rights under more favourable provisions as well as a smoother implementation of family reunification, and consequently this results in a faster and more efficient integration.

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

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

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

Vision for the future

The vast majority of migrants coming to our country legally will continue to be EU citizens and their family members, and family members of Hungarian citizens. Due to the rapid and efficient integration carried out in their case, their entry and residence shall be supported in the future as well.

With regard to the value of the unity of family the preservation of the current approach to family reunification is needed, that is guaranteeing the right to free movement and residence for the family members of Hungarian citizens in the future, too.

A significant part of ethnic Hungarians living outside the borders of Hungary already have the freedom of movement and residence by being EU citizens or third-country national family members of EU or Hungarian citizens, at the same time the decrease of the number of such ethnic Hungarian migrants is expected due to their future acquisition of Hungarian citizenship by means of the simplified naturalization.

Given that very favourable provisions, which are the transposed rules of harmonized legislation at EU level, are in place for persons with the right to free movement and residence, therefore, in order to achieve the right to free movement and residence, the future tasks should primarily be to guarantee the effective administration by immigration authorities as well as the practical enforcement of rights linked to the freedom of movement and residence. It is also important that the entitled persons are properly informed of both their immigration administration and of the enforcement of their rights concerning free movement and residence.

However, future tendencies are expected to still show the major share of abuses of legal migration channels to appear in the files to which the most favourable rules apply. In order to be able to ensure the sustainability of these preferential provisions effective actions will be required taking into account public policy, public security and national security aspects, particularly with regard to the phenomenon of abuse of legal migration channels showing

international trends. The actions against family reunification-related abuses of the right of free movement therefore are of high importance.

Furthermore it is also necessary to be constantly tracking how much burden the group inactive persons mean to the Hungarian social security system, and on the basis of the findings filtering of abusive behaviours as well as the development of prevention of such abuses could be justified.

Objectives

III.1. Further facilitation of free movement - Development of providing information, reduction of administrative barriers.

Activities:

- Provision of adequate, detailed information covering the rights in a customer-friendly way;
- Management of practical immigration administration in a more efficient manner by EU standards in light.

III.2. Reducing abuse: prevention of abuse of relationship of convenience and regular exchanges of experiences between relevant authorities

Activities:

- Efficient cooperation and exchange experience among the relevant authorities
- Ensuring the justified use of health and social benefits

B) Legal migration of third-country nationals

Situation assessment

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

a) Third-country nationals primarily come for **purposes of gainful (economic) activity** to our country.

Currently, the county development and training committees are involved in determining the needs of the national economy based on labour market information and employment data, but these assessments are used primarily for the development of national vocational training, not for attracting foreign labour for shortage occupations.

Among the workers from third countries, the number of work permits issued to the nationals of neighbouring countries has decreased significantly. In parallel, the number of permits issued to workers from countries outside Europe has risen. The highest number of permits was issued for Chinese, Ukrainian and Serbian citizens in 2012.

It should not be overlooked, however, that abuses appear concerning third-country nationals coming for the purpose of gainful activities.

The legal norms of the labour inspection system sufficiently regulates the monitoring of the employment of third-country nationals and related regime of sanctions is also strict, as a result of which apart from financial sanctions, if an employer employs a third-country national without authorization and in it revealed by the labour inspection, the employer is prohibited from making an offer in a public procurement procedure and benefiting from any public assistance. Taking into account the experiences it can be stated that in case of authorization or notification, the occurrence of irregularities decreases, because the employers are aware of the fact that as a result of the records kept they are already 'before the eyes of the authorities', so they tend to act lawfully. Unlawful employment carried out despite of all these occurs typically in the construction and agriculture sectors. However, it is common that a work permit is issued, yet the actual employment takes place at a different place of work, which cases are mainly observed in the construction and hospitality industries.

b) Hungary applies a positive approach to **family reunification** therefore does not impose major obstacles on migrants arriving to our country together with their family members already from the very beginning of their stay if the conditions of stay are provided for them as well. In respect of family reunification between third-country nationals the number of abuses is minor and they are mostly related to the use of false or falsified documents.

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

d) Experience with the **right to long-term residence**: the EC long-term residence permit providing intra-EU mobility right is requested by a small proportion of migrants, typically national long-term residence permit is applied for by permanently residing migrants, which can be obtained under national rules. Among third-country nationals only those are in the possession of a habitual residence in Hungary, who are holders of any kind of long-term residence permits which provide equal treatment concerning a broad range of rights for third-country nationals. Prior to the acquisition of long-term resident status only certain groups of migrants in accordance with EU directives and only regarding certain rights are third-country nationals entitled to equal treatment with Hungarian citizens.

The procedure carried out by immigration authorities is mostly necessary for the assessment of the merits of the application, and is based in the supporting documents. However, the competent authorities cannot, or only occasionally examine the veracity of such documents due to, among other things, legal constraints. Consequently the shortcomings of the practical control of conditions of entry and stay connected to the different migration statuses raise public and national security concern.

e) In order to access the Schengen area illegal immigrants use an increasing variety of methods to **circumvent the control systems**. Their inventory includes the abuse of legal migration channels, particularly the use of fake or counterfeit immigration or employment documents; carrying out fictitious business activities (establishment, temporary agency work); or to confirm enrolment in foreign language studies by paying the tuition fee, but without the real intention of pursuing studies.

With regard to certain legal migration channels abuses are detected particularly in cases of purposes for pursuing studies or when migrants wish to base their stay on activities carried out in their own firm. Such abuses primarily and directly threaten the security of our state and

other countries, because the abuse of legal migration opportunities is the most popular technique of the hostile intelligence services and terrorist organizations.

Vision for the future

Despite the fact that the ratio of total foreign population in the last three decades has continuously been upward, it is likely that migration to Hungary as a destination country will not continue to increase in the period of 2014-2020.

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

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

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

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

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

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

b) A large percentage of third country nationals who choose our country to be their country of residence will continue to come together with their family members. Major barriers should continue not to be rolled in front of family reunification, as it contributes to the successful

integration of migrants. The drafting of guidebook for the application of Council Directive 2003/86/EC on the right to family reunification is in progress in order to provide effective family reunification, this future guidebook needs to be taken into account during the practical implementation.

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

d) It is our interest to keep those third-country nationals and their family members in Hungary, who have been successfully integrated into the Hungarian society and have created their existential livelihood here, so there will be a future need to provide for preferential obtaining of the national long-term residence permit. However, we should also examine how Hungary can exploit the opportunities of circular migration by encouraging those third-country nationals to actively contribute to the national economy, the development of science, but does not intend to permanently settle in Hungary, but would like to use their income earned or skills gained in their countries of origin, and therefore achieve the enhancement of the situation of both Hungary and their country of origin, and also their our situation.

In order for the efficient operation of migration movements and making them beneficial for Hungary it is necessary to monitor trends and to map the characteristics of legally residing migrants - in particular their aims, duration of residence, permanent residence requirement – and to track the certain migration life cycles. Therefore the development and operation of efficient inventory management systems are essential. Furthermore the use of systems based biometric data shall also be enhanced.

e) Making illegal flows shift to legal ways requires a careful legislative process and consistent enforcement. To do this, cooperation with countries of origin should be increased, and the opportunity to be well-informed already in the countries of origin should be provided. In this respect the results of the Hungary-led pilot project on legal migration within the so-called Prague Progress can play an important role.

Objectives

III.3. Ensure economic growth by migration

Activities:

- Attracting investors, workers placed in shortage occupations and highly skilled migrants
- Continuous ensuring the effective functioning of the single application procedure

III.4. Developing and strengthening the image of an inclusive country

Activities:

- Developing incentives the level of practice and legal norms

III.5. Further development of the effectiveness of immigration administrative procedures

Activities:

- The development of statistical systems and statistic creation processes of the government authorities having statistical data about migrants based on statutory authorization;
- Effective training of those dealing with migration taking into account several aspects: knowledge of the documents, increasing security awareness;
- Targeted provision of information to migrants in countries of origin and transit on the migration management regulatory provisions and practices of the European Union and Hungary, with the involvement of civil society organizations in the countries of origin. issue

III.6. Effective action against the abuse of legal migration channels

Activities:

- The effective use, upgrading and expansion of inspection and sanction systems

III.7. Development of international dimensions

Activities:

- Establishing more intensive contacts and cooperation with third countries through the global approach to migration
- The extension of the system of agreements concerning the working holiday program
- Utilizing the opportunities provided by circular migration

ILLEGAL MIGRATION

Situation assessment

A consequence of Hungary's membership in the European Union is also that decisions, attractiveness and difficulties of other member states have a direct impact on Hungarian migration trends; the economic development and social welfare system of some of the member states profess constitutes a significant pull-factor to migrants who consider Hungary only as a transit country for the time being, moreover shortcomings of a member state in the field of migration management increase the migration pressure on Hungary, as it is a secondary external border of the European Union.

Since Hungary is present in the international process of migration including illegal migration, mainly as a transit country, it is important to look at the experience and actual problems of current destination countries as a prospective future for us.

Hungary – as member of the European Union and part of Schengen area – is committed to fulfil all requirements concerning controlling and protecting of external borders. Hungary lies on the illegal migration route from the Balkans to Western Europe, thus activity of this route has a significant impact on the related complex law enforcement activity. As a transit country

emphasis needs to be placed on handling the „transit traffic”, intensifying border control and maintaining internal security. Hungary’s accession to the Schengen area in December 2007 has not affected the illegal migration routes in the short term, it has not changed it in any significant way.

Main source and transit areas of the continuously increasing illegal migration flows actually affecting Hungary are the Middle East, Asia Minor, Northern Africa and the Balkans. Illegal migration poses a significant risk of public and national security as besides the hope of a better living and subsistence the aim of committing crimes and the increasing danger of terrorism have also appeared at the same time with the changes in the citizenship (of illegal migrants). Destination countries indicated by migrants are mostly in Western Europe, and employment (economic) activities are revealed as the purpose of travel in the overwhelming majority of cases.

Vision for the future

Since Hungary appears mostly as a transit country on the international route of illegal migration, related crimes do not mean determining risk factors and do not have a direct effect on the population and society. At the same time it can be forecasted, that Hungary’s character as a destination country will be more intensive, which can result the purpose of settling and a staying longer in Hungary by illegal migrants in greater numbers.

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

„Credibility” of legal migration policy depends on the effectiveness of the fight against illegal migration and that is why an effective „prefilter” mechanism, reinforcement of the fight against smuggling of and trafficking in human beings, the development of return and readmission policy with a special view to the effective implementation of the existing readmission agreements and the conclusion of agreements with further countries is essential. Following the establishment of the legislative framework in 2013 is important to regularise the situation in practice of those third-country nationals who cooperate with the authorities and whose expulsion may not be executed for reasons beyond their control, to create the possibility to become self-supporting by taking up employment. It is the interest of Hungary to have a solution for this challenge not only on national, but also on a European level because the differences in the legal situation induce further, secondary migration within the European Union.

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

shape its international development policy in accordance with development priorities of the European Union and along the interests of Hungarian national economy in a wider sense.

The approach of illegal migration as a phenomenon includes learning the attitude of the population concerning foreigners and migration in general by using existing possibilities and instruments. The possibility that some extreme groups could use insufficient information of the population for their own aims and abuse mass incidents deriving from the negative attitude towards foreigners should be excluded.

Objectives

IV.1. Improve co-operation, information exchange and co-ordination among competent actors in the field of fight against illegal migration

Activities:

- To create and operate a permanent working group of experts for analysis, evaluation and early warning in order to coordinate the bodies competent in legal and illegal migration:
 - to appoint permanent members and the chair of the group (participants can be broadened depending on the issues discussed, securing representation on expert level)
 - to define the schedule of meetings (defining of frequency of regular meetings, method of calling for an extraordinary meeting)
- Duties of the working group: tasks defined in the migration strategy (implementing tasks of the working group defined in other chapters of the strategy); drafting comprehensive joint migration reports; indicating the need for amendment of legislation on migration management and tackling illegal migration; preparation of decisions; making annual impact assessments on the implementation of legislation on illegal migration in order to identify successfully the legislative gaps and areas of reinforced intervention.

IV.2. Increase the effectiveness of the fight against illegal migration by improving capacities and capabilities and by increasing the quality of risk analysis and evaluation

Activities:

- Assuring direct and continuous access to relevant migration data of databases and statistical systems, defining indicators for migration analyses;
- Elaboration of organizational migration assessments
 - Defining sources serving as a basis migration analyses
 - Laying down aspects, structures, constant and changing elements of the migration analyses
 - Defining the schedule of drafting and submitting evaluations.
 - Drafting rules on the implementation of decisions affecting migration policy based on the evaluations;
- To study the readmission and detention capacities of countries of the Western

Balkans and mapping legal and practical problems in managing migration, organising regular bilateral meetings for a more effective implementation of readmission agreements

- Examining international legal and practical issues emerging in the course migration management by mapping the legislation and practice in migration management of countries situated along the migration routes directing to Hungary.

IV.3. Increase the effectiveness of fight against illegal migration by the development of information technology

Activities:

- Establishing an IT background ensuring professional analysis-evaluation, creating a software supporting migration analysis based on statistical data and reports
- Creating the possibility of an up to date and quick identification of people under aliens policing procedure
- Ensuring immediate results of queries from the central server of EURODAC system;
- Development and connecting interpreter networks: connecting current, electronic interpreter networks, development of a uniform application of the system, which is able to prepare authentic minutes of the hearing from audio material besides digital recording of image and voice;
- Modernizing IT systems supporting the registration and record of the hearings of people under aliens policing procedure;
- Increasing the availability of information necessary to examine the existence of reasons for *non-refoulement* by the establishment of a central database containing country of origin information available for all authorities.

IV.4. Increase mobility related to the fight against illegal migration

Activities:

- Modernizing the vehicle fleet ensuring the transport of persons under aliens policing procedures, as well as expelled, detained and readmitted people.

IV.5. Establish and operate facilities serving the purpose of aliens policing detention meeting uniform conditions and ensuring humane detention

Activities:

- Elaborating conditions on a central level respecting necessary professional requirements of aliens policing and flexibly adjustable to the needs and able to provide humane detention
- Planning a new facility which is able to adjust to the detention requirements of the changes in migration, revamping the facilities to the conditions, creating an optimal technical background for the implementation of the aliens policing detention
- Definition and establishment the special conditions of accommodation, supply and social care for persons belonging to vulnerable groups
- Operating services – psychological and social assistance, assistance and information – aiming at mitigating the disadvantages of aliens policing detention

IV.6. Maintaining an experienced personnel having specific skills and extensive international and national relations at the authorities managing legal and illegal migration

Activities:

- Drafting curricula in line with European Union and national law, furthermore preparing and using methodological guides and materials required for the trainings that introduce and analyse migration and types of illegal migration
- Implementing humane detention by providing intercultural trainings for and sensitizing of the staff conducting aliens policing procedures and executing aliens policing detention
- Foreign language courses on the languages according to the main citizenship categories of migrants for aliens policing officials and for the staff operating at detention centres
- Drafting a professional medical, psychological protocol assisting the aliens policing procedure (e.g. age determination of unaccompanied minors).

IV.7. Humane, effective and sustainable return prioritising voluntary return

Activities:

- Reinforcing the use of transit on land, through the territories of EU member states, broadening the area of co-operation with other member states with a view to providing humane return for voluntary returnees. Implementing measures with a view to preferring voluntary and non-sanctioned return with the help of proper initiatives;
- Co-operation between the International Organization for Migration and authorities competent in migration in implementing voluntary return programmes including the possibility of launching innovative, programme-level initiatives
 - Information about the possibility of voluntary return for those third-country nationals, who do not fulfil conditions of entry and residence in a member state
 - Return by air for third-country nationals choosing the possibility of voluntary return;
- More effective utilisation of existing member state and union level expert fora by intensifying exchange of information;
- Firm, uniform and co-ordinated actions towards countries of origin with a view to issuing travel documents necessary for readmission/removal, increasing the effectiveness of agreements and drafting new agreements;
- Establishment and implementation of reintegration programmes with a view to sustainable return
 - Psychosocial assistance and information in order to facilitate smooth return of those awaiting removal

IV.8. Implement escorted forced returns

Activities:

- Participation in joint return operations by air organised by Frontex with member states
 - implementing forced returns in accordance with the protocol elaborated by

Frontex

- Organising removal in the framework of bilateral readmission agreements, launching, monitoring and quality improvement of national charter flights
- Approving and implementing transits for readmission on the basis of bilateral readmission agreements concluded by Hungary

IV.9. Ensuring effective measures against abuses by the development of legal background

Activities:

- Joint and uniform actions against countries of origin of illegal migration with a view to ensuring administrative conditions enabling the return of their citizens
 - the number of readmission agreements concluded by the EU has to be increased, moreover bilateral implementing protocols have to be concluded with respect to all of them.
 - in the absence of an EU mandate, concluding bilateral readmission agreements with other countries of origin, quick and effective organisation of acquiring identity documents and removal to the country of origin of those who arrive illegally;
- Regularise the situation of those third-country nationals on national and EU level, who co-operate with the authorities, and whose expulsion may not be executed for reasons beyond their control
- Revision and modernisation of the system of migration norms and procedure, improving the coherence of migration legislation;
- Developing the network of specialist migration diplomats, immigration liaison officers (ILO) and document experts (see point II/10.);
- Enabling the legal review system to processing classified data.

INTERNATIONAL PROTECTION

Situation assessment

Over the last few years, there have been significant changes in the number of applicants for international protection. Over the last ten years, the average number of asylum seekers has ranged between 2,000 and 3,000 annually. However, there have been remarkable changes in the main countries of origin of applicants: Vietnam, China, then Serbia and Kosovo, and currently Afghanistan and Pakistan. This has posed and continues to pose an important challenge for the institutional system applying the law and receiving applicants. One new troublesome phenomenon which is causing concern is the increase in the number of unaccompanied minors. In their case, determining their age as accurately as possible and ensuring placement and care in accordance with their special needs are primary concerns.

Due to the location of migratory pathways, we can continue to expect asylum seekers to enter our country. Accordingly, we must ensure that the corresponding institutional structure is capable to adequately perform its intended functions.

International trends and our experience have both shown that applicants come to us from existing and emerging crisis areas - in varying proportions - from virtually all conflict zones. Applicants from crisis zones with well-founded claims need to be handled in a different way

from those arriving from safe countries who are attempting to abuse the asylum procedure. In either case, the expeditious and effective review of the application is crucial: for true refugees, this ensures that they are given a reassuring response and can begin to integrate as soon as possible; in the latter case, a clear response against abuses of the system is needed in order to ensure that available resources are not wasted on unworthy cases.

The most important challenge of mixed migration is to filter out those in need of international protection from other migrants (who are generally economic refugees). Appropriate mechanisms must be built into the process in order to guarantee that, on the one hand, a person persecuted in their country of origin is not returned to this country, as this would endanger the life of this person and would lead to serious international obligations; yet on the other hand, prevent a foreign national who does not meet the required criteria from obtaining the right to remain in the country and integration assistance.

One issue that presents an ongoing problem in conducting proceedings is the complete disclosure of asylum-seekers' stories. Obtaining adequate interpreting services (often in exotic languages) is crucial to the procedures, but this is often difficult. One obstacle to the verification of the verisimilitude of the statements of asylum seekers is the fact that there is no Hungarian foreign representation in several of the countries of origin which could provide support in obtaining the necessary country information data. Public officials and commissioners performing related tasks must be provided with ongoing, quality training in order to support them in coping with the high level of responsibility in making decisions that shape people's lives. Similarly, it is important to provide training for staff providing care to new arrivals.

After more than a decade, the issue of accommodation and care for unaccompanied and separated children requiring special care has been satisfactorily resolved, as of September 2011, an institution for the protection of children now provides all the care which they require.

Because of the guarantees provided to unaccompanied and separated children, abuses of the system are regularly seen. Adults make false claims of being minors, primarily because they can more easily depart from the open child protection institutions towards their intended final destination. A phenomenon which gives cause for concern is the departure of foreign national minors for unknown destinations through organized human smugglers - raising the risk of trafficking and forced prostitution.

Vision for the future

As crises and conflicts that result in forced migration cannot be forecasted it is thus important for strategic objectives to provide for a necessary level of flexibility in order to ensure humane and effective protection to arrivals to Hungary as a result of unforeseeable events. There are both quantitative and qualitative issues in connection with future applicants for international protection.

- Fluctuation in the number of asylum seekers results in a *quantitative* challenge. The number and frequency of new arrivals is unpredictable. Both reception facilities and institutions conducting administrative procedures must be prepared to process ever greater numbers of illegal arrivals. Due to unpredictability, there should be significant capacity reserves on standby, both in terms of institutional capacity and in terms of human resources. In addition, we must ensure that an appropriately trained team of staff be capable of being dispatched to another area if necessary.

- The unpredictability of the countries of origin of new arrivals represents a *qualitative* challenge. We must ensure that the necessary guidelines and country information concerning the main countries of origin are available. Another aspect of the qualitative factor is the ongoing improvement of the quality of procedures. This includes technical improvements (IT systems, remote interpretation facilities) and further modernisation of the quality assurance system.

Hungary expresses its solidarity towards those foreign nationals who are at risk of persecution in their home country on the grounds of their ethnicity, nationality, for religious or political reasons, or because of their belonging to a certain social group. Hungary also offers asylum and protection to those who have fled their country because of armed hostilities or out of fear of grievous bodily harm. It helps and supports those persons who are not recognised by any state as its citizen. It upholds the rights of children. Hungary is committed to continue providing safety and assisting in the social integration of fellow human beings who are in need of protection.

With regards to the placement of applicants for international protection, an important criteria is to ensure that the areas chosen for placement are given sufficient encouragement to host these applicants or that they accept the installation of hosting facilities on their territory. To this end the affected municipalities' willingness to host new arrivals should be encouraged. International experience has shown that smaller organizational structures that react quickly to changes in migration are the most effective; thus the aim should be to set up several smaller facilities able to host a maximum of 200 persons each.

Objectives

V.1. Promoting Hungary's interests within international refugee policy making. Taking an active role in preparing decisions shaping EU asylum policy.

Activities:

- in asylum procedures, besides compliance with humanitarian criteria and international standards, issues of national security, public order and public health should also be taken into account (effective information flow between public order and public health bodies)
- participation in asylum activities of the EU, in particular of the European Asylum Support Office (EASO). Proactive prevention and management of international crisis situations.

V.2. Taking part in international solidarity by granting assistance to countries which are exposed to significant migratory pressure. Involving countries touched by the migratory routes passing through Hungary in order to reduce the burden on the Hungarian asylum system.

Activities:

- maintenance and development of a national resettlement and relocation programme based on international solidarity, including the annual schedule and implementation of the programme

- migration and refugee capacity-building of third countries, taking part in Regional Protection Programs
- strengthening bilateral ties with neighbouring third countries

V.3. Building a flexible asylum system which is able to adapt to the fluctuations in the asylum situation, and able to react rapidly to changes in the numbers and composition of applicants

Activities:

- encouraging municipalities where applicants for international protection are placed to host these persons, and to welcome facilities for their placement, overview of incentives and ensuring that incentives are present.
- preparation for mass arrivals of refugees, keeping capacity reserves for emergencies
- training prepared staff for effective crisis management
- ongoing supervision of the work of the Migration Protection Working Committee in order to ensure effective operations

V.4. Further development of the quality of asylum and statelessness procedures

Activities:

- In order to ensure that all asylum-seekers gain access to asylum procedures and that well-founded applications result in international protection, transparency in administrative procedures must be ensured.
- guarantees of access to international protection must continue to be expanded. Under all circumstances, the review and enforcement of compliance with the principle of *non-refoulement*
- providing appropriate information to foreign nationals, legal assistance in all phases of procedures, the effectiveness of translation (interpreting) and the improvement of quality
- systematic, targeted and ongoing training for the staff of the asylum authority and for participants in court proceedings
- Improving IT support, based on the results of technical and academic research and integrating international best practices.
- elaborating a best interest determination procedure for unaccompanied minors not abusing the system

V.5. Taking a firm and consistent stand against abuses of the claim system for international protection. A balance must be found between the guarantees of international protection and measures designed to limit abuses of administrative

procedures. In order to ensure well-founded decision-making, medical, linguistic, document and other experts may assist in fact-finding. Ongoing review of available international and member state best practices aimed at ensuring effective, humane and efficient asylum procedures as well as thorough and expeditious decision-making.

Activities:

- sharing our best practices related to statelessness determination and asylum procedures
- Improvement of the standard of procedures and quality assurance by means of feedback integrated into the workflow as part of the quality assurance system
- continuous updating and development of the asylum registration system to facilitate a proper response to migration trends
- extension and development of the country-information database
- developing software that facilitates decision-making activities by reducing unnecessary administration work and increasing the uniformity of decision-making
- making use of the linguistic analysis techniques to help establish the trustworthiness of asylum seekers in need of international protection
- making use of the latest scientific methods for age determination
- expanding remote interpretation end-points and joining in the Interpreters Network operated by EASO

V.6. Ensuring an appropriate quality of reception conditions to applicants for international protection, maintaining and continuously improving the quality of the reception system for asylum seekers. Creating an institutional system to accommodate new arrivals which is cost-effective and is able to adapt its capacity to fluctuations in actual needs.

Activities:

- organising events and activities at the reception centres for asylum seekers, development of social work in order to reduce conflicts and prevent hospitalisation
- developing a mechanism for the early identification of the particular needs of persons requiring special treatment and providing corresponding care within the asylum system
- the placement of foreign nationals requesting international protection and requiring special treatment in appropriate special healthcare or social welfare institutions
- ongoing training of staff providing care to applicants, in particular to those requiring special treatment

- ongoing improvement of the placement of unaccompanied and separated children asylum seekers in child protection institutions
- preparing the institutions dedicated to providing specialised care for the reception of asylum seekers requiring special treatment and specialised care

INTEGRATION

Integration is a two-way process:

1. The society of the host country must have an attitude of acceptance and openness, new arrivals do not have to give up their culture, language and customs, they may exercise these in accordance with Hungarian law.
2. Foreigners intending to settle in Hungary have to accept and comply with the laws and customs of the host country, and tolerate them even if the latter differs from the customs of the foreigner.

Situation assessment

Hungary is not facing masses of foreigners planning to take up permanent residence here. While they do account for slightly more than 2% of the entire population, nearly two-thirds of them are ethnic Hungarians from other countries, and who thus do not encounter any significant obstacles in integrating into society.

Nonetheless, ethnic Hungarians from other countries should not be excluded from integration programmes, especially if they are members of the Hungarian diaspora who have had little contact with their homeland prior to their arrival; in these cases, communication issues are frequent and they are unfamiliar with the Hungarian institutional system, thus they do require support in integrating.

Support for integration into Hungarian society is primarily needed for migrants arriving from third countries who do not speak Hungarian, for beneficiaries of international protection (refugees and beneficiaries of subsidiary protection), as well as stateless persons. During the integration measures the specific needs of the different groups should always be considered.

EU citizens can benefit from the full range of services offered by the social welfare system on the same terms as Hungarian citizens and can participate in the Hungarian job market, public education and higher education. With regards to access to the social welfare system, Hungarian law provides more rights than what is currently required under EU law. However, integration support is required in this respect as well (e.g. learning the Hungarian language, Hungarian culture, and about everyday life).

In order to obtain permanent residence in Hungary, legal migrants must be able to prove that they are able to support themselves, thus that they have appropriate housing and revenue.

Beneficiaries of international protection have the greatest need for integration assistance. The legislation amended in 2013 has resulted in a more uniform treatment of aid (formerly fragmented) and has created a support system based on individual responsibility and on the quickest possible transition to an independent lifestyle. After obtaining legal status,

integration support is granted on the basis of individual integration contracts. Along with the introduction of integration contracts, an amount of aid calculated on the basis of the individual's social situation and needs can be used by the beneficiary of international protection in accordance with the conditions of the contract. After obtaining legal status, beneficiaries of international protection are permitted to remain in the reception centre for no more than two months. After moving out, they are entitled to claim integration support from the state for a period of no more than two years after obtaining legal status.

At the time of leaving the reception centre, only very few have secured employment, thus paying for rent presents a serious challenge for families. The 2013 legislative amendment has created a possibility for the refugee authority to - via the family protection service - keep in continuous contact with foreign nationals who have been granted refugee status or subsidiary protection, and to thus track changes in their social conditions.

Beneficiaries of international protection enjoy the same rights as Hungarian citizens, thus are entitled to the aid, services and healthcare provided under the social welfare system. However, there is generally a lack of information about these opportunities.

The characteristic of this group is that they tend to settle either in the capital, in large cities, or in their immediate vicinity. As the proportion of migrants is still low in Hungary, there are typically no communities or diaspora that can provide assistance to one another.

Foreign nationals living in Hungary (beneficiaries of international protection, EU citizens, third-country nationals) are entitled to a wide range of services, but these are fragmented, depending on the various types of residence permits, and appear in a dispersed manner in subsystems. There is no complex integration programme in Hungary that applies to all foreign nationals and which is covered by the support system. In Hungary there is still no specialized institutional system to coordinate integration and to create an integration support system.

Vision for the future

Hungary has to strive to provide assistance for successful integration into society to those foreign nationals who, after having met the necessary legal criteria, wish to settle down here for the long term. Efforts should also be made to ensure that foreign nationals settling here receive assistance to become useful citizens not only of Hungary, but also of the European Union, such that they are able to benefit to the greatest extent possible from the benefits of EU membership.

In order to increase the effectiveness of integration, Hungary has to adopt an Integration Strategy, which requires earmarked funds for its implementation and not fragmented funding.

The Integration Strategy should contain integration programs for the integration of migrants with regard to the dispersion of existing migrant communities, establishing an integration network and mapping the labour market and housing possibilities of the municipalities that are suitable for integration.

Assistance for the inclusion of persons granted international protection or recognized as stateless should be prioritised. Most migrants should make use of the integration services on a voluntary basis, recognised refugees, beneficiaries of subsidiary protection or stateless persons who do not yet have integration connections should have a contact with the service based a contract signed with the clients. An individual, tailor-made integration plan should be drawn up for persons granted international protection or recognized as stateless. The

integration contract signed with the migrants is binding for both parties for a two-year period. However, after this compulsory period, refugees, beneficiaries of subsidiary protection and stateless persons may continue to use the integration services. Volunteers should assist them in their work.

In the framework of integration it is an important task to provide objective information to the population of the area where migrant families are arriving, and to try to eliminate prejudice and fears. Community events should be organised to which the local population is invited along with refugees, beneficiaries of subsidiary protection and stateless persons, thereby allowing for a dialogue to begin between the two communities.

An increase in the number of unaccompanied and separated children can be expected over the next few years. Accordingly, an increase in the number of professionals who come into contact with them will be needed, along with special inter-cultural training.

In order to prevent human smuggling, accommodation for unaccompanied and separated children who are asylum seekers should be set up separately from accommodation facilities for recognized refugees. This would reduce the risk of persons who have already been granted protection from getting into contact with people smugglers, and the risk of the criminalisation of young refugees and beneficiaries of subsidiary protection and their integration into people smuggling networks. In order to more effectively prepare the young people for an independent life, the number of professionals working with the children should be increased, they should receive migration-specific training, and a probationary transition period should be introduced between the time when young people are under complete supervision and when they are completely independent. When young people move out of the institution to begin living independently, they should receive housing subsidies irrespective of their revenue.

Legislative conditions should be drafted in order to ensure that unaccompanied and separated children and young people receiving post-care support who are beneficiaries of subsidiary protection are also granted easy access to obtaining Hungarian citizenship, just like recognized refugees, which will encourage and accelerate their integration process and increase their motivation.

Provisions should be made for those foreign nationals who, for well-founded reasons, are not capable of supporting themselves (due to e.g. advanced age, trauma suffered or single parents raising young children). In their cases, the social welfare system for Hungarian citizens must be prepared to deal with these foreign nationals as well.

Objectives

VI.1. Draft and implement of a strategy for the integration of foreigners in Hungary in order to increase the effectiveness of integration

Activities:

- drafting the Integration Strategy
- creation of an Integration Forum which operates and coordinates the work of governmental and non-governmental organizations contributing to integration and makes it possible for the representatives of the target group to express their views
- development of statistical systems concerning foreigners living in Hungary with a view to the identification of the necessary means

- capacity-building of the administrative and service-providing systems at the central, regional and local levels, training administrative staff who come into contact with migrants in order to implement the Integration Strategy.

VI.2. Promote intercultural education in public education, taking into account aspects of theoretical and practical education

Activities:

- Complementing existing needs assessments and carrying out new studies on migrants' access to education, giving special consideration to the results of research by the Institute of Educational Research and Development.
- Creating, developing and operating sustainable programmes to help children of migrant families to integrate in kindergarten and school.
- Capacity building in the field of public education: developing teaching methods and curricula adapted to students' culture and operating professional consultation forums.
- Reinforcing cooperation with institutions providing basic and advanced teacher training, with special attention to promoting the new role for teachers, as well as providing training for specialised teachers of teaching Hungarian as a foreign language.

VI.3. Provide integration-related assistance to third-country nationals studying in Hungarian institutes of higher education and who plan to enter the Hungarian labour market upon the completion of their studies

Activities:

- Provide Hungarian language and inter-cultural training for third-country nationals studying in Hungarian institutes of higher education
- Development and operation of programmes in Hungarian higher education designed to help third-country national students to integrate into the labour market.

VI.4. Develop adult education trainings and programmes to assist in the integration into the labour market and that reflect the special needs of the target group

Activities:

- Reviewing former and current programmes that provide migrants with Hungarian language training, creating and implementing language training programmes suited to the needs of migrants.
- Development of job counselling reflecting the needs of the labour market, creating and operating training programmes for migrants.
- Facilitating entry to the labour market for stateless persons.
- Providing migrant-specific training to the staff of training institutions.

VI.5. Facilitate migrants' entry to the labour market through training, re-training and benefits offered to employers

Activities:

- Developing and operating appropriate mechanisms to recognise migrants' qualifications that were obtained outside the EU.
- Examination of the effect of migration of third-country nationals on employment.
- Introducing proactive labour-market tools in order to promote the integration of beneficiaries of international protection into the labour market.
- Creating special tools to increase the rate of employment of vulnerable groups.
- Providing migrant-specific training to the staff of employment services and agencies.
- Review regularly the regulated professions in order to facilitate entry of migrants to the labour market.
- Creating and operating programmes that support migrant entrepreneurship.

VI.6. Develop actions in housing for those migrants - in particular beneficiaries of international protection - who are unable to obtain out-of-institution housing or who are facing difficulties in doing so without support

Activities:

- Setting up and operating programmes that facilitate the access of beneficiaries of international protection to housing in order to help them become self-supporting.
- Providing crisis care to foreigners in Hungary who are not entitled to other benefits.
- Setting up and operating migrant-specific social housing programmes.
- Preparing institutions that provide specialised personal care to receive migrants in need, with special attention to elderly or disabled beneficiaries of international protection, or who are in a vulnerable condition for any other reason.

VI.7. Increase the level of migrants' social and political involvement, helping them to actively enjoy the political rights granted to them under the Fundamental Law and to take an active part in Hungarian society.

Activities:

- Providing third-country nationals with information on how to obtain Hungarian citizenship, and preparing them for the naturalisation exam on basic constitutional knowledge.
- Helping migrants to involve in social and political life.
- Involving migrants in the implementation of integration measures, creating a mentor system.

- Encouraging the creation of migrant-oriented NGOs, capacity-building of existing organisations, creating a forum for cooperation between these organisations

VI.8. Integration is a two-way process; thus, it is important to promote and create a dialogue between cultures and for Hungarian society to be open towards third-country nationals

Activities:

- Implementing trainings to assist in the socio-cultural orientation of migrants about the history, economy and culture of Hungary, its religious and political life, the administrative and municipal system, and all information needed for everyday life (including necessary information regarding administrative proceedings).
- Measures to promote the creation and maintenance of a living environment that welcomes third-country nationals.
- Migrant-specific review of professional code of ethics, and encouraging initiatives to supplement it.
- Supporting the work of volunteers who help in the integration of migrants.
- Developing and implementing programmes to encourage inter-cultural dialogue.
- Review of access of migrants to institutions, consumer goods, public and private services; developing and implementing programmes to reduce discrimination if necessary.
- Organising programmes for the Hungarian population to encourage a more open attitude towards migrants, promoting and implementing awareness-raising campaigns, promoting a shift towards multiculturalism.
- Collaborating with the media in order to ensure accurate and objective coverage.

VI.9. Unaccompanied and separated children and young adults receiving post-care support who are recognized as refugees or beneficiaries of subsidiary protection face numerous disadvantages; it is thus crucial to ensure their protection and to assist them in integrating during their stay in the institution and when they leave the institution to begin an independent life.

Activities:

- Increasing the protection of unaccompanied and separated children who are refugees or beneficiaries of subsidiary protection, with especial attention to people smuggling
- Expanding the capacity of staff working with unaccompanied and separated children and young adults receiving post-care support
- Setting up a system of financial aid and benefits for beneficiaries of post-care after they move out from the children's home
- Amending legislation as appropriate to facilitate the naturalisation of unaccompanied and separated children and young adults recognised as beneficiaries of subsidiary protection

MONITORING

Implementation of the tasks assigned to the objectives is the responsibility of the competent authorities. Monitoring of the Migration Strategy that is the examination of the progress made in the implementation of the activities and objectives bearing in mind the development of the national, EU, international environment and requirements will take place on an annual basis. Special attention should be paid to the coherence of the actions to be implemented.

Monitoring of the implementation and realisation of activities should take place in accordance with the fundamental principles of the strategy and in line with the practical implementation of the activities. Implementation of the monitoring activities is a responsibility of the ministry responsible for the policy on foreigners and asylum and of the organisations responsible for the implementation of individual activities. The working group comprising of experts of ministry responsible for the policy on foreigners and asylum, other competent ministries and government bodies should prepare an annual report on the results achieved in implementing the objectives of the strategy and on the remaining tasks to be completed. In preparation for the report, members of the national coordination mechanism should provide information to the minister responsible for the policy on foreigners and asylum.

Activities:

- Establishment of the working party comprising of experts the competent ministries and government bodies
- To organise annual fora for international and non-government organisations active in this field in order to provide opportunity to share their views on the implementation of the strategy
- Drafting comprehensive reports on migration (when appropriate but at least once a year), preparing impact assessments