

FRANET

**Migrants and their Descendants:
Social Inclusion and
Participation in Society**

Hungary, 2015

FRANET contractor: Milieu Limited

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Executive summary

- **Legislation and policy instruments**

Hungary has not developed a migrant integration strategy yet. The country's Migration Strategy, however, prescribes the adoption of a separate Integration Strategy and contains the principle of integration. At local level, municipalities do not develop integration strategies. Overall, most municipalities may be considered passive in this respect. This attitude results from the low number of migrants in Hungary – around 0.7%-3% of the total population – on the one hand, and from the perception of having limited competences to act, on the other hand. It is important to note that PM Orbán in his speech delivered on the 19th May 2015 in the European Parliament “openly” raised the issue that “the current treaties should be revised, and the right of Member States to defend their own borders should be restored to national jurisdictions and qualified “the proposal that we should let asylum-seekers into Europe and should apportion them out among the Member States on the basis of some artificially defined quota is a crazy idea.”¹

Integration measures led by state actors remain fragmented, with their implementation often outsourced to non-governmental organisations (NGOs). Outsourcing refers to a system where the NGOs implement the project on the basis of funds – mainly EU funds – under the financial and professional monitoring of a state body, often the Ministry of Interior. Existing integration measures seem to focus on certain groups of third country national migrants (TCNs) only, namely those who do not speak Hungarian, beneficiaries of international protection and on stateless persons. The Migration Strategy also states that these groups are the main beneficiaries of integration measures.

The integration of migrants is hindered by various factors in Hungary, one being the problem described above, namely the lack of a comprehensive policy framework. This issue in part results from the larger problem of lack of political interests. Political interests focus almost exclusively on the integration of ethnic- Hungarian TCNs, from, for example, Ukraine or the ex-Yugoslav countries.

Other issues, such as the lack of credible data on the situation of TCNs in Hungary, the lack of specialised training programmes for civil servants dealing with migrants, the insufficient language training programmes for migrants resulting in language incompetency affecting all areas of social life and the hostility of the majority of the Hungarian population, are also present in Hungary. The Migration Strategy aims to address some of these issues by dedicating a separate chapter to integration.

Stakeholders have raised concerns about the Migration Strategy, highlighting that the implementation thereof has not yet started. They also note that some of the issues, such as the hostility of the Hungarian society towards migrants, remain unaddressed. Moreover, the mechanism envisaged for the monitoring of the Migration Strategy is weak and lacks adequate precision.

NGOs also urge the adoption of the multiannual programme for the use of the Asylum and Migration Fund (AMIF). The importance of this document is twofold: firstly, it sets concrete steps for the implementation of the Migration Strategy, and, secondly, it provides a framework for the subsequent tendering procedures resulting

¹ Prime Minister Viktor Orbán's Speech in the European Parliament, 19.05.2015, Strasbourg, 20.05. 2015, available at: www.kormany.hu/en/the-prime-minister/the-prime-minister-s-speeches/prime-minister-viktor-orban-s-speech-in-the-european-parliament.

in projects. In the absence of project-based financing, the basic services provided by NGOs may cease.

- **Equal treatment and discrimination**

There are a very limited number of laws and/or policies in Hungary that explicitly spell out the fundamental rights of TCNs. General fundamental rights' protection, deriving from the country's Fundamental Law for example, extends to 'everyone' and thus to TCNs as well. Persons seeking international protection in Hungary are subject to a more comprehensive and explicit legal and policy framework in terms of fundamental rights' protection.

- **Political and societal participation**

Equal treatment legislation does not contain explicit reference to TCNs. However, case law suggests that the scope of applicable legislation extends to protection against discrimination on the ground of nationality. At policy level, neither the Migration Strategy, nor local equality plans contain reference to the requirement of ensuring the equal treatment of TCNs.

In practice, complaints are filed with, for example, the Equal Treatment Authority on the discrimination ground of nationality. No data is collected though on the nationality of complainants. Access to justice in Hungary is provided for everyone. It is noted, however, that TCNs may face language barriers while exercising their right to access to justice. Applicable legislation foresees translation and interpretation services, which are not always free of charge. Moreover, public officials are not legally obliged to speak in languages other than Hungarian with the clients contacting them. The Equal Treatment Authority, which was consulted on this matter, noted though that its public officials use English in cases where the complainants do not speak Hungarian.

Existing research notes the hostility of the Hungarian society towards migrants and highlights forms or experienced discrimination. Literature, however, assesses the discrimination situation of TCNs overall, without reference to the type of permit they hold.

Ensuring the equal treatment of migrants does not seem to be in the centre of political attention. To the contrary, current rhetoric might lead to further inequalities. In February 2015, the Government initiated a parliamentary debate on existential migration. The Government called on the Parliament to amend existing legislation with the aim of securing migration only from safe countries 'from where migration could be justified'. The Government – upon the initiative of the Prime Minister Viktor Orbán – announced on the 24th of April 2015 the launch of a 'National consultation on immigration and terrorism' ([Nemzeti Konzultáció kérdőíve a bevándorlásról és a terrorizmusról](#)).² This action by the Government was met with widespread criticism.

- **Social cohesion and intolerance**

Third country nationals are legally allowed to acquire Hungarian citizenship, provided that certain requirements are met. Existing requirements apply a double-standard, putting ethnic-Hungarian TCNs into a more favourable position. Statistical evidence shows, however, that the number of citizenship acquisitions is decreasing. Research

² Government website, The national consultation on immigration is starting (*Indul a nemzeti konzultáció a bevándorlásról*), 24 April 2015, available at: www.kormany.hu/hu/a-kormanysozivo/hirek/elo-kozvetites-kormanysozivoi-sajtotajekoztato-konzultacio. The National Questionnaire on immigration and terrorism (*Nemzeti Konzultáció kérdőíve a bevándorlásról és a terrorizmusról*) is available at: www.kormany.hu/download/7/e2/50000/nemzeti_konzultacio_bevasorlas_2015.pdf.

shows that many TCNs do not consider citizenship acquisition as an ultimate goal. Those who apply for Hungarian citizenship are often motivated by the possibility of acquiring European citizenship at the same time.

Third country nationals have limited voting rights in Hungary. Deriving from the Fundamental Law, they do not have the right to vote or to be voted for in national elections, nor can they participate in national referendums. The voting rights of TCNs are limited to local elections. It is noted though that even in local elections they cannot be voted for. There are no statistical data on the voting turnout of TCNs; qualitative research shows, however, that migrants are not politically active. Initiatives encouraging the political participation of migrants are ad-hoc. Moreover, Hungarian legislation does not provide for the establishment of consultative bodies for migrants.

Legislation applicable to trade unions does not contain reference to TCNs. However, under Hungarian law any employee can join a trade union. TCNs, depending on their legal status, may be employed with or without a work permit. Despite the legal possibility of engaging in employment relations, the employment activity rate of the migrant population varies considerably depending on the origin of the TCN and on the region where the TCN resides. The region of the capital is more beneficial in this respect and TCNs with a sufficient knowledge of Hungarian are more likely to be employed. The labour market integration of refugees is difficult. Whilst the labour market situation of migrants is covered by existing research, their participation in trade unions remains un-researched. Governmental measures enhancing the presence of migrants in trade unions are absent. The Hungarian League of Independent Trade Unions, together with its Romanian and British counterparts, recently ran an awareness raising project on the work of trade unions, targeting exclusively migrants.

As in the case of trade unions, very little research exists on the participation rate of TCNs in entrepreneur or professional and scientific associations. Legislation applicable to these associations, however, often link membership to the acquisition of Hungarian citizenship. This is the case regarding membership of lawyers' bar associations. As opposed to this, medical associations, for example, do not require their members to hold Hungarian citizenship. In practice, however, TCNs are in an unfavourable situation as they are unlikely to find a job in the healthcare sector and consequently become members of medical associations without sufficient knowledge of Hungarian. It was also noted by stakeholders that job acquisition and membership acquisition is often hindered by complicated qualification recognition schemes and practices.

In Hungary it is legally possible for third country nationals to establish organisations and/or to become members thereof. Research shows that there are over 100 migrant organisations registered in Hungary, however the social network of these organisations vary considerably depending on the ethnic group they represent. Migrant organisations rarely organise events or programmes that target the majority of the population. This is mainly due to a lack of adequate infrastructure, intercultural community spheres or community institutions which could host and support such initiatives. Statistical data on the participation rate of TCNs in migrant organisations is non-existent. The same observations are valid regarding the participation rate of migrants in other civil society organisations. It is noted, however, that in Hungary there are quite a few civil society organisations dealing with migrants. These NGOs have some TCN members, mainly from Ukraine and Serbia.

With respect to participation in political parties, it is noted that TCNs can join such organisations, but cannot become the leaders thereof or hold positions therein.

Despite the legal possibility, research shows that migrants are not politically active. One research highlighted, for example, that only 3.3% of migrants participated in political parties or attended political events. The low level of political participation might be due to the perception of migrants that Hungarian politics does not represent their interests.

In education sector, the provision of intercultural education seems to be a major obstacle. Moreover, it is not a legal requirement to organise extracurricular activities for migrant children and their parents. In practice, NGO-led initiatives, aiming at intercultural education and the integration of migrant children in education, exist. A study notes though, that these initiatives are often project based and therefore do not usually provide long-term assistance due to their cyclical nature. On a positive note, some training programmes have been set up recently by the Education Authority, aiming at the development of the intercultural competences of teachers.

Some of the above referred issues, hindering the social inclusion and participation of migrants, are addressed in the Migration Strategy and its implementing multiannual financial programme. As referred to above, however, the implementation of the Migration Strategy has not yet started.

- **Social cohesion and community relations**

Policy documents and legislation regulating the situation of TCNs in Hungary do not make reference to the social inclusion of migrants or to social cohesion. These concepts are used mainly in the context of Roma integration. This issue is echoed in the way social services are provided in Hungary, in the sense that they are not aligned with the specific needs of migrants. Services which target exclusively migrants are provided by NGOs, whose financial sustainability is not ensured.

The lack of tailor-made measures causes problems in all areas of social life, starting with employment where, as a general rule, migrants are underrepresented. Again, this, to a large extent, is due to the lack of Hungarian language skills of migrants. Other areas of concerns are housing and health care, especially for those benefitting from international protection. As an example, in the housing sector, beneficiaries of international protection receive a regular housing support of around €95, the provision of which is conditional upon requirements that the applicants cannot meet.

An amendment to Act III of 1993 on social services, which entered into force on 1 March 2015, narrowing the scope of state provided social support and making the provision of such services the responsibility of municipalities, is also of importance. Stakeholders note that municipalities may not have the financial means to provide such services. The effects of this amendment on TCNs are yet to be seen.

In Hungary, no religions, religious or ethnic dresses are banned. It is noted, however, that a legislative amendment entering into force in 2012, made the registration of churches burdensome in Hungary. This, as highlighted by the European Court of Human Rights, placed novel and smaller communities in a disadvantageous situation.

The social situation of migrants can also be characterised by the host society's strong hostility. This and the fact that the Hungarian Government has done little to enhance community understanding, awareness and the acceptance of migrants, are highlighted in the Migration Strategy. To overcome these shortcomings, the Migration Strategy envisages a number of measures including the migrant-specific review of professional codes of ethics.

	<p>Under Hungarian law, mixed couples may marry under the general rules at the registrar, after notifying the registrar together and in person of their intention to marry. Mixed couples tend to face the considerable mistrust of authorities, for example, in family reunification processes. This is also reflected in the Migration Strategy, which considers the possibility of fake marriages a major concern.</p>
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1. Legal and policy instruments for migrant integration

1.1. Description of existing instruments and target groups

This section should present the overall state of play concerning national and, where applicable, regional legal and policy instruments focusing on how they address fundamental rights, core EU values and principles, as well as international legal standards and related EU law and policies, such as the Common Basic Principles and the Common Agenda on integration of migrants. Please complete the **template in Annex 2**.³
Please make sure the brief information you provide in the table includes the following aspects:

Does the national strategy on migrant integration contain a definition of integration? If so, please include it in the original language and full English translation.

A) National integration strategy:

Chapter VI of Government Resolution 1698/2013. (X. 4.): Migration Strategy and the seven-year strategic document related to Asylum and Migration Fund established by the European Union for the years 2014-2020⁴ ,(hereinafter: Migration Strategy), deals with integration. Although the Migration Strategy prescribes the adoption of a separate Integration Strategy, no such policy document has been adopted to date.

Integration is defined by the Migration Strategy as a "two-way process" (Migration Strategy, Chapter VI. , p. 69):

"Az integráció kétirányú folyamat:

1. A fogadó ország társadalmának oldaláról szükséges a befogadó attitűd, a nyitottság fenntartása, azzal, hogy az újonnan érkező saját kultúráját, nyelvét és szokásait nem köteles feladni, azokat Magyarország jogrendjével összhangban gyakorolhatja.

2. A Magyarországon letelepedni szándékozó külföldi elfogadja és tiszteletben tartja a fogadó ország törvényeit és szokásait, azok iránt akkor is toleranciát gyakorol, ha ezek eltérnek saját hagyományaitól. Az integráció folyamata során a befogadott és a befogadó közösség között interakció jön létre, a migráns a befogadó közösség aktív, alkotó elemévé válik, és a hangsúly nem pusztán a befogadáson, hanem az együttélésen, közös tevékenységeken, kölcsönös megismerésen és kommunikáción van.

³ You can use and update the information as in the Table 1.7 of the FRA Annual Report 2012 (pp.62-63). You should add more detail, for example, instead of identifying 'education' under the category 'focus area' be more specific, e.g. review of curriculum in secondary education to address integration issues, etc, provided this level of detail is specifically mentioned in the relevant policy instruments

⁴ Government Resolution 1698/2013. (X. 4.): Migration Strategy and the seven-year strategic document related to Asylum and Migration Fund established by the European Union for the years 2014-2020 (1698/2013. (X. 4.) Korm. Határozat: Migrációs Stratégia és az azon alapuló, az Európai Unió által a 2014-2020. ciklusban létrehozásra kerülő Menekültügyi és Migrációs Alaphoz kapcsolódó hétéves stratégiai tervdokumentum), available at: moszlap.hu/uploads/files/migrstrat0416.pdf.

		<p><i>A társadalmi beilleszkedés a békés egymás mellett élés kulcsa, sikeressége esetén mind az egyén, mind a társadalom számára pozitív eredménnyel jár. A sikertelen integráció ugyanakkor indokolatlan társadalmi feszültséget szül, mely káros mind az egyén, mind a társadalom szempontjából.”</i></p> <p>“Integration is a two-way process:</p> <ol style="list-style-type: none"> 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 and 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. <p>During the process of integration, an interaction develops between the person integrated and the integrating community. The migrant becomes an active, constructive element of the integrating community, and the emphasis is not only on integration but on coexistence, mutual understanding and communication. Social integration is the key to peaceful coexistence and, if it is successful, it produces positive results for the individual and society. On the other hand, unsuccessful integration results in unwarranted social tension, which is harmful in respect of the individual and society.</p> <p><u>B) Regional integration strategy/Action plan:</u></p> <p>There are no regional or local level integration strategies, or similar, in Hungary. Municipalities in general, either at regional or local level⁵ (also towns with county rights), and even those municipalities hosting a reception centre, do not have active integration strategies.⁶ The main reasons for such passivity are: a) low migrant populations in municipalities, e.g. varies around 0.7-3%; b) due to the centralisation processes in Hungary as of 2010, municipalities consider they have no or limited competences in relation to the integration of migrants.⁷</p> <p>In its response to public data requests, only the Municipality of Budapest showed an intention to address relevant issues into its policies and regulations.</p>
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⁵ Amicall (2011), ‘Attitudes to Migrants, Communication and Local Leadership’ (*Migránsokkal kapcsolatos attitűdök, kommunikáció és helyi vezetés*) ‘Executive Summary, Hungary’, p. 1, available at: www.compas.ox.ac.uk/fileadmin/files/Publications/Reports/Amicall_Exec_Summary_HUNGARY.pdf.

⁶ Based on desk research (e.g. websites, registers on municipality regulations) concerning major affected cities with county rights / municipalities with reception centres: Budapest (Pest county), Szeged (Csongrád county), Debrecen (Hajdú-Bihar county), Pécs (Baranya county) Bicske, Vámoszabadi, Békéscsaba, etc. and incoming responses to public data demand requests.

⁷ Amicall (2011), ‘Attitudes to Migrants, Communication and Local Leadership’ (*Migránsokkal kapcsolatos attitűdök, kommunikáció és helyi vezetés*) ‘Executive Summary, Hungary’, p. 1, available at: www.compas.ox.ac.uk/fileadmin/files/Publications/Reports/Amicall_Exec_Summary_HUNGARY.pdf.

		<p>The activities of municipalities with regard to immigrants depend on the category of migrants: a) ethnic Hungarians generally do not trigger actions; b) migrants having the same ethnic affiliation as recognised ethnic minorities in Hungary, receive cultural services through existing frameworks protecting ethnic minorities (e.g. in Szeged, Debrecen). Other immigrant groups may find varying levels of support, e.g. the facilitation of certain kinds of intercultural events and educational programmes in many districts of Budapest, Debrecen.⁸ However, immigrant groups may also experience resistance to their activities, as a result of ignorance e.g. Pécs, Vámbosszabadi. Activities undertaken by municipalities are often in response to NGO initiatives, and they can vary to a significant extent. Such activities mainly relate to communication, interaction, and intercultural events. .⁹</p> <p>Municipalities may face problems related to migrant integration, particularly in the areas of social support systems and education. Even though the central authority Klebersberg Institute Maintenance Centre¹⁰ (hereinafter: KIMC) took over the management of municipal schools, the nursery schools and kindergartens remained under the authority of municipalities. See Sections 1.1.3 and 4 for further details on these particular issues.</p>
	<p>Are there specific references in the national strategy or relevant legal or policy instruments to fundamental rights in relation to migrants?</p>	<p><u>Introduction</u></p> <p>Explicit references to the fundamental rights of migrants in general are rare, both in the Migration Strategy and in the relevant legislative acts or policy documents. The Fundamental Law of Hungary (<i>Magyarország Alaptörvénye</i>, Fundamental Law)¹¹, and other relevant legislative acts, cover migrants to some extent with their human rights protection mechanisms (see in detail A) 1. below). The extent to which migrants avail of this general protection framework is uncertain, with public institutions and authorities often criticised for their insensitivity, ethnocentrism, and, sometimes, discriminatory practices.¹²</p> <p>Reference to crucial fundamental rights, and to the relevant protection frameworks, are more consistent in the case of persons seeking and obtaining international protection as provided by various statuses under national (EU) law in Hungary, e.g. asylum seekers</p>

⁸ Based on desk research (e.g. websites, registers on municipality regulations) concerning major affected cities with county rights / municipalities with reception centres: Budapest (Pest county), Szeged (Csongrád county), Debrecen (Hajdú-Bihar county), Pécs (Baranya county) Bicske, Vámbosszabadi, Békéscsaba, etc. and incoming responses to public data demand requests (some still pending).

⁹ Amicall (2011), 'Attitudes to Migrants, Communication and Local Leadership' (*Migránsokkal kapcsolatos attitűdök, kommunikáció és helyi vezetés*) 'Executive Summary, Hungary', p. 1, available at: www.compas.ox.ac.uk/fileadmin/files/Publications/Reports/Amicall_Exec_Summary_HUNGARY.pdf.

¹⁰ Klebersberg Institute Maintenance Centre (*Klebersberg Intézményfenntartó Központ, KLIK*), Official homepage: klik.gov.hu/.

¹¹ Fundamental Law of Hungary, 25 April 2011 (*Magyarország Alaptörvénye 2011. április 25.*), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=140968.248458.

¹² See also: Messing, V., Árendás, Zs. (2014), *National Report Hungary: ASSESS, Integration of Vulnerable Migrant Groups*, Center for Policy Studies, CEU, June 2014.

		<p>recognised refugees, subsidiary protected persons and unaccompanied minors (collectively referred to within the Migration Strategy as “beneficiaries of international protection”, p. 59. Chapter VI). This results in a dichotomy within the protection framework – reflected by the relevant parts of the Migration Strategy. Subsection A summarises where the Hungarian legislative framework – on the normative level, stands at present with regard to providing human rights protection to migrants in general. Subsection B deals with the specific protection provided for beneficiaries of international protection – including references to asylum seekers.</p> <p><u>A) Fundamental and human rights protection of migrants:</u></p> <p>Migrants under this heading are understood to be TCNs who are holders of long-term residence permits or their equivalents under Act II of 2007 on the Entry and Stay of Third-Country Nationals (hereinafter Act II of 2007).¹³ Article 32(2) of this Act states that the Fundamental Law and the Hungarian legislative framework covers “settled migrants”, i.e. holders of permanent (settlement) resident permits. The Migration Strategy (Chapter I/4) also acknowledges that “migration involves the obligation on the state to ensure in an effective way the human and fundamental rights of migrants regardless of their status”.</p> <p>1) Protection provided by the Fundamental Law: fundamental rights and the protection provided by the Fundamental Law are not migrant-specific. While the entitlement to civil and political rights enshrined in the law applies to everyone, social, economic and cultural rights are not deemed to be individual rights, thereby allowing for their limited application and enforceability¹⁴:</p> <p>a) While the Fundamental Law ensures certain social rights for everyone, e.g. the right to freely choose work or profession, the right to education is only ensured for Hungarian nationals, as is the right to social security.¹⁵</p> <p>b) The Fundamental Law contains certain guarantees explicitly targeting migrants and foreign nationals. All legal residents in Hungary enjoy freedom of movement (Article XXVII). Article XIV guarantees that foreigners may only be expelled on the basis of a lawful decision, and prohibits collective expulsion. No person may be expelled or extradited to a country where he or she would be threatened with a sentence of death, subjected to torture, or inhuman and degrading treatment or punishment.</p>
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¹³ Act II of 2007 on the Entry and Stay of Third-Country Nationals (2007. évi II. törvény a harmadik országbeli állampolgárok beutazásáról és tartózkodásáról) available at:

net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0700002.TV&celpara=#xcelparam.

¹⁴ See e.g. 42/2000. (XI. 8.) AB határozat, ABH: 2000/329, 07.11.2000. Available at: public.mkab.hu/dev/dontesek.nsf/0/C5F37E8A8DF99038C1257ADA00525793?OpenDocument.

¹⁵ Fundamental Law of Hungary, Art. XII (1), Art. XI, Art. XIX(1).

		<p>Human rights monitoring bodies and organisations report the constant deterioration of the level of human rights protection available in Hungary, which also has a detrimental effect on migrants.¹⁶ Nils Muižnieks, Council of Europe Commissioner for Human Rights, stated that “Hungary should [...] combat widespread intolerance and discrimination, and improve the protection of the human rights of migrants.”¹⁷ Though the Constitutional Court¹⁸ may annul legal acts contrary to the constitution, the Fundamental Law was often modified by a two-thirds majority of the Government to circumvent its decisions. It should also be noted that the majority of the judges of the CC itself are nominated by the governing parties¹⁹These factors may undermine the notion of constitutional protection (see 4.1.5.).</p> <p>2) References to basic human rights in the Hungarian legislative framework and policy documents comprise, among others:</p> <p>a) <i>Equal treatment</i>: the Migration Strategy (Chapter III/B, p. 29) states that TCNs who are holders of long-term residence permits, enjoy equal treatment with Hungarian citizens “concerning a broad range of rights”. Prior to the acquisition of such permits, the right of equal treatment applies only to certain rights. The Budapest Migration Roundtable, meeting to discuss the measures to be taken by the Municipality of Budapest in order to foster integration of migrants, specifies equal access to non-discriminatory public services as one of the main objectives to be achieved.²⁰</p> <p>b) <i>Right to liberty and security</i>: in the context of alien policing and detention Articles 54-61A of Act II of 2007 contain relevant guarantees.</p> <p>c) <i>Right to life/prohibition of torture, inhuman, degrading treatment</i>: Articles 51-52A of Act II of 2007 provide for the principle of non-refoulement.</p> <p>d) <i>Right to private and family life</i>: in the context of family reunification, and protection of the unity of the family, the Migration Strategy acknowledges the significance of family reunification in the successful integration of TCNs (Chapter III/ A, p. 25.; Chapter III/B, p. 29., p. 32-34). Act II of 2007 contains rules on family reunification as they relate to long-term residents (Article 19). Hungarian citizens who have TCN family</p>
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¹⁶ See e.g. Human Rights Watch (2015), ‘World Report 2015’, available at: www.hrw.org/world-report/2015/country-chapters/european-union.

¹⁷ Council of Europe (2014) ‘Hungary: progress needed on media freedom, anti-discrimination measures and migrants’ rights’, Strasbourg, 16/12/2014, available at: www.coe.int/en/web/commissioner/-/hungary-progress-needed-on-media-freedom-anti-discrimination-measures-and-migrants-rights.

¹⁸ Constitutional Court (*Alkotmánybíróság*, CC), available at: mkab.hu/.

¹⁹ *Opinion on the new Constitutional Court Act of Hungary*, Hungarian Helsinki Committee (*Magyar Helsinki Bizottság*), Eötvös Károly Institute (Eötvös Károly Intézet, Hungarian Civil Liberties Union (Társaság a Szabadságjogokért), January 2012. p. 4. Available at:

tasz.hu/files/tasz/imce/ngo_analysis_of_the_new_constitutional_court_act_of_hungary_january_2012.pdf

²⁰ Budapest Migration Roundtable (*Fővárosi Migrációs Kerekasztal*) (2012), Newsletter No. EIA/2012/3.7.4 (*Hírlevél EIA/2012/3.7.4*), p.3, available at: budapest.hu/Documents/20130626_migracios_kerekasztal_hirlevel.pdf.

		<p>members have their family reunification issues dealt with under Act I of 2007 on the Entry and Residence of Persons with the Right of Free Movement and Residence (hereinafter: Act I of 2007, e.g. Article 3, Articles 7-8).²¹ Article 42(4) of Act II of 2007 provides for family ties to be taken into consideration in cases of expulsion. Additionally, Act II of 2007 and Act I of 2007 deal with data protection issues, specifically, the possible objectives of handling personal data, and the competent authorities for its handling (Articles 93-108, Act II of 2007; Articles 75-85, Act I of 2007).</p> <p>e) <i>Right to enter or stay, freedom of movement</i>: Both Act II of 2007 (Article 13(1)) and Act I of 2007 Articles 3, 7 and 8, ensure the right for long-term TCN residents and TCN family members of Hungarian nationals to enter and stay.</p> <p>f) <i>Procedural guarantees</i>: expulsion and alien policing detention decisions have to be notified to the persons concerned in a language they understand. Where an individual requests interpretation or the translation of procedures into his/her mother tongue, that person must bear any costs incurred. However, where such procedures are initiated at the state's request, it is the state which bears the costs. In matters of expulsion TCNs have the right of recourse to legal counsels of their choice, at their own expense, or they may accept legal aid from any registered NGOs providing legal assistance on a regular basis. In the latter case, the authority, if necessary, provides an interpreter. TCNs also have access to free legal assistance, upon request, during the judicial review of an expulsion order (Act II of 2007, Articles 91-92, 92.A, 92.B).</p> <p>g) <i>Right to an effective remedy</i>: Act II of 2007 ensures the right to an effective remedy in various alien policing and other procedures: Article 9(4)-(8) is concerned with decisions on visas; Article 46(2) relates to decisions of expulsion; and Article 47(3) covers decisions of prohibition on entry and stay. There is no legal remedy, however, against the refusal of entry, i.e. Article 40(3).</p> <p>h) <i>Protection against expulsion</i>: TCNs having immigrant or permanent resident status and residence permits in Hungary, or those who are bound by either marriage or registered partnership to TCNs having such statuses and residence permits, may only be expelled if their stay constitutes a serious threat to national security, public security or public policy. An unaccompanied minor may only be expelled if there is adequate protection available for the minor in the country of origin, or in a third country, by reuniting the child with family members or in state/institutional care (Act II of 2007, Article 45 (2), (5)).</p> <p>i) <i>Social rights, health care</i>: see 4.1.2.</p>
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²¹ Act I of 2007 on the Entry and Residence of Persons with the Right of Free Movement and Residence (2007. évi I. törvény a szabad mozgás és tartózkodás jogával rendelkező személyek beutazásáról és tartózkodásáról), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=108557.252825.

		<p>j) <i>Right to education</i>: equal access to kindergartens and schools for children of TCNs residing in Hungary for more than three months is ensured by Act CXC of 2011 on public education (<i>2011. évi CXC. törvény a nemzeti köznevelésről</i>, Act CXC of 2011).</p> <p><u>B) Fundamental and human rights protection of asylum seekers and beneficiaries of international protection</u></p> <p>1) Act LXXX of 2007 on Asylum (hereinafter: Act LXXX of 2007, Article 10) ensures that refugees are entitled to many of the same rights as Hungarian citizens, with the exception of participation in general elections, or hold positions which require Hungarian citizenship as a precondition.²² Under Article 4(2) d) of Act LV of 1993 on Hungarian Citizenship (hereinafter: Act LV of 1993)²³, recognised refugees are entitled to preferential naturalisation or preferential family reunification (Article 19 of Act II of 2007 and Article 57 (6) of Government Decree 114/2007 (V. 24.) on the Implementation of Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals (hereinafter: Government Decree 114/2007 (V. 24.)²⁴).</p> <p>2) Subsidiary protected persons enjoy the same rights as refugees, in principle, but they may not participate in elections and are not entitled to preferential family reunification or naturalisation. The Migration Strategy (Chapter V, p. 62.) maintains that the rights of beneficiaries of international protection are guaranteed by international treaties and national legislative acts. Hungary is committed to fostering safety and social integration, and to ensuring children's rights.</p> <p>3) Right to asylum and the principle of non-refoulement under the Fundamental Law: Upon request, Hungary, under Article XIV (3) of the Fundamental Law, grants asylum to non-Hungarian citizens to whom neither their country of origin, nor any other country, provides protection, and who are subject to persecution, or have a well-founded fear of being persecuted in their country of origin, on account of their race, religion, nationality, membership of a particular social group or political opinion. Similarly, no one may be expelled or extradited in violation of the principle of non-refoulement.</p> <p>4) References to the rights of asylum seekers: the Migration Strategy (Chapter I./3, p. 5.) prescribes the</p>
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²² Act LXXX of 2007 on Asylum (*2007. évi LXXX. törvény a menedékjogról*), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=110729.252828.

²³ Act LV of 1993 on Hungarian Citizenship (*1993. évi LV. törvény a magyar állampolgárságról*), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=19290.253762.

²⁴ Government Decree 114/2007 (V. 24.) on the implementation of Act II of 2007 on the admission and right of residence of third-country nationals, (*114/2007 (V. 24.). Korm. rendelet a harmadik országbeli állampolgárok beutazásáról és tartózkodásáról szóló 2007. évi II. törvény végrehajtásáról*), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=111296.286024.

		<p>fulfilment of Hungary's obligations under international and EU law, and contains the principle of providing international protection for those seeking asylum, in accordance with these laws. The Strategy also makes reference to the need to reduce cases of statelessness, and to provide effective assistance to stateless persons by granting independent status and protection of high standard, i.e. the principle of protecting stateless persons.</p> <p><i>a) The principle of non-refoulement</i> is enshrined in Article 45(1) of the Act LXXX of 2007. Article 45(2) states that unaccompanied minors may not be returned without a guarantee of safe family reunification, or the provision of state/institutional care in the country of origin, or in any other country.</p> <p><i>b) Reception conditions and health care:</i> is provided free under Article 26-31 of Act LXXX of 2007.</p> <p><i>c) Asylum detention:</i> rules and guarantees attached to asylum detention are in Article 31/A – H of Act LXXX of 2007. Concerns remain with respect to: the wide margin of appreciation and extensive interpretation of possible cases of detention; failure to take adequate consideration of the personal circumstances of asylum seekers; insufficiently specific motivations for detention; inconsistent application of alternative measures; and an insufficient system of judicial control to ascertain that a detention measure is justified in individual cases.²⁵ Unaccompanied minors may not be detained, and the detention of families and children should also be a last resort (Act LXXX of 2007, Article 31/B (2) and (3)). However, as of 2014, a majority of families arriving from Kosovo are detained.²⁶ Act LXXX of 2007, Article 31/F (2) prescribes specific arrangements in the case of particularly vulnerable groups, e.g. families with children, and people with health/mental disorders, to accommodate their needs.</p> <p>5) Fundamental rights of beneficiaries of international protection</p> <p><i>a) Equal treatment:</i> beneficiaries of international protection generally hold the same rights as Hungarian citizens (Act LXXX of 2007, Article 10). See details above.</p> <p><i>b) Principle of non-refoulement; right to private and family life:</i> in the context of expulsion, beneficiaries of international protection may not be expelled without revocation of their refugee/subsidiary protection status (Act LXXX of 2007, Article 2(c)). The general rules for TCNs are applied in such cases.</p>
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²⁵ Hungarian Helsinki Committee (2014), *Information note on asylum-seekers in detention and in Dublin procedures in Hungary*, Budapest, Hungarian Helsinki Committee, available at: helsinki.hu/wp-content/uploads/HHC-Hungary-info-update-May-2014.pdf.

²⁶ Asylum Information Database (AIDA) (2014), *Asylum seeking families detained in Hungary against children's best interest*, 4/11/2014, available at: www.asylumineurope.org/news/04-11-2014/asylum-seeking-families-detained-hungary-against-children's-best-interest.

		<p>c) <i>Right to private and family life</i>: Act LXXX of 2007 protects the principle of the unity of the family. It states that a family member, or child, born on the territory of Hungary to a recognised refugee, must also be recognised as refugee (Article 4(2), Article 7(2) and (3)). Although Act II of 2007 and Government Decree 114/2007 (V. 24.) provide for preferential family reunification for the beneficiaries of international protection, these rights are difficult to apply in practice.</p> <p>²⁷: i) Under preferential family reunification, recognised refugees do not have to prove that they are able to support their family (livelihood, accommodation, insurance) if they start family reunification within six months of the status being granted. However, these favourable rules do not apply to subsidiary-protected or “protected” persons (GD 114/2007 (V. 24.), Article 57(6)-(7).</p> <p>ii) Recognised refugees may not initiate family reunification procedures in Hungary on behalf of their family members. Instead, family members have to submit their requests for residence permits at the consulates of their country of residence. Long waiting periods mean that clients may not receive an appointment with the Hungarian consulate until after the expiry of the six-month period of favourable family reunification. In addition, consulates may be closed in conflict areas. In this latter case, a consulate other than that of the country of residence of the client may accept requests if the person concerned resides legally in that country, an avenue which is often problematic due to the circumstances of the flight of family members from conflict zones. TCNs residing in the territory of Hungary may submit a request for residence permits if “there are special circumstances to justify submission of the application in Hungary, such as on the grounds of family reunification” (Article 47, Government Decree 114/2007) (V. 24.)).</p> <p>iii) There is a lack of information on family reunification. Application forms are only available in Hungarian and English, and, in addition, there is a lack of adequate funding.</p> <p>iv) In polygamous marriages, family reunification is limited to the first spouse. It does not cover additional partners (Article 19(6) and Article 2(d), Act II of 2007).</p> <p>v) Respect for family unity is conditional on family links being established before the entry of the refugee to Hungary (Article 19(5), Act II of 2007).</p> <p>vi) Family members need to be in possession of the necessary official public documents, which should be legalised by their consulates, i.e. an Apostille certificate,</p>
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²⁷ Based on information provided by UNHCR Regional Representation for Central Europe and HHC. See also: Council of Europe: Commissioner for Human Rights, *Report by Nils Muižnieks Commissioner for Human Rights of the Council of Europe following his visit to Hungary from 1 to 4 July 2014*, 16 December 2014, CommDH(2014)21, p.40-41, available at: www.refworld.org/docid/54905c1d4.html.

		<p>or, where the Apostille convention does not apply, a full legalisation process (chain certification) is necessary.</p> <p>vii) Family members must be in possession of valid travel documents. Currently, this excludes Somalians, Syrian nationals, stateless and Palestinian family members, whose passports are not recognised by the Hungarian authorities. Although a decision of the Constitutional Court of Hungary established that Somali nationals were not prevented from exercising their right to family reunification, as other means, such as a visa issued on separate forms, remain available to them.,²⁸ As yet, no such alternative measures have been successful, and a number of family members of refugees remain unable to reunite with their families..²⁹ At this time, travel documents issued by the International Committee of the Red Cross are not accepted in lieu of official public documents.</p> <p>d) <i>Right to enter or stay; freedom of movement</i>: even if the person concerned is unable to fulfil the general requirements, the right for TCNs to enter or stay may be authorised on humanitarian grounds in line with international policy Act II of 2007, Article 13(2)).</p> <p>e) <i>Protection of children; unaccompanied minors</i>: the best interests of the child should prevail over any other consideration in asylum procedures (Article 4(1), Act LXXX of 2007).</p> <p>f) <i>Social rights, healthcare, maintenance, and living conditions</i>: under Chapter VI/A of Act LXXX of 2007, the integration of beneficiaries of international protection is ensured via the integration contract and integration support administered by the asylum authority (see 4.1.2).</p> <p>g) <i>Right to education</i>: Act CXC of 2011 ensures equal access to kindergartens and education for beneficiaries of international protection.</p>
	<p>Which are the target groups of the national integration strategy? Please provide any definitions relevant or the determination of the persons that are entitled to or beneficiaries of the relevant action plans and policy measures (e.g. 'integration agreements': who signs them and what do they contain).</p>	<p>There is no migrant integration strategy in Hungary; therefore, the general migration policy framework is assessed below.</p> <p>Hungarian migration policy shows some significant differences in the processing of ethnic Hungarians and other migrants. While strict conditions are in place for the registration of TCNs arriving from other states, more favourable treatment has been noted for ethnic Hungarians arriving from neighbour states³⁰. This preferential treatment can take precedence over the</p>

²⁸ 766/B/2009. (XII. 11.) AB határozat, ABH: 2010/2107, 20.12.2010. available at: www.public.mkab.hu/dev/dontesek.nsf/0/85118D2621070BD5C1257ADA00528F76?OpenDocument.

³⁰ Messing, V., Árendás, Zs. (2014), *National Report Hungary: ASSESS, Integration of Vulnerable Migrant Groups*, Center for Policy Studies, CEU, June 2014, p. III.

	<p>Please specify any residence requirements (e.g. which migrant and/or residence status counts or not for “legally residing third country nationals” that eventually would be covered by these policies) for persons to be considered members of the targeted groups.</p>	<p>regulatory and policy framework of migrant integration, for the following reasons:”³¹</p> <p>a) the low number of migrants living in Hungary (2% of the entire population in 2013: cca 221,000; 2014: cca 213,000)³²;</p> <p>b) the low likelihood of a large influx of migrants in coming years, what is called the ‘lack of motivation’ argument;”</p> <p>c) a large proportion of ethnic Hungarians (2/3 of all migrants, 1/3 of TCNs), do not encounter any significant obstacles in integrating into society, and obtain citizenship quickly through a preferential procedure; ;</p> <p>d) EU citizens are not considered migrants in terms of long-term social integration;</p> <p>e) since legal migrants generally come from higher social positions, and regulations on settlement permits granted to non-ethnic Hungarians are extremely strict, (legal migrants have to prove that they have appropriate housing and revenue)it is believed that they do not need substantial assistance in integration (see Chapter VI., p 70., of Migration Strategy).</p> <p>Thus, very few migrants remain for whom migrant integration measures are necessary, according to the state stakeholders. As a consequence, the state does not act as a key actor in migrant integration, but outsources this task to NGOs,³³ many of which provide fundamental services from ad-hoc project-based EU funding. The Migration Strategy contains the principle of integration, but support for integration into Hungarian society is primarily only available “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” (see Chapter VI, p. 69).</p> <p>A) Legal migrants living in Hungary, i.e. EU citizens/TCNs, are entitled to a wide range of services. However, these services are fragmented, they depend on the various types of residence permits held, and appear scattered into subsystems. The Migration Strategy acknowledges the need to make “efforts” in this regard (Chapter VI, p. 76, see also 4.1.2), however, as yet there is no state-funded complex integration programme which would apply to TCNs, nor any integration support system or specialised institutional system to coordinate integration.</p> <p>Pilot projects on migrant integration have been established. These are funded by the Ministry of the Interior, with their execution outsourced to NGOs.</p>
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³¹ Messing, V., Árendás, Zs. (2014), *National Report Hungary: ASSESS, Integration of Vulnerable Migrant Groups*, Center for Policy Studies, CEU, June 2014, p. 6.

³² OIN statistics on residents staying for more than 3 months, available at:

www.bmbah.hu/index.php?option=com_k2&view=item&layout=item&id=177&Itemid=1232&lang=hu.

³³ Messing, V., Árendás, Zs. (2014), *National Report Hungary: ASSESS, Integration of Vulnerable Migrant Groups*, Center for Policy Studies, CEU, June 2014, p. 6.

		<p>Criticisms of these programmes suggest that they are not sufficiently targeted at specific aspects of integration, nor are their reach sufficiently extensive. As pilot projects, they also vary in the EU funding allocated, as well as the eligibility criteria for entry into the programme. An additional issue is the use of outcome-based indicators to evaluate the projects, where financial and professional monitoring is the focus, rather than the impact of such programmes on the migrant populations targeted. See section 4.1.</p> <p>B) Beneficiaries of international protection: according to statistics of the Office of Immigration and Nationality (<i>Bevándorlási és Állampolgársági Hivatal, (OIN)</i>), on 31 December 2014, 1,743 recognised refugees and 1,130 subsidiary-protected persons were registered in Hungary. The actual number of those living in Hungary is unknown.</p> <p>Hungarian legislation provides the same rights to beneficiaries of international protection as to Hungarian nationals, although in practice beneficiaries of international protection face problems while exercising their rights (see also 4.1.). Upon recognition, beneficiaries of international protection are informed in their mother tongue, or in a language they understand, about their benefits and obligations (Government Decree 301/2007 (XI.9.) on the implementation of Act LXXX of 2007 on Asylum, hereinafter: Government Decree 301/2007 (XI.9.), Article 38)).³⁴</p> <p>Specific integration schemes: prior to 1 January 2014, responsibility for facilitating the social integration of beneficiaries of international protection lay exclusively with the refugee authority. The persons concerned could, therefore, remain in reception centres. Amendments to the legal framework, as of 1 January 2014, resulted in uniform treatment of refugees/subsidiary-protected persons. It established a more comprehensive support system to facilitate their social integration, responsibility for which lies with the refugee authority and the competent family support centre; whose work the refugee authority supervises (Article 32/C (1), Act LXXX of 2007).</p> <p>Under the new system, beneficiaries of international protection may remain in reception centres, where they are entitled to free care and accommodation, for two months after their recognition. The refugee authority may conclude an integration contract upon request if the beneficiary of international protection is in need. Such requests may be submitted "within four months of</p>
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³⁴ Government Decree 301/2007 (XI.9.) on the implementation of Act LXXX of 2007 on Asylum, (*301/2007. (XI. 9.) Korm. rendelet a menedékjogról szóló 2007. évi LXXX. törvény végrehajtásáról*), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=112508.257946.

		<p>the date of the recognition decision" (...) The term of validity of the integration contract may last for up to two years from the date on which the status is recognised" (Article 32/C (1), (5), Act LXXX of 2007).</p> <p>The integration contract is "an official state contract concluded by the refugee authority with the person accorded international protection in order to facilitate the social integration of the said person; the contract contains the rights and obligations of the parties, the obligation of the foreigner to cooperate and the consequences of non-compliance with the contract" (Article 2 n), Act LXXX of 2007). See section 4.1.</p>
	<p>In reference to the CBP 1³⁵ <i>'Integration is a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States'</i>: please specify if and how the majority population is explicitly targeted; distinguish, if possible, between policies or measures targeting the general population and specific target groups, such as public authorities, e.g. teachers, police, judiciary, etc.; outline the objectives of such policies and measures, and their duration.</p>	<p>The Migration Strategy explicitly acknowledges that integration is a two-way process (see 1.1.1.). The strategic document outlines its objectives concerning integration, including the creation of steps targeting both the general population and other specific groups. Specific training of civil servants would cover: capacity-building of the administrative and service-providing systems at central/regional/local levels; training civil servants coming into contact with migrants; the development of job counselling reflecting the needs of the labour market e.g. providing migrant-specific training to the staff of training institutions or to the staff of employment services and agencies. Relevant institutions should also be prepared to provide specialised personal care to specific groups, e.g. elderly or disabled beneficiaries of international protection, or for those "who are in a vulnerable condition for any other reason" (Chapter VI, p. 80 of the Migration Strategy,). With respect to the promotion of intercultural education or intercultural dialogue, see section 4.2.2.</p> <p>It is noted that the implementation of the Migration Strategy has not started yet. Currently civil servants working in various fields of the administration, and at municipalities, are not provided with specific training on a systematic is. Examining the compulsory curricula of MA and BA courses, mainstreaming migrant-specific issues into general BA or MA courses seems to lack the necessary breadth and depth. The course catalogue of e.g. the Faculty of Law of Eötvös Loránd University contains no possibility of specialisation in migration, courses specifically related to international, European and national refugee protection held by the International Law Department are only available as part of the European and International Law alternative module³⁶, while no such courses are offered at, for</p>

³⁵ Council of the European Union (2004), *Common Basic Principles for Migrant Integration Policy in the EU*, 19 November 2004, available at: www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/jha/82745.pdf.

³⁶ Eötvös Loránd University of Sciences, Faculty of Law (*Eötvös Loránd Tudományegyetem, Állam és Jogtudományi Kar ELTE ÁJK*), Information package on educational programme (*Tanrendi tájékoztató*), p. 9, available at: www.ajk.elte.hu/tanrend

		<p>example, either the Faculty of Law of Péter Pázmány Catholic University³⁷ or at the Faculty of Law of University of Pécs.³⁸ Migration-specific courses are not included in the BA curricula of social workers³⁹ at Eötvös Loránd University, Faculty of Social Sciences. Three 1-semester course deals with migration, with issues related to prejudices and tolerance and with inter-ethnic relations in the course of the social sciences BA.⁴⁰ A one-semester course deals with "culture and identity, interethnic relations".⁴¹ These courses are available both under state support and for tuition fee for students.⁴² The main specific training programmes/projects available between 2010-2014 are: a) Training courses at colleges and universities: the National University of Public Service offers a BA in Law Enforcement Administration, which has migration as a specialisation – with focus only on illegal migration and only available under state support.⁴³ The Centre for Intercultural Psychology and Education, as of 2005, the Faculty of Education and Psychology at ELTE University provides an Intercultural Psychology and Education MA, and Teachers in Multicultural Education MA.⁴⁴ John Wesley Theological College/Menedék (2009-2011) provided 32-112h training courses aimed at migrant-specific training and the development of relevant skills for social workers.⁴⁵</p> <p>b) Courses offered by public institutions, e.g. the OIN: according to the National Qualification Register, a Migration Administrator training course of a maximum of 400-500 hours and involving senior OIN officers is available. 80 civil servants working for the OIN were able to participate in the <i>Migration Administrator II</i> training between 2010 and 2014.⁴⁶ The OIN also organised a two-day, migrant-specific <i>Training for local</i></p>
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³⁷Péter Pázmány Catholic University, Faculty of Law (*Pázmány Péter Katolikus Egyetem, Jog és Államtudományi Kar, PPKE JÁK*), Sample educational programme for masters for lawyers studying in undivided programme (*Az osztatlan jogász mesterképzési szak (MA) mintatanterv*), available at: [jak.ppke.hu/uploads/articles/12158/file/JON\(L\)J-JOG%20%5BMA%5D%20MINTATANTERV%202015_16.pdf](http://jak.ppke.hu/uploads/articles/12158/file/JON(L)J-JOG%20%5BMA%5D%20MINTATANTERV%202015_16.pdf).

³⁸University of Pécs, (*Pécsi Tudományegyetem*), Sample programme (*Mintatanterv*), available at: tr.ajk.pte.hu/tt_1314_1/files/tiny_mce/File/mintatantervek/uj_nappali_mintatanterv.pdf.

³⁹Eötvös Loránd University of Sciences, Faculty of Social Sciences (*Eötvös Loránd Tudományegyetem, Társadalomtudományi Kar, ELTE TÁTK*), Sample programme for BA at ELTE for studies on social work (*ELTE TÁTK szociális munka alapképzés, mintatanterv 2013-tól*) (2015.02.12.), available at: tatk.elte.hu/file/TaTK_mintatanterv_szm_2013_AN.pdf.

⁴⁰Eötvös Loránd University of Sciences, Faculty of Social Sciences (*Eötvös Loránd Tudományegyetem, Társadalomtudományi Kar, ELTE TÁTK*), TT214, TT512, TT207, ELTE TÁTK Sample Programme for those admitted in 2013 to BA on social sciences (*TT214, TT512, TT207, ELTE TÁTK társadalmi tanulmányok alapképzés MINTATANTERV 2013-ban felvetteknek*), available at: tatk.elte.hu/file/TaTK_mintatanterv_tt_2013_AN.pdf.

⁴¹Eötvös Loránd University of Sciences, Faculty of Social Sciences (*Eötvös Loránd Tudományegyetem, Társadalomtudományi Kar, ELTE TÁTK*) SZ571, ELTE TÁTK Sample Programme for those admitted in 2014 to BA on social sciences (*SZ571, ELTE TÁTK szociológia alapképzés mintaterv 2014-ben felvetteknek*), available at: tatk.elte.hu/file/TaTK_mintatanterv_szoc_2014_AN.pdf.

⁴²Felvi.hu, available at: www.felvi.hu/felveteli/szakok_kepzesek.

⁴³Felvi.hu, available at: www.felvi.hu/felveteli/szakok_kepzesek.

⁴⁴Homepage of the MA is available at: ippk.elte.hu/en/oktatas/.

⁴⁵WJLF, Menedék Association (*Menedék Egyesület*), 112hour-long migrant-specific training (*112 órás akkreditált migráns-specifikus továbbképzés*), EIA/2009/3.3.1.2.

⁴⁶The national training registry number (*OKJ szám*) of the training was: OKJ 52 345 01 0010 52 01.

		<p><i>administrative experts 1-4</i> (2009-2013), which was attended by 350 local administrative officers. The training provided an overview on the rights and obligations of different migrant groups.⁴⁷ The Türr István Training and Research Institute (<i>Türr István Képző és Kutató Intézet</i>), which is a background institution of the Ministry of Human Resources (<i>Emberi Erőforrások Minisztériuma</i>), held one-day training courses for 60 staff members of the Municipality of Debrecen on antidiscrimination, racism, xenophobia, and conflict management, between September and October 2014.</p> <p>c) Projects run by NGOs: the Artemisszió Foundation provides a series of intercultural competence-building and accredited training for those working in a school environment, in public services, in state administration, social care or health care – see the project <i>Development of intercultural competences of professionals working in the public sector</i>.⁴⁸ The Menedék Association held various training courses focusing on social work or intercultural competence development for social workers, public administration employees, representatives of family centres, child protection services specialists, immigration officers, teachers, medical professionals, higher education providers and civil society actors.⁴⁹ In 2014, the Hungarian Helsinki Committee (HHC) published a <i>Guide on Establishing a Refugee Law Clinic</i>, and between 2010 and 2014, it also organised migrant-specific, intercultural training courses for media workers and experts.⁵⁰ These programmes were supported predominantly or exclusively by joint EU and government funds.⁵¹</p>
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1.2. Drivers & barriers in developing, implementing and assessing legal and policy instruments

	<p>On the basis of material collected, including past research, studies, assessments, evaluation and contacts with the authorities, public officials and key actors for social inclusion and</p>	<p>Hungary is generally perceived as a transit country in the context of migration (Migration Strategy, p. 6). Migration, and especially the integration of migrants, had never been at the top of the political agenda or part of mainstream public debates, Migration policy and its implementation had a narrow scope. Successive governments focused their actions on introducing or</p>
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⁴⁷ E.g. OIN (BÁH), Training for local administrative experts (*Helyi közigazgatási szakemberképzés 1-4.*) EIA/2011/3.6.3.; EIA/2013/3.7.4.

⁴⁸ E.g. Artemisszió Foundation (Artemisszió Alapítvány), Development of intercultural competences of professionals working in the public sector (*Interkulturális képzések közszolgálati területen dolgozóknak*), EIA/2011/3.6.2., EIA/2013/3.7.2.

⁴⁹ See e.g. Menedék Egyesület, Helping in a competent way (*Kompetensen segíteni*), EIA/2010/3.3.1.3.; Helping efficiently (*Hatékonyan segíteni*) EIA/2011/3.6.1.

⁵⁰ Hungarian Helsinki Committee, (2014), *Guide on Establishing a Refugee Law Clinic.*; Hungarian Helsinki Committee, Media towards integration (*Média az integráció szolgálatában*), EIA/2010/3.1.4.6.; The training of media experts for an inclusive society (*Médiaszakemberek képzése a befogadó társadalomért*), EIA/2013/1.2.2.

⁵¹ Webpages for ERF funded projects are available at www.solidalapok.hu/nyertes_palyazatok/16, for EIF funded projects at www.solidalapok.hu/nyertes_palyazatok/18.

<p>participation of migrants, outline the main drivers and barriers for social inclusion and integration policies in general.</p> <p>Please mention also any important differences at regional level.</p> <p>A more detailed outline of specific drivers and barriers for specific policy areas will be required in the following sections.</p>	<p>refining restrictive alien policing measures, rather than the development of integration capacities or reception conditions.⁵²</p> <p>The attack on Charlie Hebdo generated a turn in the approach of the present government to migration issues. PM Orbán on the 9 January 2015 in his customary weekly radio interview with public Kossuth Rádió's <i>180 perc</i> (180 minutes) blamed liberal immigration policies for the attack.⁵³ He also told Hungarian state TV on account of the march held in support of free speech and tolerance in Paris that "Economic immigration is a bad thing in Europe, it should not be seen as having any benefits, because it only brings trouble and danger to the peoples of Europe" (...) "While I am PM, Hungary will definitely not become an immigration destination. We do not want to see significantly sized minorities with different cultural characteristics and backgrounds among us. We want to keep Hungary as Hungary."⁵⁴</p> <p>This change of the attitude of the Government was reinforced in the statements made by parliamentary representatives during Parliament Debate Day on Migration on 20 February 2015)⁵⁵ though one day ahead of the debate, five main NGOs (Hungarian Helsinki Committee, Cordelia Foundation, Artemisszió Foundation, Migszol, Menedék Association) called for 'real solutions based on the rule of law instead of smoke-screen and police state tricks in the field of migration'⁵⁶.</p> <p>The Government – upon the initiative of the Prime Minister Viktor Orbán – announced on the 24 April 2015 the launch of a 'National consultation on immigration and terrorism' (<i>Nemzeti Konzultáció kérdőíve a bevándorlásról és a terrorizmusról</i>).⁵⁷ Questionnaires and an invitation letter from the Prime Minister were sent to Hungarian citizens during May 2015, while</p>
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⁵² United Nations High Commissioner for Refugees (UNHCR) (2012), *Hungary as a country of asylum*, April, 2012, p. 3, available at: www.refworld.org/pdfid/4f9167db2.pdf.

⁵³ Csaba Tóth: Orbán: *Liberal immigration policies are to blame for Charlie Hebdo attack*, 9 January 2015. Budapest Beacon. Available at:

www.budapestbeacon.com/public-policy/orban-liberal-immigration-policies-are-to-blame-for-charlie-hebdo-attack.

⁵⁴ Andrew Rettman: *Orban demonises immigrants at Paris march*, 12 January 2015, Available at:

www.euobserver.com/justice/127172.

⁵⁵ Hungary Today (2015), 'Ruling And Opposition Parties Clash Over Immigration In Parliament', 10 February 2015, available at: hungarytoday.hu/cikk/ruling-opposition-parties-clash-immigration-parliament-21731. Minutes of the Parliament Debate Day on Migration are available at: www-archiv.parlament.hu/internet/plsql/ogy_naplo_naplo_fszoveg?p_ulsz=47&p_csk=40&p_felsz=1&p_szoveg=&p_felszig=289.

⁵⁶ Hungarian Helsinki Committee (2015), Asylum affairs: Frightening, unclarity, instead of a Police State real solutions are needed (*Menekültügy: Riogatás, ködösítés és rendőrállami trükkök helyett valós, jogállami megoldásokat!*), 19 February 2015, available at: helsinki.hu/menekultugy-riogatas-kodosites. The letter is available at: helsinki.hu/wp-content/uploads/bevandorlasi_vitanap_level_kepviseleknek-20150219.pdf.

⁵⁷ The national consultation on immigration is starting (*Indul a nemzeti konzultáció a bevándorlásról*), 24 April 2015, available at: www.kormany.hu/hu/a-kormanysozovivo/hirek/elo-kozvetites-kormanysozovivoi-sajtotajekoztato-konzultacio. The National Questionnaire on immigration and terrorism (*Nemzeti Konzultáció kérdőíve a bevándorlásról és a terrorizmusról*) is available at: www.kormany.hu/download/7/e2/50000/nemzeti_konzultacio_bevandorlas_2015.pdf.

		<p>responses should arrive by 1st July 2015⁵⁸. The questionnaire and the attached invitation letter were made available on the Government's web page.⁵⁹ The idea was harshly criticised by Hungarian social scientists, migration experts and NGOs in the field. For instance, the presidents of both the Artemisszió Foundation and the Menedék Association joined the open protest letter written by 56 researchers working in the field of migration to the PM and to President János Áder on the 29th of May 2015.⁶⁰ In this letter Hungarian migration experts call into question the Government's statements on the matter, as well as the questionnaire itself which they claim to 'lack all professional and moral deliberation'. They ask for the Government to halt the campaign.</p> <p>Similarly, Hungarian social scientists, in their protest statement, maintain that the 'public consultation' will be "a tool of political mobilisation concealed as public opinion research". They seek to draw the attention of the public to the unbalanced nature of the questions asked and the responses offered⁶¹ They claim that both the title and the first three questions of the questionnaire „link "profiteering immigrants" – a pejorative neologism for immigrants attracted by better economic opportunities away from their homeland – to the obviously negative phenomenon of terrorism, thus increasing the probability that the rest of the questionnaire will find negative attitudes toward immigrants."⁶² Since the respondents are self-selected, they claim that "there is a high probability that their voice will represent those who had a strong opinion or emotion motivating them to respond". This, they feel, will produce politically one-sided results".⁶³ They also express concerns with this type of consultation serving as a point of reference or being used to "prepares the way for some policy decisions".⁶⁴</p> <p>This type of national consultation also received criticism from Frans Timmermans, first vice-president of the European Commission, who remarked: "a public</p>
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⁵⁸ HGV (2015), They will still be sweating in August from the new questionnaire of Orbán (*Orbán új kérdőíve felett még augusztusban is izzadni fognak*), 06 May 2015, available at:

hvg.hu/itthon/20150506_Orban_uj_kerdoive_felett_meg_augusztusban.

⁵⁹ The National Questionnaire on immigration and terrorism (*Nemzeti Konzultáció kérdőíve a bevándorlásról és a terrorizmusról*) is available at: www.kormany.hu/download/7/e2/50000/nemzeti_konzultacio_bevandorlas_2015.pdf.

⁶⁰ Artemisszió, Requests of scientists specialised in migration to the Hungarian Government, (*Migrációval foglalkozó kutatók kérése Magyarország kormányához*), 30 April 2015, available at:

artemisszio.blog.hu/2015/04/30/migracioval_foglalkozo_kutato_kerese_magyarorszag_kormanyahoz.

⁶¹ Hungarian Spectrum (2015), *Hungarian Social Scientists Protest Viktor Orbán's „National Consultation”*, available at: hungarianspectrum.org/2015/04/30/hungarian-social-scientists-protest-viktor-orbans-national-consultation/.

⁶² Hungarian Spectrum (2015), *Hungarian Social Scientists Protest Viktor Orbán's „National Consultation”*, available at: hungarianspectrum.org/2015/04/30/hungarian-social-scientists-protest-viktor-orbans-national-consultation/.

⁶³ Hungarian Spectrum (2015), *Hungarian Social Scientists Protest Viktor Orbán's „National Consultation”*, available at: hungarianspectrum.org/2015/04/30/hungarian-social-scientists-protest-viktor-orbans-national-consultation/.

⁶⁴ Hungarian Spectrum (2015), *Hungarian Social Scientists Protest Viktor Orbán's „National Consultation”*, available at: hungarianspectrum.org/2015/04/30/hungarian-social-scientists-protest-viktor-orbans-national-consultation/.

	<p>consultation based on bias, leading and even misleading questions, on prejudice about immigrants can hardly be considered a fair and objective basis for designing sound policies. Framing immigration in the context of terrorism, depicting migrants as a threat to jobs and the livelihood of people, is malicious and simply wrong – it will only feed misconceptions and prejudice. It will create and fuel negative attitudes towards minorities and it will stimulate confrontation between different groups in society. It is wilfully misleading to present migrants only as a burden to our economies and societies, without any mention of their contribution.”⁶⁵</p> <p>It is important to note that PM Orbán in his speech delivered on 19 May 2015 in the European Parliament raised the issue that “the current treaties should be revised, and the right of Member States to defend their own borders should be restored to national jurisdictions”. He further qualified that “the proposal that we should let asylum-seekers into Europe and should apportion them out among the Member States on the basis of some artificially defined quota is a crazy idea.” He also defended the national consultation in Hungary.⁶⁶ Meanwhile, Commission Vice-President for fundamental rights, Frans Timmermans, in relation to the public consultation in Hungary reiterated at the EP debate on the situation of Hungary that “framing it in the context of terrorism is malicious and wrong” and will only feed prejudice.⁶⁷ Group speakers also criticised the national consultation: Laura Ferrara (IT), speaking for the EFDD group, categorised it as “shocking because it feeds prejudice against migrants, or Rebecca Harms (Greens, DE), who said it “contributes to raising hatred against a group of people”⁶⁸.</p> <p>While Hungary applies “very strict conditions for the registration” of TCNs arriving from other states⁶⁹ (see section 1.1.3), it shows strong preferences towards ethnic Hungarians arriving from neighbouring states.</p> <p>The migrant population in Hungary is rather small (<2%). This is comprised of EU nationals and TCNs. The proportion of TCNs fell below 0.5 % after Romania, the main source of migrant flows, entered the EU and</p>
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⁶⁵ Hungarian Spectrum (2015), *Hungarian Social Scientists Protest Viktor Orbán’s „National Consultation”*, available at: hungarianspectrum.org/2015/04/30/hungarian-social-scientists-protest-viktor-orbans-national-consultation/.

⁶⁶ *Prime Minister Viktor Orbán’s Speech in the European Parliament, 19.05.2015, Strasbourg*, 20.05. 2015. Available at: www.kormany.hu/en/the-prime-minister/the-prime-minister-s-speeches/prime-minister-viktor-orban-s-speech-in-the-european-parliament.

⁶⁷ Views on Hungary, fundamental rights and EU values, European Parliament, Plenary Session, Press release - Fundamental rights – 19-05-2015, www.europarl.europa.eu/news/en/news-room/content/20150513IPR55481/html/Views-on-Hungary-fundamental-rights-and-EU-values.

⁶⁸ Views on Hungary, fundamental rights and EU values, European Parliament, Plenary Session, Press release - Fundamental rights – 19-05-2015, www.europarl.europa.eu/news/en/news-room/content/20150513IPR55481/html/Views-on-Hungary-fundamental-rights-and-EU-values.

⁶⁹ Messing, V., Árendás, Zs. (2014), *National Report Hungary: ASSESS, Integration of Vulnerable Migrant Groups*, Center for Policy Studies, CEU, June 2014, p. III.

		<p>Romanian nationals became re-categorised.⁷⁰ The vast majority of migrants live in or around Budapest, and in the Southern, South-East, and Eastern regions of the country.⁷¹ In addition to ethnic Hungarian migrants, migrant population in Hungary includes rather heterogeneous migrant groups with very different integration strategies and needs (see in detail 4.1). While the integration patterns, prospects, drivers and barriers of migrants belonging to the same ethnic niche may show many similarities; these variables may differ fundamentally from migrants belonging to a different ethnic group.⁷²</p> <p>However, the following systemic problems and specific barriers attached to various fields of integration, e.g. employment, education, health care and social services, were identified:</p> <p>1) Issues related to the integration of migrants remained marginalised, and were “not dealt with on the political level beyond the stage required by EU norms.”⁷³ Though the issue emerged as early as 2007,⁷⁴ the first overall policy paper on migration and on the integration of migrants (Migration Strategy), which was a prerequisite to accessing EU funds, was only adopted in 2013. The implementation of the Migration Strategy has not yet started.</p> <p>2) One of the main concerns is the passivity of the central/regional/local policy-makers and authorities/service providers. This passivity is said to result from the lack of a complex integration strategy or integration programme for all groups of migrants, from the lack of mainstreaming of migrant integration issues into sectorial policies and/or the lack of proper evaluation of the relevant policies and achievements.⁷⁵</p> <p>3) The passivity and restrictive approach of the public administration may partly be due to the lack of general and specific information and the lack of</p>
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⁷⁰ Hárs, Á. (2013) 'The labour market situation of those from third countries' (*Harmadik országbeli migránsok munkaerő-piaci helyzete*) in: Kováts, A. (ed.) (2013), *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), p 50.

⁷¹ Kószeghy, L. (2009), 'Foreigners in Hungarian cities' (*Külföldiek magyarországi városokban*) in: Kováts, A. (ed.): *Migration and Integration (Bevándorlók Magyarországon)*, Budapest, Hungarian Academy of Sciences Ethnic-national Institute for Minority Studies (MTA Etnikai-nemzeti Kisebbségkutató Intézet) - ICCR Budapest Alapítvány, MTA-ICCR, 2009, Budapest, pp. 59-68.

⁷² See e.g. Örkény, A., Székelyi, M. (2010), 'The comparative assessment of six migrant groups' (*Hat migráns csoport összehasonlító elemzése*) in: Örkény Antal – Székelyi Mária (ed.): *The foreign Hungary – the social integration of migrants (Az idegen Magyarország – Bevándorlók társadalmi integrációja)*, ELTE Eötvös Kiadó, Budapest, pp. 49-96.

⁷³ Messing, V., Árendás, Zs. (2014), *National Report Hungary: ASSESS, Integration of Vulnerable Migrant Groups*, Center for Policy Studies, CEU, June 2014, p.III.

⁷⁴ Molodikova, I., Melegh, A. Tóth, J. (2011), 'Attitudes to Migrants, Communication and Local Leadership (AMICALL) - Country context paper – Hungary', CEU, October 2011 1-H, p. 6.

⁷⁵ See e.g.: Capital Migration Roundtable (*Fővárosi Migrációs Kerekasztal*), 'Newsletter EIA/2012/3.7.4' (*EIA/2012/3.7.4 Hírlevél*), p. 4, available at: budapest.hu/Documents/20130626_migracios_kerekasztal_hirlevel.pdf.

		<p>continuous, systemic migration-oriented training. 76</p> <p>4) Data collection by the Hungarian authorities is far from comprehensive. From a statistical point of view, it is also true that the low number of migrants also makes reliable, representative data collection or research activities a challenging task (see also 1.2.4).</p> <p>5) For non-ethnic Hungarian migrant groups, language incompetence may constitute an important barrier in the field of employment, education, or access to public services or housing. This could foster segregation or contribute to feelings of- of isolation, although it does not affect all migrant groups in the same way.⁷⁷</p> <p>6) Despite the low number of migrants in Hungary, there is also considerable hostility and mistrust by the majority population against migrants in general, and against specific ethnic groups or refugees, in particular⁷⁸. If migrants arrive into an environment they perceive as hostile, this may seriously hinder their integration, and have consequences both for social cohesion and for their equal and unhindered access to public services.⁷⁹(See also in detail: 4.2.2.)</p> <p>7) Social-political developments in Hungary, at present, show that social cohesion is generally deteriorating, with measures taken to enhance social cohesion in relation to certain groups of migrants proving inadequate (see further details in section 4.1.2). Solidarity is scarce and restrictive policies target those living in extreme poverty, homeless people, and the Roma population.⁸⁰ These developments are particularly unfavourable to vulnerable social groups, including certain migrant groups (such as beneficiaries of international protection) as well.</p>
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⁷⁶ Budapest Migration Roundtable (*Fővárosi Migrációs Kerekasztal*) (2012), Newsletter No. EIA/2012/3.7.4 (*Hírlevél EIA/2012/3.7.4*), p. 4-5, available at: budapest.hu/Documents/20130626_migracios_kerekasztal_hirlevel.pdf.

⁷⁷ Kováts, A. (2013), 'Integration of migrants on the basis of data gathered through previous desk research' (*Bevándorlók integrációja Magyarországon korábbi kutatások adatai alapján*) in: Kováts, A. (ed.) (2013), *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), pp 31-32.; Capital Migration Roundtable (*Fővárosi Migrációs Kerekasztal*), 'Newsletter EIA/2012/3.7.4' (*EIA/2012/3.7.4 Hírlevél*), p. 4, available at: budapest.hu/Documents/20130626_migracios_kerekasztal_hirlevel.pdf.

⁷⁸ See also: Simonovits, B. (2013) Discrimination against migrants – from the perspective of the majority and the minority (*Bevándorlók diszkriminációja – kisebbségi és többségi szemmel*), In Kováts, A. (ed.) (2013) *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), pp. 159-160, Kováts, A. (2013), 'Integration of migrants on the basis of data gathered through previous desk research' (*Bevándorlók integrációja Magyarországon korábbi kutatások adatai alapján*) in: Kováts, A. (ed.) (2013), *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), pp. 34-35.

⁷⁹ See also: Budapest Migration Roundtable (*Fővárosi Migrációs Kerekasztal*) (2012), Newsletter No. EIA/2012/3.7.4 (*Hírlevél EIA/2012/3.7.4*), pp.4-5., available at: budapest.hu/Documents/20130626_migracios_kerekasztal_hirlevel.pdf.

⁸⁰ Human Rights Watch (2015), *Hungary: Outstanding Human Rights Concerns*, February 2015, available at: www.hrw.org/sites/default/files/related_material/2015_HUN_BriefingPaperFeb.pdf.

		<p>8) Cumbersome bureaucratic regulations and measures, such as those relating to family reunification or mixed marriages, contribute to the sense of restriction (Migration Strategy, p. 25). (On problems related to family reunification, see also 1.1. On the regulation of mixed marriages, see section 4.3).</p> <p>9) Budgetary limitations and the lack of adequate state funding for integration programmes are also recurring problems. In general, "migrant integration remains project-based and the funding for it is mostly outsourced to a few NGOs active in the area."⁸¹</p> <p>10) A general problem is the lack of adequate infrastructure and community possibilities – including the lack of receptive community institutions that could host programmes related to migrant groups.⁸²</p> <p>A few drivers are identifiable, a more detailed analysis of which identifies the shortcomings to be overcome:</p> <p>1) The adoption of the Migration Strategy in 2013, even if important gaps remain, is a major step forward. Many objectives contained in the Migration Strategy could improve the likelihood of successful integration of TCNs.⁸³</p> <p>2) It is also promising that for beneficiaries of international protection, a more comprehensive state-supported integration programme is available. This move away from OIN-run camp-based integration to a community-based system" is welcome. .⁸⁴</p> <p>3) The implementation of EU Directive 2011/98/EU on single application procedures for single permits for third-country nationals to reside and work in the territory of a Member State, and on a common set of rights for third-country workers legally residing in a Member State (Directive 2011/98/EU)⁸⁵, as of 1 January 2014, is considered to be a major development in the legislative framework (Migration Strategy, Chapter III, p. 32).</p> <p>4) The low number of TCNs could provide adequate scope for action by policy-makers and authorities to involve the majority of the target population, without exorbitant cost, in migration programmes, something</p>
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⁸¹ Messing, V., Árendás, Zs. (2014), *National Report Hungary: ASSESS, Integration of Vulnerable Migrant Groups*, Center for Policy Studies, CEU, June 2014, p.III.

⁸² Budapest Migration Roundtable (*Fővárosi Migrációs Kerekasztal*) (2012), Newsletter No. EIA/2012/3.7.4 (*Hírlevél EIA/2012/3.7.4*), p. 6, available at: budapest.hu/Documents/20130626_migracios_kerekasztal_hirlevel.pdf.

⁸³ Based on interviews (questionnaires) with e.g. UNHCR and Menedék Association (16 February 2015, 24 February 2015.).

⁸⁴ Comments on the Government's draft Migration Strategy (2014-2020), 12 September 2013, p.10, available at: www.unhcr-centraleurope.org/pdf/where-we-work/hungary/unhcr-comments-on-hungarys-draft-migration-strategy.html. Based also on interviews (questionnaires) with e.g. UNHCR and Menedék Association (16 February 2015, 24 February 2015.).

⁸⁵ *EU Directive 2011/98/EU of the European Parliament and of the Council of 13 December 2011, on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State*, OJ L 343, 23.12.2011, pp. 1–9.

		<p>which is acknowledged by the Migration Strategy, Chapter VI, p.75.</p> <p>5) The ease of integration of the large number of ethnic-Hungarian migrant groups (those with same ethnic identity, common language, culture and history), creates “a positive effect on the migratory situation of Hungary” (Migration Strategy, Chapter I/4). Thus, challenges stemming from different cultural and religious backgrounds of migrants and the host society only appear on a lower scale.</p> <p>6) The statistically high labour market activity of migrants compared to the average national labour market activity, and the higher level of education or social position of certain migrant groups compared to the majority population, are also important drivers reducing the possibility of social exclusion of migrants.⁸⁶</p> <p>7) The presence of active and capable NGOs, with significant expertise in this field, is a powerful aid to effective integration strategy.⁸⁷</p> <p>8) The Budapest Migration Roundtable is a promising example of effective cooperation of a municipality with NGOs representing migrants, which could allow proposals for actions to be taken at local level in order to foster the integration of migrants (see Annex 7).</p> <p>9) There are strong laws and organisations fighting discrimination (See section 4.2. for a discussion of the problems at implementation level).</p>
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1.2.1. Drivers

	<p>The key drivers for successful integration policies, therefore factors that are considered to contribute positively in the design, development, implementation, assessment</p>	<p>1. Adoption of the Migration Strategy: The adoption of the Migration Strategy, which contains a separate Chapter on integration, was considered to be a positive development by both NGOs and UNHCR⁸⁸. In particular, the Migration Strategy explicitly acknowledges the positive impact legal migrants (could) have on the</p>
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⁸⁶ See e.g. Hárs, Á. (2013), 'The labour market situation of those from third countries' (*Harmadik országbeli migránsok munkaerő-piaci helyzete*) in: Kováts, A. (ed.) (2013), *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), pp. 42 – 69, and Schuman, R (2013) The educational level of migrants in Hungary (Magyarországi migránsok iskolázottsága) in: Kováts, A. (ed.) (2013) *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), pp. 101-118.

⁸⁷ Based on interviews (questionnaires) with e.g. UNHCR and Menedék Association (16 02 2015, 24 02 2015.).

⁸⁸ See e.g. Hungarian Helsinki Committee (*Magyar Helsinki Bizottság*) (2013), *Notes on the Migration Strategy and on the seven year strategic planning document for AMIF to be established by the EU for the period of 2014-2020 (Észrevételek a Migrációs Stratégia és az azon alapuló, az Európai Unió által a 2014-2020. ciklusban létrehozásra kerülő Menekültügyi és Migrációs Alaphoz kapcsolódó hétéves stratégiai tervdokumentumhoz)*, Hungarian Helsinki Committee, available at: helsinki.hu/wp-content/uploads/MHB-eszrevetelek_migracio%CC%81s_strategia_20130811.pdf; Menedék Association (*Menedék Egyesület*) (2013), *Letter on the Migration Strategy (Migrációs Stratégiáról szóló level)*, available at: menedek.hu/sites/default/files/article-uploads/migr-strategia-eszrevetelek-menedek.pdf. United Nations High Commissioner for Refugees (UNHCR) (2013), Based also on interviews (questionnaires) with e.g. UNHCR and Menedék Association (16 02 2015, 24 02 2015.)

	<p>and accomplishment of policy goals and in strengthening social inclusion and participation of migrants and their descendants. For example, are these policies mainstreamed in other public policies, for example in employment, education, housing, etc. and how is this achieved?</p>	<p>Hungarian socio-economic processes, e.g. one of the possible responses to demographic challenges, or in fostering economic prosperity. It also takes note of the decisive role NGOs play in the fulfilment of the duties of the state (p. 8, 31, 41).</p> <p>Concerns were raised about the chapter on integration, in particular, finding it far from comprehensive e.g. many priorities proposed by UNHCR were left out, while according to UNHCR the Migration Strategy does not adequately address the hostility of the Hungarian society towards migrants either⁸⁹. It was felt that a core concern with illegal migration permeated all chapters of the Migration Strategy, even those compiled on legal migration or those dealing with international protection (see e.g. Chapter III/A, p. 25,) Foreigners are viewed in terms of their potential risk to public security (pp. 45-46), something which is which was specifically criticised by HHC.⁹⁰</p> <p>The Migration Strategy lacks guarantees as to its proper implementation. The envisaged monitoring mechanism is insufficiently precise, and funding issues remain largely unsettled.⁹¹ Time-frames and the specification of the steps forward in order to implement otherwise promising objectives, and the indication of available financial resources only appear in Annex A of the seven-year strategic document attached to the Asylum and Migration Fund established by the European Union for 2014-20, which is not yet operational. When examining Annex A it appears that the funding is almost exclusively based on available Asylum, Migration and Integration Fund (AMIF) resources (see: Migration Strategy, pp. 83 - 96).⁹²</p> <p>2. Demographic characteristics and high employment activity rate or educational level of migrants: due to the strict criteria of residence, and the demographic characteristics of the migrant population, they do not impose a significant burden on the social system (Migration Strategy, Chapter VI, p. 74). Migrants who can join an existing ethnic economic cluster may face considerably less difficulties in finding</p>
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⁸⁹ See e.g. Comments on the Government's draft Migration Strategy (2014-2020), 12 September 2013, p. 4, p.9, available at: www.unhcr-centraleurope.org/pdf/where-we-work/hungary/unhcr-comments-on-hungarys-draft-migration-strategy.html

⁹⁰ Hungarian Helsinki Committee (*Magyar Helsinki Bizottság*) (2013), *Notes on the Migration Strategy and on the seven year strategic planning document for AMIF to be established by the EU for the period of 2014-2020 (Észrevételek a Migrációs Stratégia és az azon alapuló, az Európai Unió által a 2014 2020. ciklusban létrehozásra kerülő Menekültügyi és Migrációs Alaphoz kapcsolódó hétéves stratégiai tervdokumentumhoz)*, Hungarian Helsinki Committee, p. 2, available at: helsinki.hu/wp-content/uploads/MHB-eszrevetelek_migracio%CC%81s_strategia_20130811.pdf

⁹¹ *Comments on the Government's draft Migration Strategy (2014-2020)*, 12 September 2013, p.3, 15, available at: www.unhcr-centraleurope.org/pdf/where-we-work/hungary/unhcr-comments-on-hungarys-draft-migration-strategy.html; *Comments on the Government's draft Migration Strategy (2014-2020)*, 12 September 2013, p. 4, p.9, available at: www.unhcr-centraleurope.org/pdf/where-we-work/hungary/unhcr-comments-on-hungarys-draft-migration-strategy.html

⁹² See also Menedék Association (Menedék Egyesület) (2013), *Letter on the Migration Strategy (Migrációs Stratégiáról szóló level)*, p. 1-3, pp.5-6, available at: menedek.hu/sites/default/files/article-uploads/migr-strategia-eszrevetelek-menedek.pdf

		<p>employment than refugees, whose labour market integration is extremely difficult.</p> <p>The average employment activity rates and the levels of education within the migrant population may vary considerably with respect to their regions of origin, ethnic affiliations, or their place of settlement. This correlates with statistical data on employment activity rates and educational levels of the Hungarian population living in the same areas, e.g. Budapest. Thus, it would not give migrants much comparative advantage on the labour market.⁹³ The Migration Strategy acknowledges that, in Hungary, the number of regulated professions is higher than in Western-European countries. Therefore, a higher proportion of migrants must have their qualifications recognised, which is both an administrative and financial burden for them (Chapter VI, p. 72 of the Migration Strategy).</p> <p>3. NGOs not established by migrants: such organisations fostering the integration of migrants are indispensable since, to a large extent, they substitute state action. Their main role is threefold:</p> <p>a) NGOs appear as main service providers to various migrant groups, substituting for state action. They provide fundamental, gap-filling services, e.g. housing assistance, assistance to school integration, mentoring, Hungarian foreign language (HFL) teaching, and health care. The lack of reliable, continuous funding and the limited capacity and reach of these NGOs, however, endangers the continuity and accessibility of these services – especially by particularly vulnerable groups. For example, the psychiatric, psychotherapeutic services of the Cordelia Foundation are not accessible on a regular basis in the Vámosszabadi reception centre⁹⁴ (see section 4.1.2);</p> <p>b) Most migrant-specific training courses for civil servants are organised and held by NGOs with considerable expertise, e.g. the HHC has unmatched expertise in the field of family reunification. See section 1.1.4.</p>
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⁹³ Hárs, Á. (2013) 'The labour market situation of those from third countries' (*Harmadik országbeli migránsok munkaerő-piaci helyzete*) in: Kováts, A. (ed.) (2013), *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), pp. 42 - 69, Hárs, Á. 'Overqualification among migrants from third countries' (Túlképzettség és integráció a harmadik országbeli migránsok körében) in: Kováts, A. (ed.) (2013), *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), pp. 70-88, Schuman, R (2013) The educational level of migrants in Hungary (Magyarországi migránsok iskolázottsága) in: Kováts, A. (ed.) (2013) *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), p.108, 117.

⁹⁴ Hungarian Helsinki Committee (Magyar Helsinki Bizottság) (2014), *Report on the visit of the Hungarian Helsinki Committee on 28 April 2014 in the Temporary Reception Centre in Vámosszabadi (Jelentés a Magyar Helsinki Bizottság 2014. április 28-i látogatásáról a Vámosszabadi Ideiglenes Befogadó állomáson)*, p. 3., available at: helsinki.hu/wp-content/uploads/Helsinki-Bizottsag-jelentes-Vamoszabadi-20140428.pdf, Response of OIN to the report of the HHC on Vámosszabadi Temporary Reception Centre, p. 2., helsinki.hu/wp-content/uploads/BAH-valasz-Vszabadi-20140428ra.pdf.

		<p>c) Through intercultural projects, programmes and campaigns, they promote the development of a more receptive society. See section 4.</p> <p>Meanwhile, NGOs organised by migrants basically provide services to their migrant community. They establish few “bridging contacts” towards the majority population or other ethnic groups. This may be due to factors such as the lack of adequate infrastructure or community institutions which could host/support such initiatives. It should be noted that the social network of migrant organisations representing different ethnic groups, may vary considerably.⁹⁵ The establishment of the Migrant Solidarity Group (Migszol)⁹⁶, which consists of immigrants, refugees, and Hungarians alike, is a proactive step towards the involvement of such groups in a broader way. Migszol has a strong political stance; it not only holds migrants community and public events, and HFL courses, but also organises protests, awareness-raising campaigns, e.g. Anti-Detention Campaign in the spring of 2014, and submits petitions.</p> <p>4. The Budapest Migration Roundtable Initiative (2013-2014) was a consultation body built on the involvement and co-operation of all stakeholders, i.e. the municipality, NGOs working in this field, and migrant organisations. It aimed to mobilise the local public administration in the field of migration. See details in Annex 7 to this report.</p> <p>5. The integration framework for beneficiaries of international protection: in order to promote long-term integration of beneficiaries of international protection, as of January 2014, the formerly applicable system of fragmented support was replaced by a single system based on an integration agreement (see section 1.1.3). The involvement of family protection services and, thus, social workers with better knowledge of the personal needs and situations of the persons concerned should enhance the chances of integration of beneficiaries of international protection (see section 4.2.2).</p>
<p>1.2.2. Barriers</p>		
	<p>Barriers, limitations, constraints or resistance faced in designing, developing and implementing such policies and measures, therefore factors that may hinder their effectiveness and influence</p>	<p>1. To date, Hungary has not developed a sufficiently comprehensive Integration Strategy at central or regional level that would encompass all facets of the integration processes, identify specific objectives, or</p>

⁹⁵ Kováts, A (2012), *Final research paper on the situation of migrant groups in Hungary (Migráns szervezetek Magyarországon Kutatási zárótanulmány)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), pp. 32-36.

⁹⁶ More information available at: migszol.com.

	<p>negatively their outcomes. For example, budgetary limitations, or problems of coordination of governance levels, priority of interventions, lack of training or lack of mainstreaming of relevant policies, lack of action by competent actors or limited data about the interested population, could be factors that may function as obstacles or affect negatively the implementation of selected migrant integration measures.</p>	<p>prioritise state action in this field.⁹⁷ Government actions in this sphere have been somewhat scarce and scattered. The lack of regional or local measures to promote social cohesion or integration of migrants is also a recurring complaint.⁹⁸ The only group specifically targeted by an integration scheme is that of beneficiaries of international protection (See section 4.1).</p> <p>2. Data collection, use of indicators: the Migration Strategy makes specific reference to the “lack of precise and reliable statistical data measuring the integration of migrants”. While the Strategy mentions the possibility of developing and adapting the Zaragoza indicators (pp. 29-30, p.75), it is not taken as a defined objective of the Strategy. The main problem areas with respect to statistical information are:</p> <p>a) Incomprehensive data collection practices of the Hungarian authorities hinder analysis of integration processes. A recent study found that data on migrants and migration come, for the most part, from two main sources: “administrative data collected by different authorities (OIN, Hungarian Central Statistical Office, CSO, Ministries, and police) and academic research”. The former is highly-fragmented as each collecting authority will require the data for different uses and purposes. A large-scale governmental project – with the participation of authorities collecting migration data is currently underway, with the aim of developing methods and infrastructure to harmonise these data.”⁹⁹</p> <p>b) Research on integration patterns and processes of migrants is often hindered by the lack of sufficient reliable data, partly due to the small samples. In order to be able to draw reliable conclusions on integration patterns, researchers should rely on data available from longer periods of time. Researchers find that EU indicators under these circumstances must be complemented by such indicators that would be able to monitor processes in a more country-specific way.¹⁰⁰</p> <p>3. Hostility and mistrust of the majority population: hostility and xenophobia of the majority population, and discrimination faced by migrant groups, are two of the</p>
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⁹⁷ See e.g. United Nations High Commissioner for Refugees (UNHCR) (2013), *Comments on the Government’s draft Migration Strategy (2014-2020)*, 12 September 2013, p.6, available at: www.unhcr-centraleurope.org/pdf/where-we-work/hungary/unhcr-comments-on-hungarys-draft-migration-strategy.html.

⁹⁸ Budapest Migration Roundtable (*Fővárosi Migrációs Kerekasztal*) (2012), Newsletter No. EIA/2012/3.7.4 (*Hírlevél EIA/2012/3.7.4*), p.4, available at: budapest.hu/Documents/20130626_migracios_kerekasztal_hirlevel.pdf.

⁹⁹ Messing, V., Árendás, Zs. (2014), *National Report Hungary: ASSESS, Integration of Vulnerable Migrant Groups*, Center for Policy Studies, CEU, June 2014, p. III.

¹⁰⁰ See e.g.: Hárs, Á. (2013) ‘The labour market situation of those from third countries’ (Harmadik országbeli migránsok munkaerő-piaci helyzete) in: Kováts, A. (ed.) (2013), *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), pp. 43 - 49, Schuman, R (2013) The educational level of migrants in Hungary (Magyarországi migránsok iskolázottsága) in: Kováts, A. (ed.) (2013) *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), p. 102.

		<p>major hindrances to successful integration of migrants. Research concerning discrimination against migrant groups and xenophobia has found a consistently high rate of explicit anti-foreigner sentiment present in the majority population (39% in 2014). Even the majority of those who claim to be against the total exclusion of migrants (51% in 2014), would only permit ethnic Hungarian migrants. Thus, the vast majority of this group may also be considered as having "latent" xenophobic inclinations.¹⁰¹ This correlates with the deteriorating tendencies in social cohesion in general.</p> <p>Similarly, media coverage on migrants is often characterised as biased; neither the quantity nor the quality of the news or reports presented is regarded as adequate as they are neither objective nor well-founded. This is also noted in the Migration Strategy: Chapter V, p. 60 and Chapter VI, p. 74.</p> <p>Discriminatory attitudes of the majority of the population do not necessarily result in the groups concerned facing excessive discrimination. According to the <i>Immigrant Citizens Survey</i> (which extended to 15 European cities including Budapest), migrants living in Budapest face less discrimination than migrants living in other European cities. Migrants characterise Hungary as a country rather negative in its attitude towards them, and give accounts of discriminatory treatment when they interact with public authorities and institutions, in accessing health care or social services. Different migrant groups in Hungary may show rather different patterns as to the extent of the discriminatory practices encountered, e.g. migrants of Arab or African origin and beneficiaries of international protection, face discrimination much more frequently.¹⁰² The main areas of concern are:</p> <p>a) The level and extent of xenophobic movements and negative community attitudes against foreigners has drastically increased/intensified since 2013 at locations hosting open OIN reception facilities. These negative attitudes have been visible in: local residents/media/politicians campaigning against asylum seekers and refugees; protest groups organised against reception centres (in Debrecen, Balassagyarmat, Vámoszabadi); spreading cyber hatred; and bullying</p>
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¹⁰¹ See also: Simonovits, B. (2013) Discrimination against migrants – from the perspective of the majority and the minority (Bevándorlók diszkriminációja – kisebbségi és többségi szemmel), In Kováts, A. (ed.) (2013) *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), pp. 159-160, Kováts, A. (2013), 'Integration of migrants on the basis of data gathered through previous desk research' (*Bevándorlók integrációja Magyarországon korábbi kutatások adatai alapján*) in: Kováts, A. (ed.) (2013), *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), pp. 34-35.

¹⁰² Simonovits, B. (2013) Discrimination against migrants – from the perspective of the majority and the minority (Bevándorlók diszkriminációja – kisebbségi és többségi szemmel), In Kováts, A. (ed.) (2013) *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), p. 169.

		<p>through social media.¹⁰³ Intolerance towards migrant groups has recently become a constant part of the political agenda of right-wing political parties, which used the refugee question as a tactic for winning the support of certain social groups before the 2014 parliamentary and local municipality elections. The aim was to create a common xenophobic platform in order to increase the number of potential supporters (see May 2013 march of the far right radical party, JOBBIK Magyarországért Mozgalom in Debrecen demanding the shutdown of the open reception centre in Debrecen).¹⁰⁴</p> <p>b) Hate crimes against foreigners: beneficiaries of international protection report discrimination, and physical and verbal harassment in most areas of their lives. On 27 October 2013, two Hungarian men assaulted an African refugee in Bicske both verbally and physically. The victim suffered several physical injuries and partially lost his hearing, yet the incident was initially classified as “hooliganism” rather than hate crime, a mis-representation that was later corrected, following the intervention of NGOs. Actions foreseen by the Migration Strategy to combat racism, xenophobia and intolerance, and to promote the development of a welcoming society, have merit, but require concrete implementation measures (Chapter III, p. 30, Chapter VI, p. 74 of the Migration Strategy and section 4.2 of this document).</p> <p>Statutory regulation and judicial practice of hate crimes: there is no criminal offence explicitly named ‘hate crime’ in Act C of 2012 on the Penal Code (<i>2012. évi C. törvény a Büntető Törvénykönyvről</i>), but it punishes two crimes of this type: i) ‘violence against a member of a community’ (Article 216) and ii) ‘incitement against a community’ (Article 332) – the latter is an equivalent of ‘hate speech’, targeting those who incite negative feelings, prejudice or hatred towards a protected group. NGOs viewed the amendment of hate crime legislation in 2012 (entry into force 1 July 2013), to be insufficiently comprehensive, as it excluded a number of concerns, e.g. bias-motivated harassment or hate crimes directed against property. Official criminal statistics suggest that hate crime is not widespread in Hungary, but this may be the result of its high latency, frequent down-grading, or deficiencies of hate crime legislation and data collection. Law enforcement bodies may ignore the circumstances indicating hate crimes</p>
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¹⁰³ Facebook pages in Debrecen: www.facebook.com/pages/Debreceni-Menekülttábor-NEM-AKARJUK/559462290759566; in Balassagyarmat: www.facebook.com/groups/464345383585177; and in Vámoszabadi: <https://www.facebook.com/groups/529193277142651>. United Nations High Commissioner for Refugees (UNHCR) (2013), *Comments on the Government’s draft Migration Strategy (2014-2020)*, 12 September 2013, p. 4, available at: www.unhcr.org/pdf/where-we-work/hungary/unhcr-comments-on-hungarys-draft-migration-strategy.html.

¹⁰⁴ Debrecen news (2013), ‘Jobbik’s march with torches to the reception camp in Debrecen’ (*Fáklyákkal vonul a Jobbik a debreceni menekülttáborhoz*), available at: www.dehir.hu/debrecen/faklyakkal-vonul-a-jobbik-a-debreceni-menekulttaborhoz/2013/05/13/

		<p>and investigations based on hate indicators is unknown – many perpetrators are prosecuted for and convicted on charges of less severe crimes.¹⁰⁵ There is no protocol for due classification or effective investigation of hate crimes and there is no systematic monitoring of incidents of racial violence.¹⁰⁶</p> <p>4. Language incompetence, isolation: significant problems stem from barriers related to language incompetence, insufficiency, lack of information without language limitations, absence of legal knowledge and lack of consultation possibilities. These factors contribute to the development of isolation, loneliness, the lack of social contacts or social networks, and the social vacuum around migrants.¹⁰⁷ Language incompetence diversely affects different migrant groups. For those migrants who may join a migrant economic (social) cluster, e.g. the Chinese migrant population, language incompetence constitutes less of a hindrance. These ethnic enclaves do not even attempt to surmount this difficulty. Others, such as migrants arriving from Africa, are more motivated to learn Hungarian, but remain discouraged without adequate support.¹⁰⁸</p> <p>5. The main problem areas on the institutional level are:</p> <p>a) Apparent passivity, insensitivity and the lack of interest on the part of central or local authorities. The main reason for this may be the lack of widespread/continuous migrant-specific and intercultural training of civil servants (the need for which is acknowledged in the Migration Strategy, p.77). The lack of intercultural mediator actors exacerbates this problem. There is a general lack of migrant-specific information, which results in the negative and suspicious attitude of public actors providing services in the fields of healthcare, social care or education (See section 4.1.2).</p> <p>b) A lack of coordination between government actors, ministries, departments and authorities, as well as overlapping competences in the area of migration, creates confusion. The UNHCR suggested the enhancement of coordination by instituting focal points in various segments of the administration. This could</p>
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¹⁰⁵ Dombos, T., Udvari, M. (2014), *Summary Report: Hate Speech in Hungary – Problems, Recommendations, Good Practices*, Másság Foundation, p. 7, available at: dev.neki.hu/wp-content/uploads/2014/03/gybc_B5-angol.pdf.

¹⁰⁶ Hungary: Follow Up Report of the Hungarian Liberties Union (as of January 2012), CCPR/C/HUN/CO/5. For further information see also e.g. Dinók, É.H. 'A gyűlöletbűncselekmények, különösen a közösség tagja elleni erőszak kapcsán felmerülő jogalkalmazási nehézségek', *Fundamentum*, 2013. Vol. 17. no. 4. pp. 93-103. or Átol, D., Dombos, T., Jovánovics, E., M. Tóth, B., Pap András, L., Udvar, M, 'Közösség tagja elleni erőszak – Alternatív kommentár', *Fundamentum*, 2013. Vol. 17. no. 4. pp.79-92.

¹⁰⁷ Budapest Migration Roundtable (*Fővárosi Migrációs Kerekasztal*) (2012), Newsletter No. EIA/2012/3.7.4 (*Hírlevél EIA/2012/3.7.4*), p.5, available at: budapest.hu/Documents/20130626_migracios_kerekasztal_hirlevel.pdf.

¹⁰⁸ Várhalmi, Z. (2013) 'The integrational aspects of the knowledge of Hungarian' (A magyar nyelvtudás integrációs vonatkozásai) in: Kováts, A. (ed.) (2013), *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), p. 124.

		<p>coordinate and promote mainstreaming measures, policies in various fields of integration, e.g. reception arrangements, education, housing, social security, language learning and cultural orientation, family reunification, employment, health, naturalisation, participation or funding, and could ensure the proper fulfilment of related tasks.¹⁰⁹ This would have particular significance in the case of beneficiaries of international protection. The Migration Strategy: Chapter VI, pp. 76-77, envisages a more complex framework for integration, with responsibility shared between authorities and municipalities.</p> <p>c) The lack of a comprehensive monitoring and evaluation mechanism (See section 1.2.4).</p> <p>6. Budgetary limitations, inadequate funding:</p> <p>a) Implementation of the Migration Strategy would require specialised, continuous, systemic and compulsory training, regular coordination, and the financial support of civil servants and employees of the authorities, municipalities, public institutions and main service providers concerned. The available training is not sufficiently widespread or comprehensive. In addition, the national financial resources allocated for training are, where present, inadequate, and overly dependent on EU funding.</p> <p>b) Basic services provided to beneficiaries of international protection are mainly financed by EU resources rather than through statutory (or normative) state contributions.¹¹⁰ An additional concern is that the Hungarian seven-year strategic document related to Asylum and Migration Fund, has not yet been accepted by the European Commission, leading to uncertainty about the continued financing of basic services provided by NGOs. The lack of EU funding affects, in particular, the operation of such NGOs as the Menedék Association, Cordelia Foundation and the Reformed Mission Centre. The lack of a permanent, steady financial background to support programmes and projects fostering the integration of migrants, puts the continuous operation and development of NGOs at risk, and leads to high levels of staff fluctuation and inconsistency. A recurring problem is that there is no available financial support for smaller organisations or for the implementation of smaller (local) projects.¹¹¹</p> <p>7. The lack of adequate infrastructure and community possibilities: migrant organisations rarely organise</p>
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¹⁰⁹ See e.g. United Nations High Commissioner for Refugees (UNHCR) (2013), *Comments on the Government's draft Migration Strategy (2014-2020)*, 12 September 2013, p.11, available at: www.unhcr-centraleurope.org/pdf/where-we-work/hungary/unhcr-comments-on-hungarys-draft-migration-strategy.html.

¹¹⁰ See e.g. United Nations High Commissioner for Refugees (UNHCR) (2013), *Comments on the Government's draft Migration Strategy (2014-2020)*, 12 September 2013, p. 5, available at: www.unhcr-centraleurope.org/pdf/where-we-work/hungary/unhcr-comments-on-hungarys-draft-migration-strategy.html.

¹¹¹ Budapest Migration Roundtable (*Fővárosi Migrációs Kerekasztal*) (2012), Newsletter No. EIA/2012/3.7.4 (*Hírlevél EIA/2012/3.7.4*), p.4, available at: budapest.hu/Documents/20130626_migracios_kerekasztal_hirlevel.pdf.

		<p>events and programmes that also target the majority population, even if there existed such intent on their part. This is mainly due to the lack of adequate infrastructure, intercultural community spheres, or community institutions, which could host and support such initiatives. In many cases, these organisations have not established steady and reliable connections via informal or formal communication channels with local authorities either, thereby impacting the social cohesion or integration of migrants at a local level.¹¹² The elimination of intercultural barriers is also hindered by the lack of opportunities to make known to the majority population the different cultural traditions and backgrounds of migrants.¹¹³</p> <p>6. Problems with specific service areas: health or social care, education (see section 4.1.2.)</p>
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1.2.3. Language learning and integration tests

Please provide information about:		
	<p>Main language learning support programmes and courses. Provide details about organisation of such programmes and actors implementing them, funding support, location, duration, frequency, numbers of beneficiaries, entitlements and limitations for accessing courses.</p>	<p>Hungarian as a Foreign Language (HFL) courses are available in major universities for students. Otherwise, language programmes for migrants (including beneficiaries of international protection) are funded almost exclusively by EIF and ERF programmes. These latter courses are organised by language-teaching institutions and target a wide range of migrants with valid mid-to long-term residency permits. Availability of these courses to migrants varies from programme to programme (see below, e.g. the HFL training organised by Hungarian Confucius Institute targeted Chinese migrants, while programs organised by Tudomány Nyelviskola (Budapest) were open to all migrants). The courses are free-of-charge and vary in duration and frequency.¹¹⁴ Between 2010-2013, for ERF and EIF funded projects focusing on, or at least including, HFL courses (see 2-4 below) around: 472973255 HUF / 1 658 158,94 EUR was available (EIF/ERF: 356147849 HUF / 1 248 590,13 EUR, own funds: 116 825 406 HUF / 409 568,81 EUR).¹¹⁵</p> <p>HFL courses are/were provided by, for example:</p> <p>1) Universities and colleges:</p>

¹¹² Kováts, A (2012), *Final research paper on the situation of migrant groups in Hungary (Migráns szervezetek Magyarországon Kutatási zárótanulmány)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), pp. 32-36., Budapest Migration Roundtable (*Fővárosi Migrációs Kerekasztal*) (2012), Newsletter No. EIA/2012/3.7.4 (*Hírlevél EIA/2012/3.7.4*), p.5, available at: budapest.hu/Documents/20130626_migracios_kerekasztal_hirlevel.pdf.

¹¹³ Budapest Migration Roundtable (*Fővárosi Migrációs Kerekasztal*) (2012), Newsletter No. EIA/2012/3.7.4 (*Hírlevél EIA/2012/3.7.4*), p.6, available at: budapest.hu/Documents/20130626_migracios_kerekasztal_hirlevel.pdf.

¹¹⁴ Information provided by Hungarian Confucius Institute (13 February 2015) and Tudomány Language School (*Tudomány Nyelviskola*) (14 February 2015).

¹¹⁵ EUR is counted on the basis of the yearly average exchange rates of the Hungarian National Bank. Available at: www.demo.mtieco.hu/Pages/hist.aspx?sub=1&CategoryId=19&menuid=f86de2d3-4f83-4952-852e-14a09776a2f2

		<p>a) The Department of Hungarian as a Foreign Language, in the Faculty of Humanities, of Eötvös Loránd University of Sciences (ELTE), offers HFL courses to international students while they are studying at ELTE. This department is also responsible for BA and MA training courses of HFL teachers. Each year, ELTE organises a summer school focusing on intensive HFL instruction and cultural courses.</p> <p>b) Training of HFL teachers also takes place at Károli Gáspár University of the Reformed Church.</p> <p>c) HFL courses are also available for students at e.g. Budapest Business School or Corvinus University of Budapest</p> <p>2) TCNs in general:</p> <p>a) Tudomány Nyelviskola (Budapest) has been organising EIF funded HFL courses for migrants since 2010. These projects (e.g. <i>How to find your way in Hungary?</i> or <i>Dare to speak up in Hungarian! (2014-2015)</i>) provide practical training and instructions to TCNs to facilitate their integration into society and the labour market. They aim to overcome the following specific issues: low communicative competence in the Hungarian language; unfamiliarity with official procedures; the lack of competencies for entering the labour market; and difficulties in bridging the cultural gap. Courses are organised in a flexible manner, tailored to different target groups, and accommodate the needs of sensitive groups.¹¹⁶</p> <p>b) The Hungarian Confucius Institute (Budapest) is organising three-month-long courses for Chinese migrants. The Confucius Institute also organises preparation courses for the HFL examination (2013-2015).¹¹⁷</p> <p>3) Refugees:</p> <p>a) The project <i>Vocational Training for refugees I-II-III</i> run by the OIN, aims to facilitate labour market access for the beneficiaries of international protection, in specialised vocational areas, and through an integrated, optional two-year language training courses, concluded by an A2-level language exam.¹¹⁸</p> <p>b) The ILS Debrecen Nyelviskola Kft. held HFL training courses between 2010 and 2011 at the reception centre in Debrecen.¹¹⁹</p> <p>c) Migszol provides HFL courses as of 2015 in Budapest.</p>
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¹¹⁶ E.g. Tudomány Language School (Tudomány Nyelviskola), *Dare to speak Hungarian! (Merj megszólalni magyarul)*, EIA/2013/1.1.2.

¹¹⁷ E.g. Hungarian Confucius Institute (ELTE Konfuciusz Intézet), *The preparation of Chinese nationals for Hungarian language exam (Kínai állampolgárok felkészítése magyar nyelvvizsgára)*, EIA/2013/1.1.4.

¹¹⁸ OIN (BÁH), *The labour market for refugees I-III (Munkaerő-piaci program menekültek részére I-III)*, EMA/2013/3.5.7., EMA/2012/3.6.3, EMA/2011/3.6.5.

¹¹⁹ ILS Debrecen Language School (ILS Debrecen Nyelviskola Kft.), *Intensive Hungarian course (Intenzíven magyarul)*, EIA/2010/3.1.2.1.

	<p>4) School integration programmes:</p> <p>a) The StepTogether – Migrant Children in School project (2010-2013), aims to improve the education of migrant children and young adults from third countries in order to prevent low school performance, or dropping-out of school. The project team at the University of Miskolc developed a content-based L2 Hungarian teaching-aid package for migrant children studying in primary schools, and for their teachers.¹²⁰</p> <p>b) Complex integration programmes, run by the Reformed Mission Centre as of 2005, offer intense, individualised HFL instruction for beneficiaries of international protection on all levels, in line with their specific needs. In 2014, a number of their clients passed basic or intermediate language exams. (See section 4.1.2 or Annex 7.)</p>
<p>Knowledge level of the language achieved through such programmes (please use the <u>Common European Framework Reference levels - CEFR</u>)</p>	<p>The courses cater for speakers from levels A1 to B. No official examination is linked with the courses – such undertakings are not necessary preconditions for receiving funding for the service providers.</p>
<p>Language tests required for migrants to access residence or other legal status affecting equal treatment and access to rights. Please provide information about their content and character, level of knowledge required, numbers of participants, and rates of success/failure</p>	<p>The Hungarian language competence of migrants is not assessed in any single test. However, the Basic Constitutional Exam (Integration test) must be taken in Hungarian. (Article 4/A of Act LV of 1993 and Article 13(2) of Government Decree 125/1993 (IX.22) on the implementation of Act LV of 1993 on Hungarian citizenship, hereinafter: Government Decree 125/1993(IX.22)).¹²¹</p>
<p>Integration tests for access to residence or other status affecting equal treatment and access to rights. Please provide information about their content and character, range of knowledge required, numbers of participants, and rates of success/failure.</p>	<p>The Basic Constitutional Exam serves as the integration test for migrants who wish to acquire Hungarian citizenship. The test is taken in Hungarian. It consists of a written and an oral element. The contents of the test are regulated by Article 4/A of Act LV of 1993 and Article 13(2) of Government Decree 125/1993 (IX.22). The responsibility for organising these exams lies with the Government Office of Budapest. Annex 7 of the Government Decree specifies that the topics of the examination cover: Hungary’s place in the Carpathian Basin, in Europe and in international organisations; Hungary’s national symbols and holidays; turning points in Hungarian history; outstanding Hungarian representatives of art, music and science; definitive representatives of Hungarian literature; the basic</p>

¹²⁰ See e.g. The University of Miskolc (*Miskolci Egyetem*), StepTogether – Migrant Children in School project (*Migráns gyermekek az iskolában*), EIA/2010/3.1.1.1, EIA/2011/1.1.1., available at: www.solidalapok.hu/sites/default/files/02%20Miskolci%20Egyetem_Egyutthalado.pdf.

¹²¹ Government Decree 125/1993 (IX.22) on the implementation of Act LV of 1993 on Hungarian citizenship (*125/1993 (IX. 22.) Korm. rendelet a magyar állampolgárságról szóló 1993. évi LV. törvény végrehajtásáról*), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=19653.269433.

		institutions of the Constitution; the framework of the public administration; fundamental civil rights and obligations; and Hungarian citizenship. In order to prepare for the exam, the Government Office provides a three-hour free consultation for the applicants, with a textbook on the topics also available.
	Mother tongue learning programmes for children of migrants	Some language courses and weekend schools exist for the mother tongue/native culture learning of migrant children. These are mainly operated by private associations/persons and NGOs. Two noteworthy examples are ALFAVIT Foundation ¹²² which teaches Russian language and culture to children between six and 16 (and has recently started courses for adults as well), and the Vietnamese weekend school run by Vietnamese private persons, located in Asia Centre – a shopping mall in Budapest. ¹²³ Some larger minorities also have their own native language schools: e.g. the Al Wahda Private School, ¹²⁴ the Hungarian-Chinese Bilingual School ¹²⁵ (the first public school that includes Chinese teaching) or the Budapest Japanese School. ¹²⁶
	Please provide insights about key issues, debates, challenges or problems related to the implementation of the above measures and policies. The findings should be substantiated through existing assessments, research or studies and case law (use template in Annex 9) .	<p>In relation to the integration of migrant children into schools, in general, the main recurrent difficulties were identified:¹²⁷</p> <ul style="list-style-type: none"> a) low numbers of children of the same age and language acquisition level; difficulties in the organisation of “homogenous” language learning groups. Solutions proposed include the organisation of groups according to the date of arrival to Hungary, or with siblings); b) low motivation of migrant children belonging to established or closed ethnic niches; c) narrow scope/lack of alternative textbooks/auxiliary materials, which would accommodate the specific needs of migrant children; d) high fluctuation of children. <p>In adult education, the main problems are:¹²⁸</p> <ul style="list-style-type: none"> a) cultural differences inherent to the groups and their implications for language learning; b) the unavailability of appropriate textbooks and auxiliary materials; c) the number of students leaving the courses (reasons are varied, but often connected to the migrants’ work, or leaving the country for shorter or longer periods).

¹²² Alfavit Foundation, available at: alfavit.hu.

¹²³ Vietnamese School (*Vietnámi iskola*), 17/11/2017, available at: bpxv.hu/index.php?page=kerulet&id=5353.

¹²⁴ Al Wahda Private School, available at: wschoolae-public.sharepoint.com/Pages/default.aspx.

¹²⁵ Hungarian-Chinese Bilingual Primary School, available at: magyar-kinai.hu/.

¹²⁶ Budapest Japanese School, available at: www.bpjpschool.hu/.

¹²⁷ See e.g. Nagyházi, B, *The difficulties of Hungarian as a foreign language in the context of teaching and studying (A magyar mint idegen nyelv oktatásának nehézségei különleges nyelvtanítási-nyelvtanulási helyzetben)*, pp. 1-9, available at: epa.oszk.hu/01400/01467/00002/pdf/128-136.pdf; Information provided by Reformed Mission Centre; Vámos, Á. (2013), *The Hungarian-Chinese Bilingual Primary School: its characteristics, and students fluctuation*, PedActa, Volume 3, Number 1, 2013., pp.1-16.

¹²⁸ Based on interviews with Refugee Mission of the Reformed Church (*Református Misszió Központ Menekültmisszió*), 27 February 2015.

		<p>In relation to beneficiaries of international protection, the main problems are: ¹²⁹</p> <ul style="list-style-type: none"> a) an accrued necessity of individualisation (in most cases only two to three person groups or individualised instruction is found to be effective); b) in certain cases, the high fluctuation of migrant children; c) illiteracy or general lack of education; d) the mismatch between traditional textbooks and student needs; e) the drop-out rate for students; f) cultural differences. <p>The UNHCR reported that "schools in towns hosting refugee reception centres, especially in Bicske, and to some extent in Debrecen, tend to resist the enrolment of asylum-seeking and refugee children, as they do not have the funds to provide the necessary extra tutoring for Hungarian language and cultural orientation, and they lack the skills to raise additional funding, given the complicated regulations for obtaining so-called migrant-norm funding."¹³⁰ The Parliamentary Commissioner found that "no study examined the effectiveness of state-funded language training over the past few years, and no measures were taken to improve its effectiveness. Differentiated courses, tailored to gender, language level, reading and writing skills, education and daily activities of persons with international protection, have not been made available."¹³¹</p> <p>Note that no relevant case law has been identified.</p>
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1.2.4. Monitoring and assessment – Use of indicators

	<p>In this section please outline monitoring and evaluation procedures applied by public authorities at national and regional level, as applicable, for migrant integration. In particular, please present any indicators used for the monitoring, assessment and review of integration policies in the areas of political and social participation, social cohesion, and intolerance, inclusive and welcoming society. Please make sure to report the link of such</p>	<p>Under Eurostat's publishing guidelines, Hungary is found to be a country with missing data, due to the low numbers of immigrants and, consequently, the small sample sizes in its indicators...¹³² In the case of the most indicators used by Eurostat (SILC), data on Hungary is either missing or unreliable.¹³³ In addition to the smaller sample sizes, the Migration Strategy highlights other important weaknesses, such as the incomprehensiveness of data collection practices of the Hungarian authorities (see section 1.2.3).</p> <p>Information provided by the Ministry of the Interior (MI) reiterated the current lack of systemic, general and comprehensive national monitoring of the integration of migrants. As yet no working group has been established, nor any evaluation prepared. The MI state</p>
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¹²⁹ Based on interviews with Refugee Mission of the Reformed Church (*Református Misszió Központ Menekültmisszió*), 27 February 2015.

¹³⁰ United Nations High Commissioner for Refugees (UNHCR) (2012), *Hungary as a country of asylum*, April 2012, p.21.

¹³¹ United Nations High Commissioner for Refugees (UNHCR) (2012), *Hungary as a country of asylum*, April 2012, pp. 23-24.

¹³² E.g. Huddleston, T., Niessen J. Tjaden, J.D. (2013), *Using EU Indicators of Immigrant Integration*, Final Report for Directorate-General for Home Affairs, Brussels, March 2013. p. 32.

¹³³ SILC, *Migrant integration statistics - social inclusion*, available at: ec.europa.eu/eurostat/statistics-explained/index.php/Migrant_integration_statistics_-_social_inclusion#People_at_risk_of_poverty_and_social_exclusion.

	<p>indicators with fundamental rights and the way their use reflects on the review of such policies.</p>	<p>that delays in the adoption of the financial background of the AMIF, and on which implementation of the Migration Strategy is dependent, created subsequent delays in national implementation measures as a result.¹³⁴</p> <p>A recent study indicates that such monitoring only exists on the policy level through MIPEX. Although the Migration Strategy sets out the establishment of the systemic monitoring of the integration of migrants as one of its objectives, further clarification as to the methodology, or the body responsible, has yet to be provided.¹³⁵ The Migration Strategy deals with this issue only in brief (p.82), envisaging the annual monitoring of implementation of the Strategy under the auspices of the MI, with the support of a "migration working group" exclusively comprising of representatives of Ministries responsible for various fields of integration.</p> <p>Additionally, it has not yet identified adequate indicators. In its Aims & Tools table of Annex A, the Migration Strategy contains, as Indicators, "mere output figures for individual measures, such as the number of information campaigns, the number of training curricula to be developed, the number of conferences to be organised, and the number of studies to be drafted."¹³⁶ More complex indicators of integration, which could give an overview of the level and processes of integration, are not provided, the lack of which has been criticised by the UNHCR: "out of the 72 indicators mentioned in Chapter V on International Protection only 4 measure results, 68 only provide output indicators (such as number of conferences or study visits held). For Chapter VI on Integration, out of 94 indicators 14 measure results, while 80 provide output indicators."¹³⁷ The UNHCR proposed that, in addition to indicators measuring the results or impact of the projects, participation should also be invited from civil society actors and external evaluators in order to enhance transparency in the monitoring and evaluation mechanisms. The implementation of the Migration Strategy should also be evaluated by both the beneficiaries and the service providers responsible for its implementation, which would comprise of a wide range of stakeholders, such as family support centres,</p>
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¹³⁴ Response to request for public data, filed on 17 February 2015.

¹³⁵ Messing, V., Árendás, Zs. (2014), *National Report Hungary: ASSESS, Integration of Vulnerable Migrant Groups*, Center for Policy Studies, CEU, June 2014, p.III.

¹³⁶ Messing, V., Árendás, Zs. (2014), *National Report Hungary: ASSESS, Integration of Vulnerable Migrant Groups*, Center for Policy Studies, CEU, June 2014, p. III.

¹³⁷ See e.g. United Nations High Commissioner for Refugees (UNHCR) (2013), *Comments on the Government's draft Migration Strategy (2014-2020)*, 12 September 2013, p. 3, available at: www.unhcr-centraleurope.org/pdf/where-we-work/hungary/unhcr-comments-on-hungarys-draft-migration-strategy.html.

		<p>labour offices, educational institutions, and NGOs.¹³⁸</p> <p>While, at national level, monitoring of the Migration Strategy is in the planning stage at the moment, academic research provides a wide range of high-quality and comprehensive information on migrant integration processes. Still, "this work cannot be seen as 'monitoring' activity, even though many of the scholars use large-scale surveys or registry data sources."¹³⁹ Monitoring at the level of NGOs, is two-fold, it aims "(1) to fulfil official criteria usually prescribed by the grant-maker (EU) regarding the financing of the project and goals achieved, and (2) to keep record of and improve their activities."¹⁴⁰</p>
<p>Provide full wording and translation in English of each indicator used per area and dimension covered as well as its full definition, legal basis, rationale, and link with fundamental rights or EU law (use table in the Annex 4). <i>Although the establishment of the systemic monitoring of the integration of migrants is an objective present in the Migration Strategy, "neither its methodology nor members of the expert body responsible for monitoring are known at this time".¹⁴¹ Consequently, it is not possible to complete Annex 4. On data collection, see also below.</i></p>		
	<p>Please provide data and evidence about the adoption of related Zaragoza indicators, especially in the dimensions of active citizenship and welcoming society. Please consult the publication Using EU Indicators of Immigrant Integration (ESN, MPG) and report more detailed and updated specific descriptions and mapping of indicators used in the Member States.</p>	<p>The Migration Strategy refers to the possibility of the development and adaptation of the Zaragoza indicators; however, it does take this as one of its objectives (p. 29 and p.75). The Labour Force Survey is collected, but not analysed, in Hungary by the HCSO. Migrant-related data is held by different official registers, e.g. the Office of Immigration and Nationality (hereinafter: OIN)¹⁴² and the KIMC. Three main EIF-funded research projects conducted by the HCSO, one of which is still ongoing, dealt with the adaptation of the Zaragoza indicators in Hungary.¹⁴³</p>
<p>1.2.5. Funding integration policies (EIF, ERF, EMIF)</p>		
	<p>Please provide information about the distribution of</p>	<p>The following sections contain a summary of the main priorities and actions supported by the Hungarian operational programmes attached to the EIF and the ERF between 2010 and 2014. Since these do not correlate</p>

¹³⁸ See e.g. United Nations High Commissioner for Refugees (UNHCR) (2013), *Comments on the Government's draft Migration Strategy (2014-2020)*, 12 September 2013, p. 3, available at: www.unhcr-centraleurope.org/pdf/where-we-work/hungary/unhcr-comments-on-hungarys-draft-migration-strategy.html.

¹³⁹ Messing, V., Árendás, Zs. (2014), *National Report Hungary: ASSESS, Integration of Vulnerable Migrant Groups*, Center for Policy Studies, CEU, June 2014, p.III.

¹⁴⁰ Messing, V., Árendás, Zs. (2014), *National Report Hungary: ASSESS, Integration of Vulnerable Migrant Groups*, Center for Policy Studies, CEU, June 2014, p.III.

¹⁴¹ Messing, V., Árendás, Zs. (2014), *National Report Hungary: ASSESS, Integration of Vulnerable Migrant Groups*, Center for Policy Studies, CEU, June 2014, p.III.

¹⁴² Office of Immigration and Nationality (*Bevándorlási és Állampolgársági Hivatal, BÁH*), available at: bmbah.hu

¹⁴³ HCSO Hungarian Demographic Research Institute (*Központi Statisztikai Hivatal, Népeségutományi Kutató Intézet*), *Development of immigration and integration statistical system (A bevándorlási és integrációs statisztikai rendszer, fejlesztése)*, EIA/2007/3.2.3.1.; *Possibilities of development of migration statistics (A migrációs statisztika fejlesztésének lehetőségei)* (EIA/2010/3.2.1.1.), *Building foundations of gathering social statistics concerning migrants Migránsokra vonatkozó társadalomstatistikai adatgyűjtések megalapozása* EIA/2013/2.6.1.

<p>funds for integration of migrants, as well as their social inclusion and participation. In particular, provide specific breakdown of funding per general area of integration policies – with particular focus on active citizenship, participation, welcoming society, social cohesion - in the last year and for the period 2010-2014 if available. (Use the table in the Annex 5).</p>	<p>with categories given in Annex 7, it is indicated how these priorities/actions would qualify under 'FRA' classification. Where the formulation of priorities/actions was too broad, e.g. the ERF, classification for the purposes of Annex 7 was based on the subject-matter of the awarded projects by ERF¹⁴⁴ and EIF¹⁴⁵ between 2010-2013. Some ambiguous cases remained, e.g. the classification of complex all-inclusive integration programmes. Thus, the Annexes only provide an indicative result.</p> <p>A) The European Integration Fund:</p> <p>Priority 1 <i>Implementation of actions designed to put the "Common Basic Principles for immigrant integration policy in the European Union" into practice:</i></p> <p>a) Action 1: Promoting the education and/or training of third-country nationals (2010: Improving the education of migrant children/education/);</p> <p>b) Action 2: Promoting intercultural dialogue and/or raising awareness of the Hungarian society about migration and/or integration (2010: Actions 3+4) /welcoming society/; (2010: Providing Hungarian language training for young adults and adult third-country nationals) /education/;</p> <p>c) Action 3: Promoting the migrant's possibility to participate in the social and political life of the host</p>
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¹⁴⁴ European Refugee Fund, allocation for 2010 through opened tendering procedure, round one – allocated funds (*Európai Menekültügyi Alap 2010. évi allokáció, nyílt eljárási mód, 1. pályázatás - megítelt támogatások*), available at: www.solidalapok.hu/sites/default/files/EMA_2010_nyilt_elso_kor_eredmeny.pdf. European Refugee Fund, allocation for 2010, through closed tendering procedure, round one – allocated funds (*Európai Menekültügyi Alap 2010. évi allokáció, zárt eljárási mód, 1. pályázatás - megítelt támogatások*), available at: www.solidalapok.hu/sites/default/files/EMA_2010_zart_elso.pdf. European Refugee Fund, allocation for 2011 through opened tendering procedure, round one – allocated funds (*Európai Menekültügyi Alap 2011. évi allokáció, nyílt eljárási mód, 1. pályázatás - megítelt támogatások*), available at: www.solidalapok.hu/sites/default/files/Meg%20C3%ADt%20C3%A9t%20t%20C3%A1mogat%20C3%A1sok_EMA%202011%20ny%20C3%ADt.pdf. European Refugee Fund, allocation for 2012 through opened tendering procedure, round one – allocated funds (*Európai Menekültügyi Alap 2012. évi allokáció, nyílt eljárási mód, 1. pályázatás - megítelt támogatások*), available at: www.solidalapok.hu/sites/default/files/Eredm%20C3%A9ny%20honlapra%20EMA2012ny%20C3%ADt.pdf. European Refugee Fund, allocation for 2012 through opened tendering procedure, repeated tender – allocated funds (*Európai Menekültügyi Alap 2012. évi allokáció, nyílt eljárási mód, ismételt pályázatás - megítelt támogatások*), available at: www.solidalapok.hu/sites/default/files/Meg%20C3%ADt%20C3%A9t%20t%20C3%A1mogat%20C3%A1s_0.pdf. European Refugee Fund, allocation for 2013 through opened tendering procedure, round one – allocated funds (*Európai Menekültügyi Alap 2013. évi allokáció, nyílt eljárási mód, 1. pályázatás - megítelt támogatások*), available at: www.solidalapok.hu/sites/default/files/EMA%202013%20eredm%20C3%A9ny%20honlapra%20m%20C3%B3dos%20C3%ADtott_1.pdf.

¹⁴⁵ European Integration Fund, allocation for 2010 through opened tendering procedure, round one – allocated funds (*Európai Integrációs Alap 2010. évi allokáció, nyílt eljárási mód, 1. pályázatás - megítelt támogatások*), available at: www.solidalapok.hu/sites/default/files/EIA_2010_nyilt_elso_eredmeny.pdf. European Integration Fund, allocation for 2010 through opened tendering procedure, second one – allocated funds (*Európai Integrációs Alap 2010. évi allokáció, nyílt eljárási mód, 2. pályázatás - megítelt támogatások*), available at: www.solidalapok.hu/sites/default/files/eredm%20C3%A9ny%20honlapra%20BK%20a%20C3%A1%20C3%ADr%20eia2010ism_0.pdf. European Integration Fund, allocation for 2011 through opened tendering procedure, round one – allocated funds (*Európai Integrációs Alap 2011. évi allokáció, nyílt eljárási mód, 1. pályázatás - megítelt támogatások*), available at: www.solidalapok.hu/sites/default/files/eredm%20C3%A9ny%20honlapra%20eia2011.pdf. European Integration Fund, allocation for 2012 through opened tendering procedure, round one – allocated funds (*Európai Integrációs Alap 2012. évi allokáció, nyílt eljárási mód, 1. pályázatás - megítelt támogatások*), available at: www.solidalapok.hu/sites/default/files/eredm%20C3%A9ny%20honlapra%20m%20C3%B3dosult%20eia2012.pdf. European Integration Fund, allocation for 2013 through opened tendering procedure, round one – allocated funds (*Európai Integrációs Alap 2013. évi allokáció, nyílt eljárási mód, 1. pályázatás - megítelt támogatások*), available at: www.solidalapok.hu/sites/default/files/eredm%20C3%A9ny%20honlapra%20eia2013.pdf.

		<p>society/participation and/or active citizen/ (2010, 2011: Promoting research about the migration and integration of third-country nationals in Hungary) /other/;</p> <p>d) Action 4: Supporting the integration of third-country nationals and family members with special programs and services /social inclusion / social cohesion/;</p> <p>e) Action 5: Rendering admission procedures more effective and accessible to third-country nationals (Not in 2010) /other/.</p> <p>Priority 2 (Not in 2011) <i>Development of indicators and evaluation methodologies to assess progress, adjust policies and measures and to facilitate co-ordination of comparative learning:</i></p> <p>Action 6: Improving existing statistical systems collecting information about third-country nationals /other/.</p> <p>Priority 3 <i>Policy capacity-building, coordination and intercultural competence building in the Member States across the different levels and departments of government:</i></p> <p>a) Action 7: Empowering the existing structures to promote the integration of third-country nationals and co-ordinating integration measures /other/education/.</p> <p>Priority 4 (Not in 2011) <i>Exchange of experience, good methods and information relating to integration between the member States:</i></p> <p>Action 8: Promoting exchange of information, good practice and information on integration between the Member States; (in 2010: Promoting exchange of information about the financial, institutional, legal background of integration policies or/and about intercultural dialogue) /other.</p> <p>B) The European Refugee Fund</p> <p>Priority 1:</p> <p><i>Objective 1: Ensure an effective and fair asylum procedure;</i> (In 2010: Training activities for experts or other employees working in the field of asylum/education/; In 2011: Improvement of the asylum procedure /other/):</p> <p>a) Action 1: Actions related to ensure access to legal aid and to provide quality legal aid /participation/active citizenship/;</p> <p>b) Action 2: Improvement of the asylum procedure with the view of better implementation of standards falling within the CEAS (Not in 2010) (In 2010: Enhancing the efficiency of the Dublin Transfers) /other/.</p> <p><i>Objective 2: Improvement of the reception conditions:</i></p> <p>a) Action 3: Provision of additional services to improve reception conditions /social inclusion/social cohesion/ (In 2010: Meeting catering, educational and protection</p>
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		<p>needs of asylum seekers) /social inclusion/social cohesion /education/;</p> <p>b) Action 4: Actions to improve the reception conditions of persons requiring special treatment (In 2010: Capacity-building of personnel of reception centres and creation of work possibilities for asylum seekers at reception centres) /social inclusion/social cohesion/.</p> <p><i>Objective 3: Integration of recognized refugees and beneficiaries of subsidiary protection</i> (In 2011, 2012: Complex pilot projects of municipalities aiming at enhancing the integration of refugees and beneficiaries of subsidiary protection into the Hungarian society) /all/.</p> <p>a) Action 5: Tailor-made complex or special programmes designed for the improvement of integration of beneficiaries of international protection into the Hungarian society /all/ (In 2010: Assistance in integration into the labour market, assistance in housing) /employment/;</p> <p>b) Action 6: Integration of persons requiring special treatment /social inclusion/; (In 2010: Capacity-building of personnel of the pre-integration centre and creation of work possibilities for refugees and beneficiaries of subsidiary protection at the pre-integration centre) /employment/.</p> <p>In 2010, 2011: Priority 2: <i>Objective 4: Enhancement of the ability of the Republic of Hungary to develop and improve its asylum policy:</i> 2010: Developing country of origin information services /other/; 2011: Action 7: Studies, research, or methodologies contributing to the improvement of the Hungarian asylum policy) /other/.</p> <p>Priority 3: <i>Objective 5: Preparation of a resettlement programme:</i> Action 8: Development of a resettlement model tailor-made to Hungary (In 2011: Enhancement the implementation of the national resettlement programme) /other/.</p>
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2.Promoting equal treatment and non-discrimination

2.1.The implementation of anti-discrimination legislation and equal treatment

	Briefly provide information on the following:	
	Outreach and awareness raising campaigns, training schemes, etc. undertaken by national or regional public	<u>Policy framework:</u> The main policy documents shaping Hungary’s migration

	<p>authorities (including national equality bodies) targeting migrants and their descendants on the national anti-discrimination legal framework.</p>	<p>policy, namely the new Migration Strategy¹⁴⁶ (2014-2020) and its implementing National Programme,¹⁴⁷ do not contain reference to the requirement of organising training, or similar for migrants and their descendants on the national anti-discrimination legal framework.</p> <p><u>Legislative framework:</u> The main pieces of legislation¹⁴⁸, regulating the rights and obligations of migrants, do not foresee the obligation for public authorities to hold training for migrants and their descendants on the national anti-discrimination legal framework.</p> <p>Such an obligation is not reflected in Act CXXV of 2003 on equal treatment and the promotion of equal opportunities either,¹⁴⁹ which is Hungary's main piece of legislation transposing Directives 2000/43/EC and 2000/78/EC.</p> <p><u>Practice:</u> In practice, public authorities do not organise training programmes exclusively for migrants on the anti-discrimination legal framework.¹⁵⁰ Migrants may download leaflets¹⁵¹ on their rights from the websites of public authorities – however the leaflets do not focus exclusively on the description of the national anti-discrimination legal framework.</p>
	<p>Evidence through polls, surveys, academic research, etc. on the awareness of migrants and/or their descendants concerning the</p>	<p>The desk research conducted¹⁵² has not revealed any studies on the awareness of migrants and/or their descendants of their right to equal treatment. Existing research on the discrimination situation of migrants mainly focuses on the discriminatory attitude of society</p>

¹⁴⁶ Government order 1698/2013 (X. 4.) on the Migration Strategy and on the seven-year strategic planning document linked to the establishment of the EU's refugee and migration fund 2014 - 2020 (A 1698/2013. (X. 4.) *Korm.határozattal elfogadott Migrációs Stratégia és az azon alapuló, az Európai Unió által a 2014/2020. Ciklusban létrehozásra kerülő Menekültügyi és Migrációs Alaphoz kapcsolódó hétéves stratégiai tervdokumentum*), available at: moszlap.hu/uploads/files/migrstrat0416.pdf. Government Order 1698/2014 (X. 4.) entered into force on 5 October 2013.

¹⁴⁷ National Asylum, Integration and Migration Programme (draft), available at: www.solidalapok.hu/index.php?q=node/80700. Note that the National Programme is subject to the approval of the European Commission. It is expected to be approved during the first quarter of 2015.

¹⁴⁸ Legislation regulating the rights and obligations of migrants include in particular: Act II of 2007 on the entry and stay of third-country nationals (2007. évi II. Törvény a harmadik országbeli állampolgárok beutazásáról és tartózkodásáról), available at: net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0700002.TV; Government Decree 114/2007 (V.24.) on the implementation of Act II of 2007 on the entry stay of third-country nationals (114/2007. (V. 24.) *Korm. Rendelet a harmadik országbeli állampolgárok beutazásáról és tartózkodásáról szóló 2007. évi II. törvény végrehajtásáról*), available at: www.complex.hu/jr/gen/hjegy_doc.cgi?docid=A0700114.KOR.

¹⁴⁹ Act CXXV of 2003 on equal treatment and the promotion of equal opportunities (2003. évi CXXV. Törvény az egyenlő bánásmódról és az esélyegyenlőség előmozdításáról), available at: www.complex.hu/jr/gen/hjegy_doc.cgi?docid=A0300125.TV.

¹⁵⁰ Information received from the Hungarian Equal Treatment Authority on 12 March 2015.

¹⁵¹ Example of a relevant leaflet is the one prepared by Eures called 'Living and Working in Hungary', which is published on the website of the National Employment Office. The leaflet is available at: file:///C:/Users/kc/Downloads/eures_mediatar_kiadvanyaink_lwc.pdf.

¹⁵² Examples of relevant studies are: ASSESS (2014), *National Report Hungary - Integration of Vulnerable Migrant Groups*, Centre for Policy Studies, Central European University, pp. 20 -21. Available at: cps.ceu.edu/sites/default/files/publications/cps-research-report-assess-hu-monitoring-mechanisms-2014.pdf and Kováts, A. (ed.) (2013), *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), pp. 25-42, available at: www.kisebbségkutato.tk.mta.hu/uploads/files/archive/Bevandorlas_e%CC%81s_integracio_minden.pdf.

<p>right to equal treatment. Please indicate differences between ethnic / migrant groups, living in different geographic areas, gender and age, as well as trends in time.</p>	<p>towards migrants. As explained in details under Section 1, research has revealed the existence of anti-foreigner sentiments.</p>
<p>Evidence of complaints lodged by migrants and/or their descendants - % of total complaints to equality bodies, % of admissible complaints, statistics about outcomes of investigation, % of cases establishing discrimination. Please indicate differences between ethnic / migrant groups, geographic areas, gender and age, as well as trends in time.</p>	<p>The Hungarian Equal Treatment Authority does not collect data on the nationality/origin of complainants. Therefore, this question cannot be addressed.¹⁵³</p>
<p>Tools, measures and positive initiatives aiming at facilitating reporting incidents of discrimination – e.g. translation facilities to report and submit complaints in multiple languages – and tackling under-reporting and low rights-awareness.</p>	<p>The website of the Hungarian Equal Treatment Authority provides a link¹⁵⁴ to a downloadable English language sample, which may be used to file complaints. The weblink currently does not seem to function.</p> <p>In accordance with the rules set out in Articles 9, 10 and 60 of Act CXL of 2004 (<i>2004. évi CXL. Törvény a közigazgatási hatósági eljárás és szolgáltatás általános szabályairól</i>),¹⁵⁵ translation and interpretation services are available for TCNs and/or for those who do not speak Hungarian. Act CXL of 2004 regulates the rules applicable to public administrative procedures. The Equal Treatment Authority's procedure is a public administrative procedure; therefore, the rules set out in Act CXL of 2004 are applicable thereto. As a general rule, the costs of these services are not covered by the State, but by the complainants. Public officials may communicate in foreign languages with the complainants, in cases, where they know the language. In practice, the language used is often English.</p>
<p>In particular, provide information about any legal protection on grounds of nationality, which is not covered by the EU anti-discrimination Directives,¹⁵⁶ but is a prohibited ground in</p>	<p>Hungary's Fundamental Law¹⁵⁷ does not grant <i>explicit verbis</i> legal protection against discrimination on the ground of nationality. It is noted, however, that the list of protected grounds is open-ended, which suggests that legal protection extends to grounds other than those listed under Article XV(2) of the Fundamental</p>

¹⁵³ Information received from the Hungarian Equal Treatment Authority on 12 March 2015.

¹⁵⁴ The English language sample is available at: www.egyenlobanasmod.hu/article/view/relevant-documents.

¹⁵⁵ Act XCL of 2004 on the general rules of public administrative procedures and services (*2004. évi CXL. Törvény a közigazgatási hatósági eljárás és szolgáltatás általános szabályairól*), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=85989.253954.

¹⁵⁶ As of Art. 3.2 of the Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.

¹⁵⁷ The Fundamental Law of Hungary (*Magyarország Alaptörvénye*), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=140968.248458 (in Hungarian) and www.mfa.gov.hu/NR/rdonlyres/8204FB28-BF22-481A-9426-D2761D10EC7C/0/FUNDAMENTALLAWOFHUNGARYmostrecentversion01102013.pdf (in English).

	<p>several Member States. Please explain how unequal treatment on the basis of nationality is treated and provide exemplary cases, if any. Please provide information on the relevant practice and case law (use template in Annex 9)</p>	<p>Law.¹⁵⁸</p> <p>Legal protection against discrimination is reinforced by Act CXXV of 2003, which sets out the basic principles of equal treatment in Hungary. The official English language translation of the Act¹⁵⁹ incorrectly translates the term '<i>nemzetiség</i>' to nationality – the correct translation should be 'affiliation to national minority'.</p> <p>This 'mistake', however, does not mean that protection against discrimination on the ground of nationality is not provided by Act CXXV of 2003. Case law¹⁶⁰ and some position papers¹⁶¹ of the Hungarian Equal Treatment Authority, suggest that protection against discrimination on the ground of nationality derives from Article 8(t) of Act CXXV of 2003, which, similar to the Fundamental Law, states that protection is also granted on the ground of 'any other status'.</p> <p>A position paper of the Equal Treatment Authority, from 2010,¹⁶² states that nationality is a characteristic protected by both international and EU law. The Equal Treatment Authority notes that, in its activities, it applies international and EU norms. The level of protection granted depends on the sector concerned. It also noted that nationality is understood to be covered by Article 8(t) of Act CXXV of 2003. The relevant case law on protection against nationality based discrimination is described under Annex 9.</p> <p>Legal protection against discrimination, as provided by Act CXXV of 2003, extends to the following sectors: employment, social security and health care, housing, education and training, sale of goods and use of services.</p> <p>Other pieces of legislation, such as the Hungarian Labour Code,¹⁶³ do not provide <i>explicit verbis</i> protection against discrimination on the ground of nationality, but</p>
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¹⁵⁸ Article XV(2) of the Fundamental Law states that 'Hungary shall guarantee the fundamental rights to everyone without discrimination and in particular without discrimination on grounds of race, colour, sex, disability, language, religion, political or other opinion, national or social origin, property, birth or any other status'.

¹⁵⁹ Act CXXV of 2003 on equal treatment and the promotion of equal opportunities (2003. évi CXXV. Törvény az egyenlő bánásmódról és az esélyegyenlőség előmozdításáról), in English is available at: www2.ohchr.org/english/bodies/cescr/docs/E.C.12.HUN.3-Annex3.pdf.

¹⁶⁰ Decision EBH/56/2007 serves as an example of decision in which the Equal Treatment Authority rules that nationality is a characteristic that fulfils the requirement set out in Article 8(t) of Act CXXV of 2003, available at: egyenlobanasmod.hu/article/view/ebh-56-2007. Other cases of relevance are referred to in Annex 9 to this report.

¹⁶¹ Example of a position paper is: Equal Treatment Authority's Counsellor Committee (2010), *Position paper No. 228/2/2010 (IV.9.) on the meaning of the term other status* (A Tanácsadó Testület 288/2/2010. (IV.9.) TT. sz. állásfoglalása az egyéb helyzet meghatározásával kapcsolatban) www.egyenlobanasmod.hu/article/view/a-tanacsado-testulet-288-2-2010-IV-9-tt-sz.

¹⁶² Equal Treatment Authority's Counsellor Committee (2010), *Position paper No. 228/2/2010 (IV.9.) on the meaning of the term other status* (A Tanácsadó Testület 288/2/2010. (IV.9.) TT. sz. állásfoglalása az egyéb helyzet meghatározásával kapcsolatban) www.egyenlobanasmod.hu/article/view/a-tanacsado-testulet-288-2-2010-IV-9-tt-sz.

¹⁶³ Act I of 2012 Labour Code (2012. évi I. törvény a munka törvénykönyvéről), available at: net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200001.TV.

	<p>Please provide information about the application of the legislation concerning discrimination against migrants – on any ground – in accessing law enforcement and judiciary services.</p> <p>In particular please clarify whether and when the latter are considered and treated, or not, as services available to the public, therefore falling within the scope of the directives and the jurisdiction of Equality Bodies.¹⁶⁴</p>	<p>require respect for equal treatment in general.</p> <p><u>1) Application of legislation</u> As set out in Articles 12 and 13 of Act CXXV of 2003, claims arising from the violation of the principle of equal treatment can be enforced before the Hungarian judiciary or the administrative authorities.</p> <p>General courts, in particular the civil law divisions of district courts (<i>járásbíróság</i>) and regional courts (<i>törvényszék</i>), hear discrimination-related cases. These lawsuits can be initiated on the ground that rights relating to personality have been violated. Articles 2:42 and 2:43 of Act V of 2013 (Civil Code)¹⁶⁵ provide a catalogue of rights relating to personality. This list refers to the right to equal treatment in general, without any reference to the discrimination ground concerned. This implies that a lawsuit can be initiated on any discrimination ground.</p> <p>Victims of discrimination in labour law relations may initiate judicial proceedings before administrative and labour courts (<i>közigazgatási és munkaügyi bíróság</i>). Legislation applicable to labour law relations, i.e. Act I of 2012, refers to equal treatment in general, without reference to any discrimination ground concerned.</p> <p>Act III of 1952,¹⁶⁶ which regulates judicial proceedings before the civil divisions of general courts and administrative and labour courts, does not contain reference to migrants exclusively. As a general rule, under Hungarian law, any person, including migrants and/or their descendants, who has legal capacity (<i>jogképesség</i>) and the capacity to act, (<i>cselekvőképesség</i>) may file a civil action in his or her own right. Legal capacity refers to the ability of persons to possess rights and obligations. With respect to natural persons. This ability starts with the conception of a person: if the person is born alive and ends with death.¹⁶⁷ The capacity to act (<i>cselekvőképesség</i>) refers to the capacity of persons to conclude contracts and make legal statements in their own right.¹⁶⁸</p> <p>Besides judicial proceedings, a victim of discrimination may initiate proceedings before the Equal Treatment Authority. The Equal Treatment Authority is a quasi-judicial body, in a sense that it spends a bulk of its time and resources on hearing and deciding on individual discrimination cases, whilst it is still considered as an</p>
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¹⁶⁴ Please note that these are considered non-economic services by the EU Commission (Services of general interest, including social services of general interest: a new European commitment, COMM 725 (2007) of 20 November 2007), yet not always they are considered by Equality Bodies to fall in the areas of application of the anti-discrimination directives.

¹⁶⁵ Act V of 2013, Civil Code (*2013. évi V. törvény a Polgári Törvénykönyvről* – Civil Code), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=159096.239298.

¹⁶⁶ Act III of 1952 on civil judicial proceedings (*1952. évi III. Törvény a polgári perrendtartásról*), available at: net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=95200003.TV.

¹⁶⁷ Articles 2:2 and 2:4 of the Civil Code.

¹⁶⁸ Articles 2:8 of the Civil Code.

		<p>administrative authority. Act CXXV of 2003 regulating the Equal Treatment Authority's procedure does not contain reference to the nationality of complainants, which implies that any person regardless of his or her nationality may initiate a complaint. Therefore, in the case of judicial proceedings, as a general rule, only those who have both legal capacity and capacity to act can initiate proceedings before the Equal Treatment Authority in their own right.</p> <p>Pursuant to Article 13 of Act CXXV of 2003, the Equal Treatment Authority is in charge of overseeing compliance with the principle of equal treatment. In accordance with Article 7(1) of the Act, negative discrimination violates the principle of equal treatment. Negative discrimination may occur on various grounds set out in Article 8 of Act CXXV of 2003. As referred to above, Article 8(t) is understood to cover discrimination on the ground of nationality. Deriving from Articles 7(1), 8(t) and 13 of Act CXXV of 2003, it can be concluded that the Equal Treatment Authority is competent to hear cases of discrimination on the ground of nationality.</p> <p><u>2) Judiciary services and services of the Equal Treatment Authority as services available to the public:</u> Act CXXV of 2003, which among others, sets out the remit of the Equal Treatment Authority, but does not contain reference to the obligation of the Authority to provide so-called 'services to the public'. This finding has been confirmed by the Equal Treatment Authority, stating that they were not aware of any legislation requiring them to provide services to the public.¹⁶⁹</p>
	<p>Please provide statistical data about numbers of discrimination cases / complaints submitted to competent bodies (Equality Bodies, Administrative Courts), as well as about their outcomes (use the tables in the Annex 8)</p> <p><i>As referred to above, the Equal Treatment Authority does not collect data on the nationality of complainants; therefore the tables under Annex 8 could not be populated.</i></p> <p><i>The National Office for Judiciary does not collect data on the nationality of complainants.</i>¹⁷⁰</p>	
<h2>2.2. Implementation of equal treatment of various permit holders¹⁷¹</h2>		
		<p>Please summarize <u>briefly</u> in this section any <u>key issues affecting the implementation of equal treatment of permit holders</u>, as defined by the following EU legislation; these could be, for example, practical issues and bottlenecks, administrative delays, coordination</p>

¹⁶⁹ Information received from Dr Veronika Molnár, legal advisor at the Equal Treatment Authority on 23 March 2015.

¹⁷⁰ Information received from Dr László Szádvári on 27 March 2015.

¹⁷¹ Note that the Helsinki Committee was contacted with questions related to the equal treatment of permit holders. The request could not be processed due to the lack of availability on the side of the Helsinki Committee. In the absence of stakeholders' views, the section below was drafted on the basis of desk research. As part of the desk research the applicable legislation was identified and analysed. In addition, publications on the situation of migrants in Hungary were checked and online research was carried out. The online research mainly covered the website of the Office of Immigration and Nationality, available at: www.bmbah.hu/index.php?lang=en.

	<p>and cooperation of public authorities, etc.</p> <p>Please substantiate findings, as far as possible, through formal evaluations, as well as research or studies and case law (use template in Annex 9). Please bear in mind that no assessment of the legal transposition process is required. In regard to the five categories below, please provide <u>statistical data</u> issued in 2014 or valid on 31.12.14. (use annex 3)</p> <p><i>Literature on key issues affecting the equal treatment of permit holders does not exist. Existing literature often assesses the discrimination situation of migrants in general, without providing reference to their legal status.</i></p>
<p>2.2.1. <u>Long Term Residence</u> (LTR) status holders (Art.11 of the Directive 2003/109/EC)</p>	<p>Under Hungarian legislation, the rights referred to under Article 11 of Directive 2003/109/EC are provided to long-term residence permit holders. The desk research did not reveal any issues with respect to the exercise of the rights of long-term residence holders.</p> <p>Long-term residence holders are referred to in Hungarian legislation as 'EC permanent residence permit holders' (<i>EK letelepedési engedéllyel rendelkezők</i>) (Article 38 of Act II of 2007).</p> <p>The Migration Strategy (p.29) notes, however, that the number of persons possessing EC permanent residence permit is marginal. Desk research revealed problems linked to the acquisition of long-term residence status. The MIPEX index revealed that, in Hungary, the competent authorities may reject applications for residence permits, or withdraw residence permits on 'vague grounds'.¹⁷²</p>
<p>2.2.2. <u>Single-permit procedure</u> permit holders (Art.12 and 13 of the Directive 2011/98/EU)</p>	<p>Under Hungarian legislation, the rights referred to under Articles 12 and 13 of Directive 2011/98/EC are provided to single-permit holders. The desk research did not reveal any issues regarding the exercise of the rights of single-permit holders (<i>összevont letelepedési engedéllyel rendelkezők</i>). In accordance with the legal provisions set out under Article 29/A of Act II of 2007, the following permits can be issued as a result of the single permit procedure: residence permits for the purpose of paid employment; residence permits on the grounds of family reunification; the EU Blue card; residence permits on humanitarian grounds.</p>
<p>2.2.3. <u>Blue card</u> holders (Art.14 and 12 of the Directive 2009/50/EC)</p>	<p>Under Hungarian legislation, the rights referred to under Articles 12 and 14 of Directive 2009/50/EC are provided to blue card holders. The desk research did not reveal any issues regarding the exercise of the rights of blue card holders (<i>kék kártyával rendelkezők</i>). It is noted, however, that only a few blue cards have been issued since the entry into force of the legislation transposing Directive 2009/50/EC. In 2012, one card was issued, while in 2013, three were issued.¹⁷³</p>

¹⁷² Migration Integration Policy Index, available at: www.mipex.eu/hungary.

¹⁷³ European Commission (2014), *Implementation of Directive 2009/50/EC on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment (EU Blue Card)*, COM(2014) 287 final, Brussels, 22 May 2014, available at: www.europarl.europa.eu/meetdocs/2014_2019/documents/com/com_com%282014%290287_/com_com%282014%290287_en.pdf.

<p>2.2.4. <u>Family reunification permit holders</u> (specifically in terms of access to labour market - Art. 14 of Directive 2003/86/EC)</p>	<p>Under Hungarian legislation, the rights referred to under Article 14 of Directive 2003/86/EC are provided to family reunification permit holders. The desk research did not reveal any issues regarding the exercise of the rights of family reunification permit holders (<i>családi együttélés célú tartózkodási engedély</i>). It is noted that problems related to the administrative procedure preceding the issuance of permits have been identified.¹⁷⁴</p> <p>The main bottleneck of the system lies in the fact that it is not the third country nationals residing legally in Hungary who need to file applications, but rather their family members. An applicant is required to submit application for a residence permit to a consular office, or at any other place authorised to accept applications, which operates in the country where the applicant legally resides or of which the applicant is a citizen. This gives rise to issues, in practice, in particular cases where the place designated for the acceptance of obligations is located far from the place of residence of the applicant, or where the applicant is from a country affected by a war or other armed conflict.</p> <p>Another issue is linked to the unequal treatment of applicants, i.e. depending on the legal status of their family members in Hungary. A family member of a refugee may apply for a permit within six months, under more favourable conditions than a person being granted with subsidiary protection. More precisely, in accordance with Article 57(6) of Government Decree 114/2007 (V.24.), a family member of a refugee would not need to prove the fulfilment of certain conditions if he or she files the application within six months from the moment his or her family member was being granted with refugee status. As opposed to this situation, a family member of a person granted with subsidiary protection would always need to prove the fulfilment of certain conditions regardless of the time of filing an application. These conditions are referred to under Article 13(1) points (e-g) of Act II of 2007 and include the obligation of proving that the applicant has the funds available for ensuring his or her accommodation, domicile, or dwelling.</p>
<p>2.2.5. Beneficiaries of international protection long term residence status holders¹⁷⁵</p>	<p>The desk research did not reveal any key issues affecting the equal treatment of those long-term residence permit holders who have been granted international protection (<i>huzamos tartózkodói jogállást igazoló EK tartózkodási engedéllyel rendelkező korábban nemzetközi védelemben részesített harmadik országbeli</i></p>

¹⁷⁴ Helsinki Committee (2014), Observations on the Migration Strategy and on the Strategic Planning Document accompanying the development of the European Union's Refugee and Migration Fund applicable to the period of 2014 – 2020 (Észrevételek a Migrációs Stratégia és az azon alapuló, az Európai Unió által a 2014-2020. ciklusban létrehozásra kerülő Menekültügyi és Migrációs Alaphoz kapcsolódó hétéves stratégiai tervdokumentumhoz), Budapest, Helsinki Committee, available at: helsinki.hu/wp-content/uploads/MHB-eszrevetelek_migracio%CC%81s_strategia_20130811.pdf.

¹⁷⁵ As per recitals 6 and 7 of Directive [2011/51/EU](#) of the European Parliament and of the Council of 11 May 2011 amending Council Directive 2003/109/EC to extend its scope to beneficiaries of international protection Text with EEA relevance.

állampolgárok).

2.3.Key developments and trends

Please include in this section key developments in the area of equal treatment and anti-discrimination that concern only migrants and/or their descendants.

Key developments may be new legislation or policies, abolition, update, improvement or reform of existing ones, as well as important case law, court, equality body or administrative cases, that have had or may have an impact on the implementation of the anti-discrimination legislation and equal treatment policies that related to the rights of migrants and/or their descendants **(for presentation of case law, use template in Annex 9)**.

Such developments may also affect the actual situation on the ground, including public debates and perceptions among the native population and migrants.

Policy developments:

The adoption of the country's first ever Migration Strategy (*Migrációs Stratégia*) is considered a major policy development. On the basis of the Migration Strategy, which was adopted in 2013, the Government prepared a National Programme for a period of seven years. The National Programme was submitted to the European Commission for approval on 21 February 2014. It is expected to be approved during the first quarter of 2015.¹⁷⁶ On the basis of the National Programme, work plans will be elaborated with a validity of two years. No information regarding the preparation of the work plan is available. Both the National Programme and the work plans will facilitate the implementation of the Migration Strategy by setting concrete tasks and measures.

The Migration Strategy does not contain reference to the requirement of ensuring equal treatment of migrants. It notes however, that while developing and implementing strategies for equal treatment, the needs of migrants should be taken into account.¹⁷⁷ The publicly-available draft of the National Programme does not contain reference to the requirement of ensuring equality either.

The Migration Strategy reemphasises the necessity of providing extra support to migrants from neighbouring countries. These extra services include the possibilities for third country nationals from neighbouring countries to enter Hungary without visas or to go through simplified naturalisation procedures. These rules apply to a specific group of persons and not to all third country nationals.

In September 2014, the Government updated the country's National Social Inclusion Strategy (*Magyar Nemzeti Felzárkózás Stratégia*),¹⁷⁸ the scope of which covers people in extreme poverty, children living in poverty, as well as the Roma. The Strategy aims, among others, at improving the chances of children in education who are in disadvantageous situations. As part of this group, the Strategy specifically refers to migrant children. To overcome the unequal opportunities of children in disadvantageous situations in the education sector, the Strategy refers to the so-called afternoon school programme (*Tanoda program*).

¹⁷⁶ Information received on 12 January 2015, from Dr Tamás Molnár, Head of Unit, Migration Unit, Department of EU cooperation, Ministry of Interior.

¹⁷⁷ Migration Strategy, p. 7.

¹⁷⁸ National Social Inclusion Strategy (*Magyar Nemzeti Felzárkózás Stratégia*), available at: www.kormany.hu/download/1/9c/20000/Magyar%20NTFS%20II%20_2%20mell%20_NTFS%20II.pdf.

		<p>These programmes help children to better ingrate into the normal school system, by teaching them how to learn and manage their time. The Hungarian Ministry of Human Capacities (<i>Emberi Erőforrások Minisztériuma</i>) noted that, since 2012, the Government has spent HUF 5,300 million (cca. €17 million) on the programme. As a result of this investment, the number of afternoon schools has tripled in the last two years. In October 2014, 5,000 students were studying in 169 schools in the framework of these programmes.¹⁷⁹ No statistics on the total number of migrant children benefitting from the programme have been identified. It is noted, however, that such programmes are currently operational only in two cities, i.e. in Debrecen and Budapest.¹⁸⁰</p> <p>Recent policy developments at the local level include the adoption of local equality plans (<i>helyi esélyegyenlőségi program</i>). The obligation for local governments to adopt equality plans derives from Article 31 of Act CXXV of 2003, which has been in force since 22 December 2012. These plans are valid for a period of five years. The Government announced that over 3,000 local governments had developed the local equality plans by July 2014.¹⁸¹ The local governments were obliged to take into consideration the situation of all disadvantaged groups while developing the programmes. The programmes cover the sectors of education, housing, employment, health and social inclusion. Focusing on migrants or persons under international protection, in particular, was not an obligation for local governments. It is noted, however, that some of the local governments, in particular those with facilities for accommodating persons under international protection, have focused on the situation of third country nationals. As an example, the city of Debrecen, which hosts the country's largest open refugee camp, in its equality plan, touches upon the situation of migrant children.¹⁸² The plan does not foresee any measures for the improvement of the situation of migrant children. Instead, it provides an inventory of existing measures, which includes, for example, the organisation of special classes for migrant children in one of the local primary schools.</p> <p>An on-going policy debate at the Parliament also gives rise to concerns. The debate, which started on 20</p>
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¹⁷⁹ State Secretariat responsible for Social Affairs and Social Integration (*Szociális Ügyekért és Társadalmi Felzárkózásért Felelős Államtitkárság*) (2014), 'Within two years the number of after-schools tripled' (*Két év alatt megháromszorozódott a tanodák száma*), Press release, 16 October 2014.

¹⁸⁰ Tanodaplatform leaflet on the organisation of a workshop dedicated to the support of migrant youth and children, available at: tanodaplatform.hu/wp-content/uploads/2015/02/TanodaPlatform_20150213_program.pdf.

¹⁸¹ Hungarian Government (2014) *More than 3,000 local governments have completed the equality plans*, Hungarian Government, available at: www.kormany.hu/hu/emberi-eroforrasok-miniszteriuma/szocialis-ugyekert-es-tarsadalmi-felzarkozasert-felelos-allamtitkarsag/hirek/elkeszult-tobb-mint-haromezer-telepules-eselyegyenlosegi-programja.

¹⁸² Local Equal Treatment Programme of Debrecen, a city with county authority, available at: www.debrecen.hu/HEP2013.pdf.

		<p>February 2015, is on existential migration.¹⁸³ MPs at the Parliament called on the Government to make existing legislation on migration stricter. FIDESZ's spokesperson, Mr Bence Tuzsony, said that 'regulations need to be changed too, by, for instance, compiling a list of safe countries "from where migration could be justified"'.¹⁸⁴ The debate follows the recent 'exodus' of migrants from Kosovo. The public debate was preceded by demonstrations against the Government as well as by public letters of the Hungarian civil society opposing the Government's actions.¹⁸⁵</p> <p><u>Legislative developments:</u> None of the legislative amendments introduced to Act CXXV of 2003 concern migrants and/or their descendants only.</p> <p>Act II of 2007 was subject to recent amendments. Act XCIII of 2013,¹⁸⁶ amending Act II of 2007, was criticised by the Hungarian civil society for treating certain third country nationals unequally. In particular, Article 35(1)(b) of Act II of 2007, amended by Article 64(1) of Act XCIII of 2013 was criticised. The criticism concerned the unequal treatment of those under subsidiary protection, compared to refugees. Article 35(1)(b) of Act II of 2007, as amended, states that national residence permits (<i>nemzeti letelepedési engedély</i>) can be provided to, for example, those family members of refugees who are direct relatives of the refugee in an ascending line, given that they had been living in the same household for at least the preceding year before the application was submitted. Civil society associations, such as the Hungarian Helsinki Committee (<i>Magyar Helsinki Bizottság</i>),¹⁸⁷ found that this provision is discriminatory – excluding people under subsidiary protection. They argued that this is against current developments at EU level, which aim to harmonise the rights of those under international protection.</p>
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¹⁸³ Hungarian Government (2014), *Hungary does not need existential migrants, (Magyarországnak nincs szüksége megélhetési bevándorlókra)*, 20 February 2015, available at: www.kormany.hu/hu/belugyminiszterium/parlamenti-allamtikarsag/hirek/magyarorszagnak-nincs-szuksege-megelhetesi-bevandorlokra.

¹⁸⁴ The Budapest Times (2014), *PM sparks debate on "existential migration"*, 25 January 2015, available at: budapesttimes.hu/2015/01/25/pm-sparks-debate-on-existential-migration/.

¹⁸⁵ Hungarian Helsinki Committee (*Magyar Helsinki Bizottság*), Artemissio Fundation (*Artemisszió Alapítvány*), Cordelia Fundation – organisation for the victims of violence (*Cordelia Alapítvány a Szervezett Erőszak Áldozataiért*), Menedék – Hungarian Association for Migrants (*Menedék Migránsokat Segítő Egyesület*), MigSzol – Migrant Solidarity Group of Hungary (*MigSzol Migráns Szolidaritás Csoport*), *Terre des Hommes*, (2014), *Asylum: Threat, adumbration and lawful actions instead of tricks of a police state (Menekültügy: Riogatás, ködösítés és rendőrállami trükkök helyett valós, jogállami megoldásokat!)*, 19 February 2015, available at: helsinki.hu/wp-content/uploads/bevandorlasi_vitanap_level_kepviseleknek-20150219.pdf.

¹⁸⁶ Act XCIII of 2013 on the amendment of certain law enforcement related laws (*2013. évi XCIII. Törvény az egyes rendészeti tárgyú törvények módosításáról*), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=161296.247557.

¹⁸⁷ Hungarian Helsinki Committee (2013), *Recommendations of the Hungarian Helsinki Committee on draft Act [...] of 2013 amending certain legislation on migration and refugees with the aim of ensuring law harmonisation (A Magyar Helsinki Bizottság javaslatai a 2013. évi ... törvény az egyes migrációs, illetve menekültügyi tárgyú és más törvények jogharmonizációs célú módosításáról szóló tervezethez)*, Budapest, available at: helsinki.hu/wp-content/uploads/MHB-velemeney-egyes-migr-targyu-tvek-mod.pdf.

		<p>It is noted that Hungarian legislation provides preferential treatment for migrants of Hungarian origin. These rules are set out in Act LXX of 2001 on Hungarians living in neighbouring countries,¹⁸⁸ and in Act LV of 1993 on Hungarian citizenship.¹⁸⁹ This latter Act was amended in 2011, with the aim of ensuring simplified naturalisation procedures for people of Hungarian origin from neighbouring countries.</p> <p>Other pieces of legislation,¹⁹⁰ regulating the situation of migrants, were also subject to recent legislative amendments. None of the legislative amendments, however, concern the equal treatment of migrants.</p> <p><u>Other developments:</u></p> <p>Several sources assessing the situation of migrants in Hungary have been published recently. Some of them touch upon equality-related topics, mainly assessing public perceptions towards migrants. Examples of such sources are: a book called 'Migration and integration', which was published in 2013¹⁹¹, and a study published by the Centre for Policy Studies of the Central European University in 2014.¹⁹² This latter source provides that stakeholders from the Ministry of Interior noted that 'integration in practice is governed by the provision of equal rights for migrants, while the provision of additional support that would allow for equal opportunities for migrants is not seen as a state duty'.¹⁹³</p> <p>The same source notes that Hungary's migration policy applies a double-standard, in the sense that it supports the integration of ethnic Hungarians from neighbouring countries by providing them, for example, with preferential naturalisation procedures, while applying strict conditions for the integration of non-Ethnic Hungarian third country nationals. As referred to above, these differences are reflected in legislation and in</p>
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¹⁸⁸ Act LXX of 2001 on Hungarians living in neighbouring countries (2001. évi LXII. Törvény a szomszédos államokban élő magyarokról), available at: net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0100062.TV.

¹⁸⁹ Act LV of 1993 on Hungarian citizenship (1993. évi LV. Törvény a magyar állampolgárságról), available at: net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99300055.TV.

¹⁹⁰ Example of legislation which was also subject to recent legislative amendments: Government Decree 114/2007 (V.24.) which was amended e.g. by Government Decree 378/2014 (XII. 13.) on the amendments to government decrees as a result of the abolition of the National Labour Office and the establishment of the National Adult Education and Vocational Training Office (318/2014. (XII. 13.) Korm. Rendelet egyes kormányrendeleteknek a Nemzeti Munkaügyi Hivatal megszüntetésével és a Nemzeti Szakképzési és Felnőttképzési Hivatal létrehozásával kapcsolatos módosításáról), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=173048.286148.

¹⁹¹ Kováts, A. (ed.) (2013), *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet).

¹⁹² Centre for Policy Studies, Central European University (2014), *National report Hungary – Integration of Vulnerable Migrant Groups*, 2014, available at: www.assess-migrantintegration.eu/uploads/1/2/3/3/12339284/assess_report_on_monitoring_mechanisms_hungary_final_24sept2014.pdf.

¹⁹³ Centre for Policy Studies, Central European University (2014), *National report Hungary – Integration of Vulnerable Migrant Groups*, 2014, p.8., available at: www.assess-migrantintegration.eu/uploads/1/2/3/3/12339284/assess_report_on_monitoring_mechanisms_hungary_final_24sept2014.pdf.

		<p>applicable policies.</p> <p><u>Case law:</u> Case law, with reference to the right of migrants to equal treatment, is provided under Annex 9.</p>
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3.Participation of migrants and their descendants in society

3.1.Political rights at national level

3.1.1.Citizenship acquisition

	<p>In this section please provide information about the specific requirements and criteria for citizenship acquisition, if any, that relate to the applicants active participation in society, genuine links or bond to the society or the country, schooling period or other 'socialization' requirements. -Path to citizenship for foreign born third country nationals (the so-called '1st generation')</p>
<p>Please provide information about the specific requirements and criteria for citizenship acquisition, if any, that relate to the applicants active participation in society, genuine links or bond to the society or the country, schooling period or other 'socialization' requirements. -Path to citizenship for country-born (so-called '2nd generation') and country-grown migrant children (so-called '1,5 generation')</p>	<p>Rules applicable to the acquisition of citizenship are set out in Act LV of 1993.¹⁹⁴ There are two legal means for the acquisition of citizenship, namely naturalisation (<i>honosítás</i>) and a declaration addressed to the President (<i>nyilatkozat</i>).</p> <p><u>Naturalisation:</u> A non-Hungarian citizen can be naturalised if he or she meets the legal requirements set out in Article 4(1) of Act LV of 1993. One of these requirements relates to the relationship of the applicant with Hungarian society. This requirement provides that the applicant should prove that he or she has been continuously living in Hungary for eight years and should ensure that his or her accommodation and subsistence are assured. The applicant should also pass an examination in basic constitutional studies in Hungarian language.</p> <p>Hungarian legislation deviates from these basic rules with respect to certain persons meeting the requirements set out in Article 4(2-4) of Act LV of 1993. In accordance with these rules, a person meeting specific conditions may be granted Hungarian citizenship through a preferential naturalisation process.</p> <p>Those benefiting from preferential naturalisation often have strong ties with Hungary, resulting, for example, from family relations, such as marriage to a Hungarian citizen, their legal status, such as their alien status, or their origin, such as having ancestors</p>

¹⁹⁴ Act LV of 1993 on citizenship (*1993. évi LV. Törvény a magyar állampolgárságról*) available at: net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99300055.TV.

	<p>who were Hungarian citizens. This latter case is of particular importance with respect to ethnic Hungarians from neighbouring countries. It is noted that persons with Hungarian citizen ancestors, or who have reasons/proof to believe that their origin is in Hungary, do not need to have an established residence in Hungary (Article 4(3) of Act LV of 1993). This provision was adopted in 2010, and entered into force on 1 January 2011.</p> <p>Other groups of persons benefitting from naturalisation procedures are often allowed to skip the obligation of: passing an exam in basic constitutional studies in Hungarian or fulfilling the length of residence required prior to filing the application, i.e. shorter than the eight years required for other applicants.</p> <p>Regarding child descendants the following rules apply:</p> <ul style="list-style-type: none"> - a child born from Hungarian citizen parents <i>ex lege</i> (without meeting any additional requirements) acquires Hungarian citizenship regardless of his or her place of birth (the principle of <i>ius sanguinis</i>); - a child from unknown parents is <i>ex lege</i> (without meeting any additional requirements) considered as a Hungarian citizen (this is called the principle of <i>ius soli</i>); - a child of stateless parents born in Hungary is also <i>ex lege</i> (without meeting any additional requirements) granted Hungarian citizenship; - other children, born in Hungary or having established residence before reaching the legal age, can acquire Hungarian citizenship through preferential naturalisation procedures. <p>Children belonging to the latter category need to have certain ties with Hungary, which are listed under Article 4(4) of Act LV of 1993. These ties are: continuously living in Hungary for a period of five years prior to filing an application, and proving that accommodation and subsistence are assured. The criterion of proving continuous residence in Hungary may be waived in cases where the child's application is submitted together with that of his or her parents, or if the child's parent has been previously granted citizenship (Article 4(5) of Act LV of 1993).</p> <p>No other 'bonds', linked to active participation, have been identified.</p> <p><u>Declaration addressed to the President:</u> Pursuant to Article 5/A of Act LV of 1993, citizenship can be acquired or reacquired by declaration to the President. This option is open only for a specific group</p>
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		<p>of persons who have the following special ties with Hungary:</p> <ul style="list-style-type: none"> - a person, regardless of his or her place of residence, if his or her Hungarian citizenship was deprived by virtue of Act X of 1947, Act XXVI of 1948, Act LX of 1948 or Act V of 1957,¹⁹⁵ or whose citizenship ceased to exist between 15 September 1947 and 2 May 1990 by expatriation, or who was obligatorily resettled in Germany. - a person, regardless of his or her place of residence, who was born to a Hungarian citizen mother and a foreign citizen father before 1 October 1957, if he or she did not become a Hungarian citizen by birth or by virtue of the law in force at that time. - a stateless person, if he or she was born in Hungary to foreign citizen parents residing legally in Hungary during his / her date of birth, if he or she has not acquired the foreign citizenship of his parents by birth. <p>No other 'bonds', linked to active participation, have been identified.</p>
	<p>Debates, issues and challenges concerning the implementation of citizenship policies</p>	<p>Major political debates preceded the adoption of a legislative amendment in 2010, which introduced preferential naturalisation procedures.</p> <p>More recent issues, from 2014, emerged in relation to an article published on the Hungarian media portal, Index,¹⁹⁶ which claimed that thousands of people of Russian, Ukrainian and Serbian origins acquired citizenship on the basis of forged documents. Following the news, Ferenc Gyurcsány the country's ex-Prime Minister, and the current head of the political party Democratic Coalition, asked for a parliamentary investigation. He was claiming, among others, that the system of preferential naturalisation has been abused to please Russia.</p> <p>Dr Tamás Wetzels, deputy state secretary responsible for national politics (<i>nemzetpolitikáért felelős helyettes államtitkár</i>), from the Prime Minister's Office (<i>Miniszterelnökség</i>), noted that the accusations</p>

¹⁹⁵ Act X of 1947 on the deprivation of the Hungarian nationality of those residing abroad (*1947. évi X. törvénycikk külföldön tartózkodó egyes személyeknek magyar állampolgárságuktól való megfosztása tárgyában*), available at: www.1000ev.hu/index.php?a=3¶m=8257; Act XXVI of 1948 on the deprivation of Hungarian nationality and seizure of property of those residing abroad (*1948. évi XXVI. Törvénycikk külföldön tartózkodó egyes személyeknek magyar állampolgárságuktól való megfosztása és vagyonuk elkobzása tárgyában*), available at: www.1000ev.hu/index.php?a=3¶m=8308 ; Act LX of 1948 on Hungarian citizenship (*1948. évi LX. Törvénycikk a magyar állampolgárságról*), available at: www.1000ev.hu/index.php?a=3¶m=8342; Act V of 1957 on Hungarian citizenship (*1957. évi V. törvény az állampolgárságról*), available at: www.1000ev.hu/index.php?a=3¶m=8418.

¹⁹⁶ Index (2014), 'Ukrainian mafia is distributing thousands of Hungarian citizenship – We did not think through the preferential naturalisation process' (*Ukrán maffia osztja tízezerrel a magyar állampolgárságot - Nem gondoltuk végig jól az egyszerűsített honosítást – Első rész*), available at: index.hu/gazdasag/2014/09/16/magyar_nyelven_szavaltak_szep_magyar_szoveget/.

		<p>were groundless.¹⁹⁷ He also noted that the Government was considering taking legal steps against Index. He argued that they were aware of some instances where preferential naturalisation procedures were abused. However, recently, the competent authorities have become more vigilant, resulting in an increasing number of rejected applications.</p> <p>The incident, which was referred to in the media as the 'passport media scandal', was not followed-up by major political debates, or by parliamentary investigation.</p> <p>Civil society organisations, such as the Hungarian Helsinki Committee, claimed that proceedings for granting Hungarian citizenship are not transparent enough – in a sense that the authorities often do not reason their rejection decisions and fail to inform the applicants about their right to legal remedy.¹⁹⁸ The Article issued by the Helsinki Committee on the matter was not followed by major discussions or political debates.</p> <p>Other sources note that Hungary's citizenship policy applies a double-standard, in a sense that ethnic Hungarians from neighbouring countries acquire citizenship very easily, whereas migrants of non-Hungarian ethnic origin face burdensome and long administrative procedures.¹⁹⁹</p>
	<p>Key developments and trends – case law (please use the template in the Annex 9 to provide information about the cases – here only a simple reference to the case name is required) or new provisions and reforms.</p>	<p>New legal provisions are described below. There are no new policy reforms to report.</p> <p>No cases of relevance before the Supreme Court have been identified.</p> <p>During the reference period covered by this report (2010-2014), there have been two relevant cases before the Constitutional Court. These cases are:</p> <ul style="list-style-type: none"> - Constitutional Court decision no. 188/2010 (XI.12.); - Constitutional Court order no. 3035/2012 (VI.21.). <p>It is noted that the latter case ended with an order (<i>végzés</i>), as the petition of the applicant was rejected without consideration of the merits of the case. In cases where the merits of the case are decided upon,</p>

¹⁹⁷ Free Hungary (2014), 'Reactions to the "passport mafia" scandal', available at: www.freehungary.hu/index.php/56-hirek/3221-reactions-to-the-passport-mafia-scandal and Index (2014), 'Ukrainian mafia is distributing thousands of Hungarian citizenship – We did not think through the preferential naturalisation process' (*Ukrán maffia osztja tízezerrel a magyar állampolgárságot - Nem gondoltuk végig jól az egyszerűsített honosítást – Első rész*), available at: index.hu/gazdasag/2014/09/16/magyar-nyelven-szavaltak-szep-magyar-szoveget/.

¹⁹⁸ Helsinki Observer (2014) 'One may succeed whereas the other may not' (*Az egyiknek sikerül, a másiknak nem*), available at: helsinkifigyelo.blog.hu/2014/3.

¹⁹⁹ Messing, V., Árendás, Zs. (2014), *National Report Hungary: ASSESS, Integration of Vulnerable Migrant Groups*, Center for Policy Studies, CEU, June 2014, p. 10., available at: cps.ceu.edu/sites/default/files/publications/cps-research-report-assess-hu-monitoring-mechanisms-2014.pdf.

		<p>the court issues decisions (Article 63(1) of Act CLI of 2011²⁰⁰).</p> <p>Despite the fact that the latter case ended with a rejection order, it is worth mentioning, since the petitioner contested the fact that Act LV of 1993 did not offer legal remedies for those whose application for naturalisation are rejected by the authorities. According to the applicant, this legal situation constituted breaches of Articles 57(5) and 8(2) of the Constitution.²⁰¹</p> <p>Under Annex 9, only Constitutional Court decision no. 188/2010 (XI.12.) is described in details.</p>
	<p>Please indicate key and/or milestone dates – e.g. of major reforms - regarding citizenship acquisition for migrants and/or their descendants.</p>	<p>Major milestones in terms of applicable legislation are:</p> <ul style="list-style-type: none"> - Act XLIV of 2010,²⁰² amending Act LV of 1993: The amendment extended the application of preferential naturalisation to non-citizen ethnic Hungarians. This group is referred to in the legislation as: Hungarian citizen ancestors, or those who have reasons/proof to believe that his or her origin is in Hungary. - Act CCXVIII of 2013²⁰³ amending Act LV of 1993: This is the most recent legislative amendment made on Act LV of 1993. The amendment introduced the procedure for naturalisation of aliens (<i>hontalan</i>).
	<p>Naturalisation rate - % of migrants that have been naturalised compared to migrant stock and to general population – listing the most numerous groups on the basis of their previous nationality, by gender and age-group if available. Please provide the latest available data. The most recent data provided by Eurostat concern the year 2012.</p>	<p>According to the data provided by Eurostat, the total number of citizenship acquisitions was 18,379 in Hungary in 2012.²⁰⁴ The total number of non-EU citizens who acquired citizenships was 3,526 in 2012, out of which 1,540 males and 1,986 females were naturalised. The ratio of naturalised people per age group is: 100 people were less than 15 years old; 1,696 people were aged between 15 and 39; 1,485 people were aged between 40 and 64; 245 were aged 65 or older.</p> <p>There was considerable decrease in the number of naturalised citizens between 2012 and 2013, as shown by the latest report of the Hungarian Central Statistical Office (<i>Központi Statisztikai Hivatal, KSH</i>).</p>

²⁰⁰ Act CLI of 2011 on the Constitutional Court (*2011. évi CLI. Törvény az Alkotmánybíróságról*), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=139622.287097 (HU version), www.mkab.hu/rules/act-on-the-cc (EN version).

²⁰¹ Act XX of 1949, the Constitution of the Hungarian Republic (*1949. évi XX. Törvény a Magyar Köztársaság Alkotmánya*), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=222.207867. Note that at the time when the petition was filed, Act XX of 1949 was still in force. Since then it has been repealed. Article 57(5) of the Constitution set out the right to legal redress, whereas Article 8(2) contained the general obligation of the State to ensure the protection of fundamental rights.

²⁰² Act XLIV of 2010 on amendments to Act LV of 1993 (*2010. évi XLIV. Törvény a magyar állampolgárságról szóló 1993. évi LV. törvény módosításáról*), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=131596.189918.

²⁰³ Act CCXVIII of 2013 on legislative amendments deriving from the establishment of ‘government windows’ and capital and county based government offices (*2013. évi CCXVIII. Törvény a kormányablakok kialakításával, valamint a fővárosi és megyei kormányhivatalok működésével összefüggő egyes törvények módosításáról*), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=165573.254123.

²⁰⁴ Eurostat (2012): Acquisition of citizenship by sex, age group and former citizenship, 16 December 2012, available at: appsso.eurostat.ec.europa.eu/nui/show.do?dataset=migr_acq&lang=en.

		<p>The KSH data dates back to 2013 and illustrates the number of naturalised migrants on the basis of nationality.²⁰⁵ According to the report, the number of TCNs who were naturalised in 2013 was 1,875; this compares to the total number of naturalised migrants which was 9,178.</p> <p>The migrant population, on 1 January 2014, was 125,614 people and the general population was 9,877,365. In the light of these numbers, it is concluded that the naturalisation rate of third-country nationals in 2013 was 1.47% compared to the total migrant population. The most numerous groups of naturalised third country nationals were migrants from the Ukraine (894 citizens) and Serbia (647 citizens). The KSH report does not contain reference to the naturalisation rate of ethnic Hungarians, but according to recent studies in the field of migration,²⁰⁶ the majority of these people are ethnic Hungarians. The report does not disaggregate data on the basis of naturalised TCNs' age or gender.</p>
<p>Numbers of naturalisations and citizenship acquisitions in the last 2 years (in 2013 and in 2014) by mode of acquisition, by gender and age-group if available, and for the 10 most numerous groups on the basis of their previous nationality <i>Please provide the latest available statistics - (please use the relevant table in the Annex 6)</i></p> <p><i>Note that Annex 6 has been removed from the template. Note however, that relevant statistical data is provided in the row above.</i></p>		
<h3>3.1.2. National elections voting rights – turnout</h3>		
	<p>Third country nationals are allowed in exceptional cases to vote in national elections. In this section please provide the specific requirements and criteria for participation of citizens of migrant background (and third country nationals in the very few cases where this is foreseen) in national elections, as well as any available data on their voting turnout. Please specify any differences in different geographic areas or by type of national level voting circumstances (e.g. parliament, referendum, president of the republic etc.). In addition to official data and also if such data</p>	<p><u>Legal requirements:</u> Deriving from Article XXIII of the Fundamental Law, TCNs do not have:</p> <ul style="list-style-type: none"> - the right to vote or to be voted for in national elections; - the right to vote or to be voted for in elections of Members of the European Parliament; - the right to participate in national referendums. <p>In Hungary, there are no presidential elections, as the president is elected by the National Assembly (Parliament) of the country (Article 1(e) of the Fundamental Law).</p> <p>Rules applicable to national level elections are, as a general rule, set out in so-called cardinal acts. Cardinal acts are those that can only be altered by a two-thirds majority. The relevant rules are set out in:</p>

²⁰⁵ Source of information: written answer to public interest inquiry from *Központi Statisztikai Hivatal*, 13 February 2015.

²⁰⁶ Kőszeghy, L., (2009), 'Külföldiek magyarországi városokban', in: András K. (ed.): *Bevándorlók Magyarországon – Az MTA Etnikai-nemzeti Kisebbségkutató Intézete és az ICCR Budapest Alapítvány által végzett kutatás zárótanulmányai*. MTAI-ICCR, Budapest. pp. 55-80. and Messing, V., Árendás, Zs., (2014) *Review of Existing Monitoring Mechanisms for the Integration of Migrants in Hungary*, Budapest, Central European University, available at: cps.ceu.edu/sites/default/files/publications/cps-research-report-assess-hu-monitoring-mechanisms-2014.pdf

	<p>are not available, make reference to any relevant quantitative or qualitative academic research concerning the exercise of the right to vote and related drivers and barriers.</p>	<p>- Act XXXVI of 2013 on Electoral Procedure;²⁰⁷ - Act CCIII of 2011 on the elections of Members of the Parliament of Hungary.²⁰⁸</p> <p>Act CXIII of 2003²⁰⁹, which is not a cardinal law, regulates the rules applicable to the elections of Members of the European Parliament. These laws do not grant additional rights to third country nationals.</p> <p><u>Statistical data:</u> The abovementioned reasons entail that the number of TCNs participating in national elections is zero. Statistical data are available on the total number of candidates, in accordance with which 1,531 candidates ran in the 106 electoral districts during the last Parliamentary elections in 2014.²¹⁰</p>
	<p>Please indicate any programmes or information campaigns aiming at informing citizens of migrant background about their political rights and encouraging the exercise of the right to vote.</p>	<p>In Hungary, the implementation of information campaigns and programmes is mainly undertaken by non-governmental organisations, primarily by Menedék – Hungarian Association for Migrants (<i>Menedék – Migránsokat Segítő Egyesület</i>). Menedék started an interactive presentation series for migrants in February 2015.²¹¹ The topics of the presentations include the encouragement of migrants to actively participate in society, naturalisation procedures, and legal advice. The topics of the series not only focus on political rights but on human and legal rights as well.</p> <p>Desk research did not reveal any other awareness-raising programmes directly focussed on political rights. However, the Hungarian Helsinki Committee (<i>Magyar Helsinki Bizottság, HHC</i>) runs a Human Rights Counselling Programme where they provide initial legal advice for clients, and basic legal information on where to turn for further assistance. The programme primarily concentrates on legal rights but political rights are included as well.²¹²</p> <p>An exemplary awareness-raising activity is provided by the Migrant Solidarity Group (<i>MigSzol</i>)²¹³ that, since 2012, has organised several successful demonstrations with the participation of refugees, protected persons and candidate refugees, to make public the problems of these people. Newspaper articles and videos on these demonstrations informed</p>

²⁰⁷ Act XXXVI of 2013 on Electoral Procedure (2013. évi XXXVI. Törvény a választási eljárásról), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=159995.287104

²⁰⁸ Act CCIII of 2011 on the elections of Members of the Parliament of Hungary (2011. évi CCIII. Törvény az országgyűlési képviselők választásáról), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=142940.283327.

²⁰⁹ Act CXIII of 2003 on the election of members of the European Parliament (2003. évi CXIII. Törvény az Európai Parlament tagjainak választásáról), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=76135.240102.

²¹⁰ Website of the National Election Office, available at: http://valasztas.hu/hu/ogyv2014/769/769_0_index.html.

²¹¹ Menedék – Migránsokat Segítő Egyesület (2015), 'Jogod van: az állampolgársághoz' 17 February 2015 at menedek.hu/hirek/jogod-van-az-allampolgarsaghoz.

²¹² For more information on the project, see their website: helsinki.hu/.

²¹³ For more information on the project, see their website: www.migszol.com/.

		thousands of people about the problems of refugees and asylum seekers. The MigSzol Group is in continuous dialogue with organisations active in asylum and refugee affairs. During these discussions, refugees can also give their opinions and may also take part in discussions on political and public issues that affect them.
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3.1.3. National level election – representation

The number of candidates with migrant background (where available, specify own or parent’s country of birth) at the latest national level elections (specify date)	There is no data on official websites on the number of candidates with migrant backgrounds. ²¹⁴ The Information Service on the Elections, at the National Election Office (<i>Választási Információs Szolgálat, VISZ Nemzeti Választási Iroda</i>) was requested to provide information on the number of candidates and elected representatives with migrant backgrounds. ²¹⁵ According to the information received, official statistics do not disaggregate on the basis of the nationality of voters or candidates, as only citizens with Hungarian nationality can vote and be candidates at national elections (See section 3.1.2).
The number of elected representatives with migrant background at national level (e.g. parliament, senate)	As above.
Those appointed to public office (e.g. ministers, secretaries of state, etc.) by end of 2014.	The desk research did not reveal data on the number of appointed representatives to public offices. ²¹⁶ The Information Service on the Elections, at the National Election Office (<i>Választási Információs Szolgálat, VISZ Nemzeti Választási Iroda</i>) does not have statistics on the number of migrants appointed to public office. ²¹⁷

3.2. Political rights at regional/local level

3.2.1. Regional/Local elections voting rights – turnout

Specify what regional/local voting rights are given to third country nationals and any different entitlements according to residence status, permit type or length of stay etc	Certain groups of third country nationals, namely refugees, immigrants and residents in Hungary, as specified in Article XXIII(3) of the Fundamental Law, have the right to vote in the elections of local government representatives and mayors. This right also extends to the election of national minority ²¹⁸ representatives, given that they are registered on the
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²¹⁴ Data was collected from the most important official websites: www.parlament.hu and valasztas.hu/ , 12 February 2015.

²¹⁵ Source of information: written answer to public interest inquiry from *Választási Információs Szolgálat*, 24 February 2015.

²¹⁶ Data was retrieved from the most important official websites: www.parlament.hu and valasztas.hu/ ,12 February 2015

²¹⁷ Source of information: written answer to public data request from National Election Office on 24 February 2015.

²¹⁸ The term national minority is defined in Article 1(1) of Act CLXXIX of 2011 on the Rights of Nationalities (*2011. évi CLXXIX. törvény a nemzetiségek jogairól*, available at: njt.hu/cgi_bin/njt_doc.cgi?docid=139819.259653) as follows:

Pursuant to this Act, all ethnic groups resident in Hungary for at least one century are nationalities which are in numerical minority amongst the population of the State, are distinguished from the rest of the population by their own language, culture and traditions and manifest a sense of cohesion that is aimed at the preservation of these and at the expression and protection of the interests of their historically established communities.

	<p>voters' list as persons belonging to national minorities.</p> <p>Third country nationals, regardless of their legal status, cannot be voted for in local elections.</p> <p>Act L of 2010, which is a cardinal act regulating the rules applicable to the election of municipal representatives and mayors,²¹⁹ provides that only those can exercise their voting rights who are domiciled in Hungary or have a registered place of residence (Article 1(2)).</p> <p>Adult descendants of third country nationals who are Hungarian citizens are entitled to vote under the same rules as other Hungarian citizens.</p> <p>Pursuant to Article XXIII(7) of the Fundamental Law, everyone with the right to vote in local elections has the right to participate in local referendums.</p>
Key and/or milestone dates regarding the voting and/or election rights for migrants and/or their descendants at regional/local level	It is noted that new legislation introduced during the reference period covered by the study, such as Hungary's Fundamental Law, repealing the Constitution, have not introduced changes regarding the voting rights of third country nationals at local elections. The right of third country nationals to vote at local elections was introduced into the Hungarian legal order in 2002. ²²⁰
Please indicate any programmes or information campaigns aiming at informing citizens of migrant background about their political rights and encouraging the exercise of the right to vote.	The same information is relevant as provided under section 3.1.2 on national elections.
In addition to official data and also if such data are not available, make reference to any relevant quantitative or qualitative academic research concerning the exercise of the	<p>In Hungary, the organisation of information campaigns and programmes is mainly undertaken by NGOs. Desk research revealed only one awareness-raising programme promoting the political rights of citizens. This was carried out by Menedék in February 2015.²²¹ The topics of the presentations included the encouragement of migrants to actively participate in Hungarian society, naturalisation procedures and legal advice. The topics did not focus only on political rights but on human and other rights as well.</p> <p>Official data is not publicly available regarding the exercise of the right to vote and its related drivers and barriers –though there is relevant academic research in the context of political activity.</p> <p>The King Baudouin Foundation and the Migration Policy Group piloted a quantitative survey (Immigrant Citizens Survey, ICS) in 2011, to enhance the development of integration policies. One research</p>

²¹⁹ Act L of 2010 on the election of municipal representatives and mayors (2010. évi L. törvény a helyi önkormányzati képviselők és polgármesterek választásáról), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=131705.283319.

²²⁰ Article 70 of the Constitution was amended by Article 7 of Act LXI of 2002 (the Act is no longer available in the legal database, therefore no legal reference can be provided).

²²¹ Menedék Association (2015), 'You are entitled to citizenship' (*Jogod van: az állampolgársághoz*), 17 February 2015, available at: menedek.hu/hirek/jogod-van-az-allampolgarsaghoz.

	<p>right to vote and related drivers and barriers.</p>	<p>element focused on the political awareness of Hungarian migrants, though not differentiating EU immigrants from third-country nationals.²²² The survey indicates that in 2011, 2.2 % of citizens with migrant backgrounds participated in political organisations.</p> <p>The Hungarian Academy of Sciences, Institute for Minority Studies (<i>Magyar Tudományos Akadémia, Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet, MTA TK KI</i>) published a collection of articles including quantitative research, in 2013. One of the collected research papers concentrates on the political activity and voting rights of citizens of migrant backgrounds (not differentiating EU migrants and third-country nationals), with data samples ranging from 2008-2012.²²³ The study concludes that the political interests and activities of migrants rarely go beyond the boundaries of the particular ethnic group. This promotes a sense of stability and security for the members of the groups, and facilitates a more cohesive understanding of the major political and public events. Low public political participation also results from migrant perceptions that politics do not represent their interests. However, the study points out that the political inactivity of the host society is also prevalent, and is usually caused by the low level of appreciation of politics in general, in Hungary.</p> <p>The Institute of Sociology and Social Policy of Corvinus University of Budapest (<i>Budapesti Corvinus Egyetem, Szociológia és Társadalompolitikai Intézet, BCE</i>) published a study based on a research that was carried out in 2012 and used a mixture of qualitative and quantitative research techniques exploring civil and political integration of third-country nationals.²²⁴ According to their findings, third country nationals “are less active than members of the host society with regard to participation in both electoral and non-electoral forms of political activities. It is less likely that they would vote in local elections – although in this case it is not clear how much of a role a lack of information plays –, they participate in fewer political activities and slightly fewer of them are members of non-profit organisations. Furthermore, they are less likely to think that either alone or together with</p>
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²²² Immigrant Citizens Survey (2011), *Civic and Political Participation*, available at: www.immigrantsurvey.org/downloads/Political_v2.pdf.

²²³ Örkény, A., Székely, M. (2013), ‘The exercise of the right to vote by migrants’ (A választójog gyakorlása a bevándorlók körében), in: Kovács, A. (ed.) *Migration and integration (Bevándorlás és integráció), Magyarországi adatok, európai indikátorok*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (Magyar Tudományos Akadémia, Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), pp. 200-212, available at: [kisebbssegkutato.tk.mta.hu/uploads/files/archive/OA_SzMA_A%20valasztoioggyakorlasi.pdf](http://kisebbssegkutato.tk.mta.hu/uploads/files/archive/OA_SzMA%20valasztoioggyakorlasi.pdf).

²²⁴ Göncz, B., Lengyel, Gy., Tóth, L., (eds.) (2012), *Migrants and the Hungarian Society. Dignity, Justice and Civic Integration*. Budapest, Budapesti Corvinus Egyetem, available at: unipub.lib.uni-corvinus.hu/924/1/migracios_kotet_angol.pdf.

		others they would be able to do something about a parliamentary decision that they found unacceptable; they are less interested in politics; they do not follow Hungarian news so much.” However, the scope of the study does not cover the exact causes for the low political participation of migrants in Hungary.
3.2.2. Regional/local level election – representation		
		There is no available data on the number of candidates with migrant backgrounds ²²⁵ . The Information Service on the Elections, at the National Election Office (<i>Választási Információs Szolgálat, VISZ Nemzeti Választási Iroda</i>), upon request, provided a report on the number of candidates and elected representatives with migrant backgrounds at local level elections. ²²⁶
	The number of candidates that were third country nationals and/or with migrant background at the latest regional/local level elections (specify date)	According to the information received, EU citizens living in Hungary, migrants, refugees and other citizens with established legal status can vote at regional/local elections. However, only EU citizens living in Hungary can be candidates at municipal elections. Altogether, there were 81 candidates with migrant backgrounds at the latest elections in 2014. The total number of candidates at the latest local-level elections in 2014 was 61,366. ²²⁷ The number of elected representatives at the latest local-level elections in 2014 was 3,119. ²²⁸ In Hungary there are no regional elections.
	The number and % of elected representatives with migrant background at regional/local level (e.g. municipalities, regions, prefectures etc.)	There is no available data on the number of elected representatives with migrant backgrounds. ²²⁹ The National Election Centre (<i>Választási Információs Szolgálat, VISZ, Nemzeti Választási Iroda</i>), upon request, provided a report on the number of candidates and elected representatives with migrant backgrounds at local level elections. ²³⁰ According to the information received, 27 citizens with migrant backgrounds gained mandates at the 2014 local elections – 11 of them were citizens of Poland, 7 of Slovakia, 4 of Germany, 3 of Greece and 2 of Austria. In Hungary there are no regional elections.
	Those who were elected or appointed to a high public	There is no available data on the number of people with migrant origins who have been elected or

²²⁵ Data was retrieved from the most important official websites: www.parlament.hu and valasztas.hu/, 12 February 2015.

²²⁶ Source of information: written answer to public data request from National Election Centre, received on 24 February 2015.

²²⁷ Data was retrieved from official websites on elections: valasztas.hu/hu/onkval2014/883/883_0_index.html

²²⁸ Data was retrieved from official websites on elections: valasztas2014.hir24.hu/eredmenyek/

²²⁹ Data was retrieved from the most important official websites: www.parlament.hu and valasztas.hu/, 12 February 2015.

²³⁰ Source of information: written answer to public data request from National Election Centre, received on 24 February 2015.

	office (e.g. mayor, vice mayor etc.) by end of 2014.	appointed to high public offices. ²³¹ The Information Service on the Elections, at the National Election Office (<i>Választási Információs Szolgálat, VISZ, Nemzeti Választási Iroda</i>) does not collect such information. ²³²
	Please identify related limitations and challenges or public debates, as well as relevant research, studies and assessments.	<p>See above. Further information is provided under section 3.2.1.</p> <p>According to the 2011 figures of the Migrant Integration Policy Index (MIPEX III), “the participation of migrant citizens in the public life is slightly discouraged in Hungary”. According to research, there are <i>ad hoc</i> campaigns and programmes encouraging active participation of migrants – which are mostly funded by the EU. MIPEX does not contain reference to any specific programmes and desk research did not reveal any additional information besides that detailed above (see section 3.1.2).</p> <p>On the other hand, the Hungarian State “has yet to create dedicated consultative bodies or funding for immigrant representatives”.²³³ This has also been confirmed by research conducted by the ICCR Foundation (<i>Nemzetközi Összehasonlító Kutatásokat Támogató Alapítvány</i>) and financed by the EIA (European Integration Fund – <i>Európai Integrációs Alap</i> - EIA) in 2013.²³⁴ According to the study, “the exercise of basic political rights and freedom of migrants is supported by the general law, but in Hungary, there are no specific consultative bodies promoting the active participation of migrants. Also, additional public services in support of foreign language acquisition and social integration are not available (p. 35)”.</p>

3.3.Consultation 235

3.3.1.Consultative bodies at national/regional/local level

	Are there any migrants’ consultative bodies in place at	The State has not yet created consultative bodies at national/regional/local levels for migrant
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²³¹ Data was retrieved from the most important official websites: www.parlament.hu and valasztas.hu/, 12 February 2015.

²³² Source of information: written answer to public data request from National Election Centre, received on 24 February 2015.

²³³ British Council and Migration Policy Group (2011), Migrant Integration Policy Index, available at: www.mipex.eu/hungary.

²³⁴ Bodolai, A., B., (2013) National and European policies assisting the social integration of migrants (A bevándorlók társadalmi beilleszkedését segítő európai és hazai szakpolitikák), In: Kováts, A. (ed.) *From learning languages towards political participation – programmes assisting the integration of migrants in the European Union (A nyelvtanulástól a politikai részvételig – Bevándorlók integrációját támogató programok az Európai Unióban)*, Budapest, ICCR, available at: www.iccr.hu/sites/default/files/nyelvtanulastolapolitikaireszvetelig_beliv_oldalparban-1.pdf.

²³⁵ As a first step desk research was conducted. The desk research identified and analysed existing literature, such as the following study: Bodolai, A., B., (2013) National and European policies assisting the social integration of migrants (A bevándorlók társadalmi beilleszkedését segítő európai és hazai szakpolitikák), In: Kováts, A. (ed.) *From learning languages towards political participation – programmes assisting the integration of migrants in the European Union (A nyelvtanulástól a politikai részvételig – Bevándorlók integrációját támogató programok az Európai Unióban)*, Budapest, ICCR, available at:

	national / regional/ local level foreseen and/or operational in practice? Since when and on which legal basis (please provide reference). Please specify whether migrants' consultative/advisory/representative bodies are established by law or other type of normative regulation, policy or practice.	representatives. ²³⁶ This has been confirmed by a study referred to in the row above. Therefore, this section cannot be completed. ²³⁷ In practice, there are some civil society associations that represent the interests and rights of migrants towards political, administrative, governmental and municipal bodies. One of the biggest organisations of this kind is the Hungarian Association for Migrants (<i>Menedék</i>). This organisation also takes part in the elaboration of decisions relating to migration policy.
	What is the mandate of the body – duration and procedures? In particular specify if and by which modalities these bodies are competent to participate in consultations only on migration or integration issues or if they participate also in consultations on other issues? How do these bodies work in practice?	N/A – no such consultative bodies exist in Hungary.
	Frequency of convening of the body/-ies/ meetings with competent public authorities. What is foreseen and how is it implemented in practice?	N/A – no such consultative bodies exist in Hungary.
	Role in relation to other public or private bodies. Is there a statutory role of coordination and cooperation with other public or private stakeholders foreseen? How is this implemented in practice?	N/A – no such consultative bodies exist in Hungary.
	Participation in decision-making (consultative, observer status, voting right etc.). Are such bodies competent to participate in decision-making at national/regional/local level in regard to the design, implementation, assessment and/or review of integration-specific, migration or other policies of general interest? Are such bodies and/or their representatives participating in	N/A – no such consultative bodies exist in Hungary.

www.iccr.hu/sites/default/files/nyelvtanulastolapolitikaireszvetelig_beliv_oldalparban-1.pdf. In addition to the desk research, stakeholder consultation was conducted. This consultation was carried out via email, through which the Director of Menedek confirmed that no consultative bodies existed in Hungary.

²³⁶ The finding of the desk research was confirmed by Mr András Kováts, the Director of Menedék, via email on 04 March 2015.

²³⁷ Bodolai, A., B., (2013) National and European policies assisting the social integration of migrants (A bevándorlók társadalmi beilleszkedését segítő európai és hazai szakpolitikák), In: Kováts, A. (ed.) *From learning languages towards political participation – programmes assisting the integration of migrants in the European Union (A nyelvtanulástól a politikai részvételig – Bevándorlók integrációját támogató programok az Európai Unióban)*, Budapest, ICCR, available at: www.iccr.hu/sites/default/files/nyelvtanulastolapolitikaireszvetelig_beliv_oldalparban-1.pdf.

any way to allocation, distribution, monitoring, evaluation or management of funding social inclusion and integration policies, measures and programmes at national level?	
What are the modalities for representation and participation of migrants, e.g. elections, designation etc.? What is foreseen and how is it implemented in practice?	N/A – no such consultative bodies exist in Hungary.
On which criterion are migrant groups represented (migrant status, foreign-born, foreign nationality etc.)? What is foreseen and how is it implemented in practice?	N/A – no such consultative bodies exist in Hungary.
Is there any evidence through formal evaluations or academic research on awareness about such national level consultative bodies among migrants and their descendants, and among the general public?	N/A – no such consultative bodies exist in Hungary.

3.4.Participation in trade-unions and professional association

In this section based on available data, research, surveys, studies, etc. please provide information about:	
Membership and participation of migrant workers in <u>workers' unions and craft associations</u> :	
Are there any legal or practical limitations or barriers for the membership of migrant workers in trade unions and craft associations?	<p><u>Legal barriers:</u> Rules applicable to membership in trade unions are set out in Act I of 2012. In accordance with the rules set out in Chapter XXI of the said Act, any legally-employed person may join a trade union.</p> <p>It is noted, however, that employment of TCNs is often subject to the acquisition of working permits, the applicable rules set out in Act IV of 1991²³⁸ and Government Decree 445/2013 (XI.28.).²³⁹ Only</p>

²³⁸ Act IV of 1991 on job assistance and on unemployment benefits (1991. évi IV. Törvény a foglalkoztatás elősegítéséről és a munkanélküliek ellátásáról), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=14929.287368.

²³⁹ Government Decree 445/2013 (XI.28.) on the Authorisation of Employment of non-EU Nationals in Hungary. The Decree refers to: procedures other than the single application procedure; the exemptions of such authorisation obligation; the involvement of the metropolitan and county government offices as opinion makers in single application procedures; the notification of employment of non-EU nationals' authorisation for free employment in Hungary and salary reimbursement (445/2013. (XI. 28.) Korm. Rendelet a harmadik országbeli állampolgárok magyarországi foglalkoztatásának nem összevont kérelmezési eljárás alapján történő engedélyezéséről, az engedélyezési kötelezettség alóli mentességről, a fővárosi és megyei kormányhivatal munkügyi központjának az összevont kérelmezési eljárásban való szakhatósági közreműködéséről, valamint a Magyarországon engedélymentesen foglalkoztatható harmadik országbeli állampolgárok magyarországi

		<p>certain groups of migrants can be employed without the acquisition of working permits. These groups include blue card holders, single permit holders, and groups specified under Article 15 of Government Decree 445/2013(XI.28.). This latter category extends to refugees, or to persons subject to subsidiary protection.</p> <p><u>Practical barriers:</u> As explained under Section 1 of this report, in practice, the employment of certain groups of third country nationals is hindered by various factors, including insufficient knowledge of the Hungarian language.</p>
	<p>Do workers' associations encourage and support membership and participation of migrant workers? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p>	<p>There is no available official data on the membership and participation of migrant workers in workers' unions and craft associations.²⁴⁰ Information on the participation rate of migrants in workers' associations can be extracted from the 2011 ICS survey.²⁴¹</p> <p>The League of Independent Trade Unions (<i>Független Szakszervezetek Demokratikus Ligája</i>, LIGA) provided information on the participation and representation of migrant citizens in professional associations and trade unions, as well as on awareness-raising campaigns and programmes facilitating the membership of migrant citizens in such organisations.²⁴²</p> <p>The most relevant project implemented by the Hungarian trade unions, in the reference period of this study, is entitled 'Developing information for migrant workers through transnational trade union cooperation', which ran for 12 months (between 4 November 2013 and 24 October 2014), and was implemented by LIGA.²⁴³</p> <p>This specific project promoted the involvement of citizens with migrant backgrounds in the work of trade unions and was organised by the British Trade Union Congress (<i>TUC</i>), the Romanian National Trade Union Confederation (<i>Cartel ALFA</i>) and the Hungarian League of Independent Trade Unions (<i>Független Szakszervezetek Demokratikus Ligája</i>, LIGA). According to the project description, its aims were to "share the experiences of the trade unions related to migrant employees, to assess the trade union needs of the employees planning migration and of those who have already migrated, to survey the needs related to the information system to be provided to</p>

foglalkoztatásának bejelentéséről, és a munkabér megtérítéséről), available at: nit.hu/cgi_bin/njt_doc.cgi?docid=165186.286057.

²⁴⁰ Data was collected from the most important official websites of trade unions: www.mszosz.hu/hu/, www.liganet.hu/.

²⁴¹ 'Immigrant Citizens Survey (2011), 'Civic and Political Participation', available at: www.immigrantsurvey.org/downloads/Political_v2.pdf.

²⁴² Source of information: written answer to public data request from League of Independent Trade Unions (LIGA), received on 16 February 2015.

²⁴³ For more information on the project, see: www.migrantinfo.eu/.

		<p>the migrant employees, as well as to evaluate the efficiency of and update the operating systems”.</p> <p>In the framework of project-specific information materials, brochures and flyers given directly to migrant employees, in their mother tongue, indicating the project’s website and information on the most important employment issues.</p> <p>When asked about the practical barriers that occurred during the implementation of the project, language barriers are highlighted. According to the project manager of the Hungarian implementation “the most important thing is to give them information in their own languages. Fortunately this is supported by the EU, so there is money for it.”²⁴⁴</p>
	<p>What is the rate of participation (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available) of migrant workers in the most representative workers’ unions and associations? Please specify the geographic and workforce range/type of associations (referring to national, regional, local and to the range of workers represented and degree of association).</p>	<p>According to LIGA, there is no official organisation helping migrant workers directly.²⁴⁵ In line with this, there is no representative database on migrant participation in workers’ unions and craft associations.</p> <p>The latest available information on the participation rate of migrant workers in workers’ unions and associations derives from the ‘Civic and Political Participation’ section of the Immigrant Citizens Survey carried out in 2011.²⁴⁶ According to their results, 45% of the total migrant population participates in trade unions (see Table 3 on p. 4).</p>
	<p>Are migrant workers elected as representatives of trade unions and workers’ or craft associations? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced by migrant workers.</p>	<p>According to LIGA, there is no available data on migrant workers who are elected as representatives of trade unions and workers’ or craft associations, and LIGA is not aware of any workers’ associations handling such data.²⁴⁷</p>
	<p>Are there differences between associations for high and low skill workers, different industries and trades, and/or different geographic area of country of origin, citizenship or birth or gender?</p>	<p>As explained above, there are no migrant specific trade unions, workers’ or craft associations in Hungary. Therefore this question cannot be answered.</p>

²⁴⁴Source of information and quotation: interview with the, project manager at LIGA carried out in the framework of SELEX (Severe Forms of Labour Exploitation) 2014 social fieldwork project.

²⁴⁵Source of information: written answer to public data request from League of Independent Trade Unions (LIGA), received on 16 February 2015.

²⁴⁶Immigrant Citizens Survey (2011), ‘Civic and Political Participation’, available at: www.immigrantsurvey.org/downloads/Political_v2.pdf.

²⁴⁷Source of information: written answer to public data request from League of Independent Trade Unions (LIGA), received on 16 February 2015.

	<p>Membership and participation of migrant entrepreneurs and expert professionals to professional and scientific associations:</p> <p>Are there any legal or practical limitations or barriers for the membership of migrant workers in professional, employer and scientific associations (such as medical, engineer, bar associations)?</p>	<p>Legal barriers: Participation in employer associations is regulated by Act I of 2012. This Act does not limit the right of third country nationals to participate in employers' associations.</p> <p>Regarding membership in professional associations, the rules vary depending on the profession in question.</p> <p>As an example, Act XI of 1998²⁴⁸ regulating the profession of lawyers notes that only those can practice as lawyers who are members of the Hungarian bar association. Article 13(3) of the same Act provides the legal conditions for becoming a member of the bar association. Among these conditions, the nationality of the applicant plays a role in a way that the applicant should either be a Hungarian national or a national of the European Economic Area. This implies that third country nationals cannot become members of the Hungarian bar unless they acquire Hungarian citizenship.</p> <p>The founding rules of the Hungarian Medical Chamber²⁴⁹ are less rigid. Pursuant to Point 1 of Chapter 1 of the funding rules, any doctor or dentist may become a member of the Chamber. Only those who meet certain professional qualifications, set out in Act CLVI of 1997 on public health²⁵⁰ and in secondary legislation, such as in Ministerial Decree 22/2012 (IX.14.) on medical specialisation training can become doctors in Hungary.²⁵¹ Professional qualifications acquired abroad may be recognised in accordance with the rules set out in Act C of 2001.²⁵²</p> <p>It is noted, however, that the number of foreign doctors asking for recognition of their qualification decreases each year. In 2006, 169 medical doctors filed such applications, whereas in 2010, the number of applications was only 35.²⁵³</p>
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²⁴⁸ Act XI of 1998 on lawyers (1998. évi XI. Törvény az ügyvédekről), available at:

njt.hu/cgi_bin/njt_doc.cgi?docid=34117.284193.

²⁴⁹ Founding rules of the Hungarian Medical Chamber (A Magyar Orvosi Kamara alapszabálya), available at:

www.mok.hu/info.aspx?SP=18.

²⁵⁰ Act CLVI of 1997 on public health (Act CLVI of 1997 on public health), available at:

net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700154.TV.

²⁵¹ Ministerial decree of the Ministry of the Ministry of Human Capacities 22/2012 (IX.14) on medical specialisation training (22/2012. (IX. 14.) EMMI rendelet az egészségügyi felsőfokú szakirányú szakképesítés megszerzéséről), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=154386.260672.

²⁵² Act C of 2001 on the recognition of foreign certificates and degrees (2001. évi C. törvény a külföldi bizonyítványok és oklevelek elismeréséről), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=57474.243554.

²⁵³ Online newspaper, Decreasing number of doctor: each month hundreds leave the country (Növekvő orvoshiány: havonta száz-an mennek külföldre), available at: privatbankar.hu/karrier/mar-a-kulfoldi-orvosok-sem-akarnak-magyarorszagon-dolgozni-244788.

		<p><u>Practical barriers:</u> The desk research did not reveal any information on the practical barriers to membership of migrant workers in professional, employer or scientific associations. The two most active trade unions in this field were contacted directly: neither MSZOSZ nor LIGANET could provide any information on the rate of participation of migrants by professional associations.²⁵⁴</p> <p>As far as language barriers are concerned, based on a previous interview carried out in the framework of SELEX social fieldwork project, the President of the Independent Trade-union of Medical Workers, at the National Federation of Workers' Councils (<i>Független Egészségügyi Szakszervezet, Munkás Tanácsok Országos Szövetsége</i>), highlighted that speaking Hungarian is a basic requirement for health care workers, and therefore, without proper Hungarian language skills, doctors and nurses cannot find jobs in Hungarian health care.²⁵⁵</p>
	<p>Do professional associations encourage and support membership and participation of migrant professionals? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p>	<p>The desk research did not reveal any information on the activities of professional associations encouraging the membership and participation of migrant professionals. The two most relevant trade unions – namely MSZOSZ and LIGANET— did not have information on the direct encouragement of migrants by professional associations.²⁵⁶</p>
	<p>What is the rate of participation and membership (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available) of migrant professionals in the most representative professional, employers' and scientific unions and associations? Please specify the geographic and workforce range/type of associations (referring to national, regional, local and to the range of professional represented and degree of association)</p>	<p>The desk research did not reveal any data on the participation rate and membership of migrant professionals in the most representative professional, employers' and scientific unions and associations. The two most significant trade unions working in this field (MSZOSZ and LIGANET) did not provide information on the rate of participation of migrants in professional associations.²⁵⁷</p> <p>Publicly available information exists, from 2013, on the numbers of all foreign nationals with valid work permits and their professional and regional distribution. However, this data does not cover the participation rates or memberships of foreign nationals in professional associations. The Research and Analysis Department of the National Labour Office (<i>Nemzeti Munkaügyi Hivatal Kutatási és Elemzési Főosztálya</i>) carried out research in 2013, on</p>

²⁵⁴ Data was collected from the most relevant trade unions working in this field; these trade unions were also contacted directly: www.mszosz.hu/hu/, www.liganet.hu/.

²⁵⁵ Source of information: interview with the, president of of the Independent Trade-union of Medical Workers, at the National Federation of Workers' Councils (*Független Egészségügyi Szakszervezet, Munkás Tanácsok Országos Szövetsége*) carried out in the fraemework of SELEX (Severe Forms of Labour Exploitation) 2014 social fieldwork project.

²⁵⁶ Data was collected from the official websites of the most relevant trade unions working in this field and they were also contacted directly www.mszosz.hu/hu/, www.liganet.hu/.

²⁵⁷ Data was collected from the most relevant trade unions working in this field and they were also contacted directly: www.mszosz.hu/hu/, www.liganet.hu/.

	the main features of the employment of foreign nationals in Hungary (<i>A külföldi állampolgárok magyarországi munkavállalásának főbb sajátosságai</i>). ²⁵⁸ According to the report, 3.9% of work permits are issued for occupational purposes in the fields of economy, administration, advocacy and legislation. 22.2% of work permits are issued for occupations that require higher education degrees, 11.6% for occupations that require additional higher and secondary education degrees and 4.6% issued for office and management (customer relations) occupations. The rest of the work permits, i.e. 57.7%, were issued for temporary and permanent agricultural, construction or other economic occupations.
Are migrants elected as representatives of professional, employers' and/or scientific associations? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.	The desk research did not reveal any available data on elected representatives with migrant backgrounds, of professional, employers' and/or scientific associations. This finding has been confirmed by the largest professional associations. ²⁵⁹
Are there differences between associations for different professions, different skill levels and/or types of enterprise, different industries and trades, and/or different geographic area of country of origin, citizenship or birth or gender?	The desk research did not reveal available data on associations for migrant workers that are differentiated on the basis of professions, skill levels, types of enterprises, industries, geographical areas, countries of origin, citizenship, birth or gender. ²⁶⁰ The two most relevant trade unions MSZOSZ and LIGANET did not provide information on the participation rate of migrants in professional associations. ²⁶¹

3.5. Participation in social, cultural and public life

In this section based on available data, research, studies, etc. provide information about the membership and participation of migrants and their descendants in media, cultural organisations and public life:	
Are there any legal or practical limitations or barriers for the membership of migrants in professional associations related to the media, sports and culture?	Legal barriers: Rules applicable to the establishment of professional associations related to media, sports and culture, and the functioning thereof (including rules applicable to membership), are set out in Hungary's Civil Code ²⁶²

²⁵⁸ For more information on the report, see: www.afsz.hu/resource.aspx?ResourceID=stat_kulf_mvall_mo_adatok_2013_1-3_ne.

²⁵⁹ Data was collected from the official websites of the most important trade unions: www.mszosz.hu/hu/, www.liganet.hu/ and from the representative of LIGA, 16 February 2015.

²⁶⁰ Data was collected from the official websites of the most important trade unions: www.mszosz.hu/hu/, www.liganet.hu/ and from the representative of LIGA, 16 February 2015.

²⁶¹ Data was collected from the most relevant trade unions working in this field, and direct contact was made with them: www.mszosz.hu/hu/, www.liganet.hu/.

²⁶² Act V of 2013, on the Civil Code (2013. évi V. Törvény a Polgári Törvénykönyvről), available at: net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300005.TV.

		<p>and in other laws, such as in Act CLXXV of 2011²⁶³, and Act I of 2004.²⁶⁴ With respect to membership, the founding rules of media, sport or cultural associations cross-refer to applicable legislation. No nationality-related requirements were identified in the legislation consulted.</p> <p><u>Practical barriers:</u> See below.</p>
	<p>Do media, sports, culture professional associations encourage and support membership and participation of third country nationals as members? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p>	<p>Based on the desk research, media and cultural associations do not directly encourage migrants to join them. Although, there are representative cases, such as media and sport appearances of migrant citizens, or events organised by them, these are not systematically encouraged by the relevant associations.</p> <p>The National Media and Infocommunications Authority (<i>Nemzeti Média és Hírközlési Hatóság, NMHH</i>) did not have any data on direct encouragement of migrants in the most representative associations.²⁶⁵ Similarly, the representative of Artemisszió Foundation did not have information on cultural associations directly encouraging migrant citizens to join them, although there are numerous associations which directly focus on organising cultural events for migrants.²⁶⁶</p> <p>According to the most prominent sport sites within Hungary, there have been long debates on the status of migrants in sport clubs.²⁶⁷ Professional sports teams involve a considerable number of players with migrant backgrounds; this is particularly true of Hungarian soccer teams. One of the most prominent sport sites notes that the ratio of Hungarian and foreign players in the national football league varies, e.g. on average, there are seven Hungarian players on the court, and there are three associations (<i>Kecskemét, Honvéd</i> and <i>Ferencváros</i>) where four or five Hungarian regularly play on the court from a total of eleven playing footballers. This ratio has gained special relevance as the Hungarian Football Federation (<i>Magyar Labdarúgó Szövetség, MLSZ</i>) announced the introduction of the "6+5 rule" in accordance with FIFA guidelines on National League matches. The</p>

²⁶³ Act CLXXV of 2011 on the right of association, non-profit status, and the operation and funding of civil society organisations (2011. évi CLXXV. Törvény az egyesülési jogról, a közhasznú jogállásról, valamint a civil szervezetek működéséről és támogatásáról), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=139791.253501.

²⁶⁴ Act I of 2004 on sport (2004. évi I. Törvény a sportról), available at: net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0400001.TV.

²⁶⁵ Information received from the National Media and Infocommunications Authority on 27 March 2015.

²⁶⁶ Source of information: telephone interview with Ms. Teréz Pataki, project manager of Artemisszió Foundation, 5 March 2015.

²⁶⁷ Source of information, online articles: www.csakfoci.hu/hazai/nb1/fradi/node/182198 and sportgeza.hu/futball/2014/12/11/mlsz_6_5_legios_sajat_neveles_nbi/11_December_2014.

		<p>so-called "6+5 rule" says that a minimum of six Hungarian players and a maximum of five foreign players can appear on the field of play at the same time. The initiative will be implemented in the next season in 2015-2016. In line with this, MLSZ further limited the number of foreign nationals in professional teams – there must be at least 12 Hungarian players in one team (in the 2014-2015 season, this number was eight).²⁶⁸</p> <p>An awareness-raising programme is broadcast by Hungarian Sport 1, Sport 2 and Sport M channels broadcast a monthly programme entitled "Foreign Legioners – Sport Mercenaries" giving an insight into the life of foreign sportspeople in order to change the negative attitudes of viewers against foreigners (see section 4.1).²⁶⁹</p> <p>There is also a promising initiative organised by the municipality of Budapest in this respect: a successful application to the European Integration Fund was submitted in 2012 with the aim of establishing the Migration Roundtable of Metropolitan Municipality of Budapest.²⁷⁰ The Roundtable aims to create dialogue between the Municipality of Budapest, Budapest-based migrant communities and the non-governmental sector on migrant issues. In 2012, 50 Budapest-based non-governmental associations joined the initiative²⁷¹. The Roundtable is active in three fields, i.e. social policy, culture and education. The operation of the Roundtable is important since, before its establishment, there had not been any forums where all of the relevant stakeholders could meet. The activities of the Roundtable, which are described in more details under Annex 7 of this report, include the comparison and assessment of Budapest's cultural spaces in order to align them with the needs of migrant citizens. It also aims to establish common cultural projects and to create a multicultural event calendar. The project aims to promote the appearance of migrant communities in the metropolitan media and the formation and operation of self-organised sport associations, to reduce the distance between the host society and migrants, through joint sports programmes.</p>
	<p>What is the rate of participation in the most representative professional associations?</p>	<p>There is no available data on the participation rate of migrants in the most representative professional associations.²⁷²</p>

²⁶⁹ Decrescendo Kft., Legioners (*Idegenlégiósok*), EIA/2011/1.2.12.

²⁷⁰ For more information, see: budapest.hu/Lapok/F%C5%91v%C3%A1rosi-Migr%C3%A1ci%C3%B3s-Kerekasztal.aspx.

²⁷¹ For more information see: budapest.hu/Lapok/Megalakult-a-F%C5%91v%C3%A1rosi-Migr%C3%A1ci%C3%B3s-Kerekasztal.aspx.

²⁷² Data was collected from the website of the National Media and Infocommunications Authority (*Nemzeti Média és Hírközlési Hatóság, NMHH*), available at: nmhh.hu/.

	(figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available)	
	<p>Are migrants elected as representatives of professional associations related to the media, sports and culture? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.</p>	<p>There is no available data on the number of migrants elected as representatives of professional associations for the media, sports and culture.²⁷³</p> <p>Legal and practical barriers: As explained above, there are no legal barriers for migrants to participate or even to be elected as representatives of professional associations related to the media, sports and culture.</p> <p>There are, however, some practical limitations, which concern the active participation of migrants in society, in general. In other words, these practical barriers are not linked exclusively to the participation of migrants in professional associations. According to a report of the Migration Roundtable,²⁷⁴ the main issue is the distance between host countries and migrants, which derives from the lack of communal activities due to few infrastructural opportunities. The lack of incubator institutions (such as official consultative bodies of the government), language barriers, general problems with bridging cultural dissimilarities, and the lack of social networks, all create a vacuum around migrant citizens and contribute to the underrepresentation of migrants in media, sports and professional associations.</p>
	<p>Is there a visible or notable presence (or absence) of migrants and their descendants as media professionals?</p>	<p>A relevant study was made by <i>Közösségi Értékek Műhelye</i> (Community Values Workshop) in 2014,²⁷⁵ financed by the European Social Fund and the priority project, SROP 4.2.4.A / 2-11-1-2012-0001, entitled 'National Excellence Program, the creation and operation of a personnel and professional support system for students and researchers convergence program'. According to the study, the representation of foreign groups in the media is not in parallel with their presence in society, i.e. they are under-represented and marginalised. In addition, foreign groups are objects rather than subjects of media communications – their characterisation generalised and separated into the categories of 'good' (useful) and 'bad' (useless). This generates the homogenisation and labelling of migrants in the host society. Typically negative cases dominate the news –</p>

²⁷³ Information was collected through desk research, and through direct contacts made with the NMHH on media representatives, Artemisszió Foundation, Menedék Association on cultural associations and MLSZ on football associations.

²⁷⁴ Source of information: 'Review on the current activities of the Migration Roundtable', available at: budapest.hu/Lapok/Besz%C3%A1mol%C3%B3-a-F%C5%91v%C3%A1rosi-Migr%C3%A1ci%C3%B3s-Kerekasztal-projekt-eddigi-tev%C3%A9kenys%C3%A9g%C3%A9r%C5%91l.aspx.

²⁷⁵ Judit, A. (2014) *Why is the presentation of migrants is important in the media? (Miért fontos a bevándorlók médiareprezentációja?)*, Budapest, Közösségi Értékek Műhelye, available at: egyenletes.blog.hu/2014/03/10/miert_fontos_a_bevandorlok_mediareprezentacioja.

		<p>which creates unnecessary negative stereotypes. These findings are also confirmed by a 2014 study prepared by the Hungarian Helsinki Committee (<i>Magyar Helsinki Bizottság</i>),²⁷⁶ financed by the European Integration Fund and co-financed by the Ministry of Interior: 'Training of Media Professionals for a Recipient Society.' Research shows that the migrants rarely appear in the media, which results in a situation that migrants are virtually invisible to the public. What is perceived from the media is often repulsive or frightening.</p> <p>The National Media and Infocommunications Authority does not collect data on the number of media personnels and the origins thereof.²⁷⁷</p>
	<p>Are migrants and/or their descendants present, visible and actively participating in public? (E.g. in public events, TV and electronic media, cultural events).</p> <p>Please substantiate on the basis of existing data or contacts with relevant authorities, actors and stakeholders, making sure to cover a wide spectrum and obtain as much as possible objective information.</p>	<p>The National Media and Infocommunications Authority (<i>Nemzeti Média és Hírközlési Hatóság, NMHH</i>) measures the appearances of different minorities and migrants in the public media every six months. Their latest report concluded that, looking at all of the news broadcasts (including public service-, commercial-, and magazine news) in the second half of 2013, 30 appearances were connected to citizens with migrant backgrounds – of which 15 related to the commission of crimes. This number did not show significant difference compared to the previous reporting period with 36 appearances.</p> <p>More recent data from 2014 suggests that migrants appeared 49 times in the broadcasted programmes.²⁷⁸</p> <p>There are attempts from the NGOs to raise awareness about the underrepresentation of migrant voices in the media. One of the most relevant NGOs in the field, the Menedék, ran a project between January 2013 and December 2014 with financial support from the Fundamental Rights and Citizenship Programme of the European Union, called BEAMS ('Breaking down European Attitudes towards Migrant/Minority Stereotypes – <i>A migráns/kisebbségi sztereotípiákkal szembeni európai attitűdök megváltoztatása</i>').²⁷⁹ The project promoted understanding of the connection between discriminatory public attitudes towards migrants and minorities and the stereotypes generated by public media. In their final study on migrant stereotypes, they examined two prominent figures of migrant origin in the media – one of them was Joshi Bharat, 'the Indian guru', and Fekete</p>

²⁷⁶Zsolt Z. (2015) *Panic in the dark, alias migrants in the media (Pánik a sötétben, migránsok a magyar médiában)*, Budapest, Helsinki Bizottság, available at: helsinki.hu/wp-content/uploads/P%C3%81NIK-A-S%C3%96T%C3%89TBEN_Migr%C3%A1nsok-a-magyar-m%C3%A9di%C3%A1ban-2014.pdf.

²⁷⁷ Information received from the National Media and Infocommunications Authority on 27 March 2015.

²⁷⁸ Information received from the National Media and Infocommunications Authority on 27 March 2015.

²⁷⁹ For more information on the project, see: menedek.hu/projektek/beams-breaking-down-european-attitudes-towards-migrantminority-stereotypes.

		<p>(Black) Pákó, 'the clown' ('<i>Migráns/kisebbségi sztereotípiák a magyar populáris kultúra készítésében</i>').²⁸⁰ Bharat started an independent talk-show in 2008 at one of the most representative commercial channels (TV2), where he appeared as a mediator for personal conflicts. In general, he is seen as a positive emphatic character who transmitted 'Indian wisdom' to the audience. Fekete Pákó was born in Nigeria, and participated mainly in Hungarian reality shows. It is said that 'his main media value is that he can be laughed at.'²⁸¹ In general, he appeared in a negative context and his original funny character was distorted in a negative way. The study concludes that there is a need for more migrant voices in the media, so that the society can better understand migrant roles and circumstances in society.</p> <p>As highlighted under Section 1 of this report, the Migration Strategy also notes the inadequacy of migrant coverage in the Hungarian media.</p> <p><i>NOTE: Regarding this question the National Media and Infocommunications Authority was contacted. They have not yet provided a response.</i></p>
	<p>Are there legal or practical limitations for the media, culture or other type of public events by migrants and/or their descendants? (E.g. are there national language requirements for TV or radio stations, bureaucratic and representation requirements, etc.)</p>	<p><u>Legal barriers:</u> Rules applicable to the provision of media services are mainly set out in Act LXXIV of 2007,²⁸² Act C of 2003²⁸³, Act CLXXXV of 2010²⁸⁴ and Act CIV of 2010.²⁸⁵ None of these acts explicitly provide that Hungarian is the main language to be used in Hungarian media. They note, however, that Hungarian culture and identity must be protected by the provision of media services. The right of migrants to national language media services is not mentioned in the legislation. In practice, few non-Hungarian language programmes target officially-recognised minorities living in Hungary.</p> <p>Monitoring the implementation of the legislation, referred to above, falls under the responsibility of Hungary's Media Council – the members of which are</p>

²⁸⁰ For more information on the project, see: menedek.hu/sites/default/files/ws1reporthunhonlapra.pdf.

²⁸¹ The original Hungarian text is the following: „*Lapite Oludayo (művészneve: Fekete Pákó) Nigériában született és 1994-ben érkezett joghallgatóként egy magyar egyetemre. Nigériában számos profi zenekarban játszott, mint kongás és énekes, Magyarországon tradicionális afrikai zenét játszó zenekarban szerepelt először, majd saját lemezt adott ki, amin magyar mulatók dalokat énekelt. A magyar dalokhoz videoklip is készült, ami meghozta számára az országos ismertséget. Több show műsorban is szerepelt, a fő „médiá értéke”, hogy lehet rajta nevetni.*”, available at: menedek.hu/sites/default/files/ws1reporthunhonlapra.pdf.

²⁸² Act LXXIV of 2007 on the rules of broadcasting and digital switchover (2007. évi LXXIV. Törvény a műsorterjesztés és a digitális átállás szabályairól), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=110629.244803.

²⁸³ Act C of 2003 on electronic communications (2003. évi C. törvény az elektronikus hírközlésről), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=75939.287392.

²⁸⁴ Act CLXXXV of 2010 on Media Services and Mass Communication (2010. évi CLXXXV. törvény a médiaszolgáltatásokról és a tömegkommunikációról), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=133252.287090.

²⁸⁵ Act CIV of 2010 on the Freedom of the Press and the Fundamental Rules of Media Content (2010. évi CIV. Törvény a sajtószabadságról és a médiatartalmak alapvető szabályairól), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=132460.256038.

		<p>nominated by the National Parliament. Migrants cannot be members of the Media Council, as only those who have the right to vote in national elections may be nominated.²⁸⁶ No reference to representation requirements was found in the legislation referred to above.</p> <p>Regarding the participation of migrants in cultural or other types of public events, Hungarian legislation does not contain specific nationality-related requirements. In Hungary, the main pieces of legislation regulating the right of association are the Fundamental Law (Article VIII(1)) and Act III of 1989²⁸⁷.</p> <p><u>Practical barriers:</u> The research did not reveal any practical limitations linked to the participation of migrants in media, culture or other types of public events.²⁸⁸</p>
	<p>Are there positive measures for promoting or restrictions/barriers to the operation of migrant and ethnic minority (owned, directed or audience specific) media?</p>	<p>The research did not reveal any information on positive measures for promoting or restricting the operation of migrant and ethnic minority media (owned, directed or audience specific).²⁸⁹</p>
	<p>Are there practical measures encouraging and promoting the visibility, voice and public presence of migrants and/or their descendants in the media, culture or other type of public events? (E.g. are there programmes and information provided by the media in other than the country official language, and migrants' languages, quotas for journalists and public programmes reflecting the diversity in society etc.?)</p>	<p>The research did not reveal any available information on positive measures for promoting the visibility, voice and public presence of migrants and/or their descendants in the media, culture or other types of public events.²⁹⁰ This finding has been confirmed by the National Media and Infocommunication Authority (<i>Nemzeti Média és Hírközlési Hatóság, NMHH</i>).²⁹¹</p> <p>There are, however, specific NGO-led media projects, such as Strangers in my garden (<i>Idegenek a kertemben</i>) – a collection of documentary films about migration, which have been implemented and supported by the European Integration Fund. More information on these media projects can be found in section 4.2.</p>

²⁸⁶ Article 124 of Act CLXXXV of 2010.

²⁸⁷ Act III of 1989 on the right of association (*1989. évi III. törvény a gyülekezési jogról*), available at: net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=98900003.TV.

²⁸⁸ Data was collected from the website of the National Media and Infocommunications Authority (*Nemzeti Média és Hírközlési Hatóság, NMHH*), available at: nmhh.hu/.

²⁸⁹ Data was collected from the website of the National Media and Infocommunications Authority (*Nemzeti Média és Hírközlési Hatóság, NMHH*), available at: nmhh.hu/.

²⁹⁰ Data was collected from the website of the National Media and Infocommunications Authority (*Nemzeti Média és Hírközlési Hatóság, NMHH*), available at: nmhh.hu/.

²⁹¹ Information received on 27 March 2015 from the National Media and Infocommunication Authority (*Nemzeti Média és Hírközlési Hatóság, NMHH*).

3.5.1. Diversity in the public sector

	<p>In this section based on available data, research, studies, etc. please provide information about recruitment of migrants and their descendants in the public sector:</p> <p>Please describe how legal provisions allow or prevent the recruitment of third country nationals in the public sector. Please indicate specific areas, requirements, quotas if any, upward mobility and promotion limitations if any, as well as if and how these provisions are applied in practice.</p> <p>The main pieces of legislation regulating employment in the public sector are: Act CXCIX of 2011²⁹² on civil servants and public services, and Act XXXIII of 1992 on public employees.²⁹³ These laws provide the general legal framework for employment in the public sector, whereas rules applicable to certain professions are further detailed in other laws. As an example, the employment conditions of judges are set out in Act CLXII of 2011 on the legal status and remuneration of judges.²⁹⁴ This section focuses only on the description of the general legal framework.</p> <p>Act CXCIX of 2011 applies a double-standard in a sense that only Hungarian nationals may be employed as civil servants dealing with important or confidential information, whereas more administrative positions could be held by non-Hungarians. These administrative positions are referred to in the said law as Government administrators (<i>kormányzati ügykezelő</i>) and public service administrators (<i>közszolgálati ügykezelő</i>). Pursuant to Articles 207(2) and 241(2) of the said law, these positions are only available for citizens having the right to freely move and reside in the EU (mainly EU citizens) and for citizens of signatory states of the European Social Charter. Some third countries, from which Hungary receives migrants, such as the Ukraine and Serbia, are signatories to the European Social Charter. Third country nationals are not referred to in Act CXCIX of 2011 in a more direct way.</p> <p>Act XXXIII of 1992 has a different personal scope than Act CXCIX of 2011, as it regulates the legal status of those providing services in public institutions, specified by Article 1(1) of the said act. These public institutions are mainly those providing public utility services, such as health or educational services. Article 20(2)(c) of Act XXXIII of 1992 contains some nationality-related provisions by stating that the following persons can be public employees: Hungarians; those entitled to freely move and reside in the EU; immigrants; legal residents.</p> <p>This provision is of direct relevance for third country nationals. However, it does not address asylum</p>
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²⁹² Act CXCIX of 2011 on civil servants and public services (2011. évi CXIX. Törvény a közszolgálati tisztviselőkről), available at: net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100199.TV.

²⁹³ Act XXXIII of 1992 on public employees (1992. évi XXXIII. Törvény a közalkalmazottak jogállásáról), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=17120.285359.

²⁹⁴ Act CLXII of 2011 on the legal status and remuneration of judges (2011. évi CLXII. Törvény a bírák jogállásáról és javadalmazásáról), available at: net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100162.TV.

		<p>seekers and beneficiaries of international protection. The term 'immigrant' referred to Article 20(2)(c) does not have a legal definition in Hungarian law, whereas legal residents are those, pursuant to Article 32(1) of Act II of 2007, who have temporary residence permits, national permanent residence permits or EC permanent residence permits.</p> <p>The above laws do not contain reference to quotas, mobility, promotion limitations or similar.</p>
	<p>Please indicate if citizens of migrant descent can also be affected by limitation – e.g on the basis of their ethnic origin or migrant background or naturalisation - in public sector recruitment, for example in education, law enforcement, judiciary, etc.</p>	<p>The above referred laws do not differentiate between migrants and their descendants. This implies that the general rules described above extend to the descendants of migrants.</p>
	<p>Please indicate proportion of recruitment (% on the total of posts for this category or service) for the interested categories of third country nationals, if any.</p>	<p>The desk research did not reveal any available information on the proportion of recruitment of third country nationals.²⁹⁵ The Ministry of Human Capacities (<i>Emberi Erőforrások Minisztériuma</i>) did not provide any information on the proportion of third-country nationals in the public sector, when requested.²⁹⁶</p>
	<p>Please indicate any affirmative action and positive action either for third country nationals or citizens with a migrant background, if any, e.g. quotas, reserved posts for people of migrant background etc. as well as promising practices in this area. Please provide information specifically for law enforcement, judiciary, and education.</p>	<p>Desk research did not provide any relevant information on the affirmative or positive actions of the involvement of third country nationals in the public sector. However, there are a few promising practices that enhance the sensitivity and knowledge of public sector administration towards the situation of third-country nationals, i.e. there are two major promising practices in the field of public policy. First, the establishment of the Migration Roundtable of Metropolitan Municipality of Budapest in 2012. The Roundtable shows promising practice by aiming to create a common platform for the Budapest-based migrant communities, the non-governmental society and the public sector.²⁹⁷ The Roundtable involves 50 participant civil associations and is active in three distinctive fields: social policy, culture and education. Its main aim is to actively involve the Municipality of Budapest in the socio-political management of migration. In the project, the Migration Almanach was created to contain all of the relevant NGOs working in the field, as well as good practices and policy recommendations. Additionally, training was organised for: officials working in public administration; NGO organisational-development</p>

²⁹⁵ Data was collected from the website of the Ministry of Human Capacities (*Emberi Erőforrások Minisztériuma*), available at: www.kormany.hu/en/ministry-of-human-resources.

²⁹⁶ Information requiry was sent to the Ministry of Human Capacities (*Emberi Erőforrások Minisztériuma*) kozadat@emmi.gov.hu on 13 March 2015.

²⁹⁷ For more information on the project, see: budapest.hu/Lapok/F%C5%91v%C3%A1rosi-Migr%C3%A1ci%C3%B3s-Kerekasztal.aspx.

	<p>training for NGOs; counselling; social policy recommendations.</p> <p>The second promising practice is the operational-plan of the National Programme Asylum, Migration and Integration Fund (AMIF) developed in 2014.²⁹⁸ The plan is still subject to discussion with the European Commission – its aim is to establish a strategy, which successfully addresses the needs of third-country nationals in Hungary. The Plan also promotes the access of foreigners to public services in the same way as for Hungarian citizens, and makes a wide range of services available to assist in the successful integration of third-country nationals. According to the Plan, the expected results are the following: “an integration strategy of TCNs at national, regional and local levels, taking into account the specific needs of different categories of TCNs, a significant proportion of TCNs directly reached by programmes, the Hungarian society becomes more inclusive through the intercultural dialogue and information campaigns, efficient and smooth administration in application procedures (p. 3)”.²⁹⁹</p>
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3.6. Political activity – active citizenship

Membership and participation of migrants in migrant and/or diaspora organisations and associations:	
Are there any legal or practical limitations or barriers for the self-organisation membership of migrants in migrant and or diaspora associations and organisations?	<p>Act CLXXV of 2011, on non-profit organisations,³⁰⁰ does not contain reference to membership-related limitations. This implies that migrants are free to establish or participate in associations.</p> <p>Desk research did not reveal practical limitations and barriers to the self-organisation of migrants in migrant and/or diaspora associations.</p> <p>Note: Awaiting response from the Migration Roundtable.</p>
Are there notable cases of active migrant and/or diaspora associations and organisations? Please indicate the most known, active or representative ones on the basis of existing data about membership – please include	<p>A study, financed through the European Integration Fund called ‘Migrant organisations in Hungary’ (Migráns szervezetek Magyarországon), was published in 2012 by the Centre for Social Sciences Institute for Minority Studies at the Hungarian Academy of Sciences (Magyar Tudományos Akadémia, Társadalomtudományi Kutatóközpont</p>

²⁹⁸ For more information on the project, see: National Programme Asylum, Migration and Integration Fund (Menekültügyi, Migrációs és Integrációs Alap Nemzeti Program tervezet), www.solidalapok.hu/news?q=node/80700.

²⁹⁹ For more information on the project, see: National Programme Asylum, Migration and Integration Fund (Menekültügyi, Migrációs és Integrációs Alap Nemzeti Program tervezet) www.solidalapok.hu/sites/default/files/AMIF%20HU%20v1.2.pdf, p.3.

³⁰⁰ Act CLXXV of 2011 on the right of association, non-profit status, and the operation and funding of civil society organisations (2011. évi CLXXV. Törvény az egyesülési jogról, a közhasznú jogállásról, valamint a civil szervezetek működéséről és támogatásáról), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=139791.253501.

	<p>size/numbers of members - and through contacts with competent actors and stakeholders. Please specify their character and eventual differences, including aspects concerning their religious, culture or geographic scope.</p>	<p>Kisebbségkutató Intézete), assessing the number, distribution and political activities of migrant and diaspora associations.³⁰¹</p> <p>According to the study, there are 146 working associations, their distribution is the following (in order of frequency): 45 East-Asian (31%); 42 Middle-Eastern (29%); 23 European (16%); 22 African (15%); six Muslim associations (4%); six Latin-American (4%); two others (1%). The bulk of working migrant associations (127 associations out of the 146, which equals to 87%) operates in Budapest, which indicates that migrant associations in the countryside are under-represented. The study also refers to the results of previous research, which also show that, in the countryside, there are no structured migrant communities that would carry out civil activities.³⁰²</p> <p>According to the same study, the most frequently-mentioned activities of migrant organisations were the following (in order of frequency): culture, community development, education, the situation of young people, children, philanthropy fundraising, international cooperation, and ethnic group problems.</p> <p>There is no available information on the participation rate of migrants in these associations. It is only known that migrants are most active in East-Asian and Middle-Eastern associations: in total, 60% of migrant associations belong to these two categories.</p>
	<p>Please provide any data on the participation of migrants and their descendants in the most representative migrant and/or diaspora organisations and associations? (figures and % of migrants and/or persons with the specific ethnic or other background as members, or descriptive data if statistical data is not available).</p>	<p>There is no statistical data on the participation rate of migrants and their descendants in the most representative migrant and/or diaspora organisations and associations. Descriptive data is available in the 2012 study titled 'Migrant organisations in Hungary' (<i>Migráns szervezetek Magyarországon</i>)³⁰³, which notes that the most numerous groups of migrants, namely Serbian and Ukrainian migrants, are under-represented in migrant associations. The "over-representation" of African- and Middle-Eastern migrants in organisations is well-marked; the most active groups are Nigerians, Armenians, Turks and Syrians.</p>

³⁰¹ Kováts, A (2012), *Final research paper on the situation of migrant groups in Hungary (Migráns szervezetek Magyarországon Kutatási zárótanulmány)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet).

³⁰² Kőszeghy, L. (2009), 'Foreigners in Hungarian cities' (*Külföldiek magyarországi városokban*) in: Kováts, A. (ed.): *Migration and Integration (Bevándorlók Magyarországon)*, Budapest, Hungarian Academy of Sciences Ethnic-national Institute for Minority Studies (MTA Etnikai-nemzeti Kisebbségkutató Intézete) - ICCR Budapest Alapítvány, MTA-ICCR, 2009, Budapest, pp. 55-80; and Hárs, Á., (2010), Migration from third countries in the light of statistical data (Migráció harmadik országokból a statisztikai adatok tükrében), in: Örkény, A., Székelyi, M., (eds.) *The foreign Hungary – the integration of migrants (Az idegen Magyarország – bevándorlók társadalmi integrációja)*, Budapest, ELTE Eötvös Kiadó, pp. 5-48.

³⁰³ Kováts, A (2012), *Final research paper on the situation of migrant groups in Hungary (Migráns szervezetek Magyarországon Kutatási zárótanulmány)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet).

	<p>Are such associations and organisations encouraged and/or supported financially or in other means (e.g. offices) by the national, regional or local authorities? Is there in place a mechanism linking such associations at national level? (e.g. network of migrant associations).</p>	<p>The same study by the MTA examined 74 migrant associations from the point of view of their connections with national, regional and/or local authorities. They studied 30 public administration authorities and found that, on average, migrant associations are in connection with 5-6 of them. There are seven associations that have no connection with public administration authorities, 42 associations with connections between one and five authorities, and 25 associations with connections to more than five associations. The Middle-Eastern and African associations have more extensive connections with public administration authorities than their European, Middle-Eastern and Latin-American counterparts.</p> <p>According to the study, national and local authorities barely provide financial support to migrant associations. This shows great dissimilarity with the level of financial support provided to the civil sector overall. Out of 74 migrant associations, five received municipal support (70,000 to 500,000 HUF, around 230 to 1,600 EUR), two were provided with state support (400,000 to 800,000 HUF, 1,300 to 2,600 EUR), and four others received funds from the National Civil Fund (<i>Nemzeti Civil Alapprogram, NCA</i>).</p>
<p>Membership and participation of migrants in civil society organisations and voluntary work:</p>		
	<p>Are there any legal or practical limitations or barriers for the membership of migrants in civil society organisations?</p>	<p><u>Legal barriers:</u> Act CLXXV of 2011 on non-profit organisations³⁰⁴ does not contain reference to membership-related limitations. This implies that migrants are free to establish or participate in non-governmental organisations.</p> <p><u>Practical barriers:</u> As far as non-governmental organisations are concerned, their staff members normally speak English and their homepages are available in English, therefore clients or members do not face language barriers. Many of the NGOs active in this field employ migrants. For example, some of the staff members of Menedék, recruited in the reference period, are migrants – mostly ethnic Hungarians from former Yugoslavian countries, who work as project managers and social workers. Other non-Hungarian speaking TCN staff members are also employed as intercultural mediators by Menedék. TCNs can also be found among the staff members of the refugee programme of the Hungarian Helsinki Committee.³⁰⁵</p>

³⁰⁴ Act CLXXV of 2011 on the right of association, non-profit status, and the operation and funding of civil society organisations (2011. évi CLXXV. Törvény az egyesülési jogról, a közhasznú jogállásról, valamint a civil szervezetek működéséről és támogatásáról), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=139791.253501.

³⁰⁵ The information is based on the homepages and the names of the staff members of the most important NGOs (such as the Hungarian Helsinki Committee and Menedék Association).

		Some additional remarks on the topic are provided below.
	Do civil society organisations encourage and support membership and participation of migrants and/or their descendants? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.	<p>According to civil society actors,³⁰⁶ civil organisations that do not primarily deal with migrant issues do not encourage the participation of migrants and/or their descendants in their activities.</p> <p>Civil society associations dealing with migrants do not organise systematic awareness-raising campaigns with the purpose of increasing the participation of migrants in their activities. Migrants are usually aware of their activities and find the organisations because of the quality and type of services that the organisations provide. Civil activities are concentrated in Budapest, since in the countryside there are no structured migrant communities carrying out civil activities.</p> <p>Awareness-raising campaigns, organised by existing migrant associations, focus on areas other than encouraging participation rates in civil society associations. Examples of existing awareness-raising activities are: awareness-raising campaigns on multiculturalism – carried out several times by Menedék between 2010 and 2014³⁰⁷, and an information campaign targeting victims of labour exploitation, implemented by Menedék in the framework of the project titled as 'For Undocumented Migrants' Rights in Central Europe.'³⁰⁸ A non-governmental organisation called Budapest's Chance (Budapest Esély) also launched a campaign on anti-discrimination and promoted equal opportunities in 2010, entitled 'It is Forbidden to Step onto Each Other' (Egymásra lépni tilos).³⁰⁹ Further awareness-raising programmes in the area of education are detailed in section 3.7.</p>
	Please provide any data on the participation and membership of migrants and their descendants in the most representative civil society organisations? (figures or % of organisation members, % of migrants and/or with migrant background as members, or descriptive data if statistical data is not available).	There is no specific statistical data on the exact number of migrants and their descendants participating in the most representative civil society organisations, such as Menedék Association and Artemisszió Foundation. Migrants and their descendants are involved in those civil organisations that deal directly with the problems of migrants. However, these organisations run small-scale programmes directly involving a relatively small number of migrant citizens. ³¹⁰

³⁰⁶ Source of information: telephone interview with the Ms. Teréz Pataki, project manager of Artemisszió Foundation, 5 March 2015.

³⁰⁷ See for examples the following campaigns: 'Self-portrait' (*Önarckép*), available at: menedek.hu/onarckep/index.html or 'Attention, he might give to you' (*Figyelj rá, adhat neked*), available at: menedek.hu/figyeljra/index.html.

³⁰⁸ The Flyer of the programme can be downloaded from the webpage of the project at: menedek.hu/en/projects/for-undocumented-migrants-rights-in-central-europe.

³⁰⁹ The website of the programme is available here: www.egymasralepnitilos.hu/.

³¹⁰ Source of information: telephone interview with Anna Medjesi project manager at Menedék Association (06 March 2015) and Teréz Pataki, project manager at Artemisszió Foundation, 05 March 2015.

		<p>As an example, Menedék has several staff members and social workers who have been, or still are, third country nationals – most frequently those from Serbia. As the organisation helps migrants from the former Yugoslavian states, their Serbian language knowledge is a great asset in their daily social work.³¹¹ Other examples are provided above.</p>
<p>Membership and participation of migrants in political parties:</p>		
	<p>Are there any legal or practical limitations or barriers for the membership of migrants in political parties, initiatives (e.g. petitions, signature collections) and movements?</p>	<p><u>Legal barriers:</u> Rules applicable to membership in political parties are set out in Act XXXIII of 1989 on political parties.³¹² For aspects not regulated by Act XXXIII of 1989, the provisions set out in Act CLXXV of 2011 apply. In accordance with the said laws, any natural person can become member of a political party. This implies that third country nationals can join political parties. Article 2(3) of Act XXXIII of 1989 notes, however, that only those who can be voted for in national or local elections can hold positions in political parties or become the leader thereof. As described under sections 3.1 and 3.2 of this report, third country nationals cannot be voted for at national or local elections.</p> <p><u>Practical barriers:</u> Desk research did not reveal practical limitations or barriers for the membership of migrants in political parties. Though, as detailed in Section 3.1.2, political inactivity is perceptible among migrant citizens, their political interests and activities rarely go beyond the boundaries of the particular ethnic group. Low participation rate in political activities also results from the perception that their interests are not represented in the Hungarian political life.³¹³</p>
	<p>Do political parties encourage and support membership and participation of migrants and/or their descendants in their activities? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p>	<p>Desk research did not reveal cases in which political parties encouraged the participation of migrants in their activities. The National Elections Centre, when contacted, stated that they did not collect information on extent to which political parties encourage migrant citizens to join them.³¹⁴</p>

³¹¹ Source of information: telephone interview with Anna Medjesi project manager at, Menedék Association (06 March 2015).

³¹² Act XXXIII of 1989 on the operation and financial management of political parties (*1989. évi XXXIII. Törvény a pártok működéséről és gazdálkodásáról*), available at: net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=98900033.TV.

³¹³ Göncz, B., Lengyel, Gy., Tóth, L., (eds.) (2012), *Migrants and the Hungarian Society. Dignity, Justice and Civic Integration*. Budapest, Budapesti Corvinus Egyetem, available at: unipub.lib.uni-corvinus.hu/924/1/migracios_kotet_angol.pdf.

³¹⁴ Source of information: written answer to public interest inquiry from National Election Office (*Választási Információs Szolgálat*), 24 February 2015.

	<p>Please provide any data on the participation and membership of migrants and their descendants in the political parties, initiatives and movements? (figures or % of party members, % of migrants and/or with migrant background as members, or descriptive data if statistical data is not available)</p>	<p>There is no official statistical data on the participation of migrants in political parties or initiatives.³¹⁵</p> <p>In 2011, the Corvinus University of Budapest carried out a study on the traditional and non-traditional political activities of migrants, based on a representative sample of 1,500 citizens with migrant backgrounds.³¹⁶ According to the figures provided, 3.3 % of migrant communities participated in a political part, or took part in political events. Altogether, 13.8 % were involved in political activities, but these parties are not named in the study (see Table 2, p. 214).</p>
	<p>Are migrants elected as representatives of political parties, initiatives and movements? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.</p>	<p>There is no available information, or relevant research, on elected representatives of political parties, initiatives and movements, and the Information Service on Elections, at the National Election Office (<i>Választási Információs Szolgálat, VISZ Nemzeti Választási Iroda</i>) does not have information in this respect either.</p>

3.7.Civic and citizenship education

<p>The participation of migrants and their descendants (with a distinct linguistic, cultural background) in education:</p>	
<p>Have teachers of migrant background equal access to employment in education, as teachers? If yes, what is the rate of participation (% of teachers with migrant background at national level)? Are they represented in professional teacher associations? Please identify limitations, challenges and promising practice.</p>	<p><u>Legal barriers:</u> In Hungary, those employed in the education sector as teachers are considered public employees. Rules applicable to the employment of public employees are described under section 3.5.1. In accordance with these rules, third country nationals may be employed as teachers. As explained under section 3.5.1, the applicable rules do not extend to those subject to international protection.</p> <p><u>Practical barriers:</u> The desk research did not reveal any data on the employment rate of teachers with migrant backgrounds. The Education Authority (<i>Oktatási Hivatal, OH</i>) does not collect such information either.³¹⁷</p> <p>The same applies to the representation of teachers in professional associations.</p>

³¹⁵ Data was collected from the most important official websites: www.parlament.hu and valasztas.hu/, 12 February 2015. Also, written answer to public interest inquiry from National Election Office (*Választási Információs Szolgálat*), 24 February 2015.

³¹⁶ Göncz, B. (2012), 'Political activity and civic participation in the Hungarian society and among migrants' (Politikai aktivitás és civil részvétel a magyar társadalom és a bevándorlók körében), in: Göncz, B., Lengyel, Gy., Tóth L., (eds.) *Migrants in the context of the Hungarian society : pride, justice and civic integration (Bevándorlók a magyar társadalom tükrében: méltóság, igazságosság és civil integráció)*, Budapest, pp. 207-237, available at: unipub.lib.uni-corvinus.hu/923/1/migracios_kotet_magyar.pdf.

³¹⁷ Source of information: written answer to public data request from the Education Authority, received on 27 February 2015.

<p>Are there any particular gender issues?</p>	<p>The desk research did not reveal any information on particular gender issues with respect to teachers with migrant backgrounds. The Education Authority (<i>Oktatási Hivatal, OH</i>) does not handle information on this issue either.³¹⁸</p>
<p>Are parents of migrant background actively participating in the school life? Please provide evidence concerning their participation in parents associations, school and community events and extracurricular activities, consultations etc.³¹⁹</p>	<p>The desk research did not reveal information on the participation of parents of migrant background in school life. The Education Authority (<i>Oktatási Hivatal, OH</i>) does not have relevant information either.³²⁰ Awareness-raising and sensitising programmes are run by civil society organisations. However, these programmes do not focus on the involvement of migrant parents in school life.</p>
<p>Are there extracurricular activities involving and engaging with children and parents of migrant background and/or focussing on civic and citizenship education? Please identify limitations, challenges and promising practice.</p>	<p>Under Hungarian law and, in particular, under the legislation regulating the Hungarian school curricula,³²¹ it is not a legal requirement to organise extracurricular activities for children and parents of migrant backgrounds.</p> <p>The desk research did not reveal any extracurricular activities involving or exclusively engaging children of migrant backgrounds and their parents. The same is valid with respect to civil and citizenship education programmes.</p> <p>There are, however, individual initiatives organised by different non-governmental organisations and associations targeting students of the host society. Menedék Association ran a project in 2013 aiming at improving the competences of teachers to work more effectively with migrant children.³²² The final study of the project includes the analysis of 13 good practices that involved migrant students and students of the host society, as well as public institutions and families – three good practices directly helping the integration of migrant students into schools. These projects are: 1) the 'School Programme' (<i>Iskola Program</i>) with the Refugee Mission of the Reformed Church (<i>Református Misszió Központ Menekültmisszió</i>) providing language and mental support for migrant children, as well as</p>

³¹⁸ Source of information: written answer to public data request from the Education Authority, received on 27 February 2015.

³¹⁹ For more information about involving the community in the school life and vice versa please refer also to the findings of the SIRIUS Network, available at: www.sirius-migrationeducation.org/.

³²⁰ Source of information: written answer to public data request from the Education Authority, received on 27 February 2015.

³²¹ Act CXC of 2011 on national public education (*2011. évi CXC. Törvény a nemzeti köznevelésről*), available at: net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100190.TV, Act LXXIX of 1993 on public education (*1993. évi LXXIX. Törvény a közoktatásról*), available at: net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99300079.TV#ljb47param and Government Decree 243/2003 (XII.17) on issuing, applying and implementing the National Core Curricula (*243/2003. (XII. 17.) Korm. Rendelet a Nemzeti alaptanterv kiadásáról, bevezetéséről és alkalmazásáról*), available at: nit.hu/cgi_bin/njt_doc.cgi?docid=76976.269733.

³²² Menedék Association (2013), *National and European good practices in the fields of intercultural pedagogy and the integration of migrant children (Hazai és európai jó gyakorlatok az interkulturális pedagógia és a migráns gyerekek integrációja területén)*, available for registered users at: menedek.hu/en/node/476#sthash.30nwXRUX.dpuf.

		<p>sensitising programmes for students of the host society.³²³</p> <p>2) the Than Károly Ecoschool (<i>Than Károly Ókoiskola</i>): in 2012-2013, they ran a project helping the successful integration of students of migrant backgrounds into school life.³²⁴</p> <p>3) the Menedék Association implemented a complex project in 2013, called 'Rainbow' '<i>Szivárvány</i>' where they implemented pedagogical workshops involving 7,755 children, psychological workshops involving 1,645 children, family supporting services 800 times, and a week-long camp for 15 children.³²⁵</p> <p>There are two initiatives for younger children that address them directly: the Piréz Activity Center of Children that works with children between the ages of three and 10 and improves their skills in a multicultural environment through playful activities and creative self-expression. This project was originally funded by the European Integration Fund, but since the one-year-long project ended in the end of 2013, the Centre has become self-sustaining (the activities are not free-of-charge anymore).³²⁶</p> <p>Another project was run by the United Nurseries of Józsefváros entitled "Let us Know Each Other Better" aiming to help the integration of migrant families and their children in Hungary. As part of the project, the whole professional staff of 86 people took part in a 40-hour-long training programme that provided lectures on Hungarian and EU law relating to migrants, as well as on the economic, linguistic, cultural and religious customs of Asian and African migrants. Throughout the projects, parents of different nationality could teach the children rhymes in their own language and migrant families could participate in 'Family days' where they could introduce their culture to the families of the host country. Two publications and a film were made during the project.³²⁷</p>
	<p>Are there provisions for bilingual education? If yes, is it supported by trained teachers and training programmes, curriculum provisions and dedicated school manuals and books?</p>	<p>The Education Authority (<i>Oktatási Hivatal, OH</i>) was not aware of a legal requirement to provide bilingual education.³²⁸ This has also been confirmed by the desk research carried out for this project. Policies, with regard to migrant integration in education, are categorised as critically unfavourable by MIPEX III – Hungary is the last among 31 countries). The MIPEX III study concludes that policy documents about</p>

³²³ For more information on the project, see: www.rmk.hu/menekultmisszio/?p=2.

³²⁴ For more information on the project, see: than.hu/?page_id=178.

³²⁵ For more information on the project, see: menedek.hu/en/projects/rainbow.

³²⁶ For more information on the project, see: pirezmuhely.hu/hun/.

³²⁷ Migration Almanach (*Migrációs Almanach*) (2013), available at: migrantwhoiswho.hu/index.php/hu/kiadvany.

³²⁸ Source of information: written answer to public data request from the Education Authority, received on 27 February 2015.

		<p>public education do not tackle the issue of migrant children and do not provide a strategy and methodology for the integration of migrant children in schools.³²⁹</p>
	<p>Is there evidence of school segregation and/or policies of separate/distinct schooling of migrants?</p>	<p>According to the third volume of the Migrant Integration Policy Index (MIPEX III),³³⁰ in the field of education, Hungary is low-performing. According to the findings: "Hungary's limited strategies and budgets for intercultural education are of little use for newcomer children. Hungary denies undocumented migrants' access to not only the full education system (as in half MIPEX countries), but also explicitly to compulsory education (only BG, RO, SK do so). It also does so for children of some legal migrants. Intercultural education scores critically unfavourably, i.e. close to zero. On school entry, authorities provide limited and outdated information. Schools are not required to address newcomers' specific needs and opportunities, or to teach all pupils about living in a diverse society."³³¹</p> <p>Another comprehensive analysis in the field is the 2014 study of the Central European University on the monitoring mechanisms for the integration of migrants in the context of the project Assessing Integration Measures for Vulnerable Migrant Groups (ASSESS). With respect to the Hungarian public educational system, the ASSESS study claims that the 'education system is generally not prepared to integrate migrant children from non-Hungarian backgrounds'.³³²</p> <p>An earlier study by the Menedék Association completes this picture by saying that schools often make use of one of the following practices: the child is placed into the first class of elementary school, the child is forced to repeat the grade in order to learn Hungarian and, after successful acquisition of the language, they can take an equivalence examination, or migrant children are placed in age-appropriate classes and assisted in catching up with the others.³³³</p> <p>A 2014 study of the Hungarian Institute for Educational Research and Development (<i>Oktatáskutató és Fejlesztő Intézet, OFI</i>) provides a comprehensive list of deficiencies in the public school system. The study indicates that there are only local</p>

³²⁹ The paper on Hungary can be downloaded from MIPEX website at: www.mipex.eu/hungary.

³³⁰ The paper on Hungary can be downloaded from MIPEX website at: www.mipex.eu/hungary.

³³¹ British Council and Migration Policy Group (2011), Migrant Integration Policy Index III, available at: www.mipex.eu/hungary.

³³² Messing, V., Árendás, Zs. (2014), *National Report Hungary: ASSESS, Integration of Vulnerable Migrant Groups*, Center for Policy Studies, CEU, June 2014, p.8. available at: cps.ceu.edu/sites/default/files/publications/cps-research-report-assess-hu-monitoring-mechanisms-2014.pdf.

³³³ Menedék – Hungarian Association for Migrants (2009), *The education of migrant children (Migráns gyerekek oktatása)*, available at: menedek.hu/sites/default/files/article-uploads/20090831konyvbelso.pdf.

		<p>initiatives and EU-funded projects that do not provide long-term assistance – because of their cyclical nature and the strict expectations of proposals. In addition, there is no comprehensive official data registry on the number of migrant students; data collected by schools are incomparable and incomplete.³³⁴</p> <p>Based on the available research, it is concluded that even though the integration of the migrants in the Hungarian education system is critically unfavourable, there is no school segregation and/or separate/distinct schooling of migrants.</p>
	<p>Is there evidence of modifying school curricula and teaching materials can be modified to reflect the diversity of the school population? Is the teacher regular curricula/training dealing with specific reference to immigrants or ethnic minorities and respect/promotion of diversity?</p>	<p>There are altogether 31 training programmes aimed at the development of intercultural competences for teachers. These are available on the website of the Education Authority (<i>Oktatási Hivatal, OH</i>).³³⁵ Three of them aim at the improvement of the organisation and the quality of education and provide training for mentors and experts on intercultural communication. Another four programmes help teachers to develop pedagogical methods, and the remaining 24 concern the field of equal opportunities and treatment.</p> <p>Most of the equal opportunities training programmes, called 'Multicultural contents and intercultural teaching: the conversion of organisational culture and environment in the public school to ensure equal opportunities and active participation of children', (<i>Multikulturális tartalmak és interkulturális nevelés: a szervezeti kultúra és környezet átalakítása a gyermekek egyenlő lehetőségeinek és aktív részvételének biztosítására a közoktatási intézményekben</i>), are concerned with multicultural conversion of school environments that enhance the chances of disadvantaged and migrant children accessing equal opportunities in schools. These programmes do not concentrate directly on migrant children, though they included certain modules that are beneficent for teachers working with migrant children.</p> <p>Based on the abovementioned research (MIPEX III and ASSESS, 2014) intercultural education is evaluated as critically unfavourable in the Hungarian public education system. Specific programmes on intercultural education for migrants can only be found in those schools that are specifically established for migrants, e.g. Hungarian-Chinese Bi-lingual Elementary School, <i>Magyar-Kínai Két Tanítási Nyelvű</i></p>

³³⁴ Kállai, G., Vadász, V., (2014), *Illustrative examples – the education of migrant children in Hungary (Iskolapéldák - migráns gyerekek oktatása hazánkban)*, Presentation material, National Pedagogical Conference, 6-8 November 2015, available at: www.ofi.hu/sites/default/files/attachments/kallaivadasz_iskolapeldak_-_migrans_gyerekek_oktatasa_europaban_es_hazankban.pdf.

³³⁵ Education Authority, List of In-Service Teacher Trainings, available at: pedakkred.oh.gov.hu/PedAkkred/Catalogue/CatalogueList.aspx.

		<p>Általános Iskola³³⁶, or in expensive international private schools, e.g. Britannica International School³³⁷.</p>
<p>Are all students – not only of migrant background – targeted and/involved by civic education and activities related to migrant integration at schools?</p>		<p>The desk research did not reveal information on relevant civic activities. The Educational Authority (<i>Oktatási Hivatal, OH</i>) does not have any information on civic education and activities.</p> <p>The Menedék Association ran a project in 2013 aimed at improving the competences of teachers to work more effectively with migrant children.³³⁸ The final study of the project includes the analysis of 13 good practices that involved migrant students and students of the host society, as well as public institutions and families – three of them directly involved students of the host country.</p> <p>There are individual initiatives organised by different non-governmental organisations and associations targeting students of the host society. The British Council ran the '<i>Világsuli – Connecting Classrooms</i>' project in 2012-2013, through which teachers and students of 20 Hungarian schools implemented school inclusion projects and initiatives, and built relationships with British, French and Romanian schools.³³⁹ The Menedék Association implemented the project called 'Everybody is the same in a different way' (<i>Mindenki másképp egyforma</i>), through which 150 sensitising training programmes for around 700 elementary school students were organised.³⁴⁰ 11 school migrant days were held – involving around 1,500 children. On these occasions, children of the host society could become acquainted with the traditions and customs of children with foreign nationalities, and different sensitising programmes were conducted to involve the children. On family days, similar activities took place with the involvement of the families of both migrants and members of the host society. This was organised as a weekend event where 450 people participated.</p> <p>Odeon Ltd. ran its 'ColourSchool' project in 2012-2013, involving around 480 children from 17 secondary school classes. The enterprise deals with film distribution and publishing, to promote cinematic art and movies among the younger age groups. During the project, they carried out sensitising workshops through film screenings and other types of artistic and creative activities (such as photo</p>

³³⁶ Magyar-Kínai Két Tanítási Nyelvű Általános Iskola at: www.magyar-kinai.hu/.

³³⁷ Britannica International School, Budapest: www.britannicaschool.hu/.

³³⁸ Menedék Association (2013), *National and European good practices in the fields of intercultural pedagogy and the integration of migrant children (Hazai és európai jó gyakorlatok az interkulturális pedagógia és a migráns gyerekek integrációja területén)*, available for registered users at: menedek.hu/en/node/476#sthash.30nwXRUX.dpuf.

³³⁹ For more information on the project, see: www.britishcouncil.hu/partnerek/sikertortenetek/oktatasi-projektek.

³⁴⁰ For more information on the project, see: menedek.hu/projektek/mindenki-maskepp-egyforma.

	workshops on migrant-related topics), through which the secondary school age group were familiarised with multicultural values. ³⁴¹
The implementation of specific measures and initiatives aiming at (the following possible practices on the left is an indicative and non-exhaustive list):	
Please use the following as indicative list of possible practices to report on:	One of the most comprehensive and recent analyses in the field of migration policy is the 2014 study of the Centre for Policy Studies at Central European University, CEU entitled 'Review of Existing Monitoring Mechanisms for the Integration of Migrants in Hungary'. ³⁴² The study concentrated on monitoring mechanisms for the integration of migrants in the context of the project entitled 'Assessing Integration Measures for Vulnerable Migrant Groups' (ASSESS). Its executive summary covers the inadequacies of the public education system by saying that "the issue of migrant integration remains marginalised and is not dealt with on the political level beyond the stage required by EU norms. Hungary, however, meets the requirements in order to be eligible to access EU funds (developed Migrant Strategy), but it does not make any effort beyond this level. Migrant integration is not an integral part of any of the sectorial policies (on education, health, labour market etc.)."
Improving the way civic and citizenship education reflect diversity in society through curricular and extracurricular activities. Are there specific programmes helping young people to learn how to live in a society with people from different cultures and religions?	
Improving the way formal curriculum subjects, e.g. literature, history, etc. promote mutual understanding, respect for ethnic and religious diversity and the common democratic and pluralist values?	
Facilitating equal opportunities in education for children with migrant background?	
Facilitating the involvement, participation and support of parents with migrant background in the educational system and in the school activities?	
Providing language learning support to students of migrant background?	
Improving attendance and reducing drop-out of students with migrant background?	
Improving school and teachers' capacity to embrace, build on and/or manage diversity?	
In particular, please specify if there are promising practices, including affirmative action / positive action practices	

³⁴¹ For more information on the project, see: colourschool.hu/pdf/Odeon_ColourSchool_kiadvany.pdf.

³⁴² Messing, V., Árendás, Zs., (2014) *Review of Existing Monitoring Mechanisms for the Integration of Migrants in Hungary*, Budapest, Central European University, available at: cps.ceu.edu/sites/default/files/publications/cps-research-report-assess-hu-monitoring-mechanisms-2014.pdf.

	<p>designed to tackle structural inequalities</p> <p>Other...</p>	<p>in the formal curricula – more sensitising programmes would be needed to promote the social inclusion of migrants.³⁴³</p> <p>Hungarian language courses for migrants are also organised by civil society actors such as the Menedék Association, which provides such courses once a week for beginners and lower-intermediate students.³⁴⁴ The Refugee Mission of the Reformed Church (<i>Református Misszió Központ Menekültmisszió</i>) organises systematic language training for migrant teenagers aged 13-18.³⁴⁵ Hungarian language courses are not organised by the state.</p> <p>One promising practice comes from the Migration Roundtable of Metropolitan Municipality of Budapest, which formulated education-related policy recommendations. First, the establishment of a Migration-Educational Roundtable of the Metropolitan Municipality of Budapest is planned with the aim of gathering the most important actors in the field of education around one table and generating communication among them. Another recommendation is to organise migrant consulting hours when local government representatives could visit schools with migrant students. The intercultural training of kindergarten teachers and teacher assistants is an important goal as well. Concerning the migrant target group, the Roundtable plans to develop effective ways of assessing the language skills of migrant children, along with promoting migrant-mentors in schools.³⁴⁶</p> <p>Other important initiatives are referred to in the above sections.</p>
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3.8. Drivers, barriers for the implementation, monitoring and assessment of legislation and policy measures

	<p>Previous paragraphs indicated in detail aspects about the actual implementation of participation policies, normative framework and measures. In this section briefly summarize the most</p>	<p>The ASSESS study concerns the monitoring of the successful integration of migrants into the host society.³⁴⁷ It concludes its assessment by saying that the "...monitoring of integration exists on the policy level through the EU-comparative MIPEX, but systematic monitoring of the integration of migrants</p>
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³⁴³ Kállai, G., Vadász, V., (2014), *Illustrative examples – the education of migrant children in Hungary (Iskolapéldák - migráns gyerekek oktatása hazánkban)*, Presentation material, National Pedagogical Conference, 6-8 November 2015, available at: www.ofi.hu/sites/default/files/attachments/kallaivadasz_iskolapeldak_-_migrans_gyerekek_oktatasa_europaban_es_hazankban.pdf.

³⁴⁴ For more information on the project, see: menedek.hu/hirek/magyar-nyelvorak-a-golyaban-hungarian-language-practice-groups-in-golya.

³⁴⁵ For more information on the School programme, see: www.rmk.hu/menekultmisszio/?p=6.

³⁴⁶ For more information on the project, see: migrantwhoiswho.hu/index.php/hu/szakpolitikai-ajanlasok/oktatas.

³⁴⁷ Messing, V., Árendás, Zs., (2014) *Review of Existing Monitoring Mechanisms for the Integration of Migrants in Hungary*, Budapest, Central European University, available at: cps.ceu.edu/sites/default/files/publications/cps-research-report-assess-hu-monitoring-mechanisms-2014.pdf.

	<p>important drivers, positive factors and the barriers, resistance or negative factors that have been identified regarding the design, implementation, monitoring and assessment of policy measures and normative framework for the political and social participation of migrants and their descendants. Please base the analysis on governmental and non-governmental reports, as well as research and studies.</p>	<p>does not take place at present. Overcoming this is an aim acknowledged in the Migration Strategy that came into force in 2014, it is noted however that the implementation of the Strategy has not started yet. Moreover, the Strategy does not foresee sufficient monitoring, as described under Section 1. Therefore “most of what is known about migrant integration is the result of research conducted by scholars working in a small number of academic centres. These scholars have produced a considerable amount of high-quality information, but this work cannot be seen as ‘monitoring’ activity, even though many of the scholars use large-scale surveys or registry data sources” (p. 3. Executive Summary).</p> <p>The Migration Strategy is developed under the responsibility of the Ministry of Interior and becomes the base for the seven-year strategy for the Asylum and Migration Fund in the period of 2014-2020. At the moment, the integration of immigrants is mainly carried out by non-profit, religious associations with different profiles. It is noted that their functioning is mainly project-based and limited, which is often an obstacle as it renders planning impossible in the medium- and long-term and makes the sustainability of results a central concern. Co-operation between the different organisations revolves mostly around current issues; long-term strategic-conceptual agreements are rarely implemented.³⁴⁸ In order to overcome this, the municipality of Budapest submitted a successful application to the European Integration Fund in 2012 as a result of which it established the Migration Roundtable of Metropolitan Municipality of Budapest.³⁴⁹ The Roundtable aims to create dialogue with the Budapest-based migrant communities and the non-governmental sector in migrant issues and can be seen as a good practice.</p> <p>Legal barriers:</p> <p>1. Citizenship acquisition:</p> <ul style="list-style-type: none"> - There are no legal barriers to report. It is noted, however, that rules applicable to naturalisation in Hungary apply a double-standard in a way that ethnic Hungarians from third countries can be granted Hungarian citizenship under more favourable conditions than other third country nationals. <p>2. Exercise of political rights:</p> <p>Third country nationals do not have:</p> <ul style="list-style-type: none"> - the right to vote or to be voted for in national elections; - the right to vote or to be voted for in elections of Members of the European Parliament; - the right to participate in national referendums.
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³⁴⁸ Migration Almanach (*Migrációs Almanach*) (2013), available at: migrantwhoiswho.hu/index.php/hu/kiadvany.

³⁴⁹ For more information, see: budapest.hu/sites/english/Lapok/default.aspx

		<p>Refugees, immigrants and legal residents have the right to vote in elections of local government representatives and mayors and to participate in local referenda, however they themselves cannot be voted for election.</p> <p>3. Consultation rights: Hungarian legislation does not provide for the establishment of consultative bodies for migrants at national, regional or local levels.</p> <p>4. Participation in trade unions and professional associations: - Participation rights are not limited per se. Only those who are legally employed in Hungary can become members of such associations.</p> <p>5. Membership in professional associations: Depending on the profession concerned, some legislation contains nationality-related requirements. This is the case, for example, with respect to the profession of lawyers. It is also noted that: many professions in Hungary are regulated professions; thus, third country nationals need to have their foreign qualifications recognised in Hungary, which is a cumbersome administrative process.</p> <p>6. Participation in social, cultural and public life and political activity: The legislative framework is favourable for third country nationals to establish civil society associations, or to become members thereto. The same is valid with respect to political parties. It is noted, though, that third country nationals cannot hold official positions in political parties or become the leaders thereof.</p> <p>7. Participation in the public sector: Besides basic administrative positions, third country nationals cannot hold positions in the Hungarian public administration as civil servants. Regarding administrative positions, it is noted that only those third country nationals, who come from signatory countries of the European Social Charter, can hold these positions.</p> <p>Regarding public employment, fewer legal restrictions exist. However, those under international legal protection are not covered by applicable legislation.</p> <p>8. Civic and citizenship education: There are no legal limitations regarding the employment of third country nationals as teachers. Teachers are considered public employees under Hungarian law.</p>
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		The legislation applicable to school curricula does not contain reference to migrants.
3.9. Use of funding instruments (EIF, ERF, EMIF)		
	<p>Please provide briefly information and documented insights about the allocation and distribution of funds aimed at supporting political and social participation, and active citizenship measures for migrants and/or their descendants.</p>	<p><u>European Integration Fund (EIF)</u> The EIF was implemented in Hungary through national annual programmes based on a multiannual programming document, which sets out priority areas.</p> <ul style="list-style-type: none"> • Multiannual programme:³⁵⁰ Priority 1 of the multiannual programme called 'Implementation of actions designed to put the 'Common Basic Principles for immigrant integration policy in the European Union'' sets national priorities. One of the national priorities called 'Promoting the migrant's possibility to participate in the social and political life of the host society' (National Priority 3) explicitly refers to the social and political participation of migrants, as well as to their active citizenship. <p>Other national priorities of relevance touching upon these aspects include: National priority 4 – Taking measures enabling intercultural dialogue; National priority 5 – Rendering admission procedures more effective and accessible to third country nationals; National priority 6 – Establishing civic orientation and cultural orientation programmes for migrants.</p> <p>As referred to above, the priorities set out in the multiannual programme are implemented through annual programmes. It is noted that not all national priorities are reflected in all annual programmes. In other words, the annual programmes tend to implement different priorities each year. The table below outlines the coverage of national priorities per annual programme. It also contains reference to the maximum budget foreseen for the implementation of the specific national priority each year.</p> <p>It is noted, however, that annual programmes define the type of actions that could be supported during the given year. In-line with these actions, a tendering procedure opens – from which specific projects are financed. This study does not go into project specific details, but remains at the level of the description of actions, as specified in the annual programmes.</p> <ul style="list-style-type: none"> • Annual programmes (AP):³⁵¹

³⁵⁰ Multi-Annual Programme of the European Fund for the integration of third country nationals for the period of 2007 and 2013, available at: www.solidalapok.hu/sites/default/files/eia_tobbeves_program_%282007-2013%29.pdf.

³⁵¹ The Annual Programmes are available at: www.solidalapok.hu/eves_programok1/18.

	NP 3	Budge	NP4	Budge	NP5	Budge	NP6	Budge
AP			*	425,5			*	392,1
AP			*	800,4	*	109,5	*	385,2
AP	*	284,6	*	584,4	*	228,5	*	107,1
AP	*	144,5	*	252,6	*	144,5	*	362,4

- NP – National Priority
- Blank - no reference
- * - existing reference
- All figures in the table above are in Euro.

European Refugee Fund (ERF)

The European Refugee Fund is implemented in the same way as the European Integration Fund. More precisely, implementation is framed by a multiannual programme on the basis of which annual programmes are designed.

None of the priorities set by the multiannual programme³⁵² are of relevance in the context of social and political participation of asylum seekers, recognised refugees, aliens or those benefiting from subsidiary protection. Considering this, actions set out in the annual programmes³⁵³ are not outlined in this section of the report.

Asylum, Migration and Integration Fund (AMIF)

The national level programming framework for the implementation of AMIF is still under consideration. More precisely, the draft of the programme, developed on the basis of Hungary's Migration Strategy, was submitted to the European Commission for consideration. To date the programme has not yet been approved.

The draft programme³⁵⁴ contains references to national objectives – to be financed through the AMIF. One of these objectives called 'integration' is of direct relevance as it intends to implement activities targeting, among others, the 'social and political engagement' of third country nationals. The

³⁵² European Refugee Fund – Multiannual Programme Republic of Hungary, available at: www.solidalapok.hu/sites/default/files/ema_tobbeves_program_%282008-2013%29.pdf.

³⁵³ Annual Programmes are available at: www.solidalapok.hu/eves_programok1/16.

³⁵⁴ National Programme AMIF, available at: www.solidalapok.hu/sites/default/files/AMIF%20HU%20v1.2.pdf.

		<p>activities/funding priorities to implement the objectives are:</p> <ul style="list-style-type: none"> - establishing services that directly help the integration of TCNs; - supporting the development and implementation of local integration plans; - establishing programmes facilitating inter-cultural dialogue. <p>The total budget foreseen for the implementation of these activities/funding priorities is: 7,679,134.00 EUR. A break-down by activity/funding priority is not available.</p> <p>Annual programming documents have not yet been developed.</p>
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In particular provide a breakdown of funding for the relevant actions and measures by area (political participation, social participation and membership, indicating the source of funding (EIF, ERF, national, regional, other funding source) by **using the Annex 5**

Annex 5 contains tables both for EIF and ERF. As referred to above, ERF funds are not relevant in the context of social or political participation, therefore only the table on EIF is completed. Note however that the headings provided in the table under Annex 5, do not correspond with the headlines referred to in the Hungarian programming documents. Therefore the figures provided in the table are only rough estimates and should be treated with care. The categorisation to match the headings of Annex 5 and the Hungarian programming documents is based on the understanding of the author of this section.

3.10.Key legal and policy developments, and relevant case law

<p>In this section, please provide information about developments regarding the above legal and policy instruments concerning participation (political, consultation, membership and association, active citizenship and civic education), including any new legislative or policy initiatives in the framework of migrant integration in the country. Key developments may be new legislation or policies, abolition, update, improvement or reform of existing ones, as well as important case law, court, equality body or administrative cases, that have had or may have an impact on the implementation of legal and policy instruments and on the actual situation on the ground, including public debates and perceptions among the native</p>		<p>The key developments described in the section below cover the reference period of 2010-2014.</p> <p><u>1. Citizenship acquisition:</u> reference to key developments and trends is provided under section 3.1.1. Relevant case law is provided under Annex 9.</p> <p><u>2. Voting rights:</u></p> <ul style="list-style-type: none"> - legislative developments: as explained under sections 3.1 and 3.2, the legislative framework regulating electoral rights has been subject to amendments. None of the legislative amendments, however, concerned the right of third country nationals to vote, or to be voted; - policy developments: the Migration Strategy, which is the most important policy development, does not contain reference to the voting rights of third country nationals; - other developments: there are no other developments, including case law, to report. <p><u>3. Consultation:</u></p> <ul style="list-style-type: none"> - legislative developments: no such system exists in Hungary;
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	<p>population and migrants. (Use template in Annex 9).</p>	<ul style="list-style-type: none"> - policy developments: no such system exists in Hungary; - other developments: no such system exists in Hungary. <p><u>4. Participation in trade-unions and professional association:</u></p> <ul style="list-style-type: none"> - legislative developments: as referred to under section 3.4, during the reference period, there have been legislative changes. These changes, however, have not concerned the right of third country nationals to participate in trade unions or professional associations; - policy developments: the Migration Strategy, which constitutes the main policy development during the reporting period, does not contain provisions with respect to the participation of third country nationals and professional associations. As explained under section 3.4, any person who is legally employed in Hungary may participate in such associations. Measures foreseen for increasing the labour market presence of migrants affect the participation rate of migrants in trade unions and professional associations. These measures include the training of third country nationals or the development of mechanisms for the recognition of professional qualifications obtained abroad. It is noted that the implementation of the Migration Strategy has not yet started –leaving the main issues unresolved. These issues include the insufficient knowledge of Hungarian, or the lack of qualifications (especially in the case of those under international protection); - other developments: there are no other developments, including case law, to report. <p><u>5. Participation in social, cultural and public life:</u></p> <ul style="list-style-type: none"> - legislative developments: none of the legislative changes introduced during the reporting period concerned the right of third country nationals to participation in social, cultural and public life; - policy developments: the Migration Strategy, which constitutes the main policy development during the reporting period, foresees activities for enhancing the social activity of third country nationals. This includes, among others, the provision of support for establishing migrant associations or for strengthening the existing ones. It is noted, however, that the Migration Strategy has not yet been implemented – leaving the current situation unresolved, and which can be characterised by the low participation rate of third country nationals in social, cultural and public associations; - other developments: there are no other developments, including case law, to report. <p><u>6. Political activity – active citizenship:</u></p>
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		<ul style="list-style-type: none"> - legislative developments: none of the legislative changes introduced during the reporting period concerned the right of third country nationals to political activity or active citizenship. - policy developments: the Migration Strategy, which constitutes the main policy development during the reporting period, foresees activities for enhancing the political activity of third country nationals. To this end, it aims to raise awareness on the naturalisation processes in Hungary and organise training programmes on basic constitutional rights. The Migration Strategy does not contain reference to major issues arising from the lack of political participation of migrants; - other developments: there are no other developments, including case law, to report. <p><u>7. Civic and citizenship education:</u></p> <ul style="list-style-type: none"> - legislative developments: none of the legislative changes introduced during the reporting period concerned the right of third country nationals to civil and citizenship education; - policy developments: the Migration Strategy, which constitutes the main policy development during the reporting period, foresees activities for enhancing intercultural education in Hungary. To this end, it aims to train teachers on intercultural education and on teaching Hungarian language for foreigners. It is noted, however, that the implementation of the Migration Strategy has not started yet, leaving the current situation unresolved. The lack of Hungarian language education for foreigners constitutes a major obstacle, affecting all areas of social life of third country nationals; - other developments: there are no other developments, including case law, to report.
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4.Social cohesion and community relations

4.1.Social cohesion policies

	<p>Does the national integration legal and policy framework refer to social/community cohesion? Is there a clear definition of social/community cohesion? Please report it here – in original language and in full English translation.</p>	<p>No precise definition is given to social cohesion. However, the term social cohesion in Hungarian policy papers is used in the context of Roma integration, or in relation to those living in extreme poverty. In these documents aspects of social inclusion/social cohesion are presented as the opposite of social exclusion, and cover access to public services, health care, education, housing and anti-discrimination measures.³⁵⁵ As an</p>
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³⁵⁵ Hungarian National Social Inclusion Strategy (*Nemzeti társadalmi felzárkózási stratégia – mélyszegénység, gyermekszegénység, romák – (2011–2020)*), Ministry of Interior and Public Administration, State Secretariat responsible for social inclusion (*KIM Társadalmi Felzárkózásért Felelős Államtitkárság*), Budapest, November 2011, p. 7.

		<p>example of relevant policy documents, the Hungarian National Social Inclusion Strategy (<i>Nemzeti társadalmi felzárkózási stratégia – mélyszegénység, gyermekszegénység, romák – (2011–2020)</i>)) determines that</p> <p>“A felzárkózás politika az új stratégiai és kormányzati keretek adta átfogó megközelítésmód, amely a szakpolitikák összehangolásával és komplex beavatkozásokkal kezeli az ország társadalmi kohézió 15</p> <p>szempontjából meghatározó szociális problémáit, ezzel járul hozzá az ország társadalmi és gazdasági versenyképességének erősítéséhez.</p> <p>A felzárkózás politika célja, hogy</p> <ul style="list-style-type: none"> <input type="checkbox"/> csökkenjen a szegénységben vagy társadalmi kizáródásban élők aránya, <input type="checkbox"/> csökkenjen a hátrányos helyzetű gyermekek társadalmi lemaradása, gyengüljenek a szegénység átörökítésének tendenciái, <input type="checkbox"/> csökkenjenek a roma és nem roma népesség közötti társadalmi különbségek.”³⁵⁶ <p>“Social inclusion policy is a new strategic and governmental overall approach, which handles the main social problems of the country concerning social cohesion by coordinating sectoral policies and complex interventions, and thus contributes to the social and economic competitiveness of the country. The aim of the social inclusion policy is to</p> <ul style="list-style-type: none"> - lessen the proportion of those living in poverty or social exclusion; - lessen the social disadvantage of at-risk children, weakening the tendency towards the perpetuation of poverty; and - lessen the social differences between the Roma and non-Roma population”³⁵⁷ <p>Unsuccessful integration of migrants is considered to have a lesser impact than problems related to, for example, Roma integration. The reason for this could be the low number and general socio-economic characteristics of migrants (see section 1.2.2.), the large number of ethnic Hungarian migrants, and the low number of recognised refugees.</p>
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³⁵⁶ Hungarian National Social Inclusion Strategy (*Nemzeti társadalmi felzárkózási stratégia – mélyszegénység, gyermekszegénység, romák – (2011–2020)*), Ministry of Interior and Public Administration, State Secretariat responsible for social inclusion (*KIM Társadalmi Felzárkózásért Felelős Államtitkárság*), Budapest, November 2011, p. 14-15.

³⁵⁷ Hungarian National Social Inclusion Strategy (*Nemzeti társadalmi felzárkózási stratégia – mélyszegénység, gyermekszegénység, romák – (2011–2020)*), Ministry of Interior and Public Administration, State Secretariat responsible for social inclusion (*KIM Társadalmi Felzárkózásért Felelős Államtitkárság*), Budapest, November 2011, p. 14-15.

	<p>Are there any specific measures in place to strengthen social cohesion? Please refer to promising practices and examples of challenges. Use the template for promising practices in Annex 7, highlighting the most important and/or successful.</p>	<p>1. Concerning legal migrants, according to the Migration Strategy (Chapter VI, pp.71-76.) possible areas of assistance are:</p> <p>a) Employment where no specific assistance is available. Although long-term resident TCNs or their family members do not need a work permit, “public institutions and their employees are not prepared to deal with migrants at all”³⁵⁸ and the vast majority of jobs require Hungarian-language skills, which most TCNs do not possess. Projects supporting labour market integration were run by Foundations such as the Artemisszó Foundation, the Szubjektív Values Foundation and the Jövőkerék Public Foundation.³⁵⁹</p> <p>b) Housing, social benefits, health care: social benefits and allowances are available for long-term residents and beneficiaries of international protection under Act III of 1993 on social administration and assistance (1993. évi III. törvény a szociális igazgatásról és szociális ellátásokról, Act III of 1993, Article 3 (1)). The relevant regulations of municipalities also cover these categories of migrants under the same conditions as Hungarian nationals. As of 1 March 2015, the scope of social allowances provided by the state will be narrowed in a controversial way: the regular social aid ceases to exist, and social assistance becomes the responsibility of municipalities, which may not have at their disposal the financial resources needed to fulfil this task. Moreover, the income threshold to access these benefits is rather low, and migrants whose socio-economic situation is generally above the average in Hungary, often do not fall below these thresholds.³⁶⁰</p> <p>c) Hungarian language training, education, access to the educational system: only a limited number of TCNs may participate in free Hungarian language courses. Courses fostering integration are generally not available (see section 1.2.3). Children of TCNs possessing long-term residence permits (valid for longer than three months) are entitled and obliged to attend school, and may also attend kindergartens.</p> <p>In the fields of healthcare, social care and education, insufficient training and encouragement has been</p>
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³⁵⁸ Messing, V., Árendás, Zs. (2014), *National Report Hungary: ASSESS, Integration of Vulnerable Migrant Groups*, Center for Policy Studies, CEU, June 2014, p. 9.

³⁵⁹ E.g. Artemisszó Foundation: SANSZ – Programme for the labour market integration of migrants (*SANSZ – Program bevándorlók munkaerőpiaci integrációjáért*), EIA/2011/1.1.3; Subjective Values Foundation (*Szubjektív Értékek Alapítvány*), From own resources – services for those who willing to invest (*Saját erőből – szolgáltatások vállalkozó kedűeknek*), EIA/2011/1.1.4; Wheel of Future public utility foundation (*Jövőkerék Közhasznú Alapítvány*), Employment services for women from third countries (*Munkaerőpiaci szolgáltatások harmadik országbeli nőknek*), EIA/2013/1.4.2.

³⁶⁰ Kőszeghy, L. (2009), ‘Foreigners in Hungarian cities’ (*Külföldiek magyarországi városokban*) in: Kovács, A. (ed.): *Migration and Integration (Bevándorlók Magyarországon)*, Budapest, Hungarian Academy of Sciences Ethnic-national Institute for Minority Studies (MTA Etnikai-nemzeti Kisebbségkutató Intézete) - ICCR Budapest Alapítvány, MTA-ICCR, 2009, Budapest, p. 71.

	<p>provided to overcome negative stereotypes of migrants. Concerns remain about the lack of motivation for the management of social, health care or educational institutions, as well as civil servants, health care or social workers, doctors, nursery school mistresses, teachers and students, to foster an environment of integration.³⁶¹</p> <p>Similarly, there is a wide range of services where deficiencies were identified in Budapest.³⁶² These comprise:</p> <p>a) incomplete range of services, or services provided by NGOs, and whose sustainability is not ensured;</p> <p>b) services which municipalities provide for the public, which do not accommodate the specific needs of migrant groups, thereby potentially restricting their accessibility. Problems have been identified in the field of social services, in particular the lack of sufficient homeless care, reception capacities, and housing possibilities for TCNs. In the field of education, significant issues exist in the lack of mentor systems/personalised assistance, vocational training and adult training possibilities targeting migrants, meaningful assistance for the preparation of the naturalisation exam, intercultural education programmes in schools or programmes for migrant children, grants targeting migrant students, non-Christian religious education programmes in schools, mainstreaming adequate knowledge on non-Christian religions in the curriculum, and the lack of migrant-specific and intercultural training of teachers.</p> <p>On education, intercultural programmes and projects in educational institutions, see section 4.2.1.</p> <p>2. Beneficiaries of international protection</p> <p>A) System prior to 1 January 2014:</p> <p>1) After recognition, beneficiaries of international protection could stay in reception centres where integration programmes run by the OIN or NGOs (Artemisszió Foundation, Menedék Assotiation) were available.³⁶³ However, in isolated reception centres, only limited access was available to HFL courses, and those living in reception centres were significantly isolated from the host society. They found it difficult to get meaningful assistance in finding jobs or renting</p>
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³⁶¹ See e.g. Budapest Migration Roundtable (*Fővárosi Migrációs Kerekasztal*) (2012), Newsletter No. EIA/2012/3.7.4 (*Hírlevél EIA/2012/3.7.4*), p.7, available at: budapest.hu/Documents/20130626_migracios_kerekasztal_hirlevel.pdf.

³⁶² Budapest Migration Roundtable (*Fővárosi Migrációs Kerekasztal*) (2012), Newsletter No. EIA/2012/3.7.4 (*Hírlevél EIA/2012/3.7.4*), p.6, available at: budapest.hu/Documents/20130626_migracios_kerekasztal_hirlevel.pdf.

³⁶³ See e.g. Artemisszió Foundation, Integration programme on the basis of capacity development (*Képességfejlesztésen alapuló komplex integrációs program*), EMA 2010/3.7.1.; OIN (BÁH BĂ), Bicske, More knowledge, better chances (*Több ismeret, több esély*), EMA/2010/3.11.1.

		<p>accommodation, and found refugee-support services to be fragmented, under-funded and project-based.³⁶⁴</p> <p>2) After leaving the reception centres, refugees received a maximum of 95€ in regular support, but only if they attended at least 70% of compulsory Hungarian classes, which were reported to be of rather poor quality and inefficient, and where it was not uncommon to mix literate and illiterate people. Housing support of the same amount was also available if the refugee could produce an invoice from the landlord, something which is not usually legally required from landlords when renting their flats to Hungarians. An integration model programme has been implemented in Györság, which managed the integration of a four-member family into the community of the village within the framework of the project.³⁶⁵</p> <p>B) After 1 January 2014: During the two months when beneficiaries of international protection may stay in the reception centres, they are entitled to:</p> <ul style="list-style-type: none"> a) material reception conditions; b) health care; c) certain costs and benefits relating to schooling and education. <p>Material reception conditions comprise:</p> <ul style="list-style-type: none"> a) accommodation and provisions at a reception centre; b) a small monthly cash allowance to use freely; c) travel allowances. <p>Material and financial support provided by the reception centre may be restricted or refused if the persons concerned repeatedly or materially breach the rules applicable at the centre, or their obligation to cooperate, if they provide false statements regarding their properties and income conditions in order to receive benefits, or if they display excessively violent behaviour (Article 41, Article 37, GD 301/2007 (XI.9.)).</p> <p>In private accommodation, beneficiaries of international protection are entitled to: free health care and social benefits; complementary support; housing support; integration support based on an integration contract. According to information provided by the OIN, 275 persons cooperated with family support centres, but the number of integration contracts is higher. The main elements of the integration agreement are:</p> <ul style="list-style-type: none"> 1) Means tests: the beneficiary, or his/her spouse, or direct-line relative living in the same household, should
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³⁶⁴ See also: United Nations High Commissioner for Refugees (UNHCR) (2012), *Hungary as a country of asylum*, April 2012, p. 23-24, available at: www.refworld.org/pdfid/4f9167db2.pdf. United Nations High Commissioner for Refugees (UNHCR) (2010) *Refugee homelessness in Hungary*, March 2010, available at: www.unhcr.org/4bd59fe96.html.

³⁶⁵ Mayor's Office (Local Government) Györság, *Integration Model Program*, EMA/2011/3.5.1.

		<p>not have property in Hungary that would guarantee their livelihood, and the monthly per capita income calculated from the aggregate income of the beneficiary and his/her spouse and direct-line relative living in the same household should not exceed:</p> <ul style="list-style-type: none"> a) 150% of the smallest amount of old-age pension in the case of single family status; b) the smallest amount of old-age pension in the case of person having a family. <p>The maximum monthly amount of financial support is approximately 300€ for single persons, and 720€ for families. The amount decreases every six months by 75€ (Article 39, 61/G, GD 301/2007 (XI.9.)). Other social benefits are also available under Act III of 1993.</p> <p>2) Beneficiaries may choose their place of residence, which is fixed by an integration contract. During the validity of the contract, place of residence may only be changed if there are objectively justifiable reasons e.g. employment, provision of housing, family reunification, or special care or placement into a health-care or social institution (Article 32/C (6)-(7), Act LXXX of 2007).</p> <p>3) The duties of the beneficiaries comprise the obligation to:</p> <ul style="list-style-type: none"> a) stay in Hungary during the contract; b) move out from the OIN-run camp until a certain date; c) register their address, and only change address in specific cases; d) cooperate with the family care service in searching for a job; e) declare the change within eight days of getting a job; f) appear every week at the family care centre during the first six months; and g) cooperate in the case study every six months – regarding the circumstances of the refugee. <p>Beneficiaries have the right to submit a complaint to the OIN about the family care service (Article 61/C, GD 301/2007 (XI.9.)).</p> <p>4) Support and services, specified by the integration contract, are provided through the family support centre, which designates a social worker to facilitate the social integration of the beneficiary during the term of the contract. The local family care service works together with the beneficiaries to make an integration plan, which then forms part of the contract. In particular, this states they intend to spend the financial support. The family support centre provides assistance with specific tasks, such as finding suitable accommodation or a job, requesting social assistance under Act III of 1993, or identifying available education and language training. It also helps beneficiaries to contact institutions, local governments and communities, NGOs or churches (Article 61/K, GD 301/2007 (XI.9.)). The fulfilment of the integration</p>
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		<p>agreement is monitored by the OIN, but the family support centre has a reporting duty if the person concerned absconds or does not cooperate. Breaches of these duties may result in the suspension or termination of the contract (Article 32/D, Act LXXX of 2007).</p> <p>5) Supplementary integration programmes:</p> <p>a) State run services: The OIN states that it has neither a legal obligation nor the resources to supplement the integration agreements with programmes fostering integration. However, as of 2012 (until June 2015), the OIN is running a project called <i>Vocational Training for refugees I-II-III</i> to facilitate labour market access for beneficiaries of international protection through specialised vocational and integrated language training. 35 persons participated in the first two finished projects, 27 persons achieved vocational training certificates, and 23 persons participated in HFL courses.³⁶⁶</p> <p>b) Services run by NGOs: tasks related to the fostering of the integration of beneficiaries of international protection may be implemented partially or completely by NGOs in cooperation with family support services. However, support provided by NGOs is project-based and has limited reach:</p> <p>i) Since 2005 the Refugee Mission Centre runs the most complex and effective integration programme, based on two main pillars: "Housing Programme" and "School integration programme", which provide personalised assistance in all related fields of integration, with special emphasis on HFL tuition (see Annex 7 to this report).³⁶⁷</p> <p>ii) A social support centre run by the Menedék Association under its <i>Social work with refugees</i> programmes (later <i>Horizon</i>) was available between 2010 and 2014.³⁶⁸</p> <p>iii) The Cordélia Foundation is the only service provider offering psychiatric, psychotherapeutic, psychological treatment, and psycho-social counselling to traumatised asylum seekers and refugees, in its psycho-social rehabilitation programmes.³⁶⁹</p> <p>iv) In issues related to family reunification the HHC provides assistance.</p> <p>In practice, deficiencies are identifiable in access to healthcare, social services, and housing, as well as in</p>
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³⁶⁶ OIN (BÁH) Employment programme for migrants I-III (*Munkaerő-piaci program menekültek részére I-III*), EMA/2013/3.5.7., EMA/2012/3.6.3, EMA/2011/3.6.5.

³⁶⁷ Reformed Mission Centre (*Református Missziói Központ*), Housing Programme (*Lakhatási program*) EMA 2010/2.9.1., EMA/2011/3.6.3, EMA/2013/3.5.1.

³⁶⁸ See e.g. Menedék Association, Social work with refugees (*Szociális munka menekültekkel (Horizont)*), EMA/2011/3.6.2., EMA/2012/3.6.4.

³⁶⁹ See e.g. Cordélia Foundation, Stay with us! The psycho-social rehabilitation of refugees (*Maradj velünk! Menekültek pszicho-szociális rehabilitációja*), EMA/2010/3.10.1.; The psycho-socio support of refugees (*Menekültek bio- pszicho – szociális támogatása*), EMA/2012/3.7.1.

		<p>the legal dimension of integration, family reunification or participation.³⁷⁰ The main problems areas are:</p> <p>a) Availability of integration support is limited to two years, although the Migration Strategy (Chapter VI, p. 70) acknowledges that integration is a process of many years duration. The decision on requests for integration support form part of this two-year period, which may, in some cases, reduce the duration of support to 21 or 22 months.</p> <p>b) There are no interpreters available during the conclusion of the contract, which is written in Hungarian. Thus, persons benefiting from international protection may not be aware of the exact content of their rights and obligations.</p> <p>c) The scheme does not make special accommodations for those who may not be capable of achieving self-subsistence or who have arrived as unaccompanied minors.</p> <p>d) The amount of integration support is generally higher than average social allowances; it may not, however, cover all of the related expenses, particularly for expenses such as payable HFL courses. Recipients of integration support may have no other financial resources and may struggle to find employment due to their language incompetence. In addition, those receiving integration support lose their right to claim a number of social benefits and free healthcare services, as they cease to qualify as persons in need.</p> <p>e) Most beneficiaries of international protection have no access to free HFL courses.</p> <p>f) While moving away from the OIN camp-based integration to a community-based system involving the assistance of family protection services could be an encouraging development, serious concerns were raised as to the capacity and preparedness of said services to deal with the specific and complex needs of refugees and subsidiary-protected persons. As UNHCR stated, there are no “targeted/specialist services for refugees that address their specific needs and could complement mainstream support services” and ensure access to them.³⁷¹</p> <p>Perhaps the most significant problem is that the staff of family protection services have not received adequate training, or have not had their training reinforced, yet these beneficiaries generally require assistance in almost every field of integration (health care, employment, housing and school integration). More recently, there are signs that more dedicated, local family protection centres are beginning to develop their competences. In the Zugló (District XIV of Budapest)</p>
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³⁷⁰ United Nations High Commissioner for Refugees (UNHCR) (2013), *Comments on the Government’s draft Migration Strategy (2014-2020)*, 12 September 2013, pp. 9-10, available at: www.unhcr-centraleurope.org/pdf/where-we-work/hungary/unhcr-comments-on-hungarys-draft-migration-strategy.html.

³⁷¹ United Nations High Commissioner for Refugees (UNHCR) (2013), *Comments on the Government’s draft Migration Strategy (2014-2020)*, 12 September 2013, p. 6, available at: www.unhcr-centraleurope.org/pdf/where-we-work/hungary/unhcr-comments-on-hungarys-draft-migration-strategy.html.

		<p>the family protection centre, as a grass-roots initiative, began organising thematic workshops on migrant-specific issues for social workers working in Budapest, Győr or Sopron, in 2014. Sessions are held every two months, and experts – often with an NGO background, such as the HHC - are invited. In Debrecen, one family protection centre succeeded in providing free HFL courses to the persons concerned.</p> <p>g) Increasing numbers of beneficiaries of international protection are threatened by homelessness. The housing services available for beneficiaries of international protection are limited, suggesting a need for alternative housing facilities. Such alternatives are only provided by NGOs, or churches, e.g. the Reformed Mission Centre or the Baptist Charity Service.³⁷²</p> <p>h) Those receiving integration support lose their right to free healthcare services on the basis of having disadvantaged positions. Under Article 44(1) of GD 301/2007, beneficiaries of international protection who have no contractual relation with the National Health Insurance Fund remain entitled to free healthcare for one year following their recognition. However, the National Health Insurance Fund does not provide them with a social security identification number without a valid social security contractual relation (e.g. employment), which these persons generally do not have. The possession of the social security identification number is the precondition for both free healthcare services and also other social security benefits. A social security number is required before the authorities can issue a certificate proving someone's disadvantaged situation; without this certificate no one can receive social benefits (see e.g. Act III of 1993, Article 54 (1)-(2)). Without this identification number, beneficiaries may not receive family allowances and may not register at Employment Offices as persons seeking employment. Under Act LXXX of 1997 on the Eligibility for <i>Social Security Benefits and Private Pensions and the Funding for These Services (1997. évi LXXX tv. a társadalombiztosítás ellátásaira és a magánnyugdíjra jogosultakról, valamint e szolgáltatások fedezetéről</i>, Article 34, 39), if a person has registered continuous residence for at least one year, they may conclude a social security contract to secure their health care for an agreeable price (around 22€), even without a social security identification number. Those who do not meet this requirement may need to buy healthcare services, at a cost of up to half of their integration support benefit, i.e. around 170€). Those who have social security identification numbers, but no place of residence (homeless), are entitled to free healthcare services as well. Lack of adequate psychiatric treatment</p>
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³⁷² United Nations High Commissioner for Refugees (UNHCR) (2010) *Refugee homelessness in Hungary*, March 2010, available at: www.unhcr.org/4bd59fe96.html.

		<p>of persons suffering from Posttraumatic Stress Disorder is also an acute problem.</p> <p>i) For problems related to education, intercultural programmes and projects in educational institutions, see section 4.2.1.</p>
	<p>Are there indicators used by authorities to assess, monitor and support social cohesion policies? e.g. social distance, social interaction, intergroup relations, etc. Please provide available relevant data, figures and findings, if any, and present them briefly in the relevant table of the Annex (4).</p>	
	<p>Please outline available research, studies, and surveys about the sense of belonging and identification of migrants and/or their descendants with diverse types of local, regional and national identities. Please summarise briefly key findings and any differentiations by nationality or ethnic origin, gender, age and geographic area.</p>	<p>The main groups which triggered the attention of the researchers in these past few years comprised ethnic Hungarians arriving from neighbouring states, Ukrainians, Chinese, Vietnamese, "Arabs" and Turks.</p> <p>The majority of migrants (one third of TCNs) are ethnic Hungarians arriving from neighbouring states who, as of 2010, may obtain Hungarian citizenship quickly under favourable conditions. The new regulation has considerably simplified the naturalisation process and reduced the administrative burden for those whose ancestors were Hungarian citizens, or who could indicate reasons to believe they were of Hungarian origin, and prove their knowledge of Hungarian.³⁷³ Their integration patterns and strategies, and the level of their integration, may differ considerably from other groups, e.g. they may face less hostility and be able to assimilate more easily, though still not in an unhindered way. Persons belonging to Hungarian minorities abroad report finding it a painful experience to be considered foreigners by Hungarians of the parent state.³⁷⁴</p> <p>In Budapest, three main non-ethnic Hungarian migrant groups were identified, on the basis of their similar social and economic positions and integration. Migrants arriving from East-Asia (e.g. Vietnamese and Chinese) came for business purposes, mainly, after 1989. They mostly work in their respective economic cluster 10-12 hours a day and spend their free time in the closed world of the cluster as well. This results in mediocre language competences in Hungarian, few contacts with the majority of the population and low profile social integration. The social-economic integration level of migrants arriving from Arab countries is significantly higher. The Arab communities are one of the oldest migrant communities in Hungary, with many belonging to those that came to Hungary for the purposes of studying or working before 1989. In general, they master Hungarian better, and mixed marriages are more frequent. Migrants arriving from Africa often flee persecution or harsh economic conditions. They strive</p>

³⁷³ On simplified naturalisation procedure see e.g.: *Amendment of Act LV of 1993 on Hungarian Citizenship*, available at: allampolgarsag.gov.hu/images/angol.pdf.

³⁷⁴ Endre, S., Várhalmi, Z.: The sources of experience with discrimination (A diszkriminációs tapasztalat forrásai), in: Örkény A. – Székelyi M. (eds.) (2010), *Foreign Hungary – the social integration of migrants (Az idegen Magyarország – Bevándorlók társadalmi integrációja)*, Budapest, ELTE Eötvös Kiadó, pp.97-122.

		<p>to integrate by studying Hungarian and trying to establish social contacts with the majority of the population, and they mostly attempt to find employment on the Hungarian labour market.³⁷⁵</p> <p>The level of emotional attachment, areas of interest, and intention of migrating further, were all examined as being indicative to the attachment (level of integration) of migrants of different ethnic groups to Hungary, in contrast to their attachment towards their country of origin. Research revealed that Ukrainians and ethnic Hungarian migrants arriving from Ukraine are more attached to Hungary than to the Ukraine. In contrast, migrants of Chinese and Turkish origin, or migrants arriving from Arab countries, remain more attached to their countries of origin. The attachment of Vietnamese are balanced and of the same rate in both directions. In general, migrants were found to be most attached to their home country, or persons living elsewhere but originating from the country of origin – though the level of this attachment varied considerably according to the migrant group concerned.³⁷⁶</p> <p>Sixty percent of persons arriving from Arab countries, 42% of ethnic Hungarian migrants arriving from the Ukraine and 40% of Vietnamese migrants, maintain they would not migrate elsewhere from Hungary in order to improve their standard of living. In contrast, 46 % of the Chinese diaspora, 41% of Ukrainians and 36% of Turkish immigrants constitute the largest groups who would move further on. The rate of those “uncertain” about moving from, or staying in, Hungary is also relatively high, i.e. 33% of Ukrainians, 21% of Chinese, and 23% of Turks. In general, young and middle-aged migrants tend to consider leaving Hungary.³⁷⁷</p> <p>It is interesting to compare the above data with the strength of motivation of certain migrant groups to obtain citizenship, which could show the intent to stay in Hungary. Those who would like to obtain Hungarian citizenship unconditionally, or under certain conditions, constituted the majority of Ukrainian immigrants and ethnic Hungarians arriving from the Ukraine. Ukrainians are also amongst those who would readily leave the country for economic reasons. In contrast, those who</p>
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³⁷⁵ Simonovits, B. (2013) Discrimination against migrants – from the perspective of the majority and the minority (Bevándorlók diszkriminációja – kisebbségi és többségi szemmel), In Kováts, A. (ed.) (2013) *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), pp. 159-160.

³⁷⁶ Várhalmi, Z. (2013), The identity and relationships of migrants in Hungary (Magyarországi migránsok identitása, kötődései) in: Kováts, A. (ed.) (2013) *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), pp. 227-229.

³⁷⁷ Várhalmi, Z. (2013), The identity and relationships of migrants in Hungary (Magyarországi migránsok identitása, kötődései) in: Kováts, A. (ed.) (2013) *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), pp. 229-230.

		<p>would like to obtain Hungarian citizenship unconditionally constitute a minority amongst the Turks, Chinese, Vietnamese and Arab immigrants. In the literature, many maintain that the acquisition of Hungarian citizenship is not their final objective.³⁷⁸ Hungarian citizenship is often seen as a gateway to EU citizenship as well, which offers further prospects for migrants. Thus, the intention to obtain Hungarian citizenship might not be an adequate tool for measuring the attachment of migrants to Hungary. In contrast, the motivation of those beneficiaries of international protection in obtaining Hungarian citizenship, who actually stay in the country, may be stronger as their children, for example, would otherwise qualify as “unknown nationality”.³⁷⁹</p> <p>Cognitive attachment covers the interest taken in public affairs, sports and tabloid events of Hungary and the country of origin. Four main categories may be distinguished within this concept: country-of-origin-oriented, Hungary-oriented, dual-oriented, and difficult-to-characterise. 46% of Ukrainians and 52% of those coming from Arab countries are clearly ‘Hungary-oriented’; while the largest group of Turks (36%) and Chinese (35%) immigrants are ‘country-of-origin-oriented’. The rate of dual-oriented immigrants is 26% amongst Ukrainians, 19% amongst Chinese, 17% amongst Vietnamese, 13% amongst Turkish migrants and 19% amongst migrants arriving from Arab countries. Thus, the majority of Ukrainian/ Arab migrants (71%) are at least dually-oriented, while this rate is significantly lower in the case of Chinese, Vietnamese and Turkish immigrants (37%, 53%, and 40% respectively).</p> <p>Complex models, like those examining migration strategies, may also be indicative of feelings of identification, since components of identity do not exist separately, but constitute an integrated pattern. Related research – taking into consideration pre-migration intentions, characteristics of employment, discrimination experiences, connection networks, Hungarian language acquisition, study and future plans - identified three typical strategies aimed at assimilation, segregation and becoming trans-national. In the first instance, migrants would do everything possible in order to study the language and the customs of the host country, obtain citizenship and settle for good. In the second case, migrants took refuge in their</p>
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³⁷⁸ Várhalmi, Z. (2013), The identity and relationships of migrants in Hungary (Magyarországi migránsok identitása, kötődései) in: Kováts, A. (ed.) (2013) *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), pp. 230.

³⁷⁹ Várhalmi, Z. (2013), The identity and relationships of migrants in Hungary (Magyarországi migránsok identitása, kötődései) in: Kováts, A. (ed.) (2013) *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), pp. 230.

		<p>own diaspora, continuing to use their mother tongue, to avoid contact with Hungarians, and to live in a segregated fashion. This may be due to a lack of other possibilities, or to inner convictions. In the third instance, trans-national migrants migrate for economic reasons, thus, the acquisition of Hungarian citizenship is not their objective, and they will migrate further if another country offers more advantageous economic possibilities. For these migrants, it is not necessary to study Hungarian, their children attend international schools, their connection network is wide, and the number of their connections, while above average, remains rather closed. They do not trust Hungarians or other migrant groups, nor are they hostile towards them. Their cognitive attachment towards their country of origin is low, yet they retain strong connections with their home country. According to this model, trans-national strategies are most characteristic of Ukrainian migrants (45%), and ethnic Hungarians arriving from Ukraine (64%). Migrants arriving from Arab countries tend to follow assimilation strategies (44%), while Turkish (65%) and Chinese migrants (59%) mainly adopt segregation strategies. Vietnamese follow assimilation (42%) and segregation strategies (43%) as well.³⁸⁰</p>
	<p>Please indicate legal measures and case law affecting social cohesion and community relations, for example the banning of specific religious or ethnic dress, such as the 'burqa'³⁸¹.</p>	<p>No religions or forms of religious/ethnic dress are banned in Hungary in general. Act CCVI of 2011 on the Right to Freedom of Conscience and Religion and the Legal Status of Churches, Denominations and Religious Communities (2011. évi CCVI. törvény. a lelkiismereti és vallásszabadság jogáról, valamint az egyházak, vallásfelekezetek és vallási közösségek jogállásáról, Act CCVI of 2011), in its re-regulation of the recognition and operation of churches, had a considerably negative effect on the churches of migrant communities. While not explicitly targeted by the Act, they were nonetheless left) in a disadvantaged position following its adoption. Churches maintained by migrant groups play an important role in supporting and providing services to migrant communities, and migrants place much trust in their operation and assistance.³⁸² Many such churches have lost church status, and while some succeeded in re-registering as churches, others had their church status denied by the Parliament in 2012.</p>

³⁸⁰ See e.g. Örkény, A., Székelyi, M. (2010), 'The comparative assessment of six migrant groups' (*Hat migráns csoport összehasonlító elemzése*) in: Örkény Antal – Székelyi Mária (ed.): *The foreign Hungary – the social integration of migrants (Az idegen Magyarország – Bevándorlók társadalmi integrációja)*, ELTE Eötvös Kiadó, Budapest, pp.116-120. And Várhalmi, Z. (2013), *The identity and relationships of migrants in Hungary (Magyarországi migránsok identitása, kötődései)* in: Kováts, A. (ed.) (2013) *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), p. 225, 230.

³⁸¹ Cfr. The notable ECHR case European Court of Human Rights (ECtHR), *S.A.S. v. France*, No. 43835/11, 1 July 2014, available at [hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-145466#{"itemid":\["001-145466"\]}](http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-145466#{).

³⁸² Örkény, A., Székelyi, M. (2013), *Trust as a source of energy among Hungarian migrants (A bizalom mint erőforrás a magyarországi bevándorlók körében)* in: Kováts, A. (ed.) (2013) *Migration and Integration (Bevándorlás és integráció)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), p. 215.

		<p>Some transformed into NGOs, and others continue to operate as informal churches. The share of migrant churches amongst migrant civil organisations still remains around 11%.³⁸³ The main concerns are:</p> <p>a) Procedural hindrances: the requirement to have somewhere in the region of 10,000 certified adherents (1% of the population) as of 1 September 2013 in order to submit an application for recognition makes it extremely difficult for migrant religious communities to establish churches. Decisions on church status are taken by the two-thirds majority of the Parliament.</p> <p>b) In substance: the loss of church status may have serious repercussions for the ability of migrant religious communities to exercise their unhindered right to freedom of religion, and to fulfil their religious or community objectives, since the churches would not be entitled to many privileges for incorporated churches, e.g. taxation or state subsidies, nor would they enjoy favourable conditions for the establishment of educational or social institutions.</p> <p>The Act CCVI of 2011 was annulled by the Constitutional Court in 2013, on the grounds of being discriminatory and in violation of the freedom of religion.³⁸⁴ The Government, however, amended the Constitution in order to retain those aspects of the Act which had been criticised, and to impose stricter membership requirements, thereby making .registration criteria more restrictive. The ECtHR maintained, in particular, that the new regulation placed novel and/or small communities in a position of disadvantage at odds with requisite neutrality and impartiality.³⁸⁵ The Court concluded that, "in removing the applicants' church status altogether rather than applying less stringent measures, in establishing a politically tainted re-registration procedure whose justification as such is open to doubt, and finally, in treating the applicants differently from the incorporated churches not only with regard to the possibilities for cooperation but also with regard to entitlement to benefits for the purposes of faith-related activities, the authorities disregarded their duty of neutrality <i>vis-à-vis</i> the applicant communities. These elements, taken in isolation and together, are sufficient for the Court to find that the impugned measure cannot be said to correspond to a "pressing social need". There has therefore been a violation of</p>
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³⁸³ Kováts, A (2012), *Final research paper on the situation of migrant groups in Hungary (Migráns szervezetek Magyarországon Kutatási zárótanulmány)*, Budapest, Hungarian Academy of Sciences, Centre for Social Sciences, Institute for Minority Studies (MTA Társadalomtudományi Kutatóközpont, Kisebbségkutató Intézet), p. 16.

³⁸⁴ Constitutional Court, Decision no. 6/2013 (III. 1.). (6/2013. (III. 1.) AB határozat).

³⁸⁵ ECtHR, *Case of Magyar Keresztény Mennonita Egyház and others v. Hungary* (Application nos. 70945/11, 23611/12, 26998/12, 41150/12, 41155/12, 41463/12, 41553/12, 54977/12 and 56581/12), 8 April 2014. par. 111.

		Article 11 of the Convention read in the light of Article 9". ³⁸⁶ This judgment has not yet been implemented.
	<p>Does the action plan or strategy on integration and inclusion of migrants and their descendants address combating racism, xenophobia and intolerance?</p> <p>Are there specific integration/inclusion actions related to racism and intolerance for education and/or for young people? If yes, how are such actions linked to general integration and/or social inclusion and/or cohesion policy? Please provide information on implementation and impact of such plans and refer to any assessment of their impact?</p>	<p>A) Combating racism and intolerance in general:</p> <p>1) The Migration Strategy makes reference to a pervasive negativity and suspiciousness among the Hungarian population, which has an effect on migrant integration. It also acknowledges that little has yet been done by the Government to communicate and generate community understanding, awareness and acceptance of migrants (p. 60, p. 75). An effective Government communication strategy to promote community understanding, awareness and acceptance about migrants, asylum-seekers and refugees has also, thus far, been lacking.³⁸⁷</p> <p>The Migration Strategy envisages a number of measures in order to promote 'a dialogue between cultures and to foster openness of the Hungarian society towards TCNs'. These include:</p> <ul style="list-style-type: none"> a) measures to promote the creation and maintenance of a welcoming living environment for TCNs; b) migrant-specific review of the professional code of ethics; c) developing and implementing programmes to encourage inter-cultural dialogue; d) review of the access of migrants to institutions, consumer goods, public and private services; e) 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 and a shift towards multiculturalism; f) collaborating with the media in order to ensure accurate and objective coverage; g) involving migrants in the implementation of integration measures, creating a mentor system; and h) encouraging the creation of migrant-oriented NGOs, capacity-building of existing organisations, creating a forum for cooperation between these organisations. <p>Implementation: while the Migration Strategy has not yet been implemented, existing state actions combating racism, xenophobia and intolerance include the following:</p> <ul style="list-style-type: none"> a) "Strong equality body but weak state action:"³⁸⁸ Hungary's Equal Treatment Authority (ETA) may be regarded as strong: its procedure is free, it offers victims independent advice, and it has the power to

³⁸⁶ ECtHR, *Case of Magyar Keresztény Mennonita Egyház and others v. Hungary* (Application nos. 70945/11, 23611/12, 26998/12, 41150/12, 41155/12, 41463/12, 41553/12, 54977/12 and 56581/12), 8 April 2014. par. 115.

³⁸⁷ UNHCR Comments and Recommendations on the draft modification of certain migration-related legislative acts for the purpose of legal harmonisation; 12 April 2013, p. 4, available at: www.unhcr-centraleurope.org/pdf/where-we-work/hungary/unhcr-comments-and-recommendations-on-the-draft-modification-of-migration-related-acts-april-2013.html.

³⁸⁸ Hungary, Migrant Integration Policy Index, available at: www.mipex.eu/hungary.

		<p>issue binding decisions. It can instigate procedures, investigate complaints and impose sanctions on offenders. However, as Concluding Observations on Hungary of the UN Committee on the Elimination of Discrimination against Women, pointed out, the insufficient human, financial and technical resources of the ETA, and the lack of effective remedies in cases of discrimination, serve to undermine its effectiveness.³⁸⁹</p> <p>b) Hate crimes: see section 1.2.2. c) Activities of NGOs: a Working Group Against Hate Crime³⁹⁰ was set up by five civil organisations (Amnesty International Budapest, Hungarian Civil Liberties Union, Háttér Support Society, Hungarian Helsinki Committee and Legal Defense Bureau for National and Ethnic Minorities) in 2012, to:</p> <p>a) enhance the effectiveness of hate crime legislation and law enforcement, and to work to reduce the number of hate crime cases in Hungary;</p> <p>b) offer legal advice and representation to victims of hate crime; and</p> <p>c) hold regular training for the Police, courts, lawyers and potential victims, including foreigners.</p> <p>The Legal Defence Bureau for National and Ethnic Minorities, Hungarian Helsinki Committee, and Háttér Support Society launched a project Creating a National Hate Crimes Strategy and Action Plan, which aims to support of hate crime victims by preparing a national strategy, action plans, and background studies. A summary report on hate speech was published in 2013.³⁹¹</p> <p>B) Specific integration/inclusion actions related to racism and intolerance for education and/or for young people</p> <p>1) National Curriculum: references to promoting dialogue between cultures, and peaceful cohabitation of different ethnic groups, are not migrant-specific. The promotion of intercultural dialogue is mainly treated in the context of foreign language acquisition. Requirements of ethics also deal with issues such as stereotypes, intolerance, hatred, exclusion, and racism as "moral dilemmas", but these are not presented in a migrant-specific context.³⁹²</p> <p>2) Non-compulsory Directives on education and tuition of foreign citizen children in public schools and in kindergartens according to the intercultural pedagogical</p>
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³⁸⁹ UN Committee on the Elimination of All Forms of Discrimination against Women (2013) *Concluding observations on the combined seventh and eighth periodic reports of Hungary*, 54th session (11/02/2013 February – 1 March 2013), available at: www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW.C.HUN.CO.7-8.pdf.

³⁹⁰ More information about the initiative is available at: gyuloletellen.hu/.

³⁹¹ Dombos, T., Udvari, M. (2014), *Summary Report: Hate Speech in Hungary – Problems, Recommendations, Good Practices*, Másság Foundation, dev.neki.hu/wp-content/uploads/2014/03/gybcs_B5-angol.pdf.

³⁹² Government Decree 110/2012. (IV.4) on the issuing, introduction and implementation of the National Curriculum (110/2012. (VI. 4.) Korm. rendelet a Nemzeti alaptanterv kiadásáról, bevezetéséről és alkalmazásáról).

	<p>system,³⁹³ issued by the Ministry of Education, determine which conditions schools and kindergartens must fulfil in order to be characterised as having intercultural education programmes. The main points are:</p> <ul style="list-style-type: none"> a) schools using the mother tongue of the foreign national citizens; b) employment of at least one HFL teacher, who may work in more than one school, is obligatory; c) visiting teachers specialised in the mother tongue/culture of foreign pupils may be employed; d) after personal interview and consulting, the HFL teacher and the headmaster of the school determine the placement of the children in the appropriate class on the basis of their school certificates. <p>3) The Migration Strategy addresses the need to “Promote intercultural education in public education, and taking into account aspects of theoretical and practical education”, under which the following actions are to be taken:</p> <ul style="list-style-type: none"> a) complementing existing needs assessments and carrying out new studies on migrant access to education; b) creation, development and operation of sustainable programmes to help children of migrant families to integrate into kindergartens and schools; c) capacity-building in the field of public education, developing teaching methods and curricula adapted to students’ culture, professional consultation forums, reinforcement of the cooperation with institutions providing basic and advanced teacher training to promote the new role to teachers, or to train specialist HFL teachers. <p>4) School integration mentoring programmes involving the development of intercultural pedagogical programmes contain elements focusing on the sensitisation of children and teachers. Between 2010 and 2014, the European Social Fund (Social Renewal Operational Programme), or the EIF/ERF, supported such projects in local schools which developed their own intercultural pedagogical programmes. For example:</p> <ul style="list-style-type: none"> a) the recommendations on Intercultural Pedagogical Programs for kindergartens and public schools developed in two schools and two kindergartens of Kőbánya (District X of Budapest);³⁹⁴
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³⁹³ Communication of the Ministry of Education on the the education and tuition of foreign citizen children in public schools and in kindergartens according to the intercultural pegagogical system (*OM közlemény a külföldi állampolgár gyermekek, tanulók interkulturális pedagógiai rendszer szerinti óvodai nevelése és iskolai nevelése-oktatása irányelvének kiadásáról*),2004. August, available at:

www.xpsz.hu/Csatolm%C3%A1nyok/334_Iskolai%20Interkulturális%20Pedagógiai%20Program%20Ajanlas.pdf.

³⁹⁴ Budapest Capital X. district, Kőbánya Local Government (*Budapest Főváros X. kerület, Kőbányai Önkormányzat*), Reception communities in Kőbánya – intercultural education (*Kőbányai befogadó közösségek – interkulturális nevelés*), TÁMOP-3.4.1.B-11/1-2012-0009.

		<p>b) the Bábel intercultural pedagogical project in Erzsébetvárosi Kéttannyelvű Általános Iskola és Szakiskola;³⁹⁵</p> <p>c) the pedagogical programme of Than Károly Eco-School, Secondary, Vocational and Technical School, Budapest (2010),³⁹⁶ where a preparatory, intensive HFL class has been formed for migrant children.</p> <p>d) the Agora Foundation for Social Research implemented Mentoring programmes for integration³⁹⁷ in Budapest, Szeged and the South-Plain, which aimed at facilitating integration and studying difficulties of TNC students in Hungarian schools.</p> <p>e) the Pósa Street Kindergarten in Debrecen also developed an intercultural programme.³⁹⁸</p> <p>EIF/ERF-funded projects, which are intended to raise awareness, combat intolerance, and build a welcoming society in educational institutions, focusing on the fight against xenophobia in schools, include sensitising projects in schools, kindergartens and universities, such as:</p> <p>a) The Menedék Association implemented several sensitising programmes since 2011, e.g. kindergartens, primary and high schools – see Annex 7 to this report;³⁹⁹</p> <p>b) Colour School I-II (Budapest Film, 2013-2014) aimed to create and implement a complex programme to which increase social sensitivity, social awareness, and openness, and to extend the migrant-specific knowledge of 16 secondary school classes and their teachers – see Annex 7 to this report;⁴⁰⁰</p> <p>c) Immigropoly (University of Pécs, 2012), aimed at informing young people and students about the African TCNs living in Hungary and in the EU, thus encouraging openness and the breaking-down of stereotypes, as well as critical thinking among society at large.⁴⁰¹</p> <p>Implementation: Feedback on implemented intercultural programmes in various schools is positive, and these programmes are sustainable policies. MIPEX, however, categorised migrant integration in education in Hungary “as critically unfavourable” (Hungary was ranked last</p>
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³⁹⁵ Artemisszió Foundation (Artemisszió Alapítvány), Bábel intercultural pedagogic project (*Bábel interkulturális pedagógiai projekt*), TÁMOP-3.4.1.B-08/1.

³⁹⁶ Károly Than, Eco-School, Secondary, Vocational and Technical School, (*Than Károly Ökoiskola Gimnázium, Szakközépiskola és Szakiskola*), Intercultural school programme (*Interkulturális iskolai program*), EMA/2010/3.10.6.; Klebersberg Institute Maintenance Centre (*Klebersberg Intézményfenntartó Központ*), Home in Hungary, home in Than (*Otthon Magyarországon, otthon a Thanba*), TÁMOP-3.4.1.B-11/1-2012-0003.

³⁹⁷ e.g. Agora Foundation (Agora Alapítvány), With mentoring programme for integration (*Mentorprogrammal az integrációért*), EIA/2011/1.1.5, EIA 2013/1.4.4.; With mentoring programme for integration in South Plain (*Mentorprogrammal az integrációért Dél-alföldön, Budapesten (MIDAB)*), EIA 2013/1.4.4.

³⁹⁸ Kindergarten of the Street of Pósa (*Pósa Ucai Óvoda*), Pedagogical Programme (*Pedagógiai Program*), Debrecen, 2013.

³⁹⁹ e.g. Menedék Association, Familiar strangers (*Ismerős ismeretlenek*), EIA/2010/3.1.4.3.; Everyone is the same, but differently (*Mindenki másképp egyforma*), EIA/2011/1.2.8. Multicolour world (*Sokszínűvilág*) EIA/2013/1.2.5.

⁴⁰⁰ e.g. Budapest Film Zrt., *ColourSchool Programme I-II*, 2012/2013, EIA/2012/1.2.2.; 2013/2014, EIA/2013/1.2.4.

⁴⁰¹ IDResearch Ltd., *Immigropoly*, EIA/2011/1.2.13., *Study on Practices of Integration of Third-Country Nationals at Local and Regional Level in the European Union*, Centre for Strategy and Evaluation Services (CSES), April, 2013.

		<p>among 31 countries). The main problem areas are the following:</p> <p>a) "policy documents about public education do not tackle the issue of migrant children, and do not provide a strategy and methodology for the integration of migrant children in schools";</p> <p>b) development and implementation of intercultural programmes is optional for schools. Despite the existence of some notable exceptions, it was found that "intercultural education is literally lacking in public education". While related methodology has been available since the mid-2000s, "it has never been convincingly implemented on a systemic level";</p> <p>c) though schools are required to enrol newly arrived children registered in their school division, there is no obligation to provide these students with special support (e.g. HFL tutoring or special pedagogical support for integration);</p> <p>d) both the educational institutions and the teachers are unprepared to integrate or deal with migrant children, to handle cultural differences, communication problems with parents, or problems stemming from traumatic experiences caused by migration;</p> <p>e) migrant "children are often placed in classes with a much younger cohort of children in order for them to learn Hungarian";</p> <p>f) the "lack of classes and methodologies for teaching HFL to school children".⁴⁰²</p> <p>Specific concerns: unaccompanied minors are placed into mainstream child-care systems and in child-care homes (in Fót and in Hódmezővásárhely). They are "separated from the outside world and are not provided with <i>de facto</i> support for integration. <i>De jure</i>, they are enrolled into a school, but, <i>de facto</i>, they do not attend school."⁴⁰³ While unaccompanied minors are granted an official guardian, no official interpreter is provided, which creates significant difficulties with their effective representation.</p>
	<p>Please provide information about state and non-state responses via positive measures, campaigns, partnerships involving migrants and communities. Please provide information only about those actions that focus on migrants and on <u>prevention</u> and promotion of peaceful living together and integration as mutual accommodation combatting</p>	<p>1) Regarding the activities of NGOs to prevent hate crimes or to promote intercultural dialogue, see sections 4.1.6 and 4.2.1.</p> <p>2) Awareness raising campaigns:</p> <p>a) The "Mondj igent!" campaign ("Say I do!") by TASZ (Hungarian Civil Liberties Union), 6-16 February 2015, was an awareness-raising campaign for free-choice marriage, although focusing on mixed couples as well. Over the campaign period, the homepage of TASZ hosted a series of articles and stories written by leading Hungarian literary authors on related issues. The stories were accompanied by short summaries of the relevant social issues and TASZ's view on them;⁴⁰⁴</p>

⁴⁰² Messing, V., Árendás, Zs. (2014), *National Report Hungary: ASSESS, Integration of Vulnerable Migrant Groups*, Center for Policy Studies, CEU, June 2014, p.9.

⁴⁰³ Messing, V., Árendás, Zs. (2014), *National Report Hungary: ASSESS, Integration of Vulnerable Migrant Groups*, Center for Policy Studies, CEU, June 2014, p.9.

⁴⁰⁴ Available at: mondjigent.tasz.hu/.

	<p>racism and intolerance. Please outline any assessment about their impact and identify any relevant promising practice. (Use the template for promising practices in Annex 7).</p>	<p>b) Foreign Legioners is a TV series broadcast by Sport 1, Sport 2 and Sport M channels, aimed at changing negative attitudes of viewers against foreigners by introducing third-country athletes taking part in Hungary, and by showing how supporters responded to their presence.⁴⁰⁵</p> <p>3) Publications, videos:</p> <p>a) Foreigners in Hungary: a smart-guide for journalists intends to provide practical assistance on how to approach and represent issues related to migration and foreigners (see Annex 7);⁴⁰⁶</p> <p>b) Idegenek a kertemben (Strangers in my garden) (2009-ongoing, Budapest) is a collection of documentary films about migration. Through presenting the fate of individuals and communities, it portrays the lifestyles, migration strategies, and hardships of migrants living in Europe. The collection is available in Palantír's film library (DocuArt) and is accompanied by a methodological handbook (2011) for using the films in education and training.⁴⁰⁷</p>
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4.2. Combatting racism and intolerance

	<p>Are there any policy measures, initiatives and practices to accommodate for ethnic or religious differences, for example with regard to sharing public space, such as swimming pools at local level?</p> <p>Identify any promising practices encouraging social interaction and contacts of people of different backgrounds at local level (use the template for promising practices in annex 7).</p>	<p>The OIN reception centres have separate rooms that function as chapels for Muslims. Otherwise, no such official policy measures or initiatives exist. Private initiatives and practices, not specifically intended to accommodate migrants, include the maintenance of separate areas delineated for women and men in spas (e.g. <i>Gellért Gyógyfürdő</i>, <i>Rudas Gyógyfürdő</i> in Budapest), or in fitness clubs for women in Budapest, <i>Gödöllő</i>, <i>Zalaegerszeg</i> (e.g. <i>Curves fitness clubs</i>). There are also restaurants and shops which accommodate cultural/religious differences.</p> <p>Between 2012 and 2014, several EIF and EMF-funded projects, run by NGOs and promoting intercultural dialogue, were implemented, whereby information campaigns through media and meetings between migrants and local communities were supported.⁴⁰⁸ These include:</p> <p>1) Festivals, performances:</p>
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⁴⁰⁵ Decrescendo Limited (Decrescendo Kft.), Legionnaires (*Idegenlégiósok*), EIA/2011/1.2.12.

⁴⁰⁶ Hungarian Helsinki Committee. The training of media experts for an inclusive society (*Médiaszakemberek képzése a befogadó társadalomért*), EIA/2013/1.2.2., Hungarian Helsinki Committee (2014), Foreigners in Hungary: glossary for journalists from the Hungarian Helsinki Committee (*Külföldiek Magyarországon: kisokos újságíróknak a Helsinki Bizottságtól*), Budapest, Magyar Helsinki Bizottság, available at: helsinki.hu/wp-content/uploads/kulfoldiek-magyarorszagon-helsinki-bizottsag.pdf.

⁴⁰⁷ Palantír Film Visual and Anthropological Foundation (*Palantír Film Vizuális Antropológiai Alapítvány*), *Foreigners in my garden, media project / capacity building workshop (Idegenek a kertemben médiaprojekt / fejlesztési workshop)*, EIA/2011/1.2.6.

⁴⁰⁸ European Migration Network (2013), *Country Factsheet: Hungary*, available at: ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/country-factsheets/13.hungary_emn_country_factsheet_2013.pdf.

		<p>a) Lunar New Year 2013 was an event to promote a cultural exchange between Hungarian nationals and the Asian community living in Hungary (see also Annex 7);⁴⁰⁹</p> <p>b) Not The Weaker project (Artemisszió Foundation, 2014)⁴¹⁰ aimed at promoting migrant women’s integration by working with migrant and Hungarian women living in Budapest;</p> <p>c) Kul-turné project (Menedék, 2010-2011) included a free intercultural festival in 2010, presenting the works of migrant artists, offering concerts, cultural demos (dance, henna painting) a photography exhibition and an interactive map of multicultural Debrecen. The project also involved a short film competition in 2011 aimed at presenting TCNs living in Hungary. The award ceremony was organised in Gödör Klub in Budapest;⁴¹¹</p> <p>d) Inti Raymi Festival (Inti Raymi Association, 2004-2014) on 25 June, where the Andean community in Hungary celebrates the traditional Festival of the Sun in Budapest, which is related to the ancient New Year’s Festival of the Incas, and is the most important cultural event of the immigrant Andean community;⁴¹²</p> <p>e) Colours Festival I-II (Odeon Ltd, Budapest Film, 2012/2013) created special cultural programmes and community spaces, where TCNs, Hungarians, and non-Hungarians, could meet in Budapest, Debrecen, Nyíregyháza, Pécs, Szeged (see Annex 7);⁴¹³</p> <p>f) Integration through a kitchen project aimed at increasing the openness of Hungarian society towards TCNs through two public events held by A38⁴¹⁴ (World Buffet Festival, MigroWave Festival) and by publishing photos, interviews and videos related to the events as well as a gastronomy book and a gastro map;⁴¹⁵</p> <p>g) The interactive theatre project <i>JeruVille</i> was adapted to Hungary by the Reformed Mission Centre in 2010.⁴¹⁶</p> <p>2) Events for children:</p> <p>a) “Colour village” (Kastner & Partners Kft., 2014) during Children Island⁴¹⁷ aimed to acquaint the public (children and their parents) annually with members and cultures of five Hungarian immigrant communities, e.g. Chinese, Turkish, Syrian, Vietnamese, and Nigerian), and to promote their acceptance by providing children with activities and puppet performances;⁴¹⁸</p>
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⁴⁰⁹ Subjective Values Foundation (*Szubjektív Értékek Alapítvány*), Lunar New Year (*Holdújév*) 2013, EIA/2011/1.2.7.

⁴¹⁰ Artemisszió Foundation, Not the weaker (*Nem a Gyengébbik*), EIA/2013/1.3.1.

⁴¹¹ *Kul-turné*, available at : menedek.hu/projektek/kul-turne.

⁴¹² Tett Studio Ltd: *Inti Raymi*, EIA/2012/1.2.15.

⁴¹³ Odeon Ltd, *Colours Festival I-II*, EIA/2011/1.2.10., EIA/2012/1.2.9.

⁴¹⁴ A 38 is a concert hall, cultural centre and restaurant in Budapest.

⁴¹⁵ A38, Integration through kitchen (*Integráció a konyhán keresztül*), EIA/2011/1.2.9.

⁴¹⁶ Reformat Mission Centre (*Református Missziói Központ*): *Jeruville – the exceptional city (Jeruville - A páratlan város)*, EIA/2010/3.1.3.3.

⁴¹⁷ Children island (Gyereksziget) is a festival in Budapest.

⁴¹⁸ Kastner & Partners Kft., Colourful toys, colourful world (*Színes játékok, sokszínű ország*) EIA/2010/3.1.3.4., EIA/2013/1.2.3.

		<p>b) Piréz Activity Centre for Kids (Senzala Association) is an establishment for the integration of Hungarian and immigrant children based on playful activities (see also Annex 7).⁴¹⁹</p> <p>3) Publications:</p> <p>a) Everything is Much Better There, There is Sugar, There is Honey - immigrants' tales from Hungary: in 2012 the Artemisszió Foundation published a collection of tales that immigrants in Hungary chose as being dear to them. The storytellers came from Asia, Africa, Central and South America, from Europe and outside the Union;</p> <p>b) Budapest with Chopsticks (Szubjektív Values Foundation, 2014) is a colourful guide to the Chinese colony living in Budapest, which is presented through different points of view (e.g. gastronomy, popular myths about the Chinese or remarkable figures of the local colony).⁴²⁰</p>
	<p>Please indicate concrete measures, initiatives or programmes targeting migrants and/or descendants aiming at building trust in public institutions, especially at local level e.g. campaigns, opening doors and reaching out to citizens, social centres, informal collective bodies, cultural events, etc.</p> <p>Please provide notable examples of promising practice (use the template for promising practices in annex 7).</p>	<p>a) Each year, open days are held in kindergartens and schools maintained by municipalities and Klebersberg Institution Maintenance Centre. Schools and kindergartens attended by migrant children e.g. in Debrecen or in Budapest, pay special attention to reaching out to migrant parents. In Debrecen, the head of the Pósa Street Kindergarten and her colleagues annually visit the OIN reception centre to meet and inform parents. Parents also have the opportunity to pay a guided visit the kindergarten, for which special buses are provided.</p> <p>b) The project Budapest Migration Roundtable set up a consultation forum and an effective network of key stakeholders to stimulate the local administration's work in the field of migration (see Annex 7).</p> <p>c) In the framework of the project The Renewal of the Office's Info-communicational Services,⁴²¹ co-funded by the EIF, the OIN opened its new Call Centre on 1 September 2014. The primary task of the Call Centre is to provide accurate information on different procedures and, if needed, to give specific information on successful social integration. The Call Centre provides general information in English, German and French.</p>
	<p>Are there any specific ethical or other guidelines or rules concerning the language used by media or journalists, when writing about migrants and/or their descendants? In this</p>	<p>The Code of Ethics of the Association of Hungarian Journalists (MÚOSZ) makes no explicit reference to migrants/refugees. Article 2 on "Liberties and responsibility of journalists" maintains that journalists have to respect human rights, may not incite hatred, racial discrimination against nations, ethnic groups, and</p>

⁴¹⁹ Senzala Egyesület, Piréz Children Atelier (*Piréz Gyermekműhely*), EIA/2012/1.2.5.

⁴²⁰ *Budapest with Chopsticks* project homepage www.szubjektiv.org/palcikaval/.

⁴²¹ OIN (BÁH), The renewal of the Office's infocommunication services (*A Hivatal infokommunikációs szolgáltatásainak megújítása*), EIA/2013/1.5.2.

case please provide brief information about actual application of such rules and challenges.	shall not depreciate anyone, for example, on account of religion. ⁴²²
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4.3.Mixed marriages

	<p>Mixed marriages are often used as an index for social distance and integration or, even, assimilation. Mixed (citizenship) marriages are defined as those where one of the spouses has foreign citizenship and the other has national citizenship (including registered partnerships, common-law marriages). Please indicate legal limitations, if any, for marriages between nationals and foreigners, e.g. for asylum seekers, third country nationals, etc. Do these limitations result in practical barriers?</p>	<p>Article K of the Fundamental Law states that “marriage is understood to be the conjugal union of a man and a woman based on their independent consent”. The main legal limitations that may hinder marriages or the registration of marriages in Hungary of mixed couples are:</p> <p>1) According to Act I of 2010 on registration (<i>2010. évi I. törvény az anyakönyvi eljárásról</i>, Act I of 2010, e.g. Article 14, Article 17), mixed couples may marry under the general rules at the registrar, after notifying the registrar together and in person, of their intention to marry. It is necessary to present the required public documents (certificates on identity, citizenship, marital status, address and birth) and an officially translated testimonial certifying that there is no legal barrier to the marriage according to the law of the country of origin. Exemptions may be requested if, for example, the person in question arrives from a war zone, and there are also third-countries exemptions.⁴²³ Under Act XXIX of 2009 on registered partnerships, and on the amendment of related and certain other laws necessary for the facilitation of the verification of partnership (<i>2009. évi XXIX. törvény a bejegyzett élettársi kapcsolatáról, az ezzel összefüggő, valamint az élettársi viszony igazolásának megkönnyítéséhez szükséges egyes törvények módosításáról</i>, Articles 1-3), registered partnerships may be contracted between two persons of full age (18 and older) and of the same gender. Otherwise, in general, rules on marriage apply.</p> <p>2) If one of the spouses does not have a Hungarian address, he/she may make an officially translated authentic and legalised statement in writing as to his/her intention to marry before a competent Hungarian consular officer (Article 17 (3), Act I of 2010).</p> <p>3) In general, public documents issued abroad may only be accepted after diplomatic/consular legalisation by the Hungarian foreign diplomatic mission operating in the state in question – except for cases where an Apostille certificate is acceptable. A registry certificate issued by the diplomatic mission of a foreign state operating in Hungary is also accepted without diplomatic/consular</p>
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⁴²² Association of Hungarian Journalists (MÚOSZ), Ethnical Code (*Etikai Kódex*), available at: muosz.hu/cikk.php?page=bizottsagok&id=3221&fo=8&iid=5.

⁴²³ Article 13, Ministry of Public Administration and Justice Decree 32/2014. (V. 19.) on the detailed rules of the fulfilment of the tasks of the registry (32/2014. (V. 19.) KIM rendelet az anyakönyvezési feladatok ellátásának részletes szabályairól, PMAJ D 32/2014. (V. 19.)).

		<p>legalisation. If there is no Hungarian foreign diplomatic mission in the state where the document was issued, or the Hungarian foreign diplomatic mission does not perform diplomatic/consular legalisation, then legalisation must be obtained from the Ministry of Foreign Affairs of the state in question (Article 14, Act I of 2010).⁴²⁴ Obtaining these kinds of certified documents may be cumbersome – particularly for TCNs of countries not party to the Apostille Convention, and/or of countries whose administrations are regarded with mistrust by the Hungarian authorities, e.g. Central-African countries.</p> <p>4) There is a minimum length of marriage required before the issuance of long-term residence permits.</p> <p>5) Mixed couples have to face considerable mistrust from authorities, e.g. in family reunification processes. This is also reflected in the Migration Strategy which raises the issue of (p. 22, p. 27.).</p> <p>B) Marriages and partnerships registered abroad, by Hungarian citizens, must be entered into the national registry. In practice, this is required only if the couple needs an official marriage certification in Hungary. The national registration of marriages contracted abroad, in which at least one of the spouses is Hungarian, is the competence of the OIN.</p>
	<p>Are there any official or non-official data and information on mixed marriages (between nationals and people with another citizenship)? Please provide % proportions on the total number of marriages in a given period, as well as data – where available - about ages, country of origin/birth of migrant spouses.</p>	<p>Cases registered by the OIN: 4,900 in 2010, 2,756 in 2011, 3931 in 2012, and 4,457 in 2013.⁴²⁵ However, these numbers comprise not only of marriages between Hungarian citizens and TCNs, but also of Hungarian couples marrying abroad and marriages between Hungarian citizens and nationals of other EU Member States.</p>

⁴²⁴Article 3, Law-Decree No. 11 of 1973 on the promulgation of the Hague Convention Abolishing the Requirement for Legalisation for Foreign Public Documents (1973. évi 11. törvényerejű rendelet a külföldön felhasználásra kerülő közokiratok diplomáciai vagy konzuli hitelesítésének (felülhitelesítésének) mellőzéséről Hágában, az 1961. október 5. napján kelt egyezmény kihirdetéséről).

⁴²⁵ Information provided by the OIN.

Annex 2: National and regional level action plans on integration

National / regional level (specify region)	Year of the first edition and Year of latest update (e.g. First edition: 2004, Most recent update: 2011)	Responsible ministry – public authority – reference details (URL – links)	Target groups identify migrant and refugee groups as beneficiaries (e.g. on the basis of their residence status)	Main aims, actions and activities foreseen in the focus areas – link to fundamental rights [provide both key dimensions and specific actions and aims of the policy instruments in each focus area (use a different row for each focus area if needed)]	Targeting general population? Yes/No – explanatory comments where needed	Insert here definition of integration (in EN) if any. Alternative: Indicate the core aim/objective of the NAP related to social inclusion and/or integration of migrants
National Migration Strategy, Chapter VI. Government Decision 1698/2013 (X.4.)	2013	Ministry of the Interior, available at: http://www.kormany.hu/hu/belugyminiszterium/elerhetosegek	<ul style="list-style-type: none"> - legal migrants holding permanent/or long-term residence permits including ethnic Hungarian migrants - beneficiaries of international protection: recognised refugees and subsidiary protected persons 	<p>1. Legal migrants: no complex integration programme exists 2. beneficiaries of international protection: integration agreement</p> <p>VI.1. Drafting and implementation of a strategy for the integration of foreigners in Hungary in order to increase the effectiveness of integration</p> <p>Activities:</p> <ul style="list-style-type: none"> - drafting the Integration Strategy - creation of an Integration Forum which operates and coordinates the work of governmental and non-governmental organisations 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 	Yes, but not financed by the state on a permanent basis and ad hoc project-based implementation by NGOs - promotion of intercultural dialogue, welcoming society - promotion of intercultural education / school integration - training of civil servants, specific target groups	<p>Chapter VI. / p. 69.: “Az integráció kétirányú folyamat: 1. A fogadó ország társadalmának oldaláról szükséges a befogadó attitűd, a nyitottság fenntartása, azzal, hogy az újonnan érkező saját kultúráját, nyelvét és szokásait nem köteles feladni, azokat Magyarország jogrendjével összhangban gyakorolhatja.</p> <p>2. A Magyarországon letelepedni szándékozó külföldi elfogadja és tiszteletben tartja a fogadó ország törvényeit és szokásait, azok iránt akkor is toleranciát</p>

				<p>identification of the necessary means</p> <p>VI.2. Promote intercultural education in public education, taking into account aspects of theoretical and practical education</p> <p>Activities:</p> <ul style="list-style-type: none"> - 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. 	<p>gyakorol, ha ezek eltérnek saját hagyományaitól.</p> <p>Az integráció folyamata során a befogadott és a befogadó közösség között interakció jön létre, a migráns a befogadó közösség aktív, alkotó elemévé válik, és a hangsúly nem pusztán a befogadáson, hanem az együttélésen, közös tevékenységeken, kölcsönös megismerésen és kommunikáción van.”</p> <p>“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</p>
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				<p>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</p> <p>Activities:</p> <ul style="list-style-type: none"> - 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. <p>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</p> <p>Activities:</p> <ul style="list-style-type: none"> - 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. 	<p>the customs of the foreigner. During the process of integration there develops an interaction between the person integrated and the integrating community, the migrant becomes an active, constructive element of the integrating community, and the emphasis is not only on integration but on coexistence, mutual understanding and communication.”</p>
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				<ul style="list-style-type: none"> - Facilitating entry to the labour market for stateless persons. - Providing migrant-specific training to the staff of training institutions. <p>VI.5. Facilitate migrants' entry to the labour market through training, re-training and benefits offered to employers. Activities:</p> <ul style="list-style-type: none"> - 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. 		
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				<p>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</p> <p>Activities:</p> <ul style="list-style-type: none"> - 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. <p>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.</p> <p>Activities:</p>		
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				<ul style="list-style-type: none"> - 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 <p>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</p> <p>Activities:</p> <ul style="list-style-type: none"> - 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). 		
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				<ul style="list-style-type: none"> - 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. <p>VI.9. Unaccompanied and separated children and young adults receiving post-care support who are recognized as refugees or</p>		
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				<p>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.</p> <p>Activities:</p> <ul style="list-style-type: none"> - 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 		
Regional	-	-	-	-	-	-
Local	-	-	-	-	-	-

Annex 4: Indicators monitoring migrant integration - social inclusion/cohesion

N/A.

Annex 5: Use of funding instruments

Table 1 - European Integration Fund (EIF)⁴²⁶

	European Integration Fund (EIF) – TOTAL	Own funds (O)	Funds distribution / Thematic areas							
			Participation ⁴²⁷	Social Cohesion / social inclusion	Active citizenship ⁴²⁸	Welcoming society	Employment	Education	Healthcare	Other
2010	EIF: 240326501.5 HUF / 872614 EUR	O: 79864433.5 HUF/ 289984 EUR	817,704 HUF/ 2969 EUR	EIF:11294437,5 HUF/ 41010 EUR O: 3764812.5 HUF/ 13670 EUR	0	EIF: 115525834 HUF/ 419469 EUR O: 38264211 HUF/ 138935 EUR		EIF: 27749250 HUF/ 100756 EUR O: 9249750 HUF/ 33585 EUR		EIF: 85756980 HUF/ 311379 EUR 28585660 HUF / 103793 EUR
2011	EIF: 455089087 HUF / 1629917 EUR	O:145929501HUF / 522651 EUR + 4543876 HUF / 16274 EUR (private)	1295211 HUF / 4639 EUR	EIF: 8141121HUF/ 29158 EUR O: 2713708 HUF/ 9719 EUR	0	EIF: 223894802 HUF/ 801887 EUR	EIF: 36298451 HUF/ 130004 EUR	EIF 96312217 HUF / 344945 EUR		EIF: 90442496 HUF / 323923 EUR

⁴²⁶ EUR is counted on the basis of the yearly average exchange rates of the Hungarian National Bank. Available at: demo.mtieco.hu/Pages/hist.aspx?sub=1&CategoryId=19&menuid=f86de2d3-4f83-4952-852e-14a09776a2f2

⁴²⁷ Political participation is understood as the combination of national priorities 3-6 as set out in the multiannual planning programme.

⁴²⁸ In the Hungarian programming documents, there is no budget allocated specifically for active citizenship.

						O:7111772 9HUF / 254711 EUR + 3493876 HUF / 12513 EUR (private)	O: 11549485 HUF/ 41365 EUR +550000 HUF/ 1970 EUR (private)	O: 32004076 HUF / 114624 EUR + 100000 HUF / 358 EUR (private)		O. 285445 03 HUF / 102233 EUR +4000 00 HUF / 1433 EUR (private)
2012	2801021 EUR	Own: EUR 931256 Private: EUR 2419	EUR 1204792	0	0	EUR 1405173	---	EUR 574671		EUR 550060
2013	2071772 EUR	Own: EUR 501936 Private: EUR 5321	EUR 904140	0	0	EUR 380959	EUR 267321	EUR 639724		EUR 386885
2014 429	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

* Please indicate if Asylum, Migration and Integration Fund is used for 2014.

⁴²⁹ AMIF is not yet operational in Hungary. The implementation through AMIF is still at the programming phase.

Table 2 - European Refugee Fund (ERF) aiming at integration of beneficiaries of international protection⁴³⁰

	European Refugee Fund (ERF) - TOTAL	Own funds (national/regional)	Funds distribution / Thematic areas							
			Participation	Social Cohesion / social inclusion	Active citizenship	Welcoming society (host society targeted)	Employment	Education	Healthcare	Other
2010	ERF: 180809137 HUF/ 656509,00 EUR	O: 50777079 HUF/ 184369 EUR + 1000000 HUF / 3631 EUR (private)	0	ERF: 53817045 HUF/ 195407 EUR O: 17939015HUF/ 65136 EUR	0	ERF: 8259074 HUF/ 29988 EUR O: 2753025 HUF/ 9996 EUR	ERF: 9429700 HUF / 34239 EUR O: 0HUF	ERF: 90643468 HUF/ 329122 EUR O: 25898079 HUF/ 94035 EUR	ERF: 9737760 HUF / 35357 EUR O:3245920 HUF / 11786 EUR	ERF 8922090 HUF/ 32396 EUR O:941040 HUF / 3417 EUR
2011	ERF: 200005689 HUF / 716327 EUR	O: 66668563 HUF / 238776 EUR	0	ERF:50440672HUF/ 180655 EUR O: 16813557 HUF /60218 EUR	0	ERF: 8413570 HUF/ 30133 EUR O: 2804523 HUF/ 10044 EUR	0	ERF: 116855641HUF/ 418522 EUR O: 38951881 HUF/ 139507 EUR	ERF: 13855612 HUF/ 49624 EUR O:4618537 HUF / 16541 EUR	ERF: 10440194 HUF/ 37392 EUR O: 3480065 HUF/ 12464 EUR
2012	ERF: 247436668 HUF/	O: 82478885 HUF / 284980 EUR	0	ERF: 62019184 HUF/ 214288 EUR	0	ERF: 24584172 HUF / 84943 EUR	0	ERF: 74166184 HUF/	ERF: 29002736 HUF/	ERF: 57664392 HUF /

⁴³⁰ EUR is counted on the basis of the yearly average exchange rates of the Hungarian National Bank. Available at: demo.mtieco.hu/Pages/hist.aspx?sub=1&CategoryId=19&menuid=f86de2d3-4f83-4952-852e-14a09776a2f2

	854940 EUR			O: 20673061 HUF/ 71429 EUR		O: 8194724 HUF/ 28314 EUR		256258 EUR O: 24722060 HUF/ 85419 EUR	100210 EUR O: 9667578 HUF/ 33403 EUR	199241 EUR O: 19221467 HUF/ 66414 EUR
2013	ERF: 21134399 7 HUF/ 711788 EUR	O: 70448002 HUF / 237263 EUR	0	ERF: 98068890 HUF/ 330287 EUR O: 32689631 HUF/ 110096 EUR	0	ERF: 20278613 HUF/ 68297 EUR O: 6759538 HUF/ 22766 EUR	0	ERF: 50388216 HUF/ 169703 EUR O: 16796073 HUF/ 56568 EUR	ERF: 15878667 HUF/ 53478 EUR O: 5292879 HUF/ 17826 EUR	ERF: 26729641 HUF/ 90023 EUR O: 8909881 HUF/ 30008
2014 ⁴³¹	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

* Please indicate if Asylum, Migration and Integration Fund is used for 2014

⁴³¹ AMIF is not yet operational in Hungary. The implementation through AMIF is still at the programming phase.

Annex 7: Promising practices

Thematic area	Social interaction/contacts, intercultural dialogue
Title (original language)	Colours fesztivál 1-2
Title (EN)	Colours festival 1-2
Organisation (original language)	Odeon Video Kft., followed by Budapest Film Zrt (Odeon Video Kft was merged into Budapest Film)
Organisation (EN)	Odeon Video Ltd., followed by Budapest Film Zrt
Government / Civil society	Civil
Funding body	European Integration Fund
Reference (incl. the url where available)	Colours Festival Home Page http://2012.coloursfestival.hu/ Colours Festival 2 Home Page http://coloursfestival.hu/
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	2012-2013
Type of initiative	Sensitisation, social awareness and openness, to extend knowledge concerning immigration
Main target group	Host society
Indicate level of implementation: Local/Regional/National	National, organised in five cities
Brief description (max. 1000 chars)	The festival created special cultural programmes and community spaces, where third country nationals and the often xenophobic majority, Hungarians and non-Hungarians, could engage in conversation, spend time together and get closer to each other by organising, together with immigrants, a four weekend-long thematic cultural festival about the migrant groups in five Hungarian cities (Budapest, Debrecen, Nyíregyháza, Pécs, Szeged) – featuring films, discussions, exhibitions, workshops and concerts.

Highlight any element of the actions that is transferable (max. 500 chars)	A cultural event built on a film festival, which shows migrant lives and meeting migrants face-to-face is easily transferable and adaptable to local/regional demands, e.g. focusing on local/regional communities.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	Although the Hungarian model ended after two events, the format could be moved to different cities with largely the same programme or each year in the same cities with new films, documentaries.
Give reasons why you consider the practice as having concrete measurable impact	The number of participants is measurable, just as the reaction and impact on the audience can be surveyed. Some films had already been presented in Hungary, but were not seen by many. However, some had never been featured before in Hungary, such as movies on the cultures of Turkey, Russia, Iran and the former states of Yugoslavia.
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	The format is promising and easily feasible in other environments.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	Migrants are participating in the programmes, thus are directly involved in the project.
Explain, if applicable, how the practice provides for review and assessment.	The audience can be surveyed by interviews and questionnaires, and the second festival gives a chance for gathering data on the longer term impact of the festival on the local population

Thematic area	Social cohesion/social inclusion
Title (original language)	Iskolai integrációs program
Title (EN)	School integration programme
Organisation (original language)	Menekültmisszió
Organisation (EN)	Reformed Mission Centre
Government / Civil society	Civil society

Funding body	Hungarian reformed Church, European Refugee Fund (intermittently)
Reference (incl. url, where available)	Description of Refugee Mission and its programmes (including School programme) http://www.rmk.hu/menekultmisszio/?p=6
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	2006-present
Type of initiative	Refugee support, integration
Main target group	Refugee children between 13-18
Indicate level of implementation: Local/Regional/National	Local
Brief description (max. 1000 chars)	The programme offers high school education and intense Hungarian language instruction and tutoring to youth between the ages of 13 and 18. This age is particularly at risk and the gaps within the Hungarian educational system do not meet the needs of these individuals, denying them their access to education. The aim of the programme is to give the children help with learning the language, to close the gap in the level of education in different subjects, together with social assistance and cultural events. Help with housing in dormitories is also provided if necessary, just as school supplies, books and anything else needed to help them succeed in school. In addition to this, we offer them social work support, counselling when needed, fellowship through social activities and familiarisation with the culture and history of Hungary. The programme is operated by a number of teachers and social workers in full- and half-time employment.
Highlight any element of the actions that is transferable (max. 500 chars)	The structure of the work and the experience of the teachers/social workers.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	The programme needs to be an ongoing one by its nature, assisting the refugee children through their education in the host country.
Give reasons why you consider the practice as having concrete measurable impact	By assisting refugee children in participating in school life and education in Hungarian schools with the local children, the Reformed Mission Centre helps with their integration and acceptance into Hungarian society, breaking down boundaries between refugees and the host society. Helping

	the children integrate could help rooting their families in the host country as well (provided they arrived with a family).
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	It is based on civil society and specially employed social workers and teachers, considering the needs of refugee children
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	Services on the school integration programme are tailor-made according to the specific needs of the child concerned. Reformed Mission Centre provides assistance and works together with the teachers as well.
Explain, if applicable, how the practice provides for review and assessment.	Progress in school or in language competence may be measured.

Thematic area	Social cohesion/social inclusion
Title (original language)	Együtthaladó program
Title (EN)	Step Together Programme I-IV
Organisation (original language)	Miskolci Egyetem, Bölcsészettudományi Kar, Magyar Nyelv- és Irodalomtudományi Intézetének
Organisation (EN)	University of Miskolc, Faculty of Humanities, Institute of Hungarian Language and Literature Studies
Government / Civil society	Civil Society
Funding body	European Integration Fund
Reference (incl. url, where available)	Introduction to the programme http://www.egyutthalado.uni-miskolc.hu/english/about-the-programme/
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	2010-ongoing
Type of initiative	Development of learning and teaching materials to help learning of migrant children in Hungarian primary schools
Main target group	Primary school children and their teachers

Indicate level of implementation: Local/Regional/National	Local
Brief description (max. 1000 chars)	The StepTogether – Migrant Children in School project aims to improve the education of migrant children and young adults from third countries, and to prevent their low school performance and dropping out from schools. The project team at the University of Miskolc, Hungary developed a content-based L2 Hungarian teaching aid package for migrant children studying in primary schools and for their teachers. In the course of the project several teaching aid materials were created in the fields of grammar and syntax, educational vocabulary, language-teaching aids, teachers' guides, questionnaires measuring language and social competences. The StepTogether teaching materials were tested for two months in two primary schools in Budapest. Currently six schools are participating in testing the materials.
Highlight any element of the actions that is transferable (max. 500 chars)	The developed teaching materials and educational materials can be transplanted to different institutions, to different language and cultural environments with ease.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	The materials and teaching aids developed are available (though it costs a lot) and may assist the learning and integration of migrant children in the country.
Give reasons why you consider the practice as having concrete measurable impact	The developed teaching aids and educational materials make it possible for migrant children to participate in education together with the native children, making their integration more fundamental and rooting their families more in the host society.
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	The developed teaching aids and educational materials may be transplanted and used in other countries.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	Teachers had the possibility to test these materials and provide feedback on them.
Explain, if applicable, how the practice provides for review and assessment.	Progress in school or in language competence may be measured.

Thematic area	Intercultural dialogue, combating racism, intolerance
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Title (original language)	Colourschool I-II
Title (EN)	Colourschool I-II
Organisation (original language)	Odeon Video Kft., followed by Budapest Film Zrt (Odeon Video Kft was merged into Budapest Film)
Organisation (EN)	Odeon Video Ltd., followed by Budapest Film Zrt
Government / Civil society	Civil
Funding body	European Integration Fund
Reference (incl. url, where available)	Colourschool homepage http://colourschool.hu/
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	2012 – 2014
Type of initiative	The aim was to increase social sensitivity, social awareness and openness of high school classes and their teachers, to extend knowledge concerning immigration.
Main target group	9-10 graders (14-16 years of age)
Indicate level of implementation: Local/Regional/National	National (schools in four cities are involved)
Brief description (max. 1000 chars)	The Colourschool project is based on film screenings, utilizing the method of psychodrama as well. The key element is the creation and implementation of the methodology for a complex programme which increases the sensitivity of secondary school classes through a whole school year. The aim of the project is to increase the participating youth's social sensitivity, social awareness and openness and also to extend their knowledge concerning immigration and as a result to improve the integration and acceptance of third-country nationals living in Hungary. The impact of the films, the responsiveness of young people which makes them more active, creative and knowledgeable are all key factors as well as the preventive anti-xenophobic nature of the project. Between the sessions the groups are given projects to work on during the school year. The project closes with an assessment for secondary school students.

Highlight any element of the actions that is transferable (max. 500 chars)	Both the basic concept and methodology of the project is easily transferable.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	With a finished model, the project needs less funding, it can be an adequate supplementary of school curriculum.
Give reasons why you consider the practice as having concrete measurable impact	Impact assessment was conducted after both phases of the project measuring e.g. the change in the attitudes of students.
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	It is a model that after the initial design needs less funding, mainly sustained by cooperation of teachers and schools.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	The project is interactive, builds upon the involvement of students and teachers.
Explain, if applicable, how the practice provides for review and assessment.	Reports and surveys are made during the programme providing for detailed feedback

Thematic area	Social interaction, intercultural dialogue
Title (original language)	Holdújév fesztivál
Title (EN)	Lunar New Year Festival
Organisation (original language)	Kínai művészeti központ and Szubjektív értékek alapítvány
Organisation (EN)	Centre of Chinese Art and Foundation of Subjective Values
Government / Civil society	Civil Society
Funding body	European Integration Fund
Reference (incl. url, where available)	Homepage of the festival http://holdujev.hu/ (currently showing the 2014 programme) Facebook page of the event and related contents https://www.facebook.com/holdujev/timeline?ref=page_internal

Indicate the start date of the promising practice and the finishing date if it has ceased to exist	2013, 2014
Type of initiative	Arts and culture festival presenting the culture of Chinese and Far East migrants
Main target group	Hungarian citizens
Indicate level of implementation: Local/Regional/National	Local
Brief description (max. 1000 chars)	<p>This is the first event that brought several NGOs, cultural associations, art associations dealing with China and the Far East cooperating in order to realise a festival in Budapest that presents a vivid image of the art and culture of the large Chinese and Southeast Asian community in Hungary, allowing Hungarians to participate in the festivities of the holiday.</p> <p>The programme consists of exhibitions, cuisine tasting, story-reading, arts and crafts for children, art and music performances, sports demonstrations, etc.</p>
Highlight any element of the actions that is transferable (max. 500 chars)	The format of the festival is easily transferable.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	Due to the large number of participant societies, associations, businesses and media outlets, organising the festival could be feasible even without EIF funding
Give reasons why you consider the practice as having concrete measurable impact	The festival helps the members of the host community to be more aware of the positive sides of the migrant community's culture and be more accepting towards its members.
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	Chinese communities tend to be close-knit, barring effective integration into host societies. A festival of this scale, organised, designed and run by members of the community helps to break down barriers between the communities
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	The festival is organised, designed and run by the civil actors that are members of or are related to the Chinese and Southeast Asian community in Hungary, fostering direct involvement of the community in integration efforts towards the Hungarian host society.
Explain, if applicable, how the practice provides for review and assessment.	Measurement of participation and surveying of participants is possible.

Thematic area	Building trust in institutions/active citizenship/participation
Title (original language)	Fővárosi Migrációs Kerekasztal
Title (EN)	Budapest Migration Roundtable
Organisation (original language)	Fővárosi Önkormányzat, Budapest Esély Nonprofit Kft.
Organisation (EN)	Municipality of Budapest, Budapest Chance non-profit Ltd.
Government / Civil society	Both
Funding body	European Integration Fund
Reference (incl. url, where available)	Homepage: http://budapest.hu/Lapok/F%C5%91v%C3%A1rosi-Migr%C3%A1ci%C3%B3s-Kerekasztal.aspx
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	1 October 2012 – 1 October 2013
Type of initiative	Capacity-building of the municipality, NGOs, migrant communities living in Budapest and the establishment of a consultative body built on the involvement and cooperation of all stakeholders.
Main target group	Migrants and migrant communities living in Budapest, NGOs, public actors, majority population.
Indicate level of implementation: Local/Regional/National	Local
Brief description (max. 1000 chars)	The project aimed to mobilise the local public administration in the field of migration, ensuring to the migrant communities living here opportunities for and ways of social involvement as well as equal access to services provided by social players. It targeted the implementation of the following activities: setting up and operating a network of social players active in the field of migration in the area of Budapest and developing their activities, capacities and professionalism by counselling and training; involving the Municipality of Budapest in handling migration at the level of social policy and providing trainings to the former in order to develop its human resources; setting up and operating a consultation body, the Budapest Migration Roundtable with a view to facilitating the social integration of migrant communities living in the capital. After problem – shooting, it aimed to develop recommendations for decision makers

	on social policies, education and cultural issues in order to achieve mainstreaming and fostering the integration of migrants, and the compilation of a 'Who is who in migration and good practices' book and the issuance of newsletters.
Highlight any element of the actions that is transferable (max. 500 chars)	Such transferable elements are: the composition of the consultative body, the model of cooperation, problem shooting approach, the development of recommendations, publication of newsletters, other publications, network building.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	The established network, consultative body of social players active in the field of migration could be easily sustained by holding regular follow-up consultations, forums. The mainstreaming of the results and recommendation of the consultative body is a continuous task.
Give reasons why you consider the practice as having concrete measurable impact	The significance of the Budapest Roundtable is considerable since Budapest and its agglomeration hosts the vast majority of migrants living in Hungary, the mobilization of the municipality and NGOs in this field in itself was a huge achievement, considering the passivity and insensitivity of local administrations in the country.
Give reasons why you consider the practice as transferrable to other settings and/or Member States?	This consultative body was a successful model of cooperation between local administration and related NGOs, capable of mobilizing and involving migrant communities too, which may be transplanted to other affected cities and regions as well. It involved training activities and publication of related materials, which would also be adaptable elsewhere.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	Various stakeholders had direct opportunity to express their views during the whole process being members of the consultative body adopting the recommendations.
Explain, if applicable, how the practice provides for review and assessment.	Assessment of the achievements of the Budapest Migration Roundtable would cover examining the success of mainstreaming or the implementation in any other way of the recommendations adopted.

Thematic area	Social inclusion/cohesion
Title (original language)	Lakhatási Program

Title (EN)	Housing Programme
Organisation (original language)	Református Missziói Központ
Organisation (EN)	Reformed Mission Centre
Government / Civil society	Civil society, church
Funding body	European Integration Fund, church funding
Reference (incl. url, where available)	Reformed Mission Centre Home Page: http://www.rmk.hu/menekultmisszio/
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	As of 2005 – ongoing.
Type of initiative	Provision of alternative housing possibilities, individualised social assistance through the housing programme.
Main target group	Beneficiaries of international protection
Indicate level of implementation: Local/Regional/National	Local
Brief description (max. 1000 chars)	<p>Reformed Mission Centre's housing programme follows a complex approach, offers beneficiaries assistance in finding rented housing possibilities scattered in Budapest and in paying the rents for one year. Experience shows that beneficiaries of international protection may face insurmountable difficulties in finding alternative housing possibilities without such assistance due to the general mistrust of the owners and their poor language competences. It is important that clients are not placed in temporary shelters specifically maintained for them, which could lead to isolation.</p> <p>Besides, beneficiaries of the Housing Programme also receive individualised social assistance in finding jobs, in school integration (there is a possibility to join the school integration programme if necessary). They may also participate in small groups or individually in HFL tutoring. All these services are tailor-made, accommodating the specific needs of the persons concerned.</p>
Highlight any element of the actions that is transferable (max. 500 chars)	The complex approach of the Housing Programme, the complex social assistance/work provided, and HFL training provided are the main transferable elements of the project. The method of providing housing facilities is also transferable: it is important that beneficiaries are scattered

	in Budapest in various districts and thus become more integrated into the majority society.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	After participating in the Housing programme beneficiaries become more capable of paying rents and providing for themselves. If necessary, they may stay in the programme as well. Experience shows that the number of drop-outs due to continuous, complex, individualised assistance is low.
Give reasons why you consider the practice as having concrete measurable impact	After participating in the Housing programme beneficiaries become more capable of paying rents and providing for themselves. If necessary, they may also stay in the programme. Experience shows that the number of drop-outs due to the complex, individualised assistance is low.
Give reasons why you consider the practice as transferable to other settings and/or Member States?	None of the basic, transferable elements of the project is specifically bound to Hungary; it could be easily adapted to other environments as well.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	The programme is individualised to the specific needs of beneficiaries and provides complex assistance in absolute cooperation with them.
Explain, if applicable, how the practice provides for review and assessment.	Drop-outs or the capacity of beneficiaries to keep their flats may be examined. There is continuous monitoring of the progress made by beneficiaries during the project.

Annex 8: Discrimination complaints submitted to Equality Bodies

Table 3 – Numbers of discrimination cases on any ground submitted by third country nationals (TCNs) in 2014*

As explained under Section 2, the Equal Treatment Authority does not collect information on the nationality or origin of complainants. Therefore, it is not possible to populate the table below.

The National Office of the Hungarian Judiciary also confirmed the lack of data collection activities in this regard.

Table 4 - Outcome of discrimination cases on grounds of ethnic origin submitted by third country nationals*

As explained under Section 2, the Equal Treatment Authority does not collect information on the nationality or origin of complainants. Therefore, it is not possible to populate the table below.

The National Office of the Hungarian Judiciary also confirmed the lack of data collection activities in this regard.

Annex 9: Case law – max 5 leading cases

Thematic area	Discrimination on the ground of nationality
Decision date	2010 (the decision does not contain reference to a more precise date)
Reference details	EBH/1054/2010 The case in Hungarian is available on the following website: www.egyenlobanasmod.hu/article/view/1054_2010
Key facts of the case (max. 500 chars)	<p>A complaint before the Equal Treatment Authority was filed by a German pensioner who argued that the pricing policy of one of the spas in Hungary was discriminatory on the ground of nationality. According to the spa's policy, pensioners of Hungarian nationality could purchase a discounted entrance ticket, whereas pensioners of foreign nationality needed to pay the full price.</p> <p>The spa in question was considered a recidivist, as previously, both the Equal Treatment Authority and the Capital's Court ruled against it on the same ground.</p>
Main reasoning/argumentation (max. 500 chars)	<p>The Equal Treatment Authority assessed two aspects of the case:</p> <ol style="list-style-type: none"> 1. Admissibility of the complaint; 2. Breach of the legal requirement of equal treatment. <p>The part of the judgment on admissibility is of direct relevance for the study, as it clarified the meaning of the term nationality-based discrimination. This part, given its importance, is described below.</p> <p>The Equal Treatment Authority, with its decision, ruled that the spa breached the legal requirements set out in Articles 5(b), 8(t) and 30 of Act CXXV of 2003, as the pricing policy of the spa discriminated against a certain group of persons without reasonable cause. The decision highlighted that the spa was a recidivist since its activities had previously been found unlawful by both the Equal Treatment Authority and, following an appeal against the Equal Treatment Authority's decision, by the Capital's Court. Following this decision and the subsequent court judgment, the spa was obliged <i>inter alia</i> to ensure compliance with applicable legislation within 90 days, which involved the abolition of the discriminatory pricing policy. The Equal Treatment Authority noted that the complaint, on the basis of which it started its procedure, shows that the spa maintained its discriminatory pricing policy. The recidivism of</p>

	the spa was taken into account when imposing sanctions against the spa.
<p>Key issues (concepts, interpretations) clarified by the case</p> <p>(max. 500 chars)</p>	<p>For the purpose of this study, the case is of importance as it clarifies the concept of nationality-based discrimination. In particular, it explains that the prohibition of discrimination on the ground of nationality derives from Articles 12, 46 and 49 of the EC Treaty and from the case law of the European Court of Justice (ECJ).⁴³² Both sources prohibit nationality-based discrimination in all areas regulated by the Treaty, which extends to the provision of services. In accordance with EU law, nationality-based discrimination is prohibited by Article 8(t) of Act CXXV of 2003. This Article prohibits discrimination on the basis of 'any other status', which is understood to cover nationality based discrimination.</p> <p>Besides the concept of nationality, the decision also clarified the meaning of equal treatment and interpreted the meaning of Articles 5(b) and 30 of Act CXXV of 2003. Both Articles 5(b) and 30 regulate the type of relationships covered by the principle of equal treatment. In line with the Equal Treatment Authority's decision, the provision of services is covered by Articles 5(b) and 30 of Act CCX of 2003.</p> <p>Deriving from the above interpretations, the Equal Treatment Authority concluded that the complaint, which was filed on the ground of nationality-based discrimination in the area of the provision of services, was admissible.</p>
<p>Results (sanctions) and key consequences or implications of the case</p> <p>(max. 500 chars)</p>	<p>Sanctions imposed: With its decision, the Equal Treatment Authority ordered the spa to terminate the unlawful situation and to refrain from the use of this policy in the future. The spa was also obliged to pay a fine of HUF 1,500,000 (€ 4,890). Moreover, the Equal Treatment Authority decided to make its decision publicly available for a period of 90 days on its website: www.egyenlobanasmod.hu.</p> <p>Within the time-frame covered by this study, only a few cases were initiated on the ground of nationality. The case described above is one of those. The case is also unique in a sense that in its decision the Equal Treatment Authority interpreted the meaning of the term 'nationality-based discrimination'.</p>
<p>Key quotation in original language and translated into English with reference details</p> <p>(max. 500 chars)</p>	<p><i>Az EK-Szerződés 12., 46., illetve 49 cikkei, illetve az Európai Bíróság számos ítélete (C-45/93., C- 388/01) kimondják, hogy tilos az állampolgárságon alapuló bármiféle hátrányos megkülönböztetés a Szerződés által szabályozott területeken, így a szolgáltatásnyújtás területén is. Ezen túlmenően az egyenlő bánásmódról és az esélyegyenlőség előmozdításáról szóló 2003. évi CXXV. törvény (Ebktv.) is tiltja az állampolgárságon alapuló hátrányos megkülönböztetést. Az</i></p>

⁴³² The cases referred to in the judgment are: European Court of Justice (ECJ), *C-45/93, Commission of the European Communities v Kingdom of Spain*, 15 March 1994 and European Court of Justice (ECJ) *C-388/01, Commission of the European Communities v Italian Republic*, 16 January 2003.

egyenlő bánásmód követelménye abban az esetben sérül, ha valakit vagy valamely csoportot valamely - a törvény 8.§-ban rögzített - tulajdonsága miatt más, vele összehasonlítható helyzetben lévő személyhez vagy csoporthoz képest kedvezőtlenebb bánásmódban részesítenek és ennek a hátrányos megkülönböztetésnek tárgyilagos mérlegelés szerint nincs ésszerű indoka. Az állampolgárság az Ebktv. 8.§ (t) bekezdése szerinti egyéb helyzetnek minősül. Az Ebktv. 5.§ (b), illetve 30. § -ai szerint az egyenlő bánásmód követelménye kiterjed minden olyan jogviszonyra, amelynek keretében ügyfélforgalom számára nyitva álló helyiségben szolgáltatást nyújtanak vagy árut forgalmaznak. Az Ebktv. 30. § (1) bekezdése szerint az egyenlő bánásmód követelményének megsértését jelenti különösen - a 8. §-ban meghatározott tulajdonság alapján - az ügyfélforgalom számára nyitva álló helyiségben, így különösen a vendéglátó-ipari (panzió), kereskedelmi, valamint a művelődés és a szórakozás céljára létrehozott intézményekben

- megtagadni vagy mellőzni szolgáltatások nyújtását vagy áru forgalmazását, a) az adott helyen rendelkezésre álló szolgáltatástól, illetve árutól eltérő minőségben szolgáltatást nyújtani, illetve árut forgalmazni, b) olyan feliratot vagy jelzést elhelyezni, amely azon következtetés levonását teszi lehetővé, hogy az ott nyújtott szolgáltatásból vagy áruforgalmazásból valakit vagy valakiket kizárnak.

Articles 12, 46 and 49 of the EC Treaty, as well as numerous judgments of the European Court of Justice (e.g. C-45/93, C-388/01), prohibit discrimination on the ground of nationality, in areas covered by the EC Treaty, including the provision of services. Besides the above sources, discrimination on the ground of nationality is also prohibited by Act CXXV of 2003 (Ebktv) on equal treatment and the promotion of equal opportunities. The following constitutes an instance of unequal treatment: unequal treatment of a person or a group of persons compared to the treatment of a person or a group of persons in a comparable situation, on the ground of a characteristic set out in Article 8 of Act CXXV of 2003 – given that, objectively, unequal treatment cannot be explained by reasonable cause. Protection against nationality-based discrimination is granted by Article 8(t) of Act CXXV of 2003, which prohibits discrimination on the ground of 'any other situation'. In accordance with Articles 5(b) and 30 of the Ebktv, the principle of equal treatment extends to all relationships, within which services of goods are provided to clients. Pursuant to Article 30(1), the following constitute a breach of equal treatment, in particular, if committed on one of the grounds set out in Article 8 and in places opened for clients, including places dedicated to catering (hotels), commercial, cultural or entertainment activities:

- the refusal or the ignorance of the provision of services or goods;
- the provision of goods and services in a quality which is different from the one which is available in the place concerned;

	- the placement of labels or signs, which suggest the exclusion of a certain person or a group of persons from the provision of goods or services.
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Thematic area	Discrimination on the ground of nationality
Decision date	2010
Reference details	Constitutional Court decision 123/2010 (VII.8.), available at: public.mkab.hu/dev/dontesek.nsf/0/B360853107248AA0C1257ADA00528E1F?OpenDocument
Key facts of the case (max. 500 chars)	<p>The Constitutional Court, in its judgment, ruled that legislation applicable to the provision of maternity benefits, as set out in Act LXXXIV of 1998, was unconstitutional. The provisions omitted to regulate all aspects of the provision of maternity benefits, which, in practice, resulted in the unequal treatment of certain women. Unequal treatment is prohibited by Article 70/A of the Constitution, thus, the provision generating the unequal treatment was found unconstitutional.</p> <p>It is noted that the complainant who filed the constitutional complaint also started a procedure before the European Court of Human Rights. The Court ruled in its <i>Weller vs. Hungary</i> judgment⁴³³ that rules regulating the provision of maternity benefits breached the rights set out in Articles 14 and 8 of the Convention for the Protection of Human Rights and Fundamental Freedoms.</p>
Main reasoning/argumentation (max. 500 chars)	<p>The contested rules applicable to maternity benefits were found unconstitutional. More precisely, the court found an instance of unconstitutionality by omission, as the legislator failed to address all aspects of the provision of maternity benefits appropriately, which resulted in the unequal treatment of certain persons, and therefore constituted a breach of Article 70/A of the Constitution on equal treatment.</p> <p>The court noted that, unconstitutionality by omission not only means cases where the legislation fails to address a situation in its entirety, but also captures cases where a situation is incompletely regulated.</p>
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	In the given case, the Constitutional Court did not interpret the meaning of nationality, or the admissibility of a complaint on the ground of nationality. Nevertheless, the case itself had an angle of importance in the context of the study, namely that the Constitutional Court obliged the Hungarian legislator to amend the legislation applicable to maternity benefits in a way

⁴³³ European Court of Human Rights (EctHR), *Case of Weller vs. Hungary*, No. 44399/05, 30 June 2009, available at: [hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-91993#{"itemid":\["001-91993"\]}](http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-91993#{)

	that the situation of mothers is regulated under the same conditions, regardless of their nationalities.
<p>Results (sanctions) and key consequences or implications of the case</p> <p>(max. 500 chars)</p>	<p>Results: The Constitutional Court ruled that the provision, as set out in Article 29(1) of Act LXXXIV of 1998, was not unconstitutional in itself. However, the provision set out therein was incomplete and one-sided, which led to the unequal situation of certain groups. In other words, the Constitutional Court ruled that the legislation, as it stood, constituted an instance of unconstitutionality by omission. The Constitutional Court ordered the Hungarian Parliament to address this issue and amend the legislation applicable to maternity benefits accordingly, by 31 December 2010.</p> <p>Implications: During the past 4 years, this was the only judgment of the Constitutional Court that touched upon the question of nationality-based discrimination. The case is also of importance, as the complainant who initiated the proceeding before the Constitutional Court also brought the case before the European Court of Human Rights.</p>
<p>Key quotation in original language and translated into English with reference details</p> <p>(max. 500 chars)</p>	<p><i>4. Az Alkotmánybíróságról szóló 1989. évi XXXII. törvény (a továbbiakban: Abtv.) 48. §-ába szabályozott alkotmányjogi panasz konkrét normakontroll. Az Alkotmánybíróság e hatáskörében az indítványozó által megjelölt normát vizsgálja, és alkotmányellenesség megállapítása esetén a normát megsemmisíti, illetve ha a jogbiztonság vagy az indítványozó különösen fontos érdeke indokolja, az indítványozó ügyében alkalmazási tilalmat rendel el. Jelen ügyben az Alkotmánybíróság azt állapította meg, hogy a Cstv. – vizsgálni kért – 29. § (1) bekezdése nem tartalmaz alkotmányellenes rendelkezést. Erre tekintettel az Alkotmánybíróság a Cstv. 29. § (1) bekezdése alkotmányellenességének megállapítására és megsemmisítésére irányuló alkotmányjogi panaszt elutasította. Az Alkotmánybíróság ugyanakkor azt is megállapította, hogy a szabályozás egyoldalú, hiányos volta eredményezett a 3. Pontban kifejtettek szerint alkotmányellenes helyzetet. Az Abtv. 21. § (7) bekezdése alapján az Alkotmánybíróság mulasztásban megnyilvánuló alkotmányellenesség vizsgálatára hivatalból is indíthat eljárást. Az Abtv. 49. §-a szerint a mulasztásban megnyilvánuló alkotmányellenesség megállapításának feltétele, hogy a jogalkotó szerv a jogszabályi felhatalmazásból származó jogalkotói feladatát elmulasztotta, és ezzel alkotmányellenességet idézett elő. Az Alkotmánybíróság állandó gyakorlata szerint mulasztásban megnyilvánuló alkotmányellenességet állapít meg akkor is, ha valamely alapjog érvényesüléséhez szükséges jogszabályi garanciák hiányoznak [37/1992. (VI. 10.) AB határozat, ABH 1992, 227, 232.]. Az Alkotmánybíróság ezen felül állandóan követett gyakorlata szerint mulasztásban megnyilvánuló alkotmányvétséget nemcsak akkor állapít meg, ha az adott tárgykörre vonatkozóan semmilyen szabály nincs [35/1992. (VI. 10.) AB határozat, ABH 1992, 4, 205.], hanem akkor is, ha az adott szabályozási koncepción belül az Alkotmányból levezethető tartalmú jogszabályi rendelkezés hiányzik</i></p>

[22/1995. (III. 31.) AB határozat, ABH 1995, 108, 113; 29/1997. (IV. 29.) AB határozat, ABH 1997, 122, 128. 15/1998. (V. 8.) AB határozat, ABH 1998, 132, 138.]. Jelen ügyben az Alkotmánybíróság azt állapította meg, hogy az Alkotmány 70/A. § (1) bekezdésébe foglalt – állampolgárság szerinti megkülönböztetést eredményező – mulasztásban megnyilvánuló alkotmányellenesség áll fenn, mert az Országgyűlés nem szabályozta azonos feltételek szerint az anyákat megillető jogosultságot. Az Alkotmánybíróság ezért felhívta az Országgyűlést, hogy jogalkotói feladatának 2010. december 31-ig tegyen eleget.

The type of norm control/constitutional review, which is regulated by Article 48 of Act XXXII of 1989 (hereinafter referred to as Abtv), is a so-called norm control/constitutional review. The Constitutional Court in its competence will review the norm referred to by the complainant and annul it in case it is found unconstitutional. When necessary, given the rule of law considerations, or the complainant's special interests, the Constitutional Court will ban the application of the relevant provision in the complainant's case.

In the given case, the Constitutional Court ruled that the examined provision of the Cstv, i.e. Article 29(1) did not contain unconstitutional provisions. Considering this, it rejected the constitutional complaints that claimed the unconstitutional nature of Article 29(1) of the Cstv and the subsequent annulment thereof. The Constitutional Court, also ruled however, that the one-sided and incomplete nature of the contested provision resulted in the unconstitutional situation set out in point 3 of the judgment. In accordance with Article 21(7) of the Abtv, the Constitutional Court may, ex officio, start constitutional reviews in cases where instances of unconstitutionality by omission are at stake. Pursuant to Article 49 of the Abtv, the following precondition is necessary for establishing unconstitutionality by omission: the legislator's omission to legislate if the omission leads to unconstitutionality. Deriving from the case law, the Constitutional Court also establishes unconstitutionality based on omission, where a legal provision does not grant the legislative guarantees for ensuring the protection of some fundamental rights [37/1992, (VI. 10.) Constitutional Court decision, ABH 1992, 227, 232.]. The Constitutional Court also consistently rules that it also constitutes unconstitutionality by omission if a given regulatory concept does not include provisions that can be derived from the Constitution [22/1995. (III. 31.) Constitutional Court Decision, ABH 1995, 108, 113.; 29/1997. (IV. 29.) Constitutional Court Decision, ABH 1997, 122, 128.; 15/1998. (V. 8.) Constitutional Court decision, ABH 1998, 132, 138.]. In the given case the Constitutional Court ruled that unconstitutionality by omission occurred as the principle of equal treatment on the ground of nationality, which is set out in Article 70/A(1) of the Constitution and was not enshrined in the legislation regulating the provision of maternity benefits. This was due to the failure of the Parliament to provide maternity benefits for all mothers. To overcome this issue the Constitutional Court ordered the

	National Parliament to amend the applicable rules by 31 December 2010.
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Thematic area	Acquisition of citizenship
Decision date	21 June 2012
Reference details	Constitutional Court decision no. 188/2010 (XI.12.) public.mkab.hu/dev/dontesek.nsf/0/0E2DD6F22AC8BCEFC1257ADA00525711?OpenDocument
Key facts of the case (max. 500 chars)	<p>The Constitutional Court in its decision ruled on two aspects of the petition:</p> <ol style="list-style-type: none"> 1. The petitioner asked the Constitutional Court to establish the unconstitutional nature of Articles 4(3), 4(5) and 5 of Act LV of 1993, and subsequently annul them on the ground of unconstitutionality. 2. The petitioner asked the Constitutional Court to establish that Act XLIV of 2010, amending Act LV of 1993 and, in particular, Articles 4(3), 4(5) and 5 of Act LV of 1993 breach the country's obligations deriving from international treaties. <p>The Constitutional Court ruled on the merits of the case, and rejected both petitions.</p>
Main reasoning/argumentation (max. 500 chars)	<p>The petitioner argued that, rules applicable to preferential naturalisation, as set out in Articles 4(3), 4(5) and 5 of Act LV of 1993, are against the principle of national sovereignty as set out Article 2(2) of the Constitution. It was argued that, under the new rules, even persons who do not have permanent residence in Hungary can be granted citizenship. This implies that with the introduction of these rules, people with permanent residence in neighbouring countries would be granted the right to vote in elections. This, according to the petitioner, might have an impact on the results of the elections, and consequently might breach the principle of national sovereignty.</p> <p>The petitioner also argued that Act XLIV of 2010 amending Act LV of 1993 and Articles 4(3), 4(5) and 5 of Act LV of 1993 breached Article 7(1) of the Constitution, as:</p> <ol style="list-style-type: none"> (1) they breached obligations derived from international agreements by, for example, not requiring the applicants to have a permanent residence in Hungary; (2) they were adopted in a procedure that did not fulfil the consultation requirement derived from international treaties such as the Treaty signed by Slovakia and Hungary on 19

	<p>March 1995, as promulgated by Act XLIII of 1997 on good neighbouring relations.⁴³⁴</p> <p>The Constitutional Court rejected the first argument of the petitioner, on the ground that it could not identify a link between the contested provisions of Act LV of 1993 and the constitutional right to vote. It argued that, in accordance with currently applicable legislation and, in particular, with Article 70(1) of the Constitution, only those with permanent residence in Hungary can vote. This implies that those persons granted with citizenship through preferential naturalisation, who do not have a permanent residence in Hungary, are not entitled to vote.</p> <p>The Constitutional Court rejected the second part of the petition on the ground that, in accordance with Article 44 of Act XXXII of 1989,⁴³⁵ only those who are listed in Article 21(3) of the same act can file a petition on the ground that a provision breaches obligations deriving from international treaties. The petitioner does not meet the requirements set out in Article 21(3) of Act XXXII of 1989; therefore, the Constitutional Court refused the petition.</p>
<p>Key issues (concepts, interpretations) clarified by the case</p> <p>(max. 500 chars)</p>	<p>The decision in question illustrates some of the concerns that accompanied the adoption of Act XLIV of 2010, which as referred to under section 3.1, was preceded by numerous political debates.</p> <p>The decision is also timely as Hungary's Fundamental Law, repealing Act XX of 1949 (Constitution) no longer requires voters at parliamentary elections to possess Hungarian nationality. Article XXIII of the Fundamental Law only requires adult age and Hungarian citizenship. Hungary's legislation on the right to vote, namely Act XXXVI of 2013,⁴³⁶ echoes the provisions of the Fundamental Law.</p>
<p>Results (sanctions) and key consequences or implications of the case</p> <p>(max. 500 chars)</p>	<p>The case remained without consequences as both arguments of the petitioner were rejected by the Constitutional Court.</p>
<p>Key quotation in original language and translated into English with reference details</p>	<p><i>1. Az indítványozó az Alkotmány 2. § (2) bekezdésében foglalt, a népszuverenitás elvének sérelmét abban látja, hogy – álláspontja szerint – az Ápt. módosítása eredményeként előfordulhat, hogy nem a Magyarországon élők, hanem a szomszéd országokban élő honosítottak szavazatai döntenek el az országgyűlési képviselői választásokról.</i></p>

⁴³⁴ Act XLIII of 1997 on the promulgation of the agreement signed by Hungary and Slovakia in Paris on 19 March 1995 on good neighbouring relations and friendly cooperation (1997. évi XLIII. Törvény a Magyar Köztársaság és a Szlovák Köztársaság között Párizsban, 1995. március 19-én aláírt, a jószomszédi kapcsolatokról és a baráti együttműködésről szóló Szerződés kihirdetéséről), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=29894.278671.

⁴³⁵ Act XXXII of 1989 on the Constitutional Court (1989. évi XXXII. Törvény az Alkotmánybíróságról), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=11002.15306.

⁴³⁶ Act XXXVI of 2013 on voting procedures (2013. évi XXXVI. Törvény a választási eljárásról), available at: njt.hu/cgi_bin/njt_doc.cgi?docid=159995.287104.

(max. 500 chars)

eredményét. [...]Az Alkotmánybíróság megállapította, hogy a népszuverenitás alkotmányos tartalma és az Ápt. érintett rendelkezései között alkotmányjogi szempontból nincs értékelhető, közvetlen összefüggés. Az Ápt. Indítvánnyal érintett szabályai ugyanis nem változtattak a népszuverenitás gyakorlásának lényegét jelentő választójogi szabályokon. Az érdemi összefüggés hiánya az indítvány elutasítását eredményezi [54/1992. (X. 29.) AB határozat, ABH 1992, 266, 267.], az Alkotmánybíróság ezért az indítványt ebben a részében, mint megalapozatlant, elutasította.

2. Az Alkotmánybíróságról szóló 1989. évi XXXII. törvény (a továbbiakban: Abtv.) 44. §-a értelmében jogszabály nemzetközi szerződésbe ütközését az Abtv. 21. § (3) bekezdésében meghatározott szervek vagy személyek (az Országgyűlés, annak állandó bizottsága vagy bármely országgyűlési képviselő, a köztársasági elnök, a Kormány vagy annak tagja, az Állami Számvevőszék elnöke, a Legfelsőbb Bíróság elnöke, a legfőbb ügyész) indítványozhatják. Az Alkotmánybíróság a jelen ügyben megállapította, hogy az indítványozó nem tartozik a nemzetközi szerződésbe ütközés vizsgálatának kezdeményezésére jogosultak körébe. Az Alkotmánybíróság erre tekintettel az Alkotmánybíróság ideiglenes ügyrendjéről és annak közzétételéről szóló, többször módosított és egységes szerkezetbe foglalt 2/2009. (I. 12.) Tü. határozat (ABK 2009. január, 3.) 29. § c) pontja alapján az Áptm. Megalkotásának eljárását és az Ápt. módosított tartalmát nemzetközi szerződésbe ütközőnek minősítő indítványi részt visszautasította.

The petitioner argued that the principle of national sovereignty, as set out in Article 2(2) of the Constitution, is breached, since deriving from the amendment of Act LV of 1993 it might be that the results of national elections will depend on the votes of those living beyond Hungarian borders in neighbouring countries. [...]. The Constitutional Court ruled on the lack of a causal link between the principle of sovereignty and the contested provisions of Act LV of 1993. The lack of a causal link ultimately results in the rejection of the petition (with reference to Constitutional Court Decision 54/1992. (X. 29.) ABH 1992, 266, 267.) on the ground that it is unfounded.

Pursuant to Article 44 of Act XXXIII of 1989, (hereinafter referred to as Abtv), only certain persons (namely the Parliament, its permanent committees, any member of the Parliament, the president, the Government and its member, the president of the State Audit Office, the head of the Supreme Court and the General Public Prosecutor), specified in Article 21(3) of the Abtvh, may file a petition on the ground that a piece of legislation breaches international treaties. The Constitutional Court ruled that the petitioner does not fall under the category of persons entitled to file a petition. Considering this, and in accordance with Article 29(c) of decision TU 2/2009 (I. 12.) (ABK 3 January 2009) on the temporary rules of procedure, which has been subject to various amendments and which, in the end, has been codified

	in the above referred decision, the Constitutional Court rejects this part of the petition that contests the procedure for adopting Act LV of 1993 and claims that the amended provisions breach international treaties.
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