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INTEGRATION OF REFUGEES IN HUNGARY*

INTRODUCTION

The year 1989 saw the beginning of the development of legal norms in Hungary concerning the situation of refugees, including those norms that directly or indirectly can contribute to the integration of refugees, as well as the emergence of initiatives, both on the part of state actors and civil society, that aim to facilitate the integration of refugees. However, there is still no comprehensive governmental policy on the integration of refugees. The paper aims to present the current situation concerning integration of refugees, thus revealing the need for a comprehensive policy that aims their integration. It also provides an account of those aspects that can be relevant in formulating such a policy. All these issues are going to be addressed by providing an overview on questions such as: How did legal norms that concern refugees, especially their integration develop? What is the role that different institutions and the host society play in the integration of refugees? What kinds of factors do influence the possibilities of integration of refugees?

As part of the transposition of the norms of European Union on asylum, the national legislation adopted a new law that came into force on 1 January 2008.2 The harmonization of national legislation with European Union norms on asylum included adoption of norms conducive to the integration of refugees.3 This represents an important step in this direction. At the same time, in addition to indispensable legal preconditions, there are other factors that determine the possibilities for the integration of refugees. The implementation of legal norms concerning the situation of refugees, the host society's attitude toward them, the difficulties of learning the host language and the employment possibilities available for refugees all play an important role in the process of integration. As we can see, integration of refugees is a complex process with economic, legal, social, educational and cultural aspects, and these different aspects are interrelated. Successful integration of refugees in one respect, for example on the labour market, can enhance their chances for integration in other respects, such as their economic and social integration. Integration is more difficult when the refugee comes from a culture that differs greatly from that of the host society. In such cases integration entails the refugees' re-socialization in many respects. The successful integration of refugees presumes their adaptation and accommodation to a new social environment, as well as a readiness on the part of the host society to accept them.

This paper explores legal, economic, social, educational and cultural aspects of the integration of refugees in Hungary by referring to various sources, such as statistical data on refugees, legal norms referring to the refugees' situation, studies concerning refugees and their integration, institutional activities and initiatives that aim to facilitate the integration of refugees and the host society's attitudes toward refugees.

REFUGEES IN HUNGARY

Immigration to Hungary started to increase from the late eighties and early nineties with the political changes that took place in Central and Eastern Europe. The first major waves of immigrants came from Romania⁴ and from former Yugoslavia when the civil wars started there.

Only some of the refugees who arrived in Hungary and applied for asylum received recognized refugee status. Most entered the country illegally. From 1998 Hungary also started to provide protection to refugees arriving from non-European states, and in recent years more refugees have entered the country from non-European states than from European states.

Asylum seekers arrive in Hungary from various countries; in the last five years refugee status was granted in larger numbers to refugees from Iraq, Iran, Afghanistan, Serbia-Montenegro and Palestine.⁸

As regards the size of the refugee population in Hungary, there are only approximations; there is

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no exact data. According to UNHCR, at the beginning of 2006 there were 8046 refugees in Hungary and this number increased to 8075 by the end of the year. During that time only 47 refugees were naturalized.9 Given that only a small proportion of refugees who arrive in Hungary are naturalized and many who receive recognized refugee status leave the country, 10 staying in Hungary is clearly a long term solution for only a fraction of refugees who enter the country. For many, Hungary is a transit country, 11 indeed, many left the country before decision was made on their asylum applications. A change in this situation was brought about by the application of the Dublin mechanism, which specifies that with certain exceptions that Member State of the European Union where the refugee first applied for asylum has to examine the asylum application,¹² thus limiting the possibility of a refugee being recognized in one Member State after having submitted a request for asylum in another Member State which s/he had then left.

THE LEGAL CONTEXT

Before 1989, with the exception of a provision on the right of asylum in the Hungarian Constitution, there were no legal regulations on protection of refugees in Hungary. In 1989 Hungary acceded to the Convention of 28 July 1951 relating to the Status of Refugees, and to the New York Protocol of 31 January 1967 that amended it, but with geographic limitation, assuming the obligation to provide protection only to refugees arriving from European states. UNHCR provided protection for refugees who arrived in Hungary from non-European states. Provisions referring to certain aspects of the protection of refugees gradually began to be included in different legal norms.¹³ The adoption of an act on asylum by the Hungarian Parliament took place only in 1997. The Act CXXXIX of 1997 on Asylum came into force on 1 March 1998, lifting the geographical limitation with respect to asylum seekers arriving from non-European countries. Government Decrees14 that implemented the act on asylum were also adopted. The scope of various legal norms was extended to recognized refugees and other categories of persons in need of international protection.¹⁵ The act on asylum has since been amended several times. Various modifications were made to bring the legislation on asylum into line with the legal norms of the European Union, including the extension of temporary protection to those recognized by the EU Council as entitled to such protection, allowing asy-

Table 1: Refugees in Hungary by year⁵

Year	Number of registered refugees	Number of persons recognized as refugees
1988	13173	-
1989	17448	35
1990	18283	2561
1991	53359	434
1992	16204	472
1993	5366	361
1994	3375	239
1995	5912	116
1996	1259	66
1997	2109	27
1998	7118	362
1999	11499	313
2000	7801	197
2001	9554	174
2002	6412	104
2003	2401	178
2004	1600	149
2005	1609	97
2006	2117	99
2007	3419	169

Table 2: Number of persons applying for asylum in Hungary by type of entry⁶

Year	Way of entry in Hungary		
	Legal	Illegal	
2003	558	1843	
2004	454	1146	
2005	569	1040	
2006	586	1531	
2007	595	2824	

Table 3: Number of persons applying for asylum in Hungary by place of origin⁷

Year	Arriving fro	om
	Europe	Outside Europe
2003	659	1742
2004	503	1097
2005	548	1025
2006	847	1270
2007	1162	2257

lum seekers in whose cases a decision was not taken within a year access to the labour market, and granting recognized refugees the right to vote in local elections and referenda.¹⁶

Although provisions on refugees and other persons in need of international protection have been introduced in various legal norms and the law on asylum amended, a coherent, extensive asylum policy is still lacking. On 25 June 2007 the Hungarian Parliament adopted a new law, the Act LXXX of 2007 on Asylum. This act implements the right to asylum set out in the Hungarian Constitution and transposes the EU norms on asylum into Hungarian law. According to this law, the right to asylum includes the right to stay on the territory of Hungary and protection against being returned and against expulsion and extradition.¹⁷ In addition to the status of recognized refugees and temporarily protection, the act introduces a subsidiary protection status (complementary protection), which according to UNHCR "fills the regulatory gap which existed between refugee status under the 1951 Geneva Convention and the Status of Persons Authorised to Stay."18

Under the act on asylum that foreigner is recognized as a refugee who "due to persecution or the existence of a well-founded fear of being persecuted for reasons of race, religion, nationality, membership in a specific social group or political opinion, resides outside of her/his country of origin and is unable or owing to the fear from persecution is unwilling to avail for herself/himself the protection of her/ his country of origin."19 On request, refugee status must be granted to family members of those refugees who were recognized by the refugee authority on the grounds of the above-mentioned specifications in accordance with the Geneva Convention criteria, and to the children born in Hungary of recognized refugees. The Minister responsible for aliens policing and refugee affairs may grant refugee status on the basis of humanitarian consideration and on the basis of UNHCR recognition.²⁰ Subsidiary protection²¹ is granted if a foreigner "does not meet the requirements to be acknowledged as refugee but there is a risk that if s/he would return to his/her country of origin s/he would be exposed to serious harm, and s/ he is unable or due to the fear from this danger unwilling to avail for herself/himself the protection of her/his country of origin."22 On request, under certain conditions, subsidiary protection must be granted also to the family members of those to whom subsidiary protection was granted by the refugee authority on the grounds mentioned before.²³ On request, subsidiary protection must also be granted to children born in Hungary of persons who receive such protection.²⁴ Temporary protection²⁵ is granted to those foreigners who arrive to Hungary in mass influx and are recognized by the Council of the European Union or by the Hungarian Parliament as being entitled to temporary protection.²⁶

The conditions that form the basis of granting subsidiary protection are reviewed periodically, at least every five years after recognition.²⁷ The term of temporary protection based on recognition by the Council of the European Union is one year, which may be extended by the Council.²⁸ The Hungarian Parliament grants temporary protection for a certain term or until a fact is established,²⁹ and it may extend the protection for a further period.³⁰ All this indicates that, for beneficiaries of subsidiary protection and of temporary protection as long-term solution, their return to their country of origin is considered if there is a change in the circumstances in their countries of origin such as might permit their return.

From the perspective of integration of refugees it is important what rights they have, and how they can exercise their rights. Recognized refugees are entitled to the same rights as Hungarian citizens with two exceptions: they have suffrage only at local elections, referenda and public initiatives and they may not have such jobs, responsibilities and may not hold such office that by law can only be held by Hungarian citizens. They are entitled to receive an identity card, a bilingual travel document and under certain conditions provisions, benefits and accommodation.31 Those who receive subsidiary protection enjoy most of the rights that recognized refugees have. They are entitled to a travel document but they have no suffrage.³² Beneficiaries of temporary protection are entitled to an identity document, travel document for a single exit and return, if they have no travel document from their country of origin; under certain conditions to provisions, benefits and accommodation; and to employment under the rules referring to foreigners.33

Without support it is difficult for refugees to start an independent life. For a certain period of time, refugees and beneficiaries of subsidiary protection are entitled to provisions, benefits and accommodation in order to be able to establish basic living conditions. ³⁴ For recognized refugees and beneficiaries of subsidiary or temporary protection, pre-integration provisions and benefits are available that specifically aim to facilitate their social integration. ³⁵

The protections under the act on asylum are not granted to all those who apply for them. Many of those who do not receive protection under the act on asylum receive a temporary residence permit on humanitarian grounds that ensures them fewer rights comparing with those who receive protection under the act on asylum.

SUPPORTS AND BENEFITS

In Hungary the refugee authority and local governments provide different kinds of support and benefits for refugees and for persons authorized to stay (persons who receive a residence permit on humanitarian grounds). The principal aim of such aid is to support recognized refugees in their efforts to start an independent life and overcome the difficulties of integration. For example in 2006, refugees entitled to support for covering their housing and living expenses could request a one-time settlement allowance, regular living allowance, house rent subsidy and settlement subsidy. Other types of support available for refugees includes school-enrolment benefit for children with refugee status from elementary school until the completion of the secondary school, refunding the costs of health care, travel support and covering the cost of translation of official documents into Hungarian.³⁶ For recognized refugees other kinds of support were also available and for a longer period than for persons authorized to stay.

Following Hungary's accession to the European Union, grants can be provided from the European Refugee Fund in Hungary as well for projects that aim to facilitate the integration of refugees. The European Refugee Fund aims to support the *social and economic integration of refugees*. The Hungary the Office of Immigration and Nationality has responsibility for and coordinates the implementation of measures and programs funded from the European Refugee Fund. 38

Starting from 2004 the Office of Immigration and Nationality announced tenders for NGOs, refugee reception centres, community shelters and local governments in the area of integration of persons who receive international protection, addressing both those to whom international protection is granted and the host society. Tenders were announced offering funding for integration purposes,³⁹ covering various aspects of integration such as housing, 40 employment, 41 acquiring competency in the Hungarian language,⁴² and education,⁴³ as well as social⁴⁴ and cultural aspects. The tenders also targeted the different strata of the host society, and both adults and children.45 Tenders were also invited for projects aiming to inform the host society about the situation of refugees,46 and facilitate dialogue between the host society and refugees. The organizations that received funding for their projects included NGOs, Refugee Reception Centres and language schools. The applicants had to meet 25% of the budget of the project from their own resources, European Union or state resources.⁴⁷

INSTITUTIONAL ACTORS AND THE HOST SOCIETY'S ATTITUDES TOWARD REFUGEES

The Office of Immigration and Nationality, established in 2000, acts as a refugee authority.⁴⁸ It has a Refugee Affairs Directorate with three divisions: the Asylum Affairs Division, the Refugee Welfare and Integration Division and the Dublin Co-ordination Division. Other units of the Office of Immigration and Nationality that deal with refugee affairs are the Regional Directorates, Refugee Reception Centres and Community Shelters.⁴⁹ The Office of Immigration and Nationality coordinates the implementation of programs funded by the European Refugee Fund. These programs include initiatives aiming the integration of refugees and other persons who receive international protection. Refugee Reception Centres also have initiatives that facilitate the integration of refugees. The Office of Immigration and Nationality provides various kinds of support for refugees and informs them about the types of support they can request from local governments. Some of these different types of support specifically aim to facilitate the integration of refugees.

The European Union and the UNHCR have a decisive influence on national asylum policy. The immigration policy of the European Union stresses the importance of integration of immigrants, and in particular that of refugees. The European Commission has emphasised the need for a holistic approach to integration including dimensions such as integration to the labour market, education, language competency, housing, health, social and cultural integration, acquiring nationality, and civic citizenship.⁵⁰ The transposition of EU norms on asylum in the national legislation has introduced into the national law norms that contribute to the facilitation of integration of refugees. Through the European Refugee Fund, the European Union supports the integration of refugees with financial instruments.

UNHCR set up its office in Hungary in 1989. Until 1998, when Hungary lifted the geographic reservation made to the Geneva Convention, UNHCR had dealt with the protection of refugees arriving from non-European states. Currently the Office of UNHCR in Hungary is the Regional Representation of UNHCR, which works in Hungary, Poland, Slovenia and Slovakia. Refugees arriving in Hungary may already turn to the Hungarian office of UNHCR while their asylum application is in process. The UNHCR emphasises the importance of integrating refugees. According to UNHCR's Executive Committee, "integration into their host societies is

the principal durable solution for refugees in the industrialized world."51 This approach is manifested in various activities of UNHCR, including activities such as support provided to programs that aim to enhance the acceptance of refugees and facilitate their integration, consultations in process of drafting laws that concern refugees, formulation of opinions, and recommendations to states for facilitating integration of refugees. According to UNHCR, in contrast to other migrants, recognized refugees, due to the specific situation they are in, need a specific approach in various fields. These include residence status and naturalization, addressing the consequences of trauma, administrative support, recognition of qualifications, work, and ensuring the unity of the family.52

Other institutional actors such as NGOs,⁵³ international organizations, and churches also have programs and activities to facilitate the integration of refugees. Such activities include among others providing legal aid to asylum seekers and refugees, providing support for their integration to the labour market and their social integration, and conducting studies on the different aspects of integration of refugees.

Whether refugees succeed or not in integrating in the host society depends not only on them, and their adaptation to a new environment but also on the host society, on whether they are accepted or not by its members, on the attitudes of the local community toward refugees. Research results on attitudes toward refugees indicate that a relatively high proportion of the Hungarian population have xenophobic attitudes toward refugees; in February 2007, 27% of the adult population considered that asylum seekers should not be allowed to enter the country.⁵⁴ Personal relations between refugees and members of the host society can play an important role in the social integration of refugees. Such relations could facilitate the cultural integration of refugees and help them in learning the norms, values of the host society.

CONCLUSION

The possibilities for integration of refugees into Hungarian society are determined by various factors, such as their legally guaranteed rights, their possibilities to find jobs on the labour market, their educational level and language skills, and the attitudes of the host society's members toward refugees. Starting from 1989, provisions on the rights of refugees have been introduced gradually in the Hungarian legal norms. Acceding to the Geneva Con-

vention, adoption of the law on asylum in 1997 and of the new law on asylum in 2007, as well as harmonization of legislation on asylum with EU norms were all important steps in the development of legal norms on asylum. However, experts in refugee affairs have pointed out the lack of a coherent governmental policy on integration of refugees.

The European Union norms and policy on asylum, the EU policy on integration of immigrants, and UNHCR's policy on asylum play a determinative role in respect of national legal norms on asylum in general, and specifically norms and rights that facilitate the integration of refugees.

The various aspects and dimensions of integration of refugees are interrelated. The existence of legal preconditions for the integration of refugees is indispensable. The development of legal norms in the direction of inclusion of provisions that can lead to the facilitation of integration of refugees can help refugees in their efforts to integrate. However, the successful integration of refugees very much depends on how these legal norms are implemented, on the social environment where refugees try to integrate, on possibilities for refugees to live independently, to find suitable jobs on the labour market, to have appropriate possibility for housing, and on other factors connected to specific circumstances.

Recognized refugees and beneficiaries of subsidiary protection are entitled to the most of the rights enjoyed by Hungarian citizens. However, in order to be able to exercise certain rights they need support, due to the fact that in many respects they are in a disadvantageous situation. For example, they may have economic difficulties, have to adapt to a completely new environment, and to learn a new language.

There are various initiatives and programs that aim to facilitate the integration of refugees both on the part of state institutions and of civil society. They support refugees for example in their efforts to integrate into the labour market, and in their social and cultural integration. Such programs, supports and benefits can constitute substantial help for refugees. However, it seems that these measures alone are often not enough for the successful integration of refugees. There are many reasons for this: benefits and support may be available only for a limited period of time, and successful integration depends on many other factors, such as the social, economic environment where the refugees try to integrate, the attitudes of the host community toward refugees, the very difficult situation in which refugees find themselves, and other reasons.

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NOTES

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- 43. For facilitating higher educational studies in Hungarian. See id.
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