

COUNTRY REPORT
HUNGARY



Undocumented Migration

Counting the Uncountable. Data and Trends
across Europe

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CLANDESTINO

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Undocumented Migration: Counting the Uncountable

Data and Trends across Europe

This interdisciplinary project is a response to the need for supporting policy makers in designing and implementing appropriate policies regarding undocumented migration. The project aims (a) to provide an inventory of data and estimates on undocumented migration (stocks and flows) in selected EU countries, (b) to analyse these data comparatively, (c) to discuss the ethical and methodological issues involved in the collection of data, the elaboration of estimates and their use, (d) to propose a new method for evaluating and classifying data/estimates on undocumented migration in the EU. Twelve selected EU countries (Greece, Italy, France and Spain in southern Europe; Netherlands, UK, Germany and Austria in Western and Central Europe; Poland, Hungary, Slovakia and the Czech Republic in Central Eastern Europe) are under study in this project. Three non EU transit migration countries used as key 'stepping stones' by undocumented migrants en route to the EU, notably Turkey, Ukraine and one Maghreb country, are also analysed. Where relevant, the project considers the factors affecting the shift between legal and undocumented status among migrant populations. The project work programme is complemented by two regional workshops with policy makers and academics, 12 fieldvisits each resulting in a series of meetings with key policy actors, NGOs and journalists working on migration in each of the EU countries studied. The CLANDESTINO database on irregular migration in Europe, the Project reports and Policy Briefs are available at: <http://clandestino.eliamep.gr>

Each country report reviews all relevant data sources on irregular migration (e.g. apprehended aliens at the border or in the inland, expulsion orders, people registered through health or other welfare schemes for undocumented immigrants, municipal registers, statistical estimates from national and European statistical services), assesses the validity of the different estimates given and where appropriate produces a new estimate for the year 2008 for the country studied. The country reports cover the period between 2000 and 2007 and the last year for which data or estimates were available when the study was finalised in 2009, notably in some countries 2007 and in other countries 2008. This quantitative analysis is complemented by a critical review of qualitative studies and by interviews with key informants with a view to exploring the pathways into and out of undocumented status in each country. It is noted that the non-registered nature of irregular migration makes any quantification difficult and always produces estimates rather than hard data.

The Hellenic Foundation for European and Foreign Policy (ELIAMEP) is the coordinating institution of the CLANDESTINO consortium. CLANDESTINO Partners include the International Centre for Migration Policy Development (ICMPD) in Vienna, the Hamburg Institute of Economics (HWWI), the Centre for International Relations (CIR) in Warsaw, the COMPAS research centre at the University of Oxford, and the Platform of International Cooperation on Undocumented Migrants (PICUM) in Brussels.

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1 Part I: Setting the frame

1.1 Regular migration

1.1.1 *Trends of regular migration*¹

Hungary has become a transit country of international migration right after the political changes of 1989. During the last two decades the country has become also a target country of foreign migrants. The most significant group of immigrants settling in the country have arrived from neighbouring countries such as Romania, former Yugoslavia and Ukraine. Most, but not all of them are ethnic Hungarians. A smaller but important population group comprised of people from Asian countries, mostly China and Vietnam.

Between 1988 and 1992 more than 118.000 persons arrived to the country from Romania, many of them have obtained Hungarian citizenship in the following years: between 1988 and 1994 some 45.000 persons were naturalized. Since 2000 the annual number of people obtaining Hungarian citizenship varied between 3.000-10.000, still dominated by ethnic Hungarians.

During the Yugoslav war a wave of immigrants arrived from states of the former Yugoslavia, mostly ethnic Hungarians (but also Croats, Muslim Bosnians etc.). Between 1991 and 1994 some 70.000 people arrived and most of them returned after the end of the war.

In 1988 visa obligation for Chinese citizens was lifted and, parallel to China's policy of opening up, a wave of Chinese immigration reached the country. An estimated number of 30-40.000 Chinese citizens arrived to Hungary until visa obligation was re-introduced in 1992. Since then, immigration from China continued but its level dropped.

Since the end of the '90s, international migration began to increase, and the composition of immigrants has changed: a growing number of citizens have moved to Hungary from Western European countries, many of whom arrived as managers of multinational companies.

From time to time waves of migrants from other conflict areas (e.g. Afghanistan, Iraq, Kosovo) etc. also reach the country, however, in lower scale, and usually temporarily. For these groups Hungary serves mainly as a transit country.

In recent years many German pensioners have moved fully or partially to Hungary – some of them are descendants of Schwab people deported from the country after WW2, while many of the others spend most of the year in their houses at the lake Balaton.

As a result, according to official statistics referring to foreigners with a residence permit,

- nearly two third of foreign citizens living in Hungary are from neighbouring countries (nearly 100.000 persons, mostly Hungarians),
- approx. 12 per cent (18.000 persons) arrived from Asian countries (8 per cent from China and Vietnam, approx. 12.000 persons)
- and a similar ratio, 12 per cent of foreigners, arrived from the EU-15 countries.

¹ Based on Hungarian Central Statistical office data and on [Hegedus-Bomberak 2007].

Compared to the situation ten years ago,

- the ratio of foreigners from neighbouring countries remained practically stable,
- while the ratio of foreigners from the EU-15 as well as those from China and Vietnam increased (from 9,3 to 11,9 per cent for EU-15 citizens, from 4,0 to 7,6 per cent for Chinese and Vietnamese).

Official statistics cover the actual set of foreign population only partly and unevenly, e.g. foreigners from the EU-15 are supposed to be more visible in official statistics. On the other hand, there is a sizeable Asian community which – according to informal opinions of law enforcement experts - does not appear in the statistics. Experts of the Chinese diaspora estimate the actual number of Chinese to approximately fifteen thousand, compared to approximately 9 thousand persons indicated by the official statistics.

In international comparison it might be important to note that no significant Muslim communities exist in Hungary. According to the population census of 2001 the ratio of Muslims comprises less than 0,005 per cent of the population of Hungary (5.777 persons), while experts estimate it to 0,02-0,05 per cent at highest (20.000-50.000).²

Major purpose of immigration. Immigration to Hungary from countries of Central and Eastern Europe, from China and Vietnam is primarily labour migration, often based on seasonal or temporary employment or on business. On the other hand, immigration to Hungary from poverty stricken or war torn developing countries is mainly transit migration.

1.1.2 Composition of resident legal immigrants

Recent official population figures for immigrants. In Hungary at the end of 2007 there were 166.693 foreign citizens in possession of migration permits for a period exceeding three months. Within this category the following administrative titles were prevailing: The number of people holding

- immigration permits was 49.198,
- permanent residence permits was 31.415
- residence permit for a period exceeding three months was 20.540.

Among people having immigration permits, more than 40% had Romanian citizenship. All known sources indicate that the majority of immigrants arriving from Romania are of Hungarian ethnicity. Among people having permanent residence permits, more than 60% had Romanian citizenship.

Size of population and share of immigrants within total population. The Hungarian population census found

- approx. 10,37 million people in 1990,
- 10,2 million people in 2001,
- while in 2006 Hungary counted 10,08 million residents.

The proportion of immigrants living in Hungary is relatively low in European comparison. However, due to natural decrease and the parallel process of immigration (foreign population being younger and more active than natives, as presented below) the ratio of foreign population in the total population is slowly growing:

- in 1996 it was 1,37 per cent, 140.000 persons
- in 2006 it was 1,53 per cent, 154.000 persons.

² [Hegedüs-Bomberák 2007]

Legal immigrant flow by country of origin. Since 2003 the number of people applying for residence visas has decreased. Until 2006 citizens of Romania have been the most populous group of applicants. However, the entry of Romania into the EU has changed their legal status and now they are entitled to stay in Hungary for 3 months without residence permit. The yearly number of Chinese applicants is remarkably low, but increasing. (See the following table.)

Table 1.

**Number of residence visa applications presented to the OIN Visa Department 2003-2007
breakdown by main nationalities
"D" type visa (residence visa)**

Citizenship	2003	2004	2005	2006	1/1/2007-20/12/2007
Romania	19.359	29.914	18.458	19.141	166
Ukraine	6.336	6.756	4.011	4.770	4.175
USA	1.139	1.238	1.165	1.338	1.190
Serbia-Montenegro	1.077	1.507	1.329	1.552	3.463
Russian Federation	467	400	412	695	384
China	384	912	777	1.440	1.787
Other	13.772	7.406	4.559	5.584	5.415
Total	42.534	48.133	30.711	34.520	16.580

Source: Office of Immigration and Naturalization (OIN)

Legal immigrant stock by legal titles of residence. In 2007 there were 166 693 legal immigrants residing in Hungary. In 2007 there were 11 legal categories of eligibility in force to reside in Hungary. More than the half of the foreign residents were holding permanent residence permits or immigration permits. (See the following table.)

Table 2.

**Number of foreigners in possession of immigration permit (former permanent residence permit),
permanent residence permit and residence permit for a period exceeding three months
on 31 December 2007**

Status	Number of holders
Immigration permit	49 198
Permanent residence permit	31 415
Residence permit (short-term)	20 540
EEA residence permit	38 509
Registration certificate	22 408
Permanent residence card (EEA)	2 113
Third-country national family member of a Hungarian citizen	1 580
Third-country national family member of an EEA citizen	125
EC permanent residence permit	97
National permanent residence permit	704
Interim permanent residence permit	4
Total	166 693

Source: Office of Immigration and Naturalization (OIN)

Legal immigrant stock by countries of origin. In international comparison, Hungary has a low proportion of foreign residents. Since 2001, the number of foreign residents has grown by almost 50%. Most foreign residents have arrived from Hungary's neighbouring countries. In particular, the number of foreign residents with Romanian citizenship is high. (See the following table³.)

³ Full table with country row headings available in the Statistical Appendix.

Table 3.

**Foreign citizens residing in Hungary by country of citizenship
(1 January of each year)**

Country group	2000	2001	2002	2003	2004	2005	2006	2007
European countries	125 784	93 197	97 640	98 230	110 915	122 261	130 535	140 827
<i>Of which: EU-15</i>	<i>17 907</i>	<i>11 723</i>	<i>12 181</i>	<i>11 629</i>	<i>12 143</i>	<i>9 714</i>	<i>18 357</i>	<i>25 394</i>
Asian countries	19 326	12 603	14 401	13 480	14 715	15 121	18 543	19 733
American countries	4 677	2 488	2 557	2 434	2 535	2 667	2 989	3 075
African countries	2 559	1 233	1 318	1 281	1 455	1 556	1 800	1 783
Other and unknown	779	507	513	463	489	548	563	612
Total	153 125	110 028	116 429	115 888	130 109	142 153	154 430	166 030

Immigration of ethnic Hungarians from the Carpathian Basin. More than 80% of immigrants arriving from the neighbouring countries are ethnic Hungarians. Migration of ethnic Hungarians within the Carpathian basin was largely influenced by historical events such as the dissolution of the Austro-Hungarian Monarchy after the first World War, moreover by the border revisions, annexations, withdrawals, and subsequent changes of population before, during and after the Second World War. Immigrants from the neighbouring countries mainly arrive from countries with large Hungarian communities such as Romania, Ukraine and from states of former Yugoslavia⁴. A quantitative research carried out in 2002 among immigrants from the neighbouring countries found that 92% of immigrants arriving from the neighbouring countries are ethnic Hungarians, with Hungarian as a native language. The majority of the immigrants from the neighbouring countries are ethnic Hungarians, with parents or grandparents that had Hungarian citizenship before WWII. Germans (2.1%), Ukrainians (1.9%), Romanians (1.2%) and other ethnics, constitute the remaining 8%.⁵

Policy relevance of immigration of ethnic Hungarians. The status of ethnic Hungarians living in countries adjacent to Hungary has been a subject of continuous debate. Hungary's governments between 1990 and 2002 maintained that they aim to encourage ethnic Hungarians to remain in the lands of their birth. No active repatriation program of ethnic Hungarians exists.

Age structure. The age-structure of legal immigrants is different from that of the locally born population: among immigrants the younger generations in their working ages are over-represented. Within the group of immigrants arriving from the neighbouring states, besides the significant volume of young immigrants (mainly young persons of their late 20s, early 30s, coming to continue their studies, or to start work) the immigration of older cohorts (between 58-65 years), those entering retirement age, is also noticeable.⁶ In comparison, the population of Hungary undergoes steady ageing: in the last ten years the ratio of population above 65 increased by 1,6 per cent, while the ratio of children below 15 decreased by 2,6 per cent, and the ratio of population in active age (between 15-64) decreased accordingly, by one per cent, at present it is approx. two third of the population. Meanwhile, amongst foreigners, the ratio of persons in active age is overwhelming, 83,3 per cent, which is strongly linked to economic migration, since most of the foreigners arrive to Hungary in order to work. The ratio of children and especially people above 65 is significantly lower amongst foreigners, thus the dependency rate of the foreigner population is much lower. However, ageing can be seen in case of foreigner population as well, the ratio of those above 60 is steadily increasing.

⁴ [Gödri-Tóth 2005]

⁵ [Gödri-Tóth 2005]

⁶ [Gödri-Tóth 2005]

Table 4.

Age distribution of resident aliens in Hungary, 2001⁷

	Men	Women	Total
Number of persons			
0–19 years	8 638	8 318	16 956
20–59 years	40 462	41 656	82 118
60+ years	4 478	6 476	10 954
Total	53 578	56 450	110 028
Distribution (%)			
0–19 years	16,1	14,7	15,4
20–59 years	75,5	73,8	74,6
60+ years	8,4	11,5	10,0
Average age (year)	35,0	36,7	35,9

Source: Hungarian Central Statistical Office (HCSO)

Policy relevance of decreasing population of Hungary. Hungary is an aging society, with negative natural population growth. The population of Hungary is decreasing since the beginning of the '80s, as a result of natural decrease, originating from medium level of fertility and high level of mortality rates. International migration in the past period had great role in mitigation of population decrease. Between 2001–2006, the natural decrease of population was 220,000, the immigration was 86,000 and thus the population of Hungary decreased with only 134,000. In 2006, the natural decrease was 32,000, 21,000 persons migrated in, thus the population decrease was 11,000. The demographic deficit of the Hungarian population has been an important motivation for increasing immigration. Recommendations from a group of scholars suggested that some immigration should be encouraged and facilitated to meet labour market needs. On the other hand, surveys have unanimously shown that the migration potential and willingness of the Hungarian population is low.

Gender structure. Among legal immigrants, there are more men, than women⁸. The foreigner population shows a higher ratio of males than the total population (50 per cent compared to 47,5 for the total population), however, the ratio of males decreased in the last decade (in 1996 it reached 53 per cent). Comparing to a survey made in 1995 the number of immigrants arriving from Romania and proportion of women has grown. Exact cause of this phenomenon is not known, but supposedly, women follow their husbands, companions, brothers.⁹

Education structure of immigrants. Immigrants in Hungary tend to have higher education levels than the native population and a larger proportion of them are in the active age range for employment, although there is also an increasing trend of family reunification with elderly parents who arrive in Hungary for retirement.

Regional distribution of immigrants. Budapest is the main target for the immigrants: every third lives in capital. The number of immigrants is considerable in five other counties:

- Pest county (14%),
- Szabolcs-Szatmár-Bereg (5%),
- Csongrád (6%),
- Bács-Kiskun (3%)
- and Hajdú-Bihar (4%).

⁷ HCSO data, cited in [Hablicsek 2004]

⁸ [HCSO 2006]

⁹ [Gödri-Tóth 2005]

Depending on their home country, immigrants strongly concentrate in some parts of Hungary. Immigrants coming from Ukraine or from the former states of Yugoslavia, beyond the capital can be found in bigger numbers in counties near border:

- *From Ukraine:* 30% of the immigrants from Ukraine are settled in Szabolcs-Szatmár-Bereg county, 30% in Budapest, 6-10% in Pest, Hajdú-Bihar and Borsod-Abaúj- Zemplén counties.
- *From former Yugoslavia:* 39% of the Hungarians from states of former Yugoslavia are settled in Csongrád county, 15% in Bács-Kiskun county. Only 20% of them settled down in Budapest.
- *From Romania:* Hungarians from Transylvania (Romania) concentrate in the capital and its surroundings: more than 33% lives in Budapest, 21% in Pest county.
- *From China:* 85% of the Chinese immigrants settled down in Budapest.
- *From the EU:* 50% of the citizens from the EU live in Budapest or in Central Hungarian region, others settled down in the Western part of Hungary.¹⁰

By birthplace. A wide group of immigrants apply for citizenship. If citizenship is granted to them, statistically they belong to the group of foreign born Hungarian citizens. The proportion of foreign citizens is almost 1% from within whole population. Most of these people were born abroad, but some of them were born in Hungary as children of foreign citizens.

Distribution of the population of Hungary by birthplace and nationality 2001

		Birthplace		Together
		Abroad	Inland	
Nationality	Foreign citizens	0,8	0,1	0,9
	Hungarian citizens	2,0	97,1	99,1
	Together	2,8	97,2	100

Source: [Hárs 2008] , Census 2001.

*Student migration*¹¹ . The total number of immigrant students amounts to approximately 14-16.000. Out of this number,

- about 4.000 foreign primary school students are enrolled into Hungary's public schools. This number includes not only cross-border commuters, but also students whose parents are foreign citizens.
- furthermore, there 500 foreign citizens who are trainees,
- 4.000 high school students,
- more than 8.000 BA or MA students
- and 3.000 PhD students.

The majority of foreign BA, MA and PhD students have come to Hungary for studying medical, veterinary, dental, engineering and agrarian sciences, in order to obtain a certification of their studies accepted by the EU.

¹⁰ [HCSO 2006]

¹¹ [Rédei 2005]

1.1.3 Regular labour migration

The number of foreign citizens on the labour market is slowly but continuously increasing, especially the number of Romanian citizens, while the number of other migrant groups is rather stagnating, dynamic growth is not detectable. There is a wide group of foreign citizens living and working in Hungary which is well qualified and is employed in higher positions. There is a wide range of informal workers in Hungary, but it is hard to determine the extent of illegal foreign work, or to describe its structure with statistics.

The majority of foreigners, both legal and illegal, work in the capital, Budapest, and its metropolitan area. Many others work in the counties to the South, South-East, and East of the country, near the borders with the Ukraine, Romania, the former Yugoslavia, and Croatia. Increasing numbers of foreigners are employed – mostly legally – in the western, more developed regions of Hungary.¹²

The pattern of labour migration is specific to each migrant group. The following major segments can be distinguished within the labour markets migrants in Hungary:

- Chinese and Asian minorities – these are typically so-called “mediating minorities” since their economic role is to offer cheap products of their home countries - and to a lesser degree: services of their home cultures -on the Hungarian markets.
- Migrants with Romanian citizenship are predominantly of Hungarian ethnicity, they offer skilled work, seasonal work and home caring, nursing services.
- Slovakian migrants are typically cross-border commuters, working at local trans national companies or in seasonal work
- Ukrainian migrants are re typically cross-border commuters, working in seasonal work

For several decades, Hungarian labour policies have considered the low rate of labour activity in Hungary as a justification for saving the labour market from the unpredictable effect of opening the doors for labour immigrants.¹³ However, subsequent developments in labour migration events such as the access of Romania to the European Union, have failed to attract a significant number of additional labour migrants to Hungary. This can be partly explained by the fact that Hungarian small and medium sized enterprises are reluctant to grow by increasing the number of their employees. On the other hand, on the Hungarian labour market there is a permanent demand for low paid, unskilled work, in particular in the industrial and construction sectors. Many employers can meet their targets of low labour costs only by evading tax- and social contributions.

Work permit legislation. In Hungary, immigrants with permanent residence permits can take up employment under almost the same conditions as Hungarian nationals, with a few exceptions such as jobs in the civil service. Temporary immigrants, apart from some exceptions, can take up legal employment only if they hold a work permit. Senior executives of foreign companies do not need a permit.

Many small family-run enterprises and a considerable number of self-employed foreigners fall into this category, because establishing a company to facilitate living and working in Hungary is often easier than obtaining a work permit. Based on the residence permit data, in 2003 about 5,000 foreigners have belonged to this category.¹⁴

¹² [Juhász J. 2003]

¹³ [Hárs 2008]

¹⁴ [Juhász J. 2003]

Since 1. January 2008 work permits are issued according to the following legal measures¹⁵

- Law 4 of 1991 about employment and unemployment care
- Decree of the Ministry of Social Affairs about employment of foreign citizens in Hungary 8/1999. (XI.10.)
- Government Decree 355/2007. (XII.23) about persons having the right of free movement and residence in Hungary.

The above rules are based on international agreements. The ruling principle is as follows: foreign citizens enjoy the same administrative treatment on the Hungarian labour market as Hungarian citizens enjoy in their countries.

As a consequence, Hungarian labour authorities have regulated the employment of EU and EEA nationals as follows:

- *Country Group 1:* There is no need to have a work permit for the following nationals: Cyprus, Czech Republic, Estonia, Finland, Greece, Iceland, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, United Kingdom.
- *Country Group 2:* There is no need to have a work permit for the following nationals, on the condition that the person is qualified and finds employment according to his / her skills: Austria , Bulgaria, Denmark, France, Germany.
- *Country Group 3:* No work permit, but a so-called simplified work permit administration (i.e. registration duty) is in force for qualified nationals of the following countries. For unqualified workers of these countries work permit is needed, but the permit is automatically granted without labour force market investigation: Austria , Bulgaria , Denmark , France , Germany , Romania.
- *Country Group 4:* Work permit is needed for nationals of the following countries: Lichtenstein, Norway, Switzerland.

Analysis of labour related permits issued by the National Labour Inspectorate. In 2007 there were altogether 55.230 labour related permits issued in Hungary. This number does not include the citizens of a wide group of countries, due to the fact that Hungarians working in their countries of origin do not need work permits neither. In 2007 the number of issued labour related permits has significantly decreased by which is attributed to the fact that in this year Romania has entered the group of those countries whose citizens do not need work permits in Hungary.

¹⁵ [OE Hungary 2008]

Table 5.

**Number of granted work permits, seasonal permits , worker registrations and green card certifications
for working purposes on behalf of foreign employees
in 2006 and 2007**

		2006	2007
Granted work permits		52.505	37.586
	From the total: Romanian	33.136	19.006
	Bulgarian	272	220
	Ukrainian	8.911	7.770
Granted seasonal permits		2.216	907
	From the total: Romanian	1.897	580
	Slovakian	287	303
Granted Worker Registrations		16.132	10.614
	From the total: Slovakian	15.262	9.944
Granted Green card certifications		275	6.123
	From the total: Romanian	0	5.899
	Bulgarian	0	55
Total		71.128	55.230
	From the total: Romanian	35.033	25.485
	Bulgarian	272	275
	Slovakian	15.262	9.944
	Ukrainian	9.198	8.073

Source: National Labour Inspectorate

1.1.4 Legal framework of regular immigration

Hungarian immigration policy has been largely shaped by European integration, i.e. the harmonisation process and the transposition of EU Directives, the Schengen Acquis, the Hague Programme and other EU policies and legal provisions¹⁶ In 2007 two new pieces of legislation entered into force:

- Act No. I of 2007 on the Entry and Residence of Persons with the Right of Free Movement and Residence
- and Act No. II of 2007 on the Entry and Stay of Third Country Nationals.

These two pieces of legislation have replaced Act No. XXXIX of 2001 on Entry and Stay of Foreigners that was originally passed also as part of the harmonization process.

The executive rules of the above two laws can be found

- in the Ministerial Decree No. 25 of 2007 of Ministry of Justice and Law Enforcement
- and Government Decrees 113 and 114 of 2007, 24 May.

The major requirements for third country nationals are summarised as follows. There is a three-tiered system of Schengen visas for (a) stays of shorter than 3 months, (b) visas and residence permits for longer than 3 months, and (c) settlement permits. Foreigners who are ethnic Hungarians receive preferential treatment under the law. This means that special visa and residence permit can be issued for third country nationals, on the basis of bilateral treaties, if the individual is coming to Hungary for the purpose of Hungarian language practice, maintaining national cultural traditions, non-scholarly curricula or self-education, or to maintain family and friendly contacts in Hungary. Short term visas (up to 3 months) and labour visas for seasonal workers are issued by the Consular office in the place of residence of the applicant.

Change, or prolongation of these documents, is the competency of the Office of Immigration and Naturalization and of its regional units. Applications from high risk groups require consultation with the Security Service and, in case of Schengen Information System alert, a consultation with the SIRENE office (or another designated authority) through the Office of Immigration and Naturalization.

¹⁶ [Tóth 2007]

The regulations in force distinguish between the following categories of migrants¹⁷:

- Short-term visitor/visa holder: entitled to single or multiple entry, transit or stay in the country up to 3 months. Sub-categories:
 - without visa as tourist in accordance with international treaties/EC law.
 - in possession of visa issued for determined purpose (e.g. transit, humanitarian reasons, visit)
 - local border-traffic certificate issued for habitants in the 50 km zone to the border of Ukraine, Serbia on the base of bilateral agreement – entitled to reside in Hungary up to 90 days
- Staying visa holder: entitled to single or multiple entry and stay in the county up to one year issued for a determined purpose. Sub-categories:
 - seasonal worker: up to 6 months
 - labour permit holder
 - self-employment,
 - family unification
 - cultural exchange, etc.
- Residence permit holder: entitled to stay (including leaving and return) in the country up to 1-4 years depending on the purpose and prolongation of authorisation (e.g. study, employment, business, research, family unification), unless international treaty regulates otherwise (e.g. validity of permit would be maximum 5 years)
- Temporary settlement permit holder: Third country national in possession of an settlement permit used by another Member State, if the person resides in Hungary for study, employment or other documented purpose.
- Settlement permit holder: Third country national who has resided continuously in Hungary.
- EEA residence permit holders, registration certificate holders, permanent residence card holders: for EEA nationals and family member if their stay is longer than three months. Residence card is valid up to 5 years.
- Other categories, such as
 - Asylum seekers;
 - Tolerated migrants with special staying permits. Their stay is temporarily permitted, removal not implemented in order to prevent capital punishment, torture, inhuman or degrading treatment;
 - Rejected foreigners or foreigners in alien policing detention, under limitation of their free movement
 - Recognised refugees;
 - Temporary protected persons;
 - Stateless persons,
 - Unaccompanied minors;
 - Foreigners involved in criminal legal aid (residence certificate is valid up to 1 year)

1.1.5 Main public discourses on legal migration

Discourses related to legal migration in contemporary Hungary occur most often in the following contexts

- the shrinking volume of the Hungarian population,
- solidarity with Hungarian communities in neighbouring countries

¹⁷ [Toth 2007]

The number of immigrants in Hungary has been slowly but steadily growing, but it has remained relatively low for the past two decades. Therefore - for the time being - immigration has not developed into a serious issue for the social cohesion and economic development of Hungary, as it did in many European countries. There have been no spectacular problems related to social segregation, cultural or religious conflicts triggering public and professional debates about the desired form of immigration and integration policies. Such events did not draw the attention of national or local policy makers.

For the above reasons, migration is not a central issue for the political parties, and it stirs only occasional short lived debates among professionals, in the media or within the general public. Policy discourses about this issue remain isolated, short-term, usually ad hoc, related to a legislative proposal or some local event – such as the location of refugee shelters - eliciting public attention.

Lack of explicit migration policy. Critiques of official migration policy often point out that the implementation of Hungarian migration policy is characterized by short-term treatment of problems through defensive measures. Authorities use extensively the instruments of border control and residency rules. The integration dimension of migration policy has already appeared in various policy documents, debates and projects, but migrant integration is still an under-developed policy area.

Critiques of migration policy have pointed out the following concerns.¹⁸ There is a lack of immanent value system within the migration policy of Hungary. The debate on illegal migration is dominated by security concerns. Authorities are often unfairly treating migrant issues as criminal issues. There is a lack of systematic, organized co-operation between central border management and aliens policing authorities on the one side, and NGOs and local governments on the other side. Moreover, there is a lack of public debate about an overall migration strategy which would take into consideration the full scope of social, economic and political interdependencies of the migration phenomenon. As a consequence, Hungary's migration policy is not explicit, and its enforcement is characterized by ad hoc regulations.¹⁹

Migration policy vs. labour policy. There is no institutionalised dialogue or exchange of views among stakeholders in labour migration such as employers, trade unions, social partners, political parties, local communities and NGOs representing migrants, social workers, integration programmes and human rights. Apart from a few sectoral or regional exceptions, immigrant labour has no significant effect on the domestic labour market. For this reason employment policies or trade unions do not treat it as an issue of strategic importance. Although foreign investors and employee organizations occasionally mention that the administrative rigor and burden of obtaining work permits for foreign employees is an obstacle to doing business in Hungary, but the issue is not crucial from the point of view of foreign direct investment flowing to the country.²⁰ On the other hand, the Hungarian academic community as part of international networks, has regularly implemented surveys, conferences and has inspired the exchange of views. Debates about labour migration frequently refer to the fact that the adoption of more liberal rules for the employment of foreigners would jeopardise the jobs of Hungarians. Governments liberalizing work permit regulations have to face the critique of opposition parties that stress the resulting loss of working places held by Hungarian citizens. Illegal employment is often referred to in this context by the press and in political debates.²¹

¹⁸ E.g. see [Tóth 2007] and a verbal presentation of Judit Tóth at the IDEA Workshop on Migration, 10. June 2008, Budapest.

¹⁹ [Kováts 2008]

²⁰ [Futó-Klein 2007]

²¹ [Juhász J. 2003]

Migration policy vs. Diaspora policy. Since most of the immigrants are ethnic Hungarians living in countries adjacent to Hungary, the status of their communities has been part of the discussion of immigration legislation. The key question pertaining to this issue has been, to what extent can and should Hungarian migration policy influence Hungary's transnational ethnic policies, since these have clearly conflicting interests. Hungary's governments between 1990 and 2002 have explicitly maintained that they aim to encourage ethnic Hungarians to remain in the lands of their birth, and initiated no active immigration or resettlement policy of co-ethnics. Widely discussed issues related to the Diasporic nature of the Hungarian migration processes were.²²

- in 2001 the issue of preferential treatment of ethnic Hungarians on the Hungarian labour market through issuing so-called Hungarian Identity Cards to citizens of neighbouring countries
- and in 2004 the referendum which failed to give Hungarian citizenship (i.e. double citizenship) for all ethnic Hungarian living outside the borders of Hungary through a modification of the Act on Hungarian Citizenship.

Migration policy vs. population policy. Since 1997 demographers have explicitly called the attention of the public to the possible positive population impacts of immigration. Since Hungary's rapidly ageing population will have to face unbearable strains of the labour market, of the pension and health systems in the following decades, the encouragement of immigration may offer some kind of a solution. In 2000 the Government communication has referred to the fact that Hungary should be able to draw on a pool of hundreds of thousands or even 1.5 million potential ethnic Hungarian workers from the neighbouring states. Subsequently, the Government has set up the Population Committee which has prepared a national population programme. The proposal was published in December 2003 devoting a full chapter to the issue of immigration.

Still today a discussion is going on about the demographic deficit and whether it can or should be balanced with immigrants coming from kin-minorities or from Asia. Demographers have calculated that at least 25 000 newcomers are needed yearly in order to keep the Hungarian population at the level of 10 million during the next 43 years. If this calculation was transformed into effective policies, and if these policies were implemented, the necessary consequence would be the social inclusion and acceptance of 1 million migrants during the next four decades.

The leaking of the Migration Strategy of the Government. In 2007 it has been made public that for several years the Hungarian Government has developed a document called "Migration Strategy" of the Republic of Hungary. This document had 6 consecutive versions, but is still not officially accepted and it is confidential. However, in 2007 this secret migration strategy document has been leaked to an opposition party (Christian Democratic Party). This party has made the document public by uploading it on their website. The opposition party has also demonstrated against its recommendations on the same website and in a demographic debate held in the parliament on the 20th February 2007.

The following conclusions and recommendations of the strategy paper were cited and criticized by the opposition party.

- The natural rate of reproduction in Hungary is low, and only an enhanced immigration can produce a sustainable population development. Hundreds of thousands of immigrants are needed, up to the magnitude of a million. Extrapolating from recent trends it is to be expected that the majority of immigrants will arrive from Asian countries. As a result, the proportion of foreign people can be raised up to 10 percent of Hungary's population.²³
- The migration of Asian migrants in certain sectors of the economy, for self-employed people and for key employees of companies should be facilitated. For this purpose specific programs should be initiated.

²² [Sík-Zakariás 2005]

²³ [Migr. Strat. 2007]

The strategy has also stressed that migration policy has to be harmonized with Hungary's policies towards Hungarian ethnic minorities in neighbouring countries. Continued immigration of ethnic Hungarians from Slovakia, Ukraine, Romania and Serbia has led to substantial reduction of the Hungarian population of these countries. Migration processes should not endanger the existence of viable Hungarian communities in the neighbouring countries.

The strategy calls for a coherent system of migrant integration measures. The pillars of analysis of the migrant strategy are as follows:

- Legal migration
- Illegal migration
- Refugee issues

Subsequent media reactions. A few weeks after the leaking of the migration strategy document and the parliamentary debate the media has reacted to this event.²⁴ In an article in the liberal minded Magyar Narancs weekly newspaper a sociologist has referred to the parliamentary debate and in particular to the fact that the deputy of the opposition party has threatened the country with a "flood of Asian foreigners" if the migration strategy is implemented. His argumentation went as follows.

- The author has expressed his doubt that the Hungarian population would suffer in any way as a consequence of increasing immigration.
- Hungary, as a member of the European Union is obliged to apply community norms regarding the rights of people intending to immigrate into the country.
- Target countries of international migration can be proud of their welfare, security and freedom, therefore an increasing number of immigrants can be regarded as indicator of the above virtues.
- The rejection of immigration is a sign of cultural ethnocentrism.

Public opinion polls show that Hungarian society is very selective regarding its attitudes towards foreigners. Public opinion polls show that population attitudes also include ethnic prejudices.²⁵ Opinion polls show that immigrants of Hungarian ethnicity are generally more welcomed, while Arab and Chinese immigrants are less welcome. However, there is a difference between attitudes towards immigration in general on the one side, and towards foreigners already living in Hungary: the majority of Hungarians are not hostile at all towards resident foreigners.

Opinion polls²⁶ conducted for the last 15 years about refugee issues show that the attitudes of Hungarian population did not change significantly over this time span. In 2007 about 10% of respondents maintain that any refugee should be accepted, about 60% of respondents prefers to accept some refugees, while reject others, and the rest maintains that all refugees should be rejected. International comparative opinion polls with neighbouring countries have found that Hungarian, Slovakian and Czech attitudes are close to each other, while a significantly higher proportion of Polish respondents have preferred to accept refugees.

²⁴ [Örkény 2007]

²⁵ Some 70% of Hungarian respondents have been classified as xenophobic in the Eurobarometer Survey made in 2005.

²⁶ [Bernát 2008]

Recent media debates. The media debate about inviting or rejecting immigrants has continued.²⁷ In 2008 a publicist of the daily newspaper of the conservative right has argued that the demographic deficit of Hungary should be counterbalanced. Inviting a large number of ethnic Hungarians from neighbouring countries would endanger their traditional communities over the border, moreover, the migration potential of these communities is rather directed towards more developed countries of Europe. Therefore the publicist welcomes the encouragement of immigration of people of foreign, non-Hungarian ethnicities, whose integration and inclusion into the Hungarian society is feasible, not excluding the opening of the gates for Asian people.

1.2 Irregular migration

1.2.1 Main types of irregular migration

There are various possible typologies of irregular migrants residing in the country. This chapter presents three typologies:

- *Typology 1: Typology by legality of entry into the country.*
- *Typology 2: Typology according to the ways of being caught by the authorities as illegal migrant*
- *Typology 3. Typology by migrant's strategies and objectives.*

Typology 1: Typology by legality of entry into the country. The statistical system of the law enforcement authorities differentiates between the following categories of illegal migrants, according to the legality of their entry into the country. Irregular migrants entering the country illegally are called (A) *border violators*, while irregular migrants entering the country legally but staying for longer than permitted in the regulations relevant to the type of their residence are called (B) *overstayers*.

- *Border violators.* Border violators may enter Hungary either (a) through the green border (including the illegal crossing of border rivers) or (b) through official Border Crossing Points by (ba) using fully or partially false / falsified documents or (bb) using valid documents of other people or by (bc) hiding in vehicles. There is no official or unofficial information or responsible estimation about the number of border violations committed. No theories are available about the proportion of successful clandestine border crossings as a percentage of the apprehensions. However, it is very likely that the real number of migration related border apprehensions is proportional to the number of attempted border crossings. Statistical data exist only about the extent of revealed border violations, which during the last decade before 2007 has shown an oscillation between 23.000 and 15.000. (In 2004 there were 13.103 migration related border apprehensions, in 2005 altogether 18.294, in 2006 altogether 16.508 such events. However, in 2007 there were only 8.779 migration related border apprehensions, due to the fact that in 2007 Romanian citizens have obtained the right of free movement in Hungary.
- *Overstaying.* The offence of overstaying is committed by the fact that the migrant enters the country legally, but violates the rules of residence by remaining in the country despite the expiration of the time limit of his/her (a) visa or (b) residence permit. There is no statistics and no estimation about the possible number of overstayers. Moreover, experts are reluctant to compare the sizes of the groups of border violators with that of the overstayers. The magnitude of the number of overstayers can be indirectly inferred to by indirect reasoning, used the ways in which overstayers are revealed.

²⁷ [Neumann 2008]

Typology 2: Typology according to the ways of being caught by the authorities as illegal migrant. This typology covers only that group of irregular migrants who have become visible for the authorities through controls, apprehensions or voluntary self-presentations to the authorities. In particular, irregular migrants may be revealed in the following ways.²⁸

- *Border controls upon entry to or exit from Hungary.* Before 2007 there were border controls of persons on all border sections of Hungary. Following Hungary's accession to the Schengen area in 2007, border controls have been substantially relaxed on the interior border of the Schengen Area i.e. on the Austrian, Slovakian, and the Slovenian border section. The number of overstayers apprehended during exits through Border Crossing Points of Hungary from Hungary is very small. On the other hand, in 2007 the number of border violators apprehended for attempted illegal exit surpasses the number of border violators apprehended for attempted illegal entry by 45%. In particular, on the Austrian and Slovenian border section apprehended illegal migrants attempting to leave Hungary outnumber those attempting to enter Hungary by a factor of four. These facts together with other irrefutable evidences prove that in Hungary a substantial component of illegal migration is transit migration towards the more developed countries of Western Europe.
- *Labour controls.* On 1. July 2007 the aliens policing Laws of 2007 have entered in force. Before this date, most illegal migrants in Hungary were Romanian citizens or (less frequently) Ukrainian citizens working illegally in the construction sector or in the agriculture. If such people were apprehended, their apprehension typically occurred during the controls performed jointly by the Border Guard, the Labour Authority and the Office of Immigration and Naturalization. Since 1. January 2007 (Romania's accession to the EU) and since 1. July 2007 (the entering in force of the above mentioned laws), Romanian citizens are subject to the same regulations as EEA citizens. Due to the above mentioned legal changes since 2007 the number of apprehensions on such controls is much smaller.
- *Migrants presenting themselves voluntarily to authorities.* Most overstayers do not risk to attempt exit from Hungary through Border Crossing Points with expired documents. Rather they prefer to visit a regional office of the Office Immigration and Naturalization and present themselves as overstayers to the authorities. In case of such behavior the authority refrains from their deportation but insists that they leave Hungary voluntarily, with the possibility of re-entry at a later date.
- *Road controls.* The number of illegal migrants apprehended during road controls is small and the tendency is stagnating.

Typology 3. Typology by migrant's strategies and objectives. This typology differentiates between illegal migrants according the main reason they have come to Hungary.

- *Illegal transit migrants* have the aim of reaching the core countries of the European Union through Hungary. The majority of border violators entering Hungary do so in order to transit this country. Most illegal migrants are aware of the fact that in comparison to Hungary, in countries of Western and Southern Europe such as Austria, Germany, Italy or in the U.K. they have much better chances to regularise their stay and to find work.
- *Illegal circular labour migrants* are foreigners who arrive periodically to Hungary in order to work and to subsequently return to their home countries. Before 2007 most of these people were Romanian citizens with Hungarian ethnicity, falling into illegality by border violation or by overstaying. However, since 2007 Romanian citizens residing in Hungary with a tourist visa and working illegally in this country are not liable to expulsion. It is assumed that the majority of this type of illegal migrants are Ukrainian citizens, most of them of Hungarian ethnicity.

²⁸ [OIN Interview]

- *Illegal migrants residing in the country for a longer term.* According to authoritative expert interviews²⁹ there is a wide class of illegal migrants living in Hungary and leading a hidden life for a longer term. These migrants survive either completely undocumented, or by using false documents or by using documents of other people. It is assumed, but not proven, that the majority of these illegal migrants are Asian migrants, predominantly from China and Vietnam.

1.2.2 *Main pathways of irregular entry to the country*³⁰

The legal term for migrants entering Hungary in an irregular way is border violator. Migrants attempting to cross the state border are either crossing the border on some official border crossing point by using false documents or by hiding in a vehicle, or, alternatively, they attempt to cross the green (land) border.

- *Country of origin.* In 2007 migrants entering Hungary illegally and becoming apprehended at the borders have arrived from the following countries (in decreasing order of the number of apprehensions): Ukraine, Serbia (Kosovo region), Moldova, Romania, Turkey, China, Georgia, Bosnia-Herzegovina and Vietnam.
- *Target country.* For the majority of illegal migrants apprehended at the borders Hungary is only a transit country. A smaller proportion of illegal migrants tries to find refuge or work in Hungary. More illegal migrants are apprehended while leaving the country than while entering Hungary. The typical target countries are the more developed countries of Western Europe.
- *Type of border.* In 2007 the overwhelming majority of migrants entering Hungary illegally and becoming apprehended at the borders have been caught at official border crossing points located on roads. Somewhat less frequent was the arrival through the green (land) borders. Only a tiny minority of apprehended illegal migrants have arrived by air routes.

1.2.3 *Pathways out of illegality*

Irregular migrants attempt to legalize their residence with the help of various strategies. In this chapter there are three such strategies highlighted:

- (A) asylum-seeking
- (B) marriage and parenthood and
- (C) regularisation

(A) *Asylum.* For most illegal migrants apprehended by the authorities, entering asylum process is the major form of legalizing their stay in Hungary.

Legal background. Hungary has acceded to the 1951 Convention relating to the Status of Refugees in 1989. According to Article 65 in para (1) of the Constitution the Hungarian Republic provides those non-Hungarian citizens with the right of asylum, who, in their homeland, or in the country of their permanent residence, are persecuted on the basis of race, religion, political opinion, national or social origin, or (if) their fear for persecution is well-founded. Act LXXX of 2007 concerning the right of asylum, which was accepted by the Parliament on June 25, came into force on January 1, 2008. In the meantime, it repeals the former Act concerning the right of asylum, Act CXXXIX of 1997. The measures of the new law have to be applied to the foreigner who has submitted an application for recognition (a) as a refugee or (b) an asylum seeker or (c) a protected refugee, or (d) enjoys the right of asylum. The law follows the principle of family unity, and other humanitarian principles such as the needs of people requiring special treatment. Each application is guaranteed significance, and is thus assessed on an individual basis.

²⁹ [Police Interview Border Management Analyst]

³⁰ This issue is detailed in this paper, in the chapter „Border related flows”.

Hungary is primarily a transit country for asylum seekers. Economic conditions prevailing in Hungary can offer only a partial explanation to this phenomenon. Equally important factors include lengthy asylum procedures, low chances for long-term and effective protection, and scarce opportunities for integration. For these reasons, asylum seekers generally seek protection elsewhere, mainly in other member countries of the European Union. Therefore, the most common reason for terminating an asylum procedure is that the applicant "disappears."³¹

Between 1990 and 1994 refugees from the former Yugoslavia have arrived in several waves, that rose and fell in rhythm with various armed conflicts.

Until 1997, Hungary accepted refugees only from European countries. Immediately after lifting this limitation, nearly half of the asylum applications were submitted by non-European citizens (mostly from Afghanistan, Bangladesh, and Iraq). The other half came from Yugoslavs fleeing the Kosovo crisis.

In 1999, there were 11,500 applications, with 5,100 submitted by citizens of countries of former Yugoslavia and 6,000 by non-European citizens. Since then, there have been hardly any European applicants. In 2002 European asylum applicants have amounted to only seven percent of all applicants. In recent years, the majority of asylum seekers arrive from Asian countries such as Iraq and Afghanistan.³²

Table 6.

Number of asylum-seekers arrived in Hungary with a breakdown of region of origin, 2002-2006

Year	Number of registered refugees	From European countries		From non-European countries	
		Person	%	Persons	%
2002	6 412	441	6,88	5 971	93,12
2003	2 401	659	27,45	1 742	75,55
2004	1 600	503	31,44	1 097	68,56
2005	1 609	548	36,29	1 025	63,71
2006	2 117	847	40,01	1 270	59,99
2007	3 419	1162	33,98	2 257	66,01

Source: Office of Immigration and Naturalization (OIN).

(B) Marriage and parenthood. Marriage with a Hungarian citizen or with a citizen of another EEA country may lead to the legalization of the status of an illegal migrant. Alternatively, the migrant obtains a residence permit if a child is born of whom the migrant is the parent and the child is a Hungarian citizen or the citizen of another EEA country. This channel of legalization has opened for illegal migrants since 1 July 2007 due to Law I of 2007 "On persons with the right of free movement" being in force. Since this Law is in force, legalization by marriage or by parenthod has become more frequent than legalization by asylum application.³³

(C) The 2004 regularization measure. Hungarian authorities have initiated only one regularization campaign. Law No 29 of 2004 has introduced various modifications to existing Hungarian regulations, in particular to Law XXXIX of 2001 about aliens policing. This amendment has provided for a regularization campaign of illegal migrants in Hungary, which was publicised and implemented by Hungarian aliens policing authorities, in particular by the Office of Immigration and Naturalization

³¹ [Juhász J. 2003]

³² More quantitative aspects of asylum seeking are presented in Part II of this paper.

³³ [OIN Interview]

under the Ministry of Interior. The authorities have offered an amnesty for previous unlawful actions related to illegal stay in Hungary and a legal residence permit for a limited period for those people ready to report themselves to the authorities; under the condition they do this before official set deadline. The regularization measure was an innovative approach of migration authorities. The regularization offer was professionally communicated among the relevant foreign communities.³⁴ As a result of disseminating the regularization offer among the relevant communities, altogether 1.406 people have presented themselves to the alien police.³⁵

1.2.4 Illegal labour of foreigners in Hungary

From various sources focusing on illegal migrants, it is well known that most illegal migrants are weekly or monthly commuters from the neighbouring countries, working in the seasonal sectors (agriculture, construction) of informal economy and tourist traders working on the open-air markets. These workers enter legally as tourists and acquire regular or occasional work. Temporary migrants often work illegally, mostly in the construction, agriculture, catering, entertainment, and clothing and textiles sectors. The chances of temporary immigrants obtaining regular, formal employment are slim. An employer must obtain a work permit for an immigrant through a complicated and lengthy procedure.³⁶

The enforcement of the employment regulations is the responsibility of the National Labour Inspectorate (OMMF), both for Hungarian and foreign citizens. This authority performs regular controls with joint efforts of the following authorities:

- The National Tax Office APEH)
- The National Consumer Protection Authority (Nemzeti Fogyasztóvédelmi Hatóság)
- National Customs Authority (VPOP)
- The National Police (which has been merged with the National Border Guard in 2008)

The above authorities have signed a co-operation agreement to reduce all forms of illegal labour. If during such controls foreigners are apprehended, the Office of Nationality and Immigration (i.e. the Aliens Policing Authority) is informed.³⁷ A further deterrent is the legal provision³⁸ in force since 2006 according to which employers employing any (Hungarian or foreign) workers in an unlawful way – e.g. without having registered them at the authorities - are not entitled to receive state subsidies and are not entitled to participate in public procurement.³⁹

1.2.5 Legal framework of illegal migration⁴⁰

Irregular and illegal migration basically involves either transiting through the country without proper documents, or illegal residence in the country, or engagement of non-EU citizens in unlawful employment, typically of the seasonal or temporary kind.

³⁴ Sources of this paragraph: [Windt 2008] and [OIM Interview 2008]

³⁵ More quantitative aspects of the regularisation measure are presented in Part II of this paper.

³⁶ [Juhász J. 2003]

³⁷ [Joint Patrol Decree 2004]

³⁸ [OMMF 2007a]

³⁹ More quantitative aspects of illegal labour by foreigners are presented in Part II of this paper.

⁴⁰ The main sources of the legal analysis of this chapter are [Helsinki Committee 2008] and [Tóth 2007]

In 2001 the Hungarian Parliament passed four pieces of legislation on foreigners, substantially amending previous laws, affecting the regulation of asylum as well as migration matters. The comprehensive changes were required by preparations for EU accession in order to harmonize Hungary's regulations with the EU law. The bills, referred to as the migration package, included a completely new act on aliens' policing issues.

- Act XXXIX of 2001 on the entry and stay of foreigners,
- Act XXXVIII of 2001 on asylum
- Amendments of the 1993 Act on Citizenship and
- Amendments to the 1997 Act on guarding the State Border.

Various Government decrees on the execution of the new legislation were promulgated in the same year.

As a consequence of these changes in the Aliens Act, rules pertaining to residence permits have changed significantly. The previous "temporary resident permits" (issued for no more than one year), long-term resident permits (for 1-5 years) and permanent immigration permits have been replaced by two legal titles: (a) a "unified residence permit" was introduced, to be given for no more than two years and extendable for two more years and (b) the previous "immigration permit" was replaced with the so-called "settlement permit".

Similar to the practice of some EU member states, the category of "admitted" persons has been introduced: such persons are permitted to remain in Hungary on a humanitarian basis, but will not be formally acknowledged as refugees.

Reasons and legal titles for detention of illegal migrants have become more differentiated than previously. Besides the previously existing "ordinary" alien policing detention two new categories have been introduced: (a) the so-called "rejection detention" (for no more than 30 days) and the "pre-expulsion detention" (for no more than 30 days) This latter may be applied in order to conduct the alien policing procedure, in case where the alien's personal identity or the legality of her stay are not clarified. In 2001 the maximum length of "aliens' detention" (altogether the times spent in detention) has decreased from 18 to 12 months (which has been further reduced in 2007 to 6 months).

The system of organizations dealing with the treatment of aliens and refugees has been restructured. In the first instance, the regional directorates of the Interior Ministry's Office of Immigration and Naturalisation (OIN) carry out related tasks. Seven regional directorates have been created, each of which is responsible for several counties. These regional centres handle aliens related tasks that were previously carried out by county police headquarters, as well as by border guards. These regional centres decide on asylum applications in the first instance.

In 2004, with Hungary's accession to the European Union community law became applicable in Hungary as well. Therefore the Asylum Act and Aliens Act also had to be amended to transpose community legislation in the field of asylum and migration. In April 2004, in preparation for EU-accession, the Hungarian Parliament passed Act no. XXIX of 2004 "on the amendment, repeal of certain laws and determination of certain provisions relating to Hungary's accession to the European Union". It contains substantial amendments to Act XXXIX of 2001 on the Entry and Stay of Foreigners ("the Aliens Act") and to the Asylum Act no. CXXXIX of 1997 on Asylum ("the Asylum Act"). Furthermore, the law provides for an opportunity to regularise certain foreigners' stay in Hungary.

The new Asylum Act as amended in 2004 (a) reduced the formerly four-stage asylum procedure to two instances, (b) has taken expulsion decision out of the asylum procedure, (c) obliged the aliens authority to bring decisions about the applicability of refoulement when rejecting or revoking refugee status or temporary protection (d) obliged aliens authorities to appoint guardians to unaccompanied migrant minors (e) introduced EU standards on minimum standards for granting temporary protection in the event of mass influx of displaced persons (f) granted asylum seekers access to the Hungarian labour market (g) restricted the right of refugees to vote in local elections and local referenda.

The new Aliens Act as amended in 2004 (a) introduced judicial legal remedies against expulsion and detention (b) obliged aliens authorities to delegate case guardians (i.e. ex officio appointed lawyers) to help detained aliens and (c) eased the conditions of obtaining a permit to stay for unaccompanied minors.

Regularization in 2004. However, the most important measures of the amendment of the Aliens Act were the so-called amnesty provisions, i.e. the regularization of the stay of some illegal migrants already residing in Hungary. Under these provisions foreigners were entitled to apply for a residence permit if they are able to verify their personal data and (a) have a spouse who is a Hungarian citizen or a non-Hungarian national who is a lawful resident in Hungary, or have a Hungarian citizen child, or (b) are able to prove that they pursue income-generating activity in Hungary as an owner or executive officer of a company, or (c) are able to handle their affairs in Hungarian, and their further stay in Hungary is justified by their cultural link to Hungary, or (d) whose expulsion may not be enforced due to the non-refoulement provision. Foreigners who fall in categories under (a), (b) and (c) have received a 1-year long residence permit, while applications from those falling under (d) were considered in a discretionary manner. No legal remedy was available if the application is refused. For reasons of public security and public order, certain foreigners were excluded from taking advantage of the regularisation possibility, including: (a) foreigners detained in aliens policing detention, except for foreigners who fell under the clause relating to family ties to Hungarian citizens, (b). foreigners serving a term of imprisonment, or foreigners against whom a criminal procedure or an arrest warrant was pending. Foreigners who were issued a 1-year residence permit in accordance with the above criteria have received a Hungarian work permit. In case of foreigners previously detained in alien policing detention, detention ended on the day that the residence permit was issued.

Since 1st July 2007 there are two new aliens policing acts, which have been taking effect:

- Act No. I of 2007 on the Entry and Residence of Persons with the Right of Free Movement and Residence
- Act No. II of 2007 on the Entry and Stay of Third Country Nationals.

On 21st December 2007 Hungary joined the Schengen Area. Consequently, the operative legal provisions changed in connection with this and Hungarian legal rules include the Schengen legal provisions. In the framework of this development, Act 105 of 2007 "On cooperation and information exchange in the framework of the Schengen Execution Agreement" was accepted.

Furthermore, in connection with the expulsions, alien policing authorities are subject

- to multilateral agreements between the EU and third countries
- and to bilateral readmission agreements.

Readmission agreements. Readmission agreements generally are a great help in transferring foreigners illegally present on the territory of Hungary and contribute positively to public order. The Government of the Republic of Hungary concluded readmission agreements with 25 countries of Europe and has agreements in force with all neighbouring countries on the simplified return of illegal migrants. The readmission agreements provide for readmission and transport under official escort of the contracting party's citizens and third country nationals'. These agreements lay down deadlines, arrangements concerning protection of personal data, and rules of the financing to the contracting parties. The agreements are in harmony with international agreements and treaties, and the regulations of the Agreement concerning the status of refugees, especially the Agreement on Human Rights and Basic Human Liberties.

Simplified readmission. The Republic of Hungary has simplified readmission agreements with all neighbouring countries (Austria, Slovenia, Croatia, Serbia and Montenegro, Romania, Ukraine and Slovakia). This means that if the border violator was apprehended during the act of illegally entering Hungary on the border or in the immediate vicinity of the border, and Hungary asks for readmission within 48 hours of this act, than the other party receives back the border violator without formalities. The implementation of simplified readmission procedures is within the scope of authority of the Hungarian Border Guard.

The Border Guard organises, coordinates and executes the readmission mainly of citizens of neighbouring countries, or citizens of third countries arriving illegally from neighbouring countries, based on readmission agreements. The implementation of tasks based on readmission agreements is fluent and the cooperation between the Office of Immigration and Naturalization and the competent authorities is continuous, correct and constructive.

The Office of Immigration and Naturalization of the Ministry of the Interior (OIN) organises, coordinates and permits the fulfilment of transport requests on the territory of Hungary of third country nationals, based on readmission agreements. Upon the request of the other contracting party, either contracting party shall permit the transit or transport under official escort of third country nationals provided that the conditions required for entry and/or transport in the state of destination and in the additional transit states is ensured. After checking in the registration systems, with regard to prohibitive reasons, the Office of Immigration and Naturalization (OIN) permits or refuses the request.

Examples of ratified bilateral and trilateral agreements of 2007:

- Act 153 of 2007 between the government of the Hungarian Republic and the Cabinet of Ministers of the Ukraine on the execution of the Agreement regulating small border traffic.
- Government Decree 318/2007 on the execution of the Agreement between the government of the Hungarian Republic, the government of the Austrian Republic and the government of the Slovenian Republic on the operation of the Law Enforcement Cooperation Center at Dolga Vas

Differentiation between human smuggling and trafficking. A central issue of illegal migration is the differentiation between human smuggling and trafficking. While human smuggling is a facilitation of border violation committed by others, human trafficking is different from human smuggling because the former involves the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat, use of force or other forms of coercion, abduction, fraud, deception, or misusing a position of vulnerability. Between the years 200 and 2006 most countries of Central and Eastern Europe have signed and ratified the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children which is based on the above definition. In previous decades border guards and migration authorities in many countries have marked the phenomenon of human smuggling and human trafficking as one category, and victims of trans-border trafficking were often treated as illegal migrants. This practice was partly responsible for the fact that for a long time there were no comparable and reliable statistical indicators available even about the measurable aspects of illegal migration, e.g. about apprehensions of migrants, smugglers in humans, facilitators, traffickers and trafficking victims.

Definitions of human smuggling and trafficking. Hungarian authorities use the definitions of the Criminal Code (Act IV of 1978).

- *Human smuggling:* Any person who, for financial gain or advantage, provides aid to another person for crossing the state borders.
- *Human trafficking:* Any person who sells, purchases, conveys or receives another person or exchanges a person for another person, also the person who recruits, transports, houses, hides or appropriates people for such purposes for another party.

1.2.6 Policy framework of illegal migration

In Hungary the fight against illegal migration is an integral part of Government policies. This policy is based on a full set of legislative provisions and international agreements, all of which have been fully harmonized with the *Acquis Communautaire* of the EU. The implementation of these provisions is the task of several law enforcement agencies.

As a rule, acts and strategy items relating to illegal migration are not subject of any parliamentary debates, these are unanimously accepted and are not rejected or debated by any party

*Within the Government Migration Strategy*⁴¹, the fight against illegal migration is one of the three pillars of migration strategy. This policy is based on the policy paper of the EU “Green Paper on a Community return policy, on illegal residence”, COM(2002 175 final) The cited migration strategy contains various conclusions and recommendations about policies on illegal migration as well.

The Government Migration Strategy document highlights the flowing tendencies. Illegal migration to and through Hungary has been decreasing for the last years, which was reflected in the decreasing number of border violations and the decreasing number of enforced repatriations. The new threat is that illegal migration is increasingly based on existing legal procedures, whereby migrants are trying to use legal loopholes of visa and refugee regulations. An increasing number of perpetrators arrives to Hungary legally with a tourist visa and continues the journey through the green border or with a false visa to Western Europe. Illegal migrants often use refugee legislation to legalize their residence. Increasing demand for falsified documents increase the involvement of organized criminal groups in migration. The majority of illegal migrants are expected to come from former Soviet republics and countries of Middle and East-Asia.

⁴¹ [Migr. Strat. 2007]

The following strategy items were highlighted in the document about illegal migration. Illegal migration implies risks for national security. International cooperation against illegal migration should be enhanced. The effectiveness of the fight against human smuggling and trafficking yields credibility to migration policy affecting legal migrants. Rules about removal, repatriation, readmission are fully harmonized with European legislation, and the implementation of these rules must be consequent. Visa policy must be used as a preventive measure against illegal migration.

1.2.7 Main public discourses on illegal migration

Discourses related to illegal migration in contemporary Hungary occur most often in the following contexts

- border control and security,
- and in regard with the need for illegal foreign workers on the labour market.⁴²

Migration policy vs. security and criminal policy. The political and public discourse about illegal migration is strongly influenced by the official communication of the Government Agencies subordinated to the Ministry of Justice and Law Enforcement, such as the Office of Immigration and Naturalization (OIN) and the Border Guard, which has recently been merged with the Police. Similarly to other European countries, there is no agreement between NGOs and Government agencies about the definitions of and differentiation between the terms “illegal aliens”, “asylum seekers”, “refugees” and “migrants”.

⁴² [Sík- Zakariás 2005]

The Yearbooks of National Security⁴³ on illegal migration

The 2006 and 2007 Yearbooks of National Security contain separate chapters about illegal migration.

The 2006 National Security Yearbook has highlighted the following criminal activities in relation with illegal migration:

- A significant number of illegal migrants obtain their visas group-wise. Many of these people receive certifications from Hungarian hotels of the fact that the purpose of their stay in Hungary is tourism. However the holders of such visas often spend only one day in Hungary and continue their way to south-west European countries. These people use falsified work permits of western European countries to move around in Schengen countries.
- The number of people arriving from Africa and legalizing their stay in Hungary by fictitious marriages has increased. Most of these people have arrived illegally into the country and attempt to appeal against their removal with the help of certificates of fictitious marriages.
- Some families of Asian countries have developed the following tactics: First the wife arrives to Hungary, obtains refugee status and subsequently the husband arrives and submits a request for family reunion.
- Potential illegal migrants approach their Hungarian partners often by e-mails, asking for letters of invitation. However, Hungarian regulations stipulate that inviters have certain responsibilities regarding the duration of stay their invitees.

The National Security Yearbook about the year 2007 has focused on the following threats resulting from illegal migration.

Following Hungary's joining of the Schengen area Hungary is a major entry point of illegal migration to West-Europe. Some 15% of the EU land borders is controlled by Hungarian border service authorities. The dominant direction of human smuggling is east-west, and the dominant border section is the Austrian-Hungarian and the Romanian-Hungarian border.

The smuggling of humans continues to be an important problem. The perpetrators in most cases are Hungarian, Albanian, Albanians from Kosovo, Romanian, Ukrainian, Moldavian and Serbian citizens. Their clients are Ukrainian, Moldavian and Serbian citizens, people from the Arab countries, Turkish, Bulgarian, Macedonian, CIS countries, and from Asian countries such as Bangladesh.

Some 85% of illegal migrants attempt to cross the border with the help of human smugglers, mainly at crossing points with falsified travel documents, resident permits, and also hiding in vehicles. In 2007 several groups of 10 to 30 people have attempted to cross the border while hiding in trucks between the cargo or, by hiding in specially for this occasion created hiding places on trailers.

For the upcoming years document falsification is one of the biggest challenges for border management authorities, The perpetrators are often using the documents of those EU member countries which have joined the EU in 2004. assuming that these papers are not well known by the officers of other EU member countries. The usage of Romanian and Bulgarian fake documents and of Hungarian falsified documents such as visas is increasing. The falsification of Hungarian passport with their new security element is difficult, no such case were reported in the last period.

Illegal migrants failing to cross the border unnoticed, regularly apply for asylum. However, many asylum applicants escape to Western-Europe without waiting for the end of the procedure.

⁴³ [NBH 2007] and [NBH 2008]

1.3 Major Government agencies implementing migration policies

The Ministry of Justice and Law Enforcement has a migration department. There are two major subordinated Government agencies responsible for border management and aliens policing:

- Since the restructuring of governmental competencies in 2006, the Office of Immigration and Naturalization (OIN) of the Ministry of Interior is responsible for alien policing, asylum and naturalization affairs, subordinated by the Ministry of Justice and Law Enforcement.
- The Hungarian Border Guard as of 1 January 2008 has become an integral part of the Police service.

The Office of Immigration and Naturalization – OIN

The Government of Hungary established the Office of Immigration and Naturalization (OIN) on first of January 2000. The OIN – based on the Government Decree No. 162/1999 (XI. 19.) – is an independent central authority, responsible for immigration, citizenship and aliens policing issues. The OIN consists of central and seven Regional Directorates. The OIN with a national competence is responsible for: (a) To carry aliens policing tasks (b) To administer refugees issues as a refugee authority, to manage and operate refugee reception centres and temporary accommodations for refugees (c) To execute tasks related to migration arising from international conventions (d) To implement the provisions of the Law on citizenship, to administer naturalization issues.

OIN is an independent budgetary organisation. Its budget is shown separated within the budget of the Ministry of Justice and Law Enforcement. The Director General, supervised by the Minister of Justice and Law Enforcement, directs the Office.

The legal basis of this institution is as follows. In 2001 the Act regulating the entry and stay of foreigners in Hungary and the amendment of the Act CXXXIX of 1997 on Asylum have removed the legislative barriers from the way of developing a unified migration organisation. An amendment made to the Government Decree 162/1999 (XI. 19.) on the Office of Immigration and Naturalization enabled the Government to set up the OIN's regional branches, the so-called Regional Directorates. Since 2006 the Office acts under the direction of the Ministry of Justice and Law Enforcement according to Act LV of 2006 on the specification of the ministries of the Republic of Hungary.

The Border Guard and Hungary's joining Schengen territory

Since January 2008 the Hungarian Border Guard Services has become an integral part of the Police service. The legal background of the integration of the two organizations was the abolishment of the Law on Border Protection. The integration reform was aimed (a) to increase the effectiveness of use of resources of law enforcement (b) to reduce the overall number of staff and in particular to simplify the institutional setup of the central managerial unit and (c) to improve the implementation of tasks arising from Hungary's Schengen membership.

As a result of the integration, the numbers of personnel of both the Border Guards and the Police were significantly cut. The total staff of the two organizations in January 2007 was 47.193 persons (of which 11.182 was staff of the Border Guard), while in January 2008 the staff was 43.643 persons.⁴⁴ Also the number of high ranking personal was reduced: in January 2007 within the two organizations there were 1.811 persons (of which 338 was high ranking personal of the Border Guard), but in January 2008 their number has decreased to 1.555 persons.

Border management tasks arising from Hungary's joining the Schengen territory. On 21th December 2007 Hungary has joined the Schengen territory. As a result, travellers may pass Hungary's borders to Austria, Slovakia and Slovenia without controls. This development has caused serious challenges to law enforcement agencies responsible for controlling legal and illegal migration. The organizational and technical preparation for this event has lasted for several years. It includes (a) the delegation of co-ordination and liaison officers to border management organizations of various Schengen countries, (b) Information Technology developments such as installing the Schengen Information System (SIS) in Hungary in 2007, (c) joint patrolling with Slovenian, Austrian and Slovakian border police officers, and (d) the removal of all physical obstacles such as fences and blocks at the Schengen internal borders. In order to finance the above changes, investments and redeployments, Hungary has received financial support from the EU. Between 2005 and 2007 the financial fund "Schengen Facility" has provided 9.4 billion HUF for development (In 2007 1 EUR equals approximately 250 HUF).

⁴⁴ In Hungary the proportional number of staff of the police is high compared to some other countries. (E.g. in Germany there are 226.000 policemen for more than 8 times more inhabitants than Hungary. Comment by Dita Vogel, HWWI) However, high ranking officials of the Hungarian Police recurrently complain about the lack of personnel due to the low number of available, eligible and trained individuals.

2 Part II: Estimates, data, assessment of size and composition of irregular migrant population

2.1 The relevant methods and information sources

2.1.1 *Recommended methods in international publications*

During the last decade the statistical measurement of illegally resident population has been subject the subject of various methodological studies.

Futo and Tass⁴⁵ have identified four root causes for the lack of data on illegal immigration. (a) migrants intentionally made themselves unobservable. (b) information and data that may establish a person's illegal status are frequently dispersed between different agencies such as government departments, the police, employment offices etc., making co-operation and access to data difficult. (c) The legal status of Illegal entry and residence varies between petty offence, offence and crime. Therefore criminal statistics may not sufficiently cover the phenomenon. (d) Country-specific legislation and definitions on legality and illegality result in a lack of internationally comparable data on illegal immigration.

Recently Pinkerton, McLaughlan and Salt⁴⁶ have reviewed 28 studies that have estimated the size of irregular migrant populations in 15 countries and have assessed their methodologies in order to apply them in case of ther UK. The authors have pointed out that most of the methods revealed and discussed were either not applicable in the UK or the results produced were not accurate enough. The study has attempted to give a typology of methodologies and data sources, based on a study of Delaunay and Tapinos⁴⁷. The paper has identified the following indirect and direct methods of estimating the size of the illegal population.

- Analysing the frequency of breaches of residence regulations, refusals of residence permits, refusals of political asylum, results of legalisation procedures.
- Conducting expert surveys with the Delphi method.
- onducting surveys among illegal residents by using NGOs as intermediaries and snowball sampling.
- Linking of various administrative sources such as population registers, censuses and making inferences to non-accounted residents.
- Analysing general police statistics, Common Law crimes, such as people smuggling, etc.
- Analysing civil registry office statistics (births, deaths etc.)
- Conducting surveys on irregular employment among employees and employers and making inferences to the number of illegal workers from the estimated amount of illegal work done.
- Analysing the sex-ratio by age of populations of major countries of origin and making inferences to migrant population of target countries.
- Applying the so-called capture-recapture method which makes inferences based on the frequency of re-emergence of certain individual illegal migrants in consecutive samples of administrative procedures (e.g. applications, regularisations, apprehensions, rejections, expulsions, etc.).
- Analysing data on school attendants, health care recipients and social assistance recipients.

⁴⁵ [Futo-Tass 2002] cited in [Pinkerton-McLaughlan-Salt 2004]

⁴⁶ [Pinkerton-McLaughlan-Salt 2004]

⁴⁷ [Delaunay and Tapinos 1998], summarised in [Pinkerton-McLaughlan-Salt 2004]

In Hungary most of the above mentioned internationally recommended methods are either not applicable, or, in other cases, their application is not feasible due to the necessary involvement of disproportionately extensive resources. The main reason for this non-applicability is that (a) the number of resident illegal immigrants is low, both in relative and absolute terms (b) most available administrative and NGO data sources in Hungary either lack information about illegal migrants or do not distinguish between legal and illegal migrants, or are limited to refugees.

This paper is based on the following sources.

- There are a few available studies which tackle illegal migration in Hungary.
- There is an extensive set of tables produced on the basis of data bases that were created and are maintained by Government agencies.
- The author of this study has conducted interviews in the framework of a small sample expert survey in order to obtain estimations about the size and composition of resident illegal migrants in Hungary.

The application of these sources does not correspond to strict scientific criteria. However, it is safe to say that in Hungary in 2008 there are no other, alternative, applicable sources and methods for estimating the size and composition of resident illegal migrants.

These sources are presented and assessed in the following chapters.

2.1.2 *Studies*

There is a multitude of Hungarian studies about migration, irrespective to its legality. Some of them devote short chapters or sometimes a few sentences to illegal migration.

Most pieces of scientific literature about irregular migration focus on legal and political issues, whereby the quantitative aspects are neglected. Data of law enforcement organisations about illegal migration appear in some publications. The issue of estimating the stock of illegal migrants appears only sporadically.

A methodological study of Judit Juhász. The 2005 paper of Judit Juhász⁴⁸ offers a 35 pages long overview of applicable sources and methods for estimating the stock of illegal migrants in Hungary. The study differentiates between “direct estimation methods”, and “indirect estimation methods”.

Direct methods are based on administrative sources devoted to rejected visa requests, rejected asylum requests, migration related offences and crimes, detected border violations, labour controls, police controls, regularisations. These administrative sources are listed and presented in the paper and also in the next chapter of this study.

Indirect methods. Under this heading the paper recommends to compare various law enforcement data bases to arrive to some conclusions. For example a comparison of data sources of the tax authority about personal income tax on the one side and data sources of the labour offices about work permits on the other side may lead to more results than analysing the two data sources separately. Similarly, foreigner's related data of the social security and of the higher education organisations may be useful to compare with residence permit data.

⁴⁸ [Juhász J. 2005]

A substantive paper of Judit Juhász: the MIGIWE study. The 2006 paper⁴⁹ is a comprehensive 150 pages strong study about migration and irregular work in Hungary, based on historical, geographical, political, social and economic analysis, relying on all available direct and indirect evidence. The main focus of the paper is labour migration which is tackled with the help of employee and employer interviews and with the help of a series of expert interviews. The author details those policy measures that were aimed at fighting illegal employment of foreigners.

The paper cites the results of an expert survey in 2000. Experts were estimating that approximately 10% to 30% of all work performed in Hungary was illegal. According to this source in 2000 some 30% of irregular work performed in Hungary was done by foreigners. The amount of irregular work performed by foreigners was the equivalent of the full working time of several tens of thousands of employees. The proportion of foreign workers in agriculture, construction and retail trade was 5% to 10%. Estimations about the number of illegal foreign workers have fluctuated between 50.000 and 200.000.

In the methodological paper of 2005 and in the following substantive paper⁵⁰ of 2006 the author presents the secondary analysis of the findings of a questionnaire-based survey performed back in 1999 on behalf of the ILO (International Labour Organization) among 600 foreigners working illegally in Hungary. Two-third of these people were men, one-third were women. One-quarter of these people were younger than 24 years, one-half of them were between 25 years and 40 years and only one-quarter was older than 40 years. Some 60% of these people have arrived from Romania, 25% from Ukraine and the others from various Eastern European countries. For about half of these interviewed people work in Hungary was only a temporary solution, and about one-third of the interviewed persons wanted to stay in Hungary if it was legally possible.

A relevant and recent criminological study on illegal migration. The study of Ms. Szandra Windt⁵¹ offers a deep insight into the policy and law enforcement challenges that are related to illegal migration in the EU and in particular in Hungary. The study characterises illegal migration and human smuggling from a criminological point of view. It offers an overview about the interconnected entry, residence, exit, refugee and illegal employment issues. The study contains an estimation about the stock of illegal migrants in Hungary which is cited elsewhere in this paper. It is based on applying international experience to the scarce existing body of regularisation data in Hungary.

2.1.3 Data bases of Government agencies

The available numbers of migration are based on administrative measures of aliens policing, border management, and labour inspection authorities. Data bases of these agencies register and count the ensuing administrative procedures.

Researchers of migration were often faced with the following shortcomings of the statistical system. Over the years, and especially in the context of European integration, legal categories of immigration and labour migration have become more complex. Government Agencies were often slow to follow these changes in their statistical systems. As a consequence, the figures of labour statistics and immigration statistics are sometimes contradictory to each other.

Indicators of the Border Guard and those created by the aliens policing authorities are informative regarding illegal migration. However, with the exception of a few tables, almost all of them contain so called „flow” numbers, and as such they are hardly suitable to deduct consequences to „stock numbers” of resident illegal migrants.

⁴⁹ [Juhász J. 2006]

⁵⁰ [Juhász J. 2006]

⁵¹ [Windt 2008]

For the last decade, researchers of legal and illegal migration have relied on statistical and public data system coming from the following major sources:

- (a) the Hungarian Central Statistical Office
- (b) the migration authority (Office of Immigration and Naturalization)
- (c) the Border Guard (since 2008: merged with the National Police)
- (d) The National Labour Inspectorate (OMMF),
- (e) and the Unified Statistical Service of Police and Public Prosecution (ERÜBS Egységes Rendőrségi és Ügyészségi Bűnügyi Statisztika i.e. Unified Criminal Statistics of Public Prosecution and Police)

(a) *The Hungarian Central Statistical Office* offers immigration data based on the Census of 2001 and on the subsequent modifications of its tables based on current population registration. Stock and flow data of foreign migrants are available by original citizenship, country of birth, gender and age. The Yearbook of Demography publishes tables about the number of foreigners born or dying in the country in the target year, and there is a breakdown by Hungarians-foreigners included. Moreover, the website of the Hungarian Central Statistical Office offers web based calculation services which enable the users to produce breakdowns of births and deaths by several countries. (See the tables of the Statistical Appendix.)

Critical assessment. These tables are reliable sources of legal migration in Hungary. Their methodology is compatible with international standards. However, these tables do not differentiate between those residing legally in the country and those who were dying in Hungary as illegal immigrants, and similarly the register of births is also not sensitive to the legality of stay of the parents.

(b) *The data base of the Office of Immigration and Naturalization.* In 2007 earlier alien policing regulations were overruled by two rules: Law No 1 about the free movement of residence, Law No 2 about Migration rights of third country nationals. Law No 2 of 2007 also contains provisions about keeping databases about entries and exits and residents of foreigners. The statistical system of the OIN has been developed according to the principals of European Council Regulation 862. The name of the database is "*Alien policing database*". It contains data about administrative measures of aliens policing. Based on this data base the following indicators can be calculated:

- People residing legally in Hungary, including EEA nationals and third country nationals subject to VISA regulations.
- People being removed from Hungary.
- People submitting a request for entry.
- People subject to a restriction of entry, restriction of movement or removal.
- Lost document
- Refugees and administrative actions on behalf of refugees.
- Persons to whom residence was refused

A very useful set of data issued by OIN relates to the results of the 2004 regularization measure. The statistics made about the group of applicants gives a good overview about the composition of illegal migrants in Hungary.⁵²

⁵² See the chapter devoted to this table in this paper.

Critical assessment. An important deficiency of the “Alien policing database” is that in many cases it counts administrative decisions and actions instead of counting people of a given category. As a consequence, it is impossible to determine multiple expulsions of the same person. Moreover, expulsion decisions are often not followed by effective removals, because the person disappears from the administrative procedure. The tables of OIN inform the users about flows, consequently these numbers offer only indirect information about stocks of legal migrants, stocks of asylum seekers, stocks of revealed illegal migrants. Consequently such tables cannot serve a wide range of demographic purposes.

(c) *Border Guard data.* There is a reliable system of statistical data collection maintained by the Border Guard and its legal successor, the Border Guard Department of the Police. The name of the system is “Osiris”. For the last decade this organisation collects data an extensive set of data about apprehended illegal migrants.⁵³ Out of these data the following items are published yearly⁵⁴.

- Number of persons legally crossing the border
- Number of border violators by gender
- Number of migration related border apprehensions
- Number of minors apprehended at the border due to border violation
- Number of migration related apprehensions by place of apprehension of illegal migrants
- Number of migration related apprehensions by border section
- Number of people being smuggled into the country
- Number of "smugglers in humans" apprehended
- Number of people being trafficked into the country
- Number of "traffickers in humans" apprehended
- Persons rejected at the border

Statistical tables issued by the Border Guard are mainly counting apprehensions associated with border violations and rejections from the border. This body of data relates to various aspects of the flow of illegal migrants into Hungary or through this country. Migrants enter these data bases on the condition that their activities are discovered by the respective agencies.

Interpretation of border apprehension numbers. The changes in border apprehension numbers can be explained in various ways. In some cases the decrease of apprehensions is the result of decreasing migration pressure, which can be attributed either to a weakening of push factors in the countries of origin, or to legal changes such as the lifting of travel restrictions. In other cases decreasing apprehensions are the results of improved border management, but it can be also explained by a simplification of border controls.

Critical assessment. Border Guard data are based on law enforcement information, which differentiate between various events of legal and illegal border crossings and the accompanying administrative procedures. The national statistical systems of collecting data about migration related border apprehensions, rejections, removals (including repatriations or refoulements) has developed separately in each country, but their international comparativeness is improving every year.⁵⁵ However, as of the usage of these numbers, it should be noted that border guards register typically flow numbers of illegal migrants which offer only indirect information about the stocks of resident illegal migrants.

⁵³ Full list of data items available in [Juhasz J. 2005].

⁵⁴ These tables are quoted in the Statistical Appendix of this document, also available e.g in [Futo-Jandl 2004], [Futo-Jandl 2005], [Futo-Jandl 2006], [Futo-Jandl 2007].

⁵⁵ [Futo-Jandl 2004], [Futo-Jandl 2005], [Futo-Jandl 2006], [Futo-Jandl 2007].

(d) *The National Labour Inspectorate (OMMF)* registers the following data about legal and illegal labour migration of foreigners:

- work permits,
- seasonal work permits
- worker registrations
- green cards (work permits without time limit)
- penalty paid by employers for unlawful employment of foreigners
- number of cases of unlawful employment of foreign citizens

Critical assessment. In Hungary the data published by the National Labour Inspectorate about legal labour migration is sufficient, but unfortunately the correspondence of work permit figures with the figures on residence permits is poor. As of illegal labour migration, OMMF numbers suffer from various shortcomings. Although they offer a rudimentary information about the magnitudes of foreigners caught on illegal work by labour officials, there is no breakdown by citizenship, gender and age, moreover, various types of labour offences are not separated from each other: thus it is impossible to learn, to what extent the figures on foreigners caught on illegal work (i.e. without legal work permits) include foreigners without residence permits.

(e) *Data of the Unified Statistical Service of Police and Public Prosecution.*⁵⁶ This data base functions since 1964. It contains extensive data about criminal cases discovered, investigated and brought to justice. As of illegal migration, data about cases of human smuggling appearing in this data base are summarizing the cases investigated by all Government authorities.

Critical assessment. The primary data of this data base is available only for Government officials and for researchers. Some tables of ERÜBS can be assessed from criminal statistics and from published articles. One of the shortcomings of ERÜBS is that its definitions and data are (or in some cases: were) poorly harmonized with those of data bases of various law enforcement organisations. An example taken from the field of illegal migration goes as follows. Before 2008, cases of human smuggling could be investigated by the Border Guard and by the Police as well. The time series of human smuggling in ERÜBS shows a serious decline after 2001. The number of these delicts as registered in this data base goes as follows: in 2001: 10.266 cases; in 2002: 3.639 cases, in 2003: 1.481 cases and in 2004: 658 cases.⁵⁷ A quick comparison shows that the number of smugglers of humans registered by the Border Guard in 2003 was 519, i.e. less than half of the total number of such cases in Hungary registered by ERÜBS. However, after 2003 the two data bases have been harmonized.

2.1.4 The role of interview-based expert estimations

The available statistical indicators about migrant flows are good enough to make overall estimations and judgment about the general dynamics (increase or decrease) of the general migration pressure, but for estimating migrant stocks expert estimations are needed.

This paper has collected a selection of expert estimations, based on previous studies, and based on interviews made with experts of government agencies, research institutions and consultancies. Academic scholars of social research, who were ready to offer their cautious opinions about the size of these hidden populations, have made most of these estimations.

⁵⁶ ERÜBS, Egységes Rendőrségi és Ügyészégi Bűnügyi Statisztika (Unified Criminal Statistics of Public Prosecution and Police)

⁵⁷ Quoted in [Windt 2006]

Government agencies producing statistical indicators are more often than not rejecting the requests to produce estimations. Law enforcement have for a long time rejected all requests to make estimations about the stock of resident illegal migrants. An example for this is the series of questionnaires issued by the Vienna based International Centre for Migration Policy Development (ICMPD) for the last ten years in order to compile the consecutive Yearbooks on illegal migration. Neither border guards nor alien policing authorities in Central and Eastern Europe were ready to commit themselves to any estimations of this kind.

On the other hand, some experts of law enforcement organizations were occasionally ready to express their opinions about resident migrant stocks, but only informally, under the condition of anonymity. It is an international experience, that migrant stock estimations made by members of security organizations tend to overestimate size of these groups and the magnitude of the problems. However, it is these experts whose organizations are in everyday contact with the phenomenon of illegal migration, and their opinions should be taken seriously.

2.2 Estimates, data and expert assessments on stocks

2.2.1 Total stock of irregular migrants in Hungary

*Maximum likelihood estimation.*⁵⁸ The total stock of resident foreign illegal migrants in Hungary in 2007 can be estimated to be between 30.000 and 50.000 people. Since there is no relevant survey evidence, and no other scientifically founded estimation is available, this number is based on expert opinions and publications.

This estimation is reinforced by the following consideration.

This is a medium estimation

- between the lower limit offered in a scientific study on illegal migration⁵⁹,
- which was condoned by several researchers⁶⁰ and
- between the upper limit offered by analysts of the Police⁶¹.
- Moreover, this estimation is also reinforced by the estimations⁶² given for the number of Chinese immigrants

The expert survey performed in the framework of this research has revealed that there are two conflicting views about the total stock of irregular migrants residing in Hungary.

- Researchers of illegal migration maintain that their number may be most likely between 10.000 and 20.000. This opinion is also reinforced by humanitarian workers of NGOs, most of them having the opinion that the real number is closer to the lower limit.
- On the other hand, experts of law enforcement organisations, such as the Police, including border management analysts maintain that the total stock of irregular migrants residing in Hungary is approximately three times as much: between 30.000 and 60.000..

⁵⁸ Statements denoted as “maximum likelihood estimation” are opinions of the author of this paper, based on the available statistics and on expert estimations.

⁵⁹ [Windt 2008]

⁶⁰ [Panel Conversation on Illegal Migration]

⁶¹ [Police Interview Border Management Analyst]

⁶² [Hegedűs-Bomberák 2007]

Example for the low estimation⁶³

A Ph.D study prepared by a researcher of the Institute for Criminology has estimated as follows. The number of illegal migrants living in Hungary in 2003 was approximately around 15-20.000. This estimation is based on applying international experiences to the results of the regularization of 2004⁶⁴.

⁶³ [Windt 2008].

⁶⁴ See the respective chapter of this paper devoted to regularisation and in the respective table of the Appendix.

Lessons learnt from a panel conversation on stocks of illegal migrants in Hungary⁶⁵

Stock of illegal residents. In June 2008 the number of resident illegal migrants was one of the topics on a Panel Conversation on Illegal Migration organised by the IDEA Project. Leading experts of illegal migration were present at the meeting. The topic of the meeting was illegal migration in Hungary in general, but at the end of the panel conversation the author of this article has proposed to perform a brain-storming session about the stocks of illegal migrants residing in the country. The proposal was accepted and the results are as follows.

Szandra Windt (Institute for Criminology) has expressed her view that in 2008 the number of resident illegal migrants in Hungary is between 10 thousand and 20 thousand. Her calculations were based on the results of the 2004 regularization measure. She applies the experience of previous regularizations of Spain and Italy to the Hungarian situation. The praxis of the above mentioned regularization campaigns show that only one tenth of resident illegal migrants participate in such programmes.⁶⁶ Indeed, in 2004 some 1.400 illegal migrants have participated in the Hungarian regularization programme, a number which she has multiplied by 10 and put a conveniently broad confidence interval around the result.

Judit Juhász (Panta Rhei Social Research Institute, author of MIGIWE Study on illegal migration) added to this the following. It is almost impossible to use the category „illegal migrant”, because many migrant people are repeatedly entering and exiting illegality. It is important to distinguish between labour related illegality and residence related illegality. Before Romania's entering the EU (2007), Romanian citizens working illegally in Hungary, were risking expulsion, therefore their stay - if they have worked as well - was illegal. The number of Romanian citizens working illegally in Hungary was in the magnitude of hundred thousands. Since 2007, both working and residence regulations were relaxed for these people, and Romanian citizens being caught on working illegally in Hungary do not risk expulsion, and, therefore, they do not count as illegal migrants. Consequently, she agreed with the estimation of Szandra Windt, that the number of resident illegal migrants in Hungary is between 10 thousand and 20 thousand, but this number is nearer to the lower limit, i.e. 10.000.

Attila Melegh (Researcher at the Demographic Research Institute of the Hungarian Central Statistical Office, Budapest and lecturer at Corvinus University of Budapest) has expressed his view that the number of resident illegal migrants in Hungary might be approximately 10 thousand.

The main lesson of this panel conversation is that the opinions of the most knowledgeable researchers of migration about the stock of illegal migrants in Hungary

- (a) differ from each other and
- (b) differ very much from opinions of police officers, whose estimations about these quantities are significantly higher.

However, the researchers seem to agree in the facts

- (a) that any estimation of the stock of irregular migrants is burdened by a high margin of error due to lack of information
- (b) that in European comparison irregular migrant stocks are low in Hungary, and that
- (c) Romania's EU accession has reduced this stock by a great extent.

⁶⁵ [Panel Conversation on Illegal Migration]

⁶⁶ See also [Windt 2008], where she refers to the publication [IOM 2005]

Examples for high estimations.⁶⁷

According to the opinions of the police officers of the 8th District, the estimated number of 10 to 20 thousand illegal migrants in Hungary⁶⁸ is too low. They point out that it has to be taken into consideration that less than 10% of the expulsion orders are successfully executed. Their reasoning is reinforced by other interviews made by Police officers⁶⁹ who maintain a substantially higher stock of illegal Chinese, Vietnamese and – to a smaller extent – African migrants.

2.2.2 Gender composition

*Maximum likelihood estimation.*⁷⁰ Due to the type of illegal work typically performed by illegal migrants in Hungary, it is to be assumed that among resident migrants the proportion of men is very high: up to the limit of 80%.

This estimation is reinforced by the following consideration.

Flow data on border violators show that two-thirds of this group is male.⁷¹ Recent data about asylum applicants having arrived between January-July of 2008 shows that only approximately 11 to 12 % of asylum applicants are females. However, these types data refer predominantly to migrant flows and to transit migrants.

A survey among illegal labour migrants working in Hungary that was performed in 1999 on behalf of the ILO has used a stratified sample of two-third men and one-third women.⁷² However, in 1999 the typical female illegal foreign workers in Hungary were ethnic Hungarian women of Romanian citizenship doing unreported care work for elderly and ill people and for children. In 2008 Romanian citizen enjoy the right of free movement and this offence is not punished by expulsion any more.

While it is reasonable to assume that a group of Asian females working in Chinese-run catering organisations and restaurants are overstayers, unlike in Western Europe, there are practically no media reports about the discovery of illegal sewing sweatshops or other illegal light industry establishments in Hungary.

2.2.3 Age composition

*Maximum likelihood estimation.*⁷³ It can be assumed that among illegal migrants the proportion of the 20-59 age group can go up to 90-95%.

This estimation is reinforced by the following consideration.

Recent data about asylum applicants having arrived between January-July of 2008 shows that approximately 70 % of asylum applicants are in the age group of 18-34.

⁶⁷ [Police Interview Budapest 8th District May 2008]

⁶⁸ [Windt 2008]

⁶⁹ [Police Interview Border Management Analyst]

⁷⁰ Statements denoted as “maximum likelihood estimation” are opinions of the author of this paper, based on the available statistics and on expert estimations.

⁷¹ [Futo-Jandl 2007]

⁷² [Juhász J. 2006]

⁷³ Statements denoted as “maximum likelihood estimation” are opinions of the author of this paper, based on the available statistics and on expert estimations.

Migration to Hungary is predominantly labour migration. Therefore it is to be assumed that most resident migrants are in their best working years. Raising a family and supporting children older family member among the conditions of illegality would be very difficult in Hungary, in spite of the fact that for the biggest national group of resident illegal migrants, i.e. for the Chinese, private education and private health facilities are available. The proportion of the 20–59 age group among legal resident migrants can be used, which is 75,5%.

2.2.4 Nationality composition: most relevant groups

*Maximum likelihood estimation.*⁷⁴ As of 2008, the group of Chinese and Vietnamese immigrants constitute the largest groups by nationalities, followed by Albanian people of Kosovo. The rest of illegal migrants is distributed (in decreasing order of magnitude) between Ukrainian, Serbian (including Kosovo Albanians), African and other Asian immigrants.

This estimation is reinforced by the following consideration.

The estimation is supported by the fact that during the 2004 regularization measures 40% of the applicants was Chinese and 20% was Vietnamese. Based on the above consideration it is to be assumed that about 50% of resident illegal migrants is Chinese. Expert estimation obtained during interviews with Police officials⁷⁵ confirm that 10% of illegal migrants are Vietnamese.

During the previous decades Romanian citizens, most of them ethnic Hungarians have constituted the major group among illegal immigrants. However, since 2007 Romanian citizens can freely travel to Hungary, and immigrants from this country can be labelled illegal only in the rare cases if their names are in the criminal register.

2.2.5 An important national sub-group of migrants: the Chinese in Hungary

*Maximum likelihood estimation.*⁷⁶ It is to be assumed that the number of resident Chinese illegal migrants in Hungary is between 15.000 and 25.000 persons. Moreover, there are approximately 10.000 citizens of China residing legally in Hungary.

This estimation is reinforced by the following consideration.

Economic basis of migration. The traditional Hungarian-Chinese trade relations have changed after 1989, following the change of Hungarian political system. Previously state-owned export companies were responsible for trade of goods. Between the period of the abrogation of obligatory visa system in 1998 and the re-introduction of the mandatory visa system in 1992 arrived the highest number of Chinese people to Hungary. The arriving Chinese citizens took the markets of the previous state-owned companies. Their immigration was clearly motivated by economic reasons. A quarter or even a third of the Hungarian population is only able to buy on Chinese markets, where clothing costs half as much as in average shops.⁷⁷

Nearly all Chinese are importers, wholesalers or retailers of Chinese goods, or operate restaurants, singling them out as a group that nearly always stays within the ethnic economy, not seeking jobs with Hungarian employers but rather employing Hungarians.⁷⁸

⁷⁴ Statements denoted as “maximum likelihood estimation” are opinions of the author of this paper, based on the available statistics and on expert estimations.

⁷⁵ [Police Interview Border Management Analyst]

⁷⁶ Statements denoted as “maximum likelihood estimation” are opinions of the author of this paper, based on the available statistics and on expert estimations.

⁷⁷ [Juhasz O., Inotai, Talas 2007]

⁷⁸ [Nyiri 2003a]

Chinese migrants arrived to Hungary from all regions of China, nevertheless the biggest number of them came from the regions where the most mobile population has lived for centuries: Chechiang and Futsien regions. Most of these immigrants are running small businesses with a permanent connection to their homeland. The majority of Chinese are commuting between the two countries.

In 2007 Budapest is Central Europe's biggest Chinese colony.⁷⁹ Chinese immigrants don't have to speak Hungarian in Budapest to find their way: they have their own Chinese doctor, hairdresser, press, karaoke bar, petrol station and lawyers. However, in 2007 Hungary's small trade Chinese colonies are descending. Local hypermarkets are selling only Chinese electronic and light industry products, but they import the products themselves, without the intermediary role of locally living Chinese businessmen. This is the main reason for the decreasing number of Chinese people coming to Hungary.

Irregular migration.

- In 2002 and 2003 Chinese emerged as one of the top five nationalities among those placed in immigration detention (typically for irregularities with their residence documents) and expulsions. In previous years some Chinese arriving in Hungary by plane have destroyed their passports en route and applied for asylum. In 2000, there were 200 such applications, accounting for about 3% of all asylum applications.⁸⁰
- In recent years the extent of Chinese illegal immigration to Hungary has been reduced and in 2007 it was negligible.⁸¹

Directions of migration. Chinese migration, including illegal migration, takes place not only from Eastern to Western Europe but also the other way round. While there is transit migration of Chinese via Hungary involving the illegal crossing of borders, but Chinese migrants already established in Hungary are generally reluctant to move to the West illegally.

The integration process of Chinese migrants has been slowed down. From the beginning of 1990's various Chinese organizations have appeared. There is a Hungarian-Chinese primary school. At present the school has 124 students.⁸² The policy document "Hungary's China strategy" recommends that Chinese traders have to be urged to use Hungary as a logistical basis.

Data, estimation and guesswork on Chinese migration. As in other European countries, in Hungary there are no reliable data for the number of Chinese. Official figures are very low, while informal estimations are much higher. The Chinese themselves and researchers prefer in-between figures.

In 2001, an official of the Chinese embassy estimated the presence of 20 thousand Chinese illegally.⁸³

In 2002 according to the Hungarian Ministry of Economy the number of registered Chinese businesses was around ten thousand.⁸⁴

In 2004 according to the student certificate database there were 450 Chinese children studying in Budapest Schools.

⁷⁹ [Wirth 2007] Contains interview with Zsuzsanna Végh Head of Office of Immigration and Nationality, the aliens policing authority.

⁸⁰ [Nyíri 2003a]

⁸¹ Interview with Zsuzsanna Végh Head of Office of Immigration and Nationality. Cited by [Wirth 2007]

⁸² [Juhász O., Inotai, Talas 2007]

⁸³ [Sárkány 2001] quoted by [Nyíri 2003b]

⁸⁴ [Nyíri 2003b]

The following boxes offer an overview about estimations made since 2000 about the stock of Chinese migrants living in Hungary, both legally and illegally. The estimations are not sorted in chronological order, but according to their level of the number of Chinese illegal migrants present in the country: they range from low level estimations to high level estimations.

Example for a very low estimation

Chinese in Hungary: Interview with the head of the Office of Immigration and Naturalization. In 2007 a well researched newspaper article has appeared about the Chinese diaspora in Budapest.⁸⁵ The main points of the article are as follows.

As soon as the obligatory visa system had been phased out on 1st January 1989, within a few month more over 10.000 Chinese migrants arrived to Hungary. The obligatory visa system has been restored in 1992, since then the number of immigration became significantly lower and the number of visa applications is decreasing.

According to the data of OIM⁸⁶, in June 2007 Chinese diaspora in Hungary could be characterised by the following statistics.

- 3.527 Chinese citizens had immigration permit to Hungary ,
- 1.443 had permission to reside,
- and 4.164 people had resident permit.

During the first half of 2007

- the number of Chinese having applied for resident permit was 1.509,
- and 245 people have applied for a permission to stay.
- 10 Chinese citizens were rejected from the country
- 2 persons became under alien policing investigation
- and no one was removed.

The head of OIM maintains that the number of migration applications are continuously decreasing and adding all numbers together the Chinese diaspora in Hungary is not larger than 10.000.

During the last years illegal entry committed by citizens of China is not typical anymore. The decreasing ratio of rejected people is a proof for this statement, meaning that the number of illegal acts are also decreasing. Still, during border controls the border guards, police officers or migration or customs officers are occasionally finding falsified documents. Moreover, in some isolated cases there is possibility that Chinese citizens are using each-other's documents.

This interview was given by an official of the Hungarian Government who felt that she must keep herself to the official numbers. In the article quoted above the head of OIM does not address explicitly the magnitude of stocks of illegal Chinese residents in Hungary, but implicitly she maintains that the number of illegal Chinese residents is negligible. This is in contrast with the opinion of most other observers.

⁸⁵ [Wirth 2007] Contains interview with Zsuzsanna Végh Head of Office of Immigration and Nationality, the aliens policing authority.

⁸⁶ Interview with Zsuzsanna Végh Head of Office of Immigration and Nationality. Cited by [With 2007]

Example of an indirect estimation based on secondary evidence and small scale business survey

Student estimation of the number of Chinese and Vietnamese. In 2005 a student of business administration has prepared a well researched dissertation about Chinese – dominated markets and department stores in Hungary.⁸⁷ According to this dissertation, during the last years a significant number of Chinese, Vietnamese and Arabian traders are arriving to Hungary, with the purpose of establishing themselves on the EU markets by starting a business in Hungary. Her estimation was as follows: In 2005 the estimated number of Chinese citizens living in Hungary was 15.000, while the number of Vietnamese citizens was around 10.000.

This estimation did not distinguish between legal and illegal residents: in fact it includes both. This estimation was based on extrapolations based on the number, turnover, geographical coverage and physical appearance of Chinese and Vietnamese businesses in Hungary. In reality, the proportion of Vietnamese people as compared to the number of Chinese people in Hungary seems to be exaggerated in this estimation.

Estimation of the number of Chinese in Hungary by experts of Chinese culture and society

Experts of Chinese culture and society estimate that number of Chinese people in Hungary is around 10-15.000,⁸⁸ the majority of them living in the capital Budapest. These experts have expressed their opinions that there is a declining tendency to Chinese immigration, because there are more Chinese people in Hungary than their traditional product and service markets can accept. However the real number of them is unknown, because – according to interviewed experts - alien policing statistics are not well recorded, there is no reliable data on those who have one year resident visas. Moreover, the fluctuation of Chinese migrants is relatively high. They are rarely travelling home and after a while some of them go home once and for all. It is also true that others are coming and replacing them. The estimation of the experts cited in this article goes as follows: In 2003 the estimated number of Chinese citizens living in Hungary is 10.000 to 15.000.

These estimations do not distinguish between legal and illegal residents: in fact they include both categories. In lack of better data, these estimations are based on careful assessment of all symptoms of collective life of the Chinese community, including their work, residence, attitudes and habits regarding trade, education, culture, health and travel. Moreover, the error margin accompanying this estimation has been chosen carefully, by taking into consideration that the sources of this estimation are loaded by insecurity.

Example for a medium estimation

Estimation in Hungary's "China strategy". In 2007 a document entitled "Foundation of Hungary's China strategy" was issued by the Hungarian Academy of Sciences.⁸⁹ The study has arrived to the following conclusions. The number of long term resident Chinese people including their families can be estimated around 20.000. Furthermore, yearly a number of 4-5.000 Chinese citizens are visiting Hungary for a short or longer term in order to tourism, business, studying or to visit their relatives.

The strategy document does not make any difference between legal and illegal residents. Their estimation is based on careful assessment of available secondary literature and on opinions of other experts.

⁸⁷ [Hortobagyi 2005]

⁸⁸ [Nemeth 2003] The article contains interviews with Péter Polonyi, China expert and Pál Nyíri, professor of sociology and anthropology, specialized on Chinese diaspora.

⁸⁹ [Juhasz O., Inotai, Talas 2007]

Small scale survey among Chinese businessmen
In 2007 a newspaper article has published the results of an extensive research among Chinese businessmen in Hungary ⁹⁰ . The reporter has found that 85% of Chinese are occupied with trade, while 10% of them are working in restaurants. From all foreigners living in Hungary Chinese people are the most attracted to the capital, more then 80% of them are living there.
These estimations are based on a small sample survey among Chinese businesses.

⁹⁰ [Szobota - Bagyarik 2007]

Local qualitative evidence

Case study about foreigners in the 8th district of Budapest. In 2007 a research institute of the Hungarian Academy of Sciences has prepared a study about foreigners in the 8th District of Budapest.⁹¹ The name of the project was Experiment in Newcomer Integration (ENI). All estimations that were made about the stock of foreigners in this study were of qualitative nature. As a sign of the uneven territorial distribution of foreign population, in the 8th district of Budapest (Józsefváros) the presence of foreign population is more visible than in average Hungarian towns or neighbourhoods, in terms of their appearance in the local institutions, participation in the local economy, including the informal economy. While in international comparison, in Hungary the number and the ratio of foreigners is not significant (1,5 per cent of the total population in the country level), the character of this neighbourhood is clearly multicultural. The majority of foreigners in this district have arrived from Romania and from Asian countries, mainly from China and Vietnam.

The authors highlight that it is reasonable to assume that there is a significant number of foreigners in Hungary without a valid residence permit. They quote an unnamed source according to which in the mid-90s the number of undocumented foreigners has equalled the number of documented foreigners. However, they state that for 2007 no reliable estimations are available.

Composition of illegal migrants by economic sectors. The study highlights the prevalence of illegal employment, but makes no estimations as to its scale. Józsefváros is an important concentration point for foreigners working in undercapitalized small-scale businesses in catering and retail. Also, the presence of foreign employees working in Hungary illegally is visible, most of whom arrive from neighbouring countries, especially Romania, and are employed in the building industry. Foreign entrepreneurs tend to form a relatively closed group, especially the Arabic and the Chinese entrepreneurs are considerably introverted, they manage their affairs almost exclusively within their own community. with the help of informal networks within communities, providing mutual help to each other. Examples of such co-operation are the private credits, which, depending on the conditions, can be also illegal in Hungary. There are no foreign owned small enterprises among the 300 members of the local branch of the Chamber of Commerce and Industry.

The Chinese Market. The study highlights that Józsefváros hosts the largest Chinese market in the country, the effects of which are diverse. On the macro level the local government perceives negative effects (lack of revenues due to private ownership of the area and black market activities), while also positive effects should be mentioned (e.g. taxes and general incomes from the entrepreneurs). On the micro level mainly positive effect can be seen e.g. (not necessarily legal) incomes for local residents based on rental of business facilities, flats, or provision of services for foreigners (e.g. baby sitting). Such invisible economic links have evolved between the foreigners who make their living by the market and the locals in their everyday life. The market has an important role of the market in the retail trade of Hungary.

Flats rented and owned by foreigners. The study highlights that foreign citizens – although they are formally entitled to - typically do not claim for subsidised public rental flats. According to the findings of the study they tend to live either in their own properties or in – mainly officially not registered - private rental flats. In addition to the rental of flats, the practice of rental of sleeping lots is also present, e.g. in Magdolna negyed - one of the most run-down areas of the district with high ratio of foreigners – it happens that 10-15 persons – usually illegal migrant workers from Transylvania – sleep in one single flat, as bedsitters. Chinese people live in better quality and socially more consolidated houses. In some of these houses by now the majority of tenants or owners are Chinese.

The study contains a wide collection of expert opinions based on expert interviews. The authors do not embark to produce their own estimations, but they quote the estimations of others with sound criticism.

⁹¹ [Hegedus-Bomberak 2007]

Example for high estimation based on experiences of law enforcement

*Interview at the Police of the 8th District of Budapest.*⁹² Police officials of this district are in day to day relationship with foreigners due to the fact that the District hosts a large international railway station and the largest international, mainly Chinese run open air market. Most immigrants are Chinese, Vietnamese, and a small number of Arab people. The number of people with Romanian citizenship is decreasing. Asian people have their schools, hospital, legal representatives in the area of the Chinese market.

The Police is unable to estimate the total stocks of foreigners staying illegal in the district, living, working, renting or owning flats. Regarding illegality, Police has been regularly challenged by the following criminal acts:

- Illegal trade of legal goods, such as IT products.
- Legal trade of illegal goods, brand falsification.
- Human smuggling.
- Illegal border crossing and overstaying

The Police has no capacities to cope with document falsification. A perfect social net exists to help Asian people to remain unknown in the official registration. The following tactics are used:

- Illegal travel of documents in order to share these documents by several people (more than one people are staying with one valid residence permit),
- One person having several identities,
- Good quality falsified permits or permits to another name.

According to the opinions of the police officers of the 8th District, the estimated number of 10 to 20 thousand illegal migrants in Hungary⁹³ is too low. It has to be taken into consideration that less than 10% of the expulsion orders are successfully executed.

Example for a high estimation based on border management data

Interview with an expert of the Border Guard Department of the National Police. This expert has been regularly preparing analyses about the illegal migration situation in Hungary and wanted to express his opinions under the condition of anonymity. His estimates are as follows. In 2008 the number of Chinese resident immigrants in Hungary can be estimated to be between 30.000 and 50.000, most of these people being illegal immigrants.

This expert is aware of the fact that in 2008 legally only some 9.000 Chinese citizens reside in Hungary. Therefore the expert is aware that his estimation implies large scale document falsifications on the side of the hidden undocumented population. He maintained that the Hungarian Police does not have the capacities to detect the associated document frauds.

⁹² [Police Interview Budapest 8th District May 2008]

⁹³ [Windt 2008]

Example for a very high estimation made in 2001

Informal estimations. In 2001, estimates given by some police and Border Guard officials for the “real” number of Chinese in Hungary have been as high as 30 or 100 thousand.⁹⁴

These estimations did not distinguish between legal and illegal residents: in fact they included both categories. Such estimations are based on the visual appearance of Asian people on so-called Chinese Markets. Such establishments are to be found in every big Hungarian city. Moreover, the network of Chinese Stores offering cheap industrial goods and the network of Chinese restaurants run by Chinese people extends to smaller towns of Hungary as well. Some of these informal estimations, especially those that maintain the presence of absurdly large Chinese population in Hungary are influenced by biases arising (a) from racism or (b) from traditional preconceptions of some professions.

2.2.6 *Illegal labour of foreigners and the most relevant sectors*

*Maximum likelihood estimation.*⁹⁵ In 2008 the most relevant sectors in which illegal migrants are working is retail trade and restaurants in case of Chinese and Vietnamese migrants, construction and seasonal work in the agriculture in case of migrants of other origin.

This estimation is reinforced by the following consideration.

Irregular work (without regard to citizenship) is very widespread, i.e. working without labour contract, or registration, employment with nominal contract, and foreign employment without permit. However, a comparison of consecutive yearly reports of the National Labour Inspectorate shows that the number of foreign citizens found in illegal labour activities is continuously decreasing.

In 2007 the National Labour Inspectorate has made a series of controls in companies of various sectors. The officials of the National Labour Inspectorate were accompanied by the staff of the Hungarian Border Guard. The joint patrolling has revealed a number of 72.743 people (Hungarian and foreign citizen together) unlawfully working, seven times more than in 2004. In 2007, out of the total number of unlawful workers, 2.409 foreign citizens were discovered, and out of this number 1.229 were working in the construction sector⁹⁶.

Consequently, an estimator for the extent of illegal labour migration goes as follows. During labour controls the number of foreigners caught on illegal work is 3% of the total number of people caught on illegal work. According to authorities, this finding is partly a result of increasing controls and partly of the fact that Hungary’s neighbouring countries have become EU members, thus they face less legal obstacles when seeking employment in Hungary.⁹⁷

At the first sight it appears tempting to use in our further estimations the fact that during labour controls the number of foreigners caught on illegal work is 3% of the total number of foreign plus Hungarian people caught on illegal work. However, this proportion cannot be used as a parameter for estimating the number of foreign people residing illegally in Hungary. The reason for this is that the overwhelming majority of foreigners caught on illegal work have a legal title for residence in the country, because they enjoy the right of free movement granted to EU and EEA citizens.

⁹⁴ [Sárkány 2001] quoted by [Nyíri 2003b]

⁹⁵ Statements denoted as “maximum likelihood estimation” are opinions of the author of this paper, based on the available statistics and on expert estimations.

⁹⁶ [OMMF 2007a]

⁹⁷ [OMMF 2007b]

There is a very low frequency of illegal migrants being involved in home based work such as personal care, baby sitting, care of elderly and ill persons). Although women from Romania are frequently involved in such unreported work, but since 2007 illegal work of citizens of Romania cannot be the basis of their expulsion from Hungary and consequently it is outside the scope of this study.

Expert estimation of illegal foreign labour in 2006. The MIGIWE study⁹⁸ is based on the following information sources: secondary analysis of existing information (bibliography, research materials, statistical data), expert interviews and interviews with migrants and their employers. The author points out that there is a persistent lack of information about the extent of irregular employment of foreign citizens. Analyses of the illegal employment situation are imperfect and contradictory.

- *Proportion and composition of legally employed foreigners.* Although the number of legally employed foreign citizens is increasing, this number is 3,3% of total employment, which is a proportion still low in international comparison. More than two thirds of the legal foreign workers are men, three quarter of them is under 40 years.
- *Expert estimation of illegal employment of foreigners.* The MIGIWE study (2006) quotes to the following expert estimations: foreign illegal work is approximately 5% of the total of illegal work performed.
- *According to experts of trade unions* of the most affected sectors (construction industry, agriculture, retail trade), the rate of foreign irregular workers is 5 to 10% within the total workforce in these sectors.

The author of the MIGIWE study (2006) has arrived to a cautious estimation of foreign citizens working illegal in Hungary. According to her opinion - which was formulated before Romania's accession to the EU - this activity involved between 50 thousand and 200 thousand people. However, most of the work performed by these people is occasional and/or seasonal. Therefore illegal work of foreign citizens is equivalent to the full time work of only some 10 thousand people in a year.

Most illegal work was performed by Romanian citizens. Since Romania's accession to the EU this estimation is completely outdated. Since 2007, Romanian citizens caught on illegal work in Hungary are not liable to expulsion.

In 2008 it remains to be estimated, how many people from (a) non-EU-member neighbouring countries (i.e. Serbia and Ukraine) and (b) from other countries of Asia work illegally in Hungary.

2.2.7 Asylum seekers, former asylum seekers and refugee related groups

There is a wide range of statistical material available about asylum seekers, but there are no reliable numbers about former asylum seekers. Based on NGO interviews⁹⁹ it is to be assumed that about half of former asylum seekers have left Hungary to the Western direction in an illegal way. As of the rest, there are expulsion data available but it is not registered, (a) what percentage of expulsion orders are in fact executed (b) what percentage of deported people are former asylum seekers.

Extent of asylum seeking activity. In Hungary, in international comparison, the number of refugees is low. Between 2000 and 2006 altogether 31,450 asylum seekers have submitted application for recognition their status. The proportion of recognized asylum-seekers is less than 3%. (See the table below)

⁹⁸ [Juhasz J. 2006]

⁹⁹ [Menedék Association Interview]

Table 7.

Asylum statistics 2000 – 2006				
Period	Application submitted	Recognized	Admitted	Rejected
2000	7801	197	680	2978
2001	9554	174	290	2995
2002	6412	104	1304	2578
2003	2401	178	772	1545
2004	1600	149	177	933
2005	1609	97	95	853
2006	2117	99	99	1217
Total 2000–2006	31494	998	3417	13099

Source: Office of Immigration and Naturalization (OIN).

In the statistical reports of the Police and the Border Guard, illegal entry to the territory of Hungary or illegal residence are so-called “unlawful actions”. According to Hungarian law these actions are transgressions against the regulations of public order, offences (szabálysértés) but are not punishable crimes per se. However, border violation or offences against the rules of residence (i.e. overstaying) are legal and statistical categories. If a person has been registered as a border violator, this fact will not be changed by subsequent asylum application or by the fact that the person has been recognized as a refugee. This is the statistical background of the following statements and table.

The overwhelming majority of asylum applicants has arrived illegally to the territory of Hungary. (See the table below.)

Table 8.

**Number of asylum-seekers arrived in Hungary
breakdown by legality of the arrival**

Year	Legality of the arrival	
	Legal	Illegal
2002	684	5 728
2003	558	1 843
2004	454	1 146
2005	569	1 040
2006	586	1 531
2007	595	2 824

Source: Office of Immigration and Naturalization (OIN).

Each year only a small percentage of asylum seekers will be recognized as refugees. (See the following table.) The rest of asylum seekers travels illegally to other countries, will be removed, or – presumably a small minority of these people – settles down in Hungary as illegal migrant.

Table 9.

**Number of refugee recognition decisions in Hungary
breakdown by main nationalities**

Country of origin	2003	2004	2005	2006	2007
Iraq	33	13	5	15	64
Afghanistan	28	19	7	5	2
Serbia. Montenegro	19	18	7	0	2
Palestine	2	12	1	1	1
Iran	9	20	10	6	4
Other	87	67	67	72	96
Total	178	149	97	99	169

Alien policing detention. Most illegal migrants are well aware of the fact that under Hungarian regulations and according to the practice of law enforcement agencies they are not eligible for refugee protection. Nevertheless, more than 80% of asylum seekers are recruited from the group of illegal migrants. The reason for this behaviour is that as soon as the asylum procedure is initiated, the migrant may leave alien policing detention. The duration of the asylum procedure may take years, and during this time approximately half of asylum seekers disappears from the sight of the authorities, most of them leaving Hungary in Western direction.¹⁰⁰

Until 2007 the law has provided that the maximum duration of aliens policing detention was 12 month. Since July 2007 the maximum duration has been reduced to 6 months. No explicit statistical data is provided on the detention of asylum-seekers on the public internet web site of the Hungarian Office of Immigration and Naturalization, whose Alien Policing Department is the central and regional Alien Policing Authority and the authority which processes asylum applications. Official data provided by the Border Guard reveals a sharp decline in the number of foreigners subject to alien policing detention during the years 2002-2006.

Table 10.

Number of asylum applications, foreigners: applicants in alien policing detention

Year	Asylum applications	Asylum applicants arriving illegally	Asylum applicants arriving legally	Asylum applicants in alien policing detention	Foreigners in alien policing detention
2002	6.412	5.728 (cca. 89,3%)	684	312	1.084
2003	2.401	1.843 (cca. 76,7%)	558	271	579
2004	1.600	1.146 (cca. 71,6%)	454	94	571
2005	1.609	1.040 (cca. 64,6%)	569	145*	374
January–June 2005	765	450 (cca. 41,1%)	315	-	221
January–June 2006	999	722 (cca.27,7%)	277	221*	214

Note: * The number of asylum applications submitted in alien policing detention.

Source: [Mink 2007]

Table 11.

Nationality of foreigners in alien policing detention

Nationality	2002	2003	2004	2005	January–June 2005	January–June 2006
Romanian	153	147	155	125	77	23
Moldovan	60	54	68	14	5	17
Turkish	26	36	45	22	14	5
Chinese	175	63	38	8	1	17
Serbian	133	58	26	30	13	80
Indian	93	12	15	3	—	—
Russian	10	13	4	3	—	—
Vietnamese					21	12
Other	434	196	220	169	90	60
Total	1084	579	571	374	221	214

Source: [Mink 2007]

¹⁰⁰ [Menedék Association Interview]

Reports by the Hungarian Helsinki Committee (HHC) reveal that large numbers of persons readmitted to the country under the Dublin II regulation are detained for a short period of time before being transferred to the reception centres. The Committee offers immediate legal help for recently arrived refugees who were detained on the border. The Hungarian Helsinki Committee is an NGO offering legal help for asylum seekers. It has a yearly turnover of client service approximately 400 to 500 persons. The overwhelming majority of their clients are young men between 18 and 40 years. Most of them have entered the territory of Hungary illegally through the green border.¹⁰¹

2.2.8 Other groups raising specific concern

A smaller group of migrants raising the specific concern of local authorities, NGOs and international organizations is those living in migrant shelter homes. Shelter homes are operated by the Office of Immigration and Naturalization (OIN). These homes offer free exit for inmates, because these are not detention facilities. In Hungary there are 3 migrant shelter homes: (a) in Bicske (about 200 to 300 inmates) (b) in Békéscsaba (200 to 300 inmates) and in Debrecen (about 400 inmates). In 2007 the average duration of residence of migrants in these homes was 1 year. A decade ago the average duration of residence was less than 1 month.¹⁰²

Local politicians occasionally express their opinion that these shelter homes should not be located in their constituency.

2.3 Estimates, data and expert assessments on flows

2.3.1 Demographic flows

*Maximum likelihood estimation*¹⁰³. Due to the dominance of the middle generations among illegal migrants residing in Hungary, there is a very low number of deaths within this group. Due to the dominance of males among resident illegal migrants, there is a very low number of births within this group.

Available birth and death registers and statistics do not distinguish between legal and illegal immigrants.

Births. The overall number of people born in Hungary whose mothers had foreign citizenships was 2.376 in 2004 and 2.477 in 2005 and 2.601 in 2006. This means that approximately 2,5% of all newborn babies are foreigners in terms of the citizenships of their mothers. (See the tables in the Statistical Appendix.) This finding does not contradict to the fact that the proportion of foreigners residing in Hungary is 1,6%, because among resident foreigners the child bearing age groups are over-represented. It is to be assumed that the proportion of illegal migrants among these mothers is negligible.

Deaths. The overall number of foreign citizens who have died in 2007 was 462 persons, which is 0,35% of the total number of deaths occurring in that year in Hungary, which is a very low number if taken into consideration that the proportion of legal immigrants within the total population was 1,5%. This finding does not contradict to the fact that the proportion of foreigners residing in Hungary is 1,6%, because among resident foreigners the young age groups are over-represented. It is to be assumed that the proportion of illegal migrants among these people is negligible.

¹⁰¹ [Hungarian Helsinki Committee Interview]

¹⁰² [UNHCR Interview]

¹⁰³ Statements denoted as “maximum likelihood estimation” are opinions of the author of this paper, based on the available statistics and on expert estimations.

2.3.2 *Border related flows*¹⁰⁴

Apprehension numbers of border violators are available for more than a decade, but there is no single expert in Hungary who would dare to estimate the real number of successful border violations based on the number of unsuccessful attempts followed by apprehensions.

Border violations have started to increase after the change of regime in 1989. The number of border violations was on top in the middle of the 90's, when the yearly number of apprehended migrants smuggled through the borders were between 27-30.000. After this period a significant and constant decreasing tendency was observed, resulting in a yearly number of 8-10.000 illegal border crossing yearly. Nowadays comparing to other EU member neighbouring countries in Hungary the pressure of this issue is still not significant.

While in the 90's human smugglers only appeared at 20-25% of the cases, in 2007-2008 this ratio has increased up to 70%.

In 2007 there were 8.779 migration related apprehensions implemented by the Border Guard.

- Out of this number, 65% of apprehensions occurred on border crossing posts and 27% on the green border.
- Moreover, out of the total number of border apprehensions, 59% occurred while illegal migrants have attempted to leave the country, and 41% occurred while attempting to enter Hungary.

Human smuggling and illegal migration routes through Hungary are as follows:

- From the Russian Federation and Ukraine through Hungary crossing Austria and Slovakia towards to Germany and other Western-European countries. This route forks into 2 routes in Budapest; one towards Austria, the other towards Slovakia and Austria.
- The second route starting from Turkey crossing Bulgaria and Romania, across Hungary. This route forks in Budapest to one continuing to Slovenia, South-Austria and North-Italy, the other to Austria, Germany, the Netherlands towards to the United Kingdom.
- The third route also called the classic Balkan route starting in Turkey crossing Bulgaria, and Serbia arriving to Hungary.

Since 2000 all known quantitative indicators of illegal migration flows have significantly decreased.

Border apprehensions. While in 2000 the number of migration related border apprehensions has been close to 20.000, by 2007 this number has been halved (2007: 8.779). This positive development can be attributed to the following factors. (See the following table.)

- Partly to the general lowering of the illegal migrant pressure all over Central and Eastern Europe,
- Partly to the fact that Romania has entered the EU, which has the following consequences on border apprehension statistics: the same activities that were counted as unlawful border violations up to 2007, have been re-classified as legal border crossings.

¹⁰⁴ Based on [Windt 2008], [Futo-Jandl 2005], [Futo-Jandl 2006], [Futo-Jandl 2007]

Table 12.

**Number of migration related border apprehensions
including foreigners and citizens of the reporting country, 1997-2006¹⁰⁵**

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Czech Republic	29.339	44.672	32.325	32.720	23.834	14.741	13.206	10.695	5.689	4.371
Hungary*	15.764	22.906	19.213	19.717	16.637	15.976	12.990	13.103	18.294	16.508
Poland*	10.462	7.023	5.289	5.500	6.075	4.269	5.063	6.012	3.231	2.741
Slovakia	2.821	8.236	8.050	6.062	15.548	15.235	12.493	8.334	5.178	4.129
Slovenia	7.000	14.000	17.000	35.914	20.871	6.896	5.018	5.680	5.918	4.010
Total of above 5	65.386	96.837	81.877	99.913	82.965	57.117	48.770	43.824	38.310	31.759
Cyprus*	60	52	231	456	182	725	3.796	2.559	1.280	631
Croatia*	8.303	10.556	12.340	24.180	17.416	5.861	2.915	2.590	3.002	5.665
Turkey	28.439	29.426	47.529	94.514	92.364	82.825	56.219	61.228	57.428	51.983
Total of above 8	102.188	136.871	141.977	219.063	192.927	146.528	111.700	110.201	100.020	90.038

Note: Hungary and Turkey: including apprehensions within the country, otherwise only border apprehensions except Croatia 2006: including apprehensions within the country, Poland: 2005 and 2006 figures exclude readmission, Dublin II transfers, Polish and other EU citizens

* Revised figures

Sources: International Police Cooperation Directorate Cyprus, Alien and Border Police Service of the Czech Republic, Croatian Ministry of Internal Affairs, Hungarian Office of Immigration and Naturalization, Polish Border Guards, Slovakian Border Guards, Slovenian Border Guards, Turkish Ministry of Interior

In a recent criminological research of human smuggling,¹⁰⁶ the author has qualitatively and statistically analysed the documentation of 193 legal cases that were brought against human smugglers in Hungary. These cases have covered the attempted smuggling of altogether 2.472 persons through the border. Out of the 1.500 persons whose citizenship was clarified in the documents, 303 had Afghan, 186 had Turkish, 162 had Serbia-Montenegro, 148 had Moldavian and 137 had Chinese and 137 had Ukrainian citizenship. While European migrants were predominantly smuggled by their fellow countrymen, Asian migrants were predominantly smuggled by Hungarian smugglers. The yearly number of smuggled people was around 5.000 mostly Serbian, Moldavian, Ukrainian, Afghan, Iraqi, Turkish, Chinese citizens.

The most common appearance of helping illegal migration are legal regional travel agencies visa businesses; the evasion of residence and entry prohibition by name changing; travelling with falsified resident permits.

Expulsions. Deportations of illegal migrants are border related flows in the direction of migrants leaving Hungary. Between 2003 and 2006 the number of expulsions ordered by the Aliens-Policing Authorities has slowly but steadily decreased, reflecting the general trend of weaker illegal migration pressure on the borders of Hungary. After 2007 this number has been even stronger reduced, due to the disappearance of Romanian citizens from this category. According to EU legislation, Romanian citizens cannot be subject to expulsion, even if they are found to work illegally in Hungary. (See the following table.)

¹⁰⁵ [Futo-Jandl 2007]

¹⁰⁶ [Windt 2008], first appeared in [Windt 2006]

Table 13.

**Number of expulsions ordered by the Aliens-Policing Authorities
breakdown by main nationalities**

Nationality	2003	2004	2005	2006	2007
Romania	2.489	2.310	2.398	1.750	0
Ukraine	625	410	623	165	43
Serbia-Montenegro (Kosovo Albanians)	150	42	54	123	349
Moldova	64	62	34	32	32
Turkey	70	66	40	10	9
Other	396	364	193	249	94
Total	3.794	3.254	3.342	2.329	527

Composition by nationality of illegal residents. Between 2002 and 2007 the statistics of people being removed by the Office of Immigration and Naturalization or for whom the same organisation has refused residence had shown that a high percentage of such people were of Romanian citizenship.¹⁰⁷ Indeed, in 2005 some 53 percent of people removed by the Office of Immigration and Naturalization was of Romanian citizenship, while the proportion of Romanian people for whom residence was refused was 64%. However with Romania's entry into the EU on January 2007 all legal ground has vanished that was earlier the reason of expulsion of Romanian citizens. As a consequence, in 2007 already Albanian people from Kosovo province have made up the biggest group of foreigners being removed from Hungary.

Illegal migrants leaving Hungary towards Western Europe. Most illegal migrants use Hungary as a transit country. It is not known, what percentage of illegal migrants continue their way through Hungary without being discovered by the authorities. However, there are expert estimations about the behaviour of a subset of illegal migrants: those under asylum procedures. It is estimated that more than half (50% to 60%) of asylum applicants leave Hungary to the Western direction in an illegal way.¹⁰⁸

2.3.3 Status-related flows (regular to irregular, irregular to regular)

Overstaying: regular to irregular. The largest flow from the group of regular migrants to irregular migrants is constituted by the group of overstayers. Government agencies possess no reliable statistics about the number of people becoming overstayers in a specific year (flow) and about the number of overstayers residing in Hungary at a specific date (stock). However, qualitative data show that the total stock of irregular migrants is composed by more overstayers than by former border violators.

Refugees between legality and illegality. Among refugees, there is a continuous flow between the status of illegality and legality. In 2007 altogether 3.419 people have arrived to Hungary who have subsequently submitted an application for refugee status. Out of these people 82% have arrived illegally. During the administrative process of determining their eligibility for refugee status, these people count as legal migrants. However, refugee status is granted only to approximately 3-4% of people claiming for asylum. In 2006 there were 99 recognitions of the refugee status, while in 2007 169 persons have been accepted as refugees. On the other hand, it is to be expected that most of these people will migrate further in an illegal way to other developed countries.

¹⁰⁷ [OIN Interview].

¹⁰⁸ [Menedék Association Interview]

The 2004 regularization measure was a unique occasion, offering residence permits to 1.128 people, out of the total number of 1.406 applicants. This was the only regularization campaign for resident illegal migrants which was well disseminated by the Aliens Policing authorities among all stakeholders.¹⁰⁹

There is a debate about the question, whether the regularization statistics given in the following table can be used to estimate the proportion of various nationalities within the group of illegal migrants residing in Hungary. Various sources close to humanitarian organizations¹¹⁰ maintain that many people of Hungarian ethnicity, with citizenship of the neighbouring countries, residing illegally in Hungary, were unable to use this offer of the authorities due to lack of financial means. On the other hand, better established migrants such as Chinese and Vietnamese entrepreneurs have relatively easily demonstrated their capability to finance their stay in Hungary, which was an important requirement in the regularisation procedure, formulated both in Law XXXIX of 2001 and Law XXIX of 2004.

A breakdown of the above number is available by country of origin, by ground of request and by outcome of the application. There is no available statistics of regularization applicants according to gender or age.

What can we learn from regularization numbers? The largest group of people wanting to regularize their stay in Hungary was that of the Chinese, followed by Vietnamese and Romanian citizens. These groups of citizens have accounted for two thirds of the regularization requests. Out of the total number of requests submitted, 1128 people have received one year resident permit, and the request of 233 was rejected: in case of these people aliens police authorities have initiated the measure of removing these people from Hungary. (See the following table.¹¹¹)

¹⁰⁹ Sources of this paragraph: [Windt 2008] and [OIM Interview 2008]

¹¹⁰ [Köszeg 2004]

¹¹¹ Full table with detailed country row headings available in the Appendix.

Table 14.

Number of people submitting residence permit requests under the regularization measure of 2004

Countries	Total requests	Ground of request				Rejections	Permitted	Other
		Family reunion	Income generation	Cultural links	Threat of capital punishment or torture			
China	572	66	482	24	0	80	476	16
Vietnam	292	61	213	16	2	80	207	5
Romania	199	72	9	118	0	34	159	8
Syria	67	35	20	12	0	7	58	2
Serbia-Montenegro-Yugoslavia	65	15	3	46	1	4	59	2
Mongolia	36	15	12	9	0	4	32	0
Nigeria	27	16	7	3	1	5	19	3
Armenia	21	0	11	7	3	1	20	0
Egypt	19	4	15	0	0	7	12	0
Ukraine	13	7	1	5	0	0	11	2
Russian Federation	9	6	2	1	0	1	8	0
Turkey	8	1	4	3	0	2	4	2
Other countries	78	36	13	26	3	8	63	7
Total	1406	334	792	270	10	233	1128	45
Out of the total:								
European countries, including Russia and Turkey	420	112	251	52	5	91	315	13
Asian countries	860	160	499	199	2	119	716	27
African countries	117	56	42	16	3	22	91	4
American countries	6	6	0	0	0	1	4	2

Source: Office of Immigration and Naturalization (OIN).

The analysis of the above table shows offers a deeper insight into the motives of the resident illegal migrant population.

- The majority of Chinese and Vietnamese applicants have based their requests on the fact that their work has tied them to Hungary.
- The majority of applicants from Romania and former Yugoslavia have based their requests on the fact that they are culturally linked to Hungary. It is most likely that these people were predominantly ethnic Hungarians.
- Applicants from other European countries have based their requests predominantly on the fact that they wanted to work in Hungary.

*Maximum likelihood estimation.*¹¹² The regularisation data of 2004 provide good indicators for the nationality composition of illegal migrants in 2007. In particular, these data provide credible evidence to the statement that the majority of illegal migrants residing in Hungary are Asians. Regularisation data provide more relevant source for estimating the nationality composition of illegal migrant stock than border apprehension statistics according to citizenship, because the latter refers to flows migrants, most of whom are transiting through Hungary. Although in 2004 migrants from Romania might have been kept back from initiating the regularisation of their stay in Hungary due to lack of financial means, but in 2007 the accession of Romania into the EU has anyway legalised their stay in Hungary: they can reside in the country for an indefinite period as “tourists”, provided that every 3 months they leave the country for a day. No analogous conclusion can be made for citizens of Ukraine and Serbia.

¹¹² Statements denoted as “maximum likelihood estimation” are opinions of the author of this paper, based on the available statistics and on expert estimations.

3 Part III: Discussion and policy implications

3.1 The role of estimates and data in public debates

Discourses of migration policy often use hypothetical numbers, based on so called „counterfactuals“. These numbers are estimations on the condition that a certain policy will be implemented, e.g. a certain migration strategy will be accepted by the government or by the parliament. Numbers based on counterfactuals are “what if” estimations, justifying an action or threatening with unpleasant consequences if the action is implemented.

Migration is not a central issue in Hungarian politics. However, there were certain instances when migration related numbers were used to justify or to discredit planned Government actions.

In 2007 a working document of the Government was leaked, a so called Migration Strategy which has envisaged to encourage the immigration of people from Asia, in the magnitude of several hundreds of thousand, up to a million. The strategy was based on the fact that the population of Hungary is diminishing. Subsequently, opposition politicians have protested and newspaper articles have threatened that as a consequence of widely opening the doors to immigrants, on the long term ethnic Hungarians may become a minority within Hungary proper.

But the „numbers game” tactics is used not only by nationalist or xenophobic politicians attempting to build on the nationalist sentiments of the population.

In 2000 the then Government has introduced a preferential labour market permit for ethnic Hungarians of neighbouring countries, the so-called Hungarian Identity Card. Holders of this document, citizens of Romania and other neighbouring countries were entitled to work for 3 months in Hungary. Following this measure, due to EU pressure and due to negative diplomatic reaction of the neighbouring countries this preference was extended to all citizens of the respective neighbouring countries.

The discussion that followed was accompanied by a wide range of threatening labour migration forecasts. The Socialist party which was in opposition has accused the Government to “flood” the Hungarian labour market by millions of foreign workers, including many illegals. The subsequent events have shown, that only a few hundred foreign workers have used the possibility offered by this preferential treatment. The reason of the low popularity of these work permits was the following: for those types of occasional and seasonal jobs, that the target group of this measure wanted and could perform in Hungary, illegal work was much more suitable.

Numbers of illegal migration are only occasionally used to measure or evaluate the effectiveness of border management policies, aliens police activities or other measures related to illegal migration.

- Border management services occasionally claim that the decrease of the number of border violations can be partly attributed to the successful fight against illegal migration on the borders, and to the effective implementation of EU regulations and agreements.
- In other cases, during informal conversations, experts of border management organizations refer to the allegedly high number of resident illegal migrants as a justification for increasing the number of staff and improving the financial position of law enforcement agencies.

3.2 Conclusions

Compared to Western and Souther European countries, illegal migration in Hungary does not raise much public concern. The fight against illegal migration in Hungary is a Government policy based on international agreements and legal provision continuously harmonized with the Acquis Communautaire of the EU. The implementation of these provisions is the task of several law enforcement agencies such as the Office of Immigration and Nationality and the Police.

While policies related to legal migration are interrelated to family, labour and social policy areas, and to diaspora policies, the measures for fighting illegal migration are strongly connected to

- criminal policies
- and national security policies.

It is in this context that the main public discourses on illegal migration are formulated.

The relevant policy documents highlight that the conventional form of illegal migration based on border violations to and through Hungary has been decreasing for the last years, but new forms of illegal migration are on the rise such as

- legal entry followed by overstaying or illegal exit,
- document falsification
- and attempts of using legal loopholes of visa and refugee regulations.

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5 List of expert interviews

- [Hungarian Helsinki Committee Interview] Telephone interview made with Ms. Julia Iván, migration legal expert of the NGO Hungarian Helsinki Committee. 10. August 2007.
- [Menedék Association Interview] Telephone Interview made with Mr. Attila Mészáros, an expert of “Menedék” - Hungarian Association for Migrants. 11. August 2007. (“Menedék” is a Hungarian word, meaning “shelter”.) The Association was established in January 1995 as a civil initiative and operates as a non-profit organisation, independent from governmental institutions.
- [OIM Interview 2008] Interview in May 2008 with Ms Ilona Szuhai, Ms Adrienn Mór and other analytical experts of the Office for Immigration and Naturalization. This interview was followed by an exchange of emails in which Ms Adrienn Mór and Ms Andrea Crisan has contributed valuable statistical and legal material to this study.
- [Panel Conversation on Illegal Migration] Panel conversation about illegal migration in Hungary. Participating members: Ms. Judit Juhasz (Hungarian Central Statistical Office and Panta Rhei Social Research Institute, author of MIGIWE Study on illegal migration), Attila Melegh (Researcher at the Demographic Research Institute of the Hungarian Central Statistical Office, Budapest and lecturer at Corvinus University of Budapest), Szandra Windt (Institute for Criminology). Hosted by the workshop held on 10th June 2008 in the Research Institute of Political Science of the Hungarian Academy of Sciences, in the framework of the IDEA Project. The IDEA Project was financed by the FP6 Programme of the EU.
- [Police Interview Border Management Analyst] Interview in June 2008 with an analytical expert of the Border Management Department of the National Police.
- [Police Interview Budapest 8th District] Interview in May 2008 with Zoltán Pintyi police major, deputy head of the Police Office of Józsefváros; Ferenc Wieszt police captain, assigned leader of the department in charge of the defence of public order of the Police Office of Józsefváros.
- [UNHCR Interview] Telephone interview made with Ms. Ágnes Ambrus, migration expert of UNHCR – United Nations High Commissariat of Refugees. 11. August 2007.

6 Statistical Appendix

6.1 Statistical sources

The tables in this Appendix were published by the following authorities:

- Hungarian Central Statistical Office. Some data were taken from the 2005 and 2006 Yearbook of Demography, others from the online statistical service available on www.ksh.hu.
- Office of Immigration and Naturalization (OIN) under the Ministry of Justice and Law Enforcement of Hungary. Some tables provided by OIN have appeared in the consecutive Yearbooks on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe for the years 2003, 2004, 2005 and 2006.¹¹³ Some of these tables were published on the website www.bm-bah.hu.
- Hungarian Border Guard. The tables provided by the Hungarian Border Guard have appeared in the consecutive Yearbooks on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe for the years 2003, 2004, 2005 and 2006.¹¹⁴
- National Labour Inspectorate, Yearly Reports. Source: <http://www.ommf.gov.hu>

¹¹³ [Futo-Jandl 2004], [Futo-Jandl 2005], [Futo-Jandl 2006] and [Futo-Jandl 2007].

¹¹⁴ [Futo-Jandl 2004], [Futo-Jandl 2005], [Futo-Jandl 2006] and [Futo-Jandl 2007].

6.2 Indicators of legal migration

Table 15.

<i>FOREIGN CITIZENS IMMIGRATING BY AGE-GROUP AND SEX 1985-2006</i>										
<i>Age-group, years</i>	<i>Year of entry</i>									
	1985	1990	1995	2000	2001	2002	2003	2004	2005	2006 ^{+/-}
<i>Male</i>										
0-14	223	3 471	499	1 011	1 031	764	848	958	937	1 396
15-19	415	2 250	859	1 057	1 037	706	668	958	1 109	765
20-24	943	4 147	1 262	1 811	1 865	1 819	1 818	2 144	2 487	1 464
25-29	898	2 425	1 312	1 609	1 767	2 042	2 231	2 507	2 256	1 736
30-39	1 438	4 097	1 796	1 994	2 069	2 452	2 835	2 738	3 177	2 289
40-49	546	2 317	1 089	1 166	1 254	1 388	1 652	1 679	2 014	1 353
50-59	188	657	465	631	705	625	794	813	1 282	804
60-X	62	313	343	699	757	241	323	553	1 339	877
<i>Unknown</i>	58	273	184	268	145	17	73	5	-	-
<i>Total</i>	4 771	19 950	7 809	10 246	10 630	10 054	11 242	12 355	14 601	10 684
<i>Female</i>										
0-14	222	3 336	544	977	1 003	698	867	881	840	1 285
15-19	497	1 949	760	1 235	1 139	810	697	857	1 121	665
20-24	839	3 710	1 422	2 010	2 043	1 780	1 767	2 175	2 640	1 494
25-29	457	2 080	933	1 426	1 507	1 617	1 506	1 849	1 767	1 529
30-39	405	3 505	1 061	1 581	1 411	1 482	1 577	1 615	1 721	1 497
40-49	178	1 596	530	893	794	771	808	963	978	796
50-59	78	463	353	747	860	421	448	739	875	682
60-X	101	398	455	820	794	317	394	728	1 039	735
<i>Unknown</i>	44	255	141	249	127	22	59	2	-	-
<i>Total</i>	2 821	17 292	6 199	9 938	9 678	7 918	8 123	9 809	10 981	8 683
<i>Total</i>										
0-14	445	6 807	1 043	1 988	2 034	1 462	1 715	1 839	1 777	2 681
15-19	912	4 199	1 619	2 292	2 176	1 516	1 365	1 815	2 230	1 430
20-24	1 782	7 857	2 684	3 821	3 908	3 599	3 585	4 319	5 127	2 958
25-29	1 355	4 505	2 245	3 035	3 274	3 659	3 737	4 356	4 023	3 265
30-39	1 843	7 602	2 857	3 575	3 480	3 934	4 412	4 353	4 898	3 786
40-49	724	3 913	1 619	2 059	2 048	2 159	2 460	2 642	2 992	2 149
50-59	266	1 120	818	1 378	1 565	1 046	1 242	1 552	2 157	1 486
60-X	163	711	798	1 519	1 551	558	717	1 281	2 378	1 612
<i>Unknown</i>	102	528	325	517	272	39	132	7	-	-
<i>Total</i>	7 592	37 242	14 008	20 184	20 308	17 972	19 365	22 164	25 582	19 367

Source: Hungarian Central Statistical Office

Table 16.

**Foreign citizens residing in Hungary by country of citizenship
on 1 January of year**

<i>Country</i>	1999.	2000.	2001.	2002.	2003.	2004.	2005.	2006.	2007.
<i>Europe</i>									
<i>Austria</i>	990	1 053	694	785	750	780	544	1 494	2 225
<i>Belgium</i>	214	221	113	144	165	171	107	270	375
<i>Denmark</i>	100	104	41	58	59	85	57	146	146
<i>Finland</i>	253	303	243	274	200	213	105	380	429
<i>France</i>	956	1 036	511	601	711	765	330	1 316	1 506
<i>Greece</i>	1 925	1 903	710	561	424	357	299	372	421
<i>Netherlands</i>	568	585	324	346	373	415	236	666	1 096
<i>Ireland</i>	92	97	38	68	60	71	27	173	227
<i>Luxembourg</i>	7	7	5	4	6	8	6	10	20
<i>United Kingdom</i>	1 317	1 378	624	700	872	963	440	1 451	1 911
<i>Germany</i>	9 396	9 631	7 493	7 676	7 100	7 393	6 908	10 504	15 037
<i>Italy</i>	752	793	542	563	545	551	404	777	1 020
<i>Portugal</i>	45	50	22	22	23	28	20	63	94
<i>Spain</i>	112	119	64	68	57	64	50	181	200
<i>Sweden</i>	604	627	299	311	284	279	181	554	687
<i>EU-15</i>	17 331	17 907	11 723	12 181	11 629	12 143	9 714	18 357	25 394
<i>Croatia</i>	1 069	1 162	917	931	800	902	837	778	813
<i>Yugoslavia</i>	15 223	15 571	12 664	11 975	11 693	12 367	13 643	12 111	12 638
<i>Poland</i>	4 386	4 144	2 279	2 227	1 945	2 196	2 178	2 364	2 681
<i>Norway</i>	521	573	607	638	523	395	73	505	393
<i>Russia</i>	2 809	3 002	1 893	2 048	1 794	2 244	2 642	2 759	2 760
<i>Rumania</i>	57 357	57 343	41 561	44 977	47 281	55 676	67 529	66 183	66 951
<i>Switzerland</i>	373	422	330	377	402	443	440	446	548
<i>Slovakia</i>	1 571	1 717	1 576	2 213	1 536	2 472	1 225	3 597	4 276
<i>Turkey</i>	791	820	455	544	469	557	615	756	886
<i>Ukraine</i>	9 898	11 016	8 947	9 835	9 853	13 096	13 933	15 337	15 866
<i>Other European</i>	12 755	12 107	10 245	9 694	10 305	8 424	9 432	7 342	7 621
<i>Together</i>	124 084	125 784	93 197	97 640	98 230	110 915	122 261	130 535	140 827
<i>Asia</i>									
<i>Israel</i>	1 177	1 186	781	849	759	692	732	825	1 063
<i>Japan</i>	656	706	431	532	532	614	582	745	871
<i>China</i>	8 306	8 861	5 819	6 840	6 420	6 790	6 856	8 584	8 979
<i>Mongolia</i>	1 071	1 227	738	859	703	860	856	1 064	1 057
<i>Syria</i>	909	906	583	624	591	686	674	766	765
<i>Vietnam</i>	2 193	2 447	1 893	2 243	2 055	2 368	2 521	3 146	3 095
<i>Other Asian</i>	3 931	3 993	2 358	2 454	2 420	2 705	2 900	3 413	3 903
<i>Together</i>	18 243	19 326	12 603	14 401	13 480	14 715	15 121	18 543	19 733
<i>America</i>									
<i>United States</i>	3 132	3 261	1 636	1 688	1 614	1 703	1 679	1 929	1 931
<i>Canada</i>	475	507	235	228	228	226	262	269	269
<i>Other American</i>	905	909	617	641	592	606	726	791	875
<i>Together</i>	4 512	4 677	2 488	2 557	2 434	2 535	2 667	2 989	3 075
<i>Africa</i>									
<i>Libya</i>	721	694	204	188	258	333	343	357	248
<i>Other African</i>	1 873	1 865	1 029	1 130	1 023	1 122	1 213	1 443	1 535
<i>Together</i>	2 594	2 559	1 233	1 318	1 281	1 455	1 556	1 800	1 783
<i>Other and unknown</i>	812	779	507	513	463	489	548	563	612
<i>Total</i>	150 245	153 125	110 028	116 429	115 888	130 109	142 153	154 430	166 030

Source: Hungarian Central Statistical Office

Table 17.

<i>SUMMARY DATA OF FOREIGN CITIZENS' INTERNATIONAL MIGRATION 1993-2007</i>							
<i>Year</i>	<i>Immigrant</i>	<i>Emigrant</i>	<i>Difference in migrations</i>	<i>Number of persons</i>	<i>In percentage of total population</i>	<i>Refugees recognized</i>	<i>People naturalized in Hungary i.e. receiving citizenship</i>
1993	16 397	2 901	13 496	123 184	1,19	361	8 857
1994	12 752	2 378	10 374	130 710	1,27	239	9 475
1995	14 008	2 401	11 607	138 101	1,35	116	10 695
1996	13 734	2 833	10 901	139 954	1,37	66	9 913
1997	13 283	1 928	11 355	142 506	1,40	27	10 136
1998	16 052	2 343	13 709	148 263	1,46	362	6 516
1999	20 151	2 460	17 691	150 245	1,49	313	7 046
2000	20 184	2 208	17 976	153 125	1,52	197	5 446
2001	20 308	1 944	18 364	110 028	1,08	174	8 590
2002	17 972	2 388	15 584	116 429	1,14	104	3 369
2003	19 365	2 553	16 812	115 888	1,14	178	5 261
2004	22 164	3 466	18 698	130 109	1,29	149	5 432
2005	25 582	3 320	22 262	142 153	1,41	97	9 870
2006	19 367	3 249	16 118	154 430	1,53	99	6 101
2007	166 030

Source: Hungarian Central Statistical Office

Table 18.

FOREIGN CITIZENS RESIDING IN HUNGARY BY AGE-GROUP AND SEX										
	1995.	1999.	2000.	2001.	2002.	2003.	2004.	2005.	2006.	2007.
Age-group, years	1 April	1 January								
	Male									
0-14	7 638	6 785	6 697	5 209	5 391	5 783	6 304	6 265	6 806	6 874
15-19	4 259	4 246	3 987	3 429	3 418	3 151	3 370	3 449	3 655	3 825
20-24	9 962	8 129	7 661	5 738	5 989	5 381	5 383	5 465	7 005	6 956
25-29	13 122	12 503	11 745	7 361	7 525	7 038	7 754	8 740	9 812	10 047
30-39	18 262	19 525	20 860	13 953	15 304	15 339	17 004	18 672	20 722	22 159
40-49	11 161	13 602	13 909	8 706	9 407	9 543	10 785	11 706	13 295	14 608
50-59	5 173	7 192	7 633	4 704	5 069	5 148	6 012	6 718	7 973	9 579
60-X	3 633	5 852	6 609	4 478	4 754	5 267	6 505	7 637	8 093	10 025
Total	73 210	77 834	79 101	53 578	56 857	56 650	63 117	68 652	77 361	84 073
	Female									
0-14	7 328	6 390	6 262	4 817	5 052	5 374	5 884	5 760	6 139	6 182
15-19	4 050	4 065	3 853	3 501	3 622	3 334	3 423	3 417	3 770	3 770
20-24	8 781	8 585	8 148	6 280	6 553	5 851	6 011	5 958	7 666	7 505
25-29	9 857	11 497	11 492	8 190	8 442	8 040	8 807	9 591	10 199	10 512
30-39	15 149	15 669	16 480	12 296	13 260	13 452	15 473	17 669	17 825	19 021
40-49	10 273	12 444	12 695	9 745	10 009	9 631	10 826	11 523	11 345	12 158
50-59	4 473	6 239	6 769	5 145	5 697	5 999	7 245	8 492	8 968	10 206
60-X	4 980	7 522	8 325	6 476	6 937	7 557	9 323	11 091	11 157	12 603
Total	64 891	72 411	74 024	56 450	59 572	59 238	66 992	73 501	77 069	81 957
	Total									
0-14	14 966	13 175	12 959	10 026	10 443	11 157	12 188	12 025	12 945	13 056
15-19	8 309	8 311	7 840	6 930	7 040	6 485	6 793	6 866	7 425	7 595
20-24	18 743	16 714	15 809	12 018	12 542	11 232	11 394	11 423	14 671	14 461
25-29	22 979	24 000	23 237	15 551	15 967	15 078	16 561	18 331	20 011	20 559
30-39	33 411	35 194	37 340	26 249	28 564	28 791	32 477	36 341	38 547	41 180
40-49	21 434	26 046	26 604	18 451	19 416	19 174	21 611	23 229	24 640	26 766
50-59	9 646	13 431	14 402	9 849	10 766	11 147	13 257	15 210	16 941	19 785
60-X	8 613	13 374	14 934	10 954	11 691	12 824	15 828	18 728	19 250	22 628
Total	138 101	150 245	153 125	110 028	116 429	115 888	130 109	142 153	154 430	166 030

Source: Hungarian Central Statistical Office

Table 19.

The composition of legally resident foreigners as of 30. June 2008 by legal title

Legal title	Number of residents	Composition
1. Holders of so-called "General residence permits"	15967	Includes people of all continents. In Europe this category includes all non-EEA countries plus citizens of the following member countries of the European Union: Romania, Bulgaria, Slovakia. Citizens of other EU member states appear under other legal titles of residence.
2. Holders of so-called "European Economic Area residence permits"	31067	Includes people of all EEA countries. Major sub-groups: citizens of Germany (27%) and Romania (24%).
3. Holders of so-called "Registration Certifications"	36901	Includes people of all EEA countries. 68% of this group: citizens of Romania.
4. Non-EEA citizens entitled to stay due to being family members of Hungarian citizens	3277	Includes people of all continents.
5. Non-EEA citizens entitled to stay due to being family members of citizens of other EEA countries	241	Includes people of all continents. Major sub-groups: Ukraine (36%) and Serbia (21%)
6. Holders of so-called "Permanent residence cards"	4420	Includes people of all continents. Major sub-groups: Romania (41%) and Ukraine (20%)
Total	91873	

Table 20.

The composition of holders of "General residence permits" by continents, age groups and gender as of 30th June 2008

Region	Total	Of the total: women	Of the total: age groups				
			0-14	15-24	25-54	55-64	65-
Europe*	5408	2898	604	2185	2196	223	200
Asia	7922	3779	1445	2260	3951	184	82
Africa	959	319	93	387	469	7	3
North America	1292	645	277	270	570	127	48
South America	146	81	11	42	85	3	5
Central America	103	38	13	14	73	2	1
Australia and Oceania	65	23	16	9	30	5	5
Unknown	45	26	45	0	0	0	0
Stateless	27	4	2	4	17	3	1
Total	15967	7813	2506	5171	7391	554	345

*In Europe this category includes all non-EEA countries plus citizens of the following member countries of the European Union: Romania, Bulgaria, Slovakia. Citizens of other EU member states appear under other legal titles of residence.

Table 21.

<i>THE DECEASED BY GROUPS OF CAUSES OF DEATH, BY CITIZENSHIP, 2006</i>								
	<i>Certain infectious and parasitic diseases</i>	<i>Neoplasms</i>	<i>Diseases of the circulatory system</i>	<i>Diseases of the respiratory system</i>	<i>Diseases of the digestive system</i>	<i>External causes of morbidity and mortality</i>	<i>Other causes of death</i>	<i>Total</i>
<i>Total</i>	435	32 396	66 561	6 287	8 638	7 595	9 691	131 603
Of which: foreign citizen	–	39	200	13	20	162	28	462

Source: Hungarian Central Statistical Office

Table 22.

Age distribution of the resident aliens in Hungary, 2001¹¹⁵

	Men	Women	Total
Number of persons			
0–19 years	8 638	8 318	16 956
20–59 years	40 462	41 656	82 118
60+ years	4 478	6 476	10 954
Total	53 578	56 450	110 028
Distribution (%)			
0–19 years	16,1	14,7	15,4
20–59 years	75,5	73,8	74,6
60+ years	8,4	11,5	10,0
Average age (year)	35,0	36,7	35,9

Source: Hungarian Central Statistical Office

Table 23.

Immigrant population by citizenship, 2002¹¹⁶

Countries, Regions	2002 persons	2002 percent
Romania	44 977	38,6
Other neighbouring countries	22 153	19,0
Other European countries	30 510	26,2
European countries together	97 640	83,9
China, Vietnam, Mongolia	9 942	8,5
Other Asian countries	4 459	3,8
Asian countries together	14 401	12,4
USA	1 688	1,4
Other countries	2 700	2,3
Total	116 429	100,0

Source: Hungarian Central Statistical Office

¹¹⁵ HCSO data, cited in [Hablicsek 2004]¹¹⁶ [HCSO YD 2003]

Table 24.

Number of persons born in Hungary in the years 2004-2006 by citizenship of the mother

	2004	2005	2006
Total	95.137	97.496	99.871
Of which:			
Hungary	92.761	95.019	97.270
Romania	1.099	1.187	1.213
Ukraine	495	473	450
Yugoslavia	115	82	80
Russian Federation	35	41	37
Slovakia	76	102	187
Poland	21	25	16
Germany	48	46	46
Czech Republic	5	8	12
Croatia	10	11	9
Other	470	501	546
Unknown	2	1	5

Source: Hungarian Central Statistical Office

Table 25.

Legal border crossings in Hungary
Entries only, in thousand persons
2001-2006

2001	2002	2003	2004	2005	2006
45.007	48.323	50.475	54.193	57.176	54.919

Source: Hungarian Border Guard, Hungarian Central Statistical Office.

Table 26.

Number of residence visa applications presented to the OIN Visa Department 2003-2007
breakdown by main nationalities
"D" type visa (residence visa)
From 2003 to 20. December 2007

Citizenship	2003	2004	2005	2006	1/1/2007-20/12/2007
Romania	19.359	29.914	18.458	19.141	166
Ukraine	6.336	6.756	4.011	4.770	4.175
USA	1.139	1.238	1.165	1.338	1.190
Serbia-Montenegro	1.077	1.507	1.329	1.552	3.463
Russian Federation	467	400	412	695	384
China	384	912	777	1.440	1.787
Other	13.772	7.406	4.559	5.584	5.415
Total	42.534	48.133	30.711	34.520	16.580

Source: Office of Immigration and Naturalization

Table 27.

**Number of residence visa applications presented to the OIN Visa Department
breakdown by the purpose of entry "D" type
From 2003 to 20. December 2007**

Purpose of entry	2003	2004	2005	2006	1/1/2007-20/12/2007
Employee	26.421	30.957	19.374	23.604	7.946
Study	6.742	4.721	3.659	3.911	3.792
Visitor	2.026	3.518	1.876	1.509	496
Income-earning activity	1.340	1.823	906	891	245
Family reunification	1.283	1.914	1.232	1.805	1.116
Seasonal work	796	779	34	34	0
Official	230	121	171	103	95
Medical treatment	20	37	21	16	11
Other	3.676	4.263	3.438	2.647	2.879

Source: Office of Immigration and Naturalization

Table 28.

**Number of foreigners in possession of immigration permit (former permanent residence permit),
permanent residence permit and residence permit for a period exceeding three months
on 31 December 2007**

Status	Number of holders
Immigration permit	49 198
Permanent residence permit	31 415
Residence permit (short-term)	20 540
EEA residence permit	38 509
Registration certificate	22 408
Permanent residence card (EEA)	2 113
Third-country national family member of a Hungarian citizen	1 580
Third-country national family member of an EEA citizen	125
EC permanent residence permit	97
National permanent residence permit	704
Interim permanent residence permit	4
Total	166 693

Source: Office of Immigration and Naturalization

Table 29.

**Number of foreigners in possession of immigration permit (former permanent residence permit)
breakdown by main nationalities
on 31 December 2007**

Nationality	Immigration permit holders
Romanian	21 404
(former) Yugoslavian	6 826
Ukrainian	4 242
Chinese	3 511
(former) Soviet	2 410
Vietnamese	1 311
Other	9 494
Total	49 198

Source: Office of Immigration and Naturalization

Table 30.

**Number of foreigners in possession of permanent residence permit
breakdown by main nationalities
on 31 December 2007**

Nationality	Permanent residence permit holders
Romanian	19 837
Ukrainian	4 209
Serb-montenegrin	2 085
Chinese	1 621
Vietnamese	508
Russian	436
Other	2 719
Total	31 415

Source: Office of Immigration and Naturalization

Table 31.

**Number of foreigners in possession of residence permit (short-term)
breakdown by main nationalities
on 31 December 2007**

Nationality	Residence permit holders
Ukrainian	3 441
Chinese	3 125
Serb-Montenegrin	2 042
Romanian	1 800
Vietnamese	1 382
American	1 171
Other	7 579
Total	20 540

Source: Office of Immigration and Naturalization

Table 32.

**Number of foreigners in possession of EEA residence permit
breakdown by main nationalities
on 31 December 2007**

Nationality	EEA residence permit holders
Romanian	13 750
German	8 906
Slovakian	3 748
Austrian	2 386
British	2 020
French	1 457
Other	6 242
Total	38 509

Source: Office of Immigration and Naturalization

Table 33.

**Number of applications for residence according to the Act I. of 2007 on the Entry and Residence of
Persons with the Right of Free Movement and Residence
between 1 July and 31 December 2007**

Status	submitted applications	granted applications	rejected applications	pending cases
Registration certificate	23 001	23560*	0	0
Permanent residence card	2 916	2 204	8	704
Third-country national family member of an EEA citizen	168	152	0	16
Third-country national family member of a Hungarian citizen	2 212	1 731	8	473
Total	28 297	27 647	16	1 193

Source: Office of Immigration and Naturalization

Table 34.

**Number of applications for issue or extending of a residence permit submitted according to the Act
XXXIX. of 2001, breakdown by decisions and main nationalities**

Type of decision	2003	2004	2005	2006	till 30 June 2007
granted applications	31 782	39 466	41 781	41 734	8 587
rejected applications	1853	1 549	1 534	1 409	326
terminated applications	19	132	350	392	48
pending cases	5 910	3 385	3 001	3 052	2 084
All submitted applications	39 564	44 532	46 666	46 587	11 045

Nationality	2003	2004	2005	2006	till 30 June 2007
Romanian	17 528	24 621	25 660	24 618	0
Ukrainian	4 226	6 156	5 819	6 161	3 271
Chinese	2 573	2 187	2 987	3 012	1 509
Serb-Montenegrin	1 483	2 130	2 146	2 396	267
American	942	948	1 069	1 034	815
Vietnamese	542	608	1 358	1 001	549
Other	12 270	7 882	7 627	8 365	4 634

Source: Office of Immigration and Naturalization

Table 35.

Number of civil registration entries about demographic events of foreign citizens between 1 April and 31 December 2007	
Type of demographic event / case	Subsequent civil registration
Birth	8 116
Marriage	3 057
Death	261
Total	11 434

Source: Office of Immigration and Naturalization

6.3 Border violations, migration related border apprehensions, human smuggling and trafficking

Table 36.

Number of migration related border apprehensions including foreigners and citizens of the reporting country, 1997-2006¹¹⁷

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Czech Republic	29.339	44.672	32.325	32.720	23.834	14.741	13.206	10.695	5.689	4.371
Hungary*	15.764	22.906	19.213	19.717	16.637	15.976	12.990	13.103	18.294	16.508
Poland*	10.462	7.023	5.289	5.500	6.075	4.269	5.063	6.012	3.231	2.741
Slovakia	2.821	8.236	8.050	6.062	15.548	15.235	12.493	8.334	5.178	4.129
Slovenia	7.000	14.000	17.000	35.914	20.871	6.896	5.018	5.680	5.918	4.010
Total of above 5	65.386	96.837	81.877	99.913	82.965	57.117	48.770	43.824	38.310	31.759
Cyprus*	60	52	231	456	182	725	3.796	2.559	1.280	631
Croatia*	8.303	10.556	12.340	24.180	17.416	5.861	2.915	2.590	3.002	5.665
Turkey	28.439	29.426	47.529	94.514	92.364	82.825	56.219	61.228	57.428	51.983
Total of above 8	102.188	136.871	141.977	219.063	192.927	146.528	111.700	110.201	100.020	90.038

Note: Hungary and Turkey: including apprehensions within the country, otherwise only border apprehensions except Croatia 2006: including apprehensions within the country, Poland: 2005 and 2006 figures exclude readmission, Dublin II transfers, Polish and other EU citizens

* Revised figures

Sources: International Police Cooperation Directorate Cyprus, Alien and Border Police Service of the Czech Republic, Croatian Ministry of Internal Affairs, Hungarian Office of Immigration and Naturalization, Polish Border Guards, Slovakian Border Guards, Slovenian Border Guards, Turkish Ministry of Interior

¹¹⁷ [Futo-Jandl 2007]

Table 37.

**Number of border violators,
by major countries of origin
including foreigners and citizens of Hungary
2002-2003**

Citizens of the following countries in 2002	Number of border violators in 2002	Citizens of the following countries in 2003	Number of border violators in 2003
Iraq	2 844	Moldavia	756
Afghanistan	2 686	Afghanistan	725
Yugoslavia	708	Iraq	641
Moldavia	504	Serbia and Montenegro	527
Romania	425	Romania	382
China	350	Ukraine	342
Somalia	316	Iran	280
Turkey	276	Turkey	204
Sudan	223	Georgia	147
Iran	196	China	119

Source: Hungarian Border Guard, 2003

Table 38.

**Number of migration related border apprehensions
including foreigners and citizens of Hungary, by gender
2002-2003**

Gender	2002	2003
Males	13 693	10 217
Females	2 283	3 316
Total	15 976	13 533

Source: Hungarian Border Guard, 2003

**Number of migration related apprehensions
by place of apprehension of illegal migrants
including foreigners and citizens of Hungary
2002-2003**

Place of apprehension	Number of apprehensions in 2002	Number of apprehensions in 2003
On road border crossings	3 978	5 494
On rail border crossings	583	637
On the green (land) border	8 840	4 318
At the sea border	-	-
On airports	369	304
In the country	1 976	2 497
On other places	230	283
Total	15 976	13 533

Source: Hungarian Border Guard, 2003

Table 39.

**Number of migration related apprehensions by border section
including foreigners and citizens of Hungary
2002**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING Hungary on the border with that country, 2002	OUT: Number of apprehensions of people LEAVING Hungary on the border with that country, 2002	Total number of apprehensions on the border with that country 2002
Austria	390	4 705	5 095
Yugoslavia	2 958	201	3 159
Slovenia	24	281	305
Croatia	34	65	99
Romania	827	1 881	2 708
Ukraine	862	256	1 118
Slovakia	50	1 064	1 114

Source: Hungarian Border Guard, 2003

Table 40.

**Number of migration related apprehensions by border section
including foreigners and citizens of Hungary
2003**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING Hungary on the border with that country, 2003	OUT: Number of apprehensions of people LEAVING Hungary on the border with that country, 2003	Total number of apprehensions on the border with that country 2003
Austria	485	4 251	4 736
Serbia and Montenegro	1 116	117	1 233
Slovenia	32	363	395
Croatia	33	104	137
Romania	530	1 984	2 514
Ukraine	435	272	707
Slovakia	106	654	760

Source: Hungarian Border Guard, 2003

Table 41.

**Number of people being smuggled into Hungary
2002-2003**

	2002	2003
Total	2 298	1 002
Of the total: women	272	423

Source: Hungarian Border Guard, 2003

Table 42.

**Number of "smugglers in humans" apprehended
including foreigners and citizens of Hungary
2002-2003**

Apprehensions in 2002	Apprehensions in 2003
496	519

Source: Hungarian Border Guard, 2003

Table 43.

**Number of "smugglers in humans" apprehended
by major countries of origin
including foreigners and citizens of Hungary
2002-2003**

Citizens of the following countries in 2002	Number of smugglers apprehended in 2002	Citizens of the following countries in 2003	Number of smugglers apprehended in 2003
Hungary	327	Hungary	248
Romania	26	Romania	64
Ukraine	24	Serbia – Montenegro	45
Slovakia	19	Ukraine	39
Yugoslavia	16	Poland	36

Source: Hungarian Border Guard, 2003

Table 44.

**Number of border violators, by main countries of origin
including foreigners and citizens of the Republic of Hungary
2003-2004**

2003		2004	
Citizens of	Persons	Citizens of	Persons
1. Moldova	1.316	1. Moldova	1.622
2. Ukraine	986	2. Ukraine	1.563
3. Serbia-Montenegro	823	3. Serbia-Montenegro	749
4. Romania	624	4. Romania	577
5. Turkey	198	5. Georgia	320
6. Hungary	164	6. Turkey	284
7. Georgia	138	7. Ecuador	156
8. Unknown citizenship	123	8. Bulgaria	138
9. Algeria	116	9. Hungary	132
10. Bulgaria	113	10. Unknown citizenship	110

Source: Hungarian Border Guard, 2004

Table 45.

**Number of migration related apprehensions, by gender
including foreigners and citizens of the Republic of Hungary
2003-2004**

Gender	2003	2004
Males	9.721	9.358
Females	3.229	3.745
Total	12.950	13.103

Source: Hungarian Border Guard, 2004

Table 46.

**Number of migration related apprehensions, by place of apprehension
including foreigners and citizens of the Republic of Hungary
2003-2004**

Place of apprehension	Number of apprehensions	
	2003	2004
At road border crossings	5.262	6.281
At rail border crossings	601	687
On the green (land) border	4.255	2.990
At airports	284	225
In the country	2.548	2.920
Total	12.990	13.103

Source: Hungarian Border Guard, 2004

Table 47.

**Number of migration related apprehensions by border section
including foreigners and citizens of the Republic of Hungary, 2003**

Border section / neighbouring country	Entry	Exit	Total
2003			
1. Austria	341	4.251	4.592
2. Serbia-Montenegro	1.074	117	1.191
3. Slovenia	27	363	390
4. Croatia	20	104	124
5. Romania	402	1.984	2.386
6. Ukraine	386	272	658
7. Slovakia	75	654	729

Source: Hungarian Border Guard, 2004

Table 48.

**Number of migration related apprehensions by border section
including foreigners and citizens of the Republic of Hungary, 2004**

Border section / neighbouring country	Entry	Exit	Total
2004			
1. Austria	377	4.570	4.947
2. Serbia-Montenegro	357	120	477
3. Slovenia	12	444	456
4. Croatia	18	63	81
5. Romania	406	2.313	2.719
6. Ukraine	475	354	829
7. Slovakia	95	162	157

Source: Hungarian Border Guard, 2004

Table 49.

**Number of people being smuggled into the Republic of Hungary
2003-2004**

	2003	2004
Total	960	960
Of the total: women	422	445

Source: Hungarian Border Guard, 2004

Table 50.

**Number of "smugglers in humans" apprehended
including foreigners and citizens of the Republic of Hungary
2003-2004**

2003	2004
519	660

Source: Hungarian Border Guard, 2004

Table 51.

**Number of "smugglers in humans" apprehended, by main countries of origin
including foreigners and citizens of the Republic of Hungary
2003-2004**

2003		2004	
Citizens of	Persons	Citizens of	Persons
1. Hungary	248	1. Hungary	230
2. Romania	64	2. Ukraine	95
3. Serbia-Montenegro	45	3. Romania	82
4. Ukraine	39	4. Slovakia	52
5. Poland	36	5. Serbia-Montenegro	41

Source: Hungarian Border Guard, 2004

Table 52.

**Number of border violators, by main countries of origin,
including foreigners and citizens of Hungary
2004-2005**

Citizens of the following countries in 2004	Number of border violators in 2004	Citizens of the following countries in 2005	Number of border violators in 2005
1. Moldova	1.622	1. Ukraine	3.905
2. Ukraine	1.563	2. Serbia-Montenegro	854
3. Serbia-Montenegro	749	3. Romania	813
4. Romania	577	4. Moldova	747
5. Georgia	320	5. Hungary	175
6. Turkey	284	6. Turkey	175
7. Ecuador	156	7. Unknown	128
8. Bulgaria	138	8. Georgia	119
9. Hungary	132	9. Bulgaria	116
10. Unknown	110	10. Bangladesh	105

Source: Hungarian Border Guard, 2005

Table 53.

**Number of migration related border apprehensions
including foreigners and citizens of Hungary
2004-2005**

2004	2005
13.103	18.294

Note: Both in 2004 and in 2005 the above data includes the number of border violators whose apprehension was implemented within the territory of the country.

Source: Hungarian Border Guard, 2005

Table 54.

**Number of migration related border apprehensions
including foreigners and citizens of Hungary, by gender
2004-2005**

Gender	2004	2005
Males	9.358	12.079
Females	3.745	6.215

Source: Hungarian Border Guard, 2005

Table 55.

**Number of migration related apprehensions by
place of apprehension of illegal migrants
including foreigners and citizens of Hungary
2004-2005**

Place of apprehension	Number of apprehensions in 2004	Number of apprehensions in 2005
On road border crossings	6.281	11.923
On rail border crossings	687	637
On the green (land) border	2.990	2.193
At the sea border	-	-
On airports	225	303
In the country	2.920	3.238
On other places	-	-
Total	13.103	18.294

Source: Hungarian Border Guard, 2005

Table 56.

**Number of migration related apprehensions by border section
including foreigners and citizens of Hungary, 2004**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING Hungary on the border with that country 2004	OUT: Number of apprehensions of people LEAVING Hungary on the border with that country 2004	Number of apprehensions on the border with that country 2004
Austria	377	4.570	4.947
Romania	406	2.313	2.719
Ukraine	475	354	829
Slovakia	357	120	477
Serbia-Montenegro	12	44	456
Slovakia	95	162	157
Croatia	18	63	81

Source: Hungarian Border Guard, 2005

Table 57.

**Number of migration related apprehensions by border section
including foreigners and citizens of Hungary, 2005**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING Hungary on the border with that country 2005	OUT: Number of apprehensions of people LEAVING Hungary on the border with that country 2005	Number of apprehensions on the border with that country 2005
Romania	616	5.249	5.249
Austria	385	4.860	5.245
Ukraine	1.079	1.056	2.135
Slovakia	409	82	491
Serbia-Montenegro	27	208	235
Slovakia	60	131	191
Croatia	40	42	82

Source: Hungarian Border Guard, 2005

Table 58.

**Number of people being smuggled into Hungary
2004-2005**

	2004	2005
Total	960	924
Of the total: women	445	417

Source: Hungarian Border Guard, 2005

Table 59.

**Number of "smugglers in humans" apprehended
including foreigners and citizens of Hungary
2004-2005**

Apprehensions in 2004	Apprehensions in 2005
660	681

Source: Hungarian Border Guard, 2005

Table 60.

**Number of "smugglers in humans" apprehended, by main countries of origin,
including foreigners and citizens of Hungary
2004-2005**

Citizens of the following countries in 2004	Number of smugglers apprehended in 2004	Citizens of the following countries in 2005	Number of smugglers apprehended in 2005
1. Hungary	230	1. Hungary	269
2. Ukraine	95	2. Ukraine	130
3. Romania	82	3. Serbia-Montenegro	45
4. Slovakia	52	4. Romania	40
5. Serbia-Montenegro	41	5. Poland	30

Source: Hungarian Border Guard, 2005

Table 61.

**Number of border violators by main countries of origin
including foreigners and citizens of Hungary
2005-2006**

Citizens of the following countries in 2005	Number of border violators in 2005	Citizens of the following countries in 2006	Number of border violators in 2006
1.Ukraine	3.905	1. Ukraine	2.090
2.Serbia	854	2. Romania	995
3. Romania	813	3. Moldova	745
4.Moldova	747	4. Serbia	579
5.Georgia	118	5. Hungarian	273
6.Bangladesh	103	6. Georgia	193
7.Turkey	175	7.Turkey	107
8.Hungarian	175	8. Macedonia	35
9.Macedonia	44	9. India	22
10. India	42	10. Bangladesh	15

Source: Hungarian Border Guard, 2006

Table 62.

**Number of migration related border apprehensions
including foreigners and citizens of Hungary
2005-2006**

2005	2006
16.817	15.219

Source: Hungarian Border Guard, 2006

Table 63.

**Number of migration related border apprehensions
including foreigners and citizens of Hungary, by gender
2005-2006**

Gender	2005	2006
Males	9.607	9.190
Females	5.397	4.497
Total	15.004	13.687

Source: Hungarian Border Guard, 2006

Table 64.

**Number of minors apprehended at the border due to border violation
including foreigners and citizens of Hungary
2005-2006**

Gender	2005	2006
Males	0	1
Females	0	0
Total	0	1

Source: Hungarian Border Guard, 2006

Table 65.

**Number of migration related apprehensions by
place of apprehension of illegal migrants
including foreigners and citizens of Hungary
2005-2006**

Place of apprehension	Number of apprehensions in 2005	Number of apprehensions in 2006
On road border crossings	11.906	10.394
On rail border crossings	637	387
On the green (land) border	2.193	2.158
At the sea border (river borders only)	17	10
On airports	303	254
In the country	2.848	2.866
On other places	66	74
Total	18.295	16.508

Source: Hungarian Border Guard, 2006

Table 66.

**Number of migration related apprehensions by border section
including foreigners and citizens of Hungary
2005**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING Hungary on the border with that country 2005	OUT: Number of apprehensions of people LEAVING Hungary on the border with that country 2005	Number of apprehensions on the border with that country 2005
1.Austria	385	4.860	5.557
2.Serbia	409	82	936
3.Slovenia	27	208	264
4.Croatia	40	42	250
5.Romania	616	5.249	6.450
6.Ukraine	1.079	1.056	2.203
7.Slovakia	60	131	660

Source: Hungarian Border Guard, 2006

Table 67.

**Number of migration related apprehensions by border section
border including foreigners and citizens of Hungary
2006**

Border Section: Name of neighbouring country on the border of which the apprehension took place	IN: Number of apprehensions of people ENTERING Hungary on the border with that country 2006	OUT: Number of apprehensions of people LEAVING Hungary on the border with that country 2006	Number of apprehensions on the border with that country 2006
1.Austria	393	2966	3671
2.Serbia	472	113	1041
3.Slovenia	44	310	367
4.Croatia	59	80	352
5.Romania	599	5817	6782
6.Ukraine	670	995	1756
7.Slovakia	144	287	804

Source: Hungarian Border Guard, 2006

Table 68.

**Number of apprehended persons being smuggled into Hungary
2005-2006**

	2005	2006
Total	924	1189
Of the total: women	417	624
Of the total: minors	0	0

Source: Hungarian Border Guard, 2006

Table 69.

**Number of "smugglers in humans" apprehended
including foreigners and citizens of Hungary
2005-2006**

Apprehensions in 2005	Apprehensions in 2006
682	578

Source: Hungarian Border Guard, 2006

Table 70.

**Number of "smugglers in humans" apprehended
by main countries of origin
including foreigners and citizens of Hungary
2005-2006**

Citizens of the following countries in 2005	Number of smugglers apprehended in 2005	Citizens of the following countries in 2006	Number of smugglers apprehended in 2006
1.Hungarian	269	1.Hungarian	201
2.Ukrainian	130	2.Ukrainian	97
3.Serbian	45	3. Romanian	95
4.Romanian	40	4. Serbian	29
5.Polish	30	5.Polish	7

Source: Hungarian Border Guard, 2006

Table 71.

**Number of "traffickers in humans" apprehended
including foreigners and citizens of Hungary**

2006
4

Source: Hungarian Border Guard, 2006

6.4 Rejections at the border

Table 72.

**Persons rejected at the border
by major countries of origin
2002-2003**

Citizens of the following countries in 2002	Number of rejected persons in 2002	Citizens of the following countries in 2003	Number of rejected persons in 2003
Romania	7 448	Romania	7 425
Yugoslavia	2 059	Ukraine	3 825
Germany	1 862	Serbia-Montenegro	2 672
Ukraine	1 253	Germany	1 356
Bosnia-Herzegovina	1 207	Bosnia	822
Moldavia	899	Moldavia	818
Macedonia	870	Bulgaria	655
Stateless	733	Stateless	653
Russian	704	Russia	579
Turkish	571	Slovakia	564
Total (of any country of origin)	23 188	Total (of any country of origin)	23 861

Source: Hungarian Border Guard, 2003

Table 73.

**Persons rejected at the border, by main countries of origin
2003-2004**

2003		2004	
Citizens of	Persons	Citizens of	Persons
1. Romania	7.425	1. Romania	7.537
2. Ukraine	3.825	2. Ukraine	5.027
3. Serbia-Montenegro	2.672	3. Serbia-Montenegro	4.233
4. Bosnia-Herzegovina	822	4. Bosnia-Herzegovina	901
5. Moldova	818	5. Moldova	703
6. Bulgaria	655	6. Turkey	663
7. Stateless	653	7. Stateless	642
8. Russian Federation	579	8. Bulgaria	537
9. Slovakia	564	9. Russian Federation	514
10. Austria	453	10. Macedonia	488
Total (of any country of origin)	23.862		24.572

Source: Hungarian Border Guard, 2004

Table 74.

**Persons rejected at the border, by main countries of origin
2004-2005**

Citizens of the following countries in 2004	Number of rejected persons in 2004	Citizens of the following countries in 2005	Number of rejected persons in 2005
1. Romania	7.537	1. Romania	7.215
2. Ukraine	5.027	2. Ukraine	5.133
3. Serbia-Montenegro	4 233	3. Serbia-Montenegro	2.137
4. Bosnia-Herzegovina	901	4. Moldova	883
5. Moldova	703	5. Bosnia-Herzegovina	649
6. Turkey	663	6. Turkey	530
7. Stateless	642	7. Stateless	497
8. Bulgaria	537	8. Bulgaria	407
9. Russia	514	9. Russia	398
10. Macedonia	488	10. Unknown	354
Total (of any country of origin)	24.572		22.185

Source: Hungarian Border Guard, 2005

Table 75.

**Persons rejected at the border by main countries of origin
2005-2006**

Citizens of the following countries in 2005	Number of rejected persons in 2005	Citizens of the following countries in 2006	Number of rejected persons in 2006
1.Romania	7.212	1.Romania	11.012
2.Ukraine	5.130	2.Ukraine	4.617
3.Serbia	2.135	3.Serbia	2.208
4.Moldova	883	4.Moldova	878
5.Bosnia-Herzegovina	648	5. Unknown	610
6.Turkey	530	6. Bosnia	514
7.Stateless	496	7. Stateless	466
8.Bulgaria	407	8. Turkey	393
9.Russian Federation	398	9. Bulgaria	376
10. Unknown	353	10. Russian Federation	352
Total (of any country of origin)	20.196	Total (of any country of origin)	23.159

Source: Hungarian Border Guard, 2006

6.5 Indicators of asylum procedures

Table 76.

Number of asylum applicants by legality of arrival and by results of procedure 2008. January to July
Breakdown by citizenship and nationality

Citizenship (nationality)	Submitted application (persons)	Illegally arrived (persons)	Recognised asylum (persons)	Recognised protection (persons)
Afghanistan	46	44	5	18
Albania	7	6	0	0
Algeria	14	11	0	0
Armenia	12	7	0	0
Bangladesh	25	34	0	0
Belarus	1	1	0	0
Bosnia-Herzegovina	3	2	0	0
Cameroon	2	2	0	0
China (with Hong Kong)	23	14	0	0
China (Tibet nationality)	1	0	0	0
Cuba	14	5	7	0
Egypt	42	32	0	0
Ethiopia	3	1	2	0
Gabon	1	1	0	0
Georgia	91	89	1	0
Ghana	2	2	0	0
Guinea	1	1	0	0
India	4	3	0	0
Iran	8	7	0	0
Iraq	74	68	7	6
Iraq (Kurdish nationality)	13	13	8	11
Ivory Coast	1	1	0	0
Kazakhstan	2	2	0	0
Kenya	2	2	0	0
Lebanon	9	4	0	0
Macedonia	15	15	0	0
Marocco	3	1	0	0
Moldavia	7	5	0	0
Mongolia	17	3	0	0
Montenegro	4	3	0	0
Nigeria	35	32	2	0
Pakistan	237	236	0	0
Palestine	24	24	0	3
Romania	1	0	0	0
Russian Federation	15	13	0	0
Russian Federation (Chechen nationality)	2	2	0	0
Senegal	1	0	0	0
Serbia	7	7	0	0
Serbia (Alban nationality)	51	51	0	1
Serbia (Hungarian nationality)	10	7	0	0
Serbia (Other nationality)	1	1	0	0
Serbia (Roma nationality)	33	21	0	4
Serbia (Kosovo)	274	271	0	0

Serbia (Kosovo, Roma nationality)	35	35	0	0
Serbia (Kosovo, Serbian nationality)	1	1	0	0
Serbia (Kosovo, other nationality)	4	4	0	0
Sierra Leone	5	2	0	0
Somalia	104	104	85	0
Sri Lanka	12	12	1	1
Stateless	2	0	2	0
Sudan	4	4	0	0
Syria	7	6	0	0
Tajkistan	1	1	0	0
Tchad	1	1	0	0
Tunesia	2	2	0	0
Turkey	10	9	0	0
Turkey (Kurdish nationality)	20	11	0	0
Ukraine	2	2	0	0
Unknown	7	3	2	0
Uzbekistan	3	0	0	0
Vietnam	20	5	0	0

Total 1378 1246 122 44
Out of the total: females 142
Out of the total: 18-34 age group 973
Out of the total: unaccompanied minors 125

Source: Office of Immigration and Naturalization (OIN).

Table 77.

Number of asylum-seekers arrived in Hungary
breakdown by legality of the arrival
2002-2007

Year	Legality of the arrival	
	Legal	Illegal
2002	684	5 728
2003	558	1 843
2004	454	1 146
2005	569	1 040
2006	586	1 531
2007	595	2 824

Source: Office of Immigration and Naturalization (OIN).

Table 78.

Results of asylum applications
2000 - 2006

Period	Application submitted	Recognized	Admitted	Rejected
2000	7801	197	680	2978
2001	9554	174	290	2995
2002	6412	104	1304	2578
2003	2401	178	772	1545
2004	1600	149	177	933
2005	1609	97	95	853
2006	2117	99	99	1217
Total 2000–2006	31494	998	3417	13099

Source: Office of Immigration and Naturalization (OIN).

Table 79.

**Number of asylum-seekers arrived in Hungary with a breakdown of
region of origin
2002-2006**

Year	Number of registered refugees	From European countries		From non- European countries	
		Person	%	Persons	%
2002	6 412	441	6,88	5971	93,12
2003	2 401	659	27,45	1 742	75,55
2004	1 600	503	31,44	1 097	68,56
2005	1 609	548	36,29	1 025	63,71
2006	2 117	847	40,01	1 270	59,99
2007	3 419	1162	33,98	2 257	66,01

Source: Office of Immigration and Naturalization (OIN).

Table 80.

**Number of refugee recognition decisions in Hungary
breakdown by main nationalities
2003-2007**

Country of origin	2003	2004	2005	2006	2007
Iraq	33	13	5	15	64
Afghanistan	28	19	7	5	2
Serbia. Montenegro	19	18	7	0	2
Palestine	2	12	1	1	1
Iran	9	20	10	6	4
Other	87	67	67	72	96
Total	178	149	97	99	169

Source: Office of Immigration and Naturalization

Table 81.

**Number of asylum claims by legality of entry and by major countries of origin
Hungary, 2002 - 2003**

2002			2003		
Country of origin	Persons claiming asylum	Of them: entered illegally	Country of origin	Persons claiming asylum	Of them: entered illegally
Afghanistan	2 348	2173	Afghanistan	469	348
Iraq	2 008	1817	Iraq	348	268
Bangladesh	352	309	Georgia	205	181
Somalia	213	169	Iran	170	141
Vietnam	182	169	Turkey	125	87
Iran	160	135	Somalia	113	109
Sudan	130	114	Yugoslavia	112	54
Nigeria	125	114	Russia	105	102
Turkey	124	119	Algeria	79	36
Yugoslavia	97	61	Nigeria	74	67
Total, regardless of country of origin	6 412	5 728	Total, regardless of country of origin	2 401	1 843

Source: Office of Immigration and Naturalization (OIN).

Table 82.

**Number of persons claiming asylum at the border
2003 - 2004**

2003	2004
990	256

Source: Hungarian Border Guard

Table 83.

**Number of persons whose asylum claims were accepted
2003 - 2004**

2003	2004
178	149

Source: Office of Immigration and Naturalization (OIN)

Table 84.

**Number of illegally arrived asylum-seekers, by citizenship, gender and age, Countries A – M
2003 - 2004**

Citizenship	2003				2004			
	Adult male	Adult female	0-14	14-18	Adult male	Adult female	0-14	14-18
Afghan	233	12	17	86	11	3	3	3
Algerian	34	1	0	1	34	1	0	0
Angolan	2	0	0	0	1	0	0	0
Armenian	15	12	12	2	7	5	1	0
Azerbaijani	3	3	1	0	2	1	0	0
Bangladeshi	16	0	0	7	26	0	0	2
Byelorussian	1	0	0	0	4	1	0	0
Bissau	0	0	0	0	1	0	0	0
Bosnian	0	0	0	0	1	0	0	0
Burundi	0	0	0	0	0	1	0	0
Cameroonian	4	0	0	0	4	4	0	0
Canadian	1	0	0	0	0	0	0	0
Chinese	38	11	0	1	33	17	4	0
Comore	1	1	0	0	0	0	0	0
Congolese (Brazz.)	1	3	0	0	3	0	0	0
Congolese (D.R.)	3	1	0	0	2	1	1	1
Croatian	0	0	0	0	1	0	0	0
Cuban	0	0	0	0	1	0	0	0
Ecuadorian	1	0	0	0	2	0	0	0
Egyptian	16	0	0	0	1	0	0	0
Eritrean	1	0	0	0	0	1	0	0
Ethiopian	5	3	0	0	2	2	0	0
French	0	0	0	0	1	0	0	0
Gambian	2	0	0	0	4	0	0	0
Georgian	138	23	17	3	200	36	27	12
Ghanaian	1	0	0	0	2	0	0	0
Guinean	1	0	0	0	0	0	0	0
Indian	36	0	0	5	29	0	0	0
Iranian	97	23	14	7	28	3	4	2
Iraqi	206	24	27	11	22	4	2	3
Ivory Coast	5	0	0	0	1	0	0	0
Jordanian	1	0	0	0	0	0	0	0
Kenyan	0	1	0	0	0	1	0	0
Kyrgyz	0	0	0	0	1	0	0	0
Lebanese	0	0	0	0	2	0	0	0
Liberian	16	0	0	2	6	1	0	2
Macedonian	4	0	0	0	3	0	0	0
Mauritanian	0	0	0	0	1	0	0	0
Moldovan	7	2	0	2	19	0	0	7
Mongolian	0	2	0	0	3	4	3	0
Moroccan	0	0	0	0	1	0	0	0

Table continued on next page

Table 85.

Number of illegally arrived asylum-seekers, by citizenship, gender and age
Continued table: countries N – Z, refugees and migrants of unknown citizenship
2003-2004

Citizenship	2003				2004			
	Adult male	Adult female	0-14	14-18	Adult male	Adult female	0-14	14-18
Nepalese	0	0	0	0	17	4	0	0
Nigerian	45	13	0	9	56	7	1	1
Pakistani	46	0	0	3	35	2	4	2
Palestinian	13	3	2	0	40	1	2	2
Polish	2	1	0	1	0	0	0	0
Romanian	3	0	0	1	11	3	3	1
Russian	36	25	34	7	17	8	7	2
Senegalese	10	0	0	0	1	0	0	0
Serbian-Montenegrin	33	9	12	0	19	7	12	2
Sierra-Leonean	3	0	0	2	0	0	0	3
Slovakian	2	0	0	0	0	0	0	0
Somali	81	6	0	22	12	2	1	3
Sudanese	9	0	1	0	9	0	0	2
Swazi	0	0	0	0	0	1	0	0
Syrian	5	0	0	0	4	1	1	0
Tanzanian	0	0	0	0	2	0	0	0
Togolese	1	0	0	0	0	1	0	0
Tunisian	2	1	0	0	2	0	0	0
Turkish	75	5	5	2	72	3	1	4
Ugandan	1	0	0	0	2	0	0	0
Ukrainian	6	1	0	0	7	3	3	2
Vietnamese	29	11	0	8	66	32	0	4
Yemeni	0	0	0	0	1	0	0	0
Zimbabwean	1	0	0	0	0	0	0	0
Refugee	13	2	2	0	7	1	3	2
Unknown	13	0	0	0	0	0	0	0
Total of all 2 Tables	1.318	199	144	182	839	162	83	62

Source: Office of Immigration and Naturalization

Table 86.

Demographic composition of asylum seekers with citizenship of the Russian Federation
2003-2004

	2003		2004	
	Asylum application submitted	Of them: illegally entered	Asylum application submitted	Of them: illegally entered
Child (0-14)	34	34	7	7
Juvenile (14-18)	7	7	2	2
Man	39	36	24	17
Woman	25	25	8	8
Total	105	102	41	34
Of the total:				
Chechen man	n.a.	n.a.	6	5
Chechen woman	n.a.	n.a.	0	0

Source: Office of Immigration and Naturalization

Table 87.

**Refugees arriving to Hungary by citizenship and the legality of entry
2006 - 2007**

Citizenship	Legal Entry	Illegal Entry	Total	Legal Entry	Illegal Entry	Total
	2006	2006	2006	2007	2007	2007
Afghanistan	6	7	13	4	31	35
Albania	2	5	7	3	10	13
Algeria	7	15	22	24	24	48
Azerbaijan	–	–	–	7	3	10
Bangladesh	9	6	15	5	5	10
Belarus	3	2	5	5	5	10
Egypt	2	18	20	6	35	41
Ethiopia	1	5	6	3	2	5
Georgia	64	111	175	33	98	131
India	4	15	19	1	7	8
Iraq	17	51	68	46	90	136
Iran	11	9	20	5	9	14
Cameroon	3	10	13	3	3	6
China	23	252	275	25	392	417
Cuba	4	2	6	30	–	30
Macedonia	3	14	17	4	28	32
Moldavia	6	36	42	5	40	45
Mongolia	24	22	46	13	66	79
Nigeria	28	81	109	16	70	86
Russian Federation	16	47	63	11	40	51
Armenia	5	10	15	3	2	5
Pakistan	4	14	18	6	9	15
Palestine	12	25	37	7	45	52
Sri Lanka	–	–	–	4	6	10
Senegal	–	1	1	–	8	8
Serbia-Montenegro	160	224	384	148	763	911
Sierra Leone	1	4	5	–	3	3
Syria	12	20	32	17	31	48
Slovakia	22	1	23	17	2	19
Somalia	–	42	42	4	95	99
Sudan	–	3	3	2	8	10
Turkey	27	16	43	27	29	56
Ukraine	29	9	38	11	8	19
Vietnam	8	398	406	61	801	862
Other	73	56	129	39	56	95
Total	586	1.531	2.117	595	2.824	3.419

Source: Hungarian Central Statistical Office

6.6 Detention of migrants

Table 88.

**Nationality of foreigners in alien policing detention
2002-2005**

Nationality	2002	2003	2004	2005	January– June 2005	January– June 2006
Romanian	153	147	155	125	77	23
Moldovan	60	54	68	14	5	17
Turkish	26	36	45	22	14	5
Chinese	175	63	38	8	1	17
Serbian	133	58	26	30	13	80
Indian	93	12	15	3	—	—
Russian	10	13	4	3	—	—
Vietnamese					21	12
Other	434	196	220	169	90	60
Total	1084	579	571	374	221	214

Source: [Mink 2007]

Table 89.

**Number of asylum applications, foreigners: applicants in alien policing detention
2002-2006**

Year	Asylum applications	Asylum applicants arriving illegally	Asylum applicants arriving legally	Asylum applicants in alien policing detention	Foreigners in alien policing detention
2002	6,412	5,728 (cca. 89.3%)	684	312	1,084
2003	2,401	1,843 (cca. 76.7%)	558	271	579
2004	1,600	1,146 (cca. 71.6%)	454	94	571
2005	1,609	1,040 (cca. 64.6%)	569	145*	374
January–June 2005	765	450 (cca. 41.1%)	315	-	221
January–June 2006	999	722 (cca. 27.7%)	277	221*	214

Note: * The number of asylum applications submitted in alien policing detention.

Source: [Mink 2007]

Table 90.

**Detention under immigration laws
breakdown by main nationalities
2003-2007**

Nationality	2003	2004	2005	2006	2007
Chinese	63	38	8	22	6
Romanian	147	155	125	56	7
Serb-Montenegrin	58	26	30	123	318
Turkish	36	45	22	15	9
Moldovan	54	68	14	24	27
Vietnamese	20	10	28	14	8
Other	201	229	147	115	68
Total	579	571	374	369	443

Source: Office of Immigration and Naturalization (OIN).

Table 91.

**Detentions prior to expulsion
breakdown by main nationalities
2003-2007**

Nationality	2003	2004	2005	2006	2007
Romanian	121	37	2	3	1
Moldovan	16	13	5	1	1
Serb-Montenegrin	16	4	6	1	13
Ukrainian	21	8	9	0	3
Chinese	4	6	8	9	0
Indian	8	15	5	0	0
Other	108	84	27	13	8
Total	294	167	62	27	26

Source: Office of Immigration and Naturalization (OIN).

Table 92.

**Ordering of compulsory confinement
breakdown by main nationalities
2003-2007**

Nationality	2003	2004	2005	2006	2007
Afghan	22	13	16	17	10
Serb-Montenegrin	44	46	15	48	115
Iraqi	23	16	14	11	17
Chinese	33	25	12	15	15
Ukrainian	3	18	8	8	2
Other	258	187	146	191	183
Total	383	305	211	290	342

Source: Office of Immigration and Naturalization (OIN).

6.7 Removal, expulsion, deportation, readmission, repatriation

Table 93.

**Number of expulsions ordered by the Aliens-Policing Authorities
breakdown by main nationalities
2003-2007**

Nationality	2003	2004	2005	2006	2007
Romania	2 489	2 310	2 398	1 750	0
Ukraine	625	410	623	165	43
Serbia-Montenegro (Kosovo Albanians)	150	42	54	123	349
Moldova	64	62	34	32	32
Turkey	70	66	40	10	9
Other	396	364	193	249	94
Total	3 794	3 254	3 342	2 329	527

Source: Office of Immigration and Naturalization (OIN).

Table 94.

**Number of removed people
breakdown by main nationalities
2003-2007**

Nationality	2003	2004	2005	2006	2007
Romanian	834	353	383	432	30
Moldovan	120	79	27	22	37
Serb-Montenegrin	109	67	51	119	295
Chinese	91	31	6	14	4
Turkish	53	50	15	12	5
Ukrainian	163	67	162	93	23
Other	235	218	81	56	87
Total	1 605	865	725	748	481

Source: Office of Immigration and Naturalization (OIN).

Table 95.

**Number of expulsions issued by asylum authorities, irrespective of illegal or legal feature of entry
by major countries of origin
2002-2003**

Citizenship 2002	Number of persons to whom residence was refused in 2002	Citizenship 2003	Number of persons to whom residence was refused in 2003
Afghanistan	997	Afghanistan	385
Iraq	501	Iraq	285
Bangladesh	195	Iran	90
Vietnam	156	Georgia	85
Nigeria	78	China	72
Turkey	68	Yugoslavia	72
China	61	Russia	61
Sudan	54	Nigeria	52
Iran	49	Algeria	48
Yugoslavia	46	Vietnam	44
Total (of any country of origin)	2 578	Total (of any country of origin)	1 545

Source: Office of Immigration and Naturalization (OIN)

Table 96.

**Removed persons (1)
Number of expulsion orders issued by asylum, aliens policing, court and minor offence authorities
irrespective of illegal or legal feature of border-crossing, by major countries of origin
2002-2003**

Citizenship	Expulsion 2002	Citizenship	Expulsion 2003
Romanian	3 301	Romanian	2 881
Ukrainian	824	Ukrainian	833
Yugoslavian	516	Yugoslavian	233
Moldavian	340	Moldavian	166
Chinese	240	Chinese	89
Turkish	132	Turkish	82
Slovakian	110	Slovakian	55
Bangladeshi	102	Mongolian	54
Mongolian	54	Vietnamese	47
Vietnamese	46	Ecuadorian	30
Total	6 095	Total	4 829

Source: Office of Immigration and Naturalization (OIN)

Table 97.

Removed persons (2)
Number of readmission orders issued by asylum and aliens policing authorities
irrespective of illegal or legal feature of border-crossing, by major countries of origin
2002-2003

Citizenship	Readmission 2002	Citizenship	Readmission 2003
Romanian	754	Romanian	834
Moldavian	210	Ukrainian	163
Yugoslavian	196	Moldavian	120
Chinese	123	Yugoslavian	109
Latvian	94	Chinese	91
Turkish	84	Turkish	53
Ukrainian	68	Egyptian	34
Slovakian	19	Mongolian	29
Mongolian	18	Slovakian	19
Vietnamese	18	Georgian	18
Total	1 759	Total	1 605

Source: Office of Immigration and Naturalization (OIN)

Table 98.

Expulsion orders issued by Hungarian authorities, by main countries of origin
2003-2004

2003		2004	
Citizenship		Citizenship	
1. Romania	834	1. Romania	353
2. Ukraine	163	2. Moldova	79
3. Moldova	120	3. Ukraine	67
4. Serbia-Montenegro	109	4. Serbia-Montenegro	67
5. China	93	5. Ecuador	52
6. Turkey	53	6. Turkey	50
7. Egypt	34	7. China	31
8. Mongolia	29	8. Mongolia	27
9. Slovakia	19	9. Peru	21
10. Georgia	18	10. Bulgaria	14
Total (of any country of origin)	1.605	Total (of any country of origin)	865

Source: Office of Immigration and Naturalization

Table 99.

**Readmission orders issued by Hungarian authorities, by main countries of origin
2003-2004**

2003		2004	
Citizenship		Citizenship	
1. Romania	2.881	1. Romania	2.573
2. Ukraine	833	2. Ukraine	634
3. Serbia-Montenegro	233	3. Moldova	143
4. Moldova	166	4. Ecuador	132
5. China	89	5. Serbia-Montenegro	100
6. Turkey	82	6. China	98
7. Slovakia	55	7. Turkey	74
8. Mongolia	54	8. Poland	51
9. Vietnam	47	9. Slovakia	47
10. Poland	30	10. Vietnam	41
Total (of any country of origin)	4.829	Total (of any country of origin)	4.211

Source: Office of Immigration and Naturalization

Table 100.

**Number of foreign citizens removed from Hungary, based on readmission agreements
Removals by air only
2003-2004**

2003		2004	
Citizenship		Citizenship	
1. China	8	1. China	11
2. Turkey	7	2. Vietnam	6
3. Mongolia	7	3. Bulgaria	5
4. Albania	5	4. Mongolia	4
5. Bulgaria	5	5. Albania	3
6. Egypt	5	6. Bosnia	3
7. Algeria	3	7. Israel	2
8. Russia	3	8. Algeria	1
9. Iran	2	9. Angola	1
10. Serbia-Montenegro	2	10. Byelorussia	1
Total (of any country of origin)	66	Total (of any country of origin)	41

Source: Office of Immigration and Naturalization

Table 101.

**Number of foreign citizens voluntarily repatriated from Hungary
2003-2004**

2003		2004	
Citizenship		Citizenship	
1. China	74	1. Mongolia	34
2. Turkey	30	2. Turkey	32
3. Serbia-Montenegro	28	3. Serbia-Montenegro	21
4. Mongolia	18	4. China	12
5. Egypt	13	5. Ecuador	8
6. Afghanistan	8	6. Vietnam	5
7. Georgia	7	7. Iran	4
8. Peru	6	8. Albania	3
9. Armenia	4	9. Algeria	2
10. Ecuador	3	10. Afghanistan	1
Total (of any country of origin)	220	Total (of any country of origin)	154

Source: Office of Immigration and Naturalization

Table 102.

**Number of persons removed by the Office of Immigration and Naturalization, by main countries of origin
2004-2005**

Citizens of the following countries in 2004	Number of removed persons in 2004	Citizens of the following countries in 2005	Number of removed persons in 2005
1. Romania	311	1. Romania	383
2. Moldova	77	2. Ukraine	162
3. Ukraine	47	3. Serbia –Montenegro	51
4. Serbia -Montenegro	46	4. Moldova	27
5. Turkey	43	5. Turkey	15
6. Ecuador	22	6. Slovakia	11
7. Mongolia	21	7. China	6
8. Vietnam	9	8. Nigeria	4
9. China	8	9. Georgia	3
10. Peru	7	10. Germany	2
Total (of any country of origin)	621		725

Source: Office of Immigration and Naturalization

Table 103.

**Persons against whom the Office of Immigration and Naturalization has issued deportation orders
by main countries of origin
2005-2006**

Citizens of the following countries in 2005	Number of deportation orders in 2005	Citizens of the following countries in 2006	Number of deportations in 2006
1. Romania	383	1. Romania	432
2. Ukraine	162	2. Serbia	118
3. Serbia	51	3. Ukraine	93
4. Moldova	30	4. Moldova	22
5. Turkey	15	5. China	14
6. Bulgaria	15	6. Turkey	12
7. China	6	7. Slovakia	10
8. Macedonia	6	8. Mongolia	9
9. Vietnam	4	9. Russian Federation	6
10. Nigeria	4	10. Vietnam	4
Total (of any country of origin)	725		748

Table 104.

**Number of persons removed by the Hungarian Border Guard, by main countries of origin
2003-2004**

2003		2004	
Citizens of	Persons	Citizens of	Persons
1. Moldova	1.099	1. Moldova	1.153
2. Ukraine	580	2. Ukraine	554
3. Serbia-Montenegro	451	3. Romania	498
4. Romania	292	4. Serbia-Montenegro	470
5. Afghanistan	271	5. Turkey	73
6. Iraq	158	6. Bulgaria	29
7. Iran	60	7. India	23
8. China	57	8. Russian Federation	15
9. Turkey	48	9. Palestinian Territories	15
10. Algeria	38	10. Macedonia	13
Total (of any country of origin)	3.330		3.046

Source: Hungarian Border Guard, , 2004

Table 105.

**Number of persons removed by the Hungarian Border Guard, by main countries of origin
2004-2005**

Citizens of the following countries in 2004	Number of removed persons in 2004	Citizens of the following countries in 2005	Number of removed persons in 2005
1. Moldova	1.153	1. Ukraine	973
2. Ukraine	554	2. Romania	576
3. Romania	498	3. Serbia-Montenegro	481
4. Serbia-Montenegro	470	4. Moldova	477
5. Turkey	73	5. Georgia	56
6. Bulgaria	29	6. Bangladesh	46
7. India	23	7. Turkey	42
8. Russia	15	8. Macedonia	39
9. Palestine	15	9. Bulgaria	31
10. Macedonia	13	10. Albania	26
Total (of any country of origin)	3.046		2.898

Source: Hungarian Border Guard, 2005

Table 106.

**Persons removed by the Hungarian Border Guard by main countries of origin
2005-2006**

Citizens of the following countries in 2005	Number of removed persons in 2005	Citizens of the following countries in 2006	Number of removed persons in 2006
1.Romania	2.735	1.Romania	2.024
2.Ukraine	955	2.Ukraine	312
3.Serbia -Montenegro	120	3.Serbia -Montenegro	190
4.Vietnam	83	4.Tunesia	90
5.Moldova	67	5.Moldova	64
6.Turkey	52	6.China	54
7.China	48	7.Vietnam	32
8.Mongolia	41	8.USA	25
9.Slovakia	33	9.Mongolia	24
10.Bulgaria	22	10.Slovakia	22
Total (of any country of origin)	4.376		3.032

Source: Hungarian Border Guard, 2006

6.8 Refused residence

Table 107.

**Persons to whom residence was refused, by main countries of origin
2004-2005**

Citizens of the following countries in 2004	Number of persons to whom residence was refused in 2004	Citizens of the following countries in 2005	Number of persons to whom residence was refused in 2005
1. Romania	999	1. Romania	975
2. Ukraine	229	2. Ukraine	195
3. Serbia–Montenegro	45	3. Serbia-Montenegro	62
4. Mongolia	43	4. Vietnam	36
5. China	32	5. China	31
6. Russia	25	6. Israel	28
7. Vietnam	19	7. Mongolia	26
8. Iran	16	8. Russia	23
9. Israel	14	9. Turkey	17
10. Syria	11	10. Nigeria	14
Total (of any country of origin)	1.549		1.534

Source: Office of Immigration and Naturalization

Table 108.

**Persons to whom residence was refused
by main countries of origin
2005-2006**

Citizens of the following countries in 2005	Number of persons to whom residence was refused in 2005	Citizens of the following countries in 2006	Number of persons to whom residence was refused in 2006
1. Romania	975	1. Romania	851
2. Ukraine	195	2. Ukraine	166
3. Serbia - Montenegro	62	3. Vietnam	94
4. Vietnam	36	4. China	53
5. China	31	5. Serbia -Montenegro	48
6. Israel	28	6. Mongolia	39
7. Mongolia	26	7. Israel	21
8. Russian Federation	23	8. Nigeria	20
9. Turkey	17	9. USA	16
10. Nigeria	14	10. Korea	12
Total (of any country of origin)	1.534		1.409

Source: Office of Immigration and Naturalization

6.9 Indicators of the regularisation measure in 2004

Table 109.

Number of people submitting residence permit requests under the regularization measure of 2004

Countries	Total re-quests	Ground of request				Rejection s	Permitted	Other
		Family reunion	Income generation	Cul- tural links	Threat of capital punishment or torture			
China	572	66	482	24	0	80	476	16
Vietnam	292	61	213	16	2	80	207	5
Romania	199	72	9	118	0	34	159	8
Syria	67	35	20	12	0	7	58	2
Serbia-Montenegro-Yugoslavia	65	15	3	46	1	4	59	2
Mongolia	36	15	12	9	0	4	32	0
Nigeria	27	16	7	3	1	5	19	3
Armenia	21	0	11	7	3	1	20	0
Egypt	19	4	15	0	0	7	12	0
Ukraine	13	7	1	5	0	0	11	2
Russian Federation	9	6	2	1	0	1	8	0
Turkey	8	1	4	3	0	2	4	2
Croatia	6	0	0	6	0	0	6	0
Ghana	6	5	0	1	0	0	6	0
Sierra Leone	6	4	1	0	1	1	5	0
Palestine-stateless	5	0	1	4	0	0	5	0
Liberia	4	0	0	4	0	0	4	0
USA	4	4	0	0	0	1	2	2
Iraq	3	1	1	1	0	0	3	0
Jordan	3	3	0	0	0	0	2	1
Moldova	3	2	0	1	0	0	1	1
Morocco	3	2	1	0	0	0	3	0
Stateless	3	0	0	3	0	0	2	1
Tanzania	3	2	1	0	0	0	3	0
Afghanistan	2	0	1	0	1	0	2	0
Algeria	2	1	1	0		0	2	0
Cambodia	2	0	2	0	0	0	2	0
Cuba	2	2	0	0	0	0	2	0
Pakistan	2	1	1	0	0	1	1	0
Somalia	2	1	0	0	1	1	1	0
Tunisia	2	2	0	0	0	1		1
Angola	1	0	1	0	0	0	1	0
Bangladesh	1	0	0	1	0	1	0	0
Columbia	1	1	0	0	0	0	1	0
Ecuador	1	0	0	1	0	0	1	0
Guinea	1	0	0	1	0	0	1	0
Iran	1	0	0	1	0	0	1	0
Israel	1	0	0	1	0	0	1	0
Latvia	1	0	0	1	0	0	0	1
Nicaragua	1	1	0	0	0	1	0	0

Republic of Congo	1	1	0	0	0	0	1	0
Ruanda	1	1	0	0	0	1	0	0
Senegal	1	0	1	0	0	0	1	0
Sudan	1	1	0	0	0	0	1	0
Togo	1	0	1	0	0	0	1	0
Yemen	1	1	0	0	0	0	1	0
Total	1406	334	792	270	10	233	1128	45

Source: Office of Immigration and Naturalization (OIN).

6.10 Indicators of legal labour migration

Table 110.

Number of granted work permits, worker registrations and green card certifications for working purposes on behalf of foreign employees
2007

Countries	General	Agricultural seasonal	Worker registrations	Green cards with working purposes
EU-15 total	1.304	0	0	166
Newly joined 10 EU countries total	0	0	10.609	0
Bulgaria and Romania together	19.226	580	1	5.954
Other European countries total	10.880	327	3	3
Non-European countries together	6.176	0	1	0
Total	37.586	907	10.614	6.123

Source: National Labour Inspectorate

Table 111.

Number of valid work permits and worker registrations for foreign employees
31. Dec. 2007.

Countries	General	Agricultural seasonal	Registration permits
EU-15 total	1 155	0	8
Newly joined 10 EU countries total	0	0	19 598
Bulgaria and Romania together	8	9	21 353
Other European countries total	11 101	2	13
Non-European countries together	6 193	0	2
Total	39 802	20	19 632

Source: National Labour Inspectorate

Table 112.

**Number of granted work permits, seasonal permits , worker registrations and green card certifications
for working purposes on behalf of foreign employees
in 2006 and 2007**

		2006	2007
Granted work permits		52.505	37.586
	From the total:	33.136	19.006
	Romanian		
	Bulgarian	272	220
	Ukrainian	8.911	7.770
Granted seasonal permits		2.216	907
	From the total:	1.897	580
	Romanian		
	Slovakian	287	303
Granted Worker Registrations		16.132	10.614
	From the total: Slovakian	15.262	9.944
Granted Green card certifications		275	6.123
	From the total:	0	5.899
	Romanian		
	Bulgarian	0	55
Total		71.128	55.230
	From the total:	35.033	25.485
	Romanian		
	Bulgarian	272	275
	Slovakian	15.262	9.944
	Ukrainian	9.198	8.073

Table 113.

Number of valid work permits and worker registrations in 2006 and 2007

		2006	2007
Valid work permits		45.865	39.802
	From the total:	29.238	21.092
	Romanian		
	Bulgarian	224	261
	Ukrainian	7.664	7.985
Valid seasonal permits		123	20
	From the total:	0	18
	Romanian		
	Ukrainian	6	2
Valid worker registrations		17.918	19.632
	From the total: Slovakian	16.659	18.219
Total		63.906	59.454
	From the total:	29.238	21.110
	Romanian		
	Bulgarian	224	261
	Slovakian	16.659	18.219
	Ukrainian	7.670	7.987

Table 114.

Foreign Citizens with Labour Permit in Hungary by Countries, 2001–2003

Country of citizenship	31st Decem- ber 2001	31st Decem- ber 2002	30th June 2003
EU member-states			
Germany	600	568	582
UK	496	439	409
France	474	388	386
Austria	284	246	263
Italy	180	204	180
the Netherlands	108	113	110
Belgium	68	65	71
Sweden	58	51	65
Finland	128	80	64
Ireland	48	53	52
Greece	14	25	22
Spain	32	23	22
Denmark	40	34	16
Portugal	11	9	11
Luxembourg	0	0	0
EU member-states together	2 541	2 298	2 253
1. Country Group („Access to EU in 2004”)			
Slovakia	1 788	2 759	2 404
Poland	254	255	336
Czech Republic	79	124	112
Slovenia	28	27	20
Lithuania	14	16	14
Estonia	12	9	8
Cyprus	10	12	7
Latvia	2	5	5
Malta	0	0	0
1. Country Group („Access to EU in 2004”) together	2 187	3 207	2 906
2. Country Group („Neighbours not EU member s in 2004”)			
Romania	22 039	25 836	26 912
Ukraine	5 932	5 925	6 752
Yugoslavia	1 020	914	956
Croatia	159	128	128
2. Country Group („Neighbours not EU member s in 2004”) together	29 150	32 803	34 748
3. Country Group („European Non-neighbours”)			
Russia	324	277	300
Turkey	140	133	127
Bulgaria	115	105	99
Moldova	152	121	88
Bosnia and Herzegovina	30	34	32
Belarus	24	26	22
Macedonia	15	17	20
3. Country Group („European Non- neighbours”) together	800	713	688
Other European	46	40	
Europe together	32 183	36 763	38 400
Asia			

China	1 146	1 045	1 003
Mongolia	756	733	712
Vietnam	441	322	288
Japan	238	272	195
Other Asian	394	514	579
Asia together	2 975	2 886	2 777
Overseas countries			
USA	406	385	363
Canada	78	69	59
Other American	128	90	87
Australia and Oceania	47	38	39
Overseas countries together	659	582	548
Others	265	171	141
World Total	38 623	42 700	44 119

6.11 Indicators of illegal labour migration

Table 115.

**Penalty paid by employers for unlawful employment as results of Labour Inspectorate controls
By citizenship of employee, between 1. Jan.-8 Aug. 2007**

	2006.	2007. 08. 31.
Penalty paid by employers for unlawful employment, total	5 008 300 000 HUF	4 475 885 000 HUF
From the total: penalty paid by employers for unlawful employment of foreigners	730 788 666 HUF	821 534 796 HUF

Table 116.

**Number of measures taken by the Labour Inspectorate as a result of controls.
By economic sectors, between 1. Jan.-8 Aug. 2007**

	Agriculture	Manufacturing	Construction	Trade	Catering
Unlawful employment of Hungarian citizens	387	841	6081	1.193	1.477
Unlawful employment of foreign citizens	75	36	345	51	54
Warning to terminate unlawful employment	103	391	1.322	786	740

Table 117.

**Number of people affected by measures taken by the Labour Inspectorate as a result of controls
By economic sectors, between 1. Jan.-8 Aug. 2007**

	Agricultural	Processing- industry	Building- industry	Commerce, Trade	Hotel, Catering- trade
Unlawful employment of Hungarian citizens	3.810	28.062	23.584	9.120	6.339
Unlawful employment of foreign citizens	234	152	986	85	67
Warning to terminate unlawful employment	788	4933	5.236	2.890	2.548

7 Appendix: List of migration relevant laws

Most important regulations in force in 2008:

- Act No. I of 2007 on the Entry and Residence of Persons with the Right of Free Movement and Residence
- Act No. II of 2007 on the Entry and Stay of Third Country Nationals.

The above two pieces of legislation have replaced Act No. XXXIX of 2001 on Entry and Stay of Foreigners that was originally passed also as part of the harmonization process.

Other, previous legislative measures:

- Act LV of 1993 on Hungarian Citizenship
- Government Decree No. 125/1993 (IX. 22.) on the Execution of Act LV of 1993 on Hungarian Citizenship
- Act CXXXIX of 1997 on Asylum
- Government Decree No. 25/1998. (II. 18.) on support and social care of Asylum seekers
http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800025.KOR
- Act XXXVIII of 2001 regulating the entry and stay of foreigners in Hungary and amendment of the Act CXXXIX of 1997 on Asylum.
- Act XXXIX of 2001 on entry and residence of foreigners
http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800025.KOR
- Government Decree No. 172/2001. (IX. 26.) on detailed regulations of refugee affairs and refugees' documents
- Act I of 2007 on entry and stay of persons with right of free movement and residence
- Act II of 2007 on entry and stay of citizens from third countries
- Government Decree No. 172/2001 (IX. 26.) on the Execution of Act I. of 2007 on entry and stay of persons with right of free movement and residence
http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0700113.KOR
- Government Decree No. 114/2001 (V. 24.) on the Execution of Act II of 2007 on entry and stay of citizens from third countries

8 Appendix: List of NGOs in Hungary offering services for migrants

- [Africa-Asia Forum Association](#)
- [Autonómia Foundation for Self-Reliance](#)
- [Hungarian Baptist Aid](#)
- [Cordelia Foundation](#)
- [Foundation for Development of Democratic Rights](#)
- [United Nations High Commissioner for Refugees](#)
- [International Organisation for Migration](#)
- [Mahatma Gandhi Emberi Jogi Egyesület](#)
- [Hungarian Helsinki Committee](#)
- [Shelter Foundation \(Menedék\)](#)
- [Legal Defence Bureau for National and Ethnic Minorities \(NEKI\)](#)
- [Open Society Institute \(OSI\)](#)
- [Romapage](#)
- [Soros Foundation](#)
- [Alliance of Social Professionals](#)
- [Hungarian Civil Liberties Union](#)
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