

Migration Crisis in The European Union and Hungary's Legal and Political Attitudes Towards Migration

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Abstract

This paper delves into Hungary's legal and political attitudes towards migration in the context of the EU's migration crisis. Specifically, it examines Hungary's response to the migration crisis, including its efforts to restrict migration and tighten border controls, and the underlying motivations driving these measures. Additionally, it undertakes a critical analysis of the legal implications of Hungary's approach to migration, including the potential violations of EU law and human rights. The present article directs scholarly attention towards the contentious nature of Hungary's immigration and immigrant integration policies, undertaking law analysis thereof. The study concludes that Hungary's stance on migration poses a broader challenge to the EU's commitment to humanitarian principles and raises important questions about the future of migration policy within the Union. As such, this study highlights the urgent need for a comprehensive and coordinated approach to address the migration crisis which the EU is dealing with.

Key words: Hungary, Migration, Migration Policies, Migrant Integration.

Introduction

The advent of the Western Balkan Route for mass migration to Europe in 2015 brought about significant changes in Hungary's political stance towards migration. The country experienced an unprecedented influx of immigrants from a non-European, Islamic country. As a result, it was crucial to make prompt decisions regarding the matter of immigrants, not only for the country's socioeconomic stability but also for the union's future. The Hungarian government has taken a harsh position on migration, implementing controversial policies such as building a barrier around the country's southern border and criminalizing people who assist unauthorized migrants and amending relevant criminal and administrative laws. (Politico, 2017) Prime Minister Viktor Orbán has emphasized that the construction of border fences in Hungary serves not only the interests of the Hungarian nation but also benefits the broader European community. Prime Minister Orbán has positioned Hungary as a defender of European Christian values and a protector of the continent, framing its migration policies as critical to preserving these values. Furthermore, Orbán has portrayed Hungary as a savior of Christianity in Europe.

The issue of migration in Hungary affected international interest for two reasons: first, the country was one of the most affected in 2015, with 411,515 recorded crossings, the highest per capita number in Europe. (IOM,2021) Second, the country's leadership quickly developed a clear anti-migration policy, which has remained unchanged since then. The Hungarian case was initially unique in the European Union due to its complete rejection of immigration; however, many European countries later followed the same policy or decided to pursue similar restrictive measures against mass migration.

This study aims to examine Hungary's legal and political attitudes towards migration and its role in the broader migration crisis in the European Union. To achieve this objective, the study employs a qualitative research design that utilizes both primary and secondary data sources. The data collected from primary and secondary sources will be analyzed using thematic analysis. Thematic analysis is a qualitative data analysis method that involves identifying patterns and themes within the data. The analysis will focus on identifying the legal and political attitudes of Hungary towards migration and how these attitudes have contributed to the broader migration crisis in the European Union. The analysis will also explore the factors driving Hungary's migration policy and the impact of this policy on migrants and asylum seekers. In the first part of the study, the definition of migration is made, and short history of migration in Hungary introduced. In the second part of the study, Hungary's position in the refugee crisis evaluated. Furthermore, Hungary's immigration laws, which were adopted before and after joining the European Union, are examined in detail in order to draw a better profile of the country's immigration policy. The current immigration integration of Hungary is included in the last part of the study, and the study is summarized in the conclusion section.

1. Migration as a concept

Human migration has been a prominent feature of history, as people have crossed borders for various reasons for thousands of years. The search for a better life is often the driving force behind migration, which has been a recurrent "problem" throughout history. The reasons for migration can be classified into two main categories: those that threaten the individual's existence directly, such as wars, natural disasters, oppression, and persecution, and those that are motivated by personal reasons, such as unemployment, a better life, or the desire for a better education. According to B.N. Gosh (1985), migration involves a long-term and stable change of residence, implying the crossing of political boundaries from a demographic perspective, temporary relocations do not qualify as migration, as they are not considered a long-term or stable change of residence. Gosh views migration as a process rather than a physical location, emphasizing the notion of shifting home as opposed to relocating to a new house. While Gosh's definition focuses on the requirement of crossing political boundaries and a long-term change of residence, it does not specify the time frame

required to differentiate permanent from temporary migration. In contrast, the European Union (EU) provides a more specific definition of migration regarding duration, characterizing it as the act of moving across an international border (international migration) or within a state (internal migration) for a duration exceeding one year, irrespective of the reasons or methods involved in the migration, whether voluntary or involuntary, and whether carried out through regular or irregular channels. When considering the direction of contemporary significant migration flows, the European continent emerges as the foremost destination. To achieve a deeper understanding of the patterns and dynamics of global migration, an analysis of the interplay between the origin and destination centers that drive migration is imperative. According to Displacement Tracking Matrix upon examination of this dichotomous structure, it becomes apparent that migration flows tend to be characterized by directionalities from east to west, south to north, from underdeveloped to developed regions, from inland to coastal areas, from periphery to center, and from former colonies to colonial centers. Therefore, for centuries, migration has been a significant part of European history, shaping the continent's social, economic, and political landscape. In Europe, attitudes toward migrants and migration are more critical than at any time since World War II, a world without migration and migrants would not exist. (Duszczuk, Pachocka, Pszczółkowska, 2020)

2. Short History of Migration in Hungary

Hungary has a long history of migration, with waves of migration occurring over time. Prior to the twentieth century, different ethnic groups, including Celts, Romans, Huns, and Magyars, migrated, and settled in Hungary. Around the fourth century BC, Celtic tribes migrated to today's Hungary, bringing their language, religion, and culture with them. The Roman Empire seized the area in the first century AD, and Roman colonies and roads were created. Hungary was occupied by the Romans until the fifth century AD. The Huns arrived in the Carpathian Basin in the 4th century AD, bringing with them their nomadic lifestyle and militaristic culture.

The Magyars (Hungarians) moved to the Carpathian Basin in the late ninth century AD, where they settled and created the Kingdom of Hungary. Throughout the 16th and 17th centuries, the Ottoman Empire conquered parts of Hungary, leading ethnic Serbs to migrate to Hungary. Throughout the 18th century, the Habsburg Empire encouraged German and Slovak settlers to settle in Hungary to help grow the country's economy. (Kásler, 2017) These migrations have contributed to Hungary's and surrounding countries' cultural variety over time. The Magyar migration in the ninth century was especially significant since it resulted in the founding of the Kingdom of Hungary and the development of Hungarian culture. Following World War I, Hungary lost two-thirds of its territory and population as a result of the Treaty of Trianon. Many ethnic Hungarians found themselves residing outside of Hungary's new

borders, resulting in major ethnic Hungarian migration into Hungary from neighboring nations. During WWII, Germany conquered Hungary, and many Jews were sent to concentration camps. Several ethnic Germans were exiled from Hungary after the war. (Cottrell,1931) In 1947, Hungary became a communist state, and mobility inside the Eastern Bloc was significant, with many Hungarians transferring to other Soviet-aligned nations. Following the fall of communism in 1989, a large number of Hungarians fled to Western Europe and North America. In 1990, a wave of migration occurred in Hungary following the crisis in Yugoslavia, resulting in an influx of approximately 40,000 individuals. The majority of these individuals were of Romanian nationality, with roughly 80% of migrants in 1989/1990 identifying as such. Between 1992 and 2002, the number of Romanian citizens entering Hungary decreased significantly, with only 40% of migrants during this period coming from Romania. However, the majority of these Romanian migrants were of Hungarian ancestry. As of 2002, there were a total of 115,000 foreign citizens residing in Hungary with a valid long-term or permanent residence permit. Additionally, since 1990, a total of 179,000 individuals have acquired Hungarian citizenship through naturalization or other means. By the end of 2000, foreign-born individuals comprised 3% of Hungary's population, totaling 294,000 individuals. (HCSO,2002) Hungary has seen a considerable influx of migrants in recent years, particularly during the 2015 migration crisis.

3. Hungary and the refugee crisis: Evaluating the position of Hungarian Government

The conflict that started in Syria in 2011 has caused a refugee crisis in Europe and the Middle East, and this has had a significant impact on migration policies in both regions. The Syrian refugees, who make up the largest refugee movement since World War II, left their homeland to escape the civil war and look for improved living standards in the EU nations. Since 2015 The European Union has encountered challenges in formulating a unified approach to address the issue of irregular migration. During her speech at the European Parliament Plenary in 2019, on the occasion of presenting her College of Commissioners and their program, President Ursula von der Leyen underscored the intractable nature of migration, affirming that it will persist as a pressing issue. She emphasized that Europe has a duty to offer refuge to those who require international protection, and it is of utmost importance to integrate those who remain within our societies. (Leyen, 2020) On the other hand, some member states, such as Hungary, Poland and Czech Republic have adopted a firm anti-immigrant stance, while others, such as Germany and Sweden, have displayed greater openness towards accepting migrants. In 2020, the Hungarian Minister of Justice, Judit Varga, granted an interview to the German liberal weekly, Die Zeit, which was entitled "We Want to Stop Migration." During the interview, she emphasized the Hungarian government's position on

migration, stating that it does not aspire for Europe to transform into an immigrant continent. Rather than managing migration, the government seeks to put an end to it. Minister Varga acknowledged that various countries have distinct views on this issue and the Hungarian government respects them. She argued that the fundamental conflict lies in each country's right to decide autonomously. (Kormany.hu, 2020) In response to the immigration wave that commenced in 2015, the European Union expeditiously implemented a quota system to equitably distribute the burden of the heavy influx of refugees among the member states. This measure was designed to address the pressing need to share the responsibility of accommodating and providing for the refugees, particularly in the larger member states. In more details, The European Court of Human Rights (ECHR) rendered a noteworthy decision concerning the temporary mechanism designed for the relocation of applicants for international protection, as established in the Council Decision 2015/1601. The purpose of this mechanism was to address the migration crisis that emerged in 2015 in Italy and Greece, both of which became inundated with the arrival of asylum seekers and refugees. Slovakia and Hungary have maintained a persistent refusal to participate in the provisional mechanism for the mandatory relocation of asylum seekers. These countries have argued that the mechanism violates their national sovereignty and presents a security risk. As such, Slovakia and Hungary pursued legal action against the mechanism by challenging its legality before the European Court of Justice (ECJ). Despite their efforts, the ECJ has ultimately dismissed their legal challenge, asserting that the EU was justified in implementing the mechanism under its emergency response powers. Upon the issuance of the European Court of Justice ruling, Hungarian officials dismissed the decision and criticized it as a political maneuver. Minister of Foreign Affairs Péter Szijjártó stated that "Politics has raped European law and values." ECJ issued another ruling on April 2nd, 2020, that the governments of Poland, Hungary, and the Czech Republic violated their obligations under European Union law. Nonetheless, Poland, Hungary, and the Czech Republic have consistently declined to participate in this mechanism, citing reasons such as security concerns and cultural incompatibility.

4. Migration Policy of Hungary

The period of political transition in Hungary brought about a pressing need for the establishment of legal provisions to regulate migratory processes. Over the past few decades, Hungary has gradually developed its legal framework for this purpose. By the end of the 1980s, it had become apparent that a new administrative and legislative system was necessary to manage migration effectively:

1989 Law:

the Hungarian government passed a law in 1989 aimed at eliminating administrative hurdles to free movement in and out of the country. The 1989 law, which aimed to remove

administrative barriers to travel and residency, was part of a comprehensive set of reforms designed to liberalize Hungary's political and economic systems. As noted by the Migration Policy Institute in a report, the law was crafted to enable greater freedom of movement for Hungarians, both domestically and internationally. By eliminating bureaucratic obstacles, the law enabled the facilitation of movement within and beyond Hungary's borders, thereby supporting the country's transition towards a more liberalized and integrated society. The 1951 Geneva Convention Relating to the Status of Refugees is the cornerstone of Hungarian refugee law. Hungary acceded to the Convention in 1989, becoming the first Eastern bloc country to do so, and also ratified the 1967 Protocol. By acceding to the Convention, Hungary signalled its commitment to accepting the international definition of a refugee. However, it is important to note that Hungary's ratification was made on the condition that it would adhere to a narrow interpretation of the Convention's definition of a refugee. Specifically, Hungary's ratification recognized only those individuals who face persecution within Europe as qualifying for refugee status. This narrow interpretation has been a source of criticism for Hungary and has led to ongoing debates about the country's approach to asylum seekers and refugees. (Goździak,2020)

Act IV of 1991 on Job Assistance and Unemployment Benefits:

The 1991 law on the regulation of the employment of foreigners in Hungary represented a significant legal development in Hungary's approach to managing foreign labor. The primary objective of the legislation was to improve the control of foreign workers and reduce the inflow of illegal immigrants. To this end, the law introduced new requirements for employers, mandating the acquisition of work permits for foreign workers and imposing penalties for non-compliance. Through these measures, Hungary sought to ensure that foreign workers were employed in compliance with the country's labor laws and regulations, while also addressing concerns related to illegal immigration and labor exploitation. By enacting such stringent measures, Hungary sought to promote greater accountability and transparency in the employment of foreign workers, safeguarding the rights of both foreign workers and Hungarian citizens.

Act LV of 1993

In subsequent years, strict regulations were put in place to govern the employment of foreigners, culminating in the passage of the Act on Hungarian Citizenship and the Act on the Entry, Stay, and Immigration of Foreigners in Hungary in 1993-1994. The Act on Hungarian Citizenship and the Act on the Entry, Stay, and Immigration of Foreigners in Hungary, enacted in 1993 and 1994 respectively, constituted two crucial legislative measures that shaped Hungary's immigration and citizenship policies. The Act on Hungarian Citizenship established

the legal framework for acquiring and relinquishing Hungarian citizenship, as well as defining eligibility requirements and specifying the associated rights and obligations. Additionally, it introduced provisions permitting dual citizenship in certain circumstances. The Act on the Entry, Stay, and Immigration of Foreigners in Hungary, on the other hand, laid down the legal basis for regulating the entry and residence of foreigners in Hungary. It outlined the conditions for entry and stay, procedures for issuing visas and residence permits, and grounds for permit refusal or revocation. Moreover, the Act established the legal framework for handling asylum seekers and refugees, specifying procedures for granting asylum and the conditions for refugee status. Together, these Acts provided the legal foundation for Hungary's citizenship and immigration approach during the 1990s and beyond, and while subject to periodic revisions, remain fundamental components of Hungary's legal framework for migration and citizenship. (Act LV of 1993)

1997 Act on Borders and the Border Guards:

The 1997 Act on Borders and the Border Guards Law was a crucial legal development in Hungary's approach to border management. The legislation defined the tasks and responsibilities of the border guards, outlining the procedures for border control, and establishing the Border Guard Directorate as a new administrative body to oversee the work of the border guards. The law also specified the rights and obligations of those crossing the border and provided for the establishment of border crossing points and inspection zones. The Act on Borders and the Border Guards Law was enacted in response to growing concerns about illegal immigration, smuggling, and organized crime, which had become increasingly prevalent in Hungary in the 1990s. The law aimed to strengthen Hungary's capacity to manage its borders effectively and enhance security within the country. (No. 25/1998 (II.18.))

1998 Act CXXXIX on Asylum

The 1998 Act on Asylum of Hungary was a significant legal development in Hungary's approach to protecting refugees and asylum seekers. The law established the legal framework for the granting of asylum and the protection of refugees, defining who is eligible for protection and specifying the procedures for applying for asylum. The legislation introduced new categories for refugees, including those who fear persecution due to their race, religion, nationality, membership of a particular social group, or political opinion. The Act also established the legal framework for the protection of asylum seekers, including the provision of legal assistance and the right to appeal negative decisions. It outlined the procedures for the detention and deportation of asylum seekers, as well as the grounds for refusal of asylum applications. The Act on Asylum aimed to improve Hungary's ability to provide protection to refugees and asylum seekers, while also addressing concerns related to illegal immigration

and national security. It has since been subject to some revisions, including changes made in 2015, which have been criticized by human rights organizations for restricting access to asylum and violating the rights of refugees and migrants.

The Act IV of 2002

The Act IV of 2002 on the Admission and Right of Residence of Third-Country Nationals was implemented in Hungary to harmonize its migration and refugee law with the European Union's (EU) legislation. This legal framework was introduced in response to Hungary's accession to the EU, which obligated the country to align its national regulations with the EU's *acquis* on migration and asylum. The Act introduced a novel admission and stay mechanism for third-country nationals in Hungary. The provisions outlined the requisite conditions and procedures for obtaining visas, residence permits, and work permits. Additionally, the Act delineated third-country nationals' rights and responsibilities during their stay in Hungary, such as their entitlement to healthcare and education and the imperative to uphold public order and security. The Act also incorporated EU directives on asylum procedures and refugee status determination, creating a definitive legal framework for safeguarding refugees in Hungary. Consequently, the Hungarian Office for Immigration and Nationality (HON) was established, responsible for processing asylum applications and rendering decisions on refugee status.

Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals and Act LXXX of 2007

Act II of 2007 sets out the legal framework for the entry, stay, and employment of third-country nationals in Hungary, including the conditions and procedures for obtaining visas, residence permits, and work permits. It also establishes the rights and obligations of third-country nationals during their stay in Hungary, as well as the procedures for deportation and removal of individuals who violate Hungarian law or who are deemed a threat to national security. On the other hand, Act LXXX of 2007 focuses specifically on asylum and establishes the procedures for granting and withdrawing refugee status in Hungary. It defines the grounds for granting asylum, sets out the rights and obligations of refugees and asylum seekers, and establishes the Hungarian Office for Immigration and Nationality (HON) as the primary authority responsible for processing asylum applications and making decisions on refugee status.

In order to understand the effects of the migration crisis on Hungary in 2015, it is beneficial to have a grasp of the law changes made by the Hungarian government concerning immigrants and refugees in 2015 and beyond. The immigration flow that began in 2015 as a result of the Syrian civil war had a significant impact on Hungary, as well as other European Union countries. Given its geographical position, Hungary's attitude toward immigrants is

critical for the union. The country is the first Schengen point of entry in the Northern Balkans and, with the exception of Greece, the first continental entry point in south-eastern Europe. (Daher,2020) The emergence of the Western Balkan Road for mass migration to Europe in 2015 led to major shifts in Hungary's political attitude toward migration.

The Government Decree 191/2015 (VII.21)

The purpose of the Government Decree 191/2015 (VII.21) is to establish a system for the national designation of safe countries of origin and safe third countries in Hungary, which aims to expedite the processing of asylum applications. The Decree outlines the criteria that a country must meet to be considered safe, including respect for human rights, democratic principles, and the rule of law, as well as effective legal remedies and protection against persecution. The Decree also specifies the procedure for designating safe countries and involves the Minister of Interior and other relevant authorities. It creates a list of designated safe countries, which is periodically reviewed and updated. While the designation system aims to streamline the asylum process, critics have voiced concerns that it may be used to reject valid asylum claims and could potentially violate international refugee law.

The 2015 CXL Act

The act officially known as Act CXL of 2015 on the Police, is a law in Hungary that governs the organization and operation of the country's police force. It replaced the previous police act from 1994 and introduced several changes, including new provisions on the use of force, the structure of the police force, and the rights and obligations of police officers. One of the most controversial aspects of the law is the provision that allows police officers to use firearms during crowd control situations, even if the crowd is peaceful. This provision has been criticized by human rights groups for potentially leading to excessive use of force and violations of the right to peaceful assembly. The law also establishes the legal framework for the use of surveillance technologies, such as cameras and wiretapping, by the police. It provides for increased data protection measures and oversight mechanisms to prevent abuses of these technologies.

In recent years, Hungary has taken various steps to tighten its immigration policies. Here are some of the policy instruments of Hungary regarding migration:

- 1- *Border fence*: Hungary built a fence along its southern border with Serbia and Croatia in 2015 to keep unauthorized migrants out. (Pollet and Mouzourakis,2015)
- 2- *Asylum restrictions*: Hungary has implemented a number of steps to limit access to the asylum procedure, such as limiting the number of asylum seekers who can enter the country each day and requiring asylum seekers to petition for asylum at a border transit zone. (Pollet and Mouzourakis,2015)

- 3- *Criminalization of unlawful border crossing*: In 2018, Hungary passed legislation making illegal border crossing a crime. Human rights organizations have condemned the measure for criminalizing irregular migration. (Bill no. t/333)
- 4- *Expanded border guard powers*: In recent years, Hungary has dramatically increased the border guard's capabilities, including permitting them to use force to push back migrants at the border and allowing them to conduct searches without a warrant.
- 5- *Closing of refugee camps*: Hungary shuttered its refugee camps in 2017 and relocated asylum seekers to border transit zones, where they are held in detention-like conditions while their asylum petitions are processed.

5. Current Migration Situation in Hungary

To gain a deeper understanding of Hungary's immigration policy, it is significant to examine the available data from 2015 onwards. According to statistics, in Hungary the number of total applications for asylum dropped from 177,135 in 2015 to 29,432 in 2016, with a staggering 92% decline in Syrian applications to 4,979, a 76% decline in Afghan applications to 11,052, and a 99% drop in Kosovar applications to a mere 135. In 2017, these figures plunged even further, with only 1,432 Afghans and 577 Syrians applying for asylum. The number of migrants entering Hungary dropped to 3,397 in 2017, representing an 88% decrease from 2016. In the first quarter of 2018, asylum applications remained low, with only 280 applicants from various nationalities, including Afghans, Iraqis, Syrians, Iranians, Pakistanis, and others. In 2019, data indicated that 197 Afghans and 171 Iraqis applied for asylum, while in 2020, the number of applicants fell to 15 Afghan, 24 Pakistani, and 16 Iraqi nationals. Over the period of 2018-2020, the number of Iraqi and Afghan asylum seekers showed a steady decrease. Notably, since 2017, some nationalities have stopped seeking asylum in Hungary, such as Moroccans (1,033 in 2015), Kosovars (24,454 in 2015), and Palestinians (1,036 in 2015). (IOM, nd.) As per the UN report published in 2022, the total number of individuals crossing the border from Ukraine to Hungary amounted to 1.8 million by 1 December 2022. Among these individuals, a total of 32,564 lodged applications for temporary protection, with 28,379 receiving affirmative decisions. (UNHCR, n.d.) According to the same data from the Hungarian Central Statistical Office in 2022, the number of foreign-born Hungarian citizens currently residing in Hungary is estimated to be 417,021, consisting of 201,872 males and 215,149 females. This represents approximately 4.2% of the total population of Hungary. These statistics offer valuable insights into the demographics and immigration trends in Hungary. (Statat, nd.) In recent years, Hungary has implemented a stringent stance on refugee and migration policies, which has been marked by controversial measures such as constructing a border fence, penalizing individuals who provide assistance to undocumented migrants, and limiting access to asylum. The government's approach has been met with

criticism by international human rights organizations and the European Union, given Hungary's status as a member state of the EU, subject to its migration and refugee laws and regulations. However, the Hungarian government has had disagreements with the EU, particularly during the 2015 refugee crisis, over its migration policy. Hungary has also been involved in deliberations concerning EU-wide migration policies, such as the resettlement of refugees. Within Hungary, migration and refugee policies have been highly politicized, with the government framing its position as one of safeguarding national security and sovereignty. The government has used the issue to galvanize its supporters and appeal to anti-immigrant sentiment. The aforementioned situation highlights Hungary's perspective of immigrants as a potential hazard to both Hungarian and European society. Nevertheless, it is imperative to acknowledge proponents who contend that immigrants positively contribute to various domains, particularly the economy, in their host countries. (Kloosterman & Rath, 1999)

6. Migrant Integration Policy of Hungary

Based on data published by the Hungarian Central Statistical Office in 2022, the number of foreign citizens currently residing in Hungary is estimated to be 202,525, of which 115,576 are male and 86,949 are female. (Stadat, nd.) This figure corresponds to approximately 2% of the total Hungarian population. According to the same data from the Hungarian Central Statistical Office in 2022, the number of foreign-born Hungarian citizens currently residing in Hungary is estimated to be 417,021, consisting of 201,872 males and 215,149 females. (Stadat, nd.) This represents approximately 4.2% of the total population of Hungary. Based on immigration data for 2021, a total of 49,069 foreign citizens have immigrated to Hungary, with 33,304 originating from European countries (including the United Kingdom, Norway, Russia, Switzerland, Serbia, Turkey, Ukraine, and other European countries), 11,635 from Asia, 2,213 from America, and 1,847 from Africa. (Stadat, nd.) Specifically, 74,193 individuals were residing for employment and other income purposes, 23,252 individuals for family unification, 31,531 individuals for education, 34,275 for immigration and settlement, 2,564 for international protection, and 36,710 individuals for other and unknown purposes. Hungary's migrant population is primarily composed of migrant workers from neighboring states, namely Serbia and Ukraine. Additionally, the country has seen a significant influx of Chinese citizens, many of whom are entrepreneurs engaged in a well-established transnational economy. According to data from 2019, out of the 62,073 first-time resident permits issued, 16.4% were issued for the purpose of pursuing studies, while 62.6% were issued for economic activities. The remaining 6.9% of permits were issued for the purpose of family reunification. In my opinion analysis of available statistics indicates that Hungary does not exhibit characteristics of a country of immigration. Nonetheless, Hungary faces significant challenges in the context of migrants, namely the absence of comprehensive

immigration integration policies and laws. (europa, nd.) The MIPEX assessment of Hungary's immigration policies indicates that non-EU citizens face numerous challenges when attempting to integrate into Hungarian society. The country's overall score of 43/100 falls below the MIPEX average of 49/100. Although immigrants in Hungary enjoy certain fundamental rights and protections, they do not have access to equal opportunities. Immigrants face significant obstacles in multiple areas, including education, health, political participation, and access to citizenship. Hungary must focus on investing in long-term security and improving opportunities for immigrants to ensure equality, as the country's current performance in this regard is below average when compared to most other MIPEX countries. (MIPEX,2020)

Conclusion

Hungary's approach to migration policy can be seen as a mixture of efforts to liberalize free movement and tighten controls over foreign labor, entry, stay of foreigners, and border management. However, the country's narrow interpretation of the definition of a refugee has been a source of criticism and debates about its approach to asylum seekers and refugees. In 2015 during an interview with the daily newspaper Napi Gazdaság, the Hungarian Prime Minister, Viktor Orbán, expressed his opposition to multiculturalism and his determination to prevent the coexistence of Islam, Asian religions, and Christianity in Hungary. He emphasized that Hungary would take all necessary measures to ensure that Hungary is not subjected to multiculturalism. Additionally, he stated that Hungary welcomes non-Christian individuals such as investors, artists, and scientists. We don't want to mix on a mass scale". (Staff,2015) We observe a consistency in Hungary's migration policies that have remained largely unchanged over the years. The underlying objective of these policies has been to limit the influx of illegal immigrants into the country and eradicate unregistered labor. Nonetheless, the measures implemented by the current administration since 2015 reflect Hungary's stance clearly. It appears that the government has established a distinct security policy that disregards decisions made by the Union. It is worth noting that the European Union is a community that welcomes immigrants, and as Hungary has at least half a million permanent migrants, their integration would facilitate the country's future prospects. However, it seems unlikely that the government will make any progress in enhancing both its immigration policies and its integration policies in the near future.

Bibliography

"we want to stop migration". Government [online].
[Accessed 30 March 2023]. Available from: <https://20152019.kormany.hu/en/ministry-of-justice/news/we-want-to-stop-migration>

2015. évi CXL. Törvény Egyes Törvényeknek a tömeges Bevándorlás Kezelésével összefüggő módosításáról - törvények és Országgyűlési Határozatok. *Jogtár* [online]. [Accessed 30 March 2023]. Available from: <https://mkogy.jogtar.hu/jogszabaly?docid=a1500140.TV>

22.1.1.23. Foreign citizens residing in Hungary by country of citizenship and sex, 1 January [online]. [Accessed 30 March 2023]. Available from: https://www.ksh.hu/stadat_files/nep/en/nep0023.html

22.1.1.24. Foreign-born Hungarian citizens residing in Hungary, by country of birth and sex, 1 January. (2022, June 30). Retrieved from https://www.ksh.hu/stadat_files/nep/en/nep0024.html

22.1.1.25. Foreign citizens residing in Hungary by purpose of stay, 1 January. (2022, June 30). Retrieved from https://www.ksh.hu/stadat_files/nep/en/nep0025.html

22.1.1.28. Foreign citizens immigrating by country of citizenship. (2022, June 30). Retrieved from https://www.ksh.hu/stadat_files/nep/en/nep0028.html

62017CJ0715-EN-EUR-LEX (n.d.). Retrieved from <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:62017CJ0715&from=EN>

Act CXXXIX of 1997 on Asylum. <https://www.refworld.org/cgi-bin/texis/vtx/rwmain/opendocpdf.pdf?reldoc=y&docid=52aec5884>.

Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals and the Government Decree 114/2007 (V. 24.) on the Implementation of Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals (no date). Available at: https://thb.kormany.hu/download/a/46/11000/Btk_EN.pdf (Accessed: March 28, 2023).

Act IV of 1991 on job assistance and unemployment benefits. European Website on Integration. (n.d.). Retrieved March 28, 2023, from https://ec.europa.eu/migrant-integration/library-document/act-iv-1991-job-assistance-and-unemployment-benefits_en

Act LV of 1993 basic principles Article 1 - bgazrt.hu. (n.d.). Retrieved March 28, 2023, from https://bgazrt.hu/wp-content/uploads/2019/02/Act_LV_of_1993_on_Hungarian_Citizenship.pdf

Bill No. T/333 amending certain laws relating to measures to combat illegal immigration. (n.d.). Retrieved March 5, 2023, from <https://helsinki.hu/wp-content/uploads/T333-ENG.pdf>

BRAHAM, R.L. 2010. HUNGARIAN, GERMAN, AND JEWISH CALCULATIONS AND MISCALCULATIONS in the Last Chapter of the Holocaust. p.2. Retrieved March 5, 2023, from https://www.ushmm.org/m/pdfs/Publication_OP_2010-01.pdf

Cottrell, A. S. 1931. (The) effect of the Treaty of Trianon on Hungary (thesis). p.117. Boston University, Boston. from <https://mek.oszk.hu/20700/20774/20774.pdf>

Crossing Boundaries The new asylum procedure at the border and restrictions to accessing protection in Hungary. 2015. *European Council for Refugees and Exiles (ECRE)*, 12. Retrieved from https://asylumineurope.org/wp-content/uploads/2020/12/crossing_boundaries_october_2015.pdf

Crossing Boundaries The new asylum procedure at the border and restrictions to accessing protection in Hungary. 2015. *European Council for Refugees and Exiles (ECRE)*, p.28 12.

Retrieved from https://asylumineurope.org/wp-content/uploads/2020/12/crossing_boundaries_october_2015.pdf

DAHER, R. 2020. Limen Journal of the Hungarian Migration Research Institute. p.40

DUSZCZYK, M., PACHOCKA, M., PSZCZÓLKOWSKA, D., 2020. *Relations between Immigration and Integration Policies in Europe Challenges, Opportunities and Perspectives in Selected EU Member States.* P.1 from https://library.oapen.org/bitstream/handle/20.500.12657/22440/9780367208431_text.pdf?sequence=1&isAllowed=y. Retrieved March 5, 2023

EUR-Lex - 32015D1601 - EN - EUR-Lex. (n.d.). Retrieved from <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32015D1601>

EUR-Lex - 62015CJ0643 - EN - EUR-Lex. (n.d.). Retrieved from <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:62015CJ0643>

GHOSH, B.N. 1985. *FUNDAMENTALS OF POPULATION GEOGRAPHY*. Retrieved March 20, 2023, from https://archive.org/stream/in.ernet.dli.2015.147556/2015.147556.Fundamentals-Of-Population-Geography_djvu.txt

Governance of migrant integration in Hungary. (2023, March 22). Retrieved from https://ec.europa.eu/migrant-integration/country-governance/governance-migrant-integration-hungary_en

Government decree 191/2015 (VII.21) on national designation of safe countries of origin and safe third countries, Refworld. Available at: <https://www.refworld.org/docid/55ca02c74.html> (Accessed: March 28, 2023).

Government decree no. 25/1998 (ii.18.)korm. on the care/maintenance and benefits of foreigners coming under the effect of ACT CXXXIX of 1997 on asylum (repealed), Refworld. Available at: <https://www.refworld.org/topic,50ffbce5220,50ffbce5247,3ae6b4ea7,0,NATLEGBOD,DECRE EES,HUN.html> (Accessed: March 28, 2023).

GOŹDZIAK, E. M. 2020. Using fear of the "other," Orbán reshapes migration policy in a Hungary built on cultural diversity. [migrationpolicy.org](https://www.migrationpolicy.org). Retrieved March 28, 2023, from <https://www.migrationpolicy.org/article/orban-reshapes-migration-policy-hungary>

Hungary | MIPEX 2020. (n.d.). Retrieved from <https://www.mipex.eu/hungary>

Hungary Archives. (n.d.). Retrieved from <https://www.amnesty.org/en/location/europe-and-central-asia/hungary/report-hungary/>

Hungary ready to fight European Commission – DW – 10/04/2017. (n.d.). Retrieved from <https://www.dw.com/en/hungary-ready-to-fight-european-commission/a-40805133>

KÁSLER, M. (n.d.). *Ethnic and demographic changes in Hungary's (more than) 1100 years long history*. Polgári Szemle English Special Issues. Retrieved March 5, 2023, p.295-325 from <https://eng.polgariszemle.hu/archive/141-vol-13-special-issue-2017/hungarian-history/895-ethnic-and-demographic-changes-in-hungary-s-more-than-1100-years-long-history>

Kloosterman, R., von der Lawn J., & Rath J., 1999. Mixed Embeddedness: (In)formal Economic Activities and Immigrant Businesses in the Netherlands. *International Journal and Urban Regional Research*

Let's make change happen: op-ed article by Ursula von der Leyen, President of the European Commission. European Commission - European Commission [online]. [Accessed 29 March 2023]. Available from: https://ec.europa.eu/commission/presscorner/detail/en/AC_20_1698

MCTAGUE, T.. Hungary hardens immigration line. POLITICO [online]. 13 February 2017. [Accessed 30 March 2023]. Available from: <https://www.politico.eu/article/hungarys-new-hardline-immigration-scheme-viktor-orban-refugees-migration-crisis-europe/>

Migration in Hungary | IOM Hungary. 2021, June 22. Retrieved from <https://hungary.iom.int/migration-hungary>

Migration in Hungary | IOM Hungary. (n.d.). Retrieved from <https://hungary.iom.int/migration-hungary>

Press corner. (n.d.). Retrieved from <https://ec.europa.eu/commission/presscorner/home/en>
UNHCR. (n.d.). Hungary . Retrieved March 25, 2023, from <https://www.unhcr.org/hungary.html>

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