

**Detection, identification and protection of third-country
national victims of trafficking in human being**

HUNGARY

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The European Migration Network (EMN) is co-ordinated by the European Commission with National Contact Points (EMN NCPs) established in each EU Member State plus Norway.

Detection, identification and protection of third-country national victims of trafficking in human beings

National contribution from Hungary

In Hungary, victims of trafficking in human beings are predominantly Hungarian nationals. At the same time, over the last 5 years, Hungary strengthened its efforts to improve the detection, identification and protection of third-country national victims. In 2017, 6, in 2018, and 2019 1-1, in 2020 5, in 2021 (as of 30 September) 5 third-country national victims of trafficking in human beings were identified. The victims were subjected to either sexual or labour exploitation.

The detection and identification of presumed victims is carried out by the Police, in cooperation with the labour inspecting and migration authorities, as well as NGOs. Victims, at the same time, have the possibility to report abuses without a time limit. The training of Police personnel, migration and labour inspection case officers for identification of victims is continuous.

The challenge remains that third-country national victims, whether possessing valid residence permits or staying illegally in the country, are unlikely to accept the services provided by victim support organizations (e.g. sheltered accommodation). Usually, they only seek gainful activity, and a decent, declared workplace as soon as possible, since their families in the country of origin greatly rely on the remittances.

In 2020, Hungary adopted Government Decree No. 1046/2020. (II.18) on the national strategy on the fight against trafficking in human beings for the period of 2020-2023 and the Action Plan to be implemented in the period of 2020-2021. The Action Plan sets out the the task of development and continuous provision of a uniform victim management procedure and adequate funding for its implementation for victims of trafficking in human beings who are third-country nationals identified in Hungary.

1 Introduction:

National situation with regard to detection, identification, and protection of (presumed) third-country national victims of trafficking in human beings (2015-2020)

Q1. Please describe the main policy developments and debates that have occurred in the reference period 2015-2020 with regard to detection, identification, and protection of (presumed) third-country national victims of trafficking in human beings (e.g., parliamentary debates, policy reforms, draft/adopted legislation, media coverage, awareness-campaigns, relevant publications).

In 2020, Hungary adopted the Government Decree No. 1046/2020. (II.18) on the national strategy on the fight against trafficking in human beings for the period of 2020-2023 and the Action Plan to be implemented in the period of 2020-2021.

Point 1.4. of Part II of the Action Plan sets out the the task of development and continuous provision of a uniform victim management procedure and adequate funding for its implementation for victims of trafficking in human beings who are third-country nationals identified in Hungary. For the implementation of the task, the Ministry of Justice and the Ministry of Interior are responsible, in cooperation with the National Directorate-General for Aliens Policing (NDGAP) and the Ministry of Foreign Affairs and Trade.

Q2. Please elaborate on the characteristics of detected, identified and protected (presumed) third-country national victims of human trafficking (including age, gender, country of origin, migration status), trafficking purposes (e.g. sexual exploitation, including forced prostitution, forced labour or services, slavery and servitude related practices, as well as the removal of vital organs), latest patterns and trends in the reference period 2015-2020.

Data of victim identification among third-country nationals are shown in the table below.

Third country national victims of human trafficking identified in Hungary – <i>breakdown by year and citizenship</i>									
2017		2018		2019		2020		2021 (until 30/09)	
Chinese	6	Thai	1	Algerian	1	Pakistani	3	Mongolian	4
						Nigerian	1	Mozambican	1
						Turkish	1		

Typically, the perpetrators were fellow countrymen. According to the Unified System of Criminal Statistics of Investigative Authorities and of Public Prosecution (in Hungarian commonly abbreviated as “ENyÜBS”), between January 2015 and December 2020, 2 third country national offenders of the felony of trafficking in human beings were prosecuted in Hungary (both Chinese citizens, convicted by the court later in 2019).

The above-mentioned victims were subjected to either sexual or labour exploitation. Generally speaking, TCN victims are moderately interested in victim support services. Rather, they only want a declared job where they are treated fairly and paid well, since in the majority of cases they are also responsible for financial support of family members in their country of origin.

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Section 1: Detection of third-country nationals (presumed) victims of trafficking in human beings

Q3. Please describe the national procedures to detect (presumed) third-country national victims of trafficking in human beings, by answering to the following questions:

a) Are there measures in place to detect (presumed) third-country national victims of trafficking in human beings? Yes

If so, please further elaborate in the table below.

Measures in place to detect (presumed) third-country national victims of trafficking in human beings	Details
Self-reporting	<p>The person concerned may make a statement during the procedure, either orally or in writing, as well as during a personal interview.</p> <p>Financed by a project of the Internal Security Fund, a 1-page self-identification information leaflet was produced by the National Directorate-General for Aliens Policing for those third-country nationals victims of trafficking who are who visit the authority's premises.</p>
Awareness raising campaigns	Provision of multilingual publications before or during registration
Collection of indicators	Through the training of case officers
Intelligence gathering by investigative services (e.g. police, labour inspectorate)	<p>The Labour inspecting authority examines during labour checks whether a third country national became a victim of work related exploitations and when necessary, inform the authorities responsible for initiating the procedure.</p> <p>For the improvement of the efficiency of the labour checks, Act CXXXV of 2020 on employment promotion and support services and labour inspection, as well as Government Decree No. 115/2021. (III. 10.) on the activity of the labour inspecting authority were adopted.</p>
Proactive screening in asylum procedures	Through the training of task officers, social workers, interpreters before, and during the procedure, as well as during reception

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Proactive screening in migration procedures	Through the training of aliens policing task officers
Other	<p>In case of unaccompanied minors, in cooperations with guardians and the child protection authority</p> <p>The National Police (namely the National Bureau of Investigation) takes part in the EMPACT (European Multidisciplinary Platform Against Criminal Threats) initiative in cooperation with other EU Member States which has several, THB related priorities, such as:</p> <ul style="list-style-type: none"> • the identification and eradication of Chinese criminal organizations involved in the sexual or other forms of exploitation of victims of Chinese citizenship in or through the territory of the European Union, Switzerland or the United Kingdom; • using the possibilities offered by the existing legal framework to identify, document and combat threats from non-EU countries outside China, Nigeria and Vietnam aimed at the exploitation of victims within the EU; • identifying and sharing information on non-EU countries with a high number of victims, as well as building a strategic cooperation with those countries, paying particular attention to the list of third countries with the most identified victims (Ukraine, Albania, Colombia, Brazil, other Southern American countries).

b. What measures are in place to promote and facilitate self-reporting by (presumed) third-country national victims of trafficking in human beings?

Concerning identification, the NDGAP formed an intense professional cooperation with different NGOs, especially with the Hungarian Baptist Aid. One of the results of this cooperation is the new form for the identification of victims of trafficking in human beings, prepared with the help of the Baptist Aid for the social workers of the NDGAP. The

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new form is used among asylum-seekers and refugees from the autumn of 2018, replacing the previous version which was adopted by Government Decree 354/2012 (XII.13) in 2012 on the identification order of victims of trafficking in human beings. The paper form is filled by the asylum-seekers with the help of social workers, in case they give their previous consent in writing.

In case the NDGAP is notified on a (possible) victim of trafficking in human beings, signals the victim protecting authorities.

Based on the provisions of Act CLXV of 2013 on complaints and public interest disclosures, each person can turn to the competent authorities.

c. Please indicate whether (and in what way) these specific measures differ for any of the cases below.

Specific measure to detect (presumed) third-country national victims of trafficking in human beings:	Details
within asylum procedures	<p>Prior to the personal interview, in the so-called confidence-building phase and through the entire procedure, possible involvement can be detected with a recurring questionnaire.</p>
within other migration procedures (e.g. seasonal workers, domestic workers, au pairs, students)	<p>In the aliens policing procedure, the person concerned may make a statement in writing or orally at any phase of the procedure</p> <p>In case the NDGAP is notified on a (possible) victim of trafficking in human beings, signals the victim protecting authorities.</p>
who are voluntary returnees	<p>During personal contacts throughout their reception, victims may be identified with recurring questions</p>
who fall under other categories included in the definition of vulnerable persons adopted for this study (e.g. minors, unaccompanied minors, disabled people, elderly people, pregnant women)?	<p>Based on Point k) Paragraph 2 of Act LXXX of 2007 on Asylum, ‘persons eligible for preferential treatment’ shall mean unaccompanied minors, or vulnerable persons such as minors, elderly people, disabled people, pregnant women, single parents with minor children and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, if they are found to have special needs after an individual evaluation of their situation.</p> <p>These persons receive special attention during their reception and based on the individual assessment of their cases, receive psycho-social care adequate to their needs</p>

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who are in an irregular situation	In case the NDGAP is notified on a (possible) victim of trafficking in human beings, signals the victim protecting authorities.
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d. What procedural safeguards exist for each category presented above?

Act LXXX of 2007 on Asylum as well as Government Decree No 301/2007 (XI.9) on its implementation set out that for persons eligible for preferential treatment, the necessary procedural safeguards are provided during the entire asylum procedure, and also during their reception after their recognition.

Persons who do not speak Hungarian must not be disadvantaged, and an interpreter who speaks their mother tongue or the language they understand will be assigned to them during the procedure.

e. What organisations / authorities are trained / competent to detect (presumed) third-country national victims of trafficking)?¹

Organisation / authorities	Trained to detect (presumed) third-country national victims of trafficking? Y/N	Competent to detect (presumed) third-country national victims of trafficking? Y/N	Details
Police	N	N	N
Border guards	N	N	N
Labour inspectors	Y	Y	Government officials of the Labour inspecting authority conducting employment inspections have received trainings in the field of detecting of victims of trafficking.

¹ EMN NCPs are invited to address this question by using as source the European Commission, Study on reviewing the functioning of Member States' National and Transnational Referral Mechanisms, 2020, https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/study_on_reviewing_the_functioning_of_member_states_national_and_transnational_referral_mechanisms.pdf, last accessed on 15 May 2021.

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Migration services	Y	Y	NDGAP case officers are trained regularly
Asylum case officers	Y	Y	NDGAP case officers are trained regularly
General practitioners	N	N	N
Other health workers	N	N	N
Employers	N	N	N
Trade unions	N	N	N
Civil society organisations	N	N	N
Others	N	N	N

f. Please describe how national referral mechanisms (or alternative mechanisms in absence of one) have evolved in the detection of (presumed) third-country national victims of trafficking in human beings?²

Section 2: Identification of (presumed) third-country national victims of trafficking in human beings

Q4. Please describe the national procedures to identify (presumed) third-country national victims of trafficking in human beings, by answering to the following questions:

a) What organisations / authorities are competent to identify (presumed) third-country national victims of trafficking?

Organisation / authorities	Competent to identify (presumed) third-country national victims of trafficking? Y/N	Details
Police	Y	<p>The Police is such an authority</p> <p>The measures applied in criminal proceedings to detect, identify and protect the victim are not differentiated on the nationality of the victim.</p> <p>The investigating authorities carry</p>

² Ibid.

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		<p>out their task in all cases according to Act XC of 2017 on Criminal Procedure, Government Decree No. 354/2012 (XII. 13.) on the procedure for the identification of victims of human trafficking. and Police order No 13/2014 (V. 16.) on the implementation of police duties related to the handling of prostitution-related offenses and human trafficking.</p>
Border guards	<p>The preparation and implementation of the training of the complete border protection and aliens policing staff of the Police, including the staff of the guarded detention centers is in progress</p>	<p>Task of police officers in the field of border policing in cases of detecting signs indicating a person is being a victim of human trafficking</p> <p>Passport control:</p> <ul style="list-style-type: none"> - handing over for inspection of the possible victim in a separate place; - clarification of suspicious facts, reporting to the responsible officer at border the crossing point; - consultation with the criminal investigators; - if necessary, the criminal investigation staff will carry out the identification interview. <p>Patrolling officer:</p> <ul style="list-style-type: none"> - reporting suspicious circumstances during apprehension to the superiors - consultation with the criminal investigators; - if necessary, the criminal investigation staff will carry out the identification interview. <p>Task officer:</p> <ul style="list-style-type: none"> - clarification of suspicious facts arising during the aliens policing interview, reporting to the responsible officer - consultation with the criminal investigators; - if necessary, the criminal

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		investigation staff will carry out the identification interview.
Labour inspectors	Yes	
Migration services	The preparation and implementation of the training of the complete border protection and aliens policing staff of the Police, including the staff of the guarded detention centers is in progress	NDGAP case officers gained knowledge and competence through THB related trainings
Asylum case officers	Yes	NDGAP case officers gained knowledge and competence through THB related trainings
Civil society organisations		
Others		<p>Personnel of detention centres</p> <ul style="list-style-type: none"> -clarification of suspicious facts arising during communication with detainees, reporting to the responsible officer - consultation with the criminal investigators; - if necessary, the criminal investigation staff will carry out the identification interview.

b) Are there specific measures in place to identify (presumed) third-country national victims of trafficking in human beings? Yes

Identification interview and paper form:

There are targeted questions during the asylum interview regarding the screening of victims of trafficking, moreover, during reception, with the help of social workers, the applicants have the opportunity to fill in the above-mentioned paper form. The form for the identification of victims of trafficking is filled in on a voluntary basis and no one is obliged to do so. If the asylum seeker is likely to be identified as a victim of trafficking, he / she must declare that he / she understands that he / she has been identified as a victim of trafficking and consents to the processing of his / her personal data by NDGAP, as well as the transfer of the data to the victim assisting service.

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If the presumed victim gives his or her written consent, the person will be reported to the EKAT system. A written statement of consent does not a precondition of identification, but is an important element of adhering to strict personal data protection and information security rules. Refusal of a written statement of consent shall in no case lead to a refusal of the necessary health and / or psychosocial care.

If the presumed victim of trafficking in human beings does not consent to his / her data being recorded in the EKAT system or to the victim support service being signaled by NDGAP, the provisions regarding entitlement to health and psychosocial care of Government Decree 301/2007 (XI. 9.) on the implementation of Act LXXX of 2007 on Asylum still apply.

Based on Paragraph 6 of Government Decree No. 115/2021. (III. 10.) on the activity of the labour inspecting authority, the checks of the labour inspecting authority also apply to the employment provisions of third country nationals in Hungary as well as obligations with regard to existence and keeping of a copy of the residence permit of third country nationals.

If, during the inspection, the labour inspecting authority detects signs that the employee concerned has been the victim of labour exploitation, the authority shall, if necessary, contact the body entitled to initiate the procedure.

c) Please indicate whether (and in what way) these specific measures differ for any of the cases below.

Specific measure to identify (presumed) third-country national victims of trafficking in human beings:	Details
within asylum procedures	identification prior to and during the personal interview with targeted questions in the hearing questionnaire and expert examination in case of suspicion based on body language
within other migration procedures (e.g. seasonal workers, domestic workers, au pairs, students)	
who are voluntary returnees	During personal contact of asylum-related reception, if suspicion arises, identification is made through targeted questions, also involving social workers and - in the case of unaccompanied minors – guardians.
who fall under other categories included in the definition of vulnerable persons adopted for this study (e.g. minors, unaccompanied minors, disabled people, elderly people, pregnant women)?	In case of (unaccompanied) minors, involving child protection authorities and guardians.
who are in an irregular situation	

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d) Does a (presumed) third-country national victim have to be formally identified by a competent authority in order to apply for / be granted a reflection period / residence permit / protection status?

Yes

e) Please describe how national referral mechanisms (or alternative mechanisms in absence of one) have evolved in the identification of (presumed) third-country national victims of trafficking in human beings?³

See answer to Q4b

³ Ibid.

Section 3: Protection of (presumed) third-country national victims of trafficking in human beings

Q5. In line with the Anti-trafficking Directive, please describe in the table below what kind of assistance, support and protection (presumed) third-country national victims of trafficking in human beings are given access to in your Member State who are in the reflection period, in the Dublin III procedure, in the asylum procedure or who have a valid authorization to stay (residence permit, short term visa or visa-free stay) respectively. Please also indicate, for each type of assistance the competent authority that can trigger its provision.

Type of assistance	Reflection period	Dublin III procedure	Asylum procedure	Residence permit holders	Short term visa/visa-free stay
Information on risks and protection mechanisms	NDGAP staff		NDGAP staff	NDGAP staff	
Appropriate and safe accommodation	NDGAP staff of reception facilities, case officers, social workers NGOs operating shelters for thb victims		NDGAP staff of reception facilities	NGOs operating shelters for THB victims	NGOs operating shelters for THB victims
Necessary medical treatment	preferably provided/ arranged by the host institution		preferably provided/ arranged by the host institution	preferably provided/ arranged by the host institution	preferably provided/ arranged by the host institution
Counselling and information	Social workers and psychologists provided by NDGAP; Victim Support Centres operated by the Ministry of Justice; NGOs		Social workers and psychologists provided by NDGAP; Victim Support Centres operated by the Ministry of Justice; NGOs	Social workers and psychologists provided by NDGAP; Victim Support Centres operated by the Ministry of Justice; NGOs	Victim Support Centres operated by the Ministry of Justice; NGOs

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Legal assistance	county government offices, NGOs		county government offices, NGOs	county government offices, NGOs	county government offices, NGOs
Translation and interpretation	NDGAP provides free interpretation and translation		NDGAP provides free interpretation and translation during the complete asylum procedure	Victim Support Centres operated by the Ministry of Justice, NGOs	Victim Support Centres operated by the Ministry of Justice, NGOs
Psychological assistance	Social workers and psychologists provided by NDGAP; Victim Support Centres operated by the Ministry of Justice; NGOs		Social workers and psychologists provided by NDGAP; Victim Support Centres operated by the Ministry of Justice; NGOs	Victim Support Centres operated by the Ministry of Justice, NGOs	Victim Support Centres operated by the Ministry of Justice, NGOs
Subsistence (material assistance)	county government offices (instant monetary aid)			county government offices (instant monetary aid)	county government offices (instant monetary aid)
Social and economic integration				Victim Support Centres operated by the Ministry of Justice, NGOs	Victim Support Centres operated by the Ministry of Justice, NGOs
Protection against re-victimisation	Victim Support Centres operated by the Ministry of Justice, NGOs		Victim Support Centres operated by the Ministry of Justice, NGOs	Victim Support Centres operated by the Ministry of Justice, NGOs	Victim Support Centres operated by the Ministry of Justice, NGOs

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Other					
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Q6. How does your Member State apply the principle of non-refoulement for victims of trafficking in human beings? Please indicate whether (and in what way) specific measures differ from general practice.

The principle of non-refoulement is applied by the NDGAP in accordance with the general rules, taking maximum account of the specific situation and circumstances of persons in need of special treatment in its personalized, individual and thorough assessment.

A third-country national who has been the victim of trafficking in human beings may be expelled during the period of reflection provided to him or her only if his or her stay in the territory of Hungary violates national security, public security or public order. The NDGAP is obliged to examine the requirement of non-refoulement in the procedure related to the ordering and execution of return. If there is no safe country to receive the third-country national concerned, in the event of a refusal of return, the asylum authority shall recognize the third-country national as a person with an “allowed to stay status” (“befogadott”), and arrange for the issue of a humanitarian residence permit.

Q7. How does your Member State implement Article 60 and 61 of the ‘Istanbul Convention’?⁴

Hungary did not ratify the Istanbul Convention.

Q8. Please describe what typology(ies) of reflection periods, residence permit(s), protection status(es) and national programme(s) are available to protect (presumed) third-country national victims of trafficking, by answering the following questions.

a) What organisations / authorities are competent to trigger the request for a (presumed) victim to remain on the territory of your Member State? Please indicate if the organisations / authorities differ between cases of presumed and identified third-country national victims of trafficking in human beings.

In line with Council Directive 2004/81/EC, third-country national victims are entitled to a reflection period of 1 month allowing them to recover and escape the influence of the perpetrators of the offences so that they can take an informed decision as to whether to cooperate with the competent authorities. For this period, the victim shall be granted a

⁴ CoE, Convention on Preventing and Combating Violence Against Women and Domestic Violence, 2011, <https://www.coe.int/en/web/conventions/full-list/-/conventions/rms/090000168008482e>, last accessed on 9 May 2021.

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certificate of temporary stay issued by the immigration authority on the motion of the victim support service. Then, if third-country national indicates his / her intention to cooperate with law enforcement, the immigration authority shall issue a humanitarian residence permit by initiative of the law enforcement agencies, prosecution and courts. The validity period of the latter is 6 months, renewable by another 6 months from time to time.

b) Can third-country national victims of trafficking in human beings submit a request for a reflection period themselves? Yes

If so, to whom? Please indicate if this possibility exists for both cases of presumed and identified third-country national victims of trafficking in human beings and the extent to which they differ.

In practice, the victim or his/her legal counsellor may request at the victim support service the formal initiation of the issuance of the certificate of temporary stay.

c) Does your Member State provide for a reflection period also for presumed third-country national victims of trafficking in human beings? Yes

See the answer at Q8 a).

d) How long does the reflection period last to decide if presumed third-country national victims of trafficking in human beings want to cooperate with the authorities? Does it have the same duration in case it is provided to identified victims?

1 month. It is important to note that the Hungarian legislation does not differentiate between presumed and identified victims of human trafficking.

e) Are (presumed) third-country national victims of trafficking in human beings expected to cooperate with the authorities during the reflection period? Yes No

If so, what is expected from them (e.g. report to the police, refer to support organisations, discontinue contact with traffickers)? Does cooperation differ between identified and presumed third-country national victims of trafficking in human beings?

During the reflection period, the victims are merely encouraged to contact the victim support organizations for psychosocial assistance according to their needs.

f) What type of residence permit(s) are available specifically for (presumed) victims of trafficking in human beings in your Member State? Please indicate if this possibility exists for both cases of presumed and identified third-country national victims of trafficking in human beings and the extent to which they differ.

certificate of temporary stay for the reflection period

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- humanitarian residence permit for the period of cooperation in the investigation and criminal proceedings**

In order to ensure the victim's willingness to testify, persons closely connected to the victim, e.g. dependent children, may also be eligible for these permits.

g) What are the conditions for getting these permit(s) granted? Do conditions differ between presumed and identified (i.e. not yet identified) third-country national victims of trafficking in human beings?

In case of a 1 month long reflection period on initiative of the victim protecting service, and in the case of intent to cooperate in a criminal procedure, on the initiative of the courts, the prosecutor, or the law enforcement, national security authorities or the National Tax and Customs Administration of Hungary, the NDGAP issues the residence permit. These permits are of complementary nature which means that they are only issued if the concerned person does not have other legal status for residence in Hungary.

As previously indicated, the Hungarian legislation does not differentiate between presumed and identified victims of human trafficking.

h) Are other protection status(es) and national programme(s) offered to protect (presumed) third-country national victims of trafficking in human beings **No**

If so, please indicate the extent to which they differ between presumed and identified third-country national victims of trafficking in human beings.

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Section 4: International cooperation between Member States and with third countries in addressing detection, identification and protection of (presumed) third-country national victims of trafficking in human beings?

Q9. Please describe how your Member State cooperates within the scope of the Dublin III Regulation:

a) How does your Member State deal with cases of (presumed) third-country national victims of trafficking in human beings that fall under the Dublin III Regulation?

N/A

b) What is the national policy and practice regarding Dublin transfers of (presumed) third country national victims of trafficking in human beings?

General rules apply.

c) How does identification and referral take place during the Dublin Procedure?

General rules apply.

d) Are presumed third country national victims of trafficking in human beings identified during the Dublin procedure entitled to a reflection period? Yes

e) What, if any, are the situations in which Dublin transfers are halted for presumed third-country national victims of trafficking in human beings?

In each case, individual circumstances are examined.

f) Has your Member State used the humanitarian and sovereignty clauses under Articles 3 and 17 of Dublin III Regulation for cases of trafficking in human beings? Yes No

N/A

Q10. What (other) intra-EU cooperation mechanisms are in place regarding detection, identification and protection of (presumed) third-country national victims of trafficking in human beings?⁵

⁵ EMN NCPs are invited to address this question by using as source the EMN AHQ 2019.91 on victims of trafficking of human beings exploited in another Member State, requested by LU NCP on 10 October 2019, last accessed on 13 June 2021. The AHQ was not made publicly available on the EMN website.

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EMPACT, bilateral law enforcement cooperation with countries of source and destination and with national NGOs with victim protection activities.

Q11. What cooperation mechanisms with third countries, if any, are in place in your Member State regarding detection, identification, and protection of (presumed) third-country national victims of trafficking in human beings?

No such cooperation exists at present.

Q12. Does your Member States cooperate with third countries in the context of voluntary return of (presumed) third-country national victims of trafficking in human beings? Yes **No**

Q13. Is your Member State considering any future cooperation mechanisms with third countries and with other Member States regarding detection, identification, and protection of (presumed) third-country national victims of trafficking in human beings? Yes **No**

The low number of third-country national victims does not necessitate structured cooperation with the source countries. (Note: between 1 January 2020 and 30 September 2021 only 9 TCN victims were identified by the Hungarian authorities, in the following breakdown: 4 Mongolian, 3 Pakistani, 1 Mozambican, 1 Nigerian).

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Section 5: Key challenges and good practices in Member States, including in light of the COVID-19 pandemic

Q14a. What are the key challenges faced in the i) detection, ii) identification and iii) protection of (presumed) third-country national victims of trafficking in human beings?	
Challenge (Please list in order of importance or chronological order as instructed under the first question)	Stage
<p><i>Please describe the challenge.</i></p> <p>It is a major challenge for the labour inspecting authority that government officials, as a result of the COVID-19 pandemic, have been forced to partially conduct remote inspections.</p>	<input checked="" type="checkbox"/> Detection <input type="checkbox"/> Identification <input type="checkbox"/> Protection
<p>Third-country national victims usually avoid attracting the attention of the authorities for a variety of reasons.</p> <p><input type="checkbox"/> During the major influx of refugees around 2015, the migrants tried to leave for the Western-European destination countries within a few hours or days after the entry into Hungary. So the transit country nature means that potential victims perceive any identification procedure as an unwanted decelerating factor.</p> <p><input type="checkbox"/> Economic migrants not fulfilling the conditions for legal residence (entered illegally or holding an expired residence permit) evidently keep a low profile for fear of expulsion.</p>	<input type="checkbox"/> Detection <input checked="" type="checkbox"/> Identification <input type="checkbox"/> Protection
<p>Migrants, whether possess valid residence permit or staying illegally in the country, are unlikely to accept the victim support services (e.g. sheltered accommodation). Usually, they only seek gainful activity, a decent, declared workplace as soon as possible, since their families in the country of origin greatly rely on the remittances.</p> <p>a) For whom is this a challenge (e.g. policy-makers, competent authorities, third-country nationals, other stakeholders.)?</p>	<input type="checkbox"/> Detection <input type="checkbox"/> Identification <input checked="" type="checkbox"/> Protection

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This is a challenge for national authorities entitled to identification.

c) What is the source of the statement (e.g. based on input from experts, surveys, evaluation reports, other sources)?

Daily experience of the authorities entitled to victim identification.

Please elaborate by answering to the following questions

Q14b. What are the specific challenges at any of the above stages concerning vulnerable persons or asylum applicants?

Please include one challenge per row and indicate the stage for which it applies in the tick boxes below. If needed, please add additional rows to the table below.

Challenge <i>(Please list in order of importance or chronological order as instructed under the first question)</i>	Stage
<p>As indicated at Q14a.</p> <p>Also answer the following questions:</p> <p>a) For whom is this a challenge (e.g. policy-makers, competent authorities, third-country nationals, other stakeholders.)?</p> <p>b) Why is it considered a challenge?</p> <p>c) What is the source of the statement (e.g. based on input from experts, surveys, evaluation reports, other sources)?</p>	<input checked="" type="checkbox"/> Detection <input checked="" type="checkbox"/> Identification <input type="checkbox"/> Protection

Q14c. What are the specific challenges with regard to traffickers / criminal organisations involved in trafficking in human beings using asylum procedures for means other than intended? *(for example, to temporarily house victims in a reception centre before moving them to the intended country).*

Please include one challenge per row and indicate the stage for which it applies in the tick boxes below. If needed, please add additional rows to the table below.

Challenge *(Please list in order of importance or chronological order as instructed under the first*

question)

There are no known data that migrants placed in reception centers operating in Hungary have become victims of human trafficking. Criminal groups active in trafficking in human beings, processed and currently known by the National Investigations Office of the National Police, are exploiting victims of Hungarian citizenship, and third-country nationals have not emerged as victims.

Q15. What are the consequences of COVID-19 pandemic on the detection, identification, and protection of (presumed) victims?

The labour inspecting authority, as a result of the COVID-19 pandemic, have been forced to partially conduct remote inspections.

The emergence of the coronavirus pandemic also had an impact on the criminal behavior and methods of perpetrators of prostitution. In view of the epidemiological situation, in 2020 the rules of entry were tightened in many countries, including Hungary, partial or complete border closures were ordered, and exit restrictions were enforced. These measures remained in force in 2021 as well.

As a result of these restrictions most brothels, sauna clubs and street window systems in most of the former European target countries have closed, and the number of public prostitution facilities has also decreased. The closure of borders, the introduction of travel restrictions and the closure of workplaces have combined to significantly reduce the number of prostitution related movements in the direction of foreign countries.

There is information that some of this activity was relocated to Hungary, however, restrictions basically prevented the continuation of the activity domestically as well. With the closure of group creating locations, studios and massage salons latency is rising even more, and women employed in the sex industry provide sexual services within the walls of hostels, hotels, private rental flats (a kind of brothel), making it even more difficult for law enforcement to detect cases of exploitation. The continued lifting of restrictive measures

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and the opening of borders are expected to reinforce the perpetration of prostitution abroad and human trafficking based on it by the second half of 2021. With regard to the coronavirus pandemic, it can be said in general that street prostitution has moved from the street to the online space.

Q16. What new patterns and / or trends in trafficking in human beings have emerged because of the COVID-19 pandemic?

As a result of the coronavirus pandemic, online advertising and recruitment has become even more common.

Q17. How has your Member State adapted its policies and procedures due to the challenges of the COVID-19 pandemic?

The new action plan of the national anti-trafficking strategy to be adopted for 2022-2023 will respond to the shift of sexual exploitation into online space.

Q18. Regarding the challenges identified above, does your Member State have concrete plans or proposals in place for improvements to deal with them?

Possible interventions at national level, in line with the new EU Strategy on Combatting Trafficking in Human Beings 2021–2025:

- Dialogue with Internet content providers on online advertising leading to victimization**
- Exploring the possibility of a legislation that would allow Internet content providers to be held liable for trafficking-related content on their websites.**

Q19. In light of possible new trends and developments, is your Member State anticipating any new challenges in the near future? Yes No

If so, please explain.

Due to destabilization in Afghanistan, pressure of mass migration may be expected on the Western Balkan route and on the Hungarian-Serbian border section.

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Q20. What good practices in relation to i) detection, ii) identification and iii) protection of (presumed) third-country national victims of trafficking in human beings exist in your Member State?

Please include one good practice per row and indicate the stage for which it applies in the tick boxes below. If needed, please add additional rows to the table below.

Good practice (Please list in order of importance or chronological order as instructed under the first question)	Stage
<p>Please describe the good practice.</p> <p>A methodological guide on the procedure for identifying victims of trafficking is available to the labour inspecting authority.</p> <p>The general victim identification sheet set out in Government Decree No. 354/2012 is considered less efficient when it comes to the screening of asylum seekers. Therefore, in 2018 a new identification form specially adapted to this vulnerable group has been developed by the asylum authority with the professional support of the Hungarian Baptist Aid. It gives more leeway to the social workers and takes into account that any exploitation suffered by migrants took place in the past, along the Balkan migration route or in the country of origin. In addition, migrants might fall victim in the country of destination if they (believe to) owe the smugglers, which scenario also entails a different approach. In parallel, THB-related questions were added to the asylum interview template as well.</p> <p>Also answer the following questions:</p> <p>a) Who considers this a good practice (e.g. policy-makers, competent authorities, third-country nationals, other stakeholders.)?</p> <p>Competent authorities (Labour inspection, asylum case officers).</p> <p>b) Why is it considered a good practice?</p> <p>As a starting point, the asylum authority explored the best practices of EU member states in this field through the EMN cooperation. The indicators of the developed identification sheet are adapted to the special circumstances of migration movements and the proper use of it was supported by a training program in 2017–2019.</p>	<input type="checkbox"/> Detection <input checked="" type="checkbox"/> Identification <input type="checkbox"/> Protection

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c) What is the source of the statement (e.g. based on input from experts, surveys, evaluation reports, other sources)?

National authorities entitled to identification.