



Responses to long-term irregularly staying migrants: practices and challenges in EU Member States and Norway

HUNGARY

2020



This publication was funded by the European Union's Asylum, Migration and Integration Fund



MINISTRY OF INTERIOR

Title: Responses to long-term irregularly staying migrants: practices and challenges in EU Member States and Norway

Member State: HUNGARY

Year: 2020

This project has been funded with support from the European Commission. The content of this publication represents the views of the author only and is his/her sole responsibility. The European Commission does not accept any responsibility for use that may be made of the information it contains.



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National Contribution from *Hungary*

Top-line factsheet

In Hungarian legislation, two different categories can be distinguished concerning long-term irregularly staying migrants.

In the first category belong those third-country nationals who are subject to a return decision but the return cannot be enforced due to non-refoulement. These persons are entitled to a special, non-harmonized national protection status (“befogadott” – “permitted to stay”) which provides a humanitarian residence permit for a limited time period.

The second category contains all third-country nationals who are irregularly staying in the territory of Hungary. This also includes those long-term irregularly staying migrants who were unknown to migration authorities (e.g. overstayers, irregular entry), as after their detection, they will be subjected to a return decision. Overstaying third-country nationals therefore cannot be regarded as a separate category in Hungarian legislation.

There are no estimates on the number of undetected long-term irregularly staying migrants in Hungary. It can be argued, however, that their numbers are minimal as Hungary is not considered a country of destination for illegal third country nationals. The number of persons with a “permitted to stay” status was 65 as of June 2020.

Accessible services are different in the two categories: illegal migrants without a status are only entitled to emergency health care services, while persons with a “permitted to stay” status in general has the same rights as third country nationals with a residence permit.

Section 1: National legal and policy framework

SECTION 1.1: CATEGORIES OF LONG-TERM IRREGULAR MIGRANTS AT NATIONAL LEVEL

Q1a. Is there a distinction between 'short-term' irregular migrants and 'long-term' irregular migrants (as defined in the scope of this study) in your (Member) State?

X No

Q1b. Are different categories of **long-term** irregular migrants (as defined in the scope of this study) – stemming from law or practice – present in your (Member) State?

X Yes

Q1c. If **yes to Q1b**, are these:

X irregular migrants subject to a return decision but the return cannot be enforced due to legal obstacles (e.g. non refoulement, medical or humanitarian reasons, etc)?

X irregular migrants subject to a return decision but the return cannot be enforced due to practical obstacles (cooperation of the person concerned, problems with travel documents etc)?

X former (rejected) applicants for international protection who absconded?

X third-country nationals whose short-stay visa, residence permit expired and/or was not renewed?

X other irregular migrants who were not (yet) detected by national migration authorities?

X Other (e.g. long-term irregular migrants with a criminal record, dependant family members) ?

The above mentioned groups of irregular migrants are or may be present in Hungary. At the same time, the Hungarian legislation knows only two categories:

- **third-country nationals who are subject to a return decision but the return cannot be enforced due to non-refoulement and;**
- **third country nationals illegally staying in Hungarian territory (due to various reasons, including those yet undetected)**

Q1d. If **yes to Q1b**, please also provide, if possible, an **estimation** of the numbers of persons (for each category identified in Q1a, 1b and 1c, as relevant) in your (Member) State, annually since 2015.

Permitted to stay status:

The number of third-country nationals who received a “permitted to stay” status was the following:

2015: 6

2016: 7

2017: 75

2018: 18

2019: 7

2020 (until 15 November): 4

As of 30 June 2020, only 65 third country nationals with a permitted to stay status resided in Hungary.

Other:

Hungary does not have any statistical information or estimate regarding the number of illegally staying persons due to various reasons, including those yet undetected.

Q2. If a third-country national is subject to a return decision but there are **legal obstacles to return** (i.e. for non-refoulement reasons, medical reasons, etc), can they receive:

Written confirmation of postponement of return (please briefly explain the procedure, conditions below)

X Temporary/tolerated stay

Hungary provides “permitted to stay” status (“*befogadott*”) to a foreign national who does not meet the conditions for refugee status or for subsidiary protection, however, there is a significant risk that, if returned to the country of origin, the person seeking protection would be exposed to being persecuted for reasons of race, religion, nationality, political opinion or membership of a particular social group, or is likely to be subjected to the actions or conduct defined in Article XIV(3) of the Fundamental Law of Hungary in his/her country of origin, and there is no safe third country offering refuge to the said person. The asylum authority provides “permitted to stay” status on the basis of its expert opinion on the prohibition of refoulement requested by the aliens policing authority, or in case of the refused asylum application, on the basis of declared prohibition of refoulement in its own decision.

Legal basis: Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals, Section 52/A. *If there is no safe third country offering refuge to the third-country national affected, if assisted return or expulsion is not an option, the refugee authority shall extend temporary protection to the third-country national in question, and shall issue a humanitarian residence permit in accordance with Paragraph b) of Subsection (1) of Section 29.*

X Residence permit (please briefly explain the conditions, application procedure, duration of status below):

Persons with a permitted to stay status receive a provisional residence permit issued by the asylum authority.

The permitted to stay status is reviewed annually. In case of renewal, the residence permit is prolonged a year each time.

Extension of the short-stay visa

Extension of the voluntary departure period

No return decision issued (for administrative or other reasons including non-refoulement)

On the basis of the decision made in the end of repeatedly failed return/expulsion procedure, the failed return decision is issued by the aliens policing authority.

Other (e.g. no other form of certificate/tolerated stay/residence permit granted)

Q3. If a third-country national is subject to a return decision but there are **practical obstacles to return** (i.e. lack of means of transportation, lack of identification or travel documents, lack of cooperation of the third-country national, absconding etc.), can they receive:

A written confirmation of postponement of return (please briefly explain the procedure, conditions below)

A temporary/tolerated stay (please briefly explain the conditions, application procedure):

A residence permit (please briefly explain the conditions, application procedure, duration of status below):

An extension of the short-stay visa

No return decision issued (for administrative or other reasons including non-refoulement)

Other (e.g. no other form of certificate/tolerated stay/residence permit granted)

When the return of the third-country national cannot be implemented for practical obstacles (generally because of the lack of the cooperation of the third-country national or the third country's diplomatic representation in question; in some cases in the lack of means of transportation) the detention of the third-country national ceases to be justified.

According to the Hungarian legislation, the immigration authority shall order the confinement of a third-country national to a designated area, if the third-country national in question is undergoing immigration proceedings, or is released from detention, however, there are still grounds for his/her detention. In these cases, a certificate of temporary residence shall be issued to the third-country nationals concerned, as their immigration procedure is pending. When the certificate of temporary residence is expiring the third-country national is obliged to appear before the immigration authority in order to get a new certificate. This obligation holds as long as the return is executed or the third-country national obtains a right of residence on other grounds.

If a third-country national is absconded and his/her whereabouts are unknown, the immigration authority may issue a warrant if the person in question is subject to any immigration proceeding; or has escaped from detention or is on unauthorized absence from the place of compulsory confinement in violation of the code of conduct; or failed to comply with the definitive decision of expulsion.

SECTION 1.2: PRIORITIES AND DEBATES AT A NATIONAL LEVEL

Q4a. Has the issue of long-term irregular migrants been subject to **policy or legislative debate** (i.e. discussions) in your (Member) State since 2015?

X No

Q5a. Has the issue of long-term irregular migrants been subject to **inter-institutional debate** between local (municipal, regional, federal) and central level authorities, in your (Member) State since 2015?

X No

Q5b. If yes to Q5a, (i) what was the debate about and (ii) how has it evolved since 2015? *Please provide a brief explanation of the main focus (i.e. main aspects discussed) and the evolution since 2015.*

N/A

Q6. If yes to Q4a and/or Q5a, has the debate influenced **policy or legislative measures** (e.g. national strategies or plans, legislative framework, etc.)?

X No

Q7a. Has the issue of long-term irregular migrants been subject to **public debate** (i.e. media/NGOs) in your (Member) State since 2015?

X No

Q7b. If yes to Q7a, (i) please indicate the main stakeholders involved (ii) the main circumstances of the debate and (iii) if there has been any change in the debate since 2015?

-

Q8. Has the issue of long-term irregularly staying migrants been subject to **policy or public debate** in your (Member) State specifically in connection with the measures taken in responses to **COVID-19** and their impacts?

No.

Q9. Are there any **planned changes** in law/policy/practice regarding long-term irregular migrants in your (Member) State?

X No.

Section 2: National policies and approaches regarding long-term irregularly staying migrants

SECTION 2.1: RIGHTS AND ACCESS TO SERVICES OF LONG-TERM IRREGULAR MIGRANTS

Q10. What **services are accessible** to **long-term irregular migrants** who were issued a return decision, but return cannot be implemented for legal or practical obstacles?

Table 1: Rights and services available to long-term irregularly staying migrants who have been issued a return decision

Type of stay or status as identified in Q2 and/or Q3: the service **the services accessible are different according to the fact that the return of the third-country national cannot be implemented for legal (non-refoulement) or practical obstacles**

Type of service	Service provided ? (Y/N)	Is the provision of service mandatory or discretionary ? ¹	Brief description Please consider for each type of services the long-term irregular migrants are entitled or have access to: i. Does this access stem from national law or practice? Does it stem from local (regional, municipal) rules or practice? ii. Which authorities are competent to provide access to services? Please indicate if access is provided by other entities (NGO, charities, private entities, etc) as service providers on behalf of the national or local authorities?	Please briefly assess and explain if the rights and access to services are more limited, same or more favourable than those of legal migrants or of nationals?
Accommodation				Less <input type="checkbox"/> Same <input type="checkbox"/> More <input type="checkbox"/>
Accommodation <i>If yes, please briefly describe</i>	Yes	Mandatory	<u>Permitted to stay status:</u>	Persons with a permitted to stay status enjoy the same

¹ For example, in some cases a service can be accessed but the costs must be met by the individual rather than the State/national authorities.

			<p>Based on Subsection 1 of Section 32 of the Act LXXX of 2007 on Asylum, the person who is permitted to stay (“befogadott”) shall be entitled to accommodation and care at a reception facility or other equivalent accommodation for 30 days from the date of notification of the recognition decision.</p> <p><u>Return cannot be implemented due to other reasons</u></p> <p>The immigration authority orders the compulsory place of confinement primarily for the third-country national’s registered place of abode, in absence of this, the administrative area of a specific county, or inside a reception center or community hostel.</p>	rights as third country nationals with a residence permit.
<p>Special accommodation facilities (i.e. shelter for victims of violence, children etc.)</p> <p><i>If yes, please briefly describe</i></p>	Yes	Mandatory	<p>The place designated for an unaccompanied minor for compulsory confinement shall be a reception center for unaccompanied minors; in the absence of this, a children's institution or a commercial or private accommodation maintained under contract. Unaccompanied minors may be placed in private accommodation at relatives other than immediate family members, if the relatives undertake a commitment in writing to provide room and boarding and support for the minor, and if it is evident that such placement is in the minor's best interest by virtue of the relationship between the minor and the said relatives.</p> <p>Third-country nationals who are victims of trafficking in human beings may be placed in a reception center reserved for victims of trafficking in human beings or in</p>	Same

			other places of accommodation maintained under contract.	
Other forms of accommodation or shelter or specialised centre				
Healthcare				Less <input type="checkbox"/> Same <input type="checkbox"/> More <input type="checkbox"/>
Emergency healthcare <i>If yes please describe, as this notion can be understood in a large or restrictive way</i>	Yes	Mandatory	<p>Based on Subsection 3 of Section 44 § of the Government Decree 301/2007 (XI.9.) on the implementation of the Act LXXX of 2007 on Asylum, if the person with permitted to stay status is not covered by social insurance, he/she will be entitled to the health care services free of charge which are specified in the Act CLIV of 1997 on Health care (for instance, an accident involving personal injury, mass accident, health crisis in case of life danger).</p> <p>The urgent and mandatory therapy shall be provided free of charge.</p>	In case of emergency, every person is eligible for the same life saving medical treatment irrespectively of there legal status in Hungary.
Basic medical care <i>If yes, please briefly describe</i>	Yes	Mandatory	Any third-country national who is placed in a reception facility, if not covered by any social security scheme, the following health care services shall be provided free of charge (health care services specified in Subsection (2) of	Less Asylum seekers, refugees

			<p>Section 142 and in Paragraphs e) and i) of Subsection (3) of Section 142 of Act CLIV of 1997 on Health Care):</p> <ul style="list-style-type: none"> • without prior verifying the legal relationship ground for healthcare services the following epidemiological services: mandatory vaccinations (except those necessary for travelling abroad), screening test, mandatory medical examination, epidemiological quarantine, transportation of contagious persons; • autopsy and services related to medical procedures connected with deceased person; • urgent and mandatory therapy. 	<p>and beneficiaries of subsidiary protection are entitled to a wider range of medical treatment than persons with a permitted to stay status. For example, according to a separate regulation they are entitled to medicaments and medical appliances that can be ordered free of charge or with 90 percent or 100 percent social insurance support.</p>
<p>Specialised care <i>If yes, please briefly describe</i></p>	Yes	Mandatory	<p>General medical care shall be provided to third-country nationals in reception facilities, while special medical care shall be provided by the health care provider responsible for the region in question.</p> <p>After placement, the third-country national shall be entitled to receive the mandatory vaccinations specified in national legislation.</p>	
<p>Other healthcare services <i>If yes, please briefly describe</i></p>	No			
Social assistance				Less <input type="checkbox"/> Same <input type="checkbox"/> More <input type="checkbox"/>

<p>Are long-term irregularly staying migrants entitled to receive social benefits?²</p> <p><i>If yes, please briefly describe what these benefits are</i></p>	No			Less
Employment				Less <input type="checkbox"/> Same <input type="checkbox"/> More <input type="checkbox"/>
<p>Are there circumstances in your MS where long-term irregularly staying migrants are entitled to access to the labour market?</p> <p><i>If yes, please describe any specific conditions attached to their employment.</i></p>	Yes	Both	<p>Based on the Government Decree 445/2013. (XI. 28.), a person with a permitted to stay status is eligible to work at the reception centre without a working permit or other specialized permission.</p> <p>A person with permitted to stay status is entitled to work outside the reception facility if the asylum authority supports his/her employment from a humanitarian point of view.</p> <p>Any third-country national who has been ordered by the immigration authority to remain in a reception facility or within the administrative area of a specific county shall be entitled to engage in gainful employment within the framework of public benefit employment, except if the person in question has any income specified in the Act II of 2007.</p>	<p>Less</p> <p>A person with a permitted to stay status needs a supporting documentation from asylum authority. Refugees and beneficiaries of subsidiary protection do not need this kind of supporting document and they have almost the same rights as Hungarian citizens and they can work without any permission. The only exception is that refugees and beneficiaries of subsidiary protection may not hold any position or duties where Hungarian citizenship is required.</p>
Education				Less <input type="checkbox"/> Same <input type="checkbox"/> More <input type="checkbox"/>

² Please consider the definition of ‘core benefits’ as included in the Qualification and Long-Term Residents Directives which is understood as covering – as a minimum - income support, assistance in the case of illness, or pregnancy, and parental assistance.

<p>Do (long-term irregular migrant) children have access to compulsory education? <i>If yes, please briefly describe access.</i></p>	<p>Yes</p>		<p>During the stay in the reception centre, all of the children – irrespectively to their legal status – have access to compulsory education including, kindergarten, primary and secondary school as well.</p>	<p>Same</p> <p>According to the Article 14 of the laying down standards for the reception of applicants for international protection directive 2013/33/EU, Member States shall grant to minor children of applicants and to applicants who are minors access to the education system under similar conditions as their own nationals for so long as an expulsion measure against them or their parents is not actually enforced.</p>
<p>Are adult long-term irregularly staying migrants entitled to participate in educational programmes and/or professional training? <i>If yes, what types of education and under which conditions?</i></p>				
<p>Legal aid or assistance</p>				<p>Less <input type="checkbox"/> Same <input type="checkbox"/> More <input type="checkbox"/></p>
<p>Do long-term irregular migrants have access to legal aid or assistance type</p>	<p>Yes</p>		<p>An asylum seeker is entitled to free legal aid.</p>	<p>Any asylum-seeker shall have the opportunity to use the legal counsel of his</p>

of services? <i>If yes, please briefly enumerate and explain</i>				choice and expense, or to have access to legal aid in accordance with the Act on Legal Aid at no cost or to accept the free legal aid offered by any registered association providing legal protection on a regular basis.
Other?				Less <input type="checkbox"/> Same <input type="checkbox"/> More <input type="checkbox"/>
Are any other rights relevant to mention here? Please describe	Yes	Mandatory	The asylum or aliens policing authority responsible for reception facilities shall provide for the third-country nationals lodging, three meals a day (arranged in due consideration of their religious affiliation), and personal necessities.	

Q11. What services are accessible to other long-term irregular migrants who were **not issued a return decision**, and remained unknown to migration authorities (see answer to **Q1**)?

No such category exist in Hungarian legislation.

Apart from emergency health care services, no other services are provided for such persons.

Q12. Do **authorities** (at central or local level) need to **check the migration status** (or the lack thereof) **before providing access to a service** (e.g. accommodation, healthcare, education), or are there 'firewall provisions' allowing persons concerned to access services without fear of being apprehended?

Yes.

Access to services are provided (with the exception of emergency health care services) only for persons with an eligible migration status. Such status can be verified by public databases or authentic personal documents.

No firewall provisions are in place.

Q13. Is **cooperation to return to the country of origin an obligation** if one of the services are provided (under Q10 and Q11) to the long-term irregularly staying migrant?

X Yes

The responsible national authority is the aliens policing authority.

Q14. Are there **any specific projects and/or (ad-hoc) programmes** implemented at **local level** (by municipalities, regions, etc) in your (Member) State specifically targeting the access to services for long-term irregularly staying migrants?

Yes

X No

Q15a. With the exception of organisations acting as a service provider for public authorities (Q10 and Q11), are **other entities or organisations** (e.g. NGOs, charities, other private entities) involved in providing or facilitating access to services for long term irregularly staying migrants?

X Yes

No

If yes, please specify which entities, what type of involvement and service (e.g. accommodation, health care, counselling) are they involved in and, which type of funding used to support their activities.

Apart from IOM and UNHCR, various NGOs (such as Menedék, Migration Aid) provide support (housing, legal counselling) for all categories of migrants. No NGO is specialized in long-term irregularly staying migrants.

Q15b. Do these **entities or organisations** need to **report on the migration status** (or the lack thereof) **before providing access to a service** (e.g. accommodation, healthcare, education), or are there 'firewall provisions' allowing persons concerned to access services without fear of being apprehended?

No

Q16. If a long-term irregular migrant is a **victim of or witness to an offence** (e.g. labour exploitation, domestic violence, etc), are there any available ‘**safe reporting**’³ channels between the TCN concerned and public authorities to report the incident without divulging their situation of illegal stay?

X Yes

If yes, please briefly describe the channel/reporting mechanism:

In case of punishable criminal offences the Directorate-General informs the department of the National Police responsible for criminal procedure on its own initiative in due course. In case of detected victim of human trafficking, the alert and notification is inserted in the national system established for the Identification and Support for Victims of Trafficking in Human Beings.

Q17. Are there any **assisted voluntary return (AVR) projects or programmes** implemented in your (Member) State that also specifically foresee support to access to services (in the host (Member) State, thus before departure) for long-term irregular migrants?

X Yes

No

If yes, please describe (e.g. please consider any specific conditions to access the service(s)):

No specific conditions are required.

The International Organisation for Migration (IOM) has an ongoing assisted voluntary return programme in Hungary. In case of need the IOM on ad hoc basis can provide accommodation to third-country nationals subject of a return decision but only before the return operation when the execution is not foreseeable yet.

Q18. Please provide if applicable **illustrative (and anonymised) case(s)** of measures adopted by authorities (a) at central, (b) regional and (c) local level (e.g. municipalities) to provide access to services (e.g. accommodation, health, etc) – up to two examples.

Not relevant

Q19. Did any change happen in relation to access of long-term irregular migrants to social services as described above, as consequence of measures taken in response to the COVID-19 pandemic?

X No

Q20. Is there any research available in your (Member) State on irregular migrants accessing rights and services listed above (conducted by relevant authorities, academics, NGOs, etc.)?

X No

³ <https://www.compas.ox.ac.uk/project/safe-reporting-of-crime-for-victims-and-witnesses-with-irregular-migration-status-in-the-usa-and-europe/>

SECTION 2.2: COOPERATION MECHANISMS BETWEEN CENTRAL, REGIONAL AND LOCAL AUTHORITIES

This section will focus on the cooperation between central authorities and, regional authorities as well as municipalities in the implementation of national policies on long-term irregular migration.

Q21. Were specific measures (legislative, administrative, practices) implemented by central authorities to help regional and local authorities to anticipate and/or to respond to the situation of long-term irregular migrants in their territories?

- Monitoring and follow-up approaches of long-term irregularly staying migrants
- Information exchange between central and local authorities about long-term irregularly staying migrants

X Guidance or any other form of established practice made available to regional and local authorities on how to assist long-term irregularly staying migrants (e.g. training sessions, guidance (e.g. written instructions or guidelines), other)

In general if a problem is raised, the National Police and the National Directorate-General for Aliens Policing can give guidance for the regional and local authorities in order to ensure the unified practice.

- Other measure(s)

Q22. Do local authorities in your Member State participate in **horizontal cooperation networks** (of local authorities) to develop good practices and/or programmes to address the situation of long-term irregular migrants?

Yes

X No

Q23. Were there any studies or research published on the effectiveness of any of the measures mentioned in Q21?

Yes

X No

SECTION 2.3: GOOD PRACTICES

Q24. What are **good practices** regarding policy measures concerning long-term irregularly staying migrants?

As the phenomenon of long-term irregularly staying is not a significant concerns for the national authorities, no good practices can be mentioned.

Section 3: Responses to end long term irregular stay

This section will focus on policies and good practices implemented in finding approaches to address (and end) the issue of long-term irregularity. This section aims to research the following:

- What measures (e.g. policies, practical tools, guidance) were implemented to bring protracted situations of illegal stay to an end?
- Were there any studies or research published on the effectiveness of these measures?
- What are the key challenges and good practices in terms of policy regarding long-term irregularly staying migrants?

Q25. What options are available in your Member State to end long-term illegal stay of third-country nationals (e.g. return, legalisation of stay, other)? Which are prioritized?

The priority for ending long-term illegal stay of third-country nationals is to be the execution of the return decision issued. For that purpose, the aliens policing authority are constantly in contact with the diplomatic representations of third countries in the factual cases for the promotion of the issuance of a travel document.

The asylum authority each year reviews the conditions for which the permitted to stay status was granted. Permitted to stay status shall be withdrawn if the circumstances justifying the prohibition of refoulement ceased to exist.

SECTION 3.1. MEASURES TO PROMOTE RETURN OR DISCOURAGE ILLEGAL STAY

Q26. What measures to **promote return or discourage illegal stay** are in place in your Member (State) specifically for long term irregular migrants (as identified in this study)?

No special measures or incentives are in place.

The aliens policing authority aims to implement the effective return of illegally staying third country nationals.

Q27a. What are the **good practices as identified in your Member States to promote return or discourage illegal stay** for long term irregular migrants identified in your (Member) State?

N/A

Q27b. Is there any research available in your (Member) State on **promotion of return or the discouragement illegal stay** (conducted by relevant authorities, academics, NGOs, etc.)?

Yes

No

Q28. Please provide **illustrative example(s)** of responses and/or good practices to **promote return or discourage illegal stay** adopted by authorities (a) at central level, (b) regional and/or (c) at local level (e.g. municipalities) – up to two examples, in the form of anonymised case studies of individual long-term irregularly staying migrants):

N/A

SECTION 3.2: LEGALISATION OF STAY OPEN SPECIFICALLY TO LONG-TERM IRREGULAR MIGRANTS

Q29. Are **options for legalisation of stay** open specifically to long-term irregular migrants in your Member (State)?

No.

Q30a. What are the **good practices as identified in your Member States with regards to legalisation of stay** identified in your (Member) State?

For each good practice mentioned, please describe a) for whom it is a good practice (policy-maker, national or local authority, organisation, migrant, other stakeholders), b) why it is considered a good practice and c) what is the source of the statement – e.g. based on input from experts, surveys, evaluation reports or from other sources (please indicate which ones).

N/A

Q30b. Is there any research available in your (Member) State on **practices with regards to options for legalisation of stay** available specifically to irregular migrants (conducted by relevant authorities, academics, NGOs, etc.)?

X No

Q31. Please provide **illustrative example(s)** of responses and good practices related to the **legalisation of stay measures** adopted by authorities (a) at central level, (b) regional and/or (c) at local level (e.g. municipalities) – up to two examples, in the form of anonymised case studies of individual long-term irregularly staying migrants):

Not applicable

SECTION 3.3.: MEASURES TAKEN IN RESPONSE TO THE COVID-19 PANDEMIC

Q32. Were measures taken to end the situation of long-term irregular migrants specifically in connection to the responses to and **impacts of the COVID-19** (e.g. legalisation of migrant workers employed in specific sectors)? Please describe.

No

Section 4: Challenges and future actions

Q33. What are the challenges regarding **policy measures** concerning long-term irregularly staying migrants?

For each challenge mentioned, please describe a) for whom it is a challenge (policy-maker, organisation, other stakeholders), b) why it is considered a challenge and c) whether the assessment that this is a challenge is based on input from experts (and if so, which experts), surveys, evaluation reports, focus groups or from other sources (please indicate which ones).

Among third-country nationals whose return cannot be implemented due to practical reasons or because the prohibition of non-refoulement applies, absconding is a significant challenge for the authorities.

Q34. What are the challenges regarding **policy measures** concerning long-term irregularly staying migrants specifically linked to the reposes to and impacts of the **COVID-19 pandemic**?

N/A

Q35. What are the challenges of **promoting return or discouraging illegal stay** concerning long-term irregularly staying migrants? Please describe any additional challenges specifically linked to the reposes to and impacts of the **COVID-19 pandemic**?

N/A

Q36. What are the challenges regarding the **options for legalisation of stay** available to long-term irregularly staying migrants? Please describe any additional challenges specifically linked to the reposes to and impacts of the **COVID-19 pandemic**?

N/A

Q37. According to (central and/or local) stakeholders in your (Member) State, what actions could be taken **at EU level** to support (Member) States to effectively cooperate and overcome the challenges faced in relation to long-term irregularly staying migrants?

In Hungary's view, the most effective way concerning the challenges of long-term irregularly staying migrants is prevention as well implementing returns.

Section 5: Conclusions

This section of the Synthesis Report will draw conclusions as to the Member States' existing policies, practices and case law related to long-term irregularly staying migrants.

Q38. With regard to the aims of this study (policy responses to long-term irregular migrants), what conclusions would you draw from your findings reached in elaborating your national contribution?

With reference to the primary research question, please elaborate your conclusions highlighting the relevance of your findings to (national and/or EU level) policy-makers. You may cover the following points:

- The size of the problem of long-term irregular migrants in your country
- the most topical issues raised in the political and policy debate on the situation of long-term irregularly staying migrants

- The main concerns and issues related to providing access to public services to long-term irregularly staying migrants
- The main concerns and issues related to implementing measures to bring protracted situations of illegal stay to an end

In Hungary, the problem posed by long-term irregular migrants is not significant. As a general tendency, irregular migrants aim to reach their European countries of destination.

Among third-country nationals whose return cannot be implemented due to practical reasons or because the prohibition of non-refoulement applies, absconding as a significant challenge.