



Results for all 36

Sweden (83)
Portugal (79)
Canada (72)
Finland (69)
Netherlands (68)
Belgium (67)
Norway (66)
Spain (63)
USA (62)
Italy (60)
South Korea (60)
Luxembourg (59)
Germany (57)
United Kingdom (57)
Denmark (53)
France (51)
Greece (49)
Ireland (49)
Slovenia (49)
Czech Republic (46)
Estonia (46)
Hungary (45)
Romania (45)
Armenia (44)
Macedonia (44)
Switzerland (43)
Austria (42)
Croatia (42)
Poland (42)
Bosnia (41)
Bulgaria (41)
Lithuania (40)
Malta (37)
Slovakia (36)
Cyprus (35)
Latvia (31)
Sort by Rank
Sort A-Z

Hungary



2

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Overview

Still becoming a country of immigration and asylum, Hungary will need to grow its population, according to international forecasts. So far, most newcomers are ethnic Hungarians from neighbouring countries. While new working groups talk of a comprehensive strategy for all groups, Hungary is one of the last in Europe without one. In 2009's first strategy for justice and home affairs was adopted, without consultation or follow-up action plans.

Newcomers' integration opportunities are better than average in Central Europe and similar to CZ, RO, and SI. But without a comprehensive strategy, policies are inconsistent and only halfway favourable, scoring below 50%. The best chances for equal opportunities come through laws and organisations fighting discrimination. As across Central Europe, discretionary procedures are problematic for non-EU residents to obtain secure and equal rights guaranteed in EU law. Political and educational opportunities are also limited. Foreigners living in Hungary for years are slightly discouraged from becoming Hungarian, contrary to policies for co-ethnics abroad. Since 2007, integration improved slightly by shortening administrative procedures (family reunion, longterm residence) and implementing European and international standards (labour market, nationality).

Timeline - What's Changed

Key Findings

+5 ▲ May 2007

- Lacking comprehensive integration

Family reunion

Decree No. 114/2007 limits time of procedures for third country nationals.

+6 ▲ May 2007

Long-term residence

Decree No. 114/2007 limits time of procedures for third country national.

+3 ▲ January 2009

Access to nationality

Law No. 15/2009 ratified UN Convention on Reduction of Statelessness, withdrawal for fraud only.

0 — April 2009

Justice and home affairs

5-year policy plan for justice and home affairs.

+5 ▲ January 2010

Labour market mobility

Law comes into force granting equal access to self-employment for third-country nationals.

strategy for all groups, integration policies inconsistent and only halfway favourable.

- Major strengths for integration are laws and organisations fighting discrimination.
- Labour market mobility policies little prepared for future migration needs, despite new equal access self-employment.
- Immigrants in country slightly discouraged from becoming Hungarians, focus mostly on preferred naturalisation for co-ethnics.
- No birthright citizenship, despite European trends.
- Migrant education least favourable of all countries because International Education Programme has negligible impact.
- Unlike Hungary, most guarantee equal compulsory education for all children, regardless of their status.
- Political participation: leads Central Europe, though limited.
- Quicker procedures for family reunion, long-term residence.

Score Changes

Areas of Integration

Labour Market Mobility



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New entrepreneurs

Since 2010, non-EU temporary workers, students or humanitarian residents can become entrepreneurs (as in 9 other MIPEX countries, e.g. CZ, IT, NL, ES, US). Before, only nationals, EU citizens, refugees and long-term residents had that full right. Act 115/2009 changed this to harmonise with EU legal obligations, but without consulting or planning with integration stakeholders. Few migrants may know of this change, since Hungary lacks active policies informing them of their labour rights (see DE, PT, Nordics). It also lacks targeted measures helping migrants become entrepreneurs (recently PT).

Ranking 26th out of 31, Hungary is not well prepared for future labour migration needs compared to others in the region (CZ, EE, RO). Without immediate labour market access, non-EU workers and families wait longer to access and change jobs than in 23 other MIPEX countries. The public sector can only hire long term residents, unlike 12, including AT, CZ, DK, ES. Many may now think about starting businesses to employ themselves (see box). But beyond these first jobs, they have few opportunities to build their careers, skills and qualifications. There are hardly any targeted measures to use. Not all can use general education, training, social security and employment services (unlike the majority of MIPEX countries).

Family Reunion



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From quicker to better procedures

Time limits are normal administrative practice for offering efficient services to the public. National and EU laws increasingly require them for procedures involving non-EU residents, often to avoid delays or, as recently in GR, to fight maladministration. In Hungary, Decree 114/2007 shortens

procedures for family reunion and long-term residence (see later). They cannot take more than 22 working days, while requests for entry visas cannot take more than 30. See also several Central European countries (e.g. BG, EE, SK, SI).

Newcomers have basic rights to reunite with their families, as in countries under EU law, while facing great uncertainty, as across the region. The law encourages them to apply with favourable eligibility provisions and conditions. Once legal residents secure basic income and housing, they can immediately apply for most of their family members and now receive quick responses (see box). Applicants who meet these conditions are still slightly insecure, more so than in nearby AT, CZ, PL, and RO. Authorities use highly discretionary procedures with wide grounds (e.g. family breakup, end of parental rights, public health) without considering their personal circumstances (required in 24 countries). Families' limited socio-economic and residence rights are slightly below average in Europe.

Education



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Voluntary programme with little impact

The 2006 Intercultural Education Programme followed informal consultation with some headmasters, ministry officials and integration working groups. Civil servants looked at Roma programmes and the 1977 EU directive on the education of migrant children. Since it imposes no requirements, schools have the option to establish an intercultural education programme (including

induction and language) and with this must apply for the limited funding. The 2006 initiative is not well known or implemented, and evaluations show that sporadic, voluntary and project-based actions have a meagre impact.

Hungary's limited strategies and budgets for intercultural education are of little use for newcomer children. Hungary denies undocumented migrants access to not only the full education system (as in half MIPEX countries), but also explicitly compulsory education (only BG, RO, SK do so). It also does so for children of some legal migrants. Intercultural education scores a critically unfavourable zero (see box). To get into the right school, authorities provide limited and outdated information. Schools are required neither to address newcomers' specific needs and opportunities, nor teach all pupils about living in a diverse society. Some migrants are taught their mother tongue and culture (e.g. Hungarian–Mandarin bilingual school), common across Europe.

Political Participation



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For including newcomers in democratic life, Hungary leads Central Europe, but can catch up with the established immigration countries. The constitution grants voting rights (as in 18 other MIPEX countries) but only to long-term residents (e.g. EE, LT, SK, SI). Hungary stands out as the only Central European country without outdated laws denying foreigners their basic political liberties for associations, parties and media. However, it has not encouraged immigrant civil society to emerge. Ad hoc meetings and projects mostly come from European sources. Unlike new immigration countries (e.g. FI, IE, PT), the State has yet to create dedicated consultative bodies or funding for immigrant representatives.

Long Term Residence



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Non-EU residents in Hungary and across the region face similar problems for long-term residence as for family reunion. They confront discretionary, though shorter (see earlier procedures to obtain basic security rights. HU offers 'classical' national residence permits and EU long-term residence permits (with little difference in MIPEX scores). Only those eligible temporary residents can apply. They prove basic income but face procedures with vague grounds for rejection and withdrawal (as in only 12 other countries). They can access legal remedies, as in family reunion. Compared to Hungary, other emerging immigration countries (ES, PT) use EU standards to send strong messages that all who choose the country as their long-term home will enjoy a secure status.

Access to Nationality



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Citizenship in new reforming countries

As states recognise themselves as countries of immigration, immigrants often see clearer citizenship paths. In 2006, Portugal reformed nationality by applying preferential naturalisation to all meeting the underlying conditions. IT and ES are also discussing opening their policies based on historic/ethnic ties. Modernising citizenship can be part of new comprehensive integration strategies. LU in 2008 changed laws on nationality, immigration and integration. GR in 2010 improved nationality and political participation in the same law. Trends emerge from policies in established immigration

Hungary has so far focused on preferential naturalisation for its co-ethnics abroad, unlike reforming new immigration countries (see box). Citizenship paths remain long and uncertain across Central Europe. The very few eligible for naturalisation in Hungary undergo discretionary procedures with even more vague and

countries.

Integration: durable solutions for statelessness

Hungary's Law 15/2009 now prohibits citizenship withdrawal except in limited cases of fraud. Hungary signed the UN Convention on the Reduction of Statelessness years earlier. It only ratified the Convention with the law after years of work by international and humanitarian organisations. Their main argument was that integration is one of the few durable solutions for stateless people.

burdensome conditions. New citizens are now more secure than average in Central Europe, because of new statelessness protections (see box). They can also keep their previous citizenship, a European-wide trend (18 total). Still, the overall process slightly discourages them from becoming Hungarian, though the 2010 citizenship law or future proposals may bring progress.

Hungary's seemingly standard residence requirements are the most critically restrictive of all 31 MIPEX countries, along with BG, CZ, LV, and some Swiss cantons. The first generation must count 8 continuous years of long-term residence, which can mean 11 years. Spouses of Hungarian nationals may have to prove 3 years' marriage plus 3 years' residence. 19 MIPEX countries require much less for both groups, with recent reforms between 5–8 years total (e.g. GR, LU, PT, SE). Countries lacking jus soli such as Hungary increasingly introduce some form (now 15). Reforms aim to guarantee recognition and inclusion for immigrants' descendants, knowing no other country as their own (see recently GR, LU, PT).

As in many European countries, applicants in Hungary cannot fully prepare or trust the naturalisation procedure and conditions, because authorities reject them with wide discretion. Immigrants receive half-way support to successfully learn Hungarian and the country's constitution and history. Exams are not conducted by language professionals (unlike in 10). All applicants are not entitled to enough free courses to pass, beyond some study materials. Nearly half the countries with language assessments set more clear and basic levels (e.g. A1 or A2). Applicants wait long for their answer (see new time limits for family reunion and long-term residence). There are vague grounds for rejection such as 'the interests of the Republic', even if applicants meet all the conditions (unlike in 10). If rejected, they cannot learn why or appeal (unlike 23).

Anti-discrimination



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Strong equality body but weak

State action

Hungary's Equal Treatment Authority is one of the strongest equality bodies in Europe (also BG, IE, NL, SE). It offers victims independent advice and can issue binding reviewable decisions. The Authority can also investigate complaints and impose sanctions on offenders. It has the legal standing to intervene on behalf of the complainant, while also instigating its own procedures, although only against certain public bodies. However, with few State actions to promote equality, Hungary itself has yet to overcome Europe's generally weak equality policies.

Hungary (like BG, RO) leads on anti-discrimination through broad laws, a strong equality body and NGO involvement. Other leaders (SE, UK) continually improve legislation to help victims bring cases. Without some key concepts in Hungary (generally missing in Central Europe), victims have limited protection from hate speech (unlike 14 countries), profiling (6), multiple discrimination (7) and in the private sector (more than any other country). Nevertheless, definitions apply in many areas and on wide grounds, including nationality (as in 14 others). NGOs help enforce rights by representing victims in court (23 others) and using *actio popularis* (BG, CA, SK) and situation testing (BE, FR, SE, US). Victims also turn to the Equal Treatment Authority (see box).

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