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Policy Oriented Executive Summary – Hungary

Introductory comments

In the late 1980s and early 1990s, in the early period of the democratic transition in Hungary migration increased suddenly and became sizeable. Hungary undoubtedly turned to an emerging immigration country. Migration became a hot issue and authorities were busy to face up to the everyday needs of managing a system-in-the-making and tailoring it the proper way. There was hope that a migration policy would emerge and cope with the new circumstances. However, the results of those efforts were a mixture of concern and rejection, organizational improvisation and imitation, postponement and quasi-solutions. The drivers of the early, rapidly increasing migration vanished, and the dynamics turned to a moderate increase. The discussion about migration and migration policy ceased to be a key issue. A precise migration policy still does not exist in Hungary. Although a demand for labour migration is visible, any sign of changes in migration regime raise pronounced rejections. Fears of immigration occur recurrently.. Data are collected poorly and lacking in quality; understanding and accepting migration drives and flows by the policy makers is scarce.

The immigration process in Hungary can be considered as peculiar for two reasons. *First*, it starts with a refugee crisis which was huge even in international standards; the legal and institutional system developed as a result of this crisis, which has a deep impact on the perception of immigration and on the organisational culture of the institutions dealing with immigration. *Second*, the majority of immigrants have come from ethnic Hungarian communities in the adjacent countries. These two dimensions have a strong effect on the migration policy and strategy and migration policy debates that have taken place.

By a national immigration system we mean the legal and institutional structure of a) entry into the country, b) stay and residence in the country, c) settlement and integration, d) naturalisation and e) asylum. During the time that elapsed since the late 1980s we can identify periods corresponding to specific characteristics of migration policy.

- The *first period*, between 1988 and 1992, is characterised by the birth of a legal and institutional framework; it starts with a Constitutional amendment and ends before the drafting of the first Acts on Immigration and Citizenship.

- The *second period*, between 1993 and 2000, can be described as the years of consolidation and stabilisation of the migration regime, when the core legal texts were drafted and the institutional system developed into the present structure, comprising of a central implementation body with single ministerial supervision.
- The *third*, period from 2001 onwards, has may be related to the legal and institutional harmonisation with (or adjustment to) the existing or assumed standards of the Common European Migration and Asylum Systems.

Obviously, the boundaries presented above are rather arbitrary and the periods may sometimes overlap with each other when some of the five subsystems of the migration regime we identified above are considered.

Migration without legislation – the quasi-refugee migration regime of the late 1980s early 1990s

Many of the legal provisions from this period had been introduced and accepted by the last Parliament and Government before the first democratic elections in 1990. The most remarkable among these is a thorough amendment of the Constitution, including the insertion of provisions that set the framework for the legislative and institutional development of the migration system. Prior to the democratic transition, the Constitution treated the issue of immigration mainly as an issue of political solidarity. The Constitutional provisions which have influenced the formulation of the migration system after 1989 have expanded the context of migration considerably and into various directions, introducing concepts of immigration, asylum and naturalisation. Thus, the Constitution obliged the Parliament to create laws on immigration, naturalisation and asylum. A less specific, but nevertheless a very important additional provision, which expresses a concept that has since then been one of the most influential factors in shaping the country's immigration policy, stressed the sense of responsibility for what happens to Hungarians living outside of the country's borders and fostering their relations with Hungary.

The Constitutional framework and the authorisation for establishing a firm legal background of the migration system has thus been in place since the very first days of the democratic transition. However promising it may have seemed, the creation of the *Immigration and Citizenship Acts* did not occur within the next four years; similarly, the *Asylum Act* was not passed until late in 1997, and came into force in the spring of 1998.

On the one hand, one may argue that Hungary faced a tremendous social, political and economic change in the course of which the Parliament had to work under extreme legislative pressure setting priorities other than the issue of immigration. On the other hand, the migration pressure on the country was the highest during that period, with tens of thousands of forced migrants arriving in or transiting through the country; this called for great flexibility on behalf of the institutions dealing with the issue. A low level, discretionary legislative 'patchwork' (which is what the migration and asylum systems looked like in those days) proved to be more suitable to handle the extraordinary situation, providing sufficient flexibility which, to a certain extent, could compensate the relative underdevelopment and inexperience of the system.

The early legal basis was set by the Law on Emigration and Immigration of 1989 which regulated issues related to both emigration from and immigration into the country, including

return migration of those who left Hungary in the previous decades. The short text of this law failed to identify those whom Hungary should treat as *desirable immigrants* but identified those who were *not suitable* for immigration, namely those whose immigration would interfere with the public order, public security and public morals, as well as those whose stay and subsistence in Hungary was not secured or whose integration into the society could not be expected. This vague wording gave sufficient discretionary power to the immigration authorities in issuing and withdrawing residence permits. This initial discretionality remained one of the strongest characteristics of the Hungarian immigration system until quite lately.

During this period, the alien policing authorities (the Police and Border Guards) were the main actors responsible for controlling and managing the entry and residence of foreigners; a migrant's access to the social welfare system, as well as to employment and education, was based on the condition of obtaining a valid residence permit. Additional measures promoting social integration were not implemented. The treatment of the 'de facto', and later on 'de jure', refugees and temporarily protected individuals who constituted the majority of foreign citizens entering into Hungary in this initial period was somewhat different. As a reaction to the massive late 1980s influx of forced immigrants, who could not be dealt with within the framework of the existing alien policing measures, the Government established the Interministerial Committee for Migration. This Committee was initially the only official body responsible for dealing with asylum issues in 1988, when neither the legal environment had been ready nor the necessary political decisions had been made. The Committee and its county-level representative organs provided a vivid example of wide-range co-operation among stakeholders from various institutional backgrounds: representatives of the Border Guards, the Alien Police, the National Security Office, the Ministries of Foreign Affairs, Health and Education as well as the local municipalities', churches and the Red Cross were present in the Committee.

Although the establishment of the Committee could have become the initial step towards a differentiated, multi level governance of the national immigration system, the Government authorised the Minister of the Interior to assume responsibility over border monitoring, alien policing and asylum, already in 1989. The *Office of Refugee Affairs* was established (and continued to work as Office of Refuge and Migration Affairs from 1993 until its merge into the newly established Office of Immigration and Nationality in 2000).

However centralised the public administration had become, local municipalities, NGOs as well as the UNHCR played a crucial role, especially in the accommodation and social care of the great number of refugees present in the country. In 1992, only ten thousand out of eighty thousand refugees were accommodated in the Refugee Reception Centres operated by the Ministry of Interior; the rest found shelter in the local communities. By the mid-1990s this positive attitude of the communities and the – usually church-based – NGOs melted away. This was largely due to the fact that the composition of asylum seekers had profoundly changed by this time: whereas in the late 1980s and early 1990s the majority were ethnic Hungarians, from 1992 onwards Bosnians started to arrive in the country in ever growing numbers. The term "refugee" was no longer connected with the feeling of sympathy based on ethnic and cultural similarity and the issue lost its popularity and, in consequence, institutional support from the civil society.

The decade of consolidation – legislation in the 1990s (1993-2000)

This period started with the Establishment of the *Office of Refugee and Migration Affairs* and the drafting and passing of the *Acts on Immigration and Citizenship*. The drafting of these legal texts lacked any substantial preliminary policy debate. Migration was first and foremost dealt with as a security issue. Changes in the migratory movements as well as the previous “overtly permissive” alien policing practice strengthened illegal immigration, which was to be effectively treated by the new act. The policy position regarding labour migration was first articulated at the presentation of the draft of the *Aliens Act* in the Parliament. Foreign workforce was presented therein as a dangerous factor that needs to be restricted in order to protect the Hungarian labour market.

The Government’s explanation for the drafting of the *Citizenship Act* emphasized that the policy makers’ aim was the reconciliation of the relationship between the state and the citizen, through remedies to past injustices to the nation. Regulating the acquisition of citizenship meant that the country responded to the problems of those Hungarians who were forced to leave the country, were left outside the present state borders, or were forced to migrate to Hungary. The proposal strongly reflected the double standards that characterises the Hungarian migration policy: the symbolic and real support of any “return” to the ethnically constituted nation as opposed to the need for restricting the naturalisation conditions for those who do not belong to the ethnic community.

Although it was not articulated explicitly nor in a comprehensive manner by the policy makers, a vague migration policy framework was formulated at that time; it can be reconstructed on the basis of the provisions of the *Acts on Immigration and Citizenship*. There are three major challenges to which the migration policy should *react*:

1. The magnitude, direction and composition of international migration in Hungary changed in the previous years, and the old institutional system and its practices are no longer sufficient or even applicable.
2. Due to the country’s ever growing commitments to the observation of human rights and international treaties and conventions on their basis, it is no longer acceptable to leave a significant group of the society in an unclear legal situation.
3. Irregular and uncontrolled immigration poses an ever growing challenge to the public order and security, therefore an effective legal regulation is needed to combat illegal immigration, as well as human smuggling and trafficking.
4. In addition to the above, there should be preferential treatment in case of ethnic Hungarians moving to Hungary from abroad, but the principle of preserving the integrity of Hungarian communities across the state borders should not be undermined by active encouragement of their resettlement in Hungary

However significant the birth of the two laws proved for the creation of the rule of law in post-communist Hungary, they preserved the highly discretionary character of the immigration system developed in previous years. The laws set only the principles of admission, residence and naturalisation, all procedural and technical elements were regulated in low level Government or Ministerial decrees or even ‘ex-officio’ orders and rules. Despite the ongoing

criticism on behalf of experts, international stakeholders (especially the UNHCR) and NGOs, this situation has lasted until most recently.

As Hungary became a migration destination for individuals other than those fleeing or resettling from the neighbouring countries, the authorities established transnational co-operations, predominantly in the field of alien policing and security. Good practices on reception and integration of foreigners were less likely to become subject of international exchange schemes in this period. In 1997, the Parliament adopted the *Law on asylum*, which entered into force in spring 1998. The most remarkable change introduced was the elimination of the geographical restriction Hungary applied in case of the Geneva Convention on the Status of Refugees: before the adoption of the new Law the country provided international protection only to those asylum seekers and refugees, who were citizens of European countries, all others were taken care of by the local Branch Office of the United Nations High Commissioner for Refugees (UNHCR). However, even if the asylum regulation had humanitarian principles as its foundations, policy makers still expressed security requirements, narrowing the room for legislation and implementation. During the amendment of the asylum regulation in 2001, no new arguments were presented: the modifications were portrayed as purely technical and resulting from obligations stemming from legal harmonisation.

The Europeanization – the pre- and post-EU accession period (from 2001 onwards)

In 2001, there was a thorough amendment in the laws on immigration, citizenship and asylum, coming into force in 2002, and the Office of Immigration and Nationality that was created in 2000 continued its activity with more autonomy and a regional structure. In the thorough amendment of the Aliens Act in 2001 the emphasis was clearly on the reduction of illegal immigration in the context of combating organised crime. Besides the security considerations which were brought up before, a new argument appears: the accession to the EU and the legal harmonisation required by this process.

As for the position towards labour migration, there is only one sentence dealing with the connection between migration and the labour market in the Government's proposition when the new Aliens' Act was presented to the Parliament in 2001, and this sentence referred to the need to combat illegal immigration and illegal employment.

Between the year 2001 and Hungary's accession to the EU in 2004, legislative activity was very intensive: the underlying argument was the harmonisation with the Immigration and Asylum Acquis of the EU. Policy and legal developments in various EU member states often served as a legitimacy basis for the Governments opting for new – usually more restrictive – approaches in regulating the entry and stay of foreigners in the country. In the autumn of 2006 there were again a thorough amendments due to the transposition deadlines of several EU Directives (on Family Unification, Long-term Residence, Asylum Procedure), resulting in two brand new Immigration Acts in early 2007, and a subsequent change in the Asylum Act (in mid 2007). During the presentation of the draft of the present Asylum Act¹ new elements appeared in the Government's argument. As a justification of the amendment, two types of arguments were given: on the one hand, there is the need to avoid severe breaching of EU norms which may result in fines, on the other hand, there is the necessity of introducing a progressive regulation which meets the expectations of the international refugee law and answers the challenges of international refugee movements.

¹ Law No. LXXX of 2007 on Asylum

The main policy debate in 2004 and 2005 revolved around the issue of labour market liberalisation in the context of immigrant labour. According to the National Action Plan (NAP) for Employment, the Government's position was that labour immigration is not an alternative to the low domestic labour supply and mismatches, and the primary aim should be mobilisation within the domestic labour market, (which should be reflected by the NAP) not encouraging labour immigration. Another aspect behind the lack of policy responses is the surprisingly rigid position on other member states' restrictions on free movement of labour from new member states: Hungary applies equal measures on the basis of reciprocity. Furthermore, there is an argument saying that non-EU citizens should not enjoy a better position on the labour market than those who come from another member state; therefore, any policy promoting the employability of third country nationals should not provide better conditions than that of those EU nationals whose participation on the labour market is restricted due to reciprocity. A third aspect which is reflected by the NAP is the controversial approach to the overwhelming ethnicity of the labour immigration into Hungary: immigration policy should reflect preferential treatment of ethnic Hungarians, but expressing or even implying a resettlement (facilitated immigration) approach in the national Diaspora policy should be avoided.

The specific issue of the Diaspora policy

The majority of immigrants for the past two decades have been ethnic Hungarian citizens from the neighbouring countries. The status of ethnic Hungarians living in countries adjacent to Hungary has always been part of the discussion on immigration legislation. The Hungarian governments between 1990 and 2002 maintained that they aimed at encouraging ethnic Hungarians to remain in the lands of their birth, and initiated no active immigration or resettlement policy of co-ethnics such as in case of Germany. Unlike in Germany, Hungary's policy toward co-ethnics abroad has therefore developed not as immigration policy, but as a policy of shaping national identity. The Hungarian immigration and naturalisation system has often been criticised for being indifferent towards ethnic Hungarians who "return to their motherland" despite the preferential treatment of ethnic Hungarians and persons of Hungarian ancestry in the immigration and naturalisation process.

The priority of the Hungarian foreign affairs which has been articulated since the democratic transition as well as the blurry 'national interest' and its multiple interpretations created an ambiguous situation in the management of the immigration or 'resettlement' of ethnic Hungarians from across the borders. Although the immigration and naturalisation legislation and practice secures a wide range of preferential treatment for foreigners with Hungarian ancestry or ethnicity, the political discourse related to foreign affairs firmly emphasizes the message of remaining in the 'birth land', picturing any encouragement or even the acceptance of resettlement as anti-nationalist. Besides the developments in the field of immigration and asylum, by the second half of the 1990s elements of an implicit Diaspora policy were introduced. It has never gained an independent status from the other policies where its elements are embedded in. The so-called Status Law, intended to be a set of legal instruments to support ethnic Hungarians in neighbouring countries, stirred domestic political debates in 2001 and 2002. The law comprised of, among others, a set of measures regulating seasonal employment in Hungary. The possibility of granting easier access of ethnic Hungarians to a segment of the Hungarian labour market resulted in a heated debate on defending the Hungarian labour market. A public and political debate of the status of ethnic Hungarians living across the state borders emerged again in late 2004. This time the issue of granting

Hungarian citizenship to those who request it and are able to prove their Hungarian origin was raised by the World Federation of Hungarians – a right-wing political lobby group active both in Hungary and in the Diaspora. In a public referendum, the possibility of granting extraterritorial citizenship rights to non-immigrant, non-resident fellow Hungarians was rejected.

The ambivalence of the immigration system

Three relevant debates prove the controversial attitude of the Hungarian government towards migration: on economic migration, on demographic impact of immigration and on migrant integration.

Economic immigration

In early 2005 the Ministry of Employment and Labour drafted its position on the Commission's Green Paper on economic migration, answering the standard set of questions set by the document. The ignorance of labour migration issues as discussed earlier was mirrored in the Hungarian position during the debate. Regarding the degree of harmonisation, the position opts for a horizontal approach proposing a framework regulation which would be equally applied to all third country nationals regardless of their country of origin or sector of employment. As for the admission procedure, the Ministry took a rather firm position on not to introduce any further advantages for third country nationals. Some comments on the position paper further emphasised the restrictions imposed by the old member states as the main reason for not giving more preferences to third country nationals: as long as EU citizens have restricted access to their labour markets, others should not enjoy better circumstances.

The idea of a combined work and residence permit, as raised by the Green Paper, was not welcomed; the same stands for restricting the mobility of third country nationals – the Hungarian position was to continue with the present practice of issuing work permits. Although this practice is a clear obstacle to the mobility of third country nationals, it gives better opportunity to follow and react to changes in the labour market.

Immigration and the demography debate

The possible demographic impact of immigration received political and public attention in 2000 when a report by the UN Population Committee drew the attention to the rapidly ageing population that may induce problems in the following decade in the labour market – especially in the pension and health care systems. It came in the wake of the United Nations' study on "replacement migration" in Europe, which suggested that Europe would have to absorb 159 million immigrants if it was to maintain sustainable demographic trends. Following the report, the government established a Population Committee, which had a subcommittee on migration, and received the mandate to develop a strategy to introduce a national population programme. The document prepared at the time remains an example of the controversial and ambiguous approach towards immigration in Hungary. Besides recognising the importance of facilitating long-term settlement and integration of qualified labour immigrants, it omitted the fact that the majority of this group originates from the Hungarian communities across the borders; furthermore, it explicitly stated that members of these communities should not be encouraged to immigrate to Hungary and the Government should give cultural and economic support in order to keep them abroad.

Integration of immigrants

The issue of social integration was first brought up in the early 1990s, with the presentation of the draft Citizenship Act to the Parliament, the reduction of the waiting period before the acquisition of citizenship in case of ethnic Hungarian immigrants was proposed. In case of non-Hungarian immigrants the Act proposed tightening of the existing rules, with the explicit aim of introducing more strict integration rules. In the political discourse of the 1990s the claim of the country's limited inclusion capacity was stressed, as well as the fact that the service infrastructure and public security capacity were not able to receive immigrants in masses.

For the following fifteen years the issue of social integration has never come up again in the context of neither immigration nor the asylum legislation. The question has only been dealt with in lower level policy debates, such as the drafting of a White Paper on the integration of refugees in 2006, which mentioned the possibility of including other immigrants as targets of a future integration strategy. Another attempt to deal with the integration of immigrants was a drafting of a separate Integration Act proposed in 2007, when a thorough amendment of the Aliens Act and the Asylum Act took place. The Government took it off the agenda in early 2008, however. Nevertheless, it is still part of the work plan of the Ministry of Justice and Law Enforcement, and there has been an expert committee on integration of third country nationals set up since June 2008 (with no programme or agenda whatsoever). The initiatives were very much triggered by the recent developments of the EC 'soft law', particularly the Justice and Home Affairs Council's adoption of the Common Basic Principles of Integration and the Commission's communication on the proposed Common Agenda for Integration.

Policy recommendations

1. General recommendations

Hungary's migration policy in its present state is a rather indirect and ambiguous phenomenon. There are no explicit principles and directions laid down by a single policy document or a set of consistent government communication, therefore the actual content of the country's migration policy can only be deduced from the existing legal regulations and institutional practices without being able to know whether these are intentional or unintentional, mainstream or particular elements of the policy. Nevertheless, analysing the legal institutional and discursive framework there are certain fields in which claims related to migration policy have been regularly made. These are the following:

- Labour migration
- Controlling migration (security, irregular migration)
- Asylum
- Integration
- Situation of ethnic Hungarians across the borders (nation-politics)
- Demographic effects

Concerning the above there are two overall characteristics that are apparent: there is a significant dominance of the issue of ethnic Hungarians in the legislative developments and the debates around them. It is not surprising as this group makes the majority of Hungary's immigrant population and finding an optimal solution for dealing with their immigration has been a challenge both in the context of neighbourhood-policy as well as European legal harmonisation. The other frequently emerging issue is asylum and asylum policy. Especially in the lower level institutional operations and policy discourses refugees and asylumseekers are those who are frequently talked about when migration policy is debated. There has been an institutional culture developed at the executive level, which puts a disproportional emphasis on refugee affairs, the reasons are manifold:

- Hungary's present day migration policy has developed on the foundations of an asylum system: the first major wave of immigrants into the country was that of asylum seekers, the legal and institutional structures developed in reaction to a mass influx in the late 1980s and early 1990s.
- The role and financial impact of the UN Refugee Agency was substantial throughout the 1990s and the early 2000s. Similarly EU accession funds were mainly channelled towards the asylum system in the same period – apart from a few technical developments in the field of border-monitoring and administration. Governmental and NGO projects developed in the field of asylum increased the visibility of the sector.
- EU funds (structural and specific) after the country's accession were mostly channelled towards the asylum sector, until the recent introduction of the European Integration Fund. When talking about integration it is solely refugee-related activities that government agencies and NGOs can present.

As general recommendation there are two interrelated things we can mention:

It is essential that the Government should develop a comprehensive position on the country's migration policy. The Strategic document abandoned in early 2007 is a good basis for it, it is only the political and public debates over its principles that should be initiated and coordinated by the responsible authorities. Related to this the presently dormant Inter-ministerial Committee on Migration should be re-vitalised creating a platform for political and professional discussion about implementing the country's migration strategy. With the involvement of administrative and NGO stakeholders as well as academic experts the Committee could be the catalyst of the much needed mainstreaming of the strategic principles of migration policy. The presently active and rather formal structures that have been established on the basis of EU policy development such as the European Migration Network and the National Contact Point on Integration or the involvement in the European Integration Forum cannot substitute a more embedded national coordination body with administrative power delegated to it. The present networks operated from within the Ministry of Justice and Law Enforcement cannot reach out efficiently to other administrative subsystems vital for migration policy: local municipality administration, social affairs, labour administration or policing – only to mention a few more important.

2. Specific recommendations

Labour migration

One of the greatest problem immigrants face in Hungary is the complicatedness of the procedure of entering the labour market legally. The advantages of even the best information material cannot be utilised in case the procedure stays as lengthy and complicated as it is. The possibility of handing in the documents for the registration at once at one certain institution would considerably improve the popularity of the labour permit (*one stop shop*). Establishing a decentralised and localised administration would lead to further results giving the possibility to the employers to arrange the work permit for their employees locally.

It is very difficult to find quality information concerning employment of third country citizens. It is therefore very important to provide easily accessible quality information for both the employees and the employers willing to employ third country nationals. The information should be accessible online in several languages and it should be provided by the embassies when third country nationals apply for a Hungarian visa.

Due to Hungary's relatively recent accession to the EU as well as its fresh accession to the Schengen system, the previous immigration regime has undergone a profound change. Nevertheless, labour migration from Ukraine and Serbia remained a substantial contribution to the Hungarian economy. The present situation is not stipulated by a legal and institutional framework based on international (bilateral) treaties nevertheless labour migration takes place in large scale and often happens irregularly. Policy makers in Hungary and the neighbouring non-EU member states should investigate into the possibilities of support and regularise labour migration between the two countries in order to enhance its positive economic and social effects, and reduce the undesired aspects.

Although the actual employment and productivity is highly based on the labour demand and much less on the offer, recognition of qualifications may stipulate the productive employment of labour migrants. The present system of recognition is considered very bureaucratic, therefore steps to simplify and shorten the procedure should be considered by policy makers.

Asylum

Policy recommendations related to the asylum system fall into three main fields: detention, reception and integration.

Detention of asylum seekers

In order to secure the lawfulness and compliance with international law, detention of some asylum seekers who have been referred to the in-merit asylum procedure should be ended together with the introduction of legal safeguards regulating the conditions of detention of asylum seekers coming under the scope of the Dublin Regulation. Asylum-seeking children should never be detained and asylum-seekers with special needs including pregnant women, torture and trauma victims, unaccompanied elderly persons and persons with a mental and physical disability should not be detained either.

An unlawful entry or stay in Hungary (considered a “petty offence” under Hungarian law) should not constitute a basis for detaining foreigners in a high-security prison regime (as it is the present practice) for a considerable time, as Hungarian criminal law only foresees such regime to those having committed a particularly serious crime.

Reception

The most crucial issue is securing access to medical and psychological treatment and rehabilitation services for asylum seekers who have been subjected to torture, serious acts of violence or other trauma (including PTSD victims). At present these services only available as NGO projects funded occasionally.

There shall be adequate mechanisms for the Office of Immigration and Nationality to guide, monitor and control the level and quality of all reception services provided to asylum seekers including those contracted out to private contractors with a special emphasis on the security measures and handling extraordinary events in the reception centres.

There shall be an independent complaints and mediation mechanism for asylum seekers in place, including access to information in different language about the procedures for lodging complaints, including time limits and appeal procedures.

Integration

Participation of representatives of local government, labor and social welfare offices, schools, health providers and NGOs in the planning, development and delivery of services within local communities where the majority of refugees settle should be ensured by the responsible authority. Regular collaboration between local authorities, social welfare and labour offices and specialist integration providers to raise awareness of refugee rights and entitlements, train staff to work with refugees and promote joint working and problem solving is essential in order to achieve an optimal level of mainstreaming in local integration.

Isolation and separation from host communities should be minimised through promotion of early refugee involvement in locally-based volunteering programmes, joint cultural activities,

public awareness events or any other activities that link refugees with people and services in their neighbourhood.

Integration

Many problems immigrants (especially third countries) encounter are related to the Hungarian public's negative attitude toward foreigners. According to local and international opinion polls the level of xenophobia in Hungary is one of the highest in Europe. Both governmental agencies and the civil society should take steps to inform the public on the positive aspects of immigration, thus reducing the fears and prejudices. General and locally targeted information campaigns as well as education programmes shall be the means for achieving this goal, national and European projects in the field of equal opportunities, anti-discrimination and social cohesion should incorporate these priorities into their objectives.

Concerning the protection of the labour rights of migrants on the Hungarian labour market information on the given rights and the possibilities for remedy should help raising the awareness of the migrants concerning their situation. The attention of the trade unions could also be raised to recognise migrant workers as a group without protection. Information material concerning the workers' rights should be provided when a third country national applies for a labourers' residence permit.

Legal assistance and legal aid for those encountering abuses and violations of human rights should be made available. The Hungarian anti-discrimination measures make it possible to initiate legal procedures and investigations by legal entities in order to secure the non-discrimination in public places and the workplace. NGOs, especially human rights organisations should take a lead in this in order to prevent the exploitation and exclusion of immigrants.

Both governmental and civil society actors should be encouraged to incorporate the protection and representation of immigrants into their agenda. This should be facilitated through strategic programmes coordinated by the central government, and funds such as the recently opening European Fund for Integration of Third Country Nationals should be targeted toward this objective.

Another relevant aspect of immigrant integration is the level of naturalisations. Looking at the figures in Hungary, the picture is rather grim. Although the default waiting period according to the old (pre 2007) system was 5 years after obtaining long-term resident status, 90 percent of the naturalisations took place along special (exceptional) measures: on the basis of ethnicity or previous (lost) citizenship, which implied only one year of legal residence in Hungary. Despite of all these, the average waiting period before submitting a naturalisation request was more than seven years of residence in the country which is an indication of immigrants' reluctance or inability to naturalise, which should definitely be investigated into and dealt with through integration measures such as information about and preparatory courses for naturalisation.