Conference on ‘Migration and Education’ Larnaca, 15 – 17 October 2012

Hungarian background document

The main questions:

1. What are, in Hungary the biggest challenges for migration and education?
2. What are, in Hungary, the policy concepts related to migration? In other words: in which context is migration placed from the policy point of view?  Does it have to do with inclusive policies, with special needs education, with social cohesion policies,...?

Despite the fact that Hungary has not been so far a key target country for migrants, and the number of newly arriving immigrants nowadays is rather limited, Hungarian school system is already confronted with similar challenges as singled out in the Green Paper but of course at a much lower scale, than Members States exposed to massive immigration waves.

Nonetheless urgent task of the Hungarian education community particularly those of decision makers is to build the necessary human and physical capacities capable to deal with a possible increase in migration and methodically prepare schools, their maintainers and especially teachers to such an eventuality.

* **What are, in Hungary, the biggest challenges for migration and education?**

Hungary is a tipical ‘Transit Country’ between East and West

Let me tell You a short anecdote from someone, who has lived in this country for many many years.

*“Uncle Kowalsky is speaking about his life: “I was born under the monarchy, I went to school in Czechoslovakia, I got married in Hungary, worked in the Soviet Union, and I am a Ukrainian citizen." One listener remarks, "You are a much traveled person." "Not at all," Uncle Kowalsky answers, "I never left my hometown...”*

Migration to and from Hungary can only be understood in the context of frequent changes to the political map of central and eastern Europe.

Hungary's special characteristics are rooted in this history of fluid borders, as well as the strong migratory tendencies of people of Hungarian ancestry who are citizens of neighboring countries. Today, mainly as a result of these factors, roughly three million ethnic Hungarians live in nearby countries. The country's geographical location, which has placed it in the path of important European events, is also key. Moreover, the current nature of Hungary's economy and society, which are in transition, offers special opportunities to migrants, especially those from eastern Europe. The combination of these factors has made Hungary what it is today: a sending, transit, and destination country for migration.

**Historical Background**

International migration has played a crucial role in Hungary's history since its foundation as a state in the 10th century. From the 16th century onward, the present-day central and eastern European countries, along with some western European territories, were parts of the Habsburg Empire. The empire functioned as a single political and administrative entity, making population movements among areas of the empire routine. Deliberate settlement campaigns were also implemented within the empire, mainly in the 18th century. Later in history, migration was also a matter of course within the Austro-Hungarian monarchy.

While previous population movements in Hungary were mainly immigration flows, between the 1880s and World War I emigration reached such proportions that it has often been described as a "calamity" or "bitter Hungarian tradition." In this period, two million people left the country, primarily for economic reasons. The start of World War I cut short these migratory movements, and at its end, the Peace Treaty of Versailles lent a special substance to questions of migration and national minorities. Hungarian minorities became stranded outside the borders of their ancestral homeland. As a consequence, new – and to a considerable extent, forced – migratory movements took place. Between 1919 and 1923, some 200,000 ethnic Hungarians resettled in Hungary.

World War II, subsequent peace treaties, evictions, and forced settlements resulted in further migration flows, significantly modifying the ethnic map in central and eastern Europe. Some 200,000 ethnic Germans were evicted from Hungary, and 73,000 Slovaks left Hungary as part of an "exchange of population." The number of those leaving Hungary in the three years following the end of the war is estimated to have exceeded 100,000. At the same time, 113,000 ethnic Hungarians were resettled in Hungary from Czechoslovakia, 125,000 from Transylvania, 45,500 from Yugoslavia, and 25,000 from the Soviet Union.

Following the Communist takeover in 1947, the borders were closed. The state prohibited migration; illegal departure from the country and failure to return home from abroad became a crime.

The borders opened briefly in 1956 as part of that year's uprising against the Communist government. Over a period of just three months, nearly 200,000 people fled the country and made their way through Austria. Most eventually settled in the US, but the rest scattered across some 50 other countries.

In the four decades that followed, emigration was only permitted in exceptional cases. Immigration was also limited, and tended to be restricted to intergovernmental agreements, family reunification (often with false marriages to obtain immigration papers), and admissions based on political decisions. The latter involved cases such as workers from Cuba and students from friendly East Bloc countries. The few cases of admission of asylum seekers—for example, those fleeing the Greek civil war or the 1973 US-backed coup in Chile—were given little publicity. The strictly guarded borders, stringent visa requirements, readmission agreements, and travel restrictions in surrounding countries meant that Hungary was not even a transit country for migrants in this period.

Since the radical political and social transformation of eastern Europe around 1990, the extent and character of population movements into and through Hungarian territory has changed. By the mid-1990s, the country had become a transit country to the West, and also a destination country for immigrants.

* **What are, in Hungary, the policy concepts related to migration?**
* **In other words: in which context is migration placed from the policy point of view?**
* **Does it have to do with inclusive policies, with special needs education, with social cohesion policies,...?**

**Migration Policy and Legislation**

In recent decades, Hungary's legal framework for regulating migration has developed gradually. At the end of the 1980s, the need to establish a new administrative and legislative system to cope with migration became clear. This resulted in a series of legislative measures:

* In 1989, a law was passed on emigration that abolished all administrative obstacles to the right of Hungarians to freely enter and leave their country.
* In 1993–1994, two immigration regulation acts entered into force: the Act on Hungarian Citizenship and the Act on the Entry, Stay, and Immigration of Foreigners in Hungary. Both acts tightened regulations governing immigration. The Citizenship Act stipulates that eight years of residence in Hungary are a necessary prerequisite for naturalization. The second act, known as the Aliens Act, requires an individual to spend a minimum of three years working and living in Hungary with a residence permit in order to obtain immigrant status.
* In 1991, strict rules were put into effect to regulate the employment of foreigners.
* In 1997, the issue of illegal border crossings was extensively addressed by the Act on Borders and the Border Guards, which gave the border guards more power and resources.

The last piece of the migration "package" — regulation of the refugee issue — was postponed until March 1998, when the Act on Asylum entered into force. This measure was connected to events in 1989, when Hungary joined the 1951 Geneva Convention relating to the Status of Refugees, but with a geographic reservation limiting its application to European events. The Act on Asylum lifted the geographical limitation and established three categories for refugees, with different decision-making procedures and rights. Besides the traditional category of "convention" refugee (which entails basically the same rights as citizens), the act allows the entry and stay of "asylees" and "refugees given shelter/accepted refugee."

In 2002, a new legislative package entered into force, aimed primarily at harmonizing Hungarian regulations with those of the European Union. A minimum of three years working and living in Hungary with a residence permit is now needed to obtain a settlement permit; that is, immigrant status. Eight years of residence are a necessary prerequisite for naturalization.

There are, however, exceptions to the rule and groups that receive preferences. Naturalization and acquiring a settlement permit are easier for ethnic Hungarians, in whose cases citizenship derives from a parent's Hungarian citizenship under the principle of "jus sanguinis" and also for those born in Hungary. Furthermore, former Hungarian citizens can re-obtain their citizenship on request, without a waiting period.

**Recent Migration Stocks and Flows**

Immigration increased with the political changes in the central and eastern European countries at the beginning of the 1990s, especially the refugee flows from the former Yugoslavia. In 1990, almost 40,000 legal immigrants arrived in the country. Their number fell steeply thereafter, dropping to 20,000 in 1992. The figures for more recent years show that the annual number of legal immigrants has stabilized at around 14,000-15,000. Most immigrants arrive from neighboring countries and are of Hungarian ethnicity. Eighty percent of those who entered in 1989-1990 were Romanian citizens, mostly of Hungarian ancestry. In the following years their proportion declined, reaching less than 40 percent between 1994-2002. A common explanation for this decline is that by 2002, those who had the inclination and means had already settled and naturalized in Hungary.

As of 2002, some 115,000 foreign citizens with a valid long-term permit (i.e., good for at least one year) or permanent residence permit were residing in Hungary. This population amounted to 1.13 percent of Hungary's total population of 10.1 million, with a quarter residing there on a temporary basis. For those coming from EU countries and North America, this rate was above 80 percent. Some 43 percent of these foreigners were Romanian citizens, followed by Yugoslavians (11 percent) and Ukrainians (8 percent), most of them ethnic Hungarians. Around 10 percent had arrived from the EU, while 6 percent were Chinese.

In addition to the foreign residents, another 115,000 immigrants have acquired Hungarian citizenship since 1990. Hungarian citizenship has been granted almost exclusively to ethnic Hungarians from neighboring countries. At the end of 2000, three percent (294,000) of Hungary's population were foreign-born. It is not clear, however, that actual international migration took place in their life: there are immigrants in this group as well as people who became foreign residents as a consequence of historic events such as border changes or citizenship agreements.

**Labor Migration**

More than 100,000 foreigners work legally in Hungary. Immigrants with permanent residence permits can take up employment under almost the same conditions as Hungarian nationals, with a few exceptions such as jobs in the civil service. No exact statistics show the number of employed permanent residents, but considering their age composition and the overall employment rate, 40,000 is a fair estimate.

Temporary immigrants, apart from some exceptions, can take up legal employment only if they hold a work permit. The most important exception is that senior executives of foreign companies do not need a permit. Many small family-run enterprises and a considerable number of self-employed foreigners fall into this category, because establishing a company to facilitate living and working in Hungary is often easier than obtaining a work permit. Based on the residence permit data, about 5,000 foreigners belong in this category.

The number of temporary work permits—valid for up to one year—is limited. The quota was 81,320 in 2002, in line with the number of vacancies. The quota was far from filled. The number of valid work permits was 42,000 in 2002.

According to work permit data, the construction, agriculture, textile, clothing, retail, catering, and entertainment sectors are most affected by foreign labor. The majority of the employees are Romanian citizens. Many come from the former Soviet Union, mainly from the Ukraine. Since 1997, the Chinese have made up the third-largest group.

Work permit figures are sometimes misleading. In the case of neighboring Austria, the 246 valid permits on record as of the end of 2002 are probably not an accurate reflection of reality. It is more probable that Austrians working in Hungary can easily travel home, often do not live in Hungary at all, or legally commute each week as "tourists."

This type of commuting is not exceptional: Most illegal foreign workers are from neighboring countries. These workers enter legally as tourists and acquire regular or occasional work. Temporary migrants often work illegally, mostly in the construction, agriculture, catering, entertainment, and clothing and textiles sectors. The chances of temporary immigrants obtaining regular, formal employment are slim. An employer must obtain a work permit for the immigrant through a complicated and lengthy procedure. Despite the broad media exposure of the illegal employment of foreign workers, there are no reliable data on the scale and extent of this type of work. However, most analysts believe that illegally employed foreign workers greatly outnumber those with work permits. In the high season, many experts estimate that the number of illegal foreign workers may be double that of foreign workers with permits. In recent years, there have been considerable changes in the scale, forms, and organization of the illegal work of foreign nationals. The supply and demand for such workers is now more balanced, and recruitment is mostly organized through various go-betweens.

One category of legally and illegally employed foreign workers that is rarely mentioned consists of professionals, language teachers, experts, and self-employed intellectuals such as journalists from industrialized countries. Contrary to stereotypes, foreign residents with long-term permits on average have higher occupational status than Hungarian citizens, and permanent residents (who are mostly returning "ethnic" Hungarians) are less qualified than temporary immigrants. This is reflected primarily in the proportion of highly qualified individuals, which makes up one-third of the total immigrant population and more than 40 percent of temporary migrants. The proportion of non-manual workers is around 50 percent of the active foreign population.

The majority of foreigners, both legal and illegal, work in the capital, Budapest, and its metropolitan area. Many others work in the counties to the south, south-east, and east of the country, near the borders with the Ukraine, Romania, the former Yugoslavia, and Croatia. Increasing numbers of foreigners are employed – mostly legally – in the western, more developed regions of Hungary.

**Illegal Migration**

Since 1990, the border guards have recorded 152,000 cases of foreigners attempting to enter illegally, and 80,000 efforts to leave Hungary illegally. This difference can be explained by the visa regime: migrants from Romania, the successor states of Yugoslavia, and the former Soviet Union could legally enter Hungary, but not western European countries. In 2002, when Romanians were first allowed to enter the EU without a visa, the number of illegal entries and exits were about the same in number (around 6,000). These figures indicate Hungary's transit role in illegal migration. According to border guard officials, 75 percent of those trying to leave the country are former inhabitants of refugee camps who wanted to leave the country for the West with the help of human smugglers. Since 1990, migrants have been assisted in illegal border crossings in 43,000 cases. As the assistance remains mostly undetected, these figures highly underestimate the role of smugglers. Of the various forms of human trafficking, that of women is the most visible and frequently discussed. In Hungary, there are organizations that recruit women for prostitution, taking them to France, Austria, and other destinations. They also import women to Hungary from Romania, Moldova, Slovakia, and the Ukraine. The real scale of the phenomenon is unknown.

**Asylum Seekers and Refugees**

Hungary acceded to the 1951 Convention relating to the Status of Refugees in 1989. By the time the convention entered into force, more than 30,000 Romanian citizens were staying in Hungary on the basis of temporary residence permits. The vast majority of these people were ethnic Hungarians. Most of them settled in Hungary permanently. The next largest category came from the former Yugoslavia, arriving in several waves that rose and fell in rhythm with various armed conflicts. Until 1997, Hungary accepted refugees only from European countries. Immediately after lifting this limitation, nearly half of the asylum applications were submitted by non-European citizens (mostly from Afghanistan, Bangladesh, and Iraq). The other half came from Yugoslavs fleeing the Kosovo crisis. In 1999, there were 11,500 applications, with 5,100 submitted by Yugoslavians and 6,000 by non-European citizens. Since then, there have been hardly any European applicants; in 2002 they amounted to only seven percent of all applicants. Hungary is primarily a transit country for asylum seekers. Economic forces are only part of the reason for this phenomenon. Equally important faactors include lengthy asylum procedures, low chances for long-term and effective protection, and scarce opportunities for integration. For these reasons, asylum seekers generally seek protection elsewhere, mainly in member countries of the European Union. Therefore, the most common reason for terminating an asylum procedure is that the applicant "disappears." During the period from March 1, 1998 to August 31, 2000, protection was granted to 3,355 asylum applicants (15.7 percent of all applicants. This rate of approval is higher if the number of those who "disappeared" is subtracted (28.8 percent). This includes those who received refugee status and those who were authorized to stay in the separate category of "accepted refugees." Out of the 3,355 applicants, refugee status was granted under the Geneva Convention in 809 cases (3.8 percent of all asylum seekers).

**Current Policy Discussions**

Hungary will become an EU member state as of May 1, 2004. This development has many ramifications for the country's migration policy. In recent years, migration has drawn political and media attention, most frequently in connection with the EU accession process. This attention has prompted new administrative and legal measures connected to migration. It has also been a determining factor in connection with measures and statements on the issue of illegal migration and tighter border controls. In 2004, Hungary's eastern and southern borders will both be with EU states, which will bring serious changes in the border regime. Strict border controls and visa requirements with neighboring countries will be demanded. Controlling the border is not only a difficult task, but also an extremely delicate issue, as the new regulations may negatively influence cultural, economic, and family contacts with the large Hungarian communities in Romania, the former Yugoslavia, the Ukraine, and Croatia. After serious debates on these issues, an act granting special status to Hungarian minorities living in neighboring countries was passed in 2001. Its declared goal is to help ethnic Hungarians remain in their countries of residence and support their existing communities. It provides special benefits for ethnic Hungarians in the fields of education, employment, travel, and culture. In addition, it furnishes them with financial aid and grants them easier procedures if they wish to enter Hungary for work or study. In spite of widespread agreement with the act's general aims, it has still been heavily criticized. Some feel the benefits provided are limited and not appropriate, while others are afraid that it costs too much with limited results. From one side, nationalistic sentiments are emphasized, while from the other, the alleged "abuse" of nationalistic sentiments for domestic political gain draw fire.

The main problem, however, has been the reaction of the concerned neighboring governments and their majority populations. Some provisions are looked on as discriminatory, and have sparked anti-Hungarian sentiment. Some of Hungary's neighbors, and the EU as well, have expressed official concern over the proposed law. In response, Hungarian lawmakers have modified the act, which is now in effect, so that the government considers it entirely in line with EU norms. With the accession to the EU of Hungary and other key countries, this legislation will lose much of its importance. Some EU states, uneasy with the union's ongoing enlargement, have voiced fears that equate potential migration from central and eastern Europe with the immigration of undesired masses from the East. This is behind the derogation requested by the EU for the free movement of labor, which will not take effect until 2011. In fact, the free movement in the EU may be a strong factor pulling in migrants. Some current EU countries have different answers. Britain, Ireland, the Netherlands, Denmark, Sweden, Spain, and Greece plan to grant working rights to people from Hungary and citizens of the new EU countries. However, Germany, France, and Italy are planning to delay that right for up to seven years. The free movement of labor from eastern countries would primarily alter the border regions of Austria and Germany. At the same time, the growth of the Hungarian economy seems sustainable, and according to economic forecasts, it will maintain a growth rate above the EU average. Furthermore, according to survey results, a negligible 2.7 percent of Hungarian workers would take advantage of free movement of labor to work abroad for a longer period of time. No more than 1.5 percent aspire to permanent emigration.

**Creating Policy**

Hungary, like most receiving countries, treats the inflow of immigrants not as a complex social and economic issue, but as a deviant phenomenon affecting public order. This approach aims at the short-term treatment of problems through defensive measures. The underlying idea is that migration can be kept in check with the means at the disposal of the authorities, particularly border control and strict residency rules. No comprehensive social, economic, or political strategy has been developed concerning migration in Hungary. Indeed, the policy is still characterized by ad hoc regulations.It is frequently argued that the adoption of more liberal rules for the employment of foreigners would jeopardise the jobs of Hungarians. Illegal employment is often referred to in this context by the press and in political debates. The number of foreign nationals working illegally in Hungary (estimates stand at 70,000-140,000) is not particularly great. The number of legally employed foreigners (around 100,000) is low not only in comparison with the total number of employed persons (3,870,000), but also with the total number of unemployed, who by official counts reach 234,000. But by virtue of its illegality, it has the potential to severely harm both migrants and the host society. The opinion that immigrants take jobs from Hungarians, raising the unemployment rate, appears not to be a convincing reason for further restricting immigration. In view of the structural differences between the sectors of the labor market and the flexible nature of the foreign labor force, it is unlikely that migration could seriously endanger the labor market position of native Hungarians.

Hungarian regulations strive to follow European standards, which are designed to secure the outer borders of western Europe. The question is whether this is the proper course to follow. Restrictions cannot remove the causes of migration. Experience tends to show that measures aimed at restricting the influx of foreign workers do not greatly reduce the level of migration, but do have the effect of increasing illegality. It is important to note that the various forms of temporary migration for employment have encouraged economic development on both sides of the border, which is a prerequisite for order and security. For many years, several regions were unable to develop because of their isolation and the strictness of border controls. Work abroad and commuter migration have therefore made an important contribution to economic development in labor-sending countries.

**Looking Ahead**

The May 1, 2004 enlargement of the EU by 10 countries brings a set of migration challenges for Hungary. There are various forecasts and opposing views concerning the trends, composition, and magnitude of population movements that lie ahead. One thing is certain: Hungary will face a totally new situation with regard to migration and ethnic minorities. The fact that some countries with large Hungarian ethnic minorities will join the EU in 2004, while others will remain outside the area of free movement, will create a contradictory situation. How Hungary will cope is open to question. For Hungary, a future EU member with a declining population whose conditions for sustainable economic growth and social development seem to be a given, there is a chance for the more positive effects of migration to come to the fore. Cultivating the advantages of properly managed migration will, however, depend on moving from ad hoc regulations to a more comprehensive social, economic, and political strategy.

**In a short way, the conclusions:**

Hungary: If schools do not have sufficient material and human resources to organise mother tongue tuition themselves, the Ministry of Education (today = Ministry of National Resources) recommends seeking advice and assistance from the diplomatic mission of the relevant country. In Spain, Italy, Hungary, Slovakia and Iceland, the provision of mother tongue tuition is for the most part left to the initiative of the schools and local authorities. In Hungary there is a possibility for chinese immigrant pupils learning in the Chinese-Hungaraian Bilingual School, and Slovaks can learn in Slovak language in the Slovak-Hungarian Bilingual School. Those pupils, who are coming from English, German Franche or Spanish spaking countries, they can learn in English, German, Spanish, French, in the special bilingual schools, and in the country there are also some ethnical minority national schools, like German, Croatian, Slovak, Roma or other ethnic minority schools. What the system do not organise, is a special program in a regular Hungarian state owned school any special courses for different nationality groups. In Iceland, the regulations recommend that schools and local authorities work with parents to arrange such tuition.

Access to interpretation services is a statutory right in six countries and applies to a specific category of immigrant families (refugees) or in very specific situations requiring contact between immigrant families and schools. In these countries, with the exception of Hungary, national recommendations, national resources, or local initiatives cover those situations where this statutory right does not apply.

In Hungary, the fee of interpretation used during the procedure of asylum seeking, which may include contacts with schools, is to be paid by the asylum authority.

In Hungary, the intercultural education programme guidelines recommend that schools recruit teachers specialising in Hungarian as a foreign language, a teaching assistant, and a psychologist to facilitate the integration of immigrant pupils, although in practice insufficient numbers of immigrant pupils prevent schools from making such appointments.

Although it is hardly an evident, that the country made some developement in the fild of the immigration policy, there are still a lot to prouve, and contribute with other European countries. Nowadays this immigration can be a very important question in international level, but the whole system is under a very deep, complex and detailed reconsruction in Hungary. The state is taking over again to run the public educational system, and of cours at the same time they are absolutly not rising the budget, but moving sources from one side into another one, so that can be rearranging a good expression for this procedure. Even citizen can not follow what is clearly happening during this huge structural centralizazation, not speaking immigrant people. Ordinary people can not have an idea, about the practical future. What we simply can hear, are visions, speaches, talkings, political declarations, financial promisses, and aboundant words. Naive questions are opposite to sophisticated theories. Stakeholders are affraid from the next years. Clothing schools, losing jobs, reducement, can voices whispering.

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[**Download MIPEX III Hungary**](http://www.mipex.eu/sites/default/files/downloads/magyarorszag_migrant_integration_policy_index_mipexiii_hu_bybritishcouncil.pdf)

**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. 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**

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| **Family reunion** |
| **Long-term residence**. |
| **Access to nationality** |
| **Justice and home affairs** |
| **Labour market mobility**. |

**Key Findings**

* Lacking comprehensive integration 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 to 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**

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**Areas of Integration**

