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**NEW MIGRATION CHALLENGES FOR  
HUNGARY SINCE THE EU AND THE  
SCHENGEN AREA ACCESSION**



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## INTRODUCTION

In the recent history of Hungary, two dates have had significant impact on the country in terms of European integration. On the 1<sup>st</sup> May 2004, Hungary joined the European Union together with nine other states, on the 21<sup>st</sup> December 2007, Hungary became a significant part of the new Eastern/South-Eastern gate to the EU as a member of the Schengen Area. These acts have brought up new challenges for Hungary in the field of migration policy, border security, economy, demography and public health because of the rapidly growing all types of migration phenomenon (regular and irregular (legal and illegal), temporary, permanent and circular) acting as both target and transit country.

This means that Hungary had - and has continuously – to adapt itself to the European regulations and strengthen its border controls. These new challenges have influenced not only Hungary and Hungarian migration policy, but the accession put Hungary in a new situation in relation to the EU migration policy as well. What are the impacts of these accessions on the Hungarian migration policy, economy, demography and labour market and how this new position has influenced the role of Hungary within the Union? Does Hungary abide by EU and Schengen rules and fulfil its role?

After definitions given concerning migration and the Schengen Agreement, the first chapter deals with the history of early human migration, with a focus on Hungarians and Hungarian migratory flows in the 20<sup>th</sup> century. The second chapter elaborates on recent global and European migration trends, with emphasis on flows from the new Member States since the 2004 enlargement. The third chapter gives an overview of the current situation of the Hungarian economy, demographics and labour market in the context of the current global crisis. The fourth chapter provides information on the current Hungarian migration trends. Finally, the fifth chapter looks at migration related challenges for Hungary and for the EU.

## **Definitions**

When we talk about migration, we have to define it first of all as well as its terms. According to the Glossary on Migration published by the International Organization for Migration (IOM), migration is “A process of moving, either across an international border, or within a State. It is a population movement, encompassing any kind of movement of people, whatever its length, composition and causes; it includes migration of refugees, displaced persons, uprooted people, and economic migrants.” (International Migration Law, Glossary on Migration, IOM)

As far as the term ‘migrant’ is concerned, there is no universally accepted definition. The term ‘migrant’ refers in general to a person who decides freely to live temporarily or permanently outside her or his country (or region) of origin in order to improve her or his living standards<sup>1</sup>. The term is often applied to migrant workers. The UN Convention on the Rights of Migrants<sup>2</sup> defines a migrant worker as “a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national.” On the other hand, refugees are defined by the 1951 Geneva Convention<sup>3</sup> as persons who, “owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion,” have been forced to leave their country. The Special Rapporteur of the Commission on Human Rights has proposed the following definition of migrants:

“(a) Persons who are outside the territory of the State of which they are nationals or citizens, are not subject to its legal protection and are in the territory of another State;

(b) Persons who do not enjoy the general legal recognition of rights which is

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<sup>1</sup> See Glossary on Migration, IOM; [http://www.unhchr.ch/html/menu3/b/m\\_mwc\\_p1.htm](http://www.unhchr.ch/html/menu3/b/m_mwc_p1.htm) , website visited on 02/05/09

<sup>2</sup> [http://www.unhchr.ch/html/menu3/b/m\\_mwc\\_p1.htm](http://www.unhchr.ch/html/menu3/b/m_mwc_p1.htm) , website visited on 02/05/09

<sup>3</sup> <http://www.unhcr.org/protect/PROTECTION/3b66c2aa10.pdf> , website visited on 02/05/09

inherent in the granting by the host State of the status of refugee, naturalised person or of similar status;

(c) Persons who do not enjoy either general legal protection of their fundamental rights by virtue of diplomatic agreements, visas or other agreements.” (Gabriela Rodríguez Pizarro, Special Rapporteur of the Commission on Human rights in A/57/292, Human rights of migrants, Note by the Secretary-General. 9 August 2002)

The typology<sup>4</sup> of migration can be various according to different approaches: internal or cross-border from a spatial point of view, regular (documented/legal) or irregular (undocumented/illegal) in legal terms and voluntary or involuntary (forced) as far as the motivation of migrants is concerned. In the following part, I will focus on the types of migrants divided in documented (or regular/legal) and undocumented (or irregular/illegal) migrants.

### **Types of migrants (1): Documented migrants<sup>5</sup>**

- Permanent immigrants: legally admitted migrants who are expected to settle in the country, including persons admitted to reunite families.
- Documented labour migrants: temporary migrant workers are skilled, semi-skilled or untrained workers who remain in the receiving country for finite periods as set out in an individual work contract or service contract made with an agency. Temporary

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<sup>4</sup> The following typology may not be exhaustive and may vary according to different authors. International Migration Law, Glossary on Migration, IOM; [http://portal.unesco.org/shs/en/ev.php-URL\\_ID=3020&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/shs/en/ev.php-URL_ID=3020&URL_DO=DO_TOPIC&URL_SECTION=201.html), website visited on 02/05/09

<sup>5</sup> The following typology is a mixture based on the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, UNHCR, [http://www.unhcr.ch/html/menu3/b/m\\_mwctoc.htm](http://www.unhcr.ch/html/menu3/b/m_mwctoc.htm); Protocol to Prevent, Suppress and Punish Trafficking in Persons, UNODC, <http://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html>; Protocol against the Smuggling of Migrants by Land, Sea and Air, <http://www2.ohchr.org/english/law/organizedcrime.htm>; World Migration Report 2005, IOM Geneva; Glossary on Migration, IOM

professional transients are professional or skilled workers who move from one country to another, often with international firms.

- Asylum seekers: appeal for refugee status because they fear persecution in their country of origin.
- Recognized refugees: those deemed at risk of persecution if they return to their own country. Decisions on asylum status and refugee status are based on the United Nations Convention Relating to the Status of Refugees, 1951.
- Internally displaced persons are those who have valid, forced reason for moving from their original settlement/region to another one within their home country (such as civil war, ethnic cleansing etc.).

### **Types of migrants (2): Undocumented migrants**

- Undocumented labour migrants: do not have a legal status in the receiving country because of illegal entry or overstay.
- Trafficking in Human Beings is “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.” (Article 3, paragraph (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, UNODC)

- Smuggling in Human Beings: „the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident.” (Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime)
- Externally displaced persons are those not recognized as refugees but who have valid reasons for fleeing their country of origin (such as famine or war).

### **Definition of the Schengen Agreement and the Schengen Area and its requirements regarding the borders**

Hungary joined the European Union on 1<sup>st</sup> May 2004 and signed at the same time the Schengen Agreement, but implements it fully only since 21<sup>st</sup> December 2007 (more precisely since 21<sup>st</sup> December 2007, it is implemented for overland borders and seaports, and since 30<sup>th</sup> March 2008 also for airports)<sup>6</sup>.

The Schengen Agreement<sup>7</sup> is a treaty signed initially by five countries, also called the ‘Schengen Group’, named after a small village in Luxembourg – Benelux, France and Germany – on 14<sup>th</sup> June 1985. The aim

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6 "The final step of Schengen enlargement – controls at internal air borders to be abolished in late March". Slovenia's EU Presidency. 2008-03-25, [http://www.eu2008.si/en/News\\_and\\_Documents/Press\\_Releases/March/0325MNZschengen.html](http://www.eu2008.si/en/News_and_Documents/Press_Releases/March/0325MNZschengen.html), Retrieved on 03/25/2008.

7 All the information which follows about Schengen is taken from several websites: <http://www.ena.lu/>, The Schengen Area, website visited on 02/05/09; Council decision of 6 December 2007, [http://eur-lex.europa.eu/LexUriServ/site/en/oj/2007/l\\_323/l\\_32320071208en00340039.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/oj/2007/l_323/l_32320071208en00340039.pdf), website visited on 03/05/09; The Schengen Agreement, [http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:42000A0922\(01\):EN:HTML](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:42000A0922(01):EN:HTML), website visited on 03/05/09; The Schengen acquis, [http://eur-lex.europa.eu/LexUriServ/site/en/oj/2000/l\\_239/l\\_23920000922en00010473.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/oj/2000/l_239/l_23920000922en00010473.pdf), website visited on 03/05/09; The 1990 Schengen Convention, [http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:42000A0922\(02\):EN:HTML](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:42000A0922(02):EN:HTML), website visited on 03/05/09



of this treaty was the step-by-step abolition of border control among the signatory states. The Schengen Area was born outside the framework of the European Union, but still in line with the same idea of free movement of persons, capital, goods and services (the famous four freedoms) of the European Communities.

As I mentioned before, only five out of the twelve members of the European Communities took part at the beginning, but the other countries successively acceded to the Agreement: Italy on 27 November 1990, Spain and Portugal on 25 June 1991, Greece on 6 November 1992, Austria on 28 April 1995 and Sweden, Finland and Denmark on 19 November 1996. Norway and Iceland, not members of the European Union, but members of the Nordic Passport Union, joined the Schengen Area as associate members on 19 December 1996. The United Kingdom and Ireland have a special status because they did not sign the 1990 Schengen Convention (the so-called Schengen II) and have then opt-outs in the Treaty of Amsterdam. The Schengen rules have been transposed into the EU law by the Treaty of Amsterdam, called the 'Schengen acquis', however, as the United Kingdom and Ireland have opt-outs, they only implement some police and judicial cooperation rules, but maintain their own border checks. After the 2004 EU enlargement, nine out of the ten new member states – the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia - joined the Schengen Area in 2007. Cyprus did not join with the nine other states because it could not meet the criteria. Romania and Bulgaria, the newest members of the EU are still adapting themselves to the necessary border control standards. The latest Schengen member is Switzerland, which joined on 12 December 2008. As far as the European microstates are concerned, Monaco, San Marino and Vatican City are de facto members of the Area, since they have open borders relatively with France and Italy. Andorra is not part of the Schengen Area. The potential future members are Liechtenstein (1<sup>st</sup> November 2009)<sup>8</sup>, Cyprus (2010?)<sup>9</sup>, Bulgaria and Romania (2011?)<sup>10</sup>.

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<sup>8</sup> [http://www.vaterland.li/page/lv/artikel\\_detail.cfm?id=32982](http://www.vaterland.li/page/lv/artikel_detail.cfm?id=32982) "Beitritt Liechtensteins .... Dieser Beitritt erfolgt voraussichtlich aber erst am 1. November des kommenden Jahres" ;

In the Schengen Area, we make a distinction between internal and external borders, that is to say the aim of the Agreement is the progressive abolition of internal borders among members and the reinforcement of external borders vis-à-vis non-member states, making thus travelling without internal border controls possible. ("With regard to the movement of persons, from 15 June 1985 the police and customs authorities shall as a general rule carry out simple visual surveillance of private vehicles crossing the common border at reduced speed, without requiring such vehicles to stop." – article 2 of the 1985 Schengen Agreement).

Regarding the border control rules, travelling is free within the internal borders of the Area. As regards the external border controls, strict checks have to be applied by the member states controlling people entering or exiting the Area. All the details about the border control regulations, the standards and the criteria to enter are detailed in the Schengen Borders Code<sup>11</sup>, an EU regulation.

I will explain in detail the Schengen visa, the Schengen information system (SIS) and the border control requirements for Hungary later on.

The Schengen Agreement is also an effective tool to fight against crime, drug and arm trafficking among others; to harmonise visa policies, police and judicial cooperation and crime legislation.

To summarize in a nutshell what has been said, the Schengen Agreement (also called Schengen I) was originally signed by Benelux, France and Germany on 14 June 1985. A Convention Implementing the

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<http://www.20min.ch/news/schweiz/story/17084808> "Liechtenstein soll Ende 2009 dem Schengen-Raum beitreten"

<sup>9</sup> <http://www.mfa.gov.cy/mfa/Embassies/BerlinEmbassy.nsf/All/9E3EA74BCAD066E5C125727D00493F03?OpenDocument&print>. Retrieved on 18/01/2009

<sup>10</sup> <http://www.setimes.com> "Romania and Bulgaria prepare to join Schengen List (SETimes.com)"

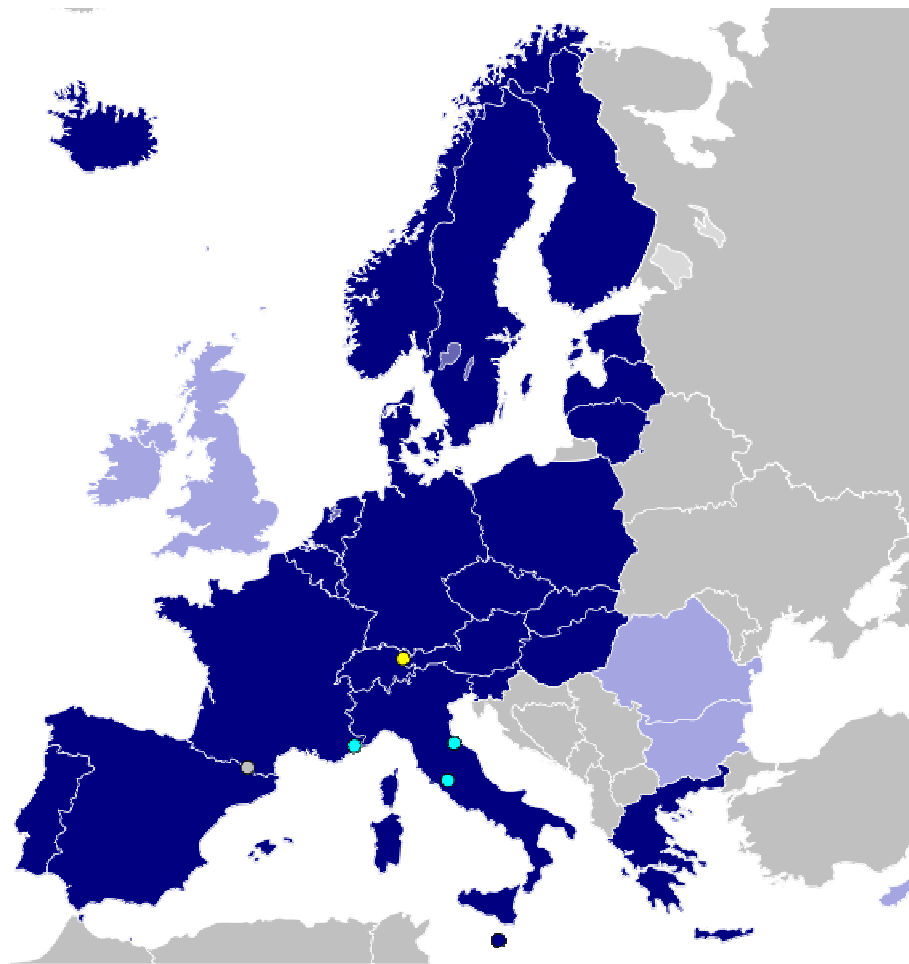
<sup>11</sup> "Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code)" 13/04/2006. [http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l\\_105/l\\_10520060413en00010032.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l_105/l_10520060413en00010032.pdf). Retrieved on 15/11/2008

Schengen Agreement (also called Schengen II) was signed on 19 June 1990. However, it was only implemented by these countries on 26 March 1995. The Schengen Area currently consists of twenty-five European countries. The Treaty of Amsterdam constitutes the legal basis for Schengen rules (the Schengen acquis). The aim of the Agreement is to guarantee the free movement of persons inside the Area, to strengthen external border controls, to harmonise visa and asylum procedures, to improve police and judicial cooperation and to fight against crime, arm and drug trafficking.

See graphics below







Source: Wikipedia



Source: Wikipedia

Members of the Schengen Agreement:

-  Dark blue: Members
-  Cyan: country applying the Schengen Agreement, through a partnership with a country-member of the Schengen zone(Monaco)
-  Light blue: Signatories (signed but implementation pending)
-  Yellow: Non-EU members interested in joining Schengen only

## CHAPTER 1: HISTORICAL APPROACH

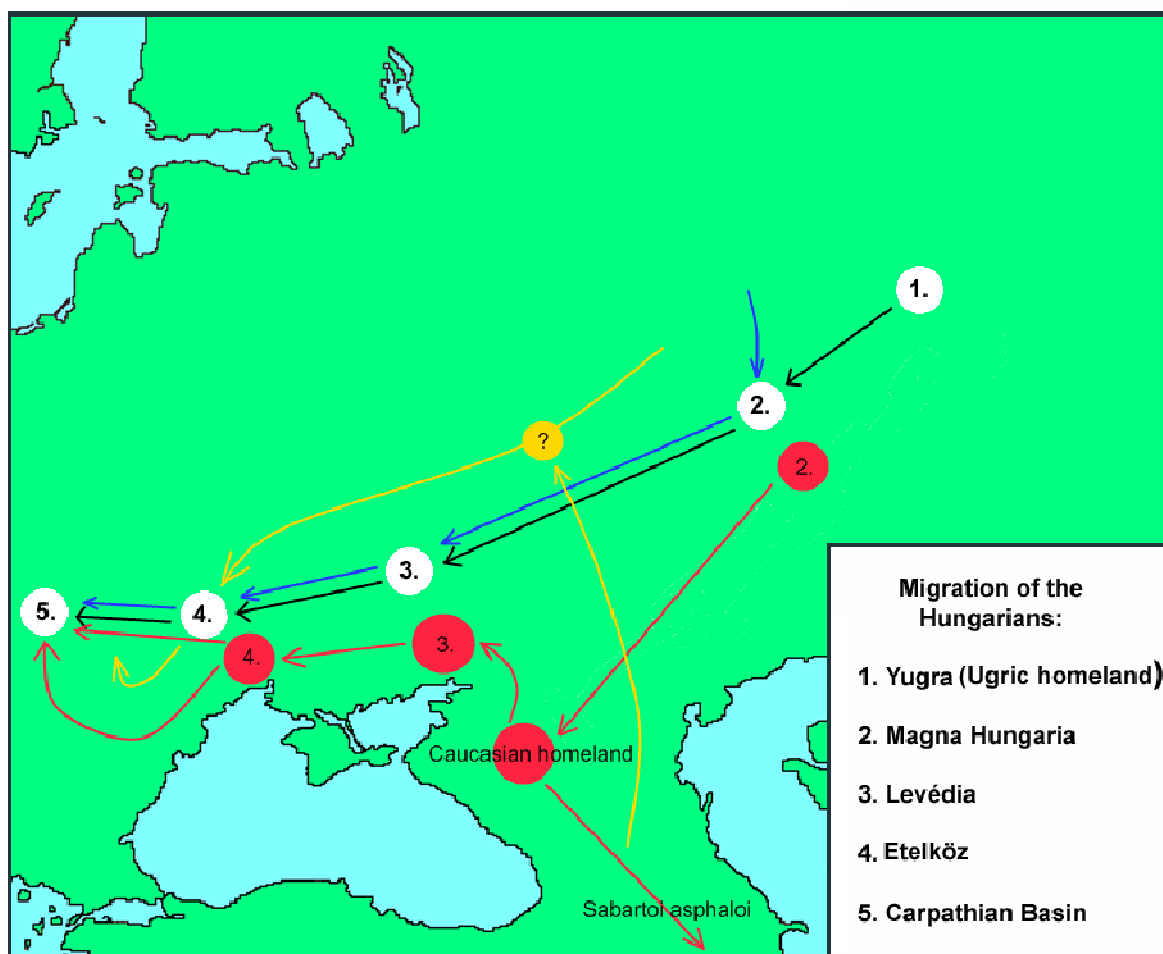
### *1.1. Migration in the History of Mankind: Hungarians' Ancestors*

Migration is not a recent (even if it is a hot topic nowadays), but an old global phenomenon which appeared already with the *Homo erectus* millions of years ago<sup>12</sup>. Since I do not think that it would be relevant in this thesis to talk about early human migrations on the different continents through time, I will only present shortly the migration history of the Hungarians' ancestors.

According to the Finno-Ugric theory<sup>13</sup>, which is mainly based on ethnic and linguistic arguments (the Hungarian language is part of the Finno-Ugric linguistic family), the Finno-Ugric languages were separated from the others around 2000 BC in the Ural regions, western Siberia. Around 1000-500 BC, the Ugrians, a Magyar people group, separated themselves from other Finno-Ugric groups in the southern Ural region (Bashkiria). Then the ancestral Hungarian tribes migrated from the Urals to the Black Sea region around 500-800 AD. Around 862, the Hungarians settled in 'Etelkoz', near the River Don, i.e. the territory between the Carpathians and the River Dnieper. Between 895-900, the Hungarians conquered the Carpathian basin (this conquest is called in Hungarian 'Honfoglalás', which refers to the conquest of the Hungarian land by Arpad in 895/896). A number of famous pillaging and quick devastating raids were undertaken by Hungarians all around Europe (a famous prayer from the Middle Ages shows the fear of Europeans from Hungarians: "Sagittis hungarorum libera nos Domine" - "Lord save us from the arrows of Hungarians"). The ancestral Hungarians lived like nomads. In 1001, the first Hungarian king, Istvan I, the founder of the state was crowned.

<sup>12</sup> [http://en.wikipedia.org/wiki/Early\\_human\\_migrations](http://en.wikipedia.org/wiki/Early_human_migrations), website visited on 04/05/09

<sup>13</sup> This information comes from my own knowledge from history classes, but this information can also be found in "A Concise History of Hungary", by Miklos Molnar, Cambridge Concise Histories (Fifth printing 2008 ed.). Cambridge, United Kingdom: Cambridge University Press, <http://books.google.com/books?id=y0g4YEp7ZrsC&pg=PA262&dq=found+themselves+separated+from+their+motherland&ei=UI13Sa3bEouYMsCR-L4E#PPR12,M1>, or for instance <http://en.wikipedia.org/wiki/Magyars>, websites visited on 04/05/09



Early migration of the Hungarians<sup>14</sup>

Now I will talk about the migratory trends from and to Hungary during the last century.

### **1.2. Migratory History of Hungary in the 20<sup>th</sup> Century**

The rich history of Hungary is full of –unfortunately most of the time sad- events, especially in the 20<sup>th</sup> century. These events are in general the engine of migration, mostly emigration. Historically, Hungary has always been more an emigration than an immigration country, and has played the role of a transit country instead of the one of a target country. I will describe shortly the different waves of migration across time and space.

<sup>14</sup> [http://upload.wikimedia.org/wikipedia/commons/7/73/Hungarian\\_migration.png](http://upload.wikimedia.org/wikipedia/commons/7/73/Hungarian_migration.png), website visited on 04/05/09

During the era of the Austro-Hungarian Monarchy<sup>15</sup>, more precisely at the turn of the century, Hungarians (among other nationalities of the Empire) emigrated mainly to the United States and to Canada. There is a problem of confusing data, because at the time, no clear distinction was made at the beginning between the immigrants of different nationalities of Austria-Hungary. However, some data sources are at our disposal thanks to the annual reports of the US Immigration and Naturalization Service (I.N.S.) and to the US decennial Census. Among the incentives to leave Austria-Hungary, we can find economic reasons, the aspiration for a better living standard abroad (job opportunities) or the fear of military service. The emigration policy of Austria was based on the principle of freedom of emigration<sup>16</sup> (1867 Constitution), while Hungary applied a more rigorous policy trying to stop emigration during the period before the First World War.

Immigrants to the USA from Austria-Hungary, 1901-1910, according to nationality

Nationality	Number	Percent
Poles	398,347	18.6
Croats, Slovenes	345,519	16.1
Slovaks	329,682	15.4
<b>Magyars</b>	<b>314,780</b>	<b>14.7</b>
Germans	254,152	11.8
Jews	152,811	7.1
Ruthenians	141,459	6.6
Czechs	93,031	4.3
Rumanians	76,551	3.6
Italians	17,284	0.8

Source: Englisch, K., opus cit., pp. 91, 93.

Most of the immigrants coming from Austria-Hungary were farmers and mostly men<sup>17</sup>.

<sup>15</sup> The following information is taken from "L'immigration européenne aux Etats-Unis (1880-1910), texts recueillis par Jean Cazemajou", Presses universitaires de Bordeaux, "Immigration to the U.S. from Austria-Hungary, 1880-1910" by Eva Sandis, p. 111-123., [http://books.google.com/books?id=bz-2tk04MoYC&pg=PA116&lpg=PA116&dq=hungarian+migration+20th+century&source=bl&ots=gIv6Ev7cuM&sig=Ah0drXp0kU4Ctiqh3FLKGM2BySs&hl=fr&ei=I9L-ScLEJta2jAfvy9muAw&sa=X&oi=book\\_result&ct=result&resnum=1#PPA8,M1](http://books.google.com/books?id=bz-2tk04MoYC&pg=PA116&lpg=PA116&dq=hungarian+migration+20th+century&source=bl&ots=gIv6Ev7cuM&sig=Ah0drXp0kU4Ctiqh3FLKGM2BySs&hl=fr&ei=I9L-ScLEJta2jAfvy9muAw&sa=X&oi=book_result&ct=result&resnum=1#PPA8,M1), website visited on 04/05/09

<sup>16</sup> See p. 113. of the above mentioned book

<sup>17</sup> P. 117, 118. of the same book

As regards Hungarian immigrants going to Canada at the end of the 19<sup>th</sup>-beginning of the 20<sup>th</sup> century, the majority of them were also farmers arriving from the United States<sup>18</sup>.

Another important and tragic period in Hungary took place after the end of the First World War, that is to say after the Trianon Peace Treaty (4. June 1920). Due to this treaty, Hungary lost two-third of its territory (from 325,111 km<sup>2</sup> to 93,000 km<sup>2</sup>, beneficiaries were Romania, Czechoslovakia and the Kingdom of Serbs, Croats and Slovenes) and one-third of its population (from 20.9 million to 7.6 million). One-third of the Hungarian population (3.3 million Hungarians out of 10.7, 31%) were forced to live outside the borders of Hungary<sup>19</sup>. Hungarian nationals found themselves thus overnight in another country without moving. They were exposed to discrimination and assimilation<sup>20</sup>. These Hungarian minorities are located in Slovakia (Felvidek; in 1910: 1.1 million Hungarians on the future territory of Czechoslovakia, in 2001: 520,528, 9.7%), Romania (Transylvania; about 1.3 million Hungarians in 1920, in 2002: 1,447,544, 6.7%), Serbia (Voivodina; almost 500,000 Hungarians to the Serb-Croat-Slovene Kingdom in 1918; in 2002: 295,379, 3.9%), Croatia (mainly Baranya; in 1910, 119,874 Hungarians in Croatia, 5%; in 2001: 16,595, 0.37%), Ukraine (the Subcarpathian region or Transcarpathia; in 2001: 156,600, estimated number: about 200,000), Austria (in Burgenland, in 1920: 24,867 Hungarians, in 2001 only 6,641, however, about estimated 90,000 Hungarians in all Austria today), and Slovenia (Mura region; 15,000 Hungarians to Yugoslavia; in 2002: officially 6,200, but estimated 9-10,000)<sup>21</sup>.

<sup>18</sup> The Hungarian presence in Canada, <http://www.hungarianpresence.ca/history/immigration.cfm>, website visited on 04/05/09

<sup>19</sup> Information coming from my history classes, for details see for instance

[http://en.wikipedia.org/wiki/Treaty\\_of\\_Trianon](http://en.wikipedia.org/wiki/Treaty_of_Trianon); Macartney, C.A. (1937). *Hungary and her successors - The Treaty of Trianon and Its Consequences 1919-1937*. Oxford University Press; "East on the Danube: Hungary's Tragic Century". *The New York Times*. 09/08/03, <http://query.nytimes.com/gst/fullpage.html?res=9B07E3D91531F93AA3575BC0A9659C8B63&sec=&spon=&pagewanted=2>. Retrieved on 15/03/08; [Open-Site:Hungary](http://www.lib.byu.edu/index.php/Treaty_of_Trianon);

or the text of the Treaty [http://www.lib.byu.edu/index.php/Treaty\\_of\\_Trianon](http://www.lib.byu.edu/index.php/Treaty_of_Trianon), websites visited on 04/05/09

<sup>20</sup> [http://en.wikipedia.org/wiki/Treaty\\_of\\_Trianon](http://en.wikipedia.org/wiki/Treaty_of_Trianon)

<sup>21</sup> All information in this sub-part coming from the former Government Office for Hungarian Minorities Abroad (HTMH), <http://www.hhrf.org/htmh/en/index.php>, visited on 04/05/09



Some of these Hungarians who were forced to live from 1918 on in another country without ever leaving their birth land tried to return home to the new territory of Hungary. However, as it happened almost a century ago, it is difficult to find data about their migration. According to the former Hungarian Government Office for Hungarian Minorities Abroad (HTMH), about 197,000 Hungarians fled to Hungary from Romania between 1918 and 1924, because of the atrocities that affected Hungarians (dismissal of public employees and military officers, land reform to the detriment of Hungarian landowners, etc.). In Czechoslovakia, Hungarian minority rights were not respected either. 105,000 Hungarians were forced to leave Czechoslovakia by the end of 1920 (confiscation of property, dismissal). 45,000 Hungarians were refused citizenship to be granted to, and an additional 10,000 were forced to leave. By 1930, Hungarians living in these territories since the Middle Age had disappeared thus from about 200 villages and towns. Czech and Slovak populations were settled onto Hungarian-inhabited territories in order to change the ethnic composition. Hungarian land properties were confiscated and given to Czech and Slovak settlers. The situation of ethnic Hungarian minorities was similar in the other neighbouring countries as well.

Other waves of emigration from Hungary took place during the Great Depression of 1929 and after the Second World War. In all these cases, the target countries were mainly the United States of America and Canada, just like at the turn of the century. The escape from the Nazi regime explains the flight of (Hungarian) Jews, in particular the brain-drain of Jewish intellectuals. Just to mention a few names of Hungarians who fled and became well-known worldwide and they are the fathers of several inventions, but unfortunately not as Hungarian citizens, and in general people do not know they are Hungarians: four scientists, (some of them worked with Einstein): Edward Teller, John von Neumann, Leo Szilard, and Eugene Wigner; two movie-makers: Michael Curtiz, director of *Casablanca*, and Alexander Korda, producer of *The Third Man*; two photographers: Robert Capa and Andre Kertesz; and one writer: Arthur Koestler (*Darkness*

at Noon)<sup>22</sup>. All these Hungarians engraved their names on the tree of history and are immortal.

Talking about other cases of tragic (forced) migration of Hungarians, the ethnic cleansing in Czechoslovakia during and after World War II has to be mentioned, the so-called Benes decrees<sup>23</sup>, issued by the President Edvard Benes between 1940 and 1945, still in force today. These decrees ordered the deportation (or expulsion) and confiscation of properties of ethnic Hungarians and Germans. Within the framework of re-Slovakization decree of 1946, Hungarians were forced to renounce their nationality. In 1946, a population exchange agreement was signed, under the pressure of the Big Powers, between Hungary and Czechoslovakia (the number of resettled ethnic Hungarians must be equal to that of ethnic Slovaks) (HTMH). As a result of all these measures, 73,723 ethnic Slovaks living in Hungary were resettled against 76,000 ethnic Hungarians between 1947 and 1948. Due to the ethnic cleansing, 50,000 Hungarians were deported for forced labour to the Soviet Union between 1944 and 1945; in 1945, over 36,000 Hungarians were expelled from their birth land; in 1946-47, about another 45,000 were deported for forced labour to the Czech Lands to replace the expelled Sudeten Germans; and tens of thousands Hungarians were brought to concentration camps. Following the re-Slovakization decree of 1946, 327,000 persons were forced to renounce their nationality (HTMH).

Unfortunately, the Benes decrees are still in force (with two exceptions) in the Czech Republic and in the Slovak Republic (in their statutes of 1993). In addition, the Slovak Parliament confirmed the decrees in 2007. These two successors of Czechoslovakia refuse to appeal these decrees partly by fear to contradict the outcomes of World War II. This refusal of the decrees contributed to the deterioration of the relations between Hungary and the Czech Republic and Slovakia (and Austria and Germany for the expelled Germans), and is at the core of fierce disputes and debates [23].

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<sup>22</sup> For further information read the exciting book of Kati Marton, *The Great Escape: Nine Jews Who Fled Hitler and Changed the World*, (2006) Simon & Schuster

<sup>23</sup> For details see for instance Wikipedia, [http://en.wikipedia.org/wiki/Bene%C5%A1\\_decrees](http://en.wikipedia.org/wiki/Bene%C5%A1_decrees), visited on 04/05/09

The most famous emigration wave from Hungary for political reasons took place following the 1956 Revolution. The majority of these 1956 Hungarians emigrated to the USA and Canada, but also to Australia and other countries in Europe (France for instance). The estimated number of people of Hungarian origin in the United States and Canada together is about 1,500,000 (HTMH).

Another emigration flows took place after 1989 and ever since for economic and career reasons.

### **Conclusion**

In conclusion, one can state that migration is a phenomenon which had appeared already in the early history of mankind. Hungarians, more precisely their ancestors, are not an exception. According to the Finno-Ugric theory, Hungarians stem from the Ural region, Asia.

During the history of the 20<sup>th</sup> century, rich in unfortunate events, Hungarians were often motivated or forced to leave Hungary for political and economic reasons. One of the most significant migratory waves took place in the aftermath of the 1956 Revolution. As a result of migration flows, there are almost 5 million Hungarians in the world living outside Hungary, with approximately 2.5 million living in neighbouring countries, some other 300,000 in Western Europe, about 1.5 million in the US and Canada, and the rest in Australia, New Zealand, South America, Israel, Africa and Asia (HTMH)<sup>24</sup>.

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<sup>24</sup> For more information visit [http://www.hhrf.org/htmh/en/?menuid=08&news020\\_id=1201](http://www.hhrf.org/htmh/en/?menuid=08&news020_id=1201), visited on 04/05/09

## CHAPTER 2: RECENT MIGRATION TRENDS WORLDWIDE AND IN THE REGION

### **2.1. Globalisation and Migration: Current Global Migration Trends and Targeting the EU**

When we talk about globalization in an economic context, “it refers to the reduction and removal of barriers between national borders in order to facilitate the flow of goods, capital, services and labour” (United Nations ESCWA). Hence the necessity to deal not only with the often discussed impacts of globalization on economic growth and employment on domestic markets, but also with its impact on international labour migration.

#### **2.1.1. Global Trends and Figures**

According to estimations, there are around 200 million migrants in the world today<sup>25</sup>, i.e. 3% of the world population<sup>26</sup>. According to the International Organization for Migration (IOM), there are approximately 20-30 million illegal migrants worldwide<sup>27</sup>. In 2007, the number of internally displaced persons (IDPs) increased to 26 million compared to 24.5 million in 2006<sup>28</sup>. The estimated number of refugees in 2007 was 11.4 million<sup>29</sup>.

Concerning global trends<sup>30</sup>, we can observe a shift in migration flow trends because the attraction poles for labour migrants have changed. While in some regions the number of migrants is increasing, the migrant stock in

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<sup>25</sup> World Migration 2008: Managing Labour Mobility in the Evolving Global Economy; United Nations' Trends in Total Migrant Stock: The 2005 Revision, <http://esa.un.org/migration>, website visited on 05/05/09

<sup>26</sup> United Nations' Trends in Total Migrant Stock: The 2005 Revision, <http://esa.un.org/migration>, website visited on 05/05/09

<sup>27</sup> <http://www.iom.int/jahia/Jahia/facts-and-figures/global-estimates-and-trends#5>, website visited on 05/05/09

<sup>28</sup> Norwegian Refugee Council – Internal Displacement Monitoring Center's Internal Displacement: Global Overview of Trends and Developments in 2007, <http://www.internal-displacement.org>

<sup>29</sup> Does not include some 4.6 million Palestinian refugees under the responsibility of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). United Nations High Commissioner for Refugees' 2007 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons, <http://www.unhcr.org/statistics>

<sup>30</sup> All data from "Global trends" are from World Migration 2005: Costs and Benefits of International Migration, IOM

other parts of the world is decreasing. I will illustrate these trends with some figures:

- Although the number of Asian migrants increased from 28.1 million in 1970 to 43.8 in 2000, their part in the global migrant stock decreased from 34.5% to 25% during the same period.
- The number of African migrants also went down from 12% in 1970 to 9% in 2000.
- The same is true for Latin America and the Caribbean (from 7.1% to 3.4%), Europe (from 22.9% to 18.7%), and Oceania (from 3.7% to 3.3%).
- Only Northern America and the ex-USSR have recorded a sharp increase in the number of migrants between 1970 and 2000 (from 15.9% to 23.3% for Northern America and from 3.8% to 16.8% for the ex-USSR, but in the latter case, the increase can be explained more by the new border lines than by real migration flows).

The global migrant stock is concentrated in a relatively small number of countries (75% of all international migrants are located in only 12% of all countries<sup>31</sup>).

### **2.1.2. Regional and Country Trends and Figures**

The six regions of the world are witnessing significant or even increasing migration flows<sup>32</sup>.

In Africa, migrants mainly move towards other African countries. Southern Africa, the Maghreb and Western Africa are the sub-regions the most concerned by workforce mobility.

In Asia we can find the biggest stock of temporary contractual migrant workers in the world. At the same time, there are huge flows of migrant workers between the regions, especially within China and India.

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<sup>31</sup> United Nations' Trends in Total Migrant Stock: The 2003 Revision

<sup>32</sup> All data are from World Migration 2008: Managing Labour Mobility in the Evolving Global Economy (IOM) unless noted otherwise

Europe differs from other regions due to the fact that the EU wishes to create a common migratory area within jointly controlled external borders.

On the American continents, we can witness a South-North migration trend, that is to say from Latin America to the United States and Canada, and more and more to Europe. The United States and Canada remain among the first target countries for permanent migrants, but they also have to tackle a growing demand coming from temporary migrants.

The Middle East is by far the most significant region for temporary contractual workers, coming predominantly from Asia.

In Oceania, there are two main attractive poles –Australia and New Zealand – for labour migrants and several small islands whose inhabitants are more and more willing to leave for better job opportunities.

### **Migrant population, 2005\***

Geographic Area	Migrants (millions)	Percentage of the Area's Population
Europe	64.1	8.8
Asia	53.3	1.4
North America	44.5	13.5
Africa	17.1	1.9
Latin America	6.7	1.2
Oceania	5.0	15.2

### **Countries hosting the largest number of international migrants in 2005\***

Country	International Migrations (millions)
United States	38.4
Russian Federation	12.1
Germany	10.1
Ukraine	6.8
France	6.5

Saudi Arabia	6.4
Canada	6.1
India	5.7
United Kingdom	5.4
Spain	4.8
Australia	4.1

\* United Nations, Trends in Migrant Stock: The 2005 Revision

### **Top 3 Migrant Sending Countries\*\***

Country	Estimated Diaspora (millions)
China	35.0
India	20.0
The Philippines	7.0

### **Countries where international migrants made up more than 60 per cent of the population in 2000\*\***

- Andorra
- Macao Special Administrative Region of China
- Guam
- The Holy See
- Monaco
- Qatar
- The United Arab Emirates

### **Traditional countries of immigration\*\***

- Australia
- Canada
- New Zealand
- United States

### **New countries of destination of migrants\*\***

- Ireland

- Italy
- Norway
- Portugal

\*\* World Migration 2005: Costs and Benefits of International Migration, IOM

### **2.1.3. EU Migration Trends and Figures**

According to Eurostat estimates<sup>33</sup>, about 3.5 million people migrated to a country other than the one of their citizenship in the EU-27 in 2006. These immigrants can be divided in three categories: (remigrated) nationals, EU-citizens and non-EU citizens. 40% of all immigrants in the EU-27 were EU-citizens. The other 60% can be split up into near equal parts of 15% each, including non-EU citizens, citizens from Asia, America and Africa. In 2006, the biggest groups of immigrants in the EU-27 came from Poland (about 290,000), Romania (about 230,000), Morocco (about 140,000), Great Britain, Ukraine, China (about 100,000 each) and Germany (about 90,000).

In 2006, the largest numbers of foreign immigrants were recorded in Spain (803,000)<sup>34</sup>, Germany (558,500) and in the United Kingdom (451,700)<sup>35</sup>, absorbing 60% of all foreign immigrants in the EU-27. However, if we compare the rate of foreign immigrants to the population of the host country, the highest rate was recorded in Luxembourg (28.8 foreign immigrants per 1000 inhabitants), Ireland (19.6), Cyprus (18.7), Spain (18.1) and Austria (10.3). The EU-27 average was 6.2 foreign immigrants per 1000 inhabitants. On the contrary, this rate was 1 foreign immigrant per 1000 inhabitants or even less in Poland<sup>36</sup>, Romania, Latvia and Lithuania.

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<sup>33</sup> All the following information comes from Eurostat statistics, 98/2008 “Recent migration trends: citizens of EU-27 Member States become ever more mobile while EU remains attractive to non EU-citizens”, [http://epp.eurostat.ec.europa.eu/cache/ITY\\_OFFPUB/KS-SF-08-098/EN/KS-SF-08-098-EN.PDF](http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-SF-08-098/EN/KS-SF-08-098-EN.PDF); <http://epp.eurostat.ec.europa.eu/portal/page/portal/population/documents/Tab/3-18112008-FR-AP.pdf>, websites visited on 06/05/09

<sup>34</sup> Including non-EU citizens registered in the municipalities regardless having a residence permit

<sup>35</sup> Excluding immigrants coming from Ireland, whatever their nationality may be

<sup>36</sup> Including only immigrants having a permanent residence



60% of foreign immigrants in the member states of the EU-27 were citizens of third countries. In 17 out of 24 member states for which data is available, foreign immigrants came predominantly from third countries. The highest rates of immigrants coming from third countries were recorded in Slovenia (90%), Romania (86%), Portugal (84%) and Czech Republic (83%). Most of the foreign immigrants were composed by EU-citizens in the following seven member states: Luxembourg (84%), Ireland (77%), Germany (57%), Hungary and Slovakia (54% each), Austria (53%) and Belgium (51% in 2003).

In some member states, the immigration was characterized by a concentration of few nationalities. These countries are: Romania (56% of foreign immigrants were Moldavian citizens), the Czech Republic (46% from Ukraine), Slovenia (43% from Bosnia-Herzegovina) and Greece (42% from Albania).

#### Foreign immigration, 2006

Foreign immigration	Of which (%)		Immigration per 1 000 inhabitants	
	EU27 citizens		Non-EU citizens	
<b>EU27*</b>	<b>3 000 000</b>	<b>40</b>	<b>60</b>	<b>6,2</b>
<b>Belgium**</b>	68 800	51	49	6,6
<b>Bulgaria</b>	:	:	:	:
<b>Czech Republic</b>	66 100	17	83	6,4
<b>Denmark</b>	34 300	49	51	6,3
<b>Germany</b>	558 500	57	43	6,8
<b>Estonia</b>	:	:	:	:
<b>Ireland</b>	84 400	77	23	19,6
<b>Greece<sup>1</sup></b>	86 700	21	79	7,8
<b>Spain<sup>2</sup></b>	803 000	38	62	18,1
<b>France<sup>3</sup></b>	182 400	:	:	2,9
<b>Italy**</b>	392 800	26	74	6,8
<b>Cyprus</b>	14 500	41	59	18,7
<b>Latvia</b>	2 300	46	54	1,0
<b>Lithuania</b>	2 200	18	82	0,7
<b>Luxembourg</b>	13 700	84	16	28,8
<b>Hungary</b>	19 400	54	46	1,9
<b>Malta</b>	700	:	:	1,6
<b>Netherlands</b>	67 700	47	53	4,1
<b>Austria</b>	85 400	53	47	10,3
<b>Poland<sup>4</sup></b>	1 800	22	78	0,0
<b>Portugal</b>	27 700	16	84	2,6

<b>Romania</b>	7 700	14	86	0,4
<b>Slovenia</b>	18 300	10	90	9,1
<b>Slovakia</b>	11 300	54	46	2,1
<b>Finland</b>	13 900	39	61	2,6
<b>Sweden</b>	80 400	32	68	8,8
<b>United Kingdom<sup>5</sup></b>	451 700	31	69	7,4
<b>Croatia</b>	1 000	28	72	0,2
<b>The former Yugoslav Republic of Macedonia</b>	1 600	16	84	0,8
<b>Norway</b>	37 400	56	44	8,0
<b>Switzerland</b>	107 200	62	38	14,3

\* Value estimated on the basis of data from 2006.

\*\* 2003

: Data not available

### Major immigrant groups in % of total foreign immigration, 2006

% of foreign immigration						
Citizens of		%	Citizens of	%	Citizens of	%
EU27*	Poland	10	Romania	8	Morocco	5
Belgium**	Netherlands	12	Morocco	12	France	12
Bulgaria	:	:	:	:	:	:
Czech Rep.	Ukraine	46	Slovakia	10	Vietnam	10
Denmark	Poland	11	Germany	8	Norway	5
Germany	Poland	26	Turkey	5	Romania	4
Estonia	:	:	:	:	:	:
Ireland	:	:	:	:	:	:
Greece <sup>1</sup>	Albania	42	Bulgaria	15	Romania	6
Spain <sup>2</sup>	Romania	16	Morocco	10	Bolivia	10
France <sup>3</sup>	Algeria	16	Morocco	13	China	6
Italy**	Romania	19	Albania	12	Ukraine	11
Cyprus	Sri Lanka	13	United Kingdom	11	Philippines	10
Latvia	Russia	35	Lithuania	12	Germany	10
Lithuania	Belarus	29	Russia	18	Ukraine	13
Luxembourg	Portugal	28	France	18	Germany	7
Hungary	Romania	35	Ukraine	12	China	8
Malta	:	:	:	:	:	:
Netherlands	Germany	11	Poland	10	United Kingdom	5
Austria	Germany	19	Serbia and Montenegro <sup>8</sup>	9	Poland	7
Poland	:	:	:	:	:	:
Portugal	Ukraine	31	Brazil	27	Moldavia	12
Romania	Moldavia	56	China	5	Italy	4
Slovenia	Bosnia-Herzegovina	43	Serbia and Montenegro <sup>8</sup>	24	The former Yug. Rep. of Macedonia	11
Slovakia	Czech Republic	11	Poland	10	Ukraine	9
Finland	Estonia	18	Russia	15	Sweden	5
Sweden	Iraq	13	Poland	8	Denmark	6

United Kingdom <sup>5</sup>	Poland	13	India	13	China	6
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\* Estimated value

\*\* 2003

: Data not available  
Statistics

Source: Eurostat, Migration

1The number of immigrants excludes citizens from the EU25 and the countries of EFTA.

2 Data include non-EU citizens registered in the municipalities regardless having a residence permit

3 France means the whole territory of France, including metropolitan and overseas departments and regions. The number of immigrants excludes citizens from EU-15, Cyprus and Malta and EFTA countries

4 Including only immigrants having a permanent residence

5 Excluding immigrants from Ireland, whatever their citizenship

#### **2.1.4. Labour Migration and Demographics**

First of all, I would like to clarify the terms ‘push and pull factors’.

“Migration is often analysed in terms of the “push-pull model”, which looks at the push factors, which drive people to leave their country and the pull factors, which attract them to new country.” (International Migration Law, Glossary on Migration, IOM)

International labour migration is a phenomenon, which in a globalized context, has steadily intensified over the last decades. According to the IOM ‘World Migration Report 2008: Managing Labour Mobility in the Evolving Global Economy’, the international labour migrants represent about 3% of the global workforce<sup>37</sup>. Around one third of all migrant workers are located in Europe, and a little bit more in Asia and North America. Most of the women migrants are temporary labour migrants going mainly to the Middle East, East Asia and Southeast Asia. In industrialized countries, a large number of migrant workers are employed in industry and construction (40%) and service sectors (50%). In some countries of the Gulf region for instance, foreigners account for more than 40% of the workforce. According to estimations, India and China will represent 40% of the global workforce by 2030.

The number of temporary work permits granted to foreign workers entering some of the countries of the Organisation for Economic Co-operation and Development (OECD) has increased continuously since 2000,

<sup>37</sup> All the following data ‘Labour Migration’ comes from ‘World Migration Report 2008: Managing Labour Mobility in the Evolving Global Economy’, IOM

with a 7% increase in 2003-2004 and remaining at the same level in 2005 with around 1.8 million temporary workers who were admitted into OECD countries that year.

The issue of the ageing and declining population is in the mainstream debates nowadays, particularly in developed countries. Without international migration, population in developed countries aged 20-64 is estimated to decline by 23% from 741 million to 571 million by 2050.

On the other hand, African population aged 20-64 is expected to almost triple from 408 million in 2005 to 1.12 billion in 2050, which number would reach 1.4 billion without emigration.

In Asia, population aged 20-64 is also projected to rise by 40% from 2.21 billion in 2005 to 3.08 billion in 2050. Without emigration it would reach 3.12 billion.

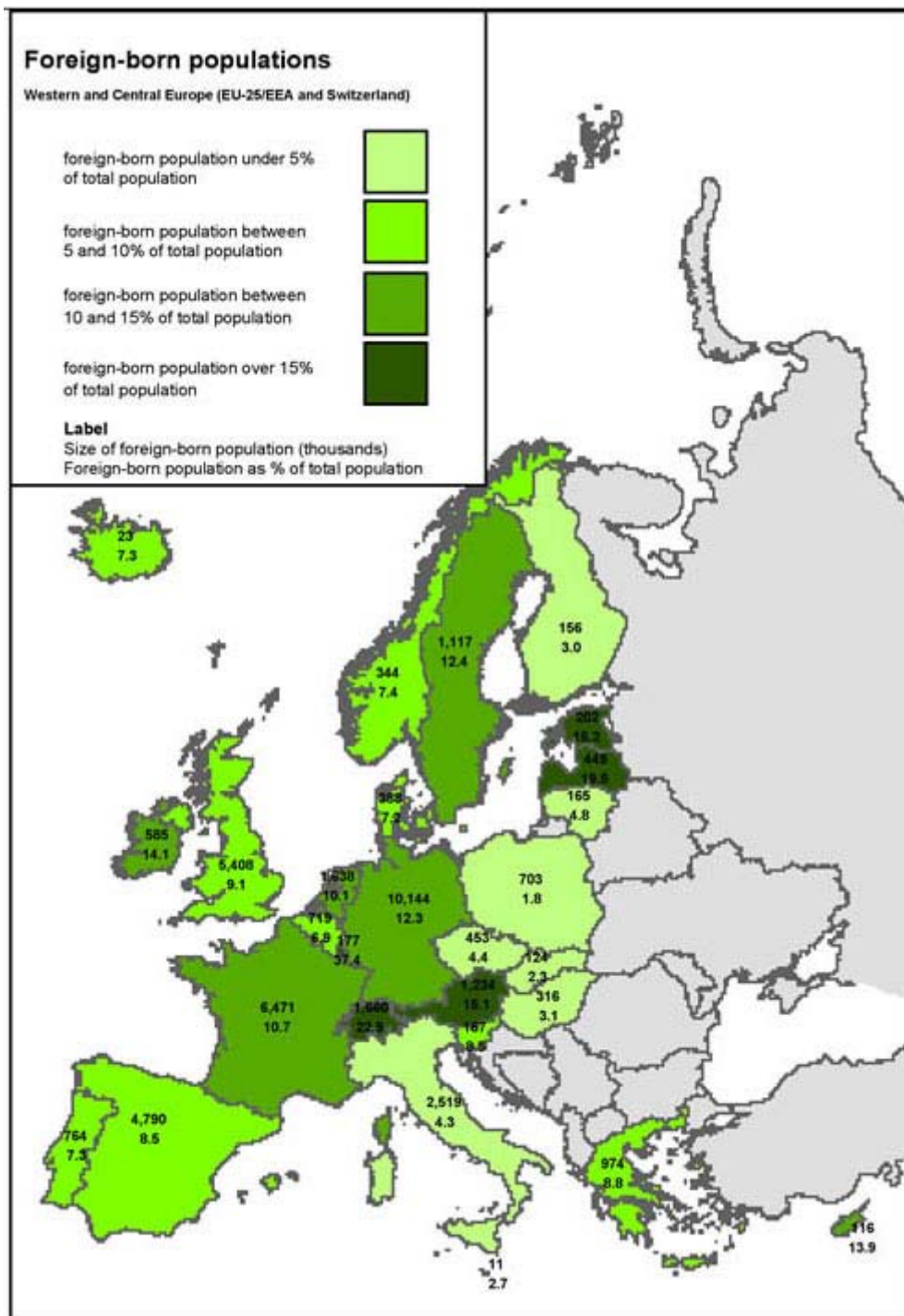
In Latin America and the Caribbean, population aged 20-64 is expected to increase by 45% from 303 million to 441 million, which would be 467 million without emigration.

Over the next 40 years, developed countries faced with declining working-age populations will therefore need workforce which may come from developing countries.

In Europe, there were about 44.1 million migrants in 2005. Labour migration accounts for a large part of all migration flows. For instance in Belgium, Denmark, Germany, Italy, Portugal, Switzerland and the United Kingdom, labour migrants represent more than 40% of all migrants. (In some other countries, family reunification has the most important share in migration.) However, migration statistics in general do not include irregular labour migrants, whose number is significant according to OECD (International Migration Outlook, SOPEMI 2007 Edition, OECD, Paris). In most Western European countries, the foreign-born population represents between 7 and 15% of the total population, while in the majority of new EU Member States the share of foreign-born in 2005 was still below 5% (see table below, Münz, R., 2006)<sup>38</sup>.

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<sup>38</sup> "Europe: Population and Migration in 2005", *Migration Information Source*, June, MPI, Washington, D.C., <http://www.migrationinformation.org/feature/display.cfm?ID=402>.



Due to different work opportunities, living standards discrepancies, political situation or family reasons for instance, Europe will continue being a target for many migrants over the next 15 to 20 years.

By the way, Europe, particularly in this case the EU will need immigrants since it is faced with unprecedented demographic and economic challenges, that is to say ageing, and in some cases declining population. In order to illustrate this statement, here are some figures: between 2006 and

2050 (UN), the number of EU citizens aged over 60 will have risen by 52%, that is about 72 million. The total number of persons aged 60 and over will increase from 136 million to 208 million.

The average fertility rate of women in the EU-27 is low, 1.43 children per woman in 2008<sup>39</sup> or around 1.51 children estimated in 2009<sup>40</sup>, which is far below the replacement rate of 2.1 required only to stabilize the size of the population if there is a lack of immigration.

Due to the decrease in working-age population (lack of low, semi-skilled, seasonal, skilled and highly skilled workers) economic growth rates may also shrink. According to some studies, low and semi skilled sectors or seasonal works would probably not survive without migrants. Some other studies show that like countries such as Australia, Canada, and Switzerland, the European Union would largely benefit from the immigration of high-skilled workers.

In a nutshell, labour migration can be an important means to tackle labour shortages and to cope with the ageing of the populations.

### **2.1.5. Irregular Migration**

According to IOM, irregular migration is a global phenomenon affecting all parts of the world, with irregular migrants accounting for an estimated 20 to 30 million migrants, i.e. 10-15% of global migrant stocks (ILO 2004)<sup>41</sup>. However, since these people migrate illegally, it is extremely difficult to establish accurate statistics, hence the absence of reliable data.

First, it is necessary to talk about the terminology<sup>42</sup>. The terms ‘illegal’, ‘undocumented’ and ‘unauthorized’ migration are often used. However, we can observe a certain level of unanimity regarding the term

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<sup>39</sup> Demographics of the European Union, [http://en.wikipedia.org/wiki/Demographics\\_of\\_the\\_European\\_Union](http://en.wikipedia.org/wiki/Demographics_of_the_European_Union), website visited on 08/05/09

<sup>40</sup> The World Factbook, Country Comparisons, Total Fertility Rate, CIA, <https://www.cia.gov/library/publications/the-world-factbook/rankorder/2127rank.html>, website visited on 08/05/09

<sup>41</sup> For more information see *Towards a Fair Deal for Migrant Workers in the Global Economy*, Report VI, International Labour Conference, 92<sup>nd</sup> Session, International Labour Office, Geneva, <http://www.ilo.org/public/english/standards/relm/ilc/ilc92/pdf/rep-vi.pdf>

<sup>42</sup> The following part is a summary based on ‘World Migration Report 2008: Managing Labour Mobility in the Evolving Global Economy’, Chapter 8, Irregular Migration, IOM

‘irregular’<sup>43</sup> migration, which is the most commonly used word to describe migrants “who enter a country, usually in search of employment, without the necessary documents and permits.” (UNESCO)<sup>44</sup> Nonetheless, it must be pointed out that irregular migrants do not enter a country exclusively “in search of employment”, but their motivation can be various, such as family reunification, asylum or protection seeking.

Smuggling and trafficking in human beings (see the definitions in the introduction) also feed irregular migratory flows. The purpose of trafficking includes all kinds of exploitation: labour, sexual exploitation, and trafficking for (low-level) criminal activities. As I mentioned before, no accurate figures can be obtained given the illegal nature of the phenomenon, however, an estimate shows that there are at least 2.45 million people who have been victims of internal or international trafficking for forced labour (Belser, 2005)<sup>45</sup>. Nevertheless, there are some tools to collect data about irregular migrants. A counter-trafficking data-management tool was developed and implemented by IOM in 2000, the Counter-Trafficking Module (CTM)<sup>46</sup>, which is the largest global database with data on victims of (human) trafficking (VoTs). Information on VoTs and on their return and reintegration assistance by IOM can be obtained from the IOM’s Global Human Trafficking Database.

Furthermore, there is an interesting EU Project on the same subject called “Irregular Migration: Counting the Uncountable, Data and Trends Across Europe” (CLANDESTINO)<sup>47</sup>. “CLANDESTINO is an interdisciplinary research project funded by the European Commission, DG Research, Sixth Framework Programme. It started in September 2007 and

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<sup>43</sup> For a discussion on the definition of irregular migrant, see Guild, E. “Who is an irregular migrant?” in B. Bogusz, R. Cholewinski, A. Cygan and E. Szyszczak (Eds.), *Irregular Migration and Human Rights: Theoretical, European and International Perspectives*, Martinus Nijhoff, Leiden/Boston, 3-28. (2004). The term was officially endorsed by the UN General Assembly Resolution 3349 (XXX) of 9 December 1975.

<sup>44</sup> [http://portal.unesco.org/shs/en/ev.php-URL\\_ID=3020&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/shs/en/ev.php-URL_ID=3020&URL_DO=DO_TOPIC&URL_SECTION=201.html), website visited on 08/05/09

<sup>45</sup> Belser, P., M. de Cock and F. Mehran 2005 *ILO Minimum Estimate of Forced Labour in the World*, April, International Labour Office, Geneva, [http://www.ilo.org/sapfl/Informationresources/ILOPublications/lang-en/docName--WCMS\\_081913/index.htm](http://www.ilo.org/sapfl/Informationresources/ILOPublications/lang-en/docName--WCMS_081913/index.htm). The *Trafficking in Persons Report 2006* of the U.S. Department of State estimates that 600,000 to 800,000 persons are trafficked across international borders each year. Other organizations have stated similarly higher and lower figures.

<sup>46</sup> For more information see <http://www.iom.int/jahia/Jahia/pid/748>, website visited on 08/05/09

<sup>47</sup> For more information see <http://clandestino.eliamep.gr/>, and [http://www.hwvi.org/EU\\_Project\\_on\\_Irre.2409.0.html?&L=1](http://www.hwvi.org/EU_Project_on_Irre.2409.0.html?&L=1), websites visited on 08/05/09

will conclude in 2009.” (Hamburg Institute of International Economics, HWWI). The aim of this project is to establish a database on irregular migration (and then to analyze and compare it) in 12 selected EU countries (Greece, Italy, France and Spain in southern Europe; Netherlands, UK, Germany and Austria in Western and Central Europe; Czech Republic, Poland, Hungary, Slovakia in Central Eastern Europe) and three transit –that is to say transit migration- neighbouring countries (Turkey, Ukraine and Morocco). Unfortunately the comparative analysis is not yet available, since it is an ongoing project.

I had difficulties to find information about the number of irregular migrants in the EU-27, since very few data is available, the existing ones are opaque and EU statistics on this subject are confidential (Centre for Information, Discussion and Exchange on the Crossing of Frontiers and Immigration, CIREFI, established by the EU in 1995). Nevertheless, combined estimates published by the World Bank (Mansoor and Quillin, 2006)<sup>48</sup> show that until 2006 there were more than three million irregular migrants in the EU. However, according to Jandl’s estimates, there are between 2.6 and 6.4 million undocumented migrants in Europe (Jandl, 2003)<sup>49</sup>. I will present below two tables about irregular migration in the EU-25 and EU-27 elaborated by the CLANDESTINO Project of the EU, however, the database on irregular migration is hosted by the Hamburg Institute of International Economics (HWWI).

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<sup>48</sup> These estimations are the result of combining estimates from the Pew Hispanic Center, IOM, ILO, the World Bank, the U.K. Home Office, and others (Mansoor and Quillin, 2006, *Migration and Remittances: Eastern Europe and Former Soviet Union*, Chapter 1: “Overview of Migration Trends in Europe and Central Asia, 1990-2004”, The World Bank, Washington, D.C.)

<sup>49</sup> Jandl, M., 2003, “Estimates on the Numbers of Illegal and Smuggled Immigrants in Europe”, presentation of the International Centre for Migration Policy Development (ICMPD) at the Eighth International Metropolis Conference, 17 September, Vienna, <http://www.mighealth.net/eu/images/5/5b/lcmpd.pdf>



## 2004-2006: Stocks of Irregular Foreign Residents in the EU25

<u>Quality assessment</u>						
High quality		Medium quality		Low quality		Low quality with plausibility warning
Country	Year	Population	Estimates of irregular foreign residents			More information
			minimum	central	maximum	
EU25	2005	461 603 958	2 800 000	-	6 000 000	<a href="#">table</a>
Selected countries in descending order of population size						
<a href="#">Germany</a>	2004	82 531 671	500 000 0.6%	-	1 000 000 1.2%	<a href="#">table</a>
<a href="#">France</a>	2005	62 637 596	200 000 0.3%	-	400 000 0.6%	<a href="#">table</a>
<a href="#">United Kingdom</a>	2005	60 059 900	120 000 0.2%	240 000 0.4%	380 000 0.6%	<a href="#">table</a>
<a href="#">Italy</a>	2005	58 462 375	-	541 000 1.1%	-	<a href="#">table</a>
<a href="#">Spain</a>	2005	43 038 035	-	-	1 379 751 3.2%	<a href="#">table</a>
<a href="#">Poland</a>	2004	38 190 608	50 000 0.1%	-	300 000 0.8%	<a href="#">table</a>
<a href="#">Netherlands</a>	2005	16 305 526	62 320 0.4%	88 116 0.5%	113 912 0.7%	<a href="#">table</a>
<a href="#">Greece</a>	2004	11 040 650	230 000 2.1%	-	330 000 3.0%	<a href="#">table</a>
<a href="#">Czech Republic</a>	2005	10 220 577	-	-	100 000 1.0%	<a href="#">table</a>
<a href="#">Slovakia</a>	2006	5 389 180	20 000 0.4%	-	40 000 0.7%	<a href="#">table</a>

Source: [http://www.irregular-migration.hwvi.net/2004-2006\\_Stocks\\_of.5869.0.html](http://www.irregular-migration.hwvi.net/2004-2006_Stocks_of.5869.0.html), visited on 09/05/09

Note: Estimates according to country expert review; for more information, see country tables and country reports. Definitions are not fully comparable but asylum seekers or formally tolerated persons are not included. Population numbers as published by Eurostat.

## 2007-2008: Stocks of Irregular Foreign Residents in the EU27

<u>Quality assessment</u>						
High quality		Medium quality		Low quality		Low quality with plausibility warning
Country	Year	Population	Estimates of irregular foreign residents			More information
			Minimim	Central	maximum	
EU27	2007	495 090 294	-	-	-	in preparation
Selected countries in descending order of population size						
<a href="#">Italy</a>	2007	59 131 287	-	349 000 0.6%	-	<a href="#">table</a>
<a href="#">Spain</a>	2007	44 474 631	280 000 0.6%	-	376 000 0.8%	<a href="#">table</a>
<a href="#">Greece</a>	2007	11 171 740	172 000 1.5%	-	209 000 1.9%	<a href="#">table</a>
<a href="#">Hungary</a>	2007	10 066 158	30 000 0.3%	-	50 000 0.5%	<a href="#">table</a>
<a href="#">Slovakia</a>	2007	5 393 637	15 000 0.3%	-	20 000 0.4%	<a href="#">table</a>

Source: [http://www.irregular-migration.hwwi.net/2007-2008\\_Stocks\\_of.5870.0.html](http://www.irregular-migration.hwwi.net/2007-2008_Stocks_of.5870.0.html), visited on 08/05/09

Note: Estimates according to country expert review; for more information, see country tables and country reports. Definitions are not fully comparable but asylum seekers or formally tolerated persons are not included. Population numbers as published by Eurostat.

To sum up, one can say that no one knows the accurate size of irregular migrant stock.

### **2.1.6. Migration Health**

I would like to highlight briefly the importance of migration health<sup>50</sup>. Migration health –as the name indicates- deals with migrants’ health conditions and health care, including the right of migrants to have a decent health care regardless the country where they are living or working and the public health needs of host countries. IOM for instance has a Migration Health Department dealing with migration health challenges “of any type of migrant population and throughout all phases of the migration process, including post-emergency situations, through preventive health interventions, diagnostic services, medical treatment, medical evacuations, mental health and psycho-social assistance, health promotion, health education, environmental hygiene and control, local capacity building and rehabilitation of health infrastructures.” (IOM)

As it is commonly known, a huge number of migrant workers have low-skilled and low-paid jobs, in other words ‘3 D’ jobs (dirty, dangerous and difficult)<sup>51</sup>. Consequently, the accident rates and diseases are quite high among migrant workers and they have no equal access to health care (see footnote 45).

To conclude, one can say that a shared vision on values and principles, health needs and adequate responses should be built, an efficient database system should be developed (lack of information), more specific research should be done in this field, a preventive, cross-border common health strategy and a migrant friendly health care should be developed, cooperation between all fields (Health and Consumer Protection, Justice, Freedom and Security) should be improved, as well as migrants health through integration into the host society. All these measures should be taken, because as we know, health is wealth, that is to say investing in health and in migration health contributes globally to the welfare, i.e. to the GDP of a country.

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<sup>50</sup> Information taken from IOM, <http://www.iom.int/jahia/Jahia/activities/by-theme/migration-health>, website visited on 10/05/09

<sup>51</sup> ‘Migrant Occupational Health’, presentation by Dr. Istvan Szilard

## **2.2. Hungarian Labour Migration Trends Between 2004 and 2007 Compared to Other Central and Eastern European Countries**

Before the 2004 EU enlargement<sup>52</sup>, there was a heated debate on migration coming from the new Member States. The less what one can say is that the newcomers were not welcome in old Member States. There were fears of massive immigration flows from eight Central and Eastern European countries (the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia, collectively referred to as “A8”). These fears led to the establishment of temporary restrictions on free movement of the A8 citizens (and not Cyprus and Malta) into the labour markets of old Member States, with the exception of the United Kingdom, Ireland and Sweden. (The UK introduced a new Worker Registration Scheme for A8 workers in the spring of 2004.) These transitional limitations were meant to last initially two years and, subject to notification, further three years, which period may be extended –under specific circumstances– to further two years.

Normally these restrictions contradict the EU principle of the right of free movement of workers introduced by the Treaty of Rome in 1957, extended to the free movement of all EU citizens in 1993<sup>53</sup>. In principle, **all** EU citizens have a right to equal treatment regardless of their nationality in terms of employment, salary, working conditions, etc., that is to say they should be treated in line with the national regulations on workers without any discrimination<sup>54</sup>. They should also be able to enter a Member State and obtain residence rights only by showing their identity cards or passports, and stay in any of the Member States for a three-month period without further procedure or longer if they are self-employed, service providers or recipients, students, retirees or economically inactive persons, provided that

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<sup>52</sup> Information in this part is a comparative analysis based on ‘World Migration Report 2008: Managing Labour Mobility in the Evolving Global Economy’, Chapter 13, IOM; ‘EU Enlargement in 2007: No Warm Welcome for Labor Migrants’, <http://www.migrationinformation.org/feature/display.cfm?ID=568>; ‘Current trends in International Migration in Europe’, John Salt, 2005, CoE

<sup>53</sup> Consolidated Version of the Treaty Establishing the European Community (EC Treaty), OJ 2006 C 321/E/37, Arts. 39 and 18, respectively.

<sup>54</sup> Arts. 12 and 39(2) of the EC Treaty and Council Regulation 1612/68/EEC of 15 October 1968 on freedom of movement for workers within the Community (OJ Sp. Ed. 1968-69, 475, JO 1968 L 257/2, as amended).

they can prove their incomes and that they will not have to rely on the welfare system of the host country<sup>55</sup>.

I said “should”, because unfortunately it is common knowledge that these rights are often not respected and migrant workers are often subject to discrimination.

To illustrate what I have just stated before, you can find a table below about EU-15 Member States applying restrictions.

<b>EU Labor-Market Access for Nationals of Accession Countries in 2004 and 2007</b>		
<b>2004 approach</b>	<b>2007 approach</b>	<b>EU-15 Member State</b>
Restricted	Restricted	Austria, Belgium, Denmark, France, Germany, Greece, Italy, Luxembourg, Netherlands, Portugal, Spain
Restricted	Unrestricted	Finland
Unrestricted	Unrestricted	Sweden
Unrestricted	Restricted	UK, Ireland

Source: IPPR

As regards the current situation of A8 workers, ten out of the EU-15 Member States have completely opened their labour markets: Ireland, Sweden and the United Kingdom (since 1<sup>st</sup> May 2004); Finland, Greece, Portugal and Spain (1<sup>st</sup> May 2006); Italy (27 July 2006); the Netherlands (1<sup>st</sup> May 2007); and France (1<sup>st</sup> July 2008). However, the UK continues to maintain its Worker Registration Scheme<sup>56</sup> and Finland is elaborating one.

The five other EU-15 Member States (Austria, Belgium, Denmark, Germany and Luxembourg) prolonged the temporary restrictions for a

<sup>55</sup> For a stay of more than three months the requirement for a residence permit has been abolished, but Member States may require EU citizens to register with the relevant authorities (see Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States, OJ 2004 L 229/35, Article 8).

<sup>56</sup> In the U.K., an A8 worker is obliged to register under the Worker Registration Scheme (WRS) within one month of starting employment. A8 nationals who have been lawfully employed in the U.K. for a continuous 12-month period or who are self-employed or service providers are not required to register. The registration fee is GBP 90, to be paid by the worker who is then issued a registration card and certificate. Employers may face sanctions if they violate this obligation and a fine of up to GBP 5,000. For more information on the WRS, see the UK Border Agency website at <http://www.ukba.homeoffice.gov.uk/workingintheuk/wrs/>.

further 3-year period from 1<sup>st</sup> May 2006 on, however, they have loosened the access to their labour markets for A8 workers in some sectors.

Regarding new Member States, Hungary applies the reciprocity principle, while Poland and Slovenia lifted it.

As far as the newest Member States –Romania and Bulgaria- are concerned, ten Member States (the Czech Republic, Cyprus, Estonia, Finland, Latvia, Lithuania, Poland, Slovakia, Slovenia and Sweden) do not apply restrictions vis-à-vis Bulgarian and Romanian workers, while in Denmark, Hungary and Italy regulations related to the access of labour market have been loosened.

According to various estimates established before the 2004 enlargement, the potential size of migrants from the new to the old Member States in the long run would be around 2-4%<sup>57</sup> (or 3-5%). However, we have to bear in mind that all these projections have been made long before the current crisis. But now let's take a look at the real facts and figures.

### **2.2.1. Facts and Figures: Labour Emigration from the CEEC-8 between 2004 and 2007, or the Case of the 'Polish Plumber'**

What is true of the fear of old Member States from a massive flood of Central and Eastern European migrant workers?

In 2004, only 0.3% of citizens from new EU Member States exercised their right to free movement<sup>58</sup>. However, this was also due to the impact of transitional restrictions. The size of migration flows also depends on the degree of restrictions. However, one thing is sure: the fears have not come true, especially not regarding Hungarian migrants (15,586 Hungarian emigrants between 2004 and 2007 included compared to 123,535 Polish emigrants during the same period, Eurostat, my own calculations). The commonplace of the famous 'Polish Plumber', who is everywhere in

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<sup>57</sup> 'Potential Migration from Central and Eastern Europe into the EU-15 – An Update', Berlin: DIW for the European Commission, Brücker H et al (2003).

<sup>58</sup> Report on the Functioning of the Transitional Arrangements set out in the 2003 Accession Treaty (period 1 May 2004-30 April 2006), COM (2006) 48 final, 8 February.

Western Europe, is partly true (in the meaning that Poles were the largest group of immigrants in the EU-27 in 2006-Eurostat), as I will analyze it through figures.

For instance, in 2005, migrants from the ten new Member States represented only 0.1% of the working-age population in the Netherlands and 0.2% in Belgium<sup>59</sup>. Despite the fact that in Sweden free movement was allowed, the number of issued work permits for CEEC-8 citizens reached only 4,500 in 2005. On the contrary, in some Member States applying restrictions labour migration has increased, as show the figures from Austria (between 2003 and 2005, the share of CEEC-8 citizens in the working-age population of Austria increased from 0.7% to 1.4%) and Germany (around 900,000 temporary or permanent work permits in 2004). Here, I have to mention that Germany and Austria represent the first destination countries for Hungarian labour migrants (also due to existing bilateral agreements) (IOM) [77].

Restrictions in some Member States have had a diversion effect, that is to say a large number of migrants have decided to migrate to the UK and to Ireland since their labour markets were unrestricted and they are English-speaking countries. About 487,000 A-8 citizens registered to work in the UK between May 2004 and September 2006. These migration influxes have had positive impact on the economies of the United Kingdom and Ireland. In general, Western European countries ‘import’ low-skilled workers for the low-paid construction industries and service sector (in these sectors, we can find a lot of illegal workers as well)<sup>60</sup>. Some other EU-15 Member States, such as Greece, Portugal and Spain, lifted their restrictions in 2006 after having noticed the beneficial effect of labour migration. However, the gap observed between net and gross flows in the UK and Ireland shows that about half to two-thirds of CEEC-8 migrants have already returned home.

With regard to Hungarian labour migrants going to the UK, one can say that after Germany and Austria, the United Kingdom is also a popular

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<sup>59</sup> The following figures come from ‘EU Enlargement in 2007: No Warm Welcome for Labor Migrants’, Catherine Drew and Dhananjayan Sriskandarajah, Institute for Public Policy Research, January 2007, <http://www.migrationinformation.org/feature/display.cfm?ID=568>, website visited on 09/05/09, unless noted otherwise

<sup>60</sup> ‘Current Trends in International Migration in Europe’, J.Salt, January 2005, CoE

destination country among Hungarians (personally, I have several friends and family members working in the UK). According to a series of surveys made by Mészáros (2006), there were 10,000 Hungarian registered foreign workers in the UK out of 345,000 CEEC foreign workers at the end of 2005 (following information in this sub-part from IOM, [77]). An important issue of brain drain from Hungary is the emigration of doctors, mainly to the UK. Their strongest incentive to migrate is the average income of Hungarian doctors, which is much below the EU-15 and UK average. According to Mészáros (2006), more than 500 doctors were registered in the UK and more were expected. According to the Metaforum Career Development and Mobility Centre in Hungary, a mediating association, there are around 15-20 doctors a day inquiring about job opportunities in the UK, and more than 800 doctors registered at the centre. Most of them are young doctors at the beginning of their career, who have difficulties to find a job in Hungary. On the other hand, there is a strong demand abroad for experienced older doctors, but they are less willing to move and change their lives. The lack of language skills is an obstacle for them as well. Nonetheless, doctors who have emigrated are often disappointed by a lot of night working hours and mediocre living conditions; that is why some of them return home (no accurate data available). This phenomenon is also a result of discordant demand and offer in the job market. According to the Hungarian Central Statistical Office (HCSO), the number of doctors in 2004 in Hungary was 334 per 100,000 inhabitants, against 278 in 2005, which is a clear drop, 304 in 2006 (remigration?), and 280 in 2007, a decrease again. This sharp fluctuation of data questions the reliability of the registration system. It makes the picture even more complicated that 'intention', short term or cross-border services and circulatory migration of health care professionals are not always clearly classified in the data collection system.

In 2006, according to Eurostat estimates, the biggest groups of immigrants in the EU-27 were Polish (about 290,000), followed by Romanians (about 230,000). The number of Hungarian migrants is insignificant next to the one of Polish migrants. Hungary has a positive net migration balance (1.5 per 1000 inhabitants in 2008), whereas Poland's



migration balance is negative (-0.4 per 1000 inhabitants in 2008, i.e. more emigration than immigration) (HCSO). For instance, there were 152,733 Poles in Germany in 2006, whereas the number of Hungarian migrants in the same country was only 18,654.















In order to understand the large number of Polish migrants, push factors, such as unemployment rate, differences in salaries, living standards and GDP, have to be taken into account. According to a comparative study of unemployment rates in CEEC in 2005, Poland had one of the highest unemployment rates: Slovenia 5.8 %, Hungary 7.1%, Estonia 7.5%, Lithuania 8.2%, the Czech Republic 8.0% Latvia 9%, Slovakia 16.4 %, and Poland 17.9%. In addition, Poland has the largest population among the new Member States.<sup>61</sup>

In the table below we can see the unemployment rate in % in the EU Member States between 2005 and 2008. Even if the figures slightly differ from the above mentioned ones, it is clear that Hungary's unemployment rate in 2005 (around 7%) for instance was far below the one of Poland (around 18%), that is to say the incentive for emigration could be less significant in Hungary.

Member State	% Unemployment				March 2009
	March 2005	March 2006	March 2007	March 2008	
 <a href="#">Austria</a>	5.1	5.1	4.5	4.1	
 <a href="#">Belgium</a>	8.4	8.2	7.7	6.9	
 <a href="#">Denmark</a>	5.4	4.3	4.1	3.1	
 <a href="#">Finland</a>	8.5	7.9	7.0	6.3	
 <a href="#">France</a>	9.7	9.1	8.6	7.8	
 <a href="#">Germany</a>	9.8	8.7	8.6	7.3	
 <a href="#">Greece</a>	9.9	9.6	8.6	7.9	
 <a href="#">Ireland</a>	4.5	4.2	4.6	5.6	
 <a href="#">Italy</a>	7.8	7.7	6.1	6.1	
 <a href="#">Poland</a>	4.3	4.8	4.9	4.5	

Member State	% Unemployment Rate			
	March 2005	March 2006	March 2007	March 2008
 <a href="#">Bulgaria</a>	x	x	7.5	5.9
 <a href="#">Cyprus</a>	5.1	5.2	4.1	3.7
 <a href="#">Czech Republic</a>	8.0	7.7	5.6	4.5
 <a href="#">Estonia</a>	8.8	5.3	4.9	5.5
 <a href="#">Hungary</a>	6.8	7.4	7.3	7.6
 <a href="#">Latvia</a>	9.1	7.6	6.4	5.3
 <a href="#">Lithuania</a>	9.2	6.4	4.6	4.5

<sup>61</sup> Data taken from "EU – Erweiterung, Arbeitsmigration und demographische Entwicklungen in Europa", prof. Ragnar Leunig

 <a href="#">Luxembourg</a>						 <a href="#">Malta</a>	7.2	8.1	6.6	5.6
 <a href="#">Netherlands</a>	4.9	4.0	3.4	2.6		 <a href="#">Poland</a>	18.0	16.8	10.3	7.7
 <a href="#">Portugal</a>						 <a href="#">Romania</a>	x	x	6.6	6.2
 <a href="#">Spain</a>	9.9	8.7	8.1	9.3		 <a href="#">Slovakia</a>	16.7	15.7	11.3	9.8
 <a href="#">Sweden</a>	6.3	7.2	6.6	5.6		 <a href="#">Slovenia</a>	6.4	6.2	5.2	4.3
 <a href="#">United Kingdom</a>	4.6	5.0	5.5	5.1		 <a href="#">European Union</a>	8.9	8.4	7.3	6.7
						 <a href="#">United States</a>	5.1	4.7	4.4	5.1
						 <a href="#">Japan</a>	4.5	4.1	4.0	3.9

Source: Wikipedia

In the following table, we can see the GDP per capita in PPS from 1997 to 2008 in the EU and in its Member States, the EU-27 average being considered as 100. Here again, it can be observed that Hungary's GDP per capita was higher between the analyzed 2004-2007 period than the one of Poland, and it is still higher.

GDP per capita in PPS - GDP per capita in Purchasing Power Standards (PPS) (EU-27 = 100)

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
EU (27 countries)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0 <sup>(n)</sup>
EU (25 countries)	104.9	105.0	105.0	105.0	104.8	104.6	104.4	104.2	104.1	103.9	103.7	103.7 <sup>(n)</sup>
EU (15 countries)	115.5	115.4	115.4	115.3	114.9	114.3	113.7	113.2	112.8	112.2	111.7	110.3 <sup>(n)</sup>
Euro area	115.5	115.7	115.5	115.0	113.5	112.6	111.8	110.6	110.7	110.3	109.7	:
Euro area (16 countries)	113.0	113.1	112.9	112.5	112.1	111.3	110.5	109.5	109.6	109.2	108.9	:
Euro area (15 countries)	114.1	114.2	114.0	113.6	113.2	112.3	111.5	110.4	110.5	110.0	109.6	:
Euro area (13 countries)	114.2	114.3	114.1	113.7	113.3	112.4	111.6	110.5	110.5	110.1	109.7	111.2 <sup>(n)</sup>

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<b>Euro area (12 countries)</b>	114.4	114.5	114.3	113.9	113.5	112.6	111.8	110.6	110.7	110.3	109.8	111.3 <sup>(f)</sup>
<b>Belgium</b>	125.6	122.8	122.9	125.9	123.5	125.0	122.9	120.7 <sup>(b)</sup>	119.4	118.4	118.0	118.4 <sup>(f)</sup>
<b>Bulgaria</b>	26.4 <sup>(e)</sup>	26.9 <sup>(e)</sup>	26.9	27.8	29.3	31.0	32.5	33.7	34.5	36.5	37.2	39.2 <sup>(f)</sup>
<b>Czech Republic</b>	72.9 <sup>(e)</sup>	70.5 <sup>(e)</sup>	69.5	68.5	70.2	70.4	73.4	75.1	75.8	77.4	80.2	81.3 <sup>(f)</sup>
<b>Denmark</b>	133.1	131.9	130.8	131.6	127.8	128.4	124.1	125.7	123.6	122.9	120.0	117.1 <sup>(f)</sup>
<b>Germany</b>	124.3	122.4	122.1	118.5	116.6	115.2	116.5	116.4	116.9	115.7	114.7	115.6 <sup>(f)</sup>
<b>Estonia</b>	41.8 <sup>(e)</sup>	42.3 <sup>(e)</sup>	42.3	44.6	46.1	49.8	54.4	57.2	61.1	65.3	67.9	65.0 <sup>(f)</sup>
<b>Ireland</b>	114.7	121.2	126.0	131.0	132.6	137.9	140.5	142.0	144.1	147.3	150.2	143.1 <sup>(f)</sup>
<b>Greece</b>	84.6	83.3	82.7	84.1	86.5	90.2	92.1	94.0	92.8	94.1	94.8	96.5 <sup>(f)</sup>
<b>Spain</b>	93.3	95.3	96.3	97.3	98.1	100.5	101.0	101.0	102.0	104.0	105.4	104.2 <sup>(f)</sup>
<b>France</b>	114.6	115.0	114.7	115.4	115.7	116.0	111.8	110.1 <sup>(b)</sup>	110.8	109.4	109.1	:
<b>Italy</b>	119.0	119.7	117.5	116.9	117.8	111.9	110.7	106.7	104.8	103.8	101.9	99.3 <sup>(f)</sup>
<b>Cyprus</b>	85.8 <sup>(e)</sup>	86.7 <sup>(e)</sup>	87.4	88.7	90.9	89.2	88.9	90.3	90.9	90.2	90.8	92.5 <sup>(f)</sup>
<b>Latvia</b>	34.6 <sup>(e)</sup>	35.6 <sup>(e)</sup>	36.0	36.7	38.7	41.2	43.3	45.7	48.6	52.5	57.9	55.1 <sup>(f)</sup>
<b>Lithuania</b>	38.1 <sup>(e)</sup>	40.1 <sup>(e)</sup>	38.7	39.3	41.5	44.1	49.1	50.5	52.9	55.5	59.5	60.6 <sup>(f)</sup>
<b>Luxembourg</b>	214.6	217.4	237.3	243.7	234.1	240.3	247.7	253.4	254.0	267.0	267.2	258.4 <sup>(f)</sup>
<b>Hungary</b>	51.5 <sup>(e)</sup>	52.7 <sup>(e)</sup>	53.5	56.1	58.8	61.3	63.2	63.1	63.2	63.5	62.6	62.6 <sup>(f)</sup>
<b>Malta</b>	80.5 <sup>(e)</sup>	80.5	81.0	83.6	77.9	79.5	78.4	77.1	78.2	76.7	77.7	78.9 <sup>(f)</sup>
<b>Netherlands</b>	127.0	128.6	130.8	134.3	133.7	133.4	129.3	129.2	130.8	130.8	130.9	132.2 <sup>(f)</sup>
<b>Austria</b>	131.3	131.6	131.2	131.4	125.1	126.2	126.8	126.8	124.7	124.3	123.8	124.7 <sup>(f)</sup>
<b>Poland</b>	46.8 <sup>(e)</sup>	47.8 <sup>(e)</sup>	48.6	48.2	47.6	48.3	48.9	50.6	51.3	52.3	53.7	56.1 <sup>(f)</sup>
<b>Portugal</b>	76.1	76.6	78.3	78.0	77.3	77.0	76.7	74.6	76.9	76.3	76.2 <sup>(e)</sup>	75.5 <sup>(f)</sup>

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<b>Romania</b>	:	:	26.0	26.1	27.8	29.4	31.3	34.1	35.0	38.3	42.1 <sup>(f)</sup>	44.9 <sup>(f)</sup>
<b>Slovenia</b>	77.7 <sup>(e)</sup>	78.6 <sup>(e)</sup>	80.6	79.8	79.7	82.3	83.4	86.4	87.4	87.6	89.2	90.8 <sup>(f)</sup>
<b>Slovakia</b>	51.3	52.1	50.5	50.1	52.4	54.1	55.5	57.1	60.2	63.5	67.0	70.7 <sup>(f)</sup>
<b>Finland</b>	110.6	114.3	115.1	117.2	115.7	115.1	112.9	116.2	114.1	114.8	115.8	115.5 <sup>(f)</sup>
<b>Sweden</b>	123.4	122.5	125.3	126.7	121.4	121.1	122.6	124.8	120.3	121.4	122.2	120.2 <sup>(f)</sup>
<b>United Kingdom</b>	118.2	117.6	117.8	119.0	119.8	120.6	121.8	123.5	121.8	120.3	119.0	118.4 <sup>(f)</sup>
<b>Croatia</b>	52.0 <sup>(e)</sup>	51.7 <sup>(e)</sup>	49.5 <sup>(e)</sup>	49.2 <sup>(e)</sup>	50.3 <sup>(e)</sup>	52.3 <sup>(e)</sup>	54.3 <sup>(e)</sup>	55.8	56.6	58.4	61.1	63.0 <sup>(f)</sup>
<b>Macedonia, the former Yugoslav Republic of</b>	26.6	26.6	26.8	26.9	25.1	25.2	25.6	26.6	28.5	29.4	31.2	32.5 <sup>(f)</sup>
<b>Turkey</b>	32.1 <sup>(e)</sup>	42.6 <sup>(e)</sup>	39.1	39.9	35.5	34.3	33.9	37.3	40.4	42.5	44.7 <sup>(f)</sup>	44.3 <sup>(f)</sup>
<b>Iceland</b>	137.5	140.4	139.1	131.7	132.2	129.8	125.5	131.1	130.4	123.7	119.1	117.6 <sup>(f)</sup>
<b>Norway</b>	147.4	138.4	144.8	164.9	161.1	154.7	156.2	164.4	176.2	183.7	178.4	178.4 <sup>(f)</sup>
<b>Switzerland</b>	150.8	149.6	146.7	145.3	141.0	141.1	137.4	136.0	133.5	135.9	137.1	138.1 <sup>(f)</sup>
<b>United States</b>	160.3	159.8	161.2	158.9	154.1	151.7	153.7	155.0	156.3	155.4	152.7	151.9 <sup>(f)</sup>
<b>Japan</b>	127.8	120.9	117.8	116.9	113.6	112.0	112.2	113.0	112.9	112.5	112.1	110.6 <sup>(f)</sup>

Source: Eurostat

However, the economic growth forecasts for the following years are very gloomy and mainly in negative, not only for Hungary (even if it is a fact that Hungary has been seriously affected by the crisis), but for the entire Union.<sup>62</sup>

<sup>62</sup> For more information see <http://epp.eurostat.ec.europa.eu/tgm/table.do?tab=table&init=1&plugin=1&language=en&pcode=tsieb020>, visited on 11/05/09

### **Conclusion**

To conclude this chapter, one can say that migration is a global phenomenon affecting all the regions of the world, and it is a too significant issue to be neglected. On the one hand, its impacts on host countries have to be dealt with (in particular, the alarming demographic needs of ageing and decreasing populations and the beneficial effects of migration from this point of view), on the other hand, its implications for the migrants themselves have to be tackled (such as migration health and integration of migrants for instance). Moreover, the world should cope with the large scale of irregular migration. An efficient data collection system should be developed, and the worldwide cooperation of states in order to respond to these challenges should be promoted. We also have to bear in mind the impacts of the current economic crisis it has on the motivation of migrants to stay or to move (i.e. return migration).

As for emigration from Hungary to the old Member States after the 2004 accession, one can say that it has been insignificant (15,586 emigrants from Hungary between 2004 and 2007 included, Eurostat, my own calculations) compared to the other new Member States, in particular Poland (123,535 Polish emigrants between 2004 and 2007 included, Eurostat), due to several factors. Relatively better living standards in Hungary compared with some other new Member States can be one of the reasons why Hungarians are less willing to move. According to a 2005 Eurobarometer survey on geographical and labour market mobility, Hungarians are less willing to move in the following five years than people from Poland, Latvia and Lithuania for instance.

Moreover, the current crisis will have and has already impacts on (labour) mobility, in particular on the remigration or return migration phenomenon. Due to increasing unemployment and slowing wage growth rates in some immigration countries, such as the UK or Ireland for instance, a great number of CEEC-8 citizens have returned home. According to the

UK Home Office, the number of migrant workers going to the UK from Poland and other Central and Eastern European Member States decreased by 45% in the last quarter of 2008 compared with the last quarter of 2007. Nonetheless, there is discrimination and xenophobia against migrants workers (for instance, protests in the UK and France), who are accused of taking the jobs of local people. Moreover, financial incentives have been introduced by some European governments (for instance in the Czech Republic or Spain) to stimulate the return of unemployed migrant workers<sup>63</sup>.

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<sup>63</sup> Information coming from “The Impact of Global Economic Crisis on Migrants and Migration”, IOM, March 2009, [http://www.iom.int/jahia/webdav/shared/shared/mainsite/policy\\_and\\_research/policy\\_documents/policy\\_brief.pdf](http://www.iom.int/jahia/webdav/shared/shared/mainsite/policy_and_research/policy_documents/policy_brief.pdf), website visited on 12/05/09

## CHAPTER 3: HUNGARY'S DEMOGRAPHICS, LABOUR MARKET, AND ECONOMY AN OVERVIEW

### 3.1. Demographic Trends

Similarly to other European countries, Hungary also has to face the issue of the ageing and decreasing population. In other words, this means the reduction of the working-age population as well.

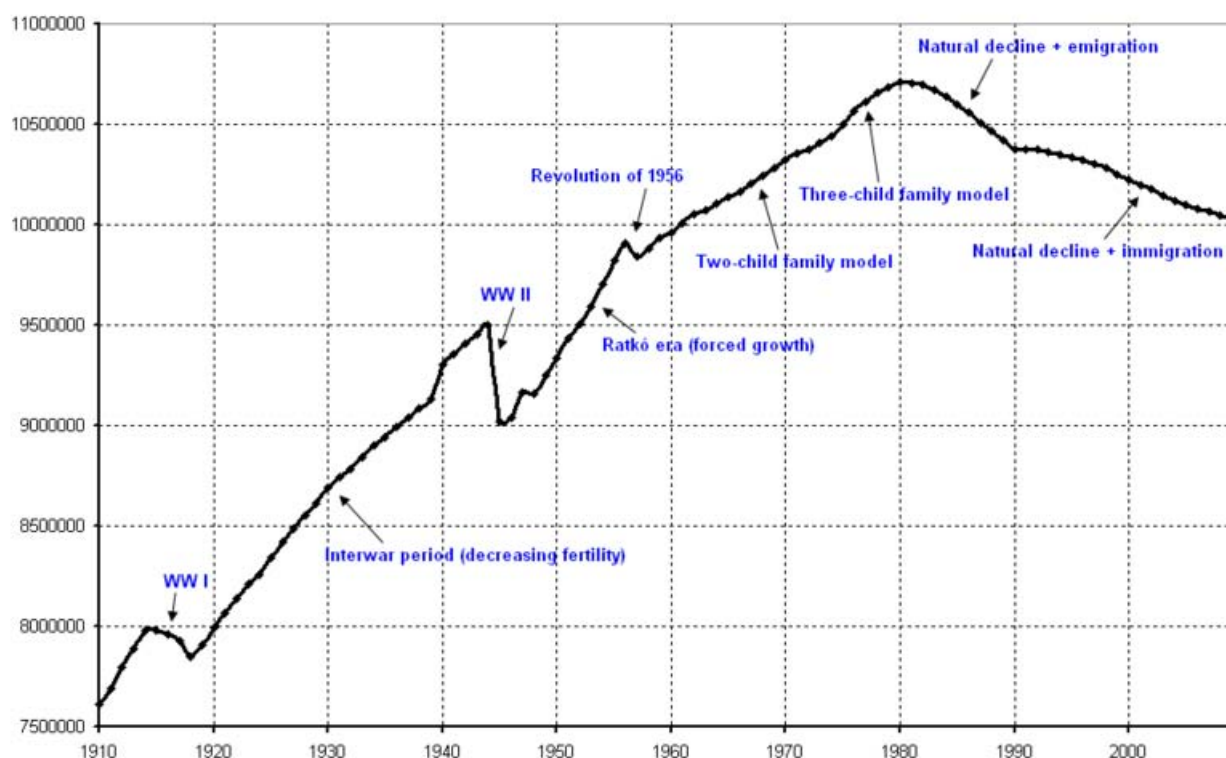
According to the data of the Hungarian Central Statistical Office (HCSO), the population of Hungary was 10,031,000 on 1<sup>st</sup> January 2009<sup>64</sup>. The natural decline was -0.31% in 2008 (growth rate -0.139% (2008), there were 9.9 births against 13 deaths per 1000 inhabitants in 2008, that is to say the population is decreasing because deaths outnumber births. The average life expectancy at birth was 73.25 years in 2007, that is 69.2 years for men, and 77.3 years for women. This means that Hungarian life expectancy at birth is far below the EU-27 average: in 2006, life expectancy at birth was 75.84 years for men and 82.01 years for women (Eurostat, 2006). This huge discrepancy is also due to the fact that the most frequent causes of death in Hungary are malignant neoplasms and heart diseases (HCSO, 2007); in particular, men aged between 40 and 60 are highly exposed to heart diseases. The lower life expectancies and frequent heart diseases in Hungary constitute important factors as well to explain the shrinking number of the working-age population. The fertility rate in 2008 was 1.35 (children born per woman). In 2008, 99,200 children were born, i.e. 1.6% more compared to 2007. The number of deaths in 2008 was 130,000, which is 2.2% less than in 2007. The natural decrease was 30,800 persons, with 4525 less than one year earlier.

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<sup>64</sup> All the following data comes from the Hungarian Central Statistical Office, unless noted otherwise, [http://portal.ksh.hu/portal/page?\\_pageid=38.119919&\\_dad=portal&\\_schema=PORTAL](http://portal.ksh.hu/portal/page?_pageid=38.119919&_dad=portal&_schema=PORTAL), visited on 12/05/09

According to the table below, the population of Hungary decreased after the First and the Second World Wars, after the 1956 Revolution, and it is declining since the 1980s despite the fact that Hungary is witnessing now a positive migration balance (i.e. immigration, see details later).

Population change of Hungary, 1910-2009



Source: Wikipedia

You can find in this table below (Population, vital events 2002-2009, Hungarian Central Statistical Office) the demographic facts and figures that I explained before.

Population, vital events 2002-2009

Denomination	2002	2003	2004	2005	2006	2007	2008	2009
Population, 1 January	10 174 853	10 142 362	10 116 742	10 097 549	10 076 581	10 066 158	10 045 401	10 031 000
Male	4 836 980	4 818 456	4 804 113	4 793 115	4 784 579	4 779 078	4 769 562	4 761 000
Female	5 337	5 323	5 312	5 304	5 292	5 287	5 275	5 270



	873	906	629	434	002	080	839	000
Number of females per thousand males	1 104	1 105	1 106	1 107	1 106	1 106	1 106	1 107
Density per km <sup>2</sup>	109.4	109.0	108.7	108.5	108.3	108.2	108.0	107.8
Marriages								
Number	46 008	45 398	43 791	44 234	44 528	40 842	40 100	
per thousand inhabitants	4.5	4.5	4.3	4.4	4.4	4.1	4.0	
Divorces								
Number	25 506	25 046	24 638	24 804	24 869	25 160	25 300	
per thousand inhabitants	2.5	2.5	2.4	2.5	2.5	2.5	2.5	
Live births								
Number	96 804	94 647	95 137	97 496	99 871	97 613	99 200	
per thousand inhabitants	9.5	9.3	9.4	9.7	9.9	9.7	9.9	
Deaths								
Number	132 833	135 823	132 492	135 732	131 603	132 938	130 000	
per thousand inhabitants	13.1	13.4	13.1	13.5	13.1	13.2	13.0	
Natural increase, decrease (-)								
Number	-36 029	-41 176	-37 355	-38 236	-31 732	-35 325	-30 800	
per thousand inhabitants	-3.5	-4.1	-3.7	-3.8	-3.2	-3.5	-3.1	
Total fertility rate	1.31	1.28	1.28	1.32	1.35	1.32	1.35	
Reproduction rates								
Crude	0.635	0.617	0.626	0.637	0.659	0.645	0.659	
Net	0.626	0.609	0.618	0.630	0.651	0.637	..	
Average life expectancy at the birth								
Males	68.3	68.3	68.6	68.6	69.0	69.2	..	
Females	76.6	76.5	76.9	76.9	77.4	77.3	..	
Foetal losses								
Number	73 110	70 634	69 418	66 217	64 171	61 117	61 800	
per thousand live-born	75.5	74.6	73.0	62.6	64.3	62.6	62.3	
Induced abortions								
Number	56 075	53 789	52 539	48 689	46 324	43 870	44 300	
per hundred live-born	57.9	56.8	55.2	49.9	46.4	44.9	44.7	
Foetal deaths								
Number	17 035	16 845	16 879	17 528	17 847	16 762	17 500	
per hundred live-born	17.6	17.8	17.7	17.2	17.9	17.7	17.6	
Infant deaths								
Number	693	690	628	607	571	577	555	
per thousand live-born	7.2	7.3	6.6	6.2	5.7	5.9	5.6	

Source: Hungarian Central Statistical Office

In 2007, the percentage of the population by age groups was as follows: 0-14 years 15.2%, 15-64 years 68.9%, 65+ years 15.9%. According to the Demographic Yearbook of the Hungarian Central Statistical Office (2001), the percentage of people under 20 was 23.1%, 20-59 years 56.5%, 60+ years 20.4% in 2001, whereas the projections for 2050 are 18.6%, 47.8%, 33.6% respectively. This means that the population aged over 60 is expected to increase by around one million by 2050, reaching 2,941,000 (33.6% of the projected population). On the contrary, the share of young people is expected to decrease. The ratio of people under 20 compared to population aged over 60 is projected to be 1:2 by 2050. All this means that the working-age population is expected to drop dramatically.

This above described phenomenon of the ageing population combined with shrinking population in Hungary will pose serious challenges for the country and its economy. That is why Hungary –just as other European countries- will need immigration to compensate for this ‘papy-boom’ and for the lack of labour force.

Now, I will present the composition of the population in terms of national or ethnic (minority) groups (2001 census). If we consider the affinity (or feeling of belonging) with nationalities’ cultural values, we obtain the following results: Hungarians represent 9,627,057 or 94.4%, Roma 205,720 or 2.02%, Germans 120,344 or 1.18%, Slovaks 39,266 or 0.38%, Croats 25,730 or 0.25%, Romanians 14,781 or 0.14%, Ukrainians 7,393 or 0.07%, Serbs 7,350 or 0.07%, Greeks 6,619 or 0.06%, Poles 5,144 or 0.05%, Slovenes 4,832 or 0.04%, Chinese 2,915 or 0.03%, Arabs 2,367 or 0.02%, Bulgarians 2,316 or 0.02%, Ruthenians 2,079 or 0.02%, Modern Hebrew (Ivrit) 1,691 or, Armenians 1,165 or 0.01%, Africans 321 or 0.00% and the number of Turks is unknown, but they form a small community.

According to these 2001 census figures, only 2.02% (205,720) of the Hungarian population declared themselves Roma. However, there is a dispute about the accurate number of Roma in Hungary. Some experts and

Roma organisations estimate that there are between 450,000 and 1,000,000 Roma in Hungary<sup>65</sup>.

**Population by language spoken with family members or friends, affinity with nationalities' cultural values and sex**

Mother tongue, nationality	Language spoken with family members or friends			Affinity with cultural values, traditions of the given community			Declaring himself/herself as member of the given national/ethnic minority		
	total	males	females	total	males	female	total	males	females
Total population	10 198 315	4 850 650	5 347 665	10 198 315	4 850 650	5 347 665	10 198 315	4 850 650	5 347 665
Hungarian	9 584 836	4 543 547	5 041 289	9 397 432	4 449 336	4 948 096	9 627 057	4 564 260	5 062 797
African	126	79	47	192	143	49	321	230	91
Arab	1 296	910	386	1 739	1 159	580	2 367	1 597	770
Bulgarian	1 118	535	583	1 693	838	855	2 316	1 143	1 173
Gipsy, Romany, Bea	53 075	26 850	26 225	129 208	65 732	63 476	205 720	104 402	101 318
Greek	1 974	943	1 031	6 140	2 614	3 526	6 619	2 848	3 771
Croatian	14 779	6 688	8 091	19 687	9 110	10 577	25 730	11 954	13 776
Chinese	2 547	1 418	1 129	2 475	1 415	1 060	2 915	1 651	1 264
Polish	2 659	1 127	1 532	3 983	1 652	2 331	5 144	2 258	2 886
Modern Hebrew (Ivrit)	438	253	185	1 229	640	589	1 691	905	786
German	52 912	23 441	29 471	88 209	41 402	46 807	120 344	56 918	63 426
Armenian	300	149	151	836	435	401	1 165	595	570
Romanian	8 215	4 085	4 130	9 162	4 477	4 685	14 781	7 218	7 563
Ruthenian	1 068	418	650	1 292	488	804	2 079	818	1 261
Serbian	4 186	2 075	2 111	5 279	2 719	2 560	7 350	3 851	3 499
Slovakian	18 057	7 716	10 341	26 631	11 501	15 130	39 266	17 351	21 915
Slovenian	3 108	1 417	1 691	3 429	1 559	1 870	4 832	2 203	2 629
Ukrainian	4 519	2 012	2 507	4 779	1 985	2 794	7 393	3 077	4 316
No answer	522 176	261 618	260 558	591 373	296 960	294 413	..	..	..
Unknown	36 070	18 036	18 034	36 955	18 589	18 366	..	..	..

© HUNGARIAN CENTRAL STATISTICAL OFFICE, 2003

<sup>65</sup> <http://www.demos.hu/Audit>; "Hungary would put the number of Roma in the country at 800,000-1,000,000, or up to 10% of the total population of Hungary.", European Roma Rights Centre, <http://www.errc.org/cikk.php?cikk=2870>; The New York City Times: "Roma make up an estimated 8 to 10 percent of Hungary's population", [http://www.nytimes.com/2008/02/06/arts/design/06roma.html?pagewanted=2&\\_r=1](http://www.nytimes.com/2008/02/06/arts/design/06roma.html?pagewanted=2&_r=1), visited on 12/05/09

### **3.2. Economy and Labour Market**

Hungary has a medium-sized, open market economy, which is now part of the European single market. Similarly to other Eastern European countries, Hungary liberalised its economy during the 1990s (transition period). Hungary is also member of the Organisation for Economic Co-operation and Development (OECD) and the World Trade Organization (WTO).

Here are some economic indicators of Hungary (all the following figures come from Eurostat): the GDP per capita in Purchasing Power Standards (PPS) (EU-27 = 100) was 62.6 in 2007, the real GDP growth rate (percentage change on previous year) was 0.5 in 2008 (EU-27: 0.9), the latest unemployment rate from 2009 is 9.2% (EU-27: 8.3%), while it was 7.6% in 2008, the employment rate was 56.7% in 2008 (EU-27: 65.9%), the annual average inflation rate (annual average rate of change in Harmonized Indices of Consumer Prices (HICPs) was 6.0 in 2008 (EU: 3.7). The HICP (all items) index (2005 = 100) and percentage changes are 121.39 in 2009 (EU-27: 109.12).

In Lisbon, the European Council set in 2000 a strategic goal for the next decade "of becoming the most competitive and dynamic knowledge-based economy in the world capable of sustainable economic growth with more and better jobs and greater social cohesion" (Eurostat). The four areas set by the renewed Lisbon Strategy in 2006 were as follows (i.e. the Lisbon objectives): investing in knowledge and innovation, unlocking the business potential, investing in people and modernising labour markets, and climate change and energy (Eurostat). With regard to these objectives, here are some indicators for Hungary: the gross domestic expenditure on R&D (GERD) in percentage of the GDP was 0.97% in 2007 (EU-27: 1.83% (Eurostat estimate), the youth education attainment level (percentage of the population aged 20 to 24 having completed at least upper secondary education) was 84% in 2007 (EU-27: 78.1%), the index of greenhouse gas emissions and targets in CO<sub>2</sub> equivalents (actual base year 1990 = 100) was as follows: the target for Hungary was fixed at 94, but the actual index in 2006 was 68.1, that is to say Hungary has performed very well and

exceeded the expectations, whereas the EU-15 (the Kyoto Protocol was agreed by the EU-15) has underperformed the target (92.0, i.e. 8% reduction in its greenhouse gas emissions by 2008-2012 compared to 1990) with an index at 97.3 in 2006. However, the EU-27, thanks to the over performing (mainly new) Member States, performs quite well on the whole (92.3 in 2006).

As I mentioned in the demographic part, Hungary has to face the issue of an ageing plus a decreasing population and the challenges it means, that is to say workforce shortage, the growing difficulty regarding pensions and (health) care for the elder. In addition, to the demographic issue may be added the problem of the incomplete economic transition<sup>66</sup>. Hungary will have to cope with the booming of public expenditure, as the financial pressure related to pension payments and elder care system needs is growing [66]. Due to the decrease in the share of the working-age population, Hungary also may be faced with a growth challenge.

As regards the issue of labour force, the situation is quite paradoxical in Hungary. On the one hand, there is workforce shortage (decreasing share of the working-age population), on the other hand, there is an overproduction of young graduates (the percentage of students in Hungary (4.36% of the total population, 2006) is among the highest ones in the EU-27 (3.80%, 2006, HCSO). It is not rare for instance that young lawyers or economists cannot find a job because there is a surplus of these professions and the labour market is saturated. In order to solve this problem, the government should adopt measures to better harmonise the demand and the offer on the labour market.

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<sup>66</sup> Idea coming from 'Hungary's Aging Population – A Challenge as Well as an Opportunity' by Arup Banerji and Gordon Betcherman, *World Bank*, <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/ECAEXT/HUNGARYEXTN/0,,contentMDK:21395111~menuPK:302086~pagePK:2865066~piPK:2865079~theSitePK:302081,00.html> , visited on 12/05/09

### **3.3. The Current Crisis and Hungary**

I suppose that most of the people know already in depth the origins of the current global crisis (the bankruptcy of the Lehman Brothers for instance) and its implications from a general point of view, since we can hear about them every day in the media. That is why I will not start by describing this phenomenon, but rather by analysing its impact on Hungary.

Since the beginning of this famous crisis, I can hear the following sentence from everywhere –even from some of our teachers-: Hungary is in the deepest crisis in the region. Is the economic situation really so gloomy compared to the others?

It is a fact that a \$15.7 billion loan was agreed by the IMF in November 2008 to boost the Hungarian economy as part of a \$25 billion financing package to which the European Union has contributed with €6.5 billion (\$8.4 billion) and the World Bank with \$1.3 billion<sup>67</sup>. The aim of this rescue package was to restore confidence in the Hungarian financial market (“to implement a substantial fiscal adjustment to ensure that the government's debt-financing needs will decline; and to maintain adequate liquidity and strong levels of capital in the banking system”, IMF). Moreover, it is also true that Hungary has urged the adoption of the euro, as an expected solution to cope with the crisis<sup>68</sup>. However, the entry of Hungary into the Eurozone seems still quite far, in particular with the current crisis, –some talk about 2012<sup>69</sup>, others about 2014- as Hungary has been hitherto unable to meet the Maastricht criteria (price stability with a consumer price inflation rate not more than 1.5% above the rate of the three best performing MS; sound public finances with a government deficit not more than 3% of GDP; sustainable public finances with government debt not more than 60% of GDP; durability of convergence with long-term

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<sup>67</sup> Information coming from the IMF, <http://www.imf.org/external/pubs/ft/survey/so/2008/car110608a.htm>, visited on 14/05/09

<sup>68</sup> To see more on this issue: <http://www.kemkik.hu/index.php?id=3676&term=>, [http://www.fn.hu/valsag/20081027/csanyi\\_barmi\\_aron\\_euro/](http://www.fn.hu/valsag/20081027/csanyi_barmi_aron_euro/), (in Hungarian), visited on 14/05/09

<sup>69</sup> [http://www.mfor.hu/cikkek/Mikor\\_lesz\\_euronk\\_Ismet\\_slagertema\\_lett\\_a\\_magyar\\_csatlakozas\\_.html](http://www.mfor.hu/cikkek/Mikor_lesz_euronk_Ismet_slagertema_lett_a_magyar_csatlakozas_.html) (in Hungarian), visited on 14/05/09

interest rates not more than 2% above the rate of the three best performing MS; exchange rate stability through participation in the Exchange Rate Mechanism (ERM II) for at least two years without strong deviations from the ERM II central rate (source: European Commission). Compared to these criteria, the Hungarian reality looks as follows: government debt accounted for 67.2% of GDP in the first quarter of 2008<sup>70</sup> (73% according to latest Eurostat statistics), above the 60% target; the government deficit in 2008 was 3.4% of GDP (Eurostat), so it is actually quite close to the 3% target; according to the Central Bank of Hungary (Magyar Nemzeti Bank), current inflation is 2.9% (March 2009 (HCSO), however, the annual average inflation rate in 2008 was 6.0% (Eurostat), which is too high (EU average 3.7%); long-term interest rates were 8.24% in 2008, while EU-27 4.55% (Eurostat); the exchange rate used to be about 1 EUR = 250 HUF (Hungarian forint), however, unfortunately due to the crisis, the forint has dropped dramatically against the euro, to culminate even at over 300 HUF during the worst period (today, on 14/05/09, the current exchange rate is 1 EUR = 287.76 HUF (Central Bank).

Currently, there is no target date for Hungary for the adoption of the euro and the forint is not part of the ERM II (European Commission).

Nonetheless, we have to bear in mind that a strong economic integration within the EU may be just as dangerous –that is to say, crisis can expand easily-, as beneficial.

Moreover, there are other economic issues specific to Hungary. For instance, the employment rate of older workers (55-64 years old) is very low in Hungary (around 32%, 2007) compared to the EU or OECD average (over 50%, 2007)<sup>71</sup>. Without any reforms, this will aggravate the already urging problem of pension payment obligations and elder care system needs. Another specific issue related to Hungary is the fact that many loans are in foreign currencies, i.e. in Swiss franc or euro. During the last several years, people have borrowed money in Swiss franc and euro to buy their cars or houses, because these loans were attractive and sometimes more

<sup>70</sup> [http://hvg.hu/gazdasag/20080516\\_aht\\_allamhaztartas\\_finanszirozas\\_mnb.aspx](http://hvg.hu/gazdasag/20080516_aht_allamhaztartas_finanszirozas_mnb.aspx), (in Hungarian), visited on 14/05/09

<sup>71</sup> OECD Country notes, Hungary, <http://www.oecd.org/dataoecd/23/34/42222621.pdf>, visited on 14/05/09

advantageous than loans in forint. However, as Hungarian forint has dropped dramatically, these people have to repay growing debts<sup>72</sup>. Furthermore, wage taxes are extremely high in Hungary; according to an OECD report, Hungary's wage taxes were second highest in OECD with 54.1% in 2008 (first: Belgium 56.0%, 3<sup>rd</sup>: Germany 52.0%, OECD average 37.4%)<sup>73</sup>.

As a result of the crisis, Hungary's Prime Minister, Mr. Ferenc Gyurcsany, resigned in March 2009 after a vote of censure<sup>74</sup>. The popularity of the Hungarian Socialist Party (MSZP), currently on power, has also dropped dramatically.

### **Conclusion**

To sum up this chapter, one can say that Hungary has to tackle the issue of an ageing and shrinking population, because the share of older people in the population is increasing and less children are born. These phenomena will pose for Hungary the ever growing challenges of pension payments, elder care, labour force and economic growth in general. In addition worth of mentioning that within the Hungarian budget, the ratio of the state covered social expenditures are the highest among the EU Member States.

The issue of ageing and decreasing population in Central and Eastern Europe has been given much less publicity in the media than the same trends in Western Europe<sup>75</sup>. However, the situation in Hungary for instance

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<sup>72</sup> Information taken from The New York Times, 'Crisis Comes to Hungary in Loans of Francs and Euros', <http://www.nytimes.com/2008/10/19/world/europe/19hungary.html?n=Top/News/World/Countries%20and%20Territories/Hungary>, visited on 14/05/09

<sup>73</sup> <http://www.realdeal.hu/20090513/report-finds-hungarys-wage-taxes-second-highest-in-oecd>, visited on 14/05/09

<sup>74</sup> For more information see <http://www.irishtimes.com/newspaper/breaking/2009/0321/breaking15.htm>, visited on 14/05/09

<sup>75</sup> Ideas coming from 'Hungary's Aging Population – A Challenge as Well as an Opportunity' by Arup Banerji and Gordon Betcherman, *World Bank*, <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/ECAEXT/HUNGARYEXTN/0,,contentMDK:21395111~menuPK:302086~pagePK:2865066~piPK:2865079~theSitePK:302081,00.html>, visited on 15/05/09



is even more complicated because the above mentioned demographic challenge is aggravated by the incomplete economic transition process [66].

In order to deal with all these challenges, the following measures should be taken [66]: as for pensions, retirement age should be increased (currently 62 years) and another method of pension indexation should be developed; regarding health care, a Western-style home-based care should be introduced. As far as future labour shortage is concerned, immigration could be a solution; on the other hand, increasing the productivity of the current workforce could be another one. In order to improve labour productivity, several long-term reforms should be introduced, such as improvement of the education (adult education and lifelong learning) and investing in R&D (innovation).

According to OECD recommendations [71], Hungary should reduce income taxes and reform the system of disability benefits, which currently constitutes an incentive to retire early; the country also should ease business regulations by simplifying administrative procedures for instance.

In order to join the Eurozone, Hungary should meet the Maastricht criteria. This could also be a solution to cope with the current economic turmoil.

## CHAPTER 4 : CURRENT HUNGARIAN MIGRATION TRENDS

### **4.1. Hungary: a Transit Country?**

Historically, Hungary has been mainly a transit country for migrants willing to move to Western countries. However, with the 2004 EU enlargement, Hungary has become both a transit and a new destination country for labour migrants coming from outside the EU. Nonetheless, Hungary is also a sending country. Today, Hungary has a positive net migration balance, that is to say there is more immigration than emigration (HCSO). Thus, Hungary has turned from a net emigration country into a net immigration country.

### **4.2. Migration and the 2004 EU Accession: a Real Migration Wave?**

With the 2004 EU enlargement, free movement of people within the EU (the famous four freedoms) became possible. The 1<sup>st</sup> May 2004 was celebrated across the country, it was a day of joy. However, from an academic point of view, free movement of people –meaning travelling without passport control- makes the statistical data collection difficult. How to measure the number of Hungarians who are leaving or entering the country without any control within the EU? In addition, it is not possible to measure long-term emigration with the current Hungarian registration system (OECD). As a result, I had difficulties to find accurate data on emigration.

However, I managed to find some data on Hungarian emigration. According to OECD statistics, the number of expatriates, i.e. Hungarians living abroad, accounted for 334,300 in January 2008, i.e. 3.8% of the total population<sup>76</sup>. According to Eurostat statistics, there were 4,500 emigrants from Hungary in 2007, and a total of 15,586 emigrants between 2004 and 2007 included. As one can see, emigration (just as immigration) level from

<sup>76</sup> <http://www.oecd.org/dataoecd/15/60/40647145.xls>, visited on 16/05/09

Hungary is low. The main destination countries are Germany, Austria, the UK (the brain drain of doctors for instance, see chapter 2) and the United States (IOM)<sup>77</sup>.

If I analyze the situation from the opposite point of view, that is to say immigration to other Member States, one can see that the number of Hungarians immigrating to other EU Member States is insignificant compared to other immigrant groups, except for Germany, where there is a high number of Hungarian immigrants (Hungarians account for the 4<sup>th</sup> largest immigrant group, 18,654 in 2006, Eurostat<sup>78</sup>). Moreover, Hungarians are not among the ten most numerous citizenships of immigrants in the EU-27 (the first group of immigrants are Poles, Eurostat, 2006). As I already analyzed this issue in the second chapter, the share of Hungarian migrants after the 2004 accession was insignificant compared to the proportion of other citizens, such as Poles for instance.

In conclusion, one can state that Hungarian emigration is insignificant compared with other citizenship groups.

#### **4.3. Recent Migration Trends**

As I have already mentioned before, Hungary currently has a positive net migration balance (more immigration than emigration): 1.5 (per 1000 inhabitants) in 2008 (HCSO). Generally speaking, one can state that immigration and emigration level is low in Hungary (IOM, [74]). In 2006, foreign immigration reached 19,400, of which 54% were EU-27 citizens and 46% non-EU citizens (Eurostat). Foreigners residing in Hungary accounted for 174,697 in 2008 (HCSO). So according to these figures, one can say that immigrants account for less than 2% of the population (most of them are ethnic Hungarians – OECD). However, we have to make a distinction between foreign and foreign-born population, because the actual number of foreign-born in Hungary is higher, but due to naturalization (8442 acquisitions of citizenship in 2007 in Hungary, Eurostat, mainly by Romanians, Serbs and Ukrainians, OIN), they do not appear in statistics as

<sup>77</sup> ‘Permanent or Circular Migration?’, April 2008, IOM

<sup>78</sup> [http://epp.eurostat.ec.europa.eu/cache/ITY\\_OFFPUB/KS-SF-08-098/EN/KS-SF-08-098-EN.PDF](http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-SF-08-098/EN/KS-SF-08-098-EN.PDF)

immigrants any more. According to the OECD, the foreign-born population in Hungary makes up 3.4% of the total population (OECD average: 12.4%, OECD, 2006 or latest year available). According to the Office of Immigration and Nationality (OIN), all types of immigration and residence permits in Hungary accounted for 184,568 on 31<sup>st</sup> December 2008, held mainly by Romanians, former Yugoslavs, Ukrainians and Chinese.

As for the citizenship of immigrants, Romanians constitute the biggest group of immigrants (however, we have to bear in mind that since the 2007 EU accession of Romania, Romanian citizens can stay during three months without any residence permits in Hungary, thus they do not appear anymore in statistics for short-term stays; 6813 in 2006 or 35% of total foreign immigration, compared to more than 12,100 in 2004), followed by Ukrainians (2365 or 12% of total foreign immigration) and Chinese (1466 in 2006 or 8% of total foreign immigration, compared to around 550 in 2005, Eurostat). However, if we look at the composition of foreigners residing in Hungary, we obtain a slightly different image: according to the HCSO, there were 65,836 Romanians in 2008, 17,289 Ukrainians, 14,436 Germans, 13,721 from Serbia and Montenegro, 10,218 Chinese and 4,944 Slovaks (these are only the largest groups). As we can see, immigration has decreased (except for Chinese): in 2005, there was an inflow peak with almost 25,600 foreigners, however, immigration to Hungary dropped by 14% to around 19,400 in 2006 (OECD). However, the net migration balance is still positive, and without this immigration, Hungary's natural demographic decline would be even more serious. We can observe similar trends in the EU: immigration has increased during the last five years (in 2006, almost 25% more immigrants compared to 2002); however, this increase has slowed down during the last three years (Eurostat). As for the age composition, 74.6% of foreign residents in Hungary were aged 20-59 in 2001 (HCSO). There were 23,159 rejected persons at the border in 2006, predominantly Romanians, Serbs and Ukrainians (Hungarian Border Guard 2006). In 2006, 1,409 persons were refused to obtain residence (OIN).

In the following two sub-parts, I will analyze the immigrants according to their type of activity (workers, students).

### **4.3.1. Labour Migration**

Thanks to its geographical location, Hungary remains both a transit and a target country. According to the OSCE, one of the impacts of the 2004 enlargement was that the former circular migration of ‘petty traders’ (from Ukraine, Belarus, Russia to Hungary, Poland and the Czech Republic for instance), which has been typical for the region during the 1990s, has been replaced by temporary labour migrants going to the EU and Russia for paid jobs<sup>79</sup>.

By the way, as far as emigrating Hungarian labour migrants are concerned, the Hungarian government would prefer circular migration, because on the one hand, it does not mean population decrease, and on the other hand, labour migrants returning home would spend their money in Hungary and would enrich the country with their professional know-how learned abroad.

According to the International Labour Organization (ILO), there were 35,036 Romanian, 15,262 Slovak, 9,196 Ukrainian, 1,899 Serb and 1,470 Chinese labour migrants in 2006 in Hungary.

According to the Migration Information Source, there were more than 100,000 legal foreign workers in Hungary in 2003<sup>80</sup>. Immigrants who have permanent residence permits can be employed under almost the same conditions as Hungarians (except for civil service for instance) [80]. But there is no accurate data on employed permanent residents (2003 estimate: 40,000 [80]). In general, temporary immigrants can work only with a work permit [80]. However, this does not apply to senior executives working for foreign companies for instance. There is a quota for temporary work permits (valid for max. one year) because their number is limited. In 2002, the quota was 81,320, however, it was not filled; work permits accounted only for 42,000 in 2002 [80].

According to these work permits, labour migrants work mainly in the agriculture, catering, clothing, construction, entertainment, retail and textile

<sup>79</sup> [http://www.osce.org/documents/eea/2008/10/34332\\_en.pdf](http://www.osce.org/documents/eea/2008/10/34332_en.pdf), visited on 16/05/09

<sup>80</sup> <http://www.migrationinformation.org/Profiles/display.cfm?id=181>, visited on 17/05/09

sectors [80]. Just as for the breakdown of immigrants by citizenship, the major labour migrant groups are also Romanians, Ukrainians and Chinese [80].

However, we always have to bear in mind that there is a difference between low-skilled and highly skilled labour migrants. Highly skilled labour migrants often have a privileged status (not only) in Hungary, as they are often diplomats or employees of big multinational companies; the bureaucratic procedures are thus easier for them. There is also a difference in the breakdown by citizenship. While low-skilled labour migrants are mainly coming from Romania, Ukraine, Serbia and China, highly skilled workers come from Western Europe or from the USA.

#### **4.3.2. Student Mobility**

According to the UNESCO<sup>81</sup>, international students in Hungary accounted for 14,491 in 2006 in Hungary (12,913 in 2004 and 9,904 in 2000). More and more students are moving to study abroad in order to improve their language skills and to get to know other cultures and people better. However, foreign students in Hungary study in general in foreign languages (they do not learn Hungarian), mainly in English and German. For instance, in my birth town, Pécs (“Quinque Ecclesiae”; “Fünfkirchen” in German), there is an English-speaking (already for 23 years) and a German-speaking branch as well at the Faculty of Medicine of the prestigious University of Pécs, founded in 1367. Just to give an idea, at the University of Pécs, there are about 1500 international students coming from over 80 countries. At the Faculty of Medicine, the number of foreign students in the English-speaking branch is as follows: general medicine 518, dentistry 100; in the German-speaking branch: general medicine 343, dentistry 44; compared to 958 Hungarian students in general medicine, 148 in dentistry, and 174 in pharmacy; we can see that the number of foreign students is almost as high as the one of Hungarians. Students coming to

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<sup>81</sup> <http://stats.uis.unesco.org/unesco/TableViewer/tableView.aspx>, visited on 17/05/09

Hungary are rather attracted by the good quality of education. All these experiences can help students to get better jobs in the future. Moreover, studying abroad has become much easier, in particular within the EU thanks to the free movement of people, on the other hand, thanks to the standardisation of education systems (the Bologna process). A great number of students go to study abroad within the framework of student network programmes such as Erasmus or Socrates. According to OECD statistics (2001), the number of foreign students is high compared to the size of the countries in UK, France, Germany, Austria and Denmark.

Since foreign students can sometimes easily enter the labour market of the host country, given their language skills and diplomas of the country in question, they can be considered as highly skilled migrants as well.

Regarding data collection, statistics may not always be accurate –as for migration statistics in general- because of different data collection systems and also because of students for instance who arrive outside the framework of a network programme, like me for instance (I did my bachelor in Paris on my own, without any programme, thus I do not think that I can figure in any Hungarian or French statistics).

#### **4.3.3. A Return Migration Trend?**

The phenomenon of return migration or remigration exists in each country and means the return to the home country of people who emigrated before. Migrants return home in general either because they struggle to find a job abroad, or they have family members left behind. They may also return home if political and economic conditions have changed in the home country, and they see good opportunities in the future, or because they achieved their financial objectives. Therefore, return migration can be the result of both a success and a failure. Unfortunately, there is no available data on the scale of return migration across the world. In addition, the Hungarian data collection system is not designed to register return migration. Moreover, it is even more difficult to assess whether a person in question is really a return migrant, or he/she has just returned home for a

short-term period to go to work or study abroad again. I know that this phenomenon exists, for instance, I have friends working in the UK, and after a couple of years of work experience and improved language skills, they return home because they are fed up with low-profile jobs and they do not see promotion opportunities in the future (working in a bar for instance with a university diploma is not so attracting), or because they are homesick.

#### **4.4. Hungarian Minorities in Surrounding Countries**

According to general estimates, Hungarians living in surrounding countries account for about 2.5 million<sup>82</sup>. They are located in Romania (Transylvania), Slovakia (Southern Slovakia or Felvidék (in Hungarian), Ukraine (Transcarpathia), Serbia (Voivodina), Croatia, Slovenia (Mura region) and Austria (Burgenland).

According to data of the 2001 census in Austria, only 40,583 persons said that their contact language is Hungarian. However, a 2005 survey shows that there are 95,000 persons, who speak Hungarian, and since German-speaking people, thus Austrians rarely speak Hungarian, one can estimate that there are about 90,000 Hungarians (or persons of Hungarian Origin) in Austria. Hungarians in Burgenland accounted for 6,641 (of whom 4,704 Austrian citizens and 1,937 foreign citizens, 2001), which is a 5.4% decrease compared to 1991.

According to the 2001 census, there are 16,595 Hungarians living in Croatia (0.37% of the total population). It is a 25.8% drop (5,760 persons), from 22,355 to 16,595, compared to 1991.

In Romania, the number of Hungarians decreased to 1,447,544 in 2002 from 1,624,954 in 1992, that is to say from 7.1% in 1992 to 6.7% in 2002.

In Slovakia, Hungarians represented 9.7% of the population in 2001, i.e. 520,528 persons against 567,296 persons in 1991 (10.7%).

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<sup>82</sup> All the following information comes from the Government Office for Hungarian Minorities Abroad (HTMH) (does not exist since 2006), <http://www.hhrf.org/hmh/en/index.php>, visited on 17/05/09



In Slovenia, the estimated number of Hungarians is 9-10,000 (0.5% of the population). However, according to the 2002 census, there are only 6,200 Hungarians.

The 2001 census shows that there are 156,600 (0.3%) Hungarians in Ukraine. Their estimated number is around 200,000.

In Serbia without Kosovo, Hungarians accounted for 3.9% or 295,379 persons in 2002. 290,207 of them lived in Voivodina, where they represent almost 15% of the province's 2 million population.

As one can observe, the number of Hungarian minorities and their share in the population is shrinking. This decrease is not only due to their migration to Hungary, but due to the deaths of old ethnic Hungarians and due to the fact that the younger Hungarian generation living in the neighbouring countries often declare themselves as nationals of the given country (mainly because of nationalistic propaganda against Hungarians, even on governing party level in Slovakia for instance), or they suffer from identity problems.

The impact of the 2004 enlargement has been among others that while before 2004, the Hungarian policy was facilitating the migration of Hungarians living in surrounding countries (for more see bilateral agreement between both countries), after 2004 however, Hungary had to reinforce its borders<sup>83</sup>. This represented a problem especially with Romania. However, since Romania has become an EU Member State as well, the situation is easier, despite the fact that Romania is not yet a full member of the Schengen Area.

As far as the migration of these Hungarian minorities is concerned, one can say that the most important inflow is coming from Romania (see above, immigration statistics). However, it is difficult to give accurate data since not all Romanian citizens entering Hungary are ethnic Hungarians, secondly, Romanians immigrated to Hungary may have double citizenship or may have been naturalized, thus they do not occur in statistics.

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<sup>83</sup> Hungarian migration: from national inclusion to European exclusion, Jon E. Fox, [http://iicas.ucsd.edu/papers/europeanstudies/jon\\_fox.pdf](http://iicas.ucsd.edu/papers/europeanstudies/jon_fox.pdf), visited on 17/05/09

#### **4.5. The Roma Question**

Roma form the largest ethnic minority group in Hungary. As for the terminology, both Roma (or Romani) and Gypsy are used. Historical terminology comes from the Greek '*atsinganos*', meaning 'heretic sect', later coming into the Latin language as '*cingarus*', into German as '*Zigeuner*' and Hungarian as '*cigány*' [84]. Roma's ancestors left India in the 9<sup>th</sup>-10<sup>th</sup> centuries to escape Muslim attacks at the time [84].

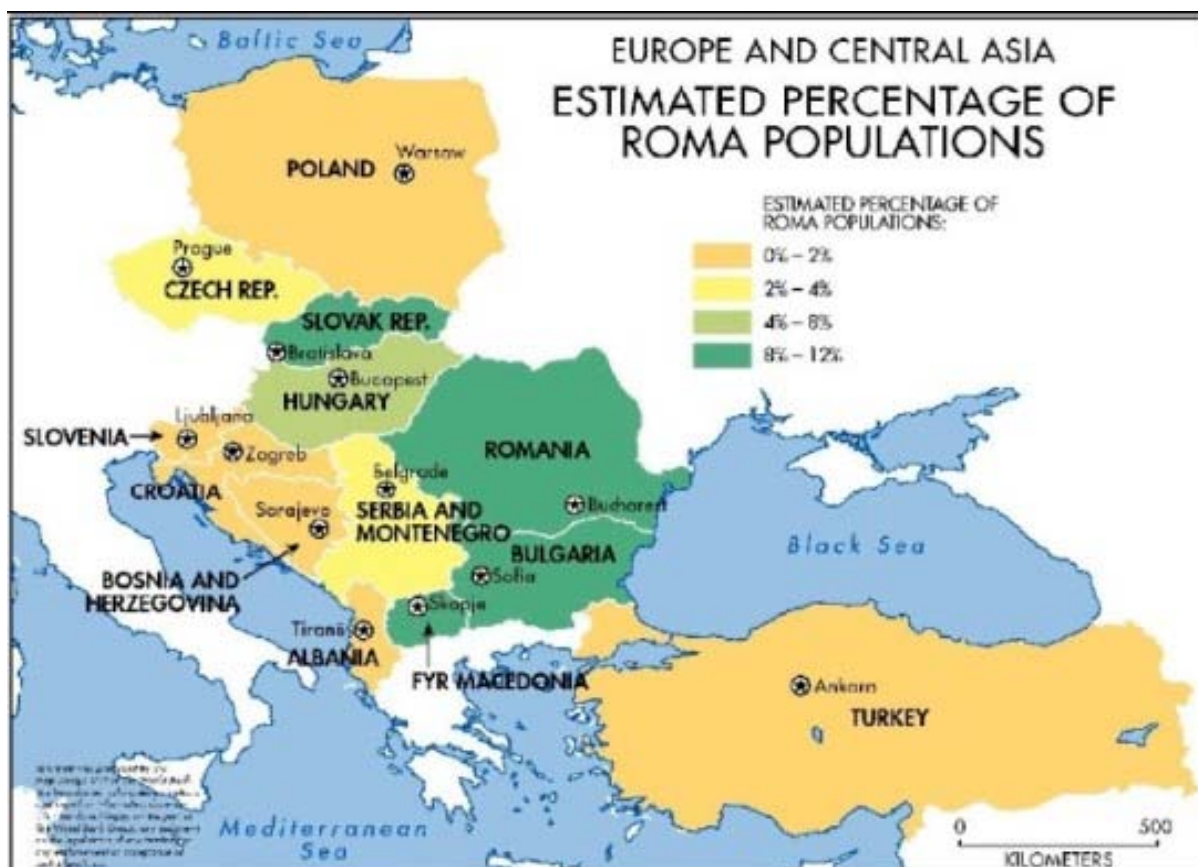
According to the 2001 census, Gypsies (Roma, Bea, Romani) accounted for 190,046 or about 2% of the population. However, some estimates suggest that their number is between 400,000 and 600,000<sup>84</sup>. According to OSCE estimates, Roma in Hungary account for more than 5% of the population<sup>85</sup>. While the Hungarian population is ageing and shrinking, the Gypsy population is growing and the share of young people in the Gypsy population is much higher than in the overall population, thanks to its high fertility rate [84].

As the following map shows, the estimated share of Roma population in Eastern Europe is the highest in Romania, Bulgaria, Slovakia and Macedonia (around 8-12%), followed by Hungary (4-8%), the Czech Republic and (the former) Serbia and Montenegro (2-4%).

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<sup>84</sup> Hungarian Ministry of Foreign Affairs, "Gypsies/Roma in Hungary", [http://www.mfa.gov.hu/NR/rdonlyres/05DF7A51-99A5-4BFE-B8A5-210344C02B1A/0/Roma\\_en.pdf](http://www.mfa.gov.hu/NR/rdonlyres/05DF7A51-99A5-4BFE-B8A5-210344C02B1A/0/Roma_en.pdf), visited on 18/05/09

<sup>85</sup> OSCE High Commissioner on National Minorities, "Recent Migration of Roma in Europe" by Cahn and Guild, 10. Dec. 2008, CoE



Source: Estimated Percentage of Roma Populations in Eastern Europe (World Bank, 2007, <http://go.worldbank.org/LGZN671T10>)

With regard to their status in society, it is a fact that discrimination, exclusion, poverty and unemployment exist regardless whether protection laws are in force or not (for instance, Hungary adopted in 1993 the Act LXXVII of 1993 on the Rights of National and Ethnic Minorities and set up in 1990 the Office for National and Ethnic Minorities (ONEM) [84].

There is a vicious circle of insufficient and inadequate education, unemployment, poverty and crime. Roma who did not have access to (quality) education are often unable to find jobs and are thus ‘obliged’ to make a living for their families by committing crime (stealing, smuggling for instance). Poverty and long-term unemployment rates are much higher among Roma than non-Roma nationals<sup>86</sup>, see tables below.

<sup>86</sup> ‘Roma Migration Inequalities in Modern Europe’, by Petrouchka Alexieva, <http://repositories.cdlib.org/cgi/viewcontent.cgi?article=1074&context=cgirs>, visited on 18/05/09

**Poverty rates: percentage of people living on less than \$4.3 a day, 2004**

	<b>Income-based poverty rates</b>		<b>Expenditure-based poverty rates</b>	
	<b>Percentage of Roma/majority (%)</b>	<b>Gap (%)</b>	<b>Percentage Roma/majority (%)</b>	<b>Gap (%)</b>
Hungary	8/5	3	9/8	1
Czech Republic	25/9	16	45/18	27
Bulgaria	51/11	40	49/10	39
Romania	69/22	47	67/26	41

Source: [http://www.palgrave-journals.com/cep/journal/v6/n1/fig\\_tab/6110123t1.html#figure-title](http://www.palgrave-journals.com/cep/journal/v6/n1/fig_tab/6110123t1.html#figure-title), visited on 18/05/09

**Unemployment rates: percentage of people unemployed, by age category, 2004**

	<b>15–24 years</b>		<b>25–54 years</b>		<b>55 years and above</b>	
	<b>Roma/majority (%)</b>	<b>Gap (%)</b>	<b>Roma/majority (%)</b>	<b>Gap (%)</b>	<b>Roma/majority (%)</b>	<b>Gap (%)</b>
Hungary	37/36	1	10/8	2	7/0	7
Czech Republic	40/12	28	27/4	23	27/4	23
Bulgaria	56/32	24	34/12	22	41/19	22
Romania	46/33	13	25/8	17	34/12	22

Source : [http://www.palgrave-journals.com/cep/journal/v6/n1/fig\\_tab/6110123t2.html#figure-title](http://www.palgrave-journals.com/cep/journal/v6/n1/fig_tab/6110123t2.html#figure-title)

However, one can state that the situation of Hungarian Roma is much better compared to the one of Roma in Romania, Bulgaria or the Czech Republic for instance.

These above-mentioned facts are the reasons why Roma often migrate to other EU Member States for instance, because they want to flee from discrimination and seek for better opportunities. However, this dream often becomes a nightmare, as emigrated Roma have to face sometimes even worse living standards and discrimination (or even expulsion) than in their home countries (in Italy for instance).

As the free movement of people within the EU also includes Roma, there were exaggerated fears of flood of Roma coming from Central and Eastern Europe before the 2004 enlargement. Recently, Roma migrated mainly to Italy (estimated at 120,000-160,000), Austria (estimated 20,000-

30,000) and Germany (Roma estimated between 70,000 and 140,000) (following information coming from [85]). However, the ‘Roma invasion’ fears seem unfounded because the share of Roma in the three above-mentioned countries is insignificant next to the one in Central and Eastern European countries (often over 5%): Roma only account for 0.3% of the population in Austria, 0.12% in Germany and 0.23% in Italy [85]. Moreover, these Gypsy populations come mainly from Romania, Bulgaria, Slovakia and the Czech Republic and not especially from Hungary [85]. Romanian Roma move in general to Italy, France (Roma 0.64% of the population) and Spain (1.60%), where the Romance languages are similar to Romanian. A lot of Roma have also migrated to the United Kingdom [85]. With regard to Hungarian Roma, they have sought and received asylum in Canada for instance. That is why Canada reintroduced visa for Hungarian citizens, in order to prevent Roma migration, however, this also affects non-Roma Hungarians [85]. Hungarian Roma seeking refugee status in Strasbourg also hit the newspapers’ headlines in Hungary few years ago<sup>87</sup>. These Roma in general had to return to Hungary either because their asylum applications have been refused or simply because they did not have money and where to live. Generally speaking, asylum seeking is typical to Roma migration (especially in the 1990s), as well as illegal migration. Around 12,000-15,000 Roma left Eastern Europe between 1997 and 2005. Roma from Slovakia, the Czech Republic, followed by Poland, Bulgaria and Romania were the first to apply for asylum, in particular in the UK, Norway, Switzerland and Canada [88].

As far as integration efforts of the Roma in Central and Eastern Europe are concerned, the Copenhagen Criteria for EU membership (protection of minority rights) obliged the candidate countries to launch Roma programmes<sup>88</sup>. Hungary for instance has introduced a series of education programmes (PHARE education and social integration projects in 1999 and 2002, 2003 Amendment to the Public Education Act to promote

<sup>87</sup> <http://index.hu/belfold/roma0326/>, (in Hungarian), visited on 18/05/09

<sup>88</sup> ‘The Roma of Eastern Europe : Still Searching for Inclusion’ by Arno Tanner, May 2005, Migration Information Source, <http://www.migrationinformation.org/Feature/display.cfm?ID=308>, visited on 18/05/09

equality, Equal Opportunities Act, etc.<sup>89</sup>). The Open Society Institute (OSI, founded by the Hungarian George Soros) also made a project between 2002 and 2005, called the Roma Education Initiative (REI)<sup>90</sup>. Furthermore, the OSI and the World Bank, among others, launched in 2005 ‘The Decade of Roma Inclusion 2005-2015’ project<sup>91</sup>. It is a large-scale cooperation of European governments “to improve the socio-economic status and social inclusion of Roma”. According to their website, there are currently twelve countries taking part in the Decade: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the Czech Republic, Hungary, Macedonia, Montenegro, Romania, Serbia, Slovakia and Spain. A thirteenth country, Slovenia, has observer status.

To sum up, one can state that until social integration of Roma is not complete, Roma will continue to migrate to flee from poverty and discrimination, dreaming about a better life in a better world.

#### **4.6. Irregular Migration, Asylum Seekers and Refugees**

##### **4.6.1. Irregular Migration**

First of all, I would like to define the different forms of illegal migration. There are many possible typologies; I will refer to the following three ones<sup>92</sup>: typology by legality of entry into the country, typology according to the ways of being caught by the authorities as illegal migrant, and typology by the migrant’s strategies and objectives. In the first category, we can talk about border violators and overstayers (persons staying illegally despite the expiration of their visa or residence permit). In the second one, illegal migrants may be caught by border controls upon entry to or exit from Hungary, by labour controls, road controls, or migrants can present themselves voluntarily to authorities. In the third category, illegal transit migrants, illegal circular labour migrants, and illegal migrants residing in

<sup>89</sup> <http://www.oki.hu/oldal.php?tipus=cikk&kod=english-art-Lannert-Toronto>, visited on 18/05/09

<sup>90</sup> <http://www.osi.hu/esp/rei/>, visited on 18/05/09

<sup>91</sup> <http://www.romadecade.org/index.php?content=1>, visited on 18/05/09

<sup>92</sup> This part draws from Country Report, Hungary, ‘Undocumented Migration’ by Peter Futo, Nov. 2008, Clandestino, <http://clandestino.eliamep.gr/wp-content/uploads/2009/02/hungary.pdf>, visited on 19/05/09; unless otherwise noted

the country for a longer term can be classified. In addition, either within the framework of these typologies (border violation) or not, but we have to talk about human smuggling and trafficking, too.

In terms of illegal migration, Hungary is both a transit and a target country. First, I will present some general facts and figures, followed by specific data related to each category of illegal migration described above.

According to Clandestino estimates, there were between 30,000 (0.3%) and 50,000 (0.5%) irregular foreign residents in Hungary in 2007-2008<sup>93</sup>. According to estimations<sup>94</sup>, most of them are men (up to 80%), and young or mid-aged (share of 20-59 up to 90-95%), and the biggest groups are coming from China and Vietnam, followed by Albanians from Kosovo, Ukraine, Serbia (including Albanians from Kosovo), Africa and other Asian countries (2008). The number of illegal Chinese migrants residing in Hungary is estimated at 15,000-25,000. Moreover, there are about 10,000 legal Chinese residents in Hungary. In 2007, the biggest Chinese colony of Central Europe was located in Budapest. However, Chinese illegal immigration to Hungary has decreased in recent years, and it was insignificant in 2007.

The main sectors affected by illegal migration are retail trade and restaurants in the case of Chinese and Vietnamese, and construction and seasonal work in the agriculture for other migrants.

As for border violators, they may enter through green borders (border rivers for instance), through official Border Crossing Points by using falsified passports or the valid documents of somebody else (Chinese for instance), or by hiding in vehicles, sometimes in original ways, as the picture shows us presented below.

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<sup>93</sup> [http://www.irregular-migration.hwwi.net/2007-2008\\_Stocks\\_of.5870.0.html](http://www.irregular-migration.hwwi.net/2007-2008_Stocks_of.5870.0.html), visited on 19/05/09

<sup>94</sup> All the following information comes from the Country Report, Hungary, 'Undocumented Migration' by Peter Futo, Nov. 2008, Clandestino, <http://clandestino.eliamep.gr/wp-content/uploads/2009/02/hungary.pdf>, visited on 19/05/09; unless otherwise noted





Statistics exist only about revealed (and not all committed) border violations; their number varied, during the last decade before 2007, between 15,000 and 23,000. In 2004 there were 13,103 migration related border apprehensions, in 2005 18,294, in 2006 16,508. However, in 2007 there were only 8,779 migration related border apprehensions, due to the fact that in 2007 Romanian citizens became EU citizens, thus travelling free to Hungary.

Concerning overstayers, there are no statistics and no estimates about their possible number.

With regard to illegal migrants caught by border control, the situation has changed since 2007, when Hungary joined the Schengen area. Before, there were border controls on all border sections. Since 2007, border checks have been gradually lifted within the Schengen area, that is to say on the Slovenian, Austrian and Slovakian border sections. There are few overstayers who are apprehended at the Border Crossing Points while leaving the country. However, the number of border violators apprehended for attempted illegal exit was 45% higher than the one for attempted illegal entry in 2007. In particular, illegal exit attempts on the Austrian and Slovenian border sections outnumbered four times illegal entry attempts to



Hungary. These facts prove that Hungary is more a transit country for illegal migrants trying to reach Western European countries than a destination country.

As for labour controls, most illegal migrants, apprehended during the joint controls made by the Border Guard, the Labour Authority and the Office of Immigration and Nationality (OIN), were Romanians and Ukrainians working in the construction sector or in the agriculture. However, since the 2007 EU accession of Romania and the entering into force of the aliens policing laws on 1<sup>st</sup> July 2007, the same regulations apply to Romanians as to other EU citizens, thus the number of apprehensions by labour controls has decreased.

Talking about migrants presenting themselves voluntarily to authorities, one can state that overstayers prefer in general going to the Office of Immigration and Nationality rather than to risk an apprehension at the border. In such cases, overstayers will not be deported, but asked to leave voluntarily and come back later.

There are very few illegal migrants who are apprehended during road controls.

As far as illegal transit migrants are concerned, they are aware of the fact that in European countries, such as Austria, Germany, Italy or the UK, it is more likely that they can regularise their situation and find a job than in Hungary.

As for illegal circular labour migrants, most of them were Romanian citizens (mostly ethnic Hungarians), becoming illegal by border violation or by overstaying. However, since 2007, Romanians staying in Hungary with a tourist visa and working illegally cannot be expelled. Today, most of them are Ukrainian citizens, mainly ethnic Hungarians.

And last but not least, illegal migrants residing in the country for a longer term may hide being undocumented, or by using false documents or someone else's documents. In most cases, these illegal migrants are supposed to be Asians, in particular Chinese and Vietnamese.

As for the origin country of illegal migrants apprehended upon entry to Hungary in 2007, the decreasing order of countries is as follows: Ukraine, Serbia (Kosovo), Moldova, Romania, Turkey, China, Georgia, Bosnia-

Herzegovina and Vietnam. In general, Hungary is only a transit country for them, the target countries are more developed Western European countries. In 2007, most of illegally entering migrants were apprehended at official border crossing points (less through green borders and only few by air).

Concerning human smuggling and trafficking, according to the data of the Hungarian Border Guard, the number of smugglers apprehended was 496 in 2002, 519 in 2003; the number of people being smuggled into Hungary was 2298 in 2002, and 1002 in 2003; compared to 924 apprehended persons being smuggled into Hungary in 2005 and 682 apprehended smugglers, and 1189 apprehended persons being smuggled in 2006 and 578 smugglers. Only 4 traffickers in humans were apprehended in 2006. As for the citizenship of smugglers, the majority of them were Hungarians, followed by Ukrainians, Romanians, Serbs, and Poles in 2006 (in decreasing order).

There are three main routes of illegal migration and human smuggling through Hungary: the first starting from the Russian federation and Ukraine across Hungary, then through Austria and Slovakia towards Germany and other Western European countries; the second one from Turkey across Bulgaria and Romania, through Hungary, continuing to Slovenia, South Austria towards North Italy, the other route going to Austria, Germany, the Netherlands towards the UK; the third one is the “classic Balkan route” from Turkey through Bulgaria, and Serbia towards Hungary.

However, illegal migration flows have dropped significantly since 2000.

There are different ways to regularise the status of irregular migrants. These are among others asylum seeking, marriage and parenthood, and regularisation.

#### **4.6.2. Asylum Seekers and Refugees**

The majority of illegal migrants seek asylum, because they see it as a way of legalising their status in Hungary<sup>95</sup>. Hungary signed the 1951 Geneva Convention and the 1967 Protocol relating to the Status of Refugees in 1989. However, when it ratified the 1951 Convention, Hungary had a sort of geographical opt-out, that is to say non-European refugees cannot obtain protection under the terms of the 1951 Convention. However, as a signatory to international agreements on the protection of human rights, such as the European Convention for the Protection of Human Rights and Basic Freedoms (entered into force in 1994) and the UN Convention against Torture, Other Cruel, Inhuman and Degrading Treatment or Punishment (1988), Hungary has some obligations vis-à-vis non-European refugees as well.

According to the Article 65, § 1 of the Constitution of the Hungarian Republic, persons who have the right of asylum are those “who, in their homeland, or in the country of their permanent residence, are persecuted on the basis of race, religion, political opinion, national or social origin, or (if) their fear for persecution is well-founded” [92]. The Act LXXX of 2007 concerning the right of asylum came into force on 1<sup>st</sup> January 2008, replacing the former Act CXXXIX of 1997 concerning the right of asylum. The new law applies to the foreigner who has submitted an application for recognition as a refugee or an asylum seeker or a protected refugee, or enjoys the right of asylum.

According to UNESCO, the difference between an asylum seeker and a refugee is as follows: “Asylum seekers are people who move across borders in search of protection, but who may not fulfil the strict criteria laid down by the 1951 Convention. Asylum seeker describes someone who has applied for protection as a refugee and is awaiting the determination of his or her status. Refugee is the term used to describe a person who has already been granted protection. Asylum seekers can become refugees if the local immigration or refugee authority deems them as fitting the international definition of refugee.

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<sup>95</sup> This part draws from see [92] and from UNHCR

The definition of asylum seeker may vary from country to country, depending on the laws of each country. However, in most countries, the terms asylum seeker/asylee and refugee differ only in regard to the place where an individual asks for protection. Whereas an asylum seeker asks for protection after arriving in the host country, a refugee asks for protection and is granted this protected status outside of the host country.”

Just as for (illegal) migrants in general, Hungary is predominantly a transit country for asylum seekers as well, either because asylum seekers have better chances to obtain asylum elsewhere, or because they are attracted by more developed Western European countries.

There were several waves of refugees from the former Yugoslavia between 1990 and 1994 because of the war.

Until 1997, Hungary did not accept non-European refugees. Right after the lifting of this restriction, almost half of the asylum applicants were non-Europeans, coming mainly from Afghanistan, Bangladesh, and Iraq. The other half came from Yugoslavia because of the Kosovo crisis.

As for the breakdown by citizenship of asylum seekers, in 1999 for instance, out of the 11,500 applications, there were 5,100 submitted by people from former Yugoslavia, and 6,000 by non-European citizens. There have been almost no European applicants. However, the share of European applicants accounted for 7% of all applicants and have increased since then, but it still represents only 30-40% of all applicants (see table below). In the last years, most of the asylum applicants were from countries like Iraq and Afghanistan.

**Number of asylum-seekers arrived in Hungary with a breakdown of region of origin, 2002-2006**

Year	Number of registered refugees		From European countries	From non-European countries	
Person		%	Persons		%
2002	6 412	441	6,88	5 971	93,12
2003	2 401	659	27,45	1 742	75,55
2004	1 600	503	31,44	1 097	68,56
2005	1 609	548	36,29	1 025	63,71
2006	2 117	847	40,01	1 270	59,99
2007	3 419	1162	33,98	2 257	66,01

Source: Office of Immigration and Nationality (OIN).

In Hungary, the number of asylum seekers and refugees is low compared to other countries in the world. Between 2000 and 2008, there were 38,031 asylum applications submitted, and only 1,327 applicants were recognised as refugees, which is very low (only about 3.5%).

**Asylum statistics, 2000-2008**

Period	Application submitted	Recognised as refugee	Subsidiary protection	Admitted	Rejected
2000	7 801	197	–	680	2 978
2001	9 554	174	–	290	2 995
2002	6 412	104	–	1 304	2 578
2003	2 401	178	–	772	1 545
2004	1 600	149	–	177	933
2005	1 609	97	–	95	853
2006	2 117	99	–	99	1 217
2007	3 419	169	–	83	1 407
2008	3 118	160	88	42	582
<b>Total, 2000–2008</b>	<b>38 031</b>	<b>1 327</b>	<b>88</b>	<b>3 542</b>	<b>15 088</b>

Source: Hungarian Central Statistical Office (HCSO)

Most of the asylum applicants have arrived illegally to Hungary. (See table below).

**Number of asylum-seekers arrived in Hungary  
breakdown by legality of the arrival**

Year	Legality of the arrival	
	Legal	Illegal
<b>2002</b>	684	5 728
<b>2003</b>	558	1 843
<b>2004</b>	454	1 146
<b>2005</b>	569	1 040
<b>2006</b>	586	1 531
<b>2007</b>	595	2 824
<b>2008</b>	239	2 879

Source: Office of Immigration and Nationality (OIN).

As I have mentioned before, only few asylum applicants will be recognised as refugees (see the table below). As for the unrecognised asylum seekers, they travel illegally to another country, they will be expelled, or stay in Hungary as illegal migrants (probably only a small percentage).

**Number of refugee recognition decisions in Hungary  
breakdown by main nationalities**

Country of origin	2003	2004	2005	2006	2007
Iraq	33	13	5	15	64
Afghanistan	28	19	7	5	2
Serbia. Montenegro	19	18	7	0	2
Palestine	2	12	1	1	1
Iran	9	20	10	6	4
Other	87	67	67	72	96
<b>Total</b>	<b>178</b>	<b>149</b>	<b>97</b>	<b>99</b>	<b>169</b>

Source: Office of Immigration and Nationality (OIN).

In 2008, the major groups of asylum seekers by citizenship were Serbs (1,593 (total of legal and illegal arrival), Pakistani (246), Somalians (185), Georgians (165), Iraqi (125), and Afghans (116). Chinese were also a significant group in the previous years, but not in 2008 (for instance, 417 in 2007, against 55 in 2008) (HCSO).

#### **4.7. The Role of NGOs: IOM Budapest**

There are a number of NGOs dealing with migrants in Hungary, such as, the UNHCR, the International Organisation for Migration (IOM), the Hungarian Helsinki Committee, the Shelter Foundation (Menedék), the Open Society Institute (OSI) or the Soros Foundation, among others. In this part, I will focus on the projects of the IOM Budapest.

IOM was established in 1951, and it is an intergovernmental organisation. It has 125 member states, 18 observer states and offices in more than 100 countries. According to its website, “IOM is dedicated to promoting humane and orderly migration for the benefit of all. It does so by providing services and advice to governments and migrants.” The activities of IOM include migration and development, facilitating and regulating migration, forced migration, promotion of international migration law, policy debate and guidance, protection of migrants’ rights, migration health and the gender issue of migration.

Hungary became member of IOM in 1991, and in 1992, IOM established its office in Budapest, which has diplomatic status. In 2000, IOM Budapest became a ‘Mission with Regional Functions’ (MRF), since then, the following countries are under supervision of IOM Budapest: Albania (split supervision with IOM MRF Rome), Bosnia-Herzegovina, Bulgaria, Croatia, Czech Republic, Former Yugoslav Republic of Macedonia, Hungary, Montenegro, Poland, Romania, Serbia (including Kosovo), Slovak Republic and Slovenia. The current IOM Budapest projects in 2009 concern assisted voluntary return of irregular migrants, and their reintegration; integration of migrants in Hungary (for instance, a study tour to Finland is organised for integration practitioners in order to exchange information and practices between Hungary and other EU Member States on the legal, financial and institutional aspects of immigration policy). Another example of project is the creation of a teaching toolkit on migration and asylum in the EU, in order to improve pupils’ and teachers’ knowledge about the situation of migrants, refugees, and asylum seekers and to fight against discrimination. There is a project to promote legal (labour) migration from and in the Western Balkans. Another important project

concerns counter-trafficking in order to prevent and fight against trafficking in human beings and to enhance victims protection through cooperation at national, regional and international level between counter-trafficking specialists in EU Member States, candidates and neighbouring countries. Another significant project concerns public health and migration, more precisely it aims at increasing public health safety alongside the new Eastern European Union border line (PHBLM), i.e. in order to increase public health safety for the host countries and at the same time, to provide appropriate health care to migrants entering the EU as a fundamental human right. This project will be implemented with the University of Pécs in Hungary, in cooperation with governments of targeted countries, and in collaboration with the World Health Organization (WHO), the European Centre for Disease Prevention and Control (ECDC) and FRONTEX. Other projects include subjects, such as research on effective migration management in the Black Sea region and combating irregular migration, strengthening Integrated Border Management (IBM) in Turkey and in the Western Balkans (a concept introduced by the EU for candidate and potential candidate countries), “DiverCity” migrant integration festivals in Central Europe (recently submitted), and Hungary (and Malta) will also be included in an EU project to prevent FGM (Female Genital Mutilation) in Europe, more precisely to help immigrants coming from countries practicing FGM (mainly Africa) and to promote the message of zero tolerance of FGM in Europe (this phenomenon is new in new member states).

One can say that IOM is one of the leading international organisations dealing with migration and it is quite effective.



### **Conclusion**

In conclusion, one can say that Hungary is both a transit and a target country due to its geopolitical position in the region. Currently, Hungary has a positive net migration balance (immigration outnumbers emigration), which is a positive phenomenon. However, both emigration and immigration flows remain low from and to Hungary; immigration is not significant enough to stop the population decreasing, but at least, it can reduce its extent, and can partly compensate for labour shortage.

Nevertheless, the fears of old Member States of a 'migrant flood' before the 2004 EU enlargement have not come true, in particular not concerning Hungarian migrants, whose number has been insignificant in regional (Central and Eastern European) comparison since 2004. The few emigrants who leave Hungary go predominantly to Germany, Austria, the UK, and in a small number to the United States.

We have also seen that the major immigrant groups come mainly from neighbouring countries (Romania and Ukraine), and most immigrants are ethnic Hungarians. The Chinese colony is significant as well, as in Budapest it is the biggest Chinese colony in Central Europe. The main sectors affected by labour migration are construction, agriculture, retail and textile, catering (restaurants) and clothing.

The 2004 EU accession of Hungary affected immigrants, especially ethnic Hungarians coming from Romania, who, contrary to the hitherto existing facilitated movement between both countries, had to face restrictions. This problem was loosened in 2007, when Romania became an EU member; however, since Romania is still outside the strengthened borders of the Schengen area, border controls remain.

Student mobility constitutes an important part of migration, too. Foreign students, thanks to their language skills and cultural experiences, may enter the labour market of the host country in an easier way, and may thus be considered as highly-skilled migrants as well, and a precious workforce for the future.

With regard to the issues related to migration, Hungary should promote the social integration of Roma, in order to stop their emigration on the one hand, on the other hand, to resolve the existing social tensions.

The far-reaching issue of irregular migration, asylum seekers and refugees also has to be dealt with, even if their number remains limited.

In order to tackle all these above mentioned issues, several national, regional or international organisations, such as IOM, offer assistance and help to migrants and are active in order to influence policy-making and to promote international cooperation.

## **CHAPTER 5: MIGRATION RELATED CHALLENGES FOR HUNGARY AND FOR THE EU**

Already before the 2004 EU enlargement, accession countries had to adapt their migration policy and legislation to EU norms and standards, among others. With the 21<sup>st</sup> December 2007, when Hungary joined the Schengen area, another era of adaptation challenges began for Hungary. However, the elaboration of a coherent European migration policy remains a task for the Union as well. On the one hand, migration is a challenge for countries, where emigration is high (brain drain of doctors from Hungary for instance); however, this is not so much the case of Hungary, even if brain drain of highly skilled and of students exists. On the other hand, and I will emphasize this approach, migration is a challenge for host countries from the point of view of social integration of migrants and combating irregular migration, and demographic and economic issues European countries are faced with.

### **5.1. European Immigration Policy and Trends**

Immigration is a large-scale phenomenon in the EU; there are about 40-42 million foreign-born immigrants in Europe (Switzerland included), i.e. around 8% of the European population<sup>96</sup>. The countries with the largest foreign-born population are in decreasing order Germany (10.1 million), France (6.4), the UK (5.8), Spain (4.8), Italy (2.5), Switzerland (1.7), and the Netherlands (1.6) (Münz, 2006)<sup>97</sup>. Immigration is the main factor of demographic growth in the EU.

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<sup>96</sup> This part draws from 'Comparative Study of the Laws in the 27 EU Member States for Legal Immigration', IOM and the EP, February 2008, unless noted otherwise

<sup>97</sup> Münz, R., "Europe: population and migration in 2005", Migration Information Source (1 June 2006) (Münz 2006).

As for the birth of EU law and policy on migration, it started with the free movement of workers as one of the four freedoms established by the Treaty of Rome in 1957 [96]. Today, the free movement applies to all EU citizens. Immigration and asylum issues were the competencies of Member States under the Justice and Home Affairs (JHA) pillar (created by the Treaty of Maastricht), handled on an intergovernmental basis. Since Member States were reluctant to give up their sovereignty in the fields of immigration and border control, it was only with the Treaty of Amsterdam in 1999 that immigration, asylum, visas and other migration related policies were moved from the JHA pillar to Title IV of the EC Treaty (Articles 61-69), and became common policies instead of being intergovernmental issues. The United Kingdom, Ireland and Denmark opted out from Title IV. However, the UK and Ireland have opt-in possibilities, Denmark not, Denmark is only participating in the Schengen acquis. Nonetheless, there was a 5-year programme for JHA created by the Tampere Council in 1999, which included a common immigration and asylum policy, in order to carry out the Amsterdam objective to create a zone of freedom, justice and security (see Tampere Conclusions 1999). There is another ongoing EU project, the Hague Programme, created by the European Council in 2004, to define the tasks related to immigration policy for the period 2005-2010.

A number of countries, who have historically been emigration countries, have turned into immigration countries. All the Western European countries (EU-15, Norway and Switzerland) had a positive migration balance in 2005, as well as six of the ten new Member States (Cyprus, the Czech Republic, Hungary, Malta, Slovenia and Slovakia).

Historically, due to the labour shortages after the Second World War, guest worker programmes were introduced in several Northern European countries to recruit people mainly from Southern Europe. At the time, these countries did not take into consideration the integration dimension of migration.

However, in the 1970s, due to the economic impacts of the oil shocks, these programmes were stopped and restrictions have been introduced on labour migration. The main type of immigration is family reunification.

However, European countries have understood the importance of immigration for demographic and economic reasons (see later).

Nowadays, one talks about selective or 'chosen' immigration instead of an imposed one (term coming from the French immigration debate, Sarkozy<sup>98</sup>). This means for instance that countries prefer highly skilled immigrants to other types of immigration, such as family reunification. Nevertheless, priority has been given to the fight against irregular migration as well.

Due to this new selective approach of immigration, the EU immigration policy has been modified and is continuously adapted to the needs of social, economic and demographic reality. In several Member States, migration legislation has been changed or a modification is on the way (Austria (January 2006), Belgium, Bulgaria, Denmark, France (July 2006), Germany, Italy (draft law), Hungary, Ireland (draft law), Poland, Romania and Sweden (March 2006).

EU Member States are now aware of the fact that a coherent common immigration policy is crucial (Le Monde, 23<sup>rd</sup> August 2007), and that special emphasis on the integration of migrants should be put. That is why the EU is now more active in terms of legislation<sup>99</sup>.

In order to analyse national legislation on immigration, immigration categories have to be introduced. Categories are defined according to the purpose of immigration, since Member States adopt legislation and grant residence permits according to the purpose of immigration. The commonly accepted legal immigration categories in the EU include family reunification, work (including employment, self-employment and seasonal

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<sup>98</sup> See for example, the hearing of Mr N. Sarkozy, then Minister of the Interior and for Regional Development, as regards the proposal for a law on immigration and integration, 29 March 2006.

<sup>99</sup> For more details on the common EU immigration policy, please visit [http://ec.europa.eu/justice\\_home/fsj/immigration/fsj\\_immigration\\_intro\\_en.htm](http://ec.europa.eu/justice_home/fsj/immigration/fsj_immigration_intro_en.htm), visited on 22/05/09

work), studies and training. Furthermore, there are other categories, which can vary from one Member State to another. The typical ‘other categories’ present in most of the Member States are residence permit based on former citizenship or being a descendant of a national, admission for the purpose of medical treatment, residence permits for people who want to retire in a given Member State, or permits for a specific profession (research for instance). Other categories can be very specific to the conditions in a Member State.

To sum up, it is important to understand that categories of legal immigration, such as family reunification, work, studies and training are regulated on European level, whereas the legislation on other categories mentioned above are the competence of Member States.

As regards visa policy, visas are a typical example of sovereignty rights of States. A visa is a legal document granted by a State to a foreigner to permit entry, stay or transit through the State. There are short-term and long-term visas.

However, short-term visas are a competence of the EU. A short-term visa is defined by the EU as “an authorization issued by a Member State or a decision taken by such State which is required with a view to: entry for an intended stay in that Member State or in several Member States of no more than three months in total; entry for transit through the territory of that Member State or several Member States, except for transit at an airport” (Council Regulation 2001/539/EC of 15 March 2001, Art. 2). A long-term visa is thus a visa granted for more than three months.

As for short-term visas, this common policy stems from the Schengen Agreements (1985 and 1990). States have gradually lost their visa competences since the entry into force of the Schengen Agreements Implementing Convention (1995). Concerning short-term visas, the following rules are included in the Schengen acquis: “determination of the EU Member State responsible for granting a visa; conditions of delivery of a visa; creation of Common Consular Instructions in order to facilitate consular cooperation and to bring different national administrative practices

closer; institution of a database, the Schengen Information System (SIS), that provides consular authorities with information concerning the rejection of visa applications” [94]. In addition, the article 62(2)(b) of the Treaty of Amsterdam includes more details concerning “a list of third countries whose nationals are or are not subjected to a visa obligation; the conditions and procedures for the delivery of visas; and a uniform format for visas” [94]. I also have to mention that UK, Ireland and Denmark have specific status, since they have opt-outs. UK and Ireland take part in the SIS (police and judicial cooperation), while Denmark can decide to implement or not new Schengen acquis rules within six months of their adoption.

In order to say a word about the Schengen visa (information from Wikipedia), an EU regulation gives the requirements for short-term visas for purposes else than employment or self-employment<sup>100</sup>. There are lists of nationals requiring short-term visas (Annex I list) and of visa-free nationals (Annex II list). However, Member States may require a visa from nationals, even if they are on the Schengen visa-free list (Wikipedia). There are different categories of Schengen visa (Category A airport transit visa, B transit visa, C short-term stay visa, D national visa, D+C combined, FTD and FRTD special visas issued for road (FTD) or rail (FRTD) transit between the Russian Federation and Kaliningrad Oblast). As for internal movement of third-country nationals who hold a residence permit of a Schengen state, they can travel freely to another Schengen state and stay there for up to three months without any visa (Article 21 of the Schengen Agreement). As far as the external border traffic between a Schengen and a non-Schengen state is concerned, Schengen states can have bilateral agreements with neighbouring non-Schengen states regulating the border traffic between them (between Hungary and Ukraine or Hungary and Romania for instance)<sup>101</sup>.

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<sup>100</sup> ["Consolidated version of the Council Regulation \(EC\) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement"](http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l_105/l_10520060413en00010032.pdf) (in English) (PDF). 2007-01-19. [http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l\\_105/l\\_10520060413en00010032.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l_105/l_10520060413en00010032.pdf). Retrieved on 2007-11-25.

<sup>101</sup> "Regulation (EC) No 1931/2006 of the European Parliament and of the Council of 20 December 2006" (in English). 2006-12-30. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:405:0001:0022:EN:PDF>. Retrieved on 2008-03-02.

Concerning the Schengen Information System (SIS), it is a common information system between Schengen-states in order to exchange information related to border security and to make police and judicial cooperation possible, coherent and easier. The SIS is currently used by 27 states, however, it has to be noted that Iceland, Norway and Switzerland are not EU Member States, and that the UK and Ireland only partly implement the Schengen Agreement (police and judicial cooperation) and they have only limited access to the SIS, no access to Article 96 data (Wikipedia). Bulgaria, Cyprus and Romania have not yet implemented the Schengen Agreement. SIS II is being developed, while waiting for its adoption, nine new EU Member States (the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia) are using a modified version of the SIS 1+, the so-called SISone4all, developed upon a Portuguese proposal (Wikipedia and <http://europa.eu/scadplus/leg/fr/lvb/l33183.htm>).

To conclude, one can say that short-term visa policy is a significant common EU policy. On the contrary, long-term visas are the exclusive competence of Member States. Moreover, long-term visas can also be considered as a means to combat irregular migration. There are only about one third of the Member States (Belgium, the Czech Republic, France, Germany, Greece, Italy, Portugal, Romania and Slovenia for instance), who grant long-term visas. These visas are also called 'immigration visas', since they are, in these countries, a precondition for in-country residence permit applications. Talking about border security and combating irregular migration, there is another efficient tool which has to be added: within the Schengen area, internal border controls can be reintroduced for a short period if needed by national security interest (Articles 23-31 of the Schengen Borders Code).



## **5.2. Hungarian Migration Policy & Legislation in the Light of EU & Schengen Requirements**

I would like to point out from the beginning, that since I am not a jurist, I will not enter too much into detail concerning laws; otherwise I would be lost in the legal labyrinth of paragraphs.

It is a fact that EU accession prospects are a driver behind migration policy and legislation. The A8 countries (or CEEC-8) (the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia) elaborated new migration policies and legislation in line with the EU acquis already in the 1990s in order to adapt themselves to accession criteria (this part also draws from [94]). Furthermore, these countries are now more attractive for migrants since they are EU Member States, that is why they have turned from transit and emigration countries into target (or immigration) countries.

In the aftermath of the 1989 turning point, Hungary has become mainly a transit country. This is the reason why it had a passive migrant integration policy (Hárs Sik and Tóth 2001)<sup>102</sup>. Moreover, EU Membership has not changed significantly Hungarian migration trends, because immigration (below 2% of the population) and emigration are low. As I have already discussed it before, the majority of immigrants in Hungary are European (80-90%, Office of Immigration and Nationality, OIN), and predominantly ethnic Hungarians from Romania, Ukraine and Serbia, whereas the 10-15% rest is coming from Asia, in particular from China. Seasonal and temporary labour migration is one of the main reasons of immigration to Hungary.

As for ethnic Hungarians living in neighbouring countries, there have been heated debates about their status. Between 1990 and 2002, Hungarian governments tried to discourage ethnic Hungarians from coming to Hungary. In Hungary, there is no repatriation programme similar to that of Germany. Despite the fact that the movement and naturalisation procedure of ethnic Hungarians are facilitated in Hungary, Hungary is often criticised

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<sup>102</sup> Hárs, Á., Sik, E. and Tóth, J., "Hungary" in Wallace Stola (Eds.), *Patterns of Migration in Central Europe* (2001) Palgrave, pp. 252-276 (Hárs Sik and Tóth 2001).

for being indifferent vis-à-vis ethnic Hungarians (Tóth 2000)<sup>103</sup>. In 2002 however, the Status Law (Act LXII of 2001 on Hungarians in adjacent countries), aimed at helping ethnic Hungarians in neighbouring countries, entered into force [106]. In line with this law, a ‘Hungarian certificate’ was introduced for ethnic Hungarians, allowing to its holders to obtain a 3-month work permit without the long bureaucratic procedure (however, other conditions still had to be met). However, this certificate was often taken by ethnic Hungarians for symbolic reasons and not for employment purposes [106]. In 2004, the debate<sup>104</sup> on ethnic Hungarians and their migration occurred again, when a referendum was held on the issue whether Hungarian citizenship should be granted to ethnic Hungarians (the referendum was invalid because of the low voter turnout).

With regard to the changes since 2004, the Hungarian immigration policy has been transformed by the harmonisation process, the transposition of EU law into national law, the Schengen acquis and the Hague Programme (a 5-year EU action plan, 2005-2010, with ten priorities)<sup>105</sup>. As part of the harmonisation process, the Parliament adopted in 2001 a series of legislative measures known as the alien policing law package, which aimed to amend or replace four laws related to migration; asylum, naturalisation, border control, and entry to, and residence in, Hungary<sup>106</sup>. In general, entry and residence conditions have been restricted by the amendments, in order to fight against illegal immigration and immigrant criminality. The legal category of ‘permanent resident’ was created, replacing the former status of ‘immigrant’. Permanent residents have fewer rights than persons under the former immigrant status. Further legislative activity of the government was the preparation of new amendments to the asylum law and law on the entry and residence of foreigners.

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<sup>103</sup> Tóth, J., “Diaspora Politics: Programs and Prospects” in Kiss, I. and McGovern, C. (Eds.), *New Diasporas in Hungary, Russia and Ukraine: Legal Regulations and Current Politics* (2000) Budapest, Open Society Institute/COLPI, pp. 96-141.

<sup>104</sup> For details on the debate, please see: <http://www.kettosallampolgarsag.mtaki.hu/> (in Hungarian)

<sup>105</sup> For more information, please visit

[http://ec.europa.eu/justice\\_home/news/information\\_dossiers/the\\_hague\\_priorities/](http://ec.europa.eu/justice_home/news/information_dossiers/the_hague_priorities/), visited on 23/05/09

<sup>106</sup> The following four sentences are taken from ‘Addressing the Irregular Employment of Immigrants in the European Union Between Sanctions and Rights’, July 2008, IOM, EU, ILO, published by IOM

The two most important recent regulations on migration in Hungary are Act No. I of 2007 on the Entry and Residence of Persons with the Right of Free Movement and Residence and Act No. II of 2007 on the Entry and Stay of Third Country Nationals, both entered into force on 1<sup>st</sup> July 2007. These two pieces of legislation replaced the Act No. XXXIX of 2001 on Entry and Stay of Foreigners, passed as part of the harmonisation process. The implementation of these two recent regulations is detailed in the Ministerial Decree No. 25 of 2007 of the Ministry of Justice and Law Enforcement. Moreover, the executive rules to the Act No. II of 2007 also contain provisions concerning its implementation (Government Decree 114 of 2007, 24 May).

Other, previous pieces of legislation on migration in Hungary are: Act LV of 1993 on Hungarian Citizenship, Government Decree No. 125/1993 (IX. 22.) on the Execution of Act LV of 1993 on Hungarian Citizenship, Act CXXXIX of 1997 on Asylum, Government Decree No. 25/1998. (II. 18.) on support and social care of Asylum seekers, Act XXXVIII of 2001 regulating the entry and stay of foreigners in Hungary and amendment of the Act CXXXIX of 1997 on Asylum, Act XXXIX of 2001 on entry and residence of foreigners, Government Decree No. 172/2001. (IX. 26.) on detailed regulations of refugee affairs and refugees' documents, Act I of 2007 on entry and stay of persons with right of free movement and residence, Act II of 2007 on entry and stay of citizens from third countries, Government Decree No. 172/2001 (IX. 26.) on the Execution of Act I. of 2007 on entry and stay of persons with right of free movement and residence, Government Decree No. 114/2001 (V. 24.) on the Execution of Act II of 2007 on entry and stay of citizens from third countries [94].

Concerning government agencies implementing migration policies, the Ministry of Justice and Law Enforcement, replacing the Ministry of the Interior since the 2006 restructuring, has an independent migration department. There are two main subordinated government agencies: since 2006, when there was a restructuring of governmental competences, the Office of Immigration and Nationality (OIN, established on 1<sup>st</sup> January 2000 by the government) is subordinated to the Ministry of Justice and Law Enforcement (former Ministry of Interior), and it is responsible for alien

policing, asylum, naturalisation, refugees and management of refugee reception centres and temporary accommodations; and the Hungarian Border Guard, which became an integral part of the Police service on 1<sup>st</sup> January 2008.

On 21<sup>st</sup> December 2007, Hungary joined the Schengen area. This change has brought up serious challenges to Hungarian legislation and border control. The adaptation period has lasted several years. The preparation tasks included the work by the delegation of coordination and liaison officers for border management of different Schengen countries, the installation of the Schengen Information System (SIS) in Hungary, cooperation with Slovenian, Austrian and Slovakian border police officers, and the removal of fences and blocks at the Schengen internal borders. In order to bring these changes to completion, the EU provided 9.4 billion HUF (in 2007, 1 EUR = about 250 HUF) between 2005 and 2007 within the framework of a financial fund called ‘Schengen Facility’.

#### **5.2.1. Combating Irregular Migration**

The EU and the Schengen acquis both aim at combating and reducing irregular migration and crime. However, there are two phenomena coexisting in Hungary. On the one hand, irregular migration has increased since Hungary is an EU Member State. However, here I have to specify, that indicators have not increased for all types of illegal migration, on the contrary, there is a general trend of decrease in illegal migration in Hungary since 2000 (CLANDESTINO). For instance, the number of refugees arriving to Hungary (majority of them arriving illegally) increased in 2007-2008 compared to 2003-2006, but decreased compared to 2000-2002 (peak in 2001 since 2000) (HCSO), whereas the number of border violations has decreased in general (peak in mid 1990s with 27-30,000 border

apprehensions), accounting for 8-10,000 people a year<sup>107</sup>. Nevertheless, it is impossible to estimate the number of successful border violations not followed by an apprehension. On the other hand, the number of border detections and apprehensions is fluctuating, for instance in 2007, the number of illegal Romanian migrants disappeared from statistics, because since 2007, Romanians, a main group of illegal migrants, are EU citizens and cannot be expelled or do not figure in statistics on irregular migration even if they are overstayers. However, according to Hungarian Border Guard statistics, while 'illegal acts' decreased in 2008 compared to 2007 on the border, in the first quarter of 2009, there was an increase in detected 'illegal acts' related to irregular migration (2,424 detections in 2009 against 1,327 in 2008), partly because the border control is more effective since Hungary joined the Schengen area and strengthened its borders. Border violation attempts are higher at internal than at external borders, this means that for illegal migrants Hungary is mainly a transit country.

As for illegal labour migrants in Hungary, shadow economy has existed since long in Hungary [106]. According to a World Bank report, Hungary has one of the highest illegal labour levels in the EU (World Bank, 2007)<sup>108</sup>. This is partly due to extremely long and complicated labour visa and residence permit procedures [106]. The Employment Act of 1991, modified several times, has become very complicated as well [106]. Since the legal employment is overregulated in Hungary, foreigners are attracted by irregular employment. As a result, the level of irregular employment is higher than that of legal employment of foreigners [106]. The main authority responsible for the implementation of the legislation on (irregular) labour is the National Labour Inspectorate (OMMF). In order to improve transparency in the labour market by giving access to data for employees, employers and authorities, a new Unified Labour Register, known as

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<sup>107</sup> [http://irregular-migration.hwwi.net/typo3\\_upload/groups/31/4.Background\\_Information/4.2.Research\\_Briefs\\_EN/Hungary\\_ResearchBrief\\_Clandestino\\_Feb09.pdf](http://irregular-migration.hwwi.net/typo3_upload/groups/31/4.Background_Information/4.2.Research_Briefs_EN/Hungary_ResearchBrief_Clandestino_Feb09.pdf), visited on 23/05/09

<sup>108</sup> An International Survey of Policies to Reduce Undeclared Work Prepared for Project on Undeclared Work in Hungary. Preliminary Draft. World Bank, Human Development Sector, Europe and Central Asia Region, 2007, (World Bank, 2007).

EMMA, was introduced on 1<sup>st</sup> May 2004, when Hungary joined the EU<sup>109</sup>. Employers have to register new employees and terminations, and detail pay and working hours.

With regard to human smuggling and trafficking, they are regulated by the Hungarian Criminal Code, which defines trafficking in human beings as follows: “Any person who sells, purchases, conveys or receives another person or exchanges a person on behalf of another person; also a person who recruits, transports, houses, hides or appropriates people for such purposes on behalf of another party, is guilty of a felony punishable by imprisonment for a period not exceeding three years.” (Act IV of the Criminal Code, Article 175/B, § (1). However, the punishment can reach 15 years or even life sentence, depending on the seriousness of the crime. Smuggling and trafficking in human beings accounts for a small share of all irregular migration related crimes in Hungary. According to Hungarian Border Guard statistics, the 186 detected cases of smuggling in human beings accounted for 3% of irregular migration related crimes in 2008, and for 2.9% (71 cases) in the first quarter of 2009; there were no detected cases of trafficking in human beings in 2008 and 2009. The citizenship of smugglers is similar to that of legal migrants (Romanians –but change since 2007 EU Membership-, Serbs, Ukrainians, Turks, Hungarian smugglers too). The motivation of the majority of people being smuggled is to work.

Despite all the confusing and sometimes contradictory data, one thing can be stated: illegal migration is insignificant from and to Hungary compared to other countries, in particular other neighbouring EU Member States [106].

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<sup>109</sup> 67/2004.(IV. 15.) Decree of the Government on the Unified Labour Register (effective from 1 May 2004).

### **5.3. Integration of Migrants**

The integration of migrants into the host society should be a priority in each country, as it is now at European level. However, as I have already mentioned before, Hungary is mainly a transit country for (not only irregular) migrants, that is why it had rather a passive integration policy of migrants.

There has been only one regularisation measure to legalise the status of irregular migrants in Hungary. In 2004, this campaign was launched (the Law No. 29 of 2004 modified some regulations). As a result of this 2004 regularisation measure, 1,406 people presented themselves to the alien policing authorities, predominantly Chinese and Vietnamese citizens, and 1,128 residence permits were granted. This measure was considered as not so effective, given the high estimated number of irregular migrants residing in Hungary [106].

With regard to the placement of refugees and asylum seekers, according to the CLANDESTINO country report, there are three migrant shelter homes in Hungary with free exit, operated by the Office of Immigration and Nationality, with about 1000 residents altogether. In 2007, migrants stayed in average for one year in these shelter homes [106].

As I have discussed before, the integration of labour migrants into the Hungarian labour market is extremely difficult, given the long and complicated bureaucratic process to obtain work and residence permits.

### **5.4. Migration Health**

Public health aspects related to migration are crucial as well. Migration health is about securing public health in host countries, and providing decent health care to migrants as a basic human right. It is also about preventing the spread of diseases, such as AIDS or TBC, and of unprecedented diseases in Europe, coming from other continents through migrants. Hence the crucial role played by countries at the external borders of the EU, such as Hungary.

One of the main problems is that public health aspects are missing from the Schengen criteria and the EU does not have a coherent migration health policy (IOM). This means for instance that a migrant coming from a third country may enter freely the EU if he/she has all the required documents, however, no one will control his/her health conditions, thus a dangerous disease can be brought into Europe.

Hence the importance of measures to be taken at EU level in order to improve prevention, migrants' health and EU citizens' public health safety simultaneously. A positive development in this subject is a joint project of IOM and the University of Pécs (my father's project), funded within the framework of the European Commission's 2006 Public Health Programme. As I have already discussed it before, this project is covering Hungary, Poland and Slovakia as target pilot regions and is being implemented in cooperation with other countries and in collaboration with WHO, the European Centre for Disease Prevention and Control (ECDC) and FRONTEX. The project will aim at increasing public health security in the EU, training border guards in terms of health aspects, and providing decent health care to migrants entering the EU.

Moreover, access to health care is one of the most important determining factors of the successful integration of migrants, migrants' workforce. At present there is a serious shortage in specially trained professionals and education programmes for the so called 'migrant friendly' health care provision. This field of human capacity building should also be better considered in the EU migration health policy. The good news is that an academic consortium (led by University of Pécs) covering five EU Member States is on the way of developing a joint master programme on Migration Health.



### **5.5. Immigration: a Response to Demographic and Economic Challenges?**

It is a fact that the European population is ageing. The positive natural European population growth is due predominantly to immigration. According to the UN, the European population would have decreased by 4.4 million (-1.2%) during the period 1995-2000 if there were not five million immigrants (UN Population Division 2006). As for the population ageing, the number of EU citizens over 60 will have increased by 52% between 2006 and 2050. As a result, the number of people aged over 60 will have increased from 136 million to 208 million (UN Population Division 2006; Communication on the Demographic Future of Europe (COM (2006) 571, 12 October 2006); Bertozzi 2007<sup>110</sup>).

The demographic situation in Hungary is the same, or even worse, since the Hungarian population is ageing and shrinking at the same time.

These above described phenomena will have serious implications for the European economy, in particular for the social welfare system (pension payments and elder health care). The labour shortage is another important issue.

As a result, there is a growing awareness in Europe that immigration is needed to compensate for the ageing and shrinking of the population, on the other hand, to meet labour shortages. Hence the necessity for measures facilitating and encouraging immigration at European level.

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<sup>110</sup> Bertozzi, S., "Legal migration, time for Europe to play its hand", CEPS Working Document No. 257 (February 2007)

### **Conclusion**

As we have seen, before the 2004, the immigration policy of accession countries has been shaped by the EU acquis. The different steps of an emerging EU migration policy were also discussed; still this process is far from being complete. The current EU immigration policy is based on a selective approach to attract highly skilled workers.

The Hungarian migration policy has also been shaped by the harmonisation process. It is mainly focusing on restrictions on entry and stay of migrants in Hungary. Since the scale of migration flows, in European and international comparison, has always remained low in Hungary, migration related issues have not raised too much public and political concern in the country. That is why Hungary had rather a passive migrant integration policy. By joining the Schengen area, Hungary has become a kind of fortress, ensuring security and control at the external borders of the area.

Combating irregular migration and improving migration health are other issues attention should be paid to.

Since Member States are awakening and have realized that immigration is essential to cope with demographic and economic challenges, immigration policy has become a hot topic, in particular before the coming EP elections in June 2009, and labour migration facilitating measures are on the agenda.

However, one should bear in mind that immigrants are not only 'tools', but human beings, hence more emphasis should be put on the human aspect of migration, in particular on integration of migrants.

## CONCLUSIONS

Migration is an ever-present phenomenon even in the far-flung parts of the world, and has become a hot topic worldwide, in particular in the EU. It affects our economies and our every-day lives; that is the reason why, among others, I chose this subject.

A number of historical and recent events, their impacts, and measures have been discussed, starting with the early human migration and the migration history of Hungarians' ancestors and Hungarians through the 20<sup>th</sup> century. Hungarians were often obliged by the political and economic forces of history to leave their country and to find shelter elsewhere. The specific situation of the nearly 2.5 million ethnic Hungarian living in the neighbouring countries due to the Trianon Peace Treaty is also of great importance. Then recent global and European migration trends were described, with a special focus on the analysis of the 2004 EU enlargement and the migration flows from the new Member States related to it. As it was noted, the percentage of Hungarian migrants of all migrants from the CEEC-8 countries was insignificant, especially in comparison with the number of Polish migrants. Afterwards, I gave an overview about the current demographic and economic situation of Hungary. Hungary has to face the economic challenges generated by an ageing and shrinking population, such as labour shortage, growing pension payments obligations, and the difficulties of a sustainable growth. The current Hungarian migration trends were then presented, with an emphasis on workers, students, ethnic Hungarian minorities in surrounding countries and Roma. It was stated that migratory flows from and to Hungary are insignificant in international comparison. Finally, I have tried to underline the importance of migration related challenges for Hungary and the EU, such as the demographic issue of the ageing (and decreasing) population and its economic implications, combating irregular migration and crime and promoting the health of migrants. Following all these issues, I emphasized

that it is crucial to elaborate a new common EU migration policy focusing on the human aspects of migration, that is to say the integration of migrants.

One of the main problems I had during my research was to find data. There is a huge problem of data collection, because a coherent European and international data collection system is missing. As a result, statistics that I found are often contradictory, not reliable, or they are simply not available. A common data collection method should be developed in Europe and even on an international scale in order to put an end to the lack of (reliable) data, and to the lack of research and studies in some fields resulting from it.

As for the latest developments concerning immigration policy and ongoing debate in the EU<sup>111</sup>, in 2005, with a ‘Green Paper on an EU approach to managing economic migration’ (COM (2004) 811, 11 January 2005), the debate on the necessity for a common European immigration policy was relaunched by the Commission<sup>112</sup>. This Green Paper led to the adoption in December 2005 of a ‘Policy Plan on Legal Migration’ (Legal Migration Plan 2005; COM (2005) 669, 21 December 2005). It is an agenda for the rest of the Hague Programme (2006-2009). This Plan is also in accordance with the Lisbon Strategy<sup>113</sup>, launched in 2000 by the European Council in Lisbon. Labour immigration is considered as “part of the Lisbon Strategy’s comprehensive package of measures aimed at increasing the competitiveness of the EU economy” (Legal Migration Plan 2005, p.5.). The Plan aims “to pursue the coherent development of EU legal migration policy” and fixes a timetable for the measures to be taken. The Plan focuses on labour immigration; it includes a general framework directive to guarantee labour migrants’ rights, and four specific directives on entry and residence conditions of highly skilled and seasonal workers, intra-corporate

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<sup>111</sup> This part draws from the ‘Comparative Study of the Laws in the 27 EU Member States for Legal Immigration’, IOM and the EP, February 2008

<sup>112</sup> The Commission had already put forward a proposal for a Directive on the conditions of admission and stay of third country workers in 2001 (COM (2001) 386). However, due to Member States’ diverging views on this issue, the negotiations did not lead to the adoption of legislation and the proposal was subsequently withdrawn.

<sup>113</sup> The Conclusions of the Lisbon European Council state that the Lisbon Strategy aims at making the European Union the most competitive economy in the world and achieving full employment by 2010.

transferees and remunerated trainees<sup>114</sup>. Furthermore, it highlights the importance of capacity building and information, integration and cooperation with third countries. As far as the specific directive on highly skilled workers (part of the Policy Plan) is concerned, the Commission presented, in October 2007, a proposal for a “Council Directive on the conditions of entry and residence of third country nationals for the purposes of highly qualified employment” (Proposal for a Highly Qualified Migrants Directive, COM (2007) 637, 23 October 2007). It aims at improving the competitiveness of the EU economy by responding to labour shortages of the highly skilled and by trying to prevent the mismatch of demand and offer in the labour market thanks to an efficient distribution. However, the creation of an admission right is not included in the Proposal; Member States will keep their competence to regulate on access to their labour markets. The Proposal also emphasizes the Community Preference Principle<sup>115</sup>. The Proposal includes a fast-track procedure (within 30 days) for admission based on common criteria: a work contract or a binding job offer, professional qualifications, and a minimum salary level at least three times higher than the national minimum wage. If workers are admitted, they obtain a residence permit called “EU Blue Card” (a kind of Green Card, an ongoing EU project), including the conditions under which they can work. Normally, it will be issued for two years. With this card, they can enter, re-enter, stay in or travel through other Member States. They can be unemployed during three months. They could also move to another Member State to work, after at least two years of residence in the first one. The Proposal also regulates on family reunification.

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<sup>114</sup> Even though the Policy Plan focuses on immigration for economic purposes, it should be noted that the concept of legal immigration, as such, embraces all forms of regular immigration and not only that which is work related. Regular migration is defined as: “Migration that occurs through recognized, legal channels” (Glossary on Migration 2004, IOM, p. 54).

<sup>115</sup> The Community Preference Principle serves the protection of the domestic (EU-wide) labour market. It is endorsed by a Council Resolution: “Member States will consider requests for admission to their territories for the purpose of employment only where vacancies in a Member State cannot be filled by national and Community manpower or by non-Community manpower lawfully resident on a permanent basis in that Member State and already forming part of the Member State’s regular labour market” (Council Resolution of 20 June 1994)

The EU Blue Card, if adopted, will be the first step to achieve a common immigration policy. It would be a crucial tool to make the EU attractive to highly skilled workers and thus more competitive.

The “Council Directive on a single application procedure for a single permit for third country nationals to reside and work in the territory of a Member State and on a common set of rights for third country workers legally residing in a Member State” (Proposal for a Single Permit and Common Rights Directive, COM (2007) 638, 23 October 2007) would also be a milestone in EU migration policy, aiming at facilitating permit procedures for labour migrants and thus their immigration and simplifying them by creating a single application.

Other important developments in the EU approach are the “Priority actions for responding to the challenges of migration: First follow-up to Hampton Court” of November 2005 (Global Approach 2005, COM (2005) 621, 30 November 2005; and Global Approach 2007, COM (2007) 247, 16 May 2007); the communication on “Circular migration and mobility partnerships between the European Union and third countries” (COM (2007) 248, 16 May 2007); as well as the European Neighbourhood Policy. In the Communication of December 2007 “Towards a Common Immigration Policy” (COM (2007) 780, 5 December 2007), the Commission evaluates the achievements and leftovers; it is a “call for a new commitment” [111] towards a common immigration policy.

In conclusion, it can be stated that there is an intense legislative and think tank activity in the EU, and that the Union is working hard to achieve a common immigration policy.

In order to answer the questions asked in the introduction, to know how the EU and Schengen accessions have influenced the Hungarian migration legislation and policy, what is its new role within the Union and does it fulfil it, and whether Hungary abides by EU and Schengen rules, it should be noted that according to experts [111], there is no comprehensive migration policy in Hungary. However, it is crucial to note that positive legislative and policy developments can be observed, since the Hungarian migration legislation has been shaped by the harmonisation process (before

the accession), by transposition of EC Directives, the Schengen acquis, the Hague Programme and other EU laws and it is still shaped by them. As a result, new legislation measures have been adopted recently, such as the two most important laws on migration adopted in 2007 (Act No. I of 2007 on the Entry and Residence of Persons with the Right of Free Movement and Residence and Act No. II of 2007 on the Entry and Stay of Third Country Nationals). The recently adopted legislative acts were a response to an infringement procedure initiated against Hungary by the Commission. As a result, EC Directives have been transposed into national legislation, these are the following ones: Council Directive 2003/86/EC on the right to family reunification; Council Directive 2003/109/EC, concerning the status of third country nationals who are long-term residents; Council Directive 2004/114/EC on the conditions of admission of third country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service; and Council Directive 2005/71/EC on a specific procedure for admitting third country nationals for the purpose of scientific research [111].

As for the enlargement of the Schengen zone, Hungary has strengthened its borders, has updated its standards and norms to be in line with the Schengen Treaty, and has modernised its border control tools, by installing the SIS for instance. Hungary has thus become a kind of fortress at the external border of the EU in order to guarantee security. From this point of view, Schengen means advantages. However, it has a bittersweet side effect as well the EU should pay attention to: for those who are inside the Schengen area, the sun is shining thanks to the free movement. On the other hand, for those who are outside, the enlargement of the Schengen zone has been something far less joyful<sup>116</sup>. Let me illustrate this issue with a quotation: "Schengen is a Janus-face: internally it is smiling and externally it is snarling."<sup>117</sup>

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<sup>116</sup> For more on this issue see a Joint Policy Brief, No.3. February 2008: The Impact of the Enlarged Schengen Zone on the Eastern Neighbourhood Policy: From Proper Assessment to Pragmatic Adjustment. - By Judit Tóth, Péter Balázs, Alexander Duleba, Jiri Schneider and Eugeniusz Smolar within the "Strengthening Central European Contribution to the Eastern Dimension of the CFSP" project.

<sup>117</sup> Ujszaszi, Ilona: Schengen arcai, 20 November 2007, [www.delmagyar.hu](http://www.delmagyar.hu)

As for the remaining problems, it is true that there was a restructuring of immigration authorities in Hungary in 2006 and 2007 (concerning the regional offices, the Ministry of Justice and Interior, the integration of the Border Guard within the Police), however, this reform has not included strategic planning or a simplification of the bureaucratic procedures<sup>118</sup>.

When talking about long and complicated bureaucratic formalities to obtain work and residence permits, one can state that they are one of the reasons of the presence of large-scale shadow economy in Hungary. As I have mentioned before, according to a World Bank report, the level of illegal labour in Hungary is one of highest ones within the EU (World Bank, 2007)<sup>119</sup>, it accounts for nearly 15-25% of the total labour force [106]. The problem also comes from the Hungarian mentality of accepting irregular work. According to a Eurobarometer survey, Hungarians' tolerance toward undeclared work is among the highest in the EU<sup>120</sup>. Other negative characteristics are the acceptance of cheating (the highest among the new Member States), and the acceptance of avoiding taxes or employing a private person in a household.

Since Hungary has been predominantly a transit country for migrants, it has had a passive integration policy of migrants. There has been no regularisation of irregular foreign migrants in Hungary, only one took place in 2004 as part of the accession process, provided by Law on Accession<sup>121</sup>, but it was not so effective.

In order to assess the leftovers for Hungary, it should be noted that the Hungarian migration policy still follows short-term interests and it is still restrictive. It should become more comprehensive and pro-active; more emphasis should be put on integration as well. In order to attract foreign labour and Foreign Direct Investment, the bureaucratic procedures related to

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<sup>118</sup> [http://www.migrationonline.cz/centraleasterneurope/2007/#\\_ref1](http://www.migrationonline.cz/centraleasterneurope/2007/#_ref1), visited on 25/05/09

<sup>119</sup> An International Survey of Policies to Reduce Undeclared Work Prepared for Project on Undeclared Work in Hungary. Preliminary Draft. World Bank, Human Development Sector, Europe and Central Asia Region, 2007, (World Bank, 2007).

<sup>120</sup> Undeclared work in the European Union in EUROBAROMETER No. 284/67.3, Brussels: European Commission, 2007

<sup>121</sup> Act XXIX of 2004 on amendments, abolishing decrees, and establishing decrees connected with the accession to the Union, 145. §.



business start-ups and work and residence permits should be simplified<sup>122</sup>. Hungary should also introduce incentive measures to attract the highly skilled to compensate for the brain-drain. However, more sanctions and more effective inspections (by making the National Labour Inspectorate more effective) should be introduced as well in order to fight against irregular labour. In order to do so, a campaign targeting Hungarian mentality related to the acceptance of irregular work, together with a financial incentive (easing tax burdens for employers for instance) could be also a solution in order to change the situation. Transparency also should be improved. The continuous modernising, follow-up, assessment research and adaptation should be maintained concerning border controls in order to combat irregular migration, with a special focus on smuggling and trafficking in human beings.

To sum up, one can say that even if Hungary is abiding by the EU *acquis* and laws as a consequence of the harmonisation process, there is still an urgent need for measures to be taken.

As a final conclusion, it can be stated that immigration is needed in Hungary, as well as at European level, in order to meet demographic and economic needs in the context of an ageing population and a negative natural population growth (in Hungary), to compensate for labour shortages and to avoid thus a possible catastrophic scenario, that is to say an extremely high percentage of the elder, serious economic growth challenges and collapsing economies under the burden of welfare system obligations, and slowly disappearing populations.

International cooperation should be enhanced in order to develop a global and reliable data collection system making the evaluation of developments and necessary adaptations possible, and in order to give a

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<sup>122</sup> For more information see ‘Reducing undeclared employment in Hungary – synthesis report’. Draft Report. Washington, D.C., World Bank, 2008

coherent response to challenges and to elaborate a common migration policy.

In my opinion, the EU immigration policy should be less selective as it is now, because it should not focus only on the highly skilled, but should take into consideration the other types of immigrants as well and the human aspects of migration, with an enhanced migration health system too, by taking measures towards more integration.

As for the Schengen zone, the lifting of internal borders facilitating the free movement of people is a great invention. However, it has also some dangerous aspects, such as the missing public health criteria for instance, but something which is even more dangerous is that Schengen may create a new dividing line between the Schengen states and the others stayed outside, for who Schengen is far less a positive experience. It is crucial that the EU concentrates on diminishing these discrepancies.

It would be also the responsibility and the role of the EU to give impetus to Hungary and other Member States in order to adopt a more preventive approach towards migration and to improve legislation. Anyway, I am optimistic and I believe that the EU is on the good way.

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