



Information Documents

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**Report of the fact-finding mission to Hungary by
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Special Representative of the Secretary General on Migration and Refugees
21-23 March 2023**

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I. INTRODUCTION

I.1. CONTEXT OF THE MISSION

1. The date of 24 February 2023 marked one year since the Russian Federation began its aggression against Ukraine¹ which has led to the largest human displacement crisis in Europe today and resulted in millions of people reaching the borders of many of the Council of Europe's member states. With the aggression by the Russian Federation continuing unabated, the millions of people who were forced to flee their homes in Ukraine are still in need of protection and sanctuary. For those countries receiving people from Ukraine, especially where the number is high, it is evident that the human rights situation will remain a challenge.
2. In 2022, the Special Representative of the Secretary General on Migration and Refugees (SRSG), in line with her mandate², conducted five fact-finding missions in the context of Russia's ongoing aggression against Ukraine. The SRSG engaged in various exchanges and consultations within the Council of Europe and has been in close contact with members of the Network of Focal Points on Migration³ from all member states, representatives of relevant international organisations⁴ and NGOs.
3. By mid-December 2022, the SRSG had completed a series of visits to the Slovak Republic, the Czech Republic, Poland, the Republic of Moldova and Romania respectively. Following each visit⁵ the SRSG published fact-finding mission reports. These countries, which had not experienced such a large-scale influx of people prior to the onset of Russia's aggression against Ukraine, responded swiftly in collaboration with all stakeholders on the ground, including international organisations, NGOs and volunteers. They welcomed people fleeing Ukraine by adapting their policies to the rapidly changing conditions.
4. In line with the Council of Europe Action Plan on Protecting Vulnerable Persons in the Context of Migration and Asylum in Europe 2021-2025⁶ (hereafter referred to as "Action Plan"), these visits focused on assessing the situation of people fleeing Ukraine, identifying their needs on the ground and exploring possible ways on how the Council of Europe, within its mandate, could support the authorities in better protecting individuals in vulnerable situations.

¹ A speech delivered by Marija Pejčinović Burić, Secretary General of the Council of Europe at the ceremony in Strasbourg to mark the passing of one year since the start of Russia's aggression against Ukraine <https://www.coe.int/en/web/secretary-general/-/solemn-ceremony-united-for-ukraine-honouring-the-unbreakable-spirit-of-ukrainians-in-face-of-russia-s-aggression->.

² Mandate of the SRSG <https://rm.coe.int/mandate-of-the-secretary-general-s-special-representative-on-migration/16809ee0e1>.

³ The extraordinary online meeting of the CoE Network of Focal Points on Migration on 9 March 2022:

<https://www.coe.int/en/web/special-representative-secretary-general-migration-refugees/-/the-special-representative-convened-an-extraordinary-meeting-of-the-network-of-focal-points-on-migration-regarding-the-situation-of-people-fleeing-ukr>.

⁴ The online meeting with representatives of UNHCR, IOM, UNICEF, the Office of the United Nations High Commissioner for Human Rights (OHCHR), EU Fundamental Rights Agency (FRA), European Union Asylum Agency (EUAA) and OSCE/ODIHR on 8 April 2022: <https://www.coe.int/en/web/special-representative-secretary-general-migration-refugees/-/refugees-fleeing-ukraine-exchange-of-information-with-international-partners>.

⁵ See the webpage of the SRSG for mission reports for each country: <https://www.coe.int/en/web/special-representative-secretary-general-migration-refugees/country-reports>.

⁶ [Action Plan on Protecting Vulnerable Persons in the Context of Migration and Asylum in Europe 2021-2025](#).

5. In order to determine the support that the Council of Europe could provide to its member states, in line with the outcomes and recommendations of the fact-finding missions, the SRSG has maintained an ongoing dialogue with various bodies within the Council of Europe, as well as with the relevant state authorities. In this context, follow-up events were organised and several actions undertaken.⁷ Considering that these fact-finding missions provided an opportunity to initiate a constructive dialogue between the Council of Europe and state authorities, aiming to foster further co-operation in the face of this common challenge, the SRSG will continue her follow-up activities in the context of Russia's aggression against Ukraine.
6. It is against this background, with a focus on the situation of people fleeing Ukraine, and with the same objectives as her previous missions in 2022, that the SRSG conducted a fact-finding mission to Hungary on 21-23 March 2023, which concludes this series of visits.

I.2. DATES AND DELEGATION

7. This report is based on observations made by the SRSG and her delegation following their visit to Hungary from 21-23 March 2023. The aim of the report is to provide an overview of the situation of those fleeing Ukraine and to assess their needs. The report also examines the response of the Hungarian authorities to this influx of people. Given that the SRSG's visit intends to assess possibilities of how the Council of Europe can provide adequate support to Hungary, the report addresses not only the main challenges faced by Hungary in the context of the crisis situation, but also offers recommendations for possible avenues of support.
8. In view of the strong link between the protection of human rights and the provision of basic services, the report provides a brief overview of the legislative framework applicable to people from Ukraine. It specifically addresses their access to accommodation, healthcare, education and the labour market, as issues that play a key role in their protection and long-term inclusion. As Russia's aggression against Ukraine continues, the issue of inclusion becomes increasingly important.
9. The visit also served as an opportunity for the SRSG to focus on people in vulnerable situations and gather first-hand information about their living conditions. The recommendations on possible support to relevant authorities are made within the framework of the Action Plan. The objective being to ensure that human rights are preserved and that safeguards against violence, exploitation, abuse, and trafficking are in place.

⁷ (1) Project "Strengthening the human rights of refugees and migrants" in the Republic of Moldova: <https://www.coe.int/en/web/special-representative-secretary-general-migration-refugees/-/project-strengthening-human-rights-of-refugees-and-migrants-in-republic-of-moldova-launched-in-chisinau>; (2) A pilot training on Psychological Support to Refugees: Strengthening Professional Capacities in Poland: <https://www.coe.int/en/web/special-representative-secretary-general-migration-refugees/-/psychological-support-to-refugees-council-of-europe-launches-training-to-strengthen-capacities-of-professionals-working-on-the-ground-in-poland>; (3) Council of Europe and UNHCR launch - HELP course for Polish legal professionals: <https://www.coe.int/en/web/special-representative-secretary-general-migration-refugees/-/asylum-and-human-rights-council-of-europe-and-unhcr-launch-help-course-for-polish-legal-professionals>; (4) CoE/UNHCR roundtable in the Czech Republic: Effective protection of migrants and refugees in a vulnerable situation, including women and children fleeing Ukraine: <https://www.coe.int/en/web/special-representative-secretary-general-migration-refugees/-/coe/unhcr-roundtable-in-the-czech-republic-effective-protection-of-migrants-and-refugees-in-a-vulnerable-situation-including-women-and-children-fleeing-ukraine>; (5) CoE/UNHCR roundtable in the Slovak Republic - Effective protection of vulnerable migrants and refugees, including women and children fleeing Ukraine: <https://www.coe.int/en/web/special-representative-secretary-general-migration-refugees/-/coe-unhcr-roundtable-effective-protection-of-vulnerable-migrants-and-refugees-including-women-and-children-fleeing-ukraine>.

10. In view of the fact that the majority of people coming from Ukraine are women and children, who are particularly vulnerable, the SRSG included in her delegation the Chairperson of the Council of Europe Committee of the Parties to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Committee), Ms Maria José Castello-Branco. Her role during the mission was to provide thematic expertise on this issue which had been identified as a priority. The SRSG's Advisor, Mr Mustafa Uludag and Senior Programme Officer, Mr Vedran Ian-Kjeldsen were also part of the delegation.
11. The support provided by the Ministry of Foreign Affairs and Trade of Hungary in planning and organising the visit was crucial and much appreciated. The SRSG would also like to thank Mr Balint Molnar, Executive Director of the European Youth Centre Budapest (EYCB) and the EYCB staff for their assistance prior to and during the visit.

I.3. MEETINGS AND SITES VISITED

12. In Budapest, the SRSG and her delegation met with Mr János Bóka, the State Secretary for European Union Affairs at the Ministry of Justice and his delegation, including Mr Zoltán Tallódi, the Head of the Human Rights Department and Ms Ágnes Töttös, the Head of Unit of the Department of Migration, Internal Affairs and Justice; Mr Mátyás Hegyaljai, Deputy State Secretary for European Union and International Affairs at the Ministry of Interior and his delegation, composed of Mr Mágó András, Police Lieutenant Colonel, the Director General of National Directorate General of Immigration, Ms Mónika Herczeg, the Head of the European Internal Affairs Co-operation Department, Ms Ildikó Pákozdi, the Head of European Health, Social and Public Education Department, Ms Nóra Tamara Jakubovich, the Head of Unit of the Department of Anti-Trafficking in Human Beings and Horizontal Affairs, Ms Barsi Judit, Migration Specialist from the Department of Migration Affairs.
13. On 22 March 2023 the SRSG visited Beregsurány, one of the main crossing points on the Hungarian-Ukrainian border. Dr Ákos Kozma, the Commissioner for Fundamental Rights and Mr Péter Sztáray, the State Secretary for Security Policy and Energy Security of the Ministry of Foreign Affairs and Trade, accompanied the SRSG to the Beregsurány border crossing point.⁸ On the way to the Beregsurány the SRSG was briefed about the work of law enforcement agencies in the border areas in the context of Russia's aggression against Ukraine at the Szabolcs-Szatmár-Bereg County Police Headquarters. A meeting was held in the Szabolcs-Szatmár-Bereg County Police Headquarters with the participation of Police Colonel, Police Superintendent in charge of Criminal Matters Dr Zoltán Kánya, Fire Chief, Colonel, Head of the Szabolcs-Szatmár-Bereg County Disaster Management Directorate, Mr Béla Varga and the representative of the Hajdú-Bihar County Police Headquarters, who provided information on the efforts being undertaken on the Hungarian-Romanian border.

⁸The SRSG's visit to Beregsurány, webpage of the Office of the Commissioner for Fundamental Rights of Hungary: <https://www.ajbh.hu/en/web/ajbh-en/-/2674194-178>.

14. During the briefing at the Szabolcs-Szatmár-Bereg County Police Headquarters it was emphasised that the sudden and significant influx of people from Ukraine required solid and effective co-operation between the various authorities including the police, National Directorate General for Disaster Management, Customs Authority and the Office of the Commissioner for Fundamental Rights. Task forces, comprising of officials from the police, the National Directorate General for Disaster Management and the Customs Authority were formed quickly and deployed near each border crossing point to ensure a smooth entry into Hungary. These task forces were responsible for implementing appropriate measures such as increasing patrols around help/reception points and preventing criminal activities near the border crossings. They also provided information regarding legal status, accommodation and transportation to individuals arriving at the border area. Officials emphasised that the staff of these flexible task forces adapted quickly to the ever-changing circumstances.
15. It was stated in the briefing that the work of the above-mentioned task forces was also supported by NGOs which provided free food, water and hygiene products to those people arriving at the help/reception points. Initially, those who arrived on foot at the border crossing points were transferred by buses to the “help points” where volunteers and representatives from the NGOs played a key role in providing humanitarian aid and information. The “help points” facilitated the registration of people by providing accommodation for some of them for a short period of time before they continued their onward journey, whether within Hungary or abroad. Some waited at the “help points” for their relatives to pick them up. At the time of the SRSG’s visit there were no persons from Ukraine at the “help point” in Beregsurány, where the Hungarian Charity Service of the Order of Malta has been providing assistance in co-operation with local authorities.
16. The SRSG was informed that a temporary field office of the Commissioner for Fundamental Rights was established at the Záhony railway station to provide active assistance to those arriving at this border area. Additionally, several “help points” were set up by the Commissioner’s Office to address the immediate needs of those arriving in Hungary and to monitor the activities of the various state authorities in the border area. Through this temporary field office in Záhony and several “help points”, located near border crossing points, as well as one at the Budapest Olympic Centre⁹ (known as BOK Sports Hall), staff members of the Office of the Commissioner for Fundamental Rights began working on-site to provide direct administrative and legal assistance, humanitarian aid, legal counselling and essential information on how to initiate complaints related to fundamental rights for those fleeing to Hungary.

⁹ The help/information point, opened by the Office of the Commissioner for Fundamental Rights of Hungary at the Budapest Olympic Centre on 29 March 2022 - <https://www.ajbh.hu/en/web/ajbh-en/-/2674194-107>.

17. In response to the influx from Romania, the Hajdú-Bihar County Police Headquarters, located along the Hungarian-Romanian border, acted swiftly and re-organised its daily operations to address the emergency situation. The staff of the County Police Headquarters conducted preparatory work at a railway station and on a highway at the Ártánd border crossing. Officials reported that, within three months of Russia's aggression against Ukraine, over 100 000 arrivals were recorded at the border crossings between Hungary and Romania. From February to May 2022, individuals arriving from Romania via rail at the border crossing between Hungary and Romania, without biometric passports or other relevant documents, were transferred to a highway at the Ártánd border crossing. There they were able to obtain a temporary residence certificate based on their legal status, valid for 30 days. The SRSG was informed that no Ukrainian individuals had been returned to Romania, even in cases where the relevant documents were missing. Those who were granted a temporary residence certificate only needed to visit the National Directorate-General for Aliens Policing (NDGAP), the law enforcement body responsible for the entry and stay of foreign nationals in Hungary, in order to apply for temporary protection before the expiration of their temporary residence certificate.
18. Given the important role of the local authorities in receiving the people from Ukraine, the SRSG met with the Deputy Mayor of Budapest.
19. In Budapest, the SRSG had an exchange of views with representatives of international organisations, namely UNHCR, UNICEF and IOM. She also met with representatives of NGOs.
20. The SRSG met a Ukrainian sports coach who has been providing training sessions for Ukrainian children at the Margaret Island Athletics Centre, with the assistance of the Municipality of Budapest. These Ukrainian children used to have regular football training sessions in Ukraine before the onset of the Russian aggression. They decided to come to Budapest to continue their training with the help of the Municipality of Budapest and the Ukrainian coach. The Municipality allows them to use the Margaret Island Athletics Centre for five hours per week free of charge. They continue their education in Hungary with some of them participating in an online Ukrainian education programme, while others attend the American International School of Budapest, which offers courses in Ukrainian. Only a few however have even a basic knowledge of the Hungarian language.
21. The SRSG also visited a shelter in Bányai utca, an old, industrialised neighbourhood far from the Budapest city centre, that was accommodating 41 persons from Ukraine at the time of the visit. The SRSG met with some of them, including children. The majority of the people in this shelter came from the south-western region of Ukraine known as Transcarpathia or Zakarpattia Oblast of Ukraine and were holders of Hungarian passports. This shelter, previously used as a home for homeless people and the elderly, is maintained by the Municipality of Budapest. In collaboration with NGOs and international organisations, particularly UNICEF, the shelter provides legal counselling and supplies some medicines. Social workers also visit the shelter regularly. In addition to organising leisure activities for the shelter residents, three meals a day are provided. Bus transportation to the city centre is also provided free of charge. The SRSG was informed that the children in the shelter do not attend school in Hungary.

22. The staff of the Municipality, who accompanied the SRSB to the shelter, identified the lack of systematic, robust and effective co-ordination among various state authorities as one of the biggest challenges when it comes to meeting the needs of the individuals in the shelter, in particular for women. They mentioned that four women had given birth in the shelter and that it had taken two weeks to complete the paperwork for the newborns. Finally, the SRSB was informed by the NGOs that most of these individuals face challenges in accessing state services and are highly dependent on support from the Municipality.

II. ACCESS TO PROTECTION PROCEDURES

II.1. FACTS AND FIGURES

23. Hungary shares a narrow 135-kilometre border with Ukraine. It became one of the escape routes for millions of people when Russia started its aggression against Ukraine on 24 February 2022. As Russia's attack against Ukraine intensified in the following days, the number of arrivals in Hungary rapidly increased.
24. Within two weeks after the onset of Russia's aggression almost 200 000 people arrived in Hungary from Ukraine.¹⁰ In response to a high number of arrivals, the operational hours of all border crossing points¹¹ between Hungary and Ukraine were extended. The Záhony, Tiszabecs and Beregsurány border crossing points became busier during the first weeks of the crisis situation, compared to the other two border crossings, namely Lónya and Barabás.
25. The National Police of Hungary set up road border crossing points and shared relevant data regarding the waiting times at each point between Hungary and Ukraine through its webpage.¹² According to UNHCR, up until mid-March 2023, 2.2 million crossings from Ukraine to Hungary had been recorded.¹³
26. Several registration points inside Hungary had been set up a few kilometres from the border and the Hungarian authorities rapidly established "a one-stop-shop" for registrations. People at the registration points could choose whether to apply for a temporary protection or a temporary residence certificate.
27. The border between Hungary and Ukraine is not the only route to Hungary for people who were forced to leave their homes in Ukraine. Thousands of individuals from Ukraine also arrived in Hungary via the border between Hungary and Romania. According to UNHCR's data, the number of border crossings from Romania to Hungary had reached 2 million between 24 February 2022 and 15 March 2023.¹⁴

¹⁰ <https://hungarytoday.hu/ukraine-war-russia-200000-refugees-asylum-arrive-hungary/>.

¹¹ Border crossing points at the border between Hungary and Ukraine: Záhony, Barabás, Lónya, Beregsurány, Tiszabecs.

¹² Webpage of the National Police of Hungary, information on waiting times at the border crossings: https://www.police.hu/hu/hirek-es-informaciok/hatarinfo?field_hat_rszakasz_value=ukrán+határszakasz.

¹³ Data as of 15 March 2023 indicated 2.2 m border crossings directly from Ukraine. Source: UNHCR (<https://data.unhcr.org/en/documents/details/99610>).

¹⁴ UNHCR – Refugee Situation Operational Update – January/February 2023: <https://data.unhcr.org/en/documents/download/99610>.

28. Close to the border crossing “help points” were established to assist those arriving in Hungary from Ukraine.¹⁵ The support provided includes legal assistance, transportation arrangements, accommodation, and relief items, amongst others.
29. The members of the Charity Council actively participated in providing support to the people from Ukraine at these “help points”. The Hungarian Baptist Aid, Hungarian Charity Service of the Order of Malta, Hungarian Red Cross, Hungarian Reformed Church Aid, Hungarian Interchurch Aid and Caritas Hungary are member organisations of the Charity Council which was founded in 2000 and which co-ordinates the work of charities.¹⁶ The President of the Charity Council is the State Secretary for Relations with the Church and Ethnic Communities of Hungary, Mr. Miklós Soltész.¹⁷
30. The Hungarian Police, local authorities and member organisations of the Charity Council were all present at the border crossings. Members of the Charity Council have shared tasks, performed their duties at different border crossing points and operated a common donation system after the emergency situation arose. They provided legal assistance and information regarding transportation and accommodation for those arriving at the border areas. The quick response of the Hungarian civil society was supported by government funding.¹⁸
31. Taking into consideration the importance for individuals arriving at border crossings to have access to information, UNHCR and its partners established “Blue Dot” locations in Hungary. The first “Blue Dot” location was opened in April 2022 at Zahóny train station near the border with Ukraine.¹⁹ Subsequently, UNHCR continued to set up “Blue Dot” locations which, aside from providing essential information, also served as venues for identifying vulnerabilities.
32. Arrivals to Hungary from Ukraine slowed down after the initial rapid influx of the first two months following the start of Russia’s aggression. However, depending on the intensity of Russia’s attacks in Ukraine, Hungary has observed peaks in the number of arrivals. It was reported that nearly 6 000 people entered through the Hungarian-Ukrainian border, with an additional 12 827 arrivals recorded at the Hungarian-Romanian border in early January 2023,²⁰ a marked increase compared to the total number of arrivals in December 2022, which was around 10 000 people. The border police also informed that a significant number of Ukrainians were leaving and re-entering Hungary from Ukraine, which poses certain challenges when it comes to gathering exact data.

¹⁵ <https://help.unhcr.org/hungary/ukraine/>.

¹⁶ Act 65/2000 on the establishment of the Charity Council and the detailed rules for its operations <https://njt.hu/jogszabaly/2000-65-20-22>.

¹⁷ The Chairman of the Charity Council <https://karitativtanacs.kormany.hu/index>.

¹⁸ The Government Spokesperson announced in Beregsurány on 7 March that 3 billion Hungarian forint will be provided to the members of the Charity Council, <https://abouthungary.hu/news-in-brief/government-to-provide-huf-3-billion-in-grants-to-charity-council-organizations>.

¹⁹ Ukraine Refugee Situation Operational Update for May 2022 - <https://data.unhcr.org/en/documents/download/92594>.

²⁰ <https://infostart.hu/belfold/2023/01/08/nagyot-ugrott-az-ukrainabol-magyarorszag-fele-menekulok-szama>.

33. At the time of the SRSG's visit to Hungary, less than a thousand people were crossing into Hungary per day. As of the end of February 2023, data from the National Police of Hungary and UNHCR indicated that 34 248 applications had been made for temporary protection in Hungary and 176 083 temporary residency certificates had been issued to Ukrainian nationals.²¹
34. Over four million border crossings²² to Hungary had been recorded up until mid-March 2023. According to the existing official data, available as of 15 March 2023, the number of people from Ukraine, who have chosen to stay legally in Hungary, amounts to 210 331 individuals, a number which appears low. This may be explained by the fact that many of the people from Ukraine who initially arrived in Hungary moved on to other European countries²³ and the available data indicates that some of the people fleeing to Hungary have not applied for temporary protection.
35. The availability of disaggregated information about people coming from Ukraine is crucial to reduce uncertainties and determine the resources needed. In view of the discrepancy between the number of people entering Hungary from Ukraine and the number of granted protection statuses, a strengthened data collection system is needed.

II.2. LEGISLATIVE FRAMEWORK AND ACCESS TO TEMPORARY PROTECTION

36. Hungary implemented its own national temporary protection scheme²⁴ as early as 24 February 2022, prior to the activation of the EU Temporary Protection scheme.²⁵ In line with this specific type of protection, individuals crossing the border had to submit requests for Hungarian temporary protection (known as *menedékes*). The NDGAP was responsible for registering these requests, conducting the procedure and granting Hungarian temporary protection.
37. Once the Hungarian temporary protection was activated, the authorities allowed everyone who arrived at the border crossings to enter Hungary.
38. Government Decree No. 56/2022,²⁶ which was only in force between 24 February and 7 March 2022, put in place a national protection scheme and stipulated that Ukrainian nationals arriving from the territory of Ukraine and third country nationals lawfully residing in Ukraine are not subject to the general asylum procedure, but are granted temporary protection.
39. Individuals coming from Ukraine with Hungarian passports were not able to access the same services and benefits as beneficiaries of the Hungarian temporary protection.

²¹ Source: UNHCR, Regional Bureau for Europe, Ukraine situation, Refugee Situation Operational Update, January-February 2023: [Document - UNHCR Hungary - Operational Update \(January - February 2023\)](#).

²² Ibid.

²³ https://cor.europa.eu/en/engage/studies/Documents/Ukrainian%20refugees_study.pdf.

²⁴ Hungary's national protection scheme, put in place on 24 February 2022:

<https://magyarkozlony.hu/dokumentumok/c7310f25f86bb99e0d577ba024ad40f8f5544664/megtekintes>.

²⁵ <https://eur-lex.europa.eu/legal-content/EN/TXT/?>.

²⁶ Government Decree No. 56/2022. (II. 24.) on derogations from the temporary rules on asylum procedures set out in Act LVIII of 2020 on Transitional Provisions related to the Termination of the State of Danger and on Epidemiological Preparedness.

40. After the activation of the EU temporary protection scheme on 4 March 2022, Hungary adopted Government Decree No. 86/2022²⁷ on 7 March 2022, that incorporated the EU temporary protection scheme into national law, albeit with a narrower personal scope than the EU directive and the earlier government decree. This decree entered into force on 8 March 2022.²⁸
41. While Council Implementing Decision (EU) 2022/382 of 4 March activating the EU Temporary Directive allows for adequate national protection to be applied to stateless persons whatever their status and non-Ukrainian nationals with a permanent residence permit, the Hungarian Government Decree No. 86/2022 (Article 2(2))²⁹ only covers Ukrainian nationals, beneficiaries of international protection, or stateless persons recognised as such in Ukraine and their family members.^{30 31}
42. The protection coverage provided in Hungary can only be granted to people who arrived in Hungary on or after 24 February 2022. For those who came to Hungary before 24 February 2022 and wished to legalise their stay, the NDGAP conducts a procedure to assess whether they should be sent back to Ukraine. Following assessment, a status called “tolerated stay” (*befogadott in Hungarian*), can be granted to those people who cannot be sent back to Ukraine. The “tolerated stay”, which gives a right to stay in Hungary for a year, does not give access to the same rights as the beneficiaries of temporary protection.
43. On the other hand, the Government Decree No. 86/2022 improved the situation of individuals arriving in Hungary with a Hungarian passport and a permanent address in Ukraine (dual Ukrainian-Hungarian nationals) by granting them access to the same services and benefits as those receiving EU temporary protection.
44. Ukrainians entering Hungary with a valid biometric travel document can stay in the country visa free for 90 days. If they want to stay in Hungary for longer than 90 days, they need to either apply for temporary protection, asylum or submit an application for a residence permit with a specific purpose under the required procedure.³² Those who are recognised as eligible in line with the Government Decree No. 86/2022 can apply for temporary protection to the NDGAP and its regional offices. Ukrainians entering Hungary without a biometric passport are issued certificates for temporary stay (in Hungarian – *ideiglenes tartózkodásra jogosító igazolás*) by the NDGAP, which are valid for 30 days and renewable up to six months.

²⁷ Government Decree No. 86/2022:

<https://magyarkozlony.hu/dokumentumok/d98058216e0e225e56baf304d5470bc38736c590/megtekintes>.

²⁸ [Overview of national measures regarding employment and social security of displaced persons coming from Ukraine. Country Fiche - Hungary, February 2023](#)

²⁹ Ibid.

³⁰ [National legislation implementing the EU Temporary Protection Directive in selected EU member states \(October 2022 update\) | European Union Agency for Fundamental Rights \(europa.eu\)](#).

³¹ See the information on protection situation in Hungary by Hungarian Helsinki Committee: <https://helsinki.hu/en/ukr/>.

³² National Directorate-General for Aliens Policing: http://oif.gov.hu/index.php?option=com_k2&view=item&layout=item&id=1751&Itemid=2123&lang=hu.

45. Non-Ukrainian third country nationals are also entitled to a certificate for temporary stay, which is valid for 30 days. This temporary certificate is renewable upon the decision of the NDGAP. The application for renewal of the certificate for temporary stay should be supported with a valid reason. In the absence of it, the NDGAP has the right to deny the request for an extension. At the time of the visit, 176 083³³ certificates for temporary stay had been issued by the Hungarian authorities. The SRSG was informed by NGOs that since February 2023 it is more difficult for non-Ukrainian third country nationals, who do not have valid travel documents, to enter into Hungary, compared with those who arrived during the first year following Russia's aggression against Ukraine.
46. In view of the above, it appears that people who are not entitled to temporary protection under Hungarian law can however remain in Hungary with a certificate for a temporary stay. If this certificate expires and is not renewed, "general rules" referred to in Article 2(3) of the Government Decree No. 86/2022, apply. These "general rules" do not mention whether these people can apply for asylum,³⁴ especially when they would face in their country of origin a real risk of treatment contrary to the European Convention on Human Rights. The "general rules" can either mean "a residence permit procedure" or an "aliens policing procedure aiming at the person's expulsion" and may also result in a "tolerated status".³⁵
47. Concerning access to asylum, it is to be noted that following the Hungarian Government's decision to temporarily close transit zones in May 2020,³⁶ a new temporary asylum procedure, called "Embassy Procedure",³⁷ was put in place. Under this new system, individuals wishing to apply for asylum in Hungary must first travel to the Hungarian Embassy in Belgrade or Kyiv to submit their "statement of intent" with the purpose of lodging an asylum application. It is noted that obtaining an appointment for submitting the "statement of intent" is a lengthy process, taking more than six months. The Embassy forwards the "statement of intent" to the NDGAP which has 60 days to examine it. After examination, the NDGAP informs the relevant embassies whether a single-entry permit to Hungary can be issued, allowing the individual to travel to Hungary within 30 days and lodge an asylum application within 60 days.
48. The current Embassy Procedure in place limits the fair and effective access to asylum of individuals who are not entitled to temporary protection.³⁸ This procedure might raise issues under the European Convention on Human Rights. The SRSG also recalls that asylum/migration related cases are under the supervision of the Committee of Ministers.³⁹

³³ Source, UNHCR, Refugee Situation Operational Update, January – February 2023.

³⁴ Government Decree No. 86/2022:

<https://magyarkozlony.hu/dokumentumok/d98058216e0e225e56baf304d5470bc38736c590/megtekintes>.

³⁵ [2022 Update AIDA Country Report: Hungary | European Council on Refugees and Exiles \(ECRE\)](#).

³⁶ Government Decree No. 233/2020 (V.26.) on the rules of the asylum procedure during the state of danger declared for the prevention of the human epidemic endangering life and property and causing massive outbreaks, and for the protection of the health and lives of Hungarian citizens: http://njt.hu/cgi_bin/njt_doc.cgi?docid=219700.383485.

³⁷ [In a recent judgment, Court of Justice of the European Union decided that the "Embassy Procedure" is not in conformity with the EU law.](#)

³⁸ <https://rm.coe.int/ecri-6th-report-on-hungary-translation-in-hungarian-/1680aa687b> see paragraphs 101-106

³⁹ In their decision of September 2022 on the execution of *the Ilias and Ahmed v. Hungary* and *Shahzad v. Hungary* judgments, the Deputies "called on the authorities to intensify their efforts in reforming the asylum system in order to afford effective access to means of legal entry, in particular border procedures, in line with Hungary's international obligations as arising from the relevant judgments of the European Court and the CJEU".

49. The SRSG welcomes the efforts of the Hungarian authorities in providing protection for those fleeing Ukraine. At the same time, she notes the challenges faced by non-Ukrainian third-country nationals and invites relevant stakeholders to ensure their fair and effective access to asylum procedures in line with Council of Europe and other international human rights standards. This is necessary to guarantee and uphold human rights protection for all individuals in vulnerable situations within the context of migration and asylum. The Council of Europe Programme on Human Rights Education for Legal Professionals (HELP) could be particularly beneficial in drawing attention on existing European standards. Specifically, the course on Asylum and Human Rights could be offered or tailored for legal practitioners and members of the judiciary. The Council of Europe is also ready to provide legislative expertise in this field.

III. RECEPTION AND INCLUSION

III.1. ACCESS TO ACCOMMODATION

50. Geographically situated between Ukraine and Western Europe, Hungary provides a direct route for people fleeing Ukraine as a result of Russian's aggression. Although most of these individuals arriving in Hungary continue their journey on to other countries, they still need to spend a few days in Hungary. Providing accommodation is therefore a challenge in this context.
51. During the initial phase of Russia's aggression against Ukraine, the authorities established basic reception facilities with sufficient capacity and decent conditions for approximately 600 000 individuals.⁴⁰ NGOs and volunteers also played a crucial role in assisting the people arriving in Hungary to find suitable accommodation. The SRSG welcomes these significant efforts to meet the accommodation needs.
52. Hungarian state and private entities offered housing support at various stages. The Hungarian accommodation portal, called "szallas.hu", requested their partners to reduce accommodation prices by at least 50 per cent.⁴¹ The Municipality of Budapest established a webpage⁴² for individuals in search of accommodation through which they began providing temporary housing in social facilities and holiday resorts. The substantial Ukrainian diaspora in Hungary played a crucial role in alleviating the burden on state authorities when it came to providing accommodation.
53. The "help points" at the border crossings were the initial locations where individuals from Ukraine could obtain necessary information about accommodation. Upon arrival at these "help points" people would first meet with representatives from NGOs and volunteers who provided them with relevant information regarding accommodation. Reception centres served as temporary lodging facilities for short-term stays.

⁴⁰ The war in Ukraine – Fundamental rights implications within the EU: <https://fra.europa.eu/en/publication/2022/ukraine-bulletin-1-2022>, see pages 14-15.

⁴¹ <https://hungarytoday.hu/ukrainian-refugees-war-conflict-accommodations-airbnb-budapest-hungary/>.

⁴² Budapest Helps: <https://help.budapest.hu/en/>.

54. During the initial phase the BOK Sports Hall served as a transit hub. Individuals who intended to continue their journey on to other countries were transferred to the BOK Sports Hall. To apply for accommodation, individuals were required to first go to the BOK Sports Hall, which is located a short distance from Budapest city centre. Trains transported them from the border area to Budapest and from there shuttles brought them to the BOK Sports Hall free of charge.
55. IOM provided support in two transit accommodation sites. Through its partnership with Airbnb, IOM Hungary also arranged short-term stays of up to 30 days for individuals arriving from Ukraine.⁴³ Furthermore, IOM Hungary oversees three collective sites in Budapest offering medium-term accommodation for a period of up to four months.⁴⁴ In this context, the SRSG welcomes the role of Council of Europe Development Bank (CEB) as the first multilateral development bank which funded IOM Hungary with a €400 000 grant from its Migrant and Refugee Fund.⁴⁵
56. Those who apply for temporary protection or who are granted such a status are eligible for state-provided free accommodation by the National Directorate-General for Disaster Management. According to the information provided by NGOs, this type of accommodation is more suited for short-term or medium-term stays.
57. Since permanent accommodation is exclusively provided to individuals who apply for temporary protection or who are recognised as beneficiaries of such a status, non-Ukrainian third country nationals depend on private accommodation providers. This situation however increases individuals' vulnerability.
58. Private accommodation providers in Hungary do not receive any compensation from the Hungarian Government.⁴⁶ Instead, beneficiaries of temporary protection receive a support subsidy of 22 800 Hungarian Forint (€61) per month, while a support subsidy of 13 700 Hungarian Forint (€37) per month⁴⁷ is provided for minors.
59. While welcoming the decision to provide free accommodation to everyone in need, the SRSG further encouraged the efforts of relevant state authorities to improve the existing standards of these facilities. The SRSG also underlined the need to monitor the situation and needs of adults and children living in private accommodation.

⁴³ IOM Hungary, Ukrainian Crisis 2022 -2023, One Year of Response:

https://hungary.iom.int/sites/g/files/tmzbd11591/files/documents/2023-03/One%20year%20in%20war_report_FIN_0.pdf.

⁴⁴ Ibid.

⁴⁵ [Our Ukraine response: a photo story | CEB \(coebank.org\)](https://www.cebank.org/en/our-ukraine-response-a-photo-story).

⁴⁶ https://m.hvg.hu/eurologus/20220501_Ukran_menekultek_ellatasra.

⁴⁷ <https://www.oecd.org/ukraine-hub/policy-responses/housing-support-for-ukrainian-refugees-in-receiving-countries-9c2b4404/>.

III.2. ACCESS TO HEALTHCARE

60. On 24 February 2022 mobile teams of health workers, delegated by hospitals, were dispatched to assist at registration points along the border area. These health workers, supported by representatives of the Charity Council, provided medical care and conducted Covid-19 tests. The healthcare teams checked the temperature of everyone crossing into Hungary from Ukraine as well as their Covid-19 vaccination certificates.⁴⁸ If an unvaccinated person sought accommodation in a refugee centre, the healthcare team members, who were experienced in caring for Covid-19 patients, offered vaccination services.
61. During the briefing provided by the County Police Office, the SRSG was informed that 80 Covid-19 patients underwent screening and were provided with protective equipment. The County Police Office also reported that immediate care was provided to 400 individuals in the border area.⁴⁹
62. In addition to providing immediate medical care at temporary registration centres visited by individuals from Ukraine after crossing the border, mobile pharmacies were established in these centres to dispense medication for chronic diseases, such as diabetes and high blood pressure. The majority of these medicines were supplied by the National Healthcare Reserve, and private medical donations, including the one organised in Budapest by the Semmelweis University,⁵⁰ which also contributed to meeting the medication needs.
63. According to both EU⁵¹ and national legislation, individuals who are beneficiaries of temporary protection and those who have applied for it, are entitled to free healthcare in Hungary. General practitioners who cover specific residency areas provide assistance to individuals from Ukraine. Holders of temporary protection and applicants to the status have access to a comprehensive range of free healthcare services, including obstetrician/gynaecologists' care, oncology and treatment of other chronic illnesses. Additionally, third country nationals who were residing in Ukraine prior to 24 February 2022 are treated the same as beneficiaries of temporary protection.⁵²
64. However, in practice, people fleeing from Ukraine are faced with a certain number of obstacles. For example, the persistent workforce shortage in the healthcare sector in Hungary⁵³ and the language barrier make their access to healthcare more challenging.
65. The SRSG was also informed that certain healthcare providers have limited awareness regarding the extent of services available to Ukrainians with temporary protection. Some of them assume that individuals from Ukraine only have access to emergency care or that their access to healthcare is limited to a specific duration. The extension until 4 March 2024 of the residence permit cards is not indicated on them.

⁴⁸ The website of the Hungarian Government – [A kormány biztosítja az ukrajnai menekültek egészségügyi ellátását is \(kormany.hu\)](#).

⁴⁹ The information was provided by the County Police Office on 22 March.

⁵⁰ Semmelweis University – [Semmelweis University helps refugees from Ukraine in several areas \(regularly updated\) – Semmelweis University](#).

⁵¹ [Council Directive 2001/55/EC of 20 July 2001](#).

⁵² 9/2022 (III.11) Individual instruction of the Minister of Human Resources on the healthcare of persons arriving from Ukraine: <http://www.hgye.hu/dok/cikk/00574-1.pdf>.

⁵³ [Hungary: Country Health Profile 2021| European Observatory on Health Systems and Policies \(who.int\)](#).

66. The SRSG welcomes the efforts made by the Hungarian Government to improve the situation, particularly through the expedited recruitment of Ukrainian nationals with medical backgrounds.⁵⁴ This initiative effectively tackles two pressing issues: a reduced workforce and the lack of Hungarian-speaking workers.
67. The SRSG draws attention to the Council of Europe's "Guide to health literacy – Contributing to trust building and equitable access to healthcare".⁵⁵ This practical tool suggests that translators, intercultural mediators and knowledge-brokers might be considered in order to "translate" between health system actors and patients.

III.3. NEED FOR PSYCHOLOGICAL SUPPORT

68. Psychological support is provided within the reception centres as well as through the regular healthcare system.
69. During the visit, the SRSG was informed that UN agencies (primarily WHO and IOM)⁵⁶ have deployed a Mental Health and Psychosocial Support (MHPSS) team to Hungary⁵⁷ which work alongside local NGOs to protect the mental health and psychosocial well-being of refugees and humanitarian workers. WHO is also working hand in hand with the authorities to offer training and translation of MHPSS international guidelines.
70. Hungary is also participating in the EU4Health Project⁵⁸ and aims to build capacity and capabilities for health and care professionals and to provide mental health and psychosocial support to displaced people coming from Ukraine. The programme is focusing on establishing a platform for health professionals and NGOs working with refugees, as well as with mental health professionals from Ukraine, in order to provide them with access to support materials and connect and share best and promising practices.
71. Furthermore, the SRSG met with the representatives of the Cordelia Foundation,⁵⁹ who have joined their expertise with Trauma Centre to provide mental health support to refugees, Ukrainians living in Hungary,⁶⁰ volunteers and professionals working with refugees and anyone affected by the situation.
72. The SRSG welcomes the collective efforts made by the Hungarian authorities, international organisations and NGOs in addressing the issues relating to mental health and psychological support.

⁵⁴ [Ukrainian Refugee Healthcare Workers May Work in Hungary before Diplomas Validated - Hungary Today.](#)

⁵⁵ <https://www.coe.int/en/web/bioethics/guide-to-health-literacy>.

⁵⁶ ["Even Just a Few Words Can Help": Addressing the Mental Health of War-Affected Ukrainians in Hungary - Hungary | ReliefWeb.](#)

⁵⁷ <https://www.who.int/europe/news/item/18-03-2022-hungary-the-importance-of-mental-health-and-psychosocial-support-to-refugees-and-displaced-people-one-mother-s-story-of-a-life-upended-through-the-ukraine-war>.

⁵⁸ [EU4Health projects to provide mental health support to Ukrainian refugees \(europa.eu\).](#)

⁵⁹ [Ongoing projects - Cordelia Foundation.](#)

⁶⁰ [Mental health support for those affected by the Ukrainian war – Traumaközpont \(traumakozpont.hu\).](#)

73. In order to effectively contribute to the efforts made, the Council of Europe stands ready to support stakeholders in the prompt detection of psychological problems or trauma and in the provision of appropriate assistance, in the same way as was done in the Republic of Moldova⁶¹ and Poland.⁶² This would strengthen capacities of Hungarian professionals working with women, children and adolescents traumatised by war.

III.4. ACCESS TO THE LABOUR MARKET

74. Government Decree No. 86/2022 stipulates that individuals under temporary protection and those seeking temporary protection can engage in any profession in Hungary without the need for a work permit. This policy was introduced on 30 April 2022, through Government Decree No. 175/2022, which amended Government Decree No. 86/2022. As of 30 April 2022, a work permit is not required for individuals benefiting from temporary protection or for those applying for temporary protection.⁶³
75. The Asylum Act⁶⁴ of Hungary also grants refugees and individuals under subsidiary protection the right to access the labour market under the same conditions as Hungarian citizens.
76. The Hungarian Government took the decision to establish assistance points in order to provide information on available job opportunities in Hungary specifically for Ukrainian nationals fleeing Ukraine. This initiative was implemented through Government Decree No. 96/2022⁶⁵ on 11 March 2022. Additionally, NGOs played a crucial role in assisting Ukrainians by providing relevant information on job search. For example, Menedék – Hungarian Association for Migrants, an NGO in Hungary, launched the “SAFEmployment Hungary” project to support individuals fleeing the war in Ukraine.⁶⁶ Through this project, Menedék aims to provide essential information regarding employee rights and guidance on detecting possible exploitation.
77. As mentioned in paragraph 66, Hungarian authorities have also simplified the rules for recognising diplomas/qualifications of beneficiaries of temporary protection who have obtained a healthcare diploma. According to Government Decree No. 121/2022,⁶⁷ individuals holding temporary protection in Hungary, with a healthcare diploma from Ukraine and who arrived in Hungary on or after 24 February 2022, can start working in both public and private medical sectors even before the recognition procedure for their diplomas has been completed.⁶⁸ At the time of the visit, the Ministry of Interior informed the SRSG that 50 medical doctors from Ukraine had started to work in Hungary.

⁶¹ [The Republic of Moldova is deploying extraordinary efforts to welcome people fleeing war in Ukraine, but needs additional resources and expertise - Special Representative of the Secretary General on Migration and Refugees \(coe.int\).](#)

⁶² [Psychological support to refugees: Council of Europe launches training to strengthen capacities of professionals working on the ground in Poland - Special Representative of the Secretary General on Migration and Refugees \(coe.int\).](#)

⁶³ [Overview of national measures regarding employment and social security of displaced persons coming from Ukraine. Country Fiche - Hungary, February 2023.](#)

⁶⁴ See the general right to equal treatment in Section 10(1) of the Asylum Act: [2007. évi LXXX. törvény - Nemzeti Jogszabálytár \(nit.hu\).](#)

⁶⁵ [96/2022. \(III. 10.\) Korm. rendelet - Nemzeti Jogszabálytár \(nit.hu\).](#)

⁶⁶ SAFEmployment Hungary Project - [SAFEmployment Hungary | Menedék \(menedek.hu\).](#)

⁶⁷ The Government Decree No. 121/2022 - <https://nit.hu/jogszabaly/2022-121-20-22>.

⁶⁸ [Ukrainian Refugee Healthcare Workers May Work in Hungary before Diplomas Validated - Hungary Today.](#)

78. Furthermore, the Hungarian Government provides financial support⁶⁹ to employers who hire Ukrainian nationals as employees. Government Decree No. 172/2022,⁷⁰ which entered into force on 9 May 2022, provides a legal framework for offering financial assistance to employers who provide job opportunities to Ukrainian nationals regardless of when they arrived in Hungary. The same Decree also supports the employment of individuals who hold dual citizenship (Ukrainian and Hungarian).
79. At the meeting with the Deputy State Secretary and Ministry of Interior staff, the SRSG used the opportunity to promote the European Qualification Passport for Refugees (EQPR)⁷¹ as one of the tools in complementing national recognition and admission schemes, where appropriate and useful.
80. The SRSG also stresses the importance of linguistic inclusion for adults and highlighted the existing resources of the Council of Europe in this regard. The Education Department offers policy guidelines and pedagogical support to assist professionals in providing linguistic support to adult migrants and refugees. Moreover, a dedicated website with language support resources for individuals from Ukraine has been developed.⁷²

IV. PERSONS IN VULNERABLE SITUATIONS

IV.1. CHILDREN

IV.1.1. Unaccompanied and separated children

81. The escalating attacks by Russia on schools, hospitals and civilian infrastructure in Ukraine presented an immediate threat to the children in the country. These attacks forced them to flee their country in search of support and protection.
82. According to UNHCR, half of the applicants for temporary protection in Hungary are children, who are particularly vulnerable as they are often separated from at least one parent or travelling with other adults⁷³ who may or may not be related to them.
83. UNICEF reported that the majority of families with children who have stayed in Hungary originate from the region of Transcarpathia, also known as Zakarpattia Oblast of Ukraine, and where there is a high number of Roma.⁷⁴ The children from these families are particularly vulnerable.

⁶⁹ The amount of the support is 50% of the monthly housing and travel costs incurred by the employer in respect of the employee, up to a maximum of 60 000 Hungarian forint (approx. €157) per employee and 12 000 Hungarian forint (approx. €31) per child for minor children living in the same household as the employee. The maximum amount of aid per employee may not exceed 150% of the mandatory minimum wage per month, i.e. 300 000 Hungarian forint (approx. €785) either. For further information: <https://www.ela.europa.eu/sites/default/files/2022-07/HU-country-fiche-ela-national-measures-ukraine.pdf>.

⁷⁰ The Government Decree No. 172/2022 - <https://njt.hu/jogszabaly/2022-172-20-22>.

⁷¹ EQPR <https://www.coe.int/en/web/education/-/european-qualifications-passport-for-refugees-egpr-supports-ukrainian-refugees-access-to-job-market-in-europe>.

⁷² [New ECML website offering dedicated support for the \(linguistic\) integration of refugees from Ukraine - Education \(coe.int\)](https://www.ecml.europa.eu/en/education/-/new-ecml-website-offering-dedicated-support-for-the-linguistic-integration-of-refugees-from-ukraine-education-coe-int).

⁷³ Hungary – Multi-Sector Needs Assessment, November 2022: <https://data.unhcr.org/en/documents/details/97062>.

⁷⁴ <https://www.unicef.org/eca/unicef-emergency-response-office-hungary>.

84. Following the establishment of an Emergency Response Office,⁷⁵ UNICEF has initiated a programme in Hungary aimed at enhancing national capacities to deliver essential services to refugee and vulnerable Ukrainian children. This programme focuses on providing access to early childhood development, education, healthcare, child protection, social protection, adolescent development, mental health and psychosocial support. To achieve these goals, UNICEF has signed partnership agreements with local governments and NGOs.
85. Any child under the age of 18 who has fled Ukraine due to Russia's aggression and arrived in Hungary alone, or who is staying in the country alone after their arrival, is considered as an unaccompanied child/minor.⁷⁶ Once an unaccompanied child has been identified, the NDGAP is required to contact the Guardianship Authority, which appoints a guardian to represent the child, within 8 days.
86. International organisations and NGOs present at the borders during the initial period of the influx from Ukraine have indicated that there have been cases where the identification and registration procedures for unaccompanied children were not fully implemented. Additionally, due to the unprecedented situation in the border areas, children who entered Hungary with at least one adult, were considered to be accompanied even if the adult was neither their parent nor a relative.⁷⁷
87. In 2022, 24 children from Ukraine were considered unaccompanied and guardians were appointed for them.⁷⁸ These children have been granted temporary protection status. The low number of unaccompanied children is often attributed to the weak initial identification and registration procedures, primarily observed in the border areas.
88. The Department of Child Protection Services (TEGYESZ) is responsible for the recruitment of guardians.⁷⁹ The SRSG emphasises the importance of selecting well-trained individuals with adequate language skills who may ensure the child's best interest in all actions undertaken. The Ministry of Interior of Hungary has also informed that there is a sufficient number of legal guardians available through TEGYESZ.
89. The SRSG was informed by the representatives of UNHCR that the absence of the Guardianship Authority in the task forces (see paragraph 14) deployed at the border crossing points posed challenges in identifying and registering unaccompanied children. This absence made the identification and registration process more difficult and time-consuming as the Guardianship Authority only takes action upon receiving alerts from the NDGAP.

⁷⁵ <https://www.unicef.org/eca/stories/unicef-signs-agreement-government-hungary-scale-support-ukrainian-refugees>.

⁷⁶ http://www.bmbah.hu/index.php?option=com_k2&view=item&layout=item&id=1822&Itemid=2180&lang=en.

⁷⁷ This information is provided by the NGOs.

⁷⁸ This information was shared by the representatives of the UNHCR during the SRSG's exchange.

⁷⁹ https://asylumineurope.org/reports/country/hungary/asylum-procedure/guarantees-vulnerable-groups/legal-representation-unaccompanied-children/#_ftnref2.

90. Upon the initiative of the Hungarian Government, and in co-ordination with the International Judo Federation, judo teams from Ukraine, comprised of children under the age of 18, came to Hungary to continue their training.⁸⁰ The International Judo Federation announced that 300 children, between the ages of 7 and 17, were accommodated in Hungary, accompanied by 12 judo coaches.⁸¹ The SRSG was informed that there were other children's sports teams from Ukraine in Hungary, such as the one the SRSG met at the Margaret Island Athletics Centre (see paragraph 20). However, not all arrivals linked to sport teams were organised by the Hungarian authorities and some of them came via personal arrangements.
91. As regards children in the above-described situation, who are unaccompanied or separated, the SRSG recalls the importance of ensuring their best interests in line with the Convention on the Rights of the Child and the 2019 Council of Europe Recommendation on effective guardianship for unaccompanied and separated children in the context of migration.⁸² A guardian should be appointed to safeguard their rights including their right to education. The SRSG also draws attention to the Council of Europe checklist on "States' main obligations under the Lanzarote Convention on the Protection of Children from Sexual Exploitation and Sexual Abuse"⁸³ and the Handbook on the protection of children against sexual exploitation and sexual abuse in crisis and emergency situations.⁸⁴
92. The Council of Europe stands ready to identify co-operation opportunities with relevant authorities to put in place tailor-made activities to address the aforementioned challenges.

IV.1.2. Access to Education

93. Education is mandatory for beneficiaries of temporary protection, applicants for temporary protection, refugees, asylum seekers and those with subsidiary protection status between the ages of 3 and 16. Parents who are under temporary protection have the responsibility to enrol their children between the ages of 3 and 6 in kindergarten and children between the ages of 6 and 16 are required to attend schools.
94. If kindergartens, primary schools (grades 1-8, ages 6-14) and secondary schools (grades 9-12, ages 15-18) have sufficient capacity, they are required to provide free access to their institutions for all children within their respective educational districts. Parents who wish to enrol their children in kindergartens, primary schools and secondary schools have the flexibility to choose and contact any schools they desire, even though schools generally allocate places based on educational districts within Hungary.⁸⁵
95. When schools register children under temporary protection status, they receive subsidies from the Hungarian authorities based on the number of children and the number of lessons they attend. During the enrolment process, the school director, in collaboration with the families, determines the grade in which the child will be enrolled.

⁸⁰ <https://www.ijf.org/news/show/no-borders-300-ukrainian-children-welcomed-to-hungary>.

⁸¹ Ibid.

⁸² [Recommendation CM/Rec\(2019\)11 of the Committee of Ministers to member states. on effective guardianship for unaccompanied and separated children in the context of migration.](#)

⁸³ [Checklist – States' main obligations under the Lanzarote Convention on the Protection of Children from Sexual Exploitation and Sexual Abuse.](#)

⁸⁴ <https://rm.coe.int/handbook-on-the-protection-of-children-against-sexual-exploitation-and/1680a8ae86>.

⁸⁵ Information on education: [Information on education - UNHCR Hungary](#).

96. Despite the relative flexibility enjoyed by families or parents during the enrolment process, they nonetheless require the assistance of someone who speaks Hungarian to communicate with the management of kindergartens, primary schools and secondary schools and also when it comes to completing the enrolment process.
97. NGOs reported the existence of informal arrangements between local school managements and Ukrainian families in certain cases. According to these arrangements, local school managements accept the presence of children in the school as long as there is a Ukrainian teacher available to teach them the Ukrainian curriculum.
98. Children from Ukraine who are aged 14 and wish to attend secondary school in Hungary are required to pass the Hungarian language and mathematics exams for enrolment. This requirement poses a challenge for these children as they have received their education in Ukraine based on the Ukrainian curriculum.
99. The enrolment of Ukrainian children in Hungarian schools is mostly dependent on the schools' capacity to accommodate additional children. NGOs met during the visit reported that in some cases Ukrainian children could not be admitted for enrolment due to capacity constraints. The SRSG encourages, whenever possible, that the relevant authorities address these issues and facilitate the uninterrupted attendance of Ukrainian children in classes. The expertise of the Council of Europe could be particularly helpful in this regard, specifically the CM Recommendation on the importance of plurilingual and intercultural education for democratic culture,⁸⁶ as well as tools designed to assist education practitioners in supporting the linguistic integration of children.⁸⁷ The Council of Europe Education Department has developed a specific website offering resources dedicated to language support for refugees from Ukraine, including for children.⁸⁸

IV.2. ROMA

100. The Roma population from the Transcarpathia or Zakarpattia Oblast of Ukraine (see paragraph 83) chose to come to Hungary due to its geographical proximity and the connection with the Hungarian language.
101. Roma families were placed in various civil, religious and municipal institutions which were converted into makeshift shelters. These facilities were primarily suited to hosting a large number of people for a short period of time. As there was no possibility for these families to move to alternative accommodation for longer-term stays, the makeshift shelters have become long-term accommodation facilities.⁸⁹

⁸⁶ [Recommendation CM/Rec\(2022\)1 of the Committee of Ministers to member states on the importance of plurilingual and intercultural education for democratic culture.](#)

⁸⁷ [Young migrants - Language policy \(coe.int\).](#)

⁸⁸ [ECML website on dedicated support for the \(linguistic\) integration of refugees from Ukraine - \(coe.int\).](#)

⁸⁹ Romaversitas' research: https://romaversitas.hu/wp-content/uploads/2022/11/Karpataljai_romak_HU_2021_FINAL_oldalankent.pdf.

102. The SRSG was informed by NGOs of the practical difficulties experienced in obtaining humanitarian assistance, official information, legal aid or healthcare for the Roma refugees. It was mentioned that some of them had to return to Ukraine to obtain official documents that could only be delivered by Ukrainian authorities.
103. The SRSG acknowledged the efforts of the Hungarian authorities in the field of Roma integration, which was one of the main priorities of the Hungarian CoE Presidency. In the context of the Russian aggression against Ukraine, the SRSG emphasises the importance of equal treatment for all individuals and recalls the relevant statements made by the Commissioner for Human Rights and the European Commission against Racism and Intolerance (ECRI).⁹⁰

IV.3. PERSONS WITH DISABILITIES

104. No precise data could be provided regarding the number of disabled persons who have fled Ukraine and found shelter in Hungary.
105. The absence of data regarding persons with disabilities makes it challenging to locate their places of residence in Hungary and address their specific needs.
106. The SRSG emphasises the importance of collecting comprehensive data on persons with disabilities and sharing it with all relevant stakeholders to effectively address their situation. The SRSG also strongly encourages the relevant authorities in Hungary to intensify their efforts in providing the necessary support in line with the revised European Social Charter (Article 15).⁹¹

V. PROTECTION FROM VIOLENCE AND PREVENTION OF TRAFFICKING IN HUMAN BEINGS AND EXPLOITATION

V.1. PROTECTION FROM VIOLENCE AND ABUSE

107. Most of the refugees fleeing Ukraine are children and women who are particularly vulnerable to violence and abuse.
108. Even though Ukrainian women arriving in Hungary have access to a wide range of healthcare services, including free childbirth services in publicly funded institutions, they encounter many obstacles in accessing sexual and reproductive healthcare.⁹² Certain forms of sexual and reproductive healthcare are out of reach for many women from Ukraine as they require out-of-pocket payments. The cost barrier affects the quality of sexual and reproductive care and forces them to delay seeking care for extended periods of time.

⁹⁰ The Commissioner for Human Rights: <https://www.coe.int/ti/web/commissioner/-/let-us-fight-discrimination-and-prejudices-against-roma-fleeing-the-war-in-ukraine> and ECRI Statement: <https://www.coe.int/en/web/european-commission-against-racism-and-intolerance/-/statement-of-the-european-commission-against-racism-and-intolerance-ecri-on-the-consequences-of-the-aggression-of-the-russian-federation-against-ukrai#:~:text=Strasbourg%2C%2005%20April%202022%20%2D%20ECRI,suffering%20of%20the%20Ukrainian%20people.>

⁹¹ [Rights of persons with disabilities: Factsheet on Article 15 of the Revised European Social Charter.](#)

⁹² [Care in Crisis: Failures to guarantee the sexual and reproductive health and rights of refugees from Ukraine in Hungary, Poland, Romania and Slovakia | Center for Reproductive Rights.](#)

109. NGOs have reported that in certain circumstances where women face challenges in accessing sexual and reproductive healthcare in Hungary they have temporarily travelled back to Ukraine for treatment or used unregulated medication, which can endanger their health.
110. The challenges, particularly noted for adolescents under the age of 18, include obtaining consent from their parents or guardians to access sexual and reproductive healthcare. This procedural obstacle disproportionately affects girls under the age of 18 who have travelled from Ukraine alone. It makes it difficult for them to access the relevant services.
111. NGOs reported that there were cases of women who had been subject to sexual abuse and violence in transit and reception centres. Women were however reluctant to report such incidents. They prioritised attending to their basic needs rather than reporting the incidents and seeking appropriate support.
112. The SRSG was informed by the authorities that safe houses and the necessary infrastructure are available to accommodate women who experience sexual abuse and violence. According to a publicly available article⁹³, crisis ambulances and safe houses are operated across the country by the Hungarian Interchurch Aid which is a member of the Charity Council (see paragraph 29).
113. The SRSG emphasises the importance of protecting the rights of women and girls in vulnerable situations and the need to ensure that they have adequate support. In this regard, she highlights the CM Recommendation on protecting the rights of migrant, refugee, and asylum-seeking women and girls⁹⁴ and encourages the authorities to take it into consideration. She particularly underlines the need to provide or arrange for adequate specialist women's support services throughout the country and for victims of all forms of violence.
114. The Council of Europe stands ready to carry out capacity-building activities to address the prevention and detection of violence against women, and the protection of victims, including psychological support and to implement the Council of Europe Recommendation on protecting the rights of migrants, refugees and asylum-seeking women and girls.

V.2. TRAFFICKING IN HUMAN BEINGS

115. According to the information provided to the SRSG, Hungarian authorities were already aware of the potential risks of human trafficking in the event of an emergency situation occurring at its border with Ukraine. As a result, pre-arrangements were made to address this issue. The staff of Hungarian law enforcement authorities stationed at the border were prepared to enhance their efforts in preventing individuals from becoming victims of trafficking.

⁹³ <https://magyar Nemzet.hu/belfold/2019/11/krizisambulanciak-titkos-menedekhozak-a-kapcsolati-eroszak-aldozatainak>

⁹⁴ Recommendation CM/Rec(2022)17 of the Committee of Ministers to member states on protecting the rights of migrant, refugee and asylum-seeking women and girls.

116. In response to the influx from Ukraine, the Ministry of Interior distributed information leaflets at border crossing points, train stations, and reception centres in both Hungarian and Ukrainian languages. These leaflets aimed to raise awareness among women, children and young adults about the risks of human trafficking, serving as a targeted preventive measure. During her visit to Beregsurány the SRSG personally observed the relevant information leaflets which were prominently on display.
117. Recognising the role of online platforms as catalysts for the trafficking of human beings, Hungary also supported and promoted the "Be Safe" Campaign,⁹⁵ launched by the OSCE and Thomson Reuters. This campaign provides crucial information and advice to help people fleeing Ukraine detect warning signs of traffickers, minimise risks, and seek assistance.
118. Considering the heightened risk of trafficking at the border area, free transportation to "help points" was provided for those arriving at the border and as of 26 February 2022, the Hungarian Railway Company (MAV)⁹⁶ has made "solidarity tickets" available which are free of charge. These tickets allow individuals to travel from the border area to various destinations within Hungary. Once people from Ukraine reached Budapest, public transportation within the city was also made available free of charge. The provision of free transportation discouraged Ukrainians from using individual transportation options and minimised the risks associated with trafficking.
119. NGOs and international organisations in Hungary have intensified their efforts to address the risks of trafficking and protect vulnerable individuals from becoming victims. For example, IOM in Hungary established an information point at the Nyugati Railway Station. This information point was used to raise awareness and provide guidance on how to prevent risks related to trafficking in persons, amongst other topics, for individuals fleeing Ukraine.⁹⁷ Additionally, the Hungarian Baptist Aid launched awareness campaigns specifically aimed at educating the personnel from Hungarian national authorities and non-governmental organisations stationed at border crossing points. These campaigns aimed to equip them with the knowledge to effectively inform people from Ukraine about the risks of trafficking.⁹⁸
120. The SRSG was informed by the authorities she met with during the visit that despite the daily arrivals from Ukraine reaching nearly 10 000 individuals, there were very few reported cases of trafficking attempts at the border areas.
121. The SRSG emphasises that measures taken at arrival points alone are insufficient to effectively address trafficking. According to NGOs, as people from Ukraine continue their journeys within Hungary, the risks of trafficking persist unless additional preventive measures are implemented at their accommodation. The SRSG encourages the adoption of a more comprehensive approach to combat trafficking.

⁹⁵ Campaign on Be Safe from Human Trafficking, launched by the OSCE and Thomson Reuters: [OSCE \(helpforukrainians.info\)](https://www.helpforukrainians.info).

⁹⁶ <https://www.mavcsoport.hu/mav-start/belfoldi-utazas/ukraina-vasuti-utazasi-informaciok-2022-szeptember-15-tol-ukrayina>.

⁹⁷ [Information Points in Budapest | IOM Hungary](#).

⁹⁸ [Igy találják magukat a háború elől menekülők a szexiparban | Mandiner](#).

122. The relevant authorities are invited to make use of the existing Council of Europe standards in this matter, especially those outlined in the Council of Europe Convention on Action against Trafficking in Human Beings (GRETA), as well as the Guidance Note on addressing the risks of trafficking in human beings related to the war in Ukraine and the ensuing humanitarian crisis.⁹⁹ It is also noted that GRETA recently conducted its third evaluation visit to Hungary from 27 February to 3 March 2023, the report of which will be made available at the beginning of 2024.¹⁰⁰

V.3. LABOUR EXPLOITATION

123. Labour exploitation of people from Ukraine living in Hungary has been a concern, particularly due to the significant number of individuals who have sought employment opportunities in the country. The presence of online recruitment agencies targeting new arrivals and those without temporary protection status is an issue that necessitates closer attention. Rather limited information on the number of reported cases, however, makes it challenging to address this phenomenon.
124. NGOs have received several complaints from individuals from Ukraine about unfair labour conditions, which include unfair salaries and lack of proper employment contracts.¹⁰¹ Labour exploitation could occur in any employment sector where people fleeing Ukraine may face exploitative conditions such as long working hours and inadequate safety measures. They may also be subjected to substandard living conditions including overcrowded accommodation and limited access to basic amenities. Additionally, they may face challenges in accessing legal protection and social benefits.
125. Efforts have been made to address labour exploitation¹⁰² and protect the rights of workers. However, further work is needed to raise awareness of this phenomenon, not only at the borders or reception centres but also among potential employers and other relevant service providers. The work carried out by the Hungarian Association for Migrants (Menedék) through the SAFEmployment Hungary Project¹⁰³ is seen as a positive example in this regard.

⁹⁹ [GRETA issues Guidance Note on addressing the risks of trafficking in human beings related to the war in Ukraine and the ensuing humanitarian crisis - Action against Trafficking in Human Beings \(coe.int\)](#).

¹⁰⁰ [GRETA carries out third evaluation visit to Hungary - Action against Trafficking in Human Beings \(coe.int\)](#).

¹⁰¹ [Labour exploitation of refugees from Ukraine - Hungarian Helsinki Committee](#).

¹⁰² [Ukraine: Prevention through information: ILO campaign on Ukrainian railways to prevent labour exploitation among refugees](#)

¹⁰³ [SAFEmployment Hungary | Menedék \(menedek.hu\)](#).

126. Addressing labour exploitation requires a comprehensive approach involving various stakeholders, including employers, workers, NGOs and international bodies. It is important to continue with activities that focus on educating workers, employers, and the general public about labour rights, including the right to fair wages, safe working conditions, and protection against exploitation. Awareness campaigns can help empower workers to recognise and report instances of labour exploitation. The Council of Europe Recommendation¹⁰⁴ on preventing and combating trafficking in human beings for the purpose of labour exploitation provides standards and practical tools that should be taken into consideration when designing activities in this regard.

VI. CONCLUSION AND RECOMMENDATIONS

127. The SRSG recognises and appreciates the important efforts made by the Hungarian authorities, at both national and local level, in co-ordination with NGOs and volunteers, to welcome, support and protect people from Ukraine whether in transit to other destinations or for those who choose to stay in Hungary. The prompt activation of the national temporary protection scheme enabled people from Ukraine to enter Hungary easily and to gain rapid access to many services. Strengthened co-ordination between relevant bodies can serve to better protect those in vulnerable situations.
128. This report's main aim is to identify specific areas in which the Council of Europe can assist upon request, the Hungarian authorities in addressing certain challenges, in line with the mandate of the Organisation.
129. In the framework of the Council of Europe Action Plan on Protecting Vulnerable Persons in the Context of Migration and Asylum in Europe (2021-2025) and in close co-operation with international organisations and other partners, further know-how and expertise can be mobilised to provide tailor-made technical support to the competent entities in charge of providing protection, access to services and inclusion to people fleeing Ukraine. The Council of Europe suggests the following actions:
- Supporting the relevant authorities in ensuring a more efficient and systematic vulnerability assessment and referral procedure, as well as increasing the knowledge and skills of professionals involved in the registration process with regard to safeguards for persons with special needs. Disseminating free online courses from Human Rights Education for Legal Professionals (HELP) could also contribute to enhancing procedural safeguards for persons in vulnerable situations.

¹⁰⁴ [Recommendation CM/Rec\(2022\)21 of the Committee of Ministers to member states on preventing and combating trafficking in human beings for the purpose of labour exploitation.](#)

- Supporting the relevant authorities in ensuring fair and effective access to asylum procedures complying with Council of Europe and other international human rights standards, for non-Ukrainian third country nationals and for those displaced Ukrainians who currently benefit from the temporary protection but whose protection will end at a certain moment and will be eligible for asylum. Disseminating the free online HELP course on Asylum and Human Rights and providing legislative expertise, if requested, could contribute to this aim.
- Making use of the Council of Europe's expertise to raise awareness and to support all stakeholders providing psychological assistance to persons fleeing Ukraine, including through the training of psychologists, social workers, and other frontline professionals, to better detect and address war trauma among refugees from Ukraine.
- Supporting the relevant authorities in joining and implementing the European Qualifications Passport for Refugees (EQPR) to facilitate access to the labour market and further education.
- Supporting the relevant authorities, institutions and relevant stakeholders as regards the protection of unaccompanied and separated children, including the effective implementation of the Council of Europe guardianship recommendation and training for officials and other personnel in contact with refugee children.
- Engaging authorities at all levels, including at the local level, in order to facilitate the linguistic inclusion of adults and children by implementing existing Council of Europe guidelines and tools, as well as providing training for educators and language teachers.
- Assisting the relevant authorities to prevent and detect human trafficking, including for the purpose of labour exploitation, as well as violence against women and children in all forms. Specific attention should be paid to the protection of victims, in line with Council of Europe standards and guidance, and in co-ordination with other international organisations. Joint capacity-building actions and events, notably with UNHCR, can further enhance co-operation on these issues.

VII. APPENDIX: PROGRAMME OF THE VISIT

Monday, 20 March

- 09:00 – 10:30** Meeting with NGOs – Hungarian Helsinki Committee, NANE Women's Rights Association, Cordelia Foundation, Pszi Pont Foundation, Artemisszio Foundation, PATENT Association, EMMA Association, Romaversitas Foundation
- 11:00 – 13:00** Meeting with International Organisations – UNHCR, IOM, UNICEF
- 15:00 – 16:00** Ministry of Justice – meeting with Mr János Bóka, State Secretary for European Union Affairs

Tuesday, 21 March

- 14:00 – 15:00** Ministry of Interior – meeting with Mr Mátyás Hegyaljai, Deputy State Secretary for European Union and International Affairs
- 16:00 – 16:30** Meeting at the Mayor's Office of Budapest
- 16:45 – 18:00** Visit to the Margaret Island Athletics Centre

Wednesday, 22 March

- 8:15 – 18:30** Visit to Nyíregyháza and Beregsurány border crossing together with Mr Péter Sztáray, State Secretary responsible for Security Policy and Energy Security of the Ministry of Foreign Affairs and Trade and Mr Ákos Kozma, Commissioner for Fundamental Rights

Thursday, 23 March

- 9:00 – 10:00** Meeting with NGOs – Menedék, Hungarian Helsinki Committee
- 11:00 – 12:00** Visit to a shelter in Bányá utca, Municipality of Budapest