



2 March 2022

The Hungarian Helsinki Committee (HHC) provides regular, reliable information on the situation at the Ukrainian-Hungarian border and those fleeing Ukraine due to the Russian invasion. The HHC has prepared brief information leaflets for those fleeing, which are available in Hungarian, Ukrainian, English, and Russian.¹

The HHC's staff is on continuous duty on all days of the week, including on weekends. Our dedicated email address for those fleeing Ukraine is ukrainecrisis@helsinki.hu. HHC's Facebook page also responds to inquiries sent through Messenger: <https://www.facebook.com/helsinkibizottsag>. People can also reach us at +3613214141 on workdays 9-17.

1. Legal background

As of 10 pm of 24 February 2022, the following persons can enter Hungary and request Hungarian temporary protection ("menedékes", hereafter: HTP)²:

- Ukrainian citizens regardless of the documents they possess **directly entering Hungary from Ukraine**
- Third-country nationals who stay lawfully in Ukraine and **directly enter Hungary from Ukraine**

HTP is a special type of protection, not to be confused with the EU's Temporary Protection.³ It has to be requested by the individual, it is not granted automatically by virtue of crossing the border. It is the sole responsibility of the National Directorate-General for Aliens Policing (NDGAP, *Országos Idegenrendészeti Főigazgatóság* or *OIF*) to register such requests, to conduct the procedure and to grant the HTP status.

Key differences between HTP and refugee/subsidiary protection statuses are summarized in the table below:

	Hungarian Temporary Protection	Refugee / Subsidiary protection
Right to work while the procedure is pending	NO	NO
Right to work after status is granted	NO	YES
Access to health care beyond emergency care	YES	YES, during the procedure and 6 months after the status is granted
Access to education for children under the age of 16	YES	YES
State provided shelter	YES	YES, during the procedure and for 30 days after the status is granted
Meals	YES	YES, during the procedure and for 30 days after the status is granted
Financial assistance	YES (not automatic)	NO
Integration support	YES	NO

¹ Available here: <https://helsinki.hu/en/information-for-people-fleeing-from-ukraine/>

² Government Decree 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, available in Hungarian: <https://net.jogtar.hu/jogszabaly?docid=A2200056.KOR&dbnum=1>

³ See the European Commission's brief explanation on the EU Temporary Protection: https://ec.europa.eu/home-affairs/policies/migration-and-asylum/common-european-asylum-system/temporary-protection_en

The triggering of the HTP, as well as the validity of granted HTP statuses are currently valid until 1 June 2022. This can be prolonged indefinitely through a government decree.

2. Implementation

a. At border crossings

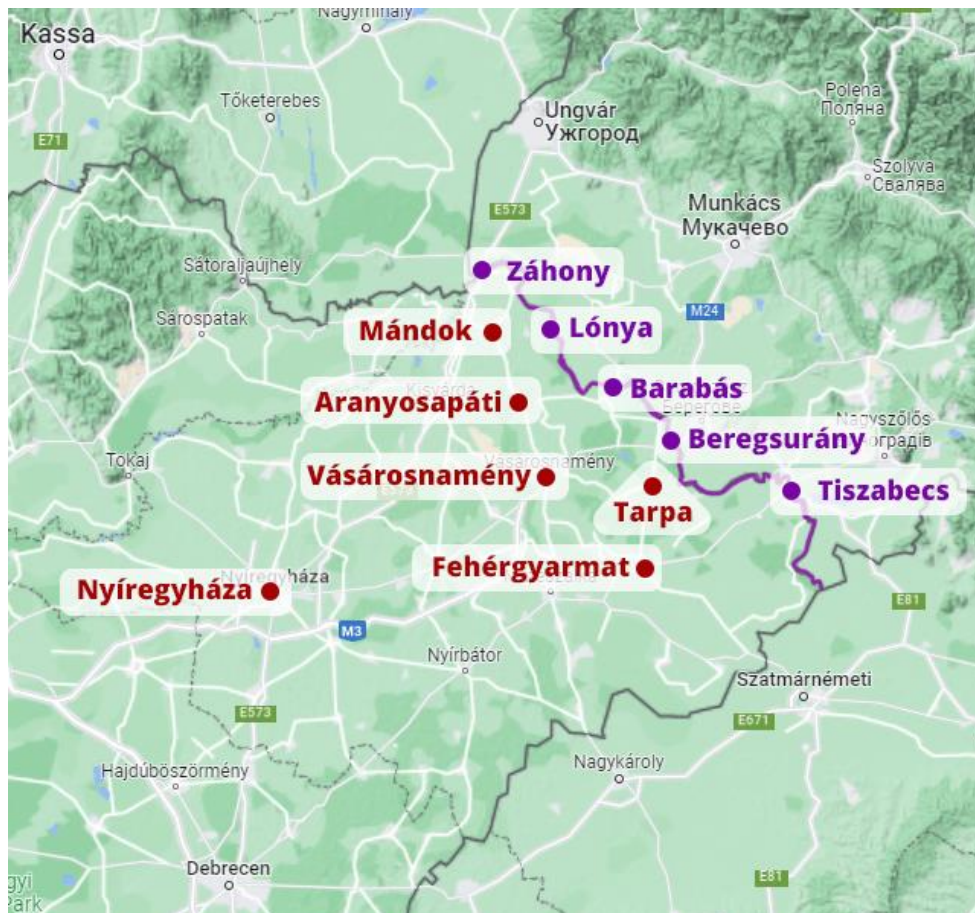
Five border crossings operate at the Hungarian-Ukrainian border section. At Záhony (HU) – Cap (UA) there is also a train crossing and is traditionally one of the busiest crossings. Further south are Lónya (HU) – Dzvinkove (UA), a small border crossing, Barabás (HU) – Kason (UA), another small border crossing, Beregsurány (HU) – Astei (UA), traditionally the other main crossing in addition to Záhony, and Tiszabecs (HU) – Vilok (UA), another small border crossing. The small crossings normally operate only during the day and allow for pedestrian crossing as well. Currently, all crossings are open 24/7 for all passengers.

According to the available information at the time of this update, the Hungarian authorities allow all persons showing up at the border crossings to enter Hungary.

On Friday (25 February) and Sunday (27 February) HHC visited all crossings but Tiszabecs. The Police (border guards were integrated into the Police as of 1 January 2008) did not provide information on the need/possibility to apply for temporary protection or how people would become eligible to certain services.

b. At registration points

Registration points were set up at several locations inside Hungary, usually a few dozen kilometres from the border. At these registration points, Hungarian authorities set up a one-stop-shop a few days after the Russian invasion began where the registration of those fleeing from Ukraine can take place. These are located in Aranyosapáti, Fehérgyarmat, Mándok, Nyíregyháza, Tarpa, Vásárosnamény.



Based on the visit on 27 February, there is no clear standards of procedure on who is taken to registration points from the border. It seems that this is contingent on the particular border crossing where people enter Hungary and the registration point to which people are taken.

At registration points, people can choose whether to apply for HTP or for a temporary residence card, valid for 30 days. On 27 February, the assumption of the authorities was that people

received adequate information on the available choices when they crossed the border and could make an informed decision at the registration points. However, according to the discussions HHC had with those who

crossed at various border crossings, no information was provided either on the potential HTP procedure or on the available services at the border.

On 1 March, a growing number of people were taken to registration points per reports. Behind the staggeringly low number of HTP applications could be that people are not aware of the possibility to apply for it and what consequences not applying for it entails.

3. Humanitarian relief

Humanitarian aid is organised by grassroots (e.g. Migration Aid⁴), charity groups (e.g. Age of Hope⁵, Budapest Bike Maffia⁶), individuals mostly utilizing different Facebook groups (e.g. for shelters⁷, NFIs and transport⁸). Members of the government-organised Charity Council began providing humanitarian aid: members divided crossings among each other, see details below:

Member organizations of the Charity Council on the border:

- **Caritas Hungarica**

Tel: +36 1 / 372-0910

E-mail: office@caritas.org.hu

Border Crossing Point: Barabás, Beregsurány

- **Hungarian Reformed Church Aid**

Tel: +36 1 / 273 0449

E-mail: mrsz@jobbadni.hu

Border Crossing Point: Záhony

- **Hungarian Maltese Charity Service**

Tel: +36 1 / 391 4700

E-mail: mmszok@maltai.hu

Border Crossing Point: Beregsurány

- **Hungarian Interchurch Aid**

Tel: +36 1 / 382 0700

E-mail: segelyszervezet@segelyszervezet.hu

Border Crossing Point: Beregsurány

- **Hungarian Baptist Aid**

Tel: +36 1 / 381 0084

E-mail: hbaid@hbaid.org

Border Crossing Point: Tiszabecs, Záhony

- **Hungarian Red Cross**

Tel: +36 1 / 311 3660

E-mail: titkarsag@voroskeresztbp.hu

Border Crossing Point: Záhony, Beregsurány, Tiszabecs

4. Identified gaps

a. Access to protection

It seems that the primary goal of the Hungarian authorities is to allow people to enter Hungary, a welcoming change to the prevailing anti-refugee policies of the government. However, if people do not apply for HTP, they will not be eligible for basic services. Those crossing are not aware of this and the option to apply for HTP.

At a minimum, leaflets explaining the situation and the available options must be provided to all persons crossings the Ukrainian-Hungarian border. The NDGAP that bears the sole responsibility to conduct HTP procedures should have continuous presence not only at registration points, but at border crossings too.

⁴ <https://migrationaid.org/>

⁵ <https://aoh.hu/>

⁶ <https://bikemaffia.com/en/home/>

⁷ <https://www.facebook.com/groups/1350360178761136/>

⁸ <https://www.facebook.com/groups/994143548136400/> and <https://www.facebook.com/groups/527320555481268/>

b. Implementation, humanitarian aid

Temporary shelters sprung up after the Government Decree had been issued, but these are results of largely uncoordinated decisions of local municipalities and individual citizens across the country. The lack of state coordination undermines the effectiveness of society's solidarity and risks repeating the chaos of 2015.

State authorities and members of the Charity Council should coordinate more effectively with each other and channel in the work of grassroots and civil society so that donations, volunteers, experts (e.g. interpreters, lawyers, psychologists, medical professionals, etc.) are used in the most effective way.

Hungarian citizens fleeing from Ukraine find themselves in a very difficult position. As Hungarian citizens, they are unable to apply for HTP and are not eligible for the basic support services available to beneficiaries of HTP.

The current framework is unable to provide targeted, useful assistance, the introduction of legal changes are unavoidable.

5. Statistics

a. Hungary

Number of registered inbound border crossings (between 00:00 24 February – 08:00 2 March): **114 565**⁹

Number of registered applications for HTP (between 22:00 24 February – COB 1 March): **313**¹⁰

Number of push-backs from Hungary to Serbia (between 00:00 24 February – 23:59 1 March): 1 495¹¹

b. Other countries bordering Ukraine

Date	Poland ¹²	Slovakia ¹³	Romania ¹⁴	Moldova ¹⁵
24 February	31.200	n.d.	7.422	6.343
25 February	47.500	10.526	6.996	20.150
26 February	77.300	12.435	8.498	est. 17.500
27 February	97.300	15.968	10.566	est. 19.000
28 February	100.000	12.008	9.660	17.025
1 March	98.000	12.690	10.449	24.433
Total	453.000 ¹⁶	66.945 ¹⁷	53.591 ¹⁸	108.955 ¹⁹

⁹ <https://www.police.hu/hu/hirek-es-informaciok/legfrissebb-hireink/hatarrendeszet/az-ukran-magyar-hatarszakasz-forgalma-1>

¹⁰ http://oif.gov.hu/index.php?option=com_k2&view=item&id=1731:az-orszagos-idegenrendeszeti-foigazgatosag-kozlemenye&lang=hu

¹¹ <https://www.police.hu/>

¹² https://twitter.com/straz_graniczna

¹³ <https://www.facebook.com/policiaslovakia>

¹⁴ Daily update here: [Press releases / News and informations - Border Police \(politiadefrontiera.ro\)](https://www.politiadefrontiera.ro/)

¹⁵ Daily update here: <https://www.border.gov.md/noutati>

¹⁶ https://publish.twitter.com/?query=https%3A%2F%2Ftwitter.com%2FStraz_Graniczna%2Fstatus%2F1498908171112484866&widget=Tweet

¹⁷ <https://www.facebook.com/1488631054500445/posts/5369001913129987/>

¹⁸ This is the number of people entering Romania from Ukraine. However, the aggregated number of Ukrainians entering the country from Ukraine and the Republic of Moldova adds up to 113.000 of which 68.100 have already left according to the report of Romanian authorities. See here: [Information regarding border traffic on 01.03.2022 - Romanian Border Police \(politiadefrontiera.ro\)](https://www.politiadefrontiera.ro/)

¹⁹ According to the Border Police 108 955 people have entered the Republic of Moldova from Ukraine since 24 February, of which 56 137 have already left the country. See here: https://m.facebook.com/story.php?story_fbid=329311762566213&id=100064621754765 (16:05/02.03.)