

TERMS OF REFERENCE

FOR NATIONAL RESEARCHERS UNDER 'THE RIGHT TO KNOW 2' PROJECT

Background:

As explored by the **Hungarian Helsinki Committee** in [The Right to Know](#) project in 2021, **evoking national security concerns has become a blanket authorisation for some EU Member States** to exclude asylum seekers and refugees from protection, reject or withdraw residence permits of third-country nationals, expel, or arbitrarily detain them in immigration detention, sometimes indefinitely, without any meaningful control and without giving them the possibility to know at least the summary of the reasons why they are considered a threat to national security.

The project revealed that the **problems identified in relation to access to classified data on national security in immigration/asylum cases are relevant for a wider European scope**. We also discovered that most research materials on this topic are either outdated or not publicly available. The need to present examples of good practices has also become apparent. Thus, the HHC will conduct an EU-wide mapping study exploring the balance between the rights of third-country nationals and the protection of national security and public order in administrative court procedures and how due process is ensured, with the involvement of national researchers. The study will be published online and disseminated among a wide range of advocacy targets, academics and legal professionals.

The national researchers' tasks:

- To carry out desk research and legal analysis in order to fill in about 10-question-long qualitative questionnaire in English, developed by the HHC for the pan-European mapping study, addressing the national legislation and leading case law;
- To remain available to the HHC for further questions and clarifications following the submission of the questionnaire;
- To review the country-specific information written by the HHC based on the questionnaire;
- To disseminate the published mapping study in their national network.

Expected outputs:

A country-specific short report based on the 10-question-long qualitative questionnaire developed by the HHC.

Deliverables and timeline:

- Signing contract with the HHC: March-April 2023;
- Submitting the country-specific information to the HHC by 15 May;
- Answering follow-up questions of the HHC: May-July 2023;



- Reviewing country-specific information written by the HHC based on the questionnaire: October 2023;
- Disseminating the published study in researcher's network: January 2024.

Duration of the work:

The duration of the project will be until 31 January 2024.

Payment:

Upon completion of the aforementioned activities the researcher will be entitled to a gross fee of **EUR 700** and will be requested to submit an invoice to the HHC. Researchers are responsible to fulfil their tax payment obligations according to the applicable national rules, the HHC will not deduce taxes from this amount.