



On the New Rules of the Asylum Procedure in Hungary

Last update: 14 April 2022

The rules for applying for asylum in Hungary have changed. These new rules are in force until the 1st of June 2022, but will likely be extended.

How can I seek asylum in Hungary?

1. If I am in the territory of Hungary, can I ask for asylum?

You can ask for asylum in the territory of Hungary, but **only if** you are:

- a **beneficiary of subsidiary protection** ('oltalmazott' in Hungarian),
- a **minor child** (under the age of 18) of a **refugee or a beneficiary of subsidiary protection**,
- a **parent or a legal guardian of a minor refugee or a beneficiary of subsidiary protection**,
- a **spouse** (husband or wife) of a **refugee or a beneficiary of subsidiary protection**, **if your spouse entered Hungary after you got married**, OR
- **if you entered Hungary in a legal way** (meaning you had the necessary travel documents, such as a passport) **AND** now your freedom is restricted (e.g. you are in detention or in arrest) or you are serving your sentence/penalty (e.g. you are in prison). Your freedom is restricted if, for example, you committed an offence and you were sentenced for imprisonment, or you have been expelled from Hungary and taken into detention.

What should I do to seek asylum?

You have to lodge the asylum application in **person, verbally or in writing**, at the **asylum authority** during its opening hours.

The name of the asylum authority in Hungarian is: Országos Idegenrendészeti Főigazgatóság, Menekültügyi Igazgatóság, Menedékjogi Osztály. Address: 1117 Budapest, Budafoki út 60. You can visit the website [here](#).

2. If I am NOT in the territory of Hungary, can I seek asylum?

Yes, you can. First, however, you have to **submit a statement of intent** at the **Embassy of Hungary in Serbia**. In this statement, you express your intention of seeking asylum in Hungary. Based on your statement of intent, the embassy may grant you the right to travel to Hungary. In this case, you have to claim asylum in Hungary **upon arrival** (right after entering Hungary).

What should I do to seek asylum?

Before coming to Hungary and lodging the actual asylum application, you have to **fill in and sign** the official **form** of statement of intent and then, you have to **submit** it to the **Embassy of Hungary in Belgrade, Serbia** (<https://belgrad.mfa.gov.hu/rus>). In order to submit the statement of intent, you must first secure an appointment at the embassy. Please note that it can take several months before the embassy will actually give you an appointment.

3. I am in Hungary, but based on the new rules, I cannot seek asylum. What should I do if I still want to lodge an asylum application?

If you are **legally staying in Hungary**, but you **do not fall under the above categories**, you could still apply for asylum in Hungary, as according to the recent Hungarian court's decisions, this should be possible. However, in this case a series of complex legal procedures must be conducted, therefore, we advise you to contact the Hungarian Helsinki Committee first, as you would need legal representation (email: helsinki@helsinki.hu, phone: + 36 1 321 4323).

4. What will happen at the embassy?

You have to go to the embassy in person and give them the filled and signed form of statement of intent. You can download the form [here](#). One statement of intent is enough, even if you have a family (e.g. husband, wife, children) and you all want to ask for asylum. You also have to give your contact details to the embassy and they will take a photo of you.



You have to present your **identification documents** (e.g. passport, personal ID) and **other relevant documents** as well (e.g. your birth certificate, birth certificate of your children). If you do not have any of these documents, you have to present **any other document** which may prove your identity. These documents will be photocopied at the embassy.

The embassy will then send your statement of intent and other copied documents to Hungary to the asylum authority. If the asylum authority decides to interview you, the embassy will contact you through one of the contact details you gave them (e.g. via phone). Then, you have to go to the embassy again for the interview which will be held online or by phone. This call is set up by the embassy and the asylum authority and if needed, an interpreter will also be provided to you.

Do I have to pay for the procedure?

There is no fee. The procedure is **free**.

Can the embassy deny to take my statement of intent over?

No, it cannot if you filled out and signed the form of statement of intent correctly. If you fill out the statement of intent form before going to the embassy appointment, please do not sign it yet, as it has to be signed before the embassy officer upon submission.

5. When can I travel to Hungary?

The embassy will inform you if the asylum authority gave you permission to come to Hungary. It can happen that, although you were allowed to travel to Hungary, **you don't have the documents which are needed to travel** (you always need to have a passport to travel to Hungary, and, if there is a visa requirement, you also need a visa or a residence permit). If that is the case, the embassy will give you a special travel document. When the travel document is ready, the embassy will notify you and you will have **15 days from the notification to pick up the document**. This special document is valid for 30 days, you can use it only once to enter Hungary. This document cannot be used for entering and leaving Hungary more than one time.

6. What if my statement of intent is rejected and I am denied the permission to come to Hungary?

You have a right to appeal. Please contact us for legal assistance (Hungarian Helsinki Committee, email: helsinki@helsinki.hu, phone: + 36 1 321 4323). Please be aware that the deadline open for appeal is 30 days from receiving the rejection.

7. I was allowed to travel to Hungary after submitting my statement of intent. What do I have to do when I arrive in Hungary?

You have to tell the border control officer that you want to ask for asylum. The officers will then take you to the asylum authority within 24 hours. When you arrive to the asylum authority, you have to state again that you are asking for asylum. The asylum authority will then decide on your case. The fact that the Hungarian authorities gave you permission to come to Hungary does not automatically mean that you will be given refugee status or subsidiary protection in Hungary. The asylum authority can make various decisions at the end of your procedure: you can either get refugee status or subsidiary protection (which is a similar status to the refugee status), or your asylum application can be rejected. If you think that the asylum authority made a wrong decision on your case, you can turn to the court and appeal against the decision. In any case, you always have to cooperate with the authorities.

8. I submitted my asylum application at the asylum authority after entering Hungary. What will happen to me now?

If you do not have the possibility to stay at a private address, the asylum authority will place you in the reception centre in Vamosszabadi (a small town near Győr). Please note that the law also gives the asylum authority the right to place you at a closed place for a maximum period of 4 weeks, but so far this has not been done in practice. The asylum authority will decide on your case based on the general rules of the asylum procedure.

Relevant law:

Decree of the Minister of Interior 16/2020. (VI.17.)

Act LVIII of 2020 on the provisional rules concerning the termination of the state of danger and epidemic preparedness

Act LXXX of 2007 on Asylum

Government Decree 301/2007. (IX. 9.)

Other information:

[Information concerning the asylum procedure written by the asylum authority](#)