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Hungary in the Context of European Economic Migration*

SUMMARY

On 19th June 2001, the Hungarian Parliament adopted an Act on “Hungarians living in neighboring countries” or the so-called “Status Law”. It came into force on 1st January 2002, giving special rights to Hungarian minority living in neighboring countries. This step was taken in order to exempt Hungarians living in Romania, Ukraine, Slovakia, Yugoslavia and Croatia from visa requirements for non-Schengen countries in the case of EU enlargement. The law raised controversy in the aforementioned neighboring countries and in EU itself, because it was adopted by the Hungarian Parliament without consultation with the EU Council, a matter made worse by the fact that some of the provisions laid down in this law are apparently in conflict with the prevailing European standards on minority protection. The present article concentrates on the peculiarities of migration processes in Hungary, whilst analyzing Hungarian migration policy (the so-called ethnic approach) and discussing the consequences of Status Law implementation. Hungary is becoming more and more Western in its migration and demographic pattern. Like other Western countries it is faced with a lack of labor force and is trying to find its own solution to this problem, even to the extent of acting against EU regulations and international legal norms. The migration policy of the country is determined by the national policy for maintenance of close relations with Hungarians in neighboring countries, where a significant number of Hungarians live. The implementation of this law will help Hungarians (in the Hungarian government’s opinion) to restrict emigration from one side, and will simultaneously moderate the process of assimilation of Hungarians into these neighboring countries as well. However, analysis of the migration history of Hungary over the last decade shows that this statement is very doubtful. In reality, the well-organized financial provisions, which are provided by the Status Law for almost all spheres of life for Hungarians living in neighboring countries, will lead to emigration of Hungarians to their motherland.

KEY WORDS: Hungarian minority in neighboring countries, EU enlargement, migration policy, migration, labor market

Introduction

The Parliament of the Republic of Hungary on June 19th 2001 adopted an Act on “Hungarians living in neighboring countries” or the so-called “Status Law”. It comes into force from 1st of January 2002 and provides rights for Hungarian minorities living

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in neighboring countries. This step was taken to ensure Hungarians in Romania, Ukraine, Slovakia, Yugoslavia and Croatia visa regulations for non-Schengen countries in the case of EU enlargement. The Law on Hungarians living in neighboring countries raised controversy with some of the entitled neighboring countries and in EU countries themselves, because it was adopted by the Hungarian Parliament without consultation with EU Council.¹ The law gives preferential treatment to ethnic Hungarians living in neighboring countries, entitling them to benefits and assistance in educational, cultural, scientific, social security, health service and employment spheres.

While the objective of the Law is to support Hungarian minorities in neighboring countries and maintain their cultural heritage, some of the provisions laid down in this Law apparently conflict with the prevailing European standard of minority protection as determined in a Report adopted on 19th October 2001 by the Council of Europe's Commission for Democracy through Law (Venice Commission). According to this Report, unilateral measures granting benefit to ethnic Hungarians who are living in and citizens of other States are only legitimate if the principles of territorial sovereignty of States, *pacta sunt servanda* are respected.²

The Act also defined the procedure of application for "Certificate of Hungarian Ethnicity" or a "Certificate for Dependents of Persons of Hungarian Ethnicity". This Certificate allows them to work for up three months every year in Hungary without a work permit. Although the political aspects of the Status Law are not the subject of this article, it should be mentioned that they will undoubtedly have an impact on relations between Hungary and neighboring countries and provide reasons for more intensive migration between Hungary and neighboring countries.

Studying the peculiarities of migration processes in Hungary over the last decade (after the beginning of democratization) we can see that this Act did not emerge overnight. This decision is not a political game, but recognition of Hungarian national policy development of the last few years. This policy influences population movement between Hungary and neighboring countries.

The presenting article pays attention to the peculiarities of migration processes in Hungary and shows the common features of migration processes with other European countries and investigates those that are peculiar to Hungary. It also analyses the Hungarian migration policy (so-called ethnic approach).

The annual OECD report on migration processes in the world (OECD, 2001) marks the main directions of migration flows in Europe such as: 1. Continuation of the main migration flows from the East and South to the West (to EU countries); 2. Transformation of EU accession countries from mainly transit to mainly destination countries;

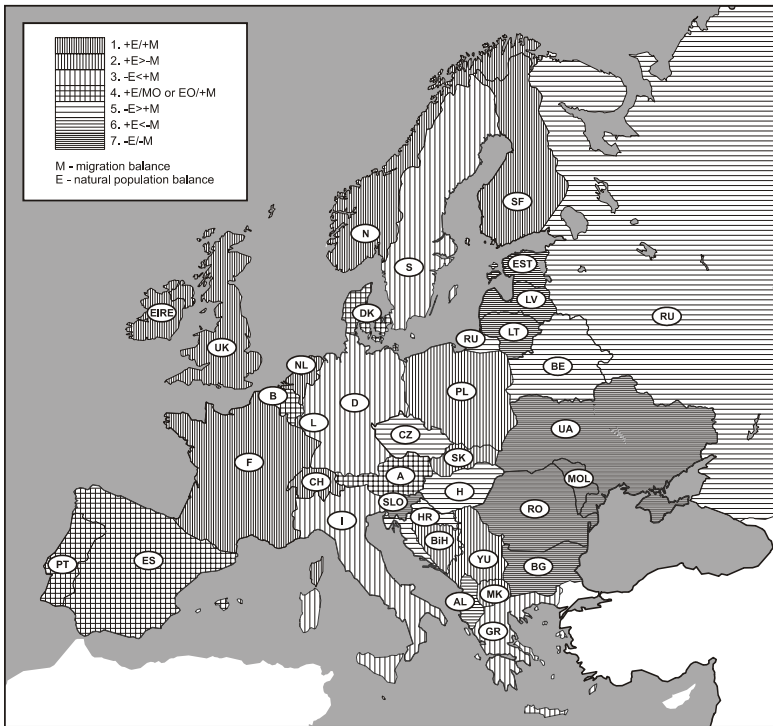
¹ "Parliament to debate Hungarian law: Slovak legislature debated a law approved by Budapest giving certain advantages to Hungarians living in foreign countries. Fearing the discussion may be acrimonious and hurt relations between the two states, the Bratislava government has urged Parliament to wait for a deal between Slovakia and Hungary on the measure, in which the question of Slovak sovereignty over its 500 000 ethnic Hungarians would be addressed" (*The Slovak Spectator: International weekly*, February 4–11, 2002, vol. 8, no. 4).

² *Chapter 27. Regular Report on Hungary's progress toward accession*. Commission of the European Community. Brussel, 13.11.2001SEC (2001). European Enlargement. Hungary. Nov.13, 2001. Common foreign and security policy.

3. Increasing of the inflows of transit migration through CEE countries from East to West;
4. Diminishing of interest from emigration and long-term migration to short-term migration;
5. Growth of illegal migration;
6. Decline of ethnic migration;
7. Increase of the flow of refugees and asylum-seekers from South and Eastern countries to EU and CEE countries.

Some of these appointed general tendencies are typical for Hungary also. Nevertheless, there are some peculiarities to the above-mentioned tendencies to be found in Hungary. Definitely the “new accession countries” are different not only in economic terms, but also with regard to migration and demographic characteristics.

Fig. 1: Typology of European Countries on the Population Dynamics (1991-1999)



Source: UNDP, Human Development Reports, 1995, 1997, 2000, Paris

Figure 1 indicates that among the European countries Hungary is characterized by depopulation. As with all the countries of former USSR, as well as the Czech Republic and Croatia, Hungary had natural population decrease, which overlaps their positive net migration balance. In Bulgaria, Romania and Ukraine and Moldova the findings/trends were even worse (a combination of natural population decrease and migration outflows). During the previous decade all EU countries experienced population growth or stabilization of population. In spite of all efforts to control borders, West European countries have a positive net migration balance that is equal to or higher than natural population increase

or decrease. These migration inflows provide the EU with an opportunity to avoid depopulation.

The official statistical data shows that the economical situation in Hungary has improved (GNP increases, life expectancy rises, unemployment declines) but the population has been constantly reducing in size since 1980 due to natural decrease. According to statistical data on 1st of January 2002 the Hungarian population over 60 years old consisted 20.6% of the total population and is growing constantly. The youth generation (up to fifteen) has decreased from 21.8% in 1980 to 16.3% in 2002 (in other words more than 680 thousand people). Hungary has one of the lowest fertility rates in Europe (9.4 per 1000 people). According to the United Nations population prospects the proportion of the aged population (65 or older) will reach 28% by 2050 (almost a third of Hungarian population) (*Demographic Yearbook*, 2001; Habclicsek, 2000; *Migration Strategy...*, 2000; *Replacement Migration*, 2001).

Depopulation and aging are a great concern of the Hungarian government. The population of Hungary now stands at about 10.2 mln. according to Census 2001 data (*Population Census 2001*, 2002) and is rapidly decreasing. According to expert forecasting (*Intensification of...*, 1999), if the fertility level were stabilized, with the present migration level, the country's population may be stabilized only to the level of 8 mln. people.³ This problem forced the Hungarian government to establish in 1998 the Council on National Politics on the Population, headed by the President of Hungary. The broad public discussion in the media and in scientific spheres investigated the following possibilities for population stabilization:

– *To attract a labor force (of non-Hungarian origin) from other countries.* This step may in future have the same consequences as in Western countries with so-called “new minorities”.

– *To attract Hungarian minorities from neighboring countries.* This policy means the weakening of Hungarian representation in neighboring countries from the point of view of Hungarian national interests.

– *To attract Hungarians from western countries.* This is difficult to achieve because Hungarians live mainly in the countries with better living standards than in Hungary (USA, Canada, Austria, Germany, etc).

The directions of Hungarian national policy toward the solution of this problem are discussed below.

Hungarian Migration Policy

Does Hungary have a special migration policy? During the years of democratization, the Hungarian government adopted many legislative documents regulating movements of foreigners and citizens in and out of the country. In 1989, freedom of movement was introduced according to the Emigration law and in the same year Hungary signed the

³ In UN Population Division replacement migration the scenario of population dynamics is more pessimistic. For 2050 the forecast is 7.5 mln people in Hungary.

Geneva Convention on Refugees (albeit in a limited form). Later in 1993 and 1994 two further laws were passed: one on citizenship, the other on procedure of entry and residence of foreigners. To obtain a permanent residence or immigration permit, foreigners have to hold clean documents and have been employed and in possession of a residence permit for a period of 3 consecutive years. For naturalization the person has to live in Hungary not less than 8 years and pass an exam on knowledge of the Hungarian Constitution.⁴

Hungary is now one step away from EU membership. The migration policy of all accession countries should be harmonized with EU migration policy, which includes legislation changes, coordination with EU countries' efforts in border strengthening (on the control and combating of illegal migration). All entering countries must amend bilateral treaties on regulation of labor and other types of migration. At the same time, Hungary has to introduce a visa regime with regard to all neighboring Eastern European countries, which are not appointed at the nearest EU enlargement group. In 2000, Hungary introduced the visa system with some CEE countries, with exception of Ukraine, Serbia and Romania.

The migration policy of Hungary definitely displays its own national characteristics. It revealed itself in the adoption of the Geneva Convention on Refugees (1989) in limited form – it applied only to citizens of European countries. Basically, it illustrates that Hungary wants to protect mainly ethnic Hungarians in neighboring countries, as shall be shown below. A national interest prevails in the migration policy of Hungary. This fact has a historical framework. After the Trianon Treaty of 1920, an off-shoot of the Versailles peace agreement, more than one third of the Hungarian population and almost two thirds of Hungarian state territory were incorporated into Romania, Czechoslovakia, Yugoslavia, and Austria. In an effort to protect Hungarians in the detached territories, Hungary signed bilateral agreements on cooperation and neighborly relations with all these countries and acknowledged Romanians, Slovaks, Serbs, Ukrainians, Slovenians, Croats and Germans as national minorities in Hungary. This step led to the recognition of Hungarians as a minority in above-mentioned countries (*Report on... in Ukraine*, 1998; *Report on... in Slovakia*, 1998; *Report on... in Romania*, 1998).

This amendment to the Hungarian Constitution included the sentence: “The Hungarian Republic feels responsible for the lot of Hungarians, living outside its borders and promotes their relations with Hungary”.⁵ Hungary is responsible for Hungarians in neighboring countries (Biro and Kovacs, 2000). Hungary has developed and has constructed national policy with neighboring countries to support and to promote cultural and economic relations with its Diaspora. For example, in 1998 Hungary spent about 2.3 billion HUF from its central (or about 100 mln. of US dollars). It should be mentioned that in terms of international policy, Hungary has signed about fifty international agreements and passed about one hundred domestic regulations directly or indirectly concer-

⁴ We have not considered the cases of family reconsolidation or restoration of Hungarian citizenship for political immigrants.

⁵ Constitution, para 6 (3), enacted by Act XXXI of 1989, para 2, in force as of October 23, 1989. Minorities in Hungary officially consist of 13 ethnic groups: Gypsies, Germans, Slovaks, Croats, Romanians, Poles, Serbs, Slovenes, Armenians, Bulgarians, Greeks and Ukrainians with Russynies.

ning the diaspora (Biro and Kovacs, 2000). Every year Hungary grants naturalization to 6–8 thousand people: 60% from Romania, 18% from Yugoslavia, 8% from the Ukraine. It means that more than 70% of all applications are from persons of Hungarian ethnicity, and only 10% are by marriage (Belügyminisztérium Bevándorlási ...).

So the migration policy of Hungary reflects its national and demographic policy. The Hungarian summit⁶ in autumn 1999 brought up issues about the status of ethnic Hungarians in surrounding countries affected by Schengen enlargement. Following almost two years of discussions, the Law on Hungarians living in neighboring countries was unanimously adopted by the Parliament on 19th June 2001 becoming law on 1st January 2002. This political decision has brought broad economical and social consequences not only for Hungary, but also for all neighboring countries.

Without question, Hungary is now faced with the problem of a lack of labor force. Until recently, it was not an immigration country and has no experience of *Gastarbeiters*. It does not have a large immigrant population (like Switzerland, where immigrants compose more than 35% or Germany where this figure equals 18%, etc.) (OECD, 2001). But the issue of so-called “new minorities” in the EU is a most heated and sensitive issue. Hungary has no such experience but has probably taken into consideration all the negative consequences of previous “guest workers policy” of EU.

Since 1998, West European countries chose a strategy to legalize foreign workers. From the end of the nineties, almost all Western European countries have adopted new laws facilitating procedure of obtaining residence permit, legalization of illegal migrants and adopted amendments to citizenship law. In addition, these countries must adopt a number of measures at adaptation of migrants along with anti-discrimination regulations.

Hungary has decided upon a formula to attract its diaspora from neighboring countries. “Hungary is trying to use the considerable potential of labor force of Hungarian origin, and to solve simultaneously two problems – to gain cheap labor force (which does not have to be assimilated), and at the same time to prevent these people from emigrating to Hungary. The Hungarian foreign minister claimed during a parliamentary debate that according to a sociological survey (of rather dubious quality) 25% of the diaspora are considering migrating into Hungary from its neighboring countries and this act – according to the survey – would decrease that number to 12–13% (see Martonyi, 2001). Thus, there appears to be a clear reason for keeping these Hungarians “at home”. Behind this fact there is certainly a nationalist discourse of the obligation to stay at home even in time of adversity (Melegh, 1999). There is no doubt that the adoption of the new law will help to solve the first problem, but it is very debatable whether it will solve the second.⁷

⁶ Hungarian Summit (permanent All-Hungarian Forum) was established in 1996 for political discussions where all interested parties (including governmental, parliamentary, leaders of the World Hungarian Association) discuss problems of Hungarians.

⁷ “Controversy continues over Hungary’s new Status Law, with Slovakian authorities still objecting to several sections of the legislation which allowed around 800 jobs to be filled reciprocally. Although Chlebo stressed Slovakia had no fundamental objection to Hungary providing benefits to its Slovakian kinsmen, he added that “nothing should happen in Slovakia without Slovakian consent”. A meeting between Hungarian and Slovakian officials last Wednesday ended in deadlock, although both sides expressed willingness to continue towards an amicable resolution. Foreign Minister János Martonyi ceremonially issued an ID card

Migration potential of Hungary

Before democratization, opportunities for labor migration and emigration into other countries from Hungary were limited as in almost all other socialist countries, not counting the mass outflow of refugees after the events of 1956. In the pre-transition period (for example in 1981–1985), only 34 333 people left Hungary. Over the next five years, as the liberalization process began, the figure nearly tripled to 111 092 persons. After that time, outflow migration from Hungary declined, but the level of real migration (especially short-term migration) is very difficult to measure because of free movement opportunities for Hungarians to all surrounding countries (*Hungary: Statistical Yearbook, 2000*).

In the sociological research undertaken by IOM (*Migration Potential...*, 1998) Hungary is mentioned as a country with low potential for emigration, whereas short-term emigration has substantial potential. Owing to a free passport regime with almost all EU countries, such opportunities are more easily realized for CEE countries than for CIS countries. Among the main reasons for migration, Hungarians mentioned the low level of economic development in the country, which is slowly improving. Another major factor motivating people to leave the country is ethnic tension. Among 10 former socialist countries of CEE, Hungary is in the list of the “top five”, where ethnic tensions play an important role in a decision to leave the country (after FY, Croatia, Romania and Slovakia). 34% of respondents in Hungary named this factor as the main one.

According to the survey, only 8% of Hungarians claim that they want to emigrate forever, while 35% are willing to work abroad from several weeks to several months. Those who are ready to go for labor migration for several years make up about 20% (quite a high level). Preparation for labor migration includes development of language and qualification skills, which testifies the wish to obtain a more or less qualified job. Hungarians have a large diaspora (28% of respondents indicated that they have relatives and friends abroad).⁸ This network helps them in searching for job opportunities. Among the most attractive countries for migration respondents indicated Germany and Austria, followed by other EU countries and USA. CEE countries are not attractive for Hungarians, because most of them have a lower or similar level of living standards (*Report on... in Former Yugoslavia, 1998*).

Migration potential of ethnic minorities in Hungary

According to the 2001 Census, 314 060 people or 3.07% of the Hungarian population declared themselves as belonging to an ethnic minority. Among them are five main groups of minorities (Gypsies constitute 60.5%, Germans 19.82%, Slovaks 5.63%, Croats

to Miklós Duray, vice-president of Slovakia's Hungarian Coalition Party. During his weekly radio interview, the Prime Minister described the law's introduction in historic terms. “A Hungarian-speaking region within the Carpathian Basin is now forming, which will gather economic strength,” he said. Yugoslavian news agency FoNet reported that more than 250 applications had been received by the newly-opened office in Subotica, the largest city in the northern region of Vojvodina, where approximately 300,000 ethnic Hungarians live” (Craig, 2002).

⁸ This figure includes autochthonous Hungarians and Hungarians who live in a faraway country.

4.97%, Romanians 2.55%) (*Population Census*, 2002).⁹ Only 135 788 or about 43.2% of all minorities indicated an ethnic language as their mother tongue, a fact illustrating the large assimilation of all ethnic groups in Hungary. It is worth mentioning that there has been no significant growth of knowledge of mother tongue among ethnic groups for last ten years. Of the above groups only Rome indicated a slight increase in the number of people with ethnic mother tongue. For the Germans, Slovaks, Croats and Romanians this characteristic has decreased, which is surprising given that number of people who declared themselves as, for example, Germans doubled.

Gypsies in Hungary are the largest ethnic minority consisting of about 190 046 people. According to an EU Commission on human rights report, Hungary had some cases of Gypsies complaints to the Strasbourg Court on Human Rights. The complainants were attempting to emigrate to the West as refugees and asylum seekers. According to the IOM data, Gypsies are the main ethnic group in Hungary who apply for such status in Western countries. For example, about 1000 Gypsies from Hungary obtained refugee status in Western countries (mainly in Canada) in 2000. But this figure does not influence the picture of migration processes for Hungary in general (*Migration Strategy...*, 2000). Other minority groups, who have their motherland in neighboring countries, are not interested in repatriation there, according to surveys and statistical data.

The migration potential of all historical ethnic groups is quite low and the vast majority of migrants are Germans (62 233 people). In spite of the high level of assimilation, their ethnic identity gives them access to education in German-speaking classes for ethnic minorities in Hungarian schools. German roots and knowledge of German language give them job opportunities in neighboring Austria.

In summary, we can conclude that Hungary has a low level of emigration potential and a relatively high one for short-term migration.

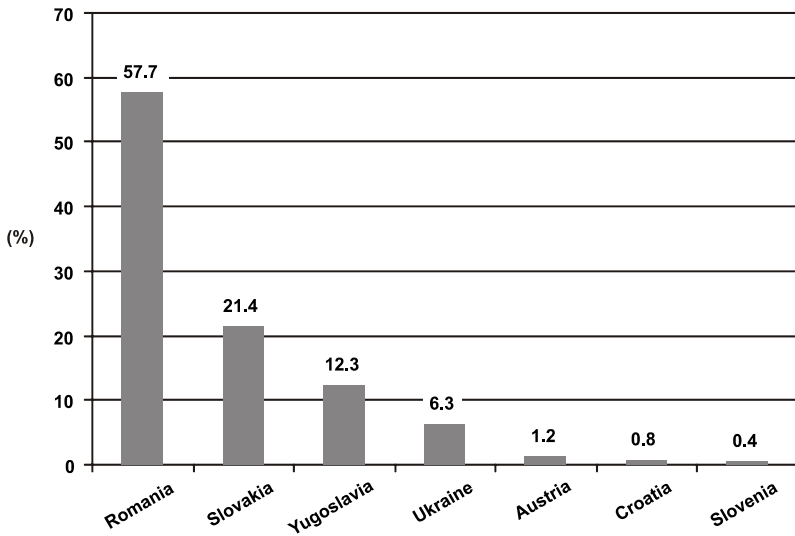
Migration potential of Hungarian minority living in neighboring countries

Concern for Hungarians living abroad led to the creation of a special Governmental Office for Hungarian Minority Abroad as part of the Prime Minister's office, which deals with issues of all Hungarians living abroad. This fact is understandable, because today one quarter of all Hungarians live outside Hungary. According to various estimations and Census data, approximately 5.4 mln. ethnic Hungarians and persons who regard themselves as Hungarians now live outside Hungary. About 2.8 mln. of them live in neighboring countries and the other 2.6 mln. Hungarians live in other countries of the world (*Intensification of...*, 1999; *Report on... in Former Yugoslavia*, 1998; *Report on... in Ukraine*, 1998; *Report on... in Slovakia*, 1998; *Report on... in Romania*, 1998).

Figure 2 shows that from 2.8 mln. Hungarians in neighboring countries, more than half of them live in Romania (57.7%). A large community also exists in Slovakia (21.4%), Yugoslavia (12.3%) and Ukraine (6.3%). In total, 97.8% of the Hungarian diaspora live in these four neighboring countries.

⁹ According to Hungarian laws, ethnic belonging is a matter of free choice and does not need to be confirmed by special papers.

Fig. 2: Territorial distribution of Hungarians living in neighboring countries, in %



Sources: K. Kocsis, E. Kocsis Hodosi, 1998; Web site of the Government Office of Hungarian Minorities Abroad. <http://www.htmh.hu/report>

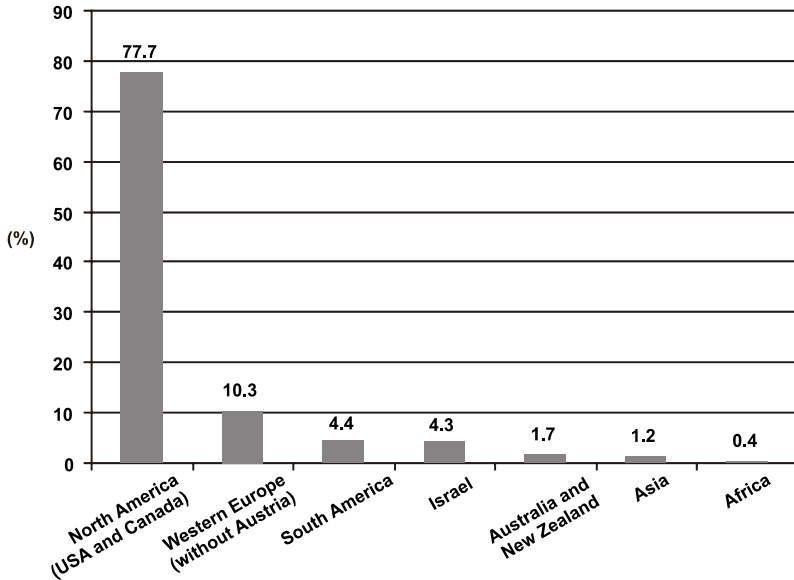
Figure 3 indicates the other group (non-autochthonous Hungarians) who live all over the world, the main countries being USA and Canada (about 77.7% for the two countries combined). In second place is Western Europe, excluding Austria (10.3%), where they live mainly in Germany and France with a large community also residing in Israel (4.3%). About 4.4% of non-autochthonous Hungarians live in South America. No other country is host to a significant number of Hungarians.

Hungarians in all neighboring countries have the status of national minorities (in Ukraine, Austria, Slovenia, Croatia, Romania, Serbia and Slovenia). Almost all these countries have lower levels of living standards (excluding Slovenia and Austria). In addition, some of these countries are characterized by ethnic conflicts between the Hungarian minority and the title nation (Romania,¹⁰ Slovakia and Yugoslavia). Moreover, Yugoslavia and Croatia strongly suffered during the war in the nineties. For example, to avoid a military service in the Yugoslavian army, about 40 000 Hungarians and Croats emigrated,

¹⁰ Romania has a relatively large minority population, including the type of most concern to the EU – that of a neighboring country's ethnicity. Almost two million ethnic Hungarians live in Romania, constituting 7.8% of the population in 1997. Government legislation affecting the rights of Romania's Hungarian minority thus has important implications not only for Romania's democratic development, but also for the country's relations with its neighbor, and by implication for regional stability. For example, the protection of minority rights in Romania was a considerable concern of the EU from the start, and observers did not expect minority issues to be resolved quickly. In fact, longstanding ethnic conflicts between Romanians and the Hungarian minority erupted in violence in Tîrgu Mureș Marosvásárhely in March 1990. Tensions between the Romanian and Hungarian populations in Romania arose not only on ethnic grounds but also on territorial issues, with nationalist Romanians suggesting that Hungary intends to reannex Transylvania or that the Hungarian minority wishes to secede from Romania (Kántor, 2001).

mainly to Hungary, in the nineties. The war changed the ethnic composition of Croatia and Yugoslavia in favor of the title nations.

Fig. 3: Territorial distribution of the non-autochthonous Hungarians (estimation in %)



Sources: K. Kocsis, E. Kocsis Hodosi, 1998. Web site of the Government Office of Hungarian Minorities Abroad. <http://www.htmh.hu/report>

In 1995, for example, 242 300 Serbian refugees from Croatia moved to Vojvodina (former South Hungary). That caused the change of composition of ethnic groups in Vojvodina, where Hungarians made up about 16.9% of the population according to the census of 1991.

Since the fall of the iron curtain in 1989, Hungarian minorities from the abovementioned countries (excluding Austria and Slovenia) began to migrate into Hungary. Statistical data shows that there is an actual relative migration push and among the 150–200 hundred thousand immigrants during the 1990s more than two thirds of such people came from neighboring countries and especially Romania, the former Yugoslavia and the Ukraine (Hablicsek, Tóth, 2002).

There were some peaks of these inflows. The first was in 1989–1991 at the time of the collapse of the Ceasescu regime. The main refugee inflow was from Transylvania (Romania). The next waves were indicated also as refugees and asylum seekers, but from Yugoslavia (mainly the Vojvodina region) in 1993–1995 and in 1998. During the other periods of time, Hungary has received basically economical migrants from these and other countries (*Report on... in Ukraine*, 1998; *Report on... in Slovakia*, 1998; *Report on... in Romania*, 1998).

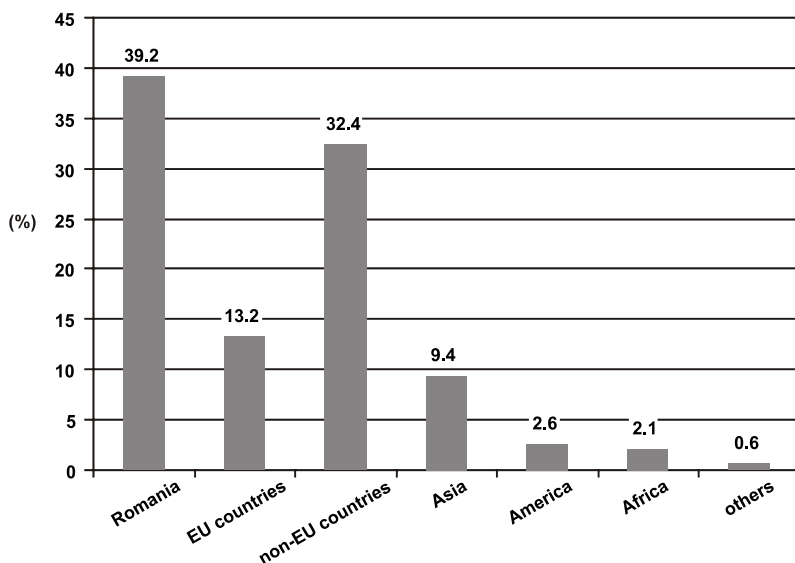
Economical migration. Foreigners in the Hungarian labor market

At the beginning of the 90's, Hungary opened its borders and during the first years there was maximum inflow of foreigners who were granted residence permits very easily. In spite of this fact, only 153 125 foreigners or only 1.5% from the Hungarian population from 1990 to 2000 received a long-term residence permit or an immigration permit. The inflow was mainly from European countries (82% of all those who obtained long-term permits or immigration permits). Almost a half of them (48%) came from Romania (*Migration Strategy...*, 2000).

Figures 4 and 5 show the dynamic of composition for foreigners according to the countries of origin that had residence permits in 1993 and 1999. The main percentage of foreigners was from Romania (39.2%), a figure which had slightly increased to 40.2% in 1999. The share of foreigners from CEE countries also increased rapidly (from 32.4% to 43.4%), while the share of EU states migrants dropped from 13.6 to only 5.5%, respectively because of the inflow from CEE countries.

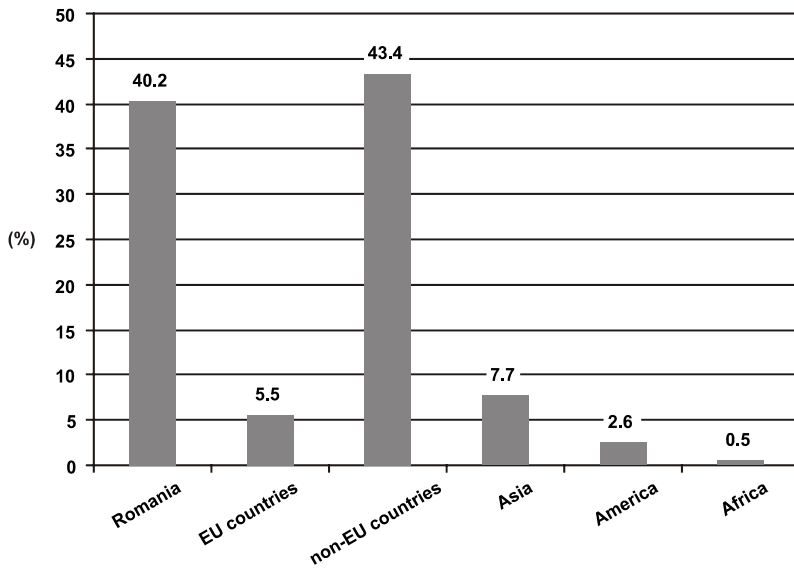
If we compare the number of people who obtained residence permits with the number of people who received work permits, we should mention that the share of Romanians and EU migrants who secured work permits is higher. This means that these migrants live mainly without families, alone. This fact is understandable, but has a different explanation. Romanians work mainly in low qualified positions and cannot take families. EU citizens are usually young businessmen and highly skilled professionals. They do not treat Hungary as a place of constant residence and do not take (or do not have) family.

Fig. 4: International migration before 1993, in %



Source: Demographic Yearbook, 2002

Fig. 5: International migration, 1999, in %.



Source: Demographic Yearbook, 2002

Labor migration

Labor migration plays the very important role in the Hungarian labor market, because Hungary is a depopulated country. Labor migrants generally hold less attractive job positions. The real number of labor migrants is very difficult to measure, because of the shadow labor market. Available information indicates a significant increase of foreign workers in Hungary. For example, the figure of work permits allocated every year increased from 14 000 (1996) to 22 500 (1998)¹¹ (*Report on... in Ukraine, 1998*).

Additionally, about 9000 foreigners have received residence permits also as owners of firms. According to the labor regulations of Hungary, they do not need to obtain a work permit. Statistical data shows that the figure of officially employed foreigners is about 90 000–95 000 or less than 1% of all Hungarian population. Among them almost 50% are Romanian citizens, 13% are from former countries of USSR, and 16% are from EU countries. The remaining 20% are citizens of Poland, FRY and China (*Report on... in Ukraine, 1998*).

Illegal labor migration

According to some estimations, foreigners working in Hungary without a work permit make up about 5 to 10% of the total number of foreigners employed in the country

¹¹ This figure is calculated at the end of the year, without accounting prolongation of work permits.

(Melegh, 1999). Endre Sik estimated this figure at about 100 000 (for illegal workers, who work in Hungary for a duration of no more than 3 months). These are foreigners, mainly from Romania and China, who are self-employed with small trade businesses (Melegh, 1999; *Migration Strategy...*, 2000). Illegal migrants play a very important role in the Hungarian economy. Some experts consider that illegal employment on the labor market accounts for 30% of GNP (*Report on... in Ukraine*, 1998). Hungarian legislation provides the opportunity for foreigners to “legally” live in Hungary, but they work illegally, without work permit (usually in seasonal employment, construction, agriculture, and as servants). These people largely come from Romania, Ukraine, and Yugoslavia and are usually ethnic Hungarians (*Hungary. Statistical Yearbook*, 2000). It is difficult to detect them, because of their knowledge of Hungarian language. Crossing the border every month and coming back for one day they can work illegally for years without ever obtaining a work permit.

Additionally, in Romania, Slovakia and Serbia (Yugoslavia), so called “frontier zones” exist which contain large Hungarian populations not farther than 60–70 km from the Hungarian border (Kocsis, Kocsis Hodosi, 1998). It also provides the opportunity for Hungarian labor migrants to pass the Hungarian border for everyday economic activities without any registration.

The Hungarian government has tried to prevent illegal migration and introduces some regulations for the elimination of illegal employment. According to the law of 1996, foreigners are admitted to the labor market only on vacancies, in which Hungarians are not interested, or if these foreigners have an income from their ownership enterprises. In other cases, an employer must register an application for a work permit for a foreigner for 60 days before the contract begins, or for 30 days in the case of seasonal workers. To prevent illegal employment, the government introduced a fine for employers equivalent to a mere 5 times the minimum salary, which is not a significant amount for employers at all. Illegally employed foreigners may be also excluded without permission to re-enter Hungary for a period of 1 to 5 years. However, these measures are not effective, as shown by the growth in illegal migrants.

Transit migration, refugees and asylum-seekers

During the last three years, the number of illegal migrants stopped on the Hungarian border has increased sufficiently (for example, in 1998 it was equal about 5000 persons). At the same time, the number of migrants holding inappropriate or fake documents stopped at the moment departure from Hungary to Western countries was 3 times higher than the number of illegal migrants. This fact shows the increasing role played by Hungary in transit migration. The majority of illegal migrants arrive through the Eastern and South-Eastern borders (usually through Romania, Ukraine and Yugoslavia). Most of them leaving the country with illegal documents are stopped on the border with Slovenia, Austria and Slovakia. Hungary deported about 12.9 thousand such people in 2000 alone (according to the data of the Ministry of Internal Affairs).

According to information from the Ministry of Internal Affairs, illegal migration has reached a significant level in last five years, especially for asylum-seekers (table 1). At the beginning of the 1990s, it consisted only 1.3% (1993) but from 1993 onwards the share of asylum-seekers illegally crossing the border has been increasing constantly, and in 2000 it constituted 81% of the total number of asylum-seekers. These figures are related to a number of circumstances: firstly, the stricter border control of Schengen countries, second is the transformation of Hungary to the status of a Schengen buffer zone and the third is that Hungary itself has become a country of interest for refugees and asylum-seekers since 1998 when the Convention and Additional protocol on Refugees came into force, because before 1998 it acted concerning refugees and asylum-seekers only from Europe.

Table 1: The ways of border passing by asylum-seekers

Year	Way of border passing	
	Legal (%)	Illegal (%)
1988	52.5	47.5
1989	20.6	79.4
1990	81.3	18.7
1991	88.4	11.6
1992	88.3	11.7
1993	98.3	1.7
1994	96.4	3.6
1995	94.1	5.9
1996	96.0	4.0
1997	29.1	70.9
1998	29.2	70.8
1999	57.3	42.7
2000. 12.	18.9	81.1

Source: BM Bevándorlási és Állampolgársági Hivatal (Hungarian Ministry of the Interior)

The total number of asylum-seekers over a twelve-year period equaled 162 906 people (or 1.6% of the total population). Among them, the main inflow was from former Yugoslavia (52% of all number of asylum-seekers). The other big share was from Romania (33.7%), which took place mainly during the fall of the Ceausescu regime (table 2).

Despite all, Hungary is not a popular destination for refugees or asylum-seekers. On 31st December 1999 there were only 5000 refugees and 26000 persons who received temporary asylum (most of them from the former Yugoslavia) in Hungary (The State of the World's Refugees, 2000). Since 1998 residents of Africa, Afghanistan and Iraq have started to arrive (although the figure is about 300 persons per year and can hardly be treated as significant in terms of migration to Hungary).

Table 2: Number of asylum-seekers, arrived in 1988 – December 2000

Year	Number of registered asylum-seekers	According to the citizenship									
		Romanians		from USSR		former Yugoslavia		from other Europe		Other	
		Number	%	Number	%	Number	%	Number	%	Number	%
1988–2000	162906	54915	33.71	3329	2.04%	85555	52.52	17362	10.66	1745	1.07
1988	13173	13173	100.0	-	-	-	-	-	-	-	-
1989	17448	17365	99.5	50	0.29	-	-	-	-	33	0.19
1990	18283	17416	95.26	488	2.67	-	-	-	-	379	2.07
1991	53359	3728	6.99	738	1.38	48485	90.87	-	-	408	0.76
1992	16204	844	5.21	241	1.49	15021	92.70	-	-	98	0.60
1993	5366	548	10.21	168	3.13	4593	85.59	-	-	57	1.06
1994	3375	661	19.59	304	9.01	2386	70.70	-	-	24	0.71
1995	5912	523	8.85	315	5.33	5046	85.35	-	-	28	0.47
1996	1259	350	27.80	268	21.29	559	44.40	-	-	82	6.51
1997	2109	131	6.21	90	4.27	329	15.60	1411	66.90	148	7.02
1998	7118	124	1.74	99	1.39	3333	46.82	3351	47.08	211	2.96
1999	11499	16	0.14	264	2.30	5111	44.45	6008	52.25	100	0.87
2000	7801	36	0.46	304	3.90	692	8.87	6592	84.50	177	2.27

Source: BM Bevándorlási és Állampolgársági Hivatal (Hungarian Ministry of the Interior)

Table 3: Number of refugees according to their citizenship (15 October 1989 – 31 December 2000)

Citizenship	Year												Total
	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	
Total	35	2561	434	472	361	239	116	66	27	362	313	197	5183
Romania	27	2522	255	79	26	17	14	2	-	1	-	2	2945
Soviet	5	26	23	1	-	-	-	-	-	-	-	-	55
Russia	-	-	-	4	-	-	4	-	-	2	-	5	15
Armenia	-	-	-	3	1	8	4	-	-	-	-	7	23
Georgia	-	-	-	-	-	20	6	1	6	-	-	12	45
Yugoslavia	1	1	150	381	314	193	79	55	20	35	37	10	1276
Croatia	-	-	-	-	17	-	9	2	-	-	-	-	28
Afghanistan	-	-	-	-	-	-	-	-	-	177	127	82	386
Iraq	-	-	-	-	-	-	-	-	-	43	60	37	140
Cameroon	-	-	-	-	-	-	-	-	-	22	19	8	49
Algeria	-	-	-	-	-	-	-	-	-	10	1	6	17
Nigeria	-	-	-	-	-	-	-	-	-	15	6	3	24
Others	2	12	6	4	3	1	-	6	1	57	63	25	180

Source: BM Bevándorlási és Állampolgársági Hivatal (Hungarian Ministry of the Interior)

Conclusion

Hungary is becoming more and more Western in its migration and demographical pattern. Like Western countries it is faced with a lack of labor force and is trying to find its own way of solving this problem, even acting against some EU regulations and international legal norms.

The migration policy of the country is determined by the national policy geared towards maintaining close relations with Hungarians in neighboring countries, where a significant number of Hungarians live.

Hungary is extremely concerned about the fate of Hungarians living abroad, and feels a constitutional duty to help Hungarians in these bordering countries. The adoption of new “Status Law” gives Hungary the opportunity to use the labor potential of these countries (especially Romania, Ukraine and Yugoslavia), which is sufficient. The implementation of this law will help Hungarians (in the opinion of the Hungarian government) to restrict emigration from one side, and will moderate the process of assimilation of Hungarians in these neighboring countries as well.

Analysis of the migration history of Hungary for the last decade shows that this statement is very doubtful. The centripetal tendency of migration from neighboring countries to Hungary continues unhindered. Well organized financial provisions, which are enshrined in the Status law for almost all spheres of life for Hungarians living in neighboring countries, increase their dependence on the motherland and will lead to the aspiration of Hungarians in these countries for emigration. Nevertheless, Hungary has no governmental migration policy in spite of the fact that only in the field of diaspora law there are 150 various legal sources (Tóth, 2000). In their Proposal Hungarian academicians clearly indicated the necessity of formulating Hungarian migration policy presenting main aspects of migration policy and suggesting actions that should be taken by the Government. It is Government’s turn now.

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MAĐARSKA U KONTEKSTU EUROPSKE EKONOMSKE MIGRACIJE

SAŽETAK

Mađarski je parlament 19. lipnja 2001. usvojio »Zakon o Mađarima u susjednim zemljama«, ili tzv. »Statusni zakon«. Stupivši na snagu 1. siječnja 2002. taj je zakon udijelio osobita prava mađarskim manjinama u susjednim zemljama. Nakana je bila osloboditi Mađare s područja Rumunjske, Ukrajine, Slovačke, Jugoslavije i Hrvatske, potrebe za traženjem schengenskih viza u slučaju proširenja EU. Zakon je izazvao kontroverzije i u spomenutim zemljama i u samoj EU, jer ga je mađarski parlament usvojio a da se nije savjetovao s Vijećem EU i – još gore – neke mjere koje je zakon uveo, navodno su bile u proturječju s prevladavajućim europskim standardima o zaštiti manjina. Članak obrađuje osobitosti migracijskih procesa u Mađarskoj te pritom analizira mađarsku migracijsku politiku (tzv. etnički pristup) i komentira moguće posljedice primjene Statusnog zakona. Mađarska postaje sve zapadnija glede svojih migracijskih i demografskih obrazaca. Poput inih zapadnih zemalja, suočena je s nestašicom radne snage te traga za vlastitim rješenjem tom problemu, čak po cijeni suprotstavljenja regulacijama EU i međunarodnim pravnim normama. Migracijska politika zemlje uvjetovana je nacionalnom politikom koja teži održavanju bliskih odnosa s Mađarima u susjednim zemljama, u kojima mnogi Mađari žive. Primjena zakona pomoći će Mađarima (prema mišljenju mađarskih vlasti) da, s jedne strane, ograniče emigraciju, i da istodobno također uspore proces asimilacije Mađara u susjednim zemljama. No analiza migracijske povijesti Mađarske u proteklom desetljeću pokazuje da je tako nešto upitno. Zapravo, dobrorazrađene novčane mjere, što ih je Statusni zakon predvidio za gotovo sve sfere života Mađara u susjednim zemljama, poticat će emigraciju Mađara u svoju matičnu zemlju. **KLJUČNE RIJEČI:** mađarske manjine u susjednim zemljama, povećanje EU, migracijska politika, migracija, tržište radne snage

Золтан Надж, Ирина Молодикова

ВЕНГРИЯ В КОНТЕКСТЕ ЕВРОПЕЙСКИХ ЭКОНОМИЧЕСКИХ МИГРАЦИЙ

РЕЗИЮМЕ

19 июня 2001 г. венгерским парламентом был принят акт о «Венграх, проживающих в соседних странах», или так называемый «Статусный закон». Он начал применяться с первого января 2002 г., давая венграм, проживающим в соседних с Венгрией странах, особые права. Этот шаг был предпринят с целью освобождения венгров, живущих в Румынии, Украине, Словакии, Югославии и Хорватии, от необходимости виз для граждан не-шенгенских стран в случае расширения Европы. Поскольку закон был принят без предварительных консультаций, он вызвал дискуссии, как в упомянутых странах, так и в Европейском Союзе. Вопрос осложнился и фактом, что некоторые положения этого закона находятся в явном противоречии с европейскими стандартами защиты меньшинств. В данной статье рассматриваются особенности миграционных процессов в Венгрии в свете венгерской миграционной политики (так называемый этнический подход) и последствий применения Статусного закона. С точки зрения миграционных и демографических процессов Венгрия все больше приближается к западной модели. Как и другие западные государства, она также сталкивается с недостатком рабочей силы и пытается найти собственное решение этой проблемы, даже вопреки правилам Европейского Союза и международным правовым нормам. Миграционная политика страны обусловлена национальной политикой поддержки тесных связей с венграми в соседних странах. Применение этого закона поможет (по мнению венгерского правительства), с одной стороны, ограничить иммиграцию, а с другой – одновременно влиять на процессы ассимиляции венгров в тех странах. Однако анализ миграционной истории Венгрии последних десяти лет показывает, что обоснованность таких прогнозов весьма сомнительна. На самом деле, хорошо организованная финансовая поддержка, которая обеспечивается Статусным законом во всех областях жизни, приведет к переезду на родину венгров, проживающих за границей. **КЛЮЧЕВЫЕ СЛОВА:** венгерское меньшинство в соседних странах, расширение Европейского Союза, миграционная политика, миграция, трудовой рынок.