



Hungarian Helsinki Committee

Asylum at the border



You have now entered Hungary. The official language of Hungary is Hungarian but during the asylum procedures you can use your mother language or a language you can speak and understand well. Hungary is a Member State of the European Union (EU) and is in Central-Eastern Europe.

The Hungarian-Serbian border is closed with a technical border fence and there are **two transit zones** along this border in Horgos-Röszke and Kelebija-Tompa, which are the **only places** where you can enter and ask for asylum. If you do not enter Hungary through these transit zones but you come through the technical border fence, then you commit a **crime according to the Hungarian law**. The police will send you back to the other side of the fence if they find you **anywhere inside** Hungary.

Entering the transit zone

If you enter Hungary through the transit zones, you will go through a **police check** and **registration** (they will ask your name, who your family members are, they will take your photograph and – if you are above 14 years – your fingerprint as well). During the police registration, you will be asked if you wish to seek asylum in Hungary. If you say yes, then you will have an interview with the **Asylum Office** in the transit zone.

According to the new rules **all asylum-seekers** including **families with small children** and **unaccompanied children between the ages of 14-18** have to stay in the transit zone during the entire asylum procedure. This means that you cannot leave the transit zone in the direction of Hungary before you get a positive decision in your asylum case. You can leave the transit zone in the direction of Serbia, but please know that if you do that, your asylum claim will be decided based on the information available to the Asylum Office.

Children under 14 travelling alone are transferred to an open child protection institution. If you are under 14, you need to inform the police immediately after you enter the transit zone when they register your details. If there are doubts about your age, the Asylum Office will ask the doctor in the transit zone to do an age assessment. The age-assessment is free of charge. If you do not agree with the decision of the doctor, then you can ask for a 2nd, free age assessment in writing. Please sign this document. Please, show any documents you have that can prove your age.

Asylum procedure at the border

You will have an interview with **the Asylum Office** where you have to tell **if you have problems in your country and why you had to leave**. **You also need to explain whether you have asked for asylum in any other country before arriving in Hungary such as in Serbia, Croatia, Greece or Bulgaria**. It is important to talk about everything in detail, even the painful memories. You will have **an interpreter**. Don't be shy, let them know if you do not understand each other! At the end of the interview the interpreter has to read the interview record back to you. If this does not happen, please ask for it. If something is recorded differently from what you said, ask the case officer to correct it. You have the right to correct any mistakes. Make sure to ask for a copy of the interview's record. The case officer and the interpreter will not tell your story to anyone else, **you can speak openly**.

If your **fingerprints were taken** in another European Union (EU) country, you may be sent back to that country. Your asylum claim will then be dealt with in that country. This is called the "**Dublin procedure**". If this applies to you, the Asylum Office will contact the country that is responsible for your case. You will receive a short decision about this from the Asylum Office. The answer from the country can take several months. If you spent at least 3 months in Serbia and/or Macedonia between leaving Bulgaria or Greece and arriving in Hungary, you can try to prove your Serbian or Macedonian stay with documents. If you can prove this, you should not be sent back to Bulgaria or Greece under the Dublin procedure. **Therefore, please keep your Serbian and Macedonian documents and show them to the Asylum Office**.

According to the **Dublin system**, you may apply for family reunification with your wife/husband or minor unmarried children, or if you are a child with your parents and other relatives. If you are

seeking family reunification in another EU country, please inform the Asylum Office during the interview.

After the registration of your application, the authorities have **60 days to decide** on your claim.

At the end of the asylum procedure can receive **one of the 4 types of decisions**:

- 1) Refugee status: you get an ID card, an address card and you can work. You can bring your family here and your children can go to school. You will also get help with your integration.
- 2) Subsidiary protection: you get an ID card, an address card and you can work. Your children can go to school. You can bring your family here only in cases set out in the law. You will also get help with your integration.
- 3) Humanitarian protection: the status is reviewed every year. You can work according to the legal rules regulating the work of third-country nationals and you cannot bring your family here.
- 4) Negative decision: your claim is rejected because the Asylum Office thinks your country is safe for you. If you do not accept the negative decision, you can turn to the **court within 8 days and you can request a personal hearing**. Please explain in writing, in your own language why you do not agree with the decision. If you need help with writing this, please ask a **lawyer or UNHCR staff**. If the court rejects your appeal and agrees with the Asylum Office, you can still submit a new asylum application if you have any new facts. It is important to know that you will only receive **shelter but no food** during your second asylum procedure. If you do not challenge the negative decision, you will be expelled from Hungary.

If you receive **protection**, you will be transferred from the transit zone to an **open reception centre** where you can spend **one month**. You will receive your documents there and will get shelter and food. Please see the **map** of Hungary for the list of reception centres in Hungary.

Services and support in the transit zone:

If you have to stay in the transit zone during the assessment of your first asylum application, you will get a **bed** and **food** every day. Families are assigned private accommodation containers. Each accommodation section is furnished with WC and shower facilities as well as a laundry unit, dining hall and community hall. You can ask for the **doctor** if you have medical problems. A social worker is available at your accommodation section all the time. A number of charity organizations visit the transit zones regularly to provide additional assistance to asylum-seekers and organize activities for the children. During the school year (from September to mid-June), children between the age of 6 and 16 may attend organized lessons held each week from Mondays to Fridays from 9:00 am to 11:45 am, by school teachers. For younger children between the age of 3 and 6, day care is available on weekdays between 8:00 am and 4:00 pm.

If you need a lawyer at any stage of the asylum procedure, you can give a written request to the Asylum Office requesting to see the lawyers working with the **Hungarian Helsinki Committee, a human rights organization**, Tímea Kovács and Júlia Balázs. You **can also** request legal assistance from a **state lawyer or any Hungarian attorney registered with the Bar Association**. If you want to see a state lawyer, you can also write a request to the Asylum Office or visit the coordinating office in the transit zone, which is open from Monday to Friday. The services of the Hungarian Helsinki lawyer and the state lawyer are for free, you do not have to pay anything. You can also request to meet with **UNHCR staff** visiting the transit zone every day.

