Under the Asylum Act\(^1\), the asylum authority may detain asylum seeker:

- (a) To establish his or her identity or nationality;
- (b) Where a procedure is on-going for the expulsion of a person seeking recognition and it can be proven on the basis of objective criteria – inclusive of the fact that the applicant has had the opportunity beforehand to submit application of asylum – or there is a well-founded reason to presume, that the person seeking recognition is applying for asylum exclusively to delay or frustrate the performance of the expulsion;
- (c) In order to establish the required data for conducting the procedure and where these facts or circumstances cannot be established in the absence of detention, in particular when there is a risk of absconding by the applicant;
- (d) To protect national security or public order;
- (e) Where the application has been submitted in an airport procedure; or
- (f) Where it is necessary to carry out a Dublin transfer and there is a serious risk of absconding.”

Since 28 March 2017, all asylum-seekers with the sole exception of unaccompanied minors under the age of 14 are kept in one of the transit zones at the Hungarian-Serbian border for the entire duration of their asylum procedure. The data below shows how the number of asylum detention orders drastically decreased after this date as placement in the transit zone became a substitute for formal asylum detention.

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\(^1\) Section 31/A (1) of Act LXXX. on Asylum

\(^2\) Source of data: National Directorate-General for Aliens Policing