Where is my home?

Homelessness and Access to Housing among Refugees and other Persons with International Protection in HUNGARY

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Budapest, March 2013
Acknowledgements

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The study was conducted by Adrienn Kiss, Social Worker and Eszter Magyar, Project Officer.

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Foreword

This report was drafted by Menedék – Hungarian Association for Migrants in the beginning of 2013 at the request of the Office of the United Nations High Commissioner for Refugees (UNHCR) as an internal working document. The report reflects the situation before the restructuring of the integration scheme – 1 January 2014 – and can be used as food for thought when discussing and evaluating the experience of the new integration system. We hope that through better understanding the past results and the challenges we are facing in the field of integration will become even more clear and will assist professionals working in the field of refugee integration when establishing their integration strategy and policy.
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Executive Summary

Safeguarding access to adequate housing for refugees and beneficiaries of subsidiary protection remains a challenge in Hungary today. During December 2012, Menedek Association conducted 10 semi-structured interviews were conducted with homeless refugees and beneficiaries of subsidiary protection, and with those who are at the risk of becoming homeless. Furthermore, experts and practitioners from five different organizations were also interviewed and their contributions are echoed in the report.

While the findings of the research revealed encouraging practices, they also identified systemic problems that outweigh the former and hinder the integration of refugees. The main shortcomings include the fragmentation of the refugee support system, the highly discretionary nature of accessing the benefits to which refugees are entitled, and the gross underfunding of the whole system, compounded by insufficient cooperation between the relevant actors in the field. The absence of a refugee integration strategy that could guide policy-makers and practitioners in providing specialized assistance to beneficiaries of international protection in a coordinated and adequate manner further undermines the integration of these individuals. Former unaccompanied minors\(^1\) and single parents are particularly affected by these deficiencies.

For the purpose of this project, homelessness can be defined as a condition of rooflessness being housed in a temporary shelter inappropriately or for an unreasonably long period. As the recommendations of the Commissioner for Fundamental Rights\(^2\) and the work of the European Federation of National Organisations Working with the Homeless on Homelessness and Housing Exclusion (FEANTSA)\(^3\) highlight, a narrow understanding of homelessness as rooflessness would result in missing the full extent of the problem. The research therefore takes into account roofless beneficiaries of international protection along with those at serious risk of becoming homeless, concentrating on highly vulnerable individuals together with those who face housing poverty\(^4\) in different dimensions.

To address the above-mentioned gaps, this report proposes several recommendations. To tackle the fragmentation of the refugee support system, establishing the conditions of providing needs-based services that can pay attention to and cater for the specificities of the individual cases would be highly desirable. The vulnerability of refugees prevails and deepens if protection is only realized as a legal recognition. Due to the needs originating from their special situation, there must be support with differentiated responses and individualized personal support, and community services are necessary as well. The system of assistance and support should be centred on the refugees whilst the rules for accessing housing services should be made flexible. In this light, it is of prime importance how the Ministry of Interior will build up the architecture of its migration strategy – to be developed in 2013 – and how the provisions affecting refugees and beneficiaries of subsidiary protection will be included. It is crucial that policies concerning integration put a special focus on facilitating access to housing; as this present report highlights, without secure housing there is no hope for successful integration.

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1. Those that entered the asylum procedure as minors and were either considered adults following the age assessment procedure or reached age 18 while the status determination procedure was ongoing.
4. An individual or household faces housing poverty when they are unable to provide for the costs of secure, adequate and affordable housing. See Habitat for Humanity Hungary’s Annual report on housing poverty in Hungary – 2011: ‘The working definition of housing poverty used in the report is based on the concept of adequate housing by the UN Committee of Economic, Social and Cultural Rights, adapted to the Hungarian context.’ The executive summary of the report is available in English at: http://goo.gl/8gr6dg
The report is structured as follows: the introductory section provides information on the context of the research. The next chapter discusses the policy background and places the topic in an international and European policy perspective, preparing the ground for the analysis of the situation in Hungary. This includes a detailed description of the most important factors present on two levels: 1) structural ones, namely the integration system and available provisions in the context of local social factors; and 2) individual factors concerning the refugees and beneficiaries of subsidiary protection themselves. This section is followed by the identification of the root causes of homelessness and risks of becoming homeless among beneficiaries of international protection, keeping in mind the wider concept of housing poverty. The penultimate section discusses the available promising practices in Hungary and provides an outlook on regional examples. The last section summarises the identified gaps and proposes recommendations for action for sustainable improvement of the situation of beneficiaries of international protection in Hungary. The Annex briefly explains the research methodology and the background of the interviewees.

I thought a job would be found somewhere, a life would be found somewhere – but there is nothing, seriously. I became a homeless person and had no place to stay again.

Ruhollah, 20, former unaccompanied minor, homeless

Interviews were carried out by Menedék – Hungarian Association for Migrants in late 2012,5 as a necessary step to collect information on developments on access to housing among beneficiaries of international protection in Hungary. UNHCR’s previous report on the issue6 shed light on the underlying causes of the lack of housing security among beneficiaries of international protection in 2010. The report, based on 15 in-depth interviews, mainly with Somali refugees, maintained that the key factor contributing to refugee homelessness was the lack of integration prospects, which led many refugees to onward movement to other EU Member States upon status recognition, and after their subsequent return to Hungary they ended up in an even more hopeless situation than before. Since the publication of this report, however, a growing number of refugees and beneficiaries of subsidiary protection are thought to face homelessness or a serious risk of becoming homeless. This follow-up report reflects on the changes in the extent and root causes of housing insecurity among beneficiaries of international protection, taking into account the several levels of the definition of homelessness, as suggested by FEANTSA.

The geographical scope of the study is Budapest, as the target group is centred in this area. One out of the ten interviews conducted involved a refugee from the Bicske reception centre. As the research consisted of fieldwork and desk research, quotes from the interviews are used in the report to illustrate the experiences that beneficiaries of international protection and experts dealing with migrant integration have in relation to access to housing for the target group. The contributions of beneficiaries of international protection remain anonymous; the Note on Methodology in the Annex provides additional background information on all individuals interviewed, containing the guide to the simple coding applied in the report.

5 http://menedek.hu
6 http://www.unhcr-centraleurope.org
I. Policy Context

The present research was conducted in a policy environment where available pre-integration and integration services are insufficient to provide adequate assistance during the integration process. Countries in the region face serious challenges when establishing housing provisions that respond to the needs of vulnerable refugee populations and continuously fail to establish the basic building blocks of the socio-economic dimension of integration. As highlighted by UNHCR’s Note on Refugee Integration in Central Europe, ‘as well as being a fundamental human right, safe, secure and affordable housing plays a critical role in determining overall health and well-being and providing a base from which refugees can seek employment, re-establish family relations and make connections with the wider community’. However, ensuring access to safe, secure and affordable housing for refugees, as envisioned by UNHCR’s Agenda on Refugee Integration in Central Europe, remains a challenge in the country.

The right to adequate housing is of paramount importance for beneficiaries of international protection in Hungary. It is protected by Article 11 ICESCR as part of the right to an adequate standard of living and is distinct from civil and political rights of respect for the home, as the latter ‘are related to the right to respect for private life, although there is some overlap in protection with this right.’ General Comment No. 4 defines the right to adequate housing: The Right to Adequate Housing (Art. 11 (1) of the Covenant). As paragraph 7 elaborates, the right to adequate housing encompasses ‘the right to live somewhere in security, peace and dignity’, stating that ‘the right to housing should not be interpreted in a narrow or restrictive sense which equates it with, for example, the shelter provided by merely having a roof over one’s head or views shelter exclusively as a commodity.’

8 UN High Commissioner for Refugees, UNHCR Note on Refugee Integration in Central Europe, April 2009, available at: http://www.unhcr.org/refworld/docid/4bfe70d72.html
9 UN High Commissioner for Refugees, UNHCR Agenda for the Integration of Refugees in Central Europe, April 2009, available at: http://www.unhcr.org/refworld/docid/4bfe72542.html
11 http://goo.gl/p0AWYY
The ICJ’s Migration and International Human Rights Law – Practitioners Guide No. 6 further explains: ‘The right to adequate housing, as protected under ESC rights treaties, establishes a right to adequate shelter and accommodation and entails duties to respect, protect and fulfil. The right to housing includes rights to: security of tenure, which requires legal protection against forced eviction, harassment and other threats; the right to have adequate housing with facilities essential for health, security, comfort and nutrition; financial costs associated with housing at such a level that the attainment and satisfaction of other basic needs are not threatened or compromised; housing that is habitable, safe, protects from the elements and from disease and provides adequate space; housing that is accessible to those entitled to it; and that is located so as to allow access to employment, health-care services, schools, child-care centres and other social facilities.’

Besides the framework of international human rights law, Article 31 of the European Social Charter (ESC) guarantees the right to housing under the Council of Europe’s collection of treaty instruments. However, it is important to note that the personal scope of the ESC covers only those regular migrants who are citizens of its states parties. Furthermore, Article 34 (3) of the European Union Charter of Fundamental Rights includes the right to housing assistance that can serve as additional legal basis for EU-level and Member State-level policies as well.

Based on the above legal frameworks, and as especially highlighted by the reasoning of General Comment No. 4 to the ICESCR, for instance, this research adapted a more inclusive definition of homelessness, encompassing several levels of the phenomenon – not solely rooflessness, which is understood as homelessness in everyday discourse. The research therefore relied on the European Typology on Homelessness and Housing Exclusion (ETHOS) of FEANTSA in its analysis of the situation in Hungary, as it provides the most accurate definition of homelessness, embedded in the broader context of housing poverty. Furthermore, as access to housing for beneficiaries of international protection could be described as a dynamically and constantly changing process at the individual level, the range can include varied types of exclusion from housing that can be found in the ETHOS typology.

In order to cover all the different aspects and levels of homelessness, the categorisation’s starting point is to define the ‘three domains which constitute a ‘home’, the absence of which can be taken to delinate homelessness. Having a home can be understood as: having an adequate dwelling (or space) over which a person and his/her family can exercise exclusive possession (physical domain); being able to maintain privacy and enjoy relations (social domain) and having a legal title to occupation (legal domain). This leads to the 4 main concepts of Rooflessness, Houselessness, Insecure Housing and Inadequate Housing, all of which can be taken to indicate the absence of a home. ETHOS therefore classifies people who are homeless according to their living or ‘home’ situation.’

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20 See footnote 6
21 Ibid.
Table 1: ETHOS - European Typology on Homelessness and Housing Exclusion

<table>
<thead>
<tr>
<th>Conceptual Category</th>
<th>Operational Category</th>
<th>Type of Housing</th>
<th>General Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>ROOFLESS</td>
<td>1. People living rough</td>
<td>1.1 Rough sleeping (no access to 24-hour accommodation)/No abode</td>
<td>Habitual residence on the street or public areas due to the lack of shelter</td>
</tr>
<tr>
<td></td>
<td>2. People staying in a night shelter</td>
<td>2.1 Overnight shelter</td>
<td>People living in night and low-threshold shelters due to the lack of usual dwelling place</td>
</tr>
<tr>
<td></td>
<td>3. People in accommodation for the homeless</td>
<td>3.1 Homeless hostel</td>
<td>Only temporary residence is possible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.2 Temporary accommodation</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.3 Temporary supported accommodation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4. People in women's shelter</td>
<td>4.1 Women’s shelter accommodation</td>
<td>Victims of domestic violence accommodated at women's shelters for short-term period</td>
</tr>
<tr>
<td>HOUSELESS</td>
<td>5. People in accommodation for immigrants</td>
<td>5.1 Temporary accommodation/reception centres (asylum)</td>
<td>Migrants accommodated at reception centres or temporary accommodations due to their migrant status</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5.2 Migrant workers accommodation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>6. People due to be released from institutions</td>
<td>6.1 Penal institutions</td>
<td>Housing is not available prior to the release</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6.2 Medical institutions</td>
<td>Unnecessarily long-term staying due to the lack of housing</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6.3 Children’s institutions/homes</td>
<td>Housing is unsolved (e.g.: until 18 years)</td>
</tr>
<tr>
<td></td>
<td>7. People receiving support (due to homelessness)</td>
<td>7.1 Residential care for homeless people</td>
<td>Available for formerly homeless people in combination with long-term care (usually for more than 1 year)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>7.2 Supported accommodation for formerly homeless people</td>
<td></td>
</tr>
<tr>
<td>INSECURE</td>
<td>8. People living in insecure accommodation</td>
<td>8.1 Temporarily with family/friends</td>
<td>Residing in a flat, but due to the housing shortage, but not permanently and in his/her own property</td>
</tr>
<tr>
<td></td>
<td></td>
<td>8.2 No legal (sub)tenancy</td>
<td>Living in a tenancy without having tenancy agreement, or squatter</td>
</tr>
<tr>
<td></td>
<td></td>
<td>8.3 Illegal occupation of land</td>
<td>Illegal occupation of a land</td>
</tr>
<tr>
<td></td>
<td>9. People living under threat of eviction</td>
<td>9.1 Legal orders enforced (rented)</td>
<td>Legal orders to be enforced in the near future</td>
</tr>
<tr>
<td></td>
<td></td>
<td>9.2 Re-possession orders (owned)</td>
<td>Mortgage holder has official decision on mortgage enforcement/re-possession orders</td>
</tr>
<tr>
<td></td>
<td>10. People living under threat of violence</td>
<td>10.1 Police recorded incidents of domestic violence</td>
<td>Police action/intervention is needed to protect victim of domestic violence</td>
</tr>
<tr>
<td>INADEQUATE</td>
<td>11. People living in temporary/ non standard structures</td>
<td>11.1 Mobile home/caravan</td>
<td>Inadequate for permanent residence</td>
</tr>
<tr>
<td></td>
<td></td>
<td>11.2 Non-standard building</td>
<td>Home-made shelter, hut, hovel</td>
</tr>
<tr>
<td></td>
<td></td>
<td>11.3 Temporary structure</td>
<td>Temporary structured hut</td>
</tr>
<tr>
<td></td>
<td>12. People living in unfit housing</td>
<td>12.1 Unfit for habitation (under national legislation; occupied)</td>
<td>Inappropriate for long-term residence under national laws or regulations</td>
</tr>
<tr>
<td></td>
<td>13. People living in extreme overcrowding</td>
<td>13.1 Highest national norm of overcrowding</td>
<td>Exceeding the national level of housing density concerning residential area or room number</td>
</tr>
</tbody>
</table>

Source: FEANTSA\textsuperscript{22}

\textsuperscript{22} ibid.
In Hungary, there are discrepancies between the definitions of homelessness used by civil society actors and governmental policymakers. While the former assume the FEANTSA conceptualization, according to the Act III of 1993 on Social Administration and Social Benefits (hereinafter: Social Act), ‘...a person who does not hold a registered permanent residence is homeless, except those whose registered permanent residence is at a homeless shelter’. Furthermore, ‘...a person, who spends his/her nights in public places or non-residential premises, is homeless’.23 It is straightforward that what public authorities consider homelessness is rooflessness in public places. Through this approach, other important categories and especially the hidden dimensions of homelessness remain out of sight for policy-makers and state service providers. Regarding the target group of this report, the hidden dimensions are of crucial importance, together with the case of those in an insecure housing situation, as they are forced to switch continuously between courtesy use of flats and other categories of inadequate housing – as the experiences of the field research highlighted.

The Office of Immigration and Nationality (OIN) is the authority responsible for migration-related issues in Hungary. The Reception and Integration Unit within the Refugee Directorate has functions and expertise related to access to housing issues and other integration-related activities: ‘It organises the execution of the tasks which are related to provision, accommodation, employment, social and health service and home creating support for refugees, persons under temporary protection and for persons authorised to stay.’24 The Office functions under the overview of the Ministry of Interior. The Ministry is responsible for drafting a migration strategy, and, according to the director of OIN’s Refugee Affairs Directorate, ‘the integration strategy for refugees will be part of that’.25 As laid down in ‘Government Resolution 1657/2012. on the tasks relating to the revision of governmental strategic documents’,26 the Government calls for the Minister of Interior to elaborate a ‘Migration strategy’ and based on that document, a 7-year strategy for the 2014-2020 programming period of the soon to be created Asylum and Migration Fund by 31 August 2013. The Strategy was adopted and promulgated on 4 October 2013 by Government Decree 1698 of 2013.
II. Analysis of the Situation in Hungary

1. Respondents’ profile

During the field research, 11 individuals – two female and nine male – were interviewed about their housing situation and their general background. Most of them were Afghan citizens (8) and the respondents also included Tunisians (2) and one Iraqi person. Compared to the research carried out in 2010, when mostly Somalis were among those experiencing such severe housing exclusion, as Convention refugees at the end of 2012 refugees from countries with established communities fall in dire straits. Unlike Somalis, there is a considerable Afghan community residing in Budapest, for example. Concerning the age distribution, four interviews were carried out with beneficiaries of international protection between the ages 15-24, six interviews – including the two female – were carried out in the age group 25-49 while the researchers met one individual over 50 years of age. By comparison, the interviewees in the earlier study were predominantly young men in their twenties. As these basic variables indicate, the sample interviews were diverse, though not representative of the entire refugee and beneficiary of subsidiary protection population in Hungary. It is, however, informative for shedding light on issues pertinent to highly marginalised beneficiaries of international protection, as these people arrived in Hungary between 2009 and 2011 and they still remain excluded from the main social structures in their host country. Five of them were granted subsidiary protection status and the other six enjoy full protection as Convention refugees. The researchers met two Dublin II returnees, two coming back from Germany, and the other from Sweden. Some of them suffer from physical and/or mental health problems caused by their life situations (R2, R3, R9). One of them suffers permanent hearing impairment due to an injury inflicted on him by a guard at the Nyírbátor detention centre (R5). Most of them had fixed employment in the private sector of their respective countries of origin before they had to flee. However, finding a suitable job in Hungary – let alone any job – remains a constant challenge, if not impossible for most.

“...we don’t need support from the government if we have work, we wouldn’t need social money. We need the opportunity.”

(R6)

“The most important thing in my life is a job; any kind of job could be good for me. If I have a job, I am happy and can relax.”

(R4)

As the individuals interviewed lack any regular income and more considerable financial resources, they constantly fail to ensure secure and long-lasting housing conditions and continue to exist in the limbo of varying levels of homelessness, as per the FEANTSA definition above. Due to the lack of large-scale sampling and the specificities of the target group itself (it is difficult to sample hard-to-reach and hidden populations in a representative manner and with robust results), there is no information available about the access to housing within the whole population of beneficiaries of international protection in Hungary. Based on the accounts of an expert interviewed, who is working in homeless care services (EX2), and of the social counsellors at the Menedék Association, there has been a higher appearance of refugees at the Homeless Information Office at Könyves Kálmán körút in order to acquire a homeless card or apply for the temporary social benefit that is also available to them (7200 HUF/maximum 4 times in a year if someone cooperates with the labour office regularly). This could indicate a rise in the number of refugees affected by homelessness, but the real extent could only be assessed via large-scale and well-designed data collection.

27 Generally, asylum-seekers who are returned under the Dublin procedure are referred to as “Dublin II returnees”. Article 16 of Council Regulation (EC) No 343/2003 of 18 February 2003 lays down the criteria when an asylum-seeker shall be returned from an EU Member State to the one where there is an already on-going asylum procedure that was initiated in the case of the given individual: http://goo.gl/3McqD
Interviews (11 individuals) conducted indicated that actual rooflessness is rare, but still an existing phenomenon, which includes sleeping rough for usually 1-2 nights periodically (or 6-7 nights a month as in one case). Besides sleeping on the street, actual rooflessness could include spending the night on public transport, in internet-cafés, and sometimes mosques (not all of them provide night shelter). Using homeless night shelters is not a typical choice for even those respondents in the most precarious situations, as they try to avoid it and keep it as their last option.

“Right now, I’m basically on the street.”

((R7))

“Look outside how cold it is.... and I don’t know where to go to rest. I can’t think about anything else.”

((R10))

“I don’t need anything, just someone to tell me “this is your place, you can sleep here”.... then I would be very happy.”

((R9))

Residing in reception centres, women’s shelters, temporary accommodation for homeless people, homes for unaccompanied minors and young adults and after-care institutions in the child protection and care system allow refugees to have accommodation temporarily. However, these places can be defined as scenes of houselessness, together with dormitories, where staying is not possible during the school holidays (at spring, summer, winter breaks), and, in contrast to the other students, the refugees cannot go back to the homes of their families during the breaks. In these settings, as the interviewees highlighted, there are strict sets of rules to adapt to and a lack of intimacy that results in no chance for private life – additional stress factors in an already precarious existence.

Resorting to the courtesy use of flats is one of the most common categories of insecure housing, but being accommodated at the place of a compatriot, friend or acquaintance for a shorter or longer period is only a temporary solution. The courtesy use of a flat cannot be considered as an alternative to a permanent home – according to the experience of the social counsellors at the Menedék Association, dwelling in a ‘densely-populated’ shared flat is rather a forced-by-necessity/urgency solution that, to all intents and purposes, also amounts to inadequate housing.

R10’s reflections on his experience with courtesy use of flats:

“I’m not calm, and you can only study if you have a place to study or if you are together with other people who also study. Now I’m staying with friends, and some of them work, some of them don’t; some of them talk till the morning: this way I cannot have any rest. If I’m calm and rested that’s when I can go to school and study. If I’m not calm, then how am I supposed to go to school?’

My soul doesn’t feel it right that when I’m with my friends I can never pay... There are no jobs, no help.’

When I was for a month in the Ventura hotel in Menedék’s programme, I went to many places with my CV to look for jobs, but no one replied to me – since then I don’t want to do it again. I’ve already sold myself, I’m tired, I don’t wanna do it anymore.

((R10))

There is insufficient information on what is expected exactly in exchange for accommodation in the above-mentioned cases. It is important to highlight that this kind of accommodation still implies a high level of insecurity and vulnerability, and so it is to be considered in the framework of homelessness. This statement is underpinned by the definition of the Social Act cited above, as most of the refugees and beneficiaries of subsidiary protection who are staying occasionally in courtesy flats are definitely unable to register themselves as permanent residents at the given local municipality or district.
As such, the address card they can acquire is in fact a ‘homeless address card’, which only states the name of the particular city/town (and district), so it is assigned to a public place. In Hungary, both permanent and temporary addresses exist, but the latter cannot be created without the former. However, most landlords refuse the registration of a permanent address to their flats and, without this step, submitting a citizenship application or starting a business, for example, are impossible. Hence, there are serious impediments in other areas of integration for homeless beneficiaries of international protection, stemming from their irregular housing situation. This issue is touched upon and further elaborated in later sections.

Establishing tenancy might mean getting out of the categories defined in the ETHOS chart. However, the category of insecure housing, specifically point 9 – people living under threat of eviction – in the case of rented properties could imply enforced legal orders (9.1). This outcome is illustrated when one lacks a steady income that can cover living costs. One of the interviewees (R2), a single father with two young children, was seriously threatened by eviction coupled with over-indebtedness at the time of the interview. Another, a young man (R4), had to give up a flat he rented together with others, as he could no longer contribute to the rent. At the time of the interview he was commuting between Budapest and Cegléd, where he could temporarily stay in a flat through courtesy use. These examples show how individuals oscillate from one category to the other; hence, homelessness is better conceptualized as a dynamic concept.

2. Access to housing – legal provisions

This section explores the interface between access to adequate housing and the Hungarian legislation. It contends that, while the former is pivotal to the integration of beneficiaries of international protection, housing as a social right is not derived from the Fundamental Law of Hungary. On the other hand, housing is specifically regulated at local government level and the municipalities manage access to social housing by issuing administrative decrees and local regulations. However, eligibility for social housing is conditioned upon prior residence in the area and the required duration is generally three to five years, depending on the municipality. This legal requirement is clearly excluding newly recognized refugees from accessing such accommodation while also preventing those who settled in Hungary in the past three years the right to social housing and encroaching on other rights, such as free mobility. Although, legally, beneficiaries of international protection should have equal rights to native Hungarians to access social housing, there are non-legal barriers which prevent their accessing it. Such obstacles comprise the low supply of social housing units30, long waiting lists and delayed decision-making.

Beyond the general limited opportunities at local municipality level described above, there are two other temporary accommodation options related to the asylum field. Those granted international protection could be accommodated at the Bicske pre-integration centre for six months, which can be further extended for another half year. In the light of the limitations mentioned above regarding social housing, after leaving the Bicske pre-integration centre refugees can find accommodation on the housing market, either by renting or purchasing properties. However, this requires sufficient and stable income. Additionally, workers’ hostels are another option as they offer their rooms on a for-profit basis and can be a temporary solution for homeless refugees who can cover the costs.

Another issue further aggravating the situation is the continued trend in the criminalisation of homelessness in Hungary, instead of taking genuine measures towards solving the housing problems of the homeless. At the moment, a fourth constitutional amendment29 is being considered to guarantee law enforcement steps in tackling homelessness, contrary to the recent development that the Constitutional Court has previously repealed the act criminalising habitual residence in public places.31 A further level of including refugees and beneficiaries of subsidiary protection in a systemic approach to solving homelessness is clearly a challenging task amidst such an environment. As such, bringing about real cooperation between ministries and authorities would be the first step in improving the current situation, involving stakeholders from the field of refugee affairs as well.

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29 Under Article 8, section 3 of the amended Article XXII. of the Fundamental Law would allow for the criminalisation of habitual residence in public places. http://gpo.gl/l1eoPM & http://gpo.gl/l1eC1

30 The number of social housing units is unknown; however, the share of local governments housing is 3% of the total housing units and this comprises the social housing that they administer. See also Habitat for Humanity Hungary report for 2011, p. 12.

31 http://gpo.gl/8EJ1y
3. Access to targeted support for housing (in-kind or financial)

Beneficiaries of international protection are entitled to the following types of support that can facilitate their access to housing:

- **One-off allowance facilitating settlement** (minimum 57,000 HUF, maximum 171,000 HUF):
  - **Predictability:** Discretionary: no detailed information on decision-making procedure and complying with rules of conduct
  - **Entitlement criteria:**
    1. Determined size and quality of flat
    2. Support has to be used only for tenancy fee or deposit
    3. Income limit (28,500 HUF)
    4. Own income
    5. Available for only one person in one household
    6. Holding tenancy contract
  - **Difficulties in access:**
    1. No adequate and precise information on the given municipality’s decree
    2. Without initial support or start-up capital, getting this initial support is nearly impossible
    3. Very low income limit
    4. Lack of eligible income
    5. Misinterpretation of household: e.g. it is typical for two or more single persons/family members living in one household in order to share the costs
    6. Irregular in Hungary

**Identified problem:** Complying with all the determined entitlement criteria at the same time is unfeasible in practice. Access to this support is extremely difficult, and has seen a worsening trend over the last four years. According to OIN statistics, the number of **total approved applications** was 230 in 2009, by 2012 it fell to only 13. As a result of the Asylum Law modification, the total number of **submitted applications** more than halved by 2011 (it was 271 in 2009 and 106 in 2011).32

- **Monthly subsistence allowance** (minimum 7,125 HUF, maximum 28,500 HUF):
  - **Predictability:** Discretionary + aspects of decision-making:
    - all income divided by number of household members
    - personal circumstances (especially: age, health condition, marital status)
  - **Entitlement criteria:**
    1. Basically for 2 years, but average eligibility period is 1-1.5 years
    2. Within 4 years after recognition, only after leaving pre-integration centre
    3. If: attending Hungarian language course (minimum 70% of lessons per month)
    4. Learning Hungarian is not compulsory: • before the age of 6 and after 60 (from the age of 6: only if attending school); • pregnancy and having a maximum 6 months old baby; • mental disease, traumatized; • holding any type of Hungarian language exam.
    5. Extension to the 3rd and 4th years, if: • fulfilling minimum 1 year cooperation with labour office while receiving support; • finding a job or public employment (min. 3 months); • education, vocational training.
    6. Automatic eligibility for 4th year, if: • more than 60 years old; • due to sickness, mental disease, cooperation with labour office; • getting maternity supports.
  - **Difficulties in access:**
    1. Unpredictable access and amount of support
    4. If a young adult (over 18 years) attends secondary school, has to attend language school as well – very difficult. Single mother having baby or small child
    6. Extension could be difficult (having exactly minimum 365 days cooperation period with labour office)

**Identified problem:** the eligibility criteria of the monthly subsistence allowance are non-transparent and strict, so this type of welfare benefit does not prevent and eliminate poverty within this target group. In 2009 there were 205 applications approved by OIN (from a total of 226 submitted applications, meaning a 90.7% approval rate), in 2010 169 approved out of 188, in 2011 the rate was a slight drop to 84.1% and in 2012 it reached a lower figure of 66.3% with 112 approved applications for monthly subsistence allowance.

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32 Source: OIN, information provided to UNHCR in February, 2013.
**Accommodation Allowance**
(generally 28,500 HUF/person; maximum 57,000 HUF for one minor child; maximum 85,500 HUF if having minimum 3 minor children)

<table>
<thead>
<tr>
<th>Predictability</th>
<th>Entitlement criteria</th>
<th>Difficulties in access</th>
</tr>
</thead>
<tbody>
<tr>
<td>Discretionary</td>
<td>1. Size and quality of flat</td>
<td>1. No information on the given municipality’s decree (varied by districts/settlements)</td>
</tr>
<tr>
<td></td>
<td>2. Use for tenancy fee or deposit only</td>
<td>2. Without initial support or start-up capital, getting this initial support is impossible</td>
</tr>
<tr>
<td></td>
<td>3. Income limit - maximum 28,500 HUF/family member</td>
<td>3. Very low income limit</td>
</tr>
<tr>
<td></td>
<td>4. Having own income, but still under the official income limit</td>
<td>4. Lack of eligible income</td>
</tr>
<tr>
<td></td>
<td>5. Available for only one person in one household</td>
<td>5. Misinterpretation of household: e.g. it is typical for two or more single persons/family members living in one household in order to share the costs</td>
</tr>
<tr>
<td></td>
<td>6. Invoice (VAT included)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>7. Holding tenancy contract</td>
<td></td>
</tr>
<tr>
<td></td>
<td>8. Holding address card (temporary at least)</td>
<td></td>
</tr>
<tr>
<td>Application submission to district government office</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The 6 month eligibility period can be prolonged by a maximum three times within 4 years – altogether maximum 2 years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Application submission to district government office, decision by district government office and OIN together, payment by district government office</td>
<td></td>
<td>6-7. Irregular in Hungary</td>
</tr>
</tbody>
</table>

**Identified problem:** highly discretionary welfare benefit, such as the accommodation allowance, does not facilitate independent housing, and it is unable to prevent and eliminate poverty and homelessness within this target group. Complying with all the determined entitlement criteria is very difficult. In the event of withdrawal there is no possibility for resubmission or legal redress. According to the OIN statistics in 2012, there were only 10 beneficiaries of international protection who received access to this type of support, but we have no information on the amount of this financial assistance. This compares to 2009, when there were 78 beneficiaries of the accommodation allowance.

**Housing support to refugees and beneficiaries of subsidiary protection** (interest-free loan)

<table>
<thead>
<tr>
<th>Predictability</th>
<th>Entitlement criteria</th>
<th>Difficulties in access</th>
</tr>
</thead>
<tbody>
<tr>
<td>Discretionary: no detailed information on decision-making procedure</td>
<td>1. If the applicant and his/her spouse (or immediate relative) living in the same household has no property of their own in Hungary</td>
<td>1. Without start-up capital, getting this support is impossible</td>
</tr>
<tr>
<td>Only once, within 10 years after status recognition</td>
<td>2. Property size is under the size of the accommodation justified for Hungarians as specified in the statutory provision on housing support facilities</td>
<td>2. Very low amount of loan</td>
</tr>
<tr>
<td>For a period of 1-15 years</td>
<td>3. Price of a new flat has to be under that specified in the statutory provision on housing support facilities (if non-new flat: 15 million HUF)</td>
<td>3. Terms are difficult to understand due to special legal terminology</td>
</tr>
<tr>
<td>Application submission to and proposal from district government office, final decision from OIN (after individual circumstances and financial statement have been fully examined)</td>
<td>4. If support reimbursement is feasible according to the income of the beneficiary</td>
<td>4. Reimbursement in one amount, if the beneficiary moves abroad permanently</td>
</tr>
<tr>
<td>After loan was transferred by OIN to district government office, DGO sets the contract with and arranges disbursement to the recipient and registers mortgage and right to alienation on the given property</td>
<td>5. In the case of (to build or to purchase): first flat, family house; construction site; to renovate or enlarge a flat or family house owned (at the first time)</td>
<td></td>
</tr>
<tr>
<td>Amount: family with 5 or more members/1.5 million HUF; with 4 members/1.3 M HUF; with 3 members/1 M HUF; with 2 members/800,000 HUF; 600,000 HUF/single person</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Has to be under 70% of the purchase price, construction work, renovation, enlargement</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Identified problem:** Without having a stable financial background and starting capital, getting access to this support is impossible. According to the OIN statistics, the total number of approved applications amounted to 3 in 2009, 2 in 2010 and 0 in the last two years.
Between January 2008 and April 2010 the legal environment was conducive to the functioning of an adequate social support system. This situation reversed in April 2011 when the regulations were considerably tightened, as an experienced social worker pointed out during an interview (EX1). As a result of the amendments, refugees face increased barriers to accessing financial support when moving from Bicske to establish their own home. For instance, to receive the one-off allowance facilitating settlement, people should present a rental contract, while those who will be enrolled into a temporary housing programme are excluded from accessing it. According to the Asylum Act, this one-time financial allowance can reach 171,000 HUF. In addition, beneficiaries of international protection are also eligible to receive a monthly subsistence allowance of a maximum 28,500 HUF per person, if they can certify attendance at Hungarian language classes and meet the income requirements. Therefore, if one's income exceeds 42,750 HUF/month, he/she is not granted the monthly allowance. For families without underage children, the income limit is only 28,500 HUF and the amount of the cash benefit could reach 57,000 HUF for families with one minor and 85,500 HUF for those with three children. Moreover, the allowance can only be received if the total amount of the support does not exceed the rental fee. It has to be also proven that the applicant’s income is sufficient to cover the difference between the monthly allowance and the rental fee and still fits in the above-mentioned income limit. While these limits are built in the legislation, an expert (EX1) interviewed identified an unwritten rule within the OIN: seemingly, those refugees and beneficiaries of subsidiary protection who submit their forms requesting the monthly support after the 15th of a given month are automatically disregarded for that month. The expert opined: ‘newer and newer procedural barriers are put in place by OIN to prevent beneficiaries of international protection from accessing social benefits.’

Additional hurdles were created following the passing of austerity legislation in 2011, which saw the entitlement to certain welfare benefits, including the one-off allowance facilitating settlement (maximum 171,000 HUF), almost cancelled. This type of targeted financial support for housing still exists, but complying with all the eligibility criteria is unreasonable in practice for many, as several individuals interviewed highlighted. In addition to the above, in order to receive the housing support, the accommodation has to meet the size and quality criteria regulated by the given municipality’s decree. It implies that refugees have to possess precise information on these parameters of each potentially suitable accommodation before they move out from the Bicske pre-integration centre.

Compared to the mainstream social assistance schemes for Hungarian nationals, the maximum income requirement was drawn at an extremely low level, leading automatically to the situation that beneficiaries of international protection could exceed it if they have another source of income as well. The target group of the research – especially young, single men – often uses house sharing as a means to minimise costs. However, according to the legal provisions, only one of those living in the same household would be entitled to apply for the one-off allowance facilitating settlement or the accommodation allowance. Acquiring a formal tenancy contract and a monthly VAT invoice are compulsory as well in the case of the accommodation allowance, although this is not required by the general tax legislation (see section 5 below), and it is despite the reluctance of landlords to provide such an invoice. Even the Director of the Refugee Directorate referred to this problem in a radio programme broadcast on Tilos Rádió on 17th of December 2012 and stated that refugees have to fulfil unrealistically strict criteria to receive financial support from the state, and stated that there is room for discussion in this field.33 Requiring a VAT-included invoice is a unique, irregular and discriminative phenomenon in Hungary. If someone eventually receives the accommodation allowance after a waiting period of three-four months in average, the support will last for six months only. Accommodation allowance could be renewed a maximum of three times by further applications within a 4-year period. These factors, taken together, result in a situation where beneficiaries of international protection remain excluded and marginalised in the area of housing. The system’s requirements need to be amended in order to ensure access to adequate housing for this group.

33 ‘The Director of the Refugee Directorate of the OIN said: “OIN and everybody else knows, that the owners of flats do not want to give a bill to the person who rents the flats, so this bill-problem is a real living problem.”’

Recording: http://goo.gl/PU6HNV
4. Access to information and social counselling

Most of the refugees and beneficiaries of subsidiary protection interviewed were well aware of the existence of several channels through which they are entitled to access social counselling services and information on matters of importance to them. However, what varies among the individuals the researchers talked to is 1) whether they actually knew these channels well enough, 2) how useful they deemed these services and 3) how in-depth their knowledge about their entitlements was. In general, rights awareness was stronger among those who experienced some form of harsh discrimination in the past and that experience made the persons concerned more vigilant. It was a common perception by the interviewees that one of the greatest challenges in the whole integration process is the lack of adequate and accessible information on the Hungarian asylum and integration system (the procedures, entitlements, access to education and housing systems, social benefits, and the labour market), delivered in an organised manner.

As the feedback from the individuals interviewed was diverse, to shed light on some of the individual experiences aids the understanding of the important factors regarding access to and the quality of social counselling. A married Afghan couple (R6) was expecting their third baby, therefore the wife was a frequent visitor to the hospital, and furthermore the family was eligible for family allowances after their two children. In her accounts, she was very grateful to the social worker at the Reformed Church’s Refugee Mission, as she needed help when the allowances did not arrive in time:

‘The child support, for 3 months I don’t get it – August, September, October – I got it in October, this month also I don’t get it. Yesterday I talked with my social worker, she called them and they told me in December I will get...’

(R6)

A refugee (R3) currently residing at the Oltalom Temporary Homeless Shelter felt that he obtained real assistance from his social workers at Menedék Association and at Oltalom Charitable Society as well and he was really satisfied with them. These individuals had access to social counsellors who could devote sufficient time and resources to handling their cases.

Despite some positive experiences, access to social counselling is limited. Many interviewees complained about the short opening time of the social counselling office in the Bicske pre-integration facility and the fact that it is understaffed, as the two or three social counsellors (at the time of the fieldwork there were two counsellors) are not able to deal with the cases of the several hundred inhabitants of the centre due to simple scheduling conflicts. One of the interviewees from Bicske found himself in an extremely difficult situation as – at the time of the interview – he thought he and his family would have to move out of the pre-integration facility by 25 December, while the moratorium on moving out had already been decided upon. This indicates that the information flow cannot be managed properly with an understaffed social counselling office.

Menedék Association also received negative feedback from the former unaccompanied minors with subsidiary protection, who seemed to be outside the scope of any provision by the time of the interviews – whether related to the refugee support system or the mainstream social support system – except for one person out of the three, who was staying in a dormitory and keeping in touch with a social counsellor occasionally. The two young men said that they felt the social workers could not help them anymore, as their situations were hopeless. In many cases, former unaccompanied minors feel that they face a ‘Catch 22’ situation: after ceasing to have even a very low income from receiving family support allowance, they struggle to find work opportunities that they can hardly manage to balance with their on-going studies. Student jobs suitable for them are scarce and low-paid; other potential jobs clash with their school schedule. They find it extremely hard to make a living without parental support.

Many of those interviewed see a key problem to effective integration in the lack of providing proper and useful information to beneficiaries of international protection on their rights, obligations and entitlements, and especially information on the Hungarian institutional framework and different dimensions of integration at an early stage in the asylum process.
5. Access to housing – social environment

In general, beneficiaries of international protection face several difficulties while looking for a place to live, and social workers can help them ease the process of finding a flat to rent. Usually the main obstacle is the lack of regular and sufficient income for paying the rent in these cases. Due to the lack of suitable, available and flexible targeted support for housing, it is very challenging to find a satisfactory flat. Based on the experience of social counsellors, finding a flat – with the suitable size and quality (in line with the provisions for financial assistance) – and a landlord who is not reluctant to provide a monthly invoice including VAT and to sign a tenancy contract allowing for the registration of the flat’s address as the tenant’s permanent residence – is almost impossible. Furthermore, any inability to regularly pay the rent implies rental arrears immediately, and the individual can be at risk of overindebtedness, eviction and becoming homeless.

It is possible to identify a discriminatory element in the practice of Hungarian authorities when they expect beneficiaries of international protection to find a landlord who is able to issue an invoice for the flat rental to them – as, according to section 74 of Act CXVII of 1995 on Personal Income Tax\[34\], persons subletting the flat in their property are free to choose how they wish to pay tax on the income it brings. As such, to put in place regulations forcing beneficiaries of international protection to consider only a segment of the market of available flats is placing them in a less favourable situation than that of the other flat seekers, namely that segment of the market where the landlords can issue invoices and probably rent their flats for higher prices.

It is important to highlight, however, that many of the interviewed persons did not even have the chance to get in a situation to interact with a landlord. The former unaccompanied minors, for instance, are frequent guests in the flats of their acquaintances and one of them has a dorm room (R1, R9, R10). Those who did get in contact with landlords in the usual way recounted their experiences, saying that landlords are generally reluctant to rent them flats due to their insecure financial situation (R5, R7).

6. Type of housing and availability of housing contracts

The housing options available for beneficiaries of international protection in Hungary (once they move out from the reception centre in Bicske – if applicable) are identical to those of the local population: private accommodation – buy or rent, and social housing from municipalities. In reality, neither of these options are viable alternatives for the target group of this research in the majority of cases. One of the interviewees (R2) – against whom a forced eviction procedure was initiated at the time of the interview – identified the lack of independent, affordable and secure housing as one of the biggest problems of the refugee integration system in Hungary. He mentioned that if cheap houses were available, the refugees themselves could renovate those, and it would be a potential solution to their housing problems. The cases of the Tunisian refugees R3 and R7, together with this case of the single father, underline how it is nearly impossible for marginalised refugees to access regular types of housing through conventional contracts: due to their insecure finances, flat owners are reluctant to rent their flats to them. Another interviewee, R4, also had experience in having to give up his tenancy due to the loss of an income source. He stated that the ‘most important thing in my life is a job; every kind of job could be good for me’. At the moment he is forced to commute between Budapest and Cegléd, where he can access flats with courtesy use through his acquaintances.

7. Housing conditions (access to running water, electricity, sanitary facilities, etc.)

In an urban context, access to running water, electricity, sanitary facilities and other similar welfare indicators are generally within reach for individuals experiencing housing poverty. However, in the case of the target group of the research, talking about housing conditions as a fixed factor would miss the substance of the issue being discussed throughout this report. It can be established from the fieldwork that the homeless and those who are at risk of becoming homeless live their lives amidst constantly changing housing conditions. The level and type of material deprivation experienced by the individuals in the sample population is inextricably linked to this 'lifestyle'. Applying the usual indicators might therefore lose their meaning, as the circumstances keep changing for these individuals. In this context, adhering to the two principal objectives of the UNHCR Policy on Refugee Protection and Solutions in Urban Areas provides the ideal framework:

- to ensure that cities are recognized as legitimate places for refugees to reside and exercise the rights to which they are entitled, and
- to maximize the protection space available to urban refugees and the humanitarian organisations that support them.35

Those who are in an especially precarious situation, like R7 from Tunisia, who has become homeless as a single mother with her daughter (below the age of one), face seemingly insurmountable challenges in securing adequate housing conditions. She was crying in an underpass when a Moroccan woman approached her and offered to help. Subsequently, she moved to her present place of accommodation, where she and her baby are sharing the flat with two others (2 rooms and a living room), but the flat does not have any heating due to outstanding bills. She has not explored other heating opportunities yet, as she is too overwhelmed with all her other problems. Although she and the baby have a room to themselves they will have to move out from the flat due to the unpaid bills; it is just a matter of time when. She keeps looking for another flat; however, people are reluctant to rent out their flats for someone with such insecure conditions. Her total monthly income is 39,000 HUF coming from child support. Others, mostly the young men interviewed (including the former unaccompanied minors), told the researchers about conditions of overcrowding in the flats where they can occasionally stay with acquaintances. The level of overcrowding is also changing, in a context where staying over varies from having to spend the night on the kitchen floor with two others, or on the floor of the lobby, or someone gets lucky enough to stay on a sofa. These experiences signal that there is ample room for improvement in maximising the protection space available to urban refugees and beneficiaries of subsidiary protection, as even those who do not remain roofless for the night might end up amid critical conditions.

8. Access to homeless provisions

According to the Hungarian Social Act36, refugees are entitled to the same access to all financial, in kind and social service provisions as Hungarian citizens do – but it is not specified that beneficiaries of subsidiary protection are included. ‘Accepting homeless refugees is obligatory for every homeless shelter and homeless temporary institute.’ (EX2) The legal basis of the entitlement is clearly defined; hence refugees cannot be excluded from accessing these services.

There are two basic types of temporary accommodation for the homeless:

1. Homeless shelters, as low-threshold social services, provide free-of-charge accommodation only for night time and have rooms with 8-10 or 25-35 beds for roofless people.

2. Temporary homeless accommodation available for a monthly fee, for which a regular income is indispensable. Quality and comfort level are higher, and the size of rooms can be differentiated (with usually 2-3, or even 10-12 beds). According to the law and aim of this type of social provision, residence there is possible only for a limited period of months (mainly for 6 months, which can be extended).


Several difficulties can be identified in both types of mainstream homeless institutions. In general, the Hungarian system of homeless shelters is not geared up for accommodating refugees, therefore their staff cannot respond adequately in certain cases when confronted with this task. The root of the problem is the lack of coordination at the ministerial level, as the ministries responsible for social affairs and refugee issues seldom coordinate on this matter. Although there are some colleagues at shelters who are open to solving the task of accommodating beneficiaries of international protection at their institution, addressing some of the issues remains unresolved at a systemic level. Critical weaknesses are, for instance, ensuring access to interpreters, providing adequate meals, taking cultural sensitivities into account (often there are just enough resources to provide bread with lard for people in the shelters).

The ‘Budapest Methodological Social Centre and Institutes’ (BMSZKI) is the biggest homeless care institution in Hungary and in Central-Europe. It encompasses a wide network of temporary hostels, night shelters, specialised shelters for homeless single mothers with minor(s) and daytime centres, all serviced by social workers (who are occasionally on the street in search of rough sleepers to provide them assistance), in cooperation with a medical care crisis service, with the professional support of the Budapest Methodological Centre of Social Policy.

Within the wider BMSZKI homeless care system there are financial sources available that support different accommodation forms. If someone is involved in the system and can prove that he/she has a regular income, they have the opportunity to apply for this support (a maximum of 240,000 HUF). It can be spent on paying the deposit for and/or maintaining a rented flat. The amount of the instalment may be decreasing or fixed (it depends on the income). This provision is available for refugees as well, as laid down in the paragraph 3/d of the Social Act, but not for beneficiaries of subsidiary protection.

One specific institute, the BMSZKI Könyves Kálmán Homeless Shelter, can accommodate approximately 200 people. As one of the experts (EX2) interviewed highlighted, it cannot be identified as a scene of integration for anyone; furthermore, prejudices against foreigners are quite strong within the homeless population. In 2012 the shelter accommodated two refugees for several nights and a third person, who soon disappeared from the shelter. In 2011 three refugees used the services of the shelter. However, the expert opined: ‘this shelter function is not suitable, temporary homes are much better for them’. He agreed that a shelter cannot be the starting point of social integration for refugees, as those who have fallen outside of the host society are those targeted by these institutions, and the circumstances and relevant factors are completely different in the case of the two groups. This was underlined by EX4, who experienced homelessness as well: ‘... in my opinion the homeless shelter – although I have never stayed in a homeless shelter in my life – is not a real solution for them.’

9. Access to housing programmes

Currently there is only one housing programme aimed specifically to support beneficiaries of international protection in Hungary, provided by the Reformed Church Aid’s Refugee Mission. In this project cycle, the Reformed Church has been dealing with 60 people altogether (80 at the beginning of 2012), who were accommodated in 13 supported tenancies. According to the Project Manager of the Housing Programme, their fundamental selection criteria are intrinsic motivation for achieving real changes and better circumstances; families with children; and those who were granted international protection after the new asylum legislation, as they think that these people are extremely vulnerable. The admission interview for the housing programme was three times oversubscribed with 100 people. The tenancy lasts for one year with a 6-month extension possibility for those who are really motivated and are still in need. The criteria for dropping out include the consistent omission of co-payment and the lack of cooperation in plans and targets that have been drawn up by staff from the Mission.

37 For instance, according to EX1, staff do not receive training on providing services for foreigners and often they lack the necessary language knowledge as well.
38 http://www.bmszki.hu
39 Details of the institutional setting of the BMSZKI network were acquired from the 2011 Annual Report (‘A Budapesti Módszertani és Szociális Központ és Intézményei 2011. évi szakmai beszámolói és 2012. évi szakmai tervej): http://bmszki.hu/beszamolok
40 see footnote 29
With the availability of one housing programme targeted at beneficiaries of international protection in Hungary, access to housing for this group in a realistic manner – as most of these people need support to establish their lives in Hungary – is far from being assured. There is a need for additional housing programmes that can accommodate a larger group of beneficiaries of international protection, and to do so in a sustainable manner in the long-term. To achieve this, several stakeholders in the asylum field need to coordinate their actions to find the necessary funds for financing housing programmes targeted at beneficiaries of international protection.

10. Partnerships

Partnerships are visible on two levels in the area of access to housing for beneficiaries of international protection. At the institutional level, the UNHCR-led Regional Roundtable on Refugee Housing and Homelessness encompasses many of the relevant actors in the field. In its Plan of Action, it laid down action points and outlined responsibilities for its participants: Ministry of Interior, Office of Immigration and Nationality, Menedék Association, Reformed Church Aid, and UNHCR itself. The Roundtable proposed recommendations for different aspects of housing and identified the areas of concern. It highlighted that information sharing on local governments’ tasks related to access to housing in their respective municipalities need to be strengthened, as local administrators might not be aware of the relevant regulations, and asked the Ministry of Interior to look into how the situation could be improved.41 It also tackled the issue of the quality of financial support provided to beneficiaries of international protection affecting housing, and suggested amending the existing legislation as regards defining income categories, putting OIN in charge of this area.42 The Roundtable also discussed issues relating to the dissemination of information for refugees and beneficiaries of subsidiary protection, and social counselling services; housing options for the target group; creating partnerships and developing new programmes, among others. In this respect, the Office of Immigration and Nationality initiated the establishment of a Working Group on Housing for Beneficiaries of International Protection, which would involve the relevant governmental actors in the field to foster dialogue between ministries and other governmental institutions, reaching out to local governments as well.

At the level of local initiatives, the grassroots organisation Migrant Solidarity in Hungary (MigránsZsöldaritás) has been assisting the Bicske refugees in organising themselves to foster the development of an engaged refugee community that can assert its rights and be an active part of Hungarian society. Following the November 2012 protests, Migrant Solidarity also collaborated with AVM – The City is for All, not only because the issue of access to housing is in the focus of all parties involved, but also to learn about community self-organisation from the homeless activist group.

41 UN High Commissioner for Refugees, Regional Roundtable on Refugees’ Housing and Homelessness – Plan of Action, slide 4, Budapest, 14 August 2012
42 ibid. slide 7
III. The Root Causes of Homelessness and Risks of Becoming Homeless

The process of becoming a homeless refugee has evolved into a complex and broad context, which is triggered and accentuated by multiple factors. Primarily, it is a dynamically changing phenomenon and displays characteristic features compared to those who are Hungarian citizens. There are several causes that lead to refugee homelessness in Hungary.

First, the refugee support system is highly fragmented. Considering the long-term nature of the integration process and the Hungarian refugee care system as its backbone, the system does not provide the means for successful integration. The tightening of the Asylum Law has created stringent conditions that impede refugees’ access to secure and adequate housing. At the same time, the lack of a refugee integration strategy to guide the implementation of specific measures and bridge the multiple dimensions entailed by this process is further hampering the provision of housing. While refugees are given equal rights to Hungarian citizens, asylum legislation is not synchronised with the mainstream welfare framework (see the Social Act, for example). For instance, this creates legal obstacles to accessing social housing. Other elements of this system, such as the provision of in-cash and in-kind housing support, are insufficient and come with complex requirements without any visible flexibility. The system is perceived as burdensome and access to benefits is at the discretion of those in charge. Many refugees are therefore often deterred from submitting applications for support. Chasing after the precise information and fulfilling administration requirements cost a lot for a refugee who does not have a regular income (for instance, travel costs). The unpredictability and discretionality of the system is a serious hindrance to ensuring access to housing for a wide group of beneficiaries of international protection.

This characterization of the refugee support system is well in line with certain features of the Hungarian mainstream social assistance system. The latter exhibits “...some pre-war traditions (for instance parsimony, discretion)” and “Selective social assistance was the most underdeveloped subsystem under state socialism. It was accepted only in a half-hearted and haphazard way. It remained a sort of illegitimate offspring of the system. The few forms of social assistance that existed – for poor children, for old people having no pension – showed all the defects of pre-war assistance schemes. They were highly discretionary, often stigmatising, and the level of the benefits was excessively low. Entitlement or claims did not exist.”

Second, social services (e.g. social counselling, supported tenancy, education, labour market programmes, etc.) are organised and provided mainly by different institutions and are often project-based. Adding to the problems highlighted by the fragmented nature of the refugee support system, the project-based functioning of numerous services in the area does not allow for the sustainability of the results these projects are bringing about. Third, the quality, reach and effectiveness of services is also worsened by the fact that the level of cooperation between relevant actors is far below the desired level and the insufficient flow of information between different service providers also results in gaps in individual cases. Though there are initiatives identified in this report that address this problem, a forum for genuine cooperation with the involvement of all key stakeholders from the bottom to the highest levels of government – and across government – is still missing.

The expert interviews indicated that lack of access to adequate information on legal, social, housing provisions and a perspective of successful integration possibilities (and a model of a ‘well-integrated refugee’) are crucial elements that motivate individuals to become part of a society. Most of the interviewees stated that they had no satisfactory information about the above-mentioned opportunities while they were residing in the Bicske pre-integration centre, nor in the phase after. This characteristic is the fourth root cause identified as conducive to an insecure housing situation among the target group of this research.

http://www.fergezejusza.hu/docs/accession_and_social_policy.pdf
IV. Promising Practices and Recommendations for Action

When evaluating initiatives to be included among the promising practices identified during the research, the main criterion was their relevance for contributing to lifting beneficiaries of international protection out of the housing exclusion trap. It should be noted that the players in the field of refugee integration are relatively few, due to the fact that this sector in Hungary is small in size. The initiatives identified as promising practices fulfil the criteria of sustainability and contribution to the desired results.

It is important to note that the existence of a support scheme for beneficiaries of international protection in itself is a promising practice, as financial support is indispensable for assisting the integration of those who flee their countries of origin. However, the sums of these benefits and allowances need to be revised, along with the eligibility criteria. From the expert interviews and especially the target group interviews, it is apparent that there are several targeting problems in the system – with regard to the mode of allocating financial support and the amounts determined as well.

Another promising practice is the already mentioned Working Group on Housing for Beneficiaries of International Protection, which is an ideal meeting point for ideas on improving the access to housing for the target group. The need for a broader circle of stakeholders, which would include professionals working in homeless shelters and dealing with the target group in the field would have great added value through bringing in the perspective of experts who deal with homeless beneficiaries of international protection in their day-to-day work.

Another important element is the Housing Programme of the Refugee Mission of the Reformed Church, which was also already referred to in a previous chapter as the only housing programme available at the moment in Hungary targeted specifically at beneficiaries of international protection. The programme is popular among the target group and receives a large number of applications every year. Based on the interviews with beneficiaries of international protection, the level of transparency of the eligibility and admission criteria could be improved, as getting into the programme is such a unique opportunity in the country that those applicants who do not get in would like to know why they did not get selected.

Furthermore, there are smaller integration projects with elements of housing. For instance, the pilot project of OIN in the village of Győrság, West Hungary, is an interesting initiative. An Afghan family of four with subsidiary protection status was moved to the village with ERF funding, where they are being supported for 18 months of the project duration with the final aim of self-subsistence by the project’s end. The conclusions to be drawn from the experiences of this project might yield constructive results for other local integration initiatives; however, the model itself cannot be implemented on a systemic level due to the costs involved. Building on its conclusions in potential changes implemented to the general refugee support system could be the ideal way to go.

When looking into other perspectives from the region, the Czech Republic can provide the most promising practices of the Visegrad 4 countries. The Ministry of Interior of the Czech Republic is the responsible governmental body for the Asylum, Migration, and Integration domains. Those who are granted international protection have the option to be accommodated in Integration Asylum Centres, IAC, for six months (can be prolonged), ‘which are facilities of the Ministry of Interior, operated by the Refugee Facilities Administration. At present, there are five such centres, (...). In these centres, clients have separate apartment units (ranging from 1+0 to 2+1) at their disposal, where they only pay rent and service charges. During their stay in IAC, recognised refugees should primarily work on completing language courses and should actively seek permanent accommodation in the region chosen by them.’44 Refugees have the opportunity to stay in these houses

for up to 18 months and to receive assistance to integrate in the municipality where the given IAC is located. In this light, rethinking the suitability of the **Bicske** reception centre for fulfilling a useful role in refugee integration is a necessary step. With its distance from Budapest and the closed nature of the lifestyle it provides for beneficiaries of international protection, the resources involved in maintaining it could be channelled for use by similar kind of integration sites as the Integration Asylum Centres that are located in municipal areas and thus allow for providing comprehensive integration assistance. The majority of those who move out of Bicske try to settle in Budapest, where they have to start building up their lives from scratch yet again.

All these initiatives are aimed at contributing to ensuring access to housing for beneficiaries of international protection on different levels. The main priority should be devising a sustainable support scheme to provide the basis and context for any additional activity.
A survey conducted by OIN uncovered a completely different picture on the experiences of beneficiaries of international protection in Hungary from the one reflected in this report. OIN carried out a survey in August-September 2012 with the aim of reaching those beneficiaries of international protection who are habitually residing in Hungary. As the researchers used registries, the OIN survey could only include those who 1) have registered permanent addresses and 2) who were residing at those addresses. The OIN survey therefore only reached out to refugees and beneficiaries of subsidiary protection with secured access to housing, and could therefore not be capable of assessing the fundamental obstacles faced by those who were not able to overcome the many barriers to access to housing. It is, however, a valuable exercise, and their forthcoming report will provide useful information on those who were more successful at their integration attempts. On the other hand, some individuals, due to their personal circumstances, are in need of a more comprehensive approach to assistance, and the gaps identified by this report need to be closed with sustainable solutions to the problems they indicate.

The issue raised in the previous paragraph already highlights one of the most important shortcomings in being able to address properly the lack of housing security for many refugees and beneficiaries of subsidiary protection, namely, that there is a fundamental lack of reliable and available data on the housing situation of the largest possible sample of beneficiaries of international protection, other than qualitative data on a small number of interviews with the target group. Statistically speaking, designing a representative sample of this group is impossible, as there is no ‘master list’ of the whole target population residing in Hungary. However, large-scale qualitative research would go a long way in uncovering additional information that this small-scale project could not. This would allow for an improved assessment of the real extent of the problem, and would also be instrumental in the formulation of adequate policy responses to tackle the situation.

Besides scarce data, the report highlighted several shortcomings of the current system as listed in the section on the root causes of the situation. These deficiencies include the fragmented support system available to beneficiaries of international protection, the highly discretionary nature of accessing these benefits and the underfunding of the whole system, compounded by the lack of cooperation among relevant actors in the field. The absence of a refugee integration strategy that could guide policymakers and practitioners in providing assistance to beneficiaries of international protection in a coordinated and adequate manner further undermines the successful integration of these individuals. The integration process of beneficiaries of international protection concerns various dimensions of socio-economic life in the host society. It is essential that different type of policies, especially the Hungarian refugee and mainstream social care systems, prioritize their integration. Currently it does not happen at a general level, apart from in some cases. The vulnerability of refugees prevails and deepens if protection is only realized as a legal recognition. Due to the needs originating from their special situation there must be individualised personal support with differentiated responses and community services are necessary as well. The system of assistance and support should be centred on the refugees whilst making the rules for accessing housing services flexible. In this light, it is of supreme importance how the Ministry of Interior will build up the architecture of its migration strategy and how the provisions affecting refugees and beneficiaries of subsidiary protection will be incorporated. It is crucial that policies concerning integration put a special focus on facilitating access to affordable and social housing; as this present report highlighted, without secure housing there is no hope for successful integration.

Amidst the fragmented institutional setting, there are serious gaps in providing needs-based services that can pay attention to and cater for the specificities of the individual cases. This can be addressed by incorporating a client-centred attitude with regular feedback from service beneficiaries and steps taken for quality assurance in the functioning of the service providers. It brings with itself the requirement that service providers – both state and civil society actors – do their utmost to coordinate their actions and also to build on and complement each other’s provisions. This cannot happen without proper training of the staff of the institutions involved – it is imperative that they ‘speak the same language’. The creation of more consultative opportunities would foster change in this area as well, if done in a sustainable manner.

These measures should be complemented by putting in place a system of indicators to allow the monitoring of the implementation of the policies in the framework of the currently shaping migrant integration strategy, with access to housing in its centre – as ensuring adequate living conditions forms the basis of successful integration into the host society.
The first step of the researchers was to contact the Social Work Office of Menedék Association and ask for the assistance of colleagues working there in social counselling to identify people that fit the description of the target group. The researchers also contacted individuals who are former beneficiaries of Menedék’s social counselling services to request their help in identifying potential interviewees in their network and facilitate the organisation of the meetings with their acquaintances. Other potential interviewees were contacted through the networks of the researchers and other organisations (Artemisszió Foundation, Reformed Church Aid’s Refugee Mission). The newly formed activist group Migráns Szolidaritás also facilitated our access to refugees and beneficiaries of subsidiary protection currently residing in the Bicske reception centre.

The key informants were identified and contacted from civil society organisations and other actors in the social support system and also the Office of Immigration and Nationality. It was an important criterion for inclusion that the experts had key roles and invaluable insights into the field, and several of them participated in the UNHCR-led Regional Roundtable on Refugee Housing and Homelessness. Among others, Menedék’s Head of the Social Work Office was key in providing information on the situation on the ground through her experience working for Menedék and through her involvement in the Roundtable discussions. Other specific civil society actors involved by the researchers were the Reformed Church Aid’s Refugee Mission and A Város Mindenké – The City is for All (AVM is the one and only formation in Hungary in which homeless members have a primary and leading role in all their activities). The experiences of the director of a BMSZKI homeless shelter also proved to be invaluable. From the Office of Immigration and Nationality, the Head of the Reception and Integration Unit at the Refugee Affairs Directorate devoted time to helping our research.

As most of our finally selected interviewees and others who were contacted for participation in the research are in a dire, if not hopeless, situation, conducting the interviews proved to be professionally challenging in many aspects. For instance, the researchers had a glimpse into the life trajectories of a community of Afghan young people, predominantly male, who are former unaccompanied minors and continue to face insecure living conditions, ranging from temporary placement in a student dorm to permanent rooflessness with occasional stays with friends and acquaintances, or spending nights on the street. These individuals largely remain hidden from social service care providers as they stopped participating in social provisions for several reasons unfolded by the present study. They were accessed through the network of a person who previously participated in Menedék’s social counselling service. There were other individuals who rejected participation in the research due to the emotional and psychological burden of their situation, saying they were unable to talk about their conditions in their present state of mind. In other instances, interviews had to be rescheduled to allow for waiting for certain circumstances to settle – whether a single parent with two young children would be evicted or not, for instance.

Semi-structured interviews were conducted based on a previously determined set of questions and a framework of topics to cover in both cases – target group and experts alike. The questionnaire used for interviewing beneficiaries of international protection can be found below. It consists of different modules and could be used in a flexible manner to allow the interview to be tailored to the individual situation of a given interviewee. The interviews were conducted at the offices of Menedék in a separate meeting room, allowing for privacy for the sensitivity of the situation, or at homeless shelters. Those beneficiaries of international protection who participated in our research were given shopping vouchers worth 4000 HUF as a symbolic gesture. Ten target group interviews were conducted with 11 people (a married couple included), out of which 2 interviewees were female, 9 male. The expert interview questionnaires were designed for the specific cases, and the interviews were generally conducted at the offices and work places of the experts involved. They were individually tailored and were not translated to English.
Questionnaire for interviews with beneficiaries of international protection

**Introduction**
- Share the aim and background of the research with the interviewee, linking it to current affairs and scope of work of Menedék and UNHCR
- Share the conditions: anonymity and voluntary participation
- Share the expectations: honest answers, but not all questions need to be answered if inconvenient, or for other reasons not disclosed, etc.
- Clarify that the researcher is unable to provide any help – financial, in kind, counselling, etc. but the whole research project is aimed at fostering systemic changes by unearthing key issues

**Modules**

**Opening questions**
- Ice-breaker – depending on the individual situation
- For interviews conducted at homeless shelters: What is it like to live here? How is your typical day at the shelter?

**Profile**
- Gender, age, nationality, legal status, marital status and family information, other (vulnerability?)
- When did you receive refugee/subsidiary protection status? Did you have another status in Hungary before? (e.g. tolerated stay, or subsidiary protection before refugee status)
- If applicable – family reunification: Have you tried bringing your family to Hungary?

**Housing and integration**

*Pre-integration* at Bicske
- How was life in Bicske? When did you get there and how long did you stay? (however, it is not automatic that everyone stayed in Bicske!)
- How were the conditions there?
- How long did it take you to be placed into the Bicske camp after you submitted your asylum request? Could you tell me about this period? (if applies: special vulnerability – those with family: could the family stay together? Were you placed together? People with psychological problems/PTSD/other special needs: did you get assistance that was adequate for your needs?)
- How did you/could you turn for help/assistance/advice in Bicske? How was your relationship with the social workers? With other staff? Other residents in the camp?
- Could the social workers help you when you turned to them? If so, in what? If not, what would have been adequate help for you?
- When you get the news about the refugee/subsidiary protection status, did you get enough information what it entails?
- Did you get information about job seeking, flat hunting? How did the social workers help you?
- What was the situation with the Hungarian classes? How many classes did you have per day? What is your experience regarding the language course? Was it adequate for you?
- What about the sessions on Hungary’s history and culture?
- (not for those who are living in Bicske still) Looking back to that period, what would have been adequate help for you? (more time in Bicske, more intensive language course, etc.)
- How long did you stay in Bicske for? (if still living there: when do you have to move out?) What happened when you were moving out from Bicske? Where did you go?
- Have you left the country during this period? If so, for how long and why?
- What's the situation with your documents, have you received them? (or ask it at a later stage)
After Bicske

- How long have you been living in Budapest/other city(ies)/X town?
- What kind of benefits/social support are you getting? Did you get enough information about them from social workers in Bicske? Or other social workers? If so, whom?
- If you are not getting any, why is that? Have you tried to remedy the situation? What was OIN’s reaction?
- Do you get some help/assistance from other organisations, your family or other relatives, church, mosque, etc.?
- Are you going to Hungarian classes? How are they? Do you find them useful?
- Are you currently enrolled in an educational institution? If so, what are you studying (for)?
- Where do you live? What are the conditions like? (heating, bathroom, running water, enough space or overcrowding) Did anybody help you finding accommodation?
- How do you finance yourself? What are you living off?
- Do you have enough money to buy food for yourself or you are relying on others?
- Have you ever been to a homeless shelter? Have you spent a night there? If so, several times?
- Have you ever spent the night on the street?
- Have you ever gone to sleep hungry?
- Do you have a job? If so, what are you doing? If not, are you looking for one? What problems – if any – do you encounter while searching for a job? Is your degree/certificate(s) recognised?
- Do you have previous work experience?
- Do you have any health condition that largely influences your way of life? If so, how is your access to healthcare services?

Discrimination

- Have you ever experienced that you were unfavourably treated in a certain situation? If so, do you think it happened because you are a foreigner?
- Have you looked for a flat? What are your experiences?
- Have you looked for a job? What are your experiences?
- Have the police ever stopped you for an ID check? If so, did it happen many times? If yes: Why do you think it happened that many times? How did they treat you?

Rights awareness

- What kind or forms of support are you eligible for as a recognised refugee/beneficiary of subsidiary protection?
- Do you know whether there is a law in Hungary that forbids discrimination based on ethnicity when applying for a job? When renting or buying a flat?
- Did you know that refugees have almost the same rights and obligations as Hungarian citizens?

Future plans

- What are you plans for the future, if any? Are you optimistic or pessimistic?
- Do you think your friends will be able to help in the foreseeable future as well?
Coding of interview participants

**Profiles of experts**

**EX1** – Lead social worker at the Menedék Association

**EX2** – Expert and lead social worker at one of the Budapest Methodological Social Centre and Institutes (BMSZKI) homeless shelters

**EX3** – Senior official at the Office Immigration and Nationality

**EX4** – Homeless activists at the AVM – The City is for All grassroots organisation

**EX5** – Project leaders at the Reformed Church’s Refugee Mission

**Profiles of beneficiaries of international protection**

**R1** – Former unaccompanied minor with subsidiary protection status, currently residing in a dormitory but in the past spent nights on the street. In school breaks due to the lack of any type of financial support, he faces serious struggles to find a courtesy flat of one of his friends.

**R2** – Single parent, refugee status, at the time of the interview he was renting a flat and was extremely threatened by overindebtedness and eviction. He lives together with two minors, and suffers from a psychological illness.

**R3** – Staying in a temporary homeless shelter, where he shares a room with another beneficiary of international protection. He was granted refugee status more than 3 years ago and has no entitlement to any kind of integration-related financial or in-kind support. Found a part-time job recently.

**R4** – Beneficiary of subsidiary protection. In the last couple of months he had been forced to keep changing his place due to his insecure circumstances and had to move from one city to another one many times. He is commuting between Budapest and Cegléd.

**R5** – When in the Nyírbátor detention centre, he suffered permanent hearing impairment when a guard kicked him. He used to rent a flat together with other refugees, but without regular income it became impossible to maintain. In the last few months he had to sleep on the street 6-7 times.

**R6** – Married couple with refugee status, used to participate in the housing programme of the Reformed Church Aid. At the time of the interview they were clueless how they could afford to finance their housing after the programme ends for them.

**R7** – Staying at an acquaintance's flat sharing with two others (2 rooms and a living room), but without any heating due to outstanding bills. Has a baby less than one year of age. They will have to move out from the flat due to the unpaid bills; it is just a matter of time when.

**R8** – The only interviewee from Bicske, where he and his family are housed in a one-room flat that is a relatively spacious room, with kitchen and bathroom. Up until a couple of weeks ago, he thought they have to move out on 25 December and they had no idea what to do, where to go and were terrified and felt hopeless.

**R9** – Entered Hungary while being a minor and turned 18 not long ago. After he was detained at the border, officials registered him as 18-year-old, ignoring that he was a minor. He therefore has a deep mistrust of the Hungarian asylum system and when he had the chance he left for a Western European EU Member State. He stayed there for a year, where he also asked for asylum, but then was told that he has to return to Hungary. He told the authorities there about the false age assessment he was subject to in Hungary, and they liaised with the Hungarian authorities on the matter. He was promised by OIN that he would be considered a minor upon his return. He is 21 years old according to his present ID. He regularly spends nights on the street, but generally he can find a flat of an acquaintance to stay over. He always has his few belongings with him.

**R10** – He has been living in Budapest for 1.5 years. Currently he is staying over with friends for a couple of days each. He met these people in Debrecen and Bicske. He finds it very difficult to live from nothing, as starting with the fact that, from clothes to shoes to getting food, it is very hard for him to get everything. When he moved to Budapest he received the one-off allowance facilitating settlement and the regular subsistence allowance for 5 months. But then it stopped as he didn’t go to Hungarian classes. He is of the opinion that „OIN has a regulation that you can do anything, but if once the allowance stops, you cannot request it back...“ After getting back to going to Hungarian classes, he visited the OIN several times to try arranging to get the allowance again. He was told that once it stopped, it stopped.
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