

# **Refugees – fundamentals**

## **September 17**

**Presentation at the CEU**  
**17 September 2015**

# PHOTO OF JAVIER BALAUZ, 2001



# PHOTO OF JAVIER BALAUZ, 2001



# THE DIMENSIONS

	<b>Facts (Statistics)</b>	<b>Law</b>	<b>Policy</b>
<b>Global</b>			
<b>EU</b>			
<b>Hungary</b>			

# **Language harmonisation**

## **Categories of migrants**

# CATEGORIES OF FOREIGNERS

(INTERNALLY DISPLACED)

<b>Migration</b>			
<b>International</b>			<b>Domestic</b>
<b>Regular</b>	<b>Irregular</b>		
<b>A longer than 1 year presence/absence, in accordance with the law</b>	<b>„Illegal”</b>	<b>Forced migration</b>	
<b>Regular migrant (Worker, student, family unifier, etc.)</b>	<b>Undocumented foreigner, Persons with no right to enter and/or stay</b>	<b>Refugee</b>	<b>Internally displaced person, IDP</b>

# Orders of magnitude

## Statistics

# Global and Syria-related data



# FORCED MIGRANTS, GLOBAL END OF YEAR DATA

Forced migrant	2008	2009	2010	2011	2012	2013	2014
Refugees (Under UNHCR mandate)	10,5	10,4	10,5	10,4	10,5	11,0	13,9
Palestinian refugees (UNWRA)	4,7	4,8	5,0	5,1	5,3	5,4	5,1
Individual applicants	0,8	1,0	0,8	0,9	0,9	1,1	1,8
IDPs fleeing conflict	26,0	27,1	27,5	26,4	28,8	33,0	38,2

Source UNHCR: Global Trends Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons különböző évek (statistical annex) [http://www.unrwa.org/sites/default/files/2014\\_01\\_uif\\_-\\_english.pdf](http://www.unrwa.org/sites/default/files/2014_01_uif_-_english.pdf) és <http://www.internal-displacement.org/> Vaccessed: 2014 szept. 24 and UNHCR: Global Trends *Forced Displacement in 2014*

# Syria – in figures

SYRIAN REFUGEE POPULATION PLANNING FIGURES						
2015 Planning Figures						
As of:	Egypt	Iraq	Jordan	Lebanon	Turkey	Total
Dec 2012	13,000	74,000	168,000	180,000	148,000	583,000
Dec 2013	145,000	216,000	575,000	905,000	562,000	2,403,000
Nov 2014	137,504	228,484	619,777	1,146,405	1,165,279	3,297,449
Dec 2015	120,000	250,000	700,000	1,500,000	1,700,000*	4,270,000

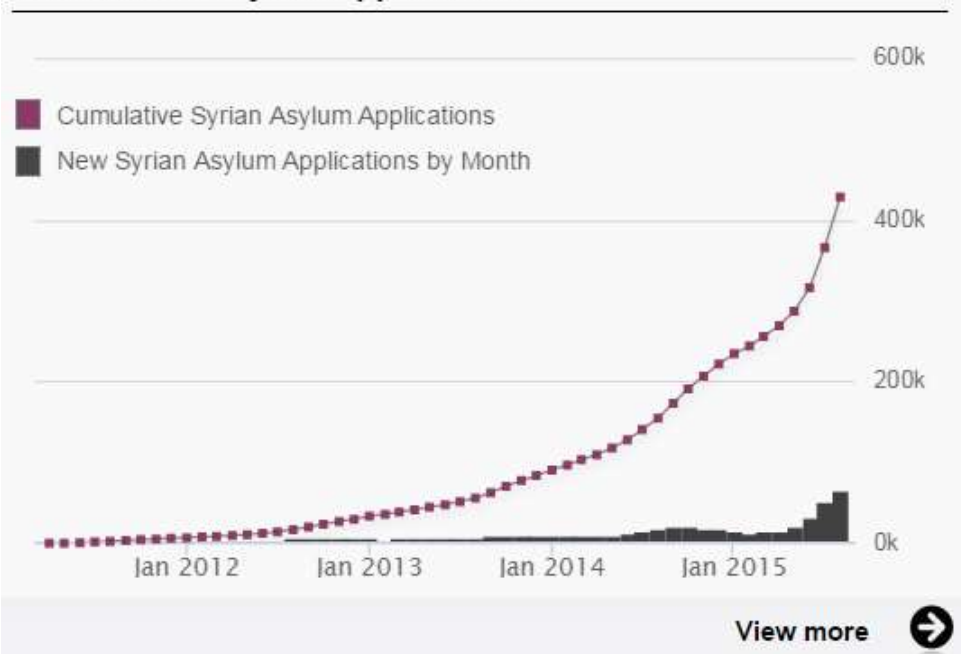
Individual applications in 37 European states

\* Population figures to be aligned with Government of Turkey registration figures during the course of 2015 subject to change.

Source: <http://www.3rpsyriacrisis.org/wp-content/uploads/2015/01/3RP-Report-Overview.pdf>, p. 9

Source: <http://data.unhcr.org/syrianrefugees/regional.php>

## Evolution of Asylum Applications

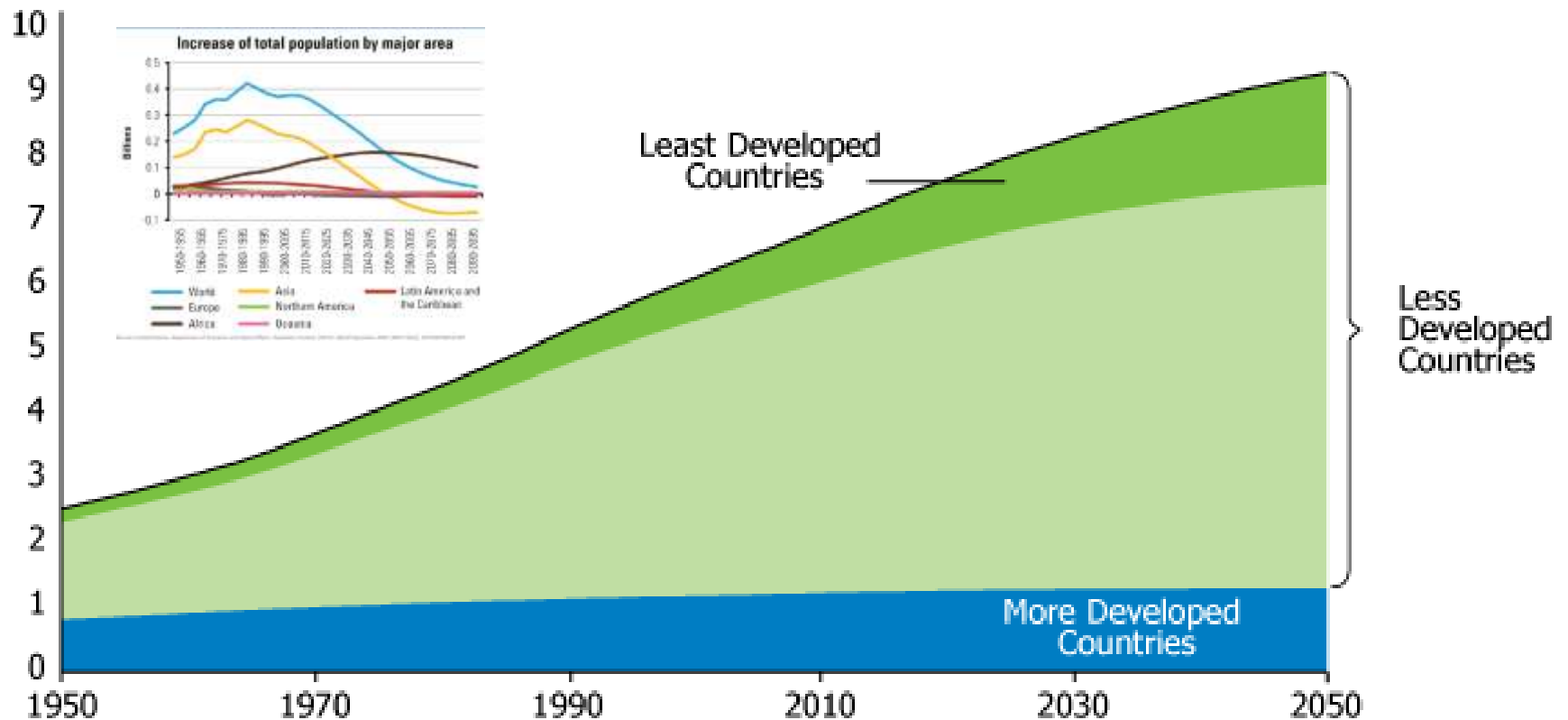


View more

# POPULATION GROWTH IN DEVELOPED LESS AND LEAST DEVELOPED REGIONS

Nearly All Future Population Growth Will Be in the World's Less Developed Countries.

Population (billions)



Source: United Nations Population Division, *World Population Prospects: The 2010 Revision*, medium variant (2011).

# THE SOURCE OF THE MIGRATION PRESSURE

Forrás: Population Reference  
Bureau,  
<http://www.prb.org/Publications/Datasheets/2014/2014-world-population-data-sheet/population-clock.aspx>  
(20141127)

	World	More Developed Countries	Less Developed Countries
Population:	7,238,184,000	1,248,958,000	5,989,225,000
<b>Births per:</b>			
Year	143,341,000	13,794,000	129,547,000
Month	11,945,083	1,149,500	10,795,583
Week	2,756,558	265,269	2,491,288
Day	392,715	37,792	354,923
Hour	16,363	1,575	14,788
Minute	273	26	246
Second	4.5	0.4	4.1
<b>Deaths per:</b>			
Year	56,759,000	12,328,000	44,432,000
Month	4,729,917	1,027,333	3,702,667
Week	1,091,519	237,077	854,462
Day	155,504	33,775	121,732
Hour	6,479	1,407	5,072
Minute	108	23	85
Second	1.8	0.4	1.4
<b>Natural Increase per:</b>			
Year	86,582,000	1,466,000	85,115,000
Month	7,215,167	122,167	7,092,917
Week	1,665,038	28,192	1,636,827
Day	237,211	4,016	233,192
Hour	9,884	167	9,716
Minute	165	3	162
Second	2.7	0.0	2.7

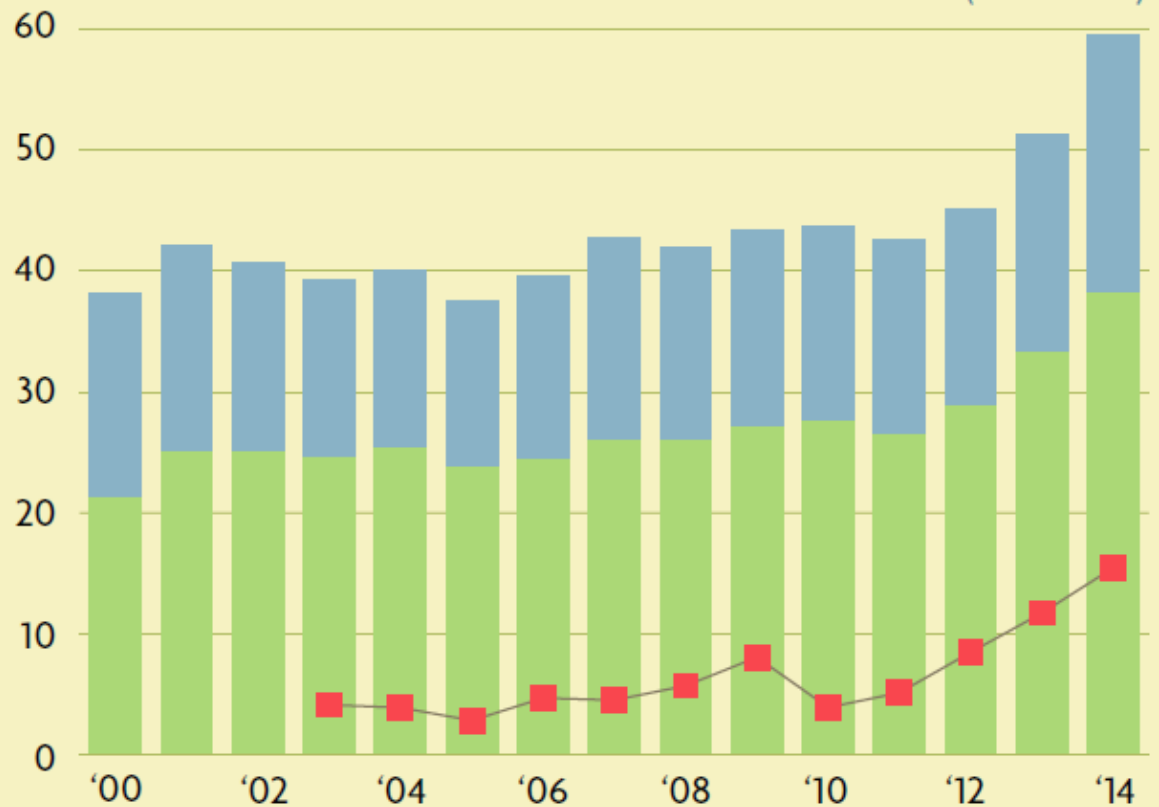
# MAJOR STOCK DATA

Fig. 1

## Displacement in the 21<sup>st</sup> century

| 2000-2014 (end-year)

(in millions)



Refugees and asylum-seekers

Internally displaced persons

People newly displaced during the year\*

**INDIVIDUAL  
APPLICATIONS AND  
RECOGNITION  
RATES**

Fig. 13

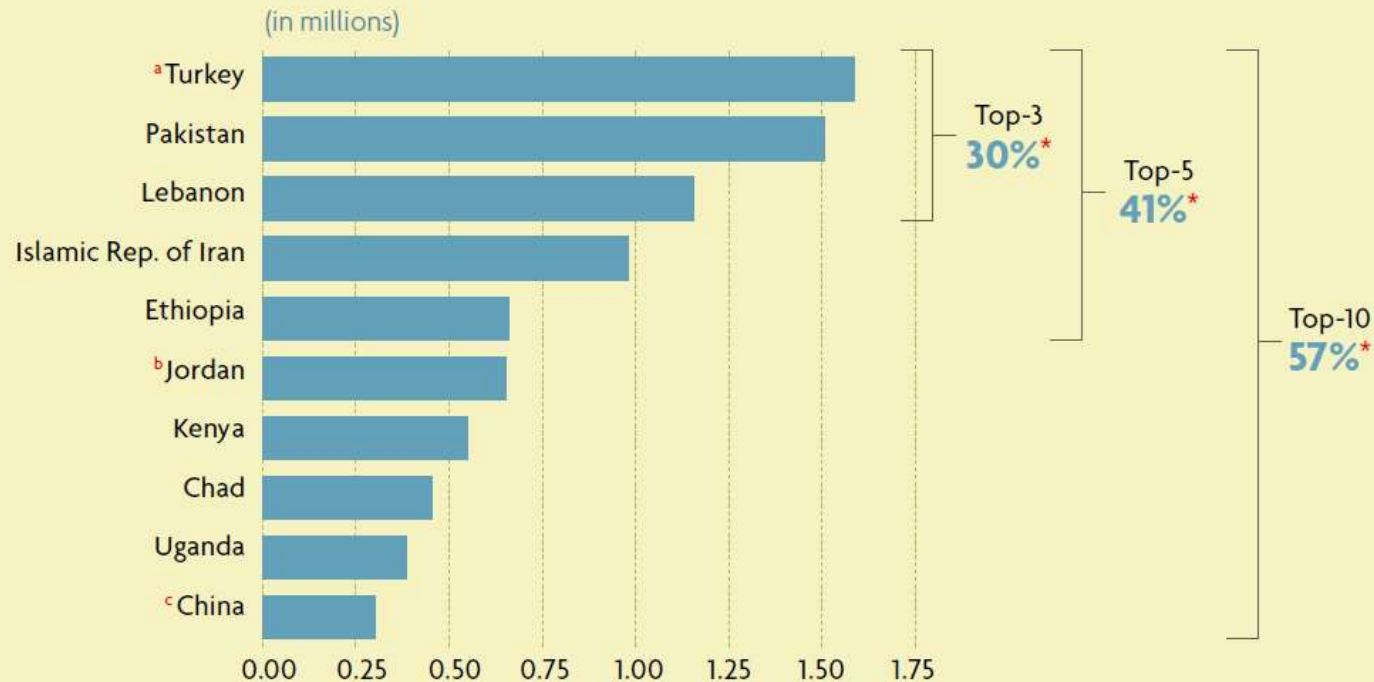
**Global refugee status determination**  
| 2000-2014



\* Includes new, appeal and court applications.

# MAJOR RECEIVING COUNTRIES

Fig. 3 Major refugee-hosting countries | end-2014



\* Reflects proportion out of global number of refugees at end-2014.

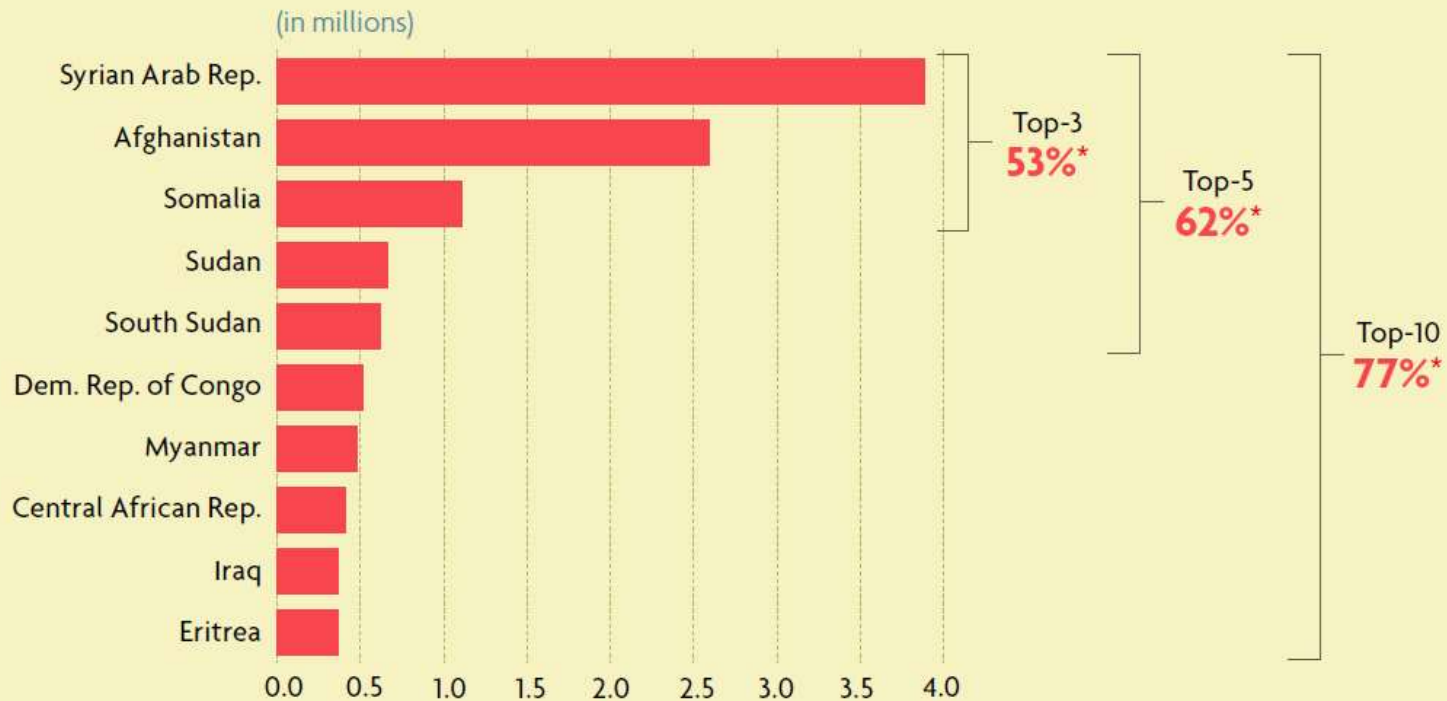
<sup>a</sup> Refugee figure for Syrians in Turkey is a Government estimate.

<sup>b</sup> Includes 29,300 Iraqi refugees registered with UNHCR in Jordan. The Government estimates the number of Iraqis at 400,000 individuals at the end of March 2015. This includes refugees and other categories of Iraqis.

<sup>c</sup> The 300,000 Vietnamese refugees are well integrated and in practice receive protection from the Government of China.

# MAJOR SOURCE COUNTRIES

Fig. 4 Major source countries of refugees | end-2014



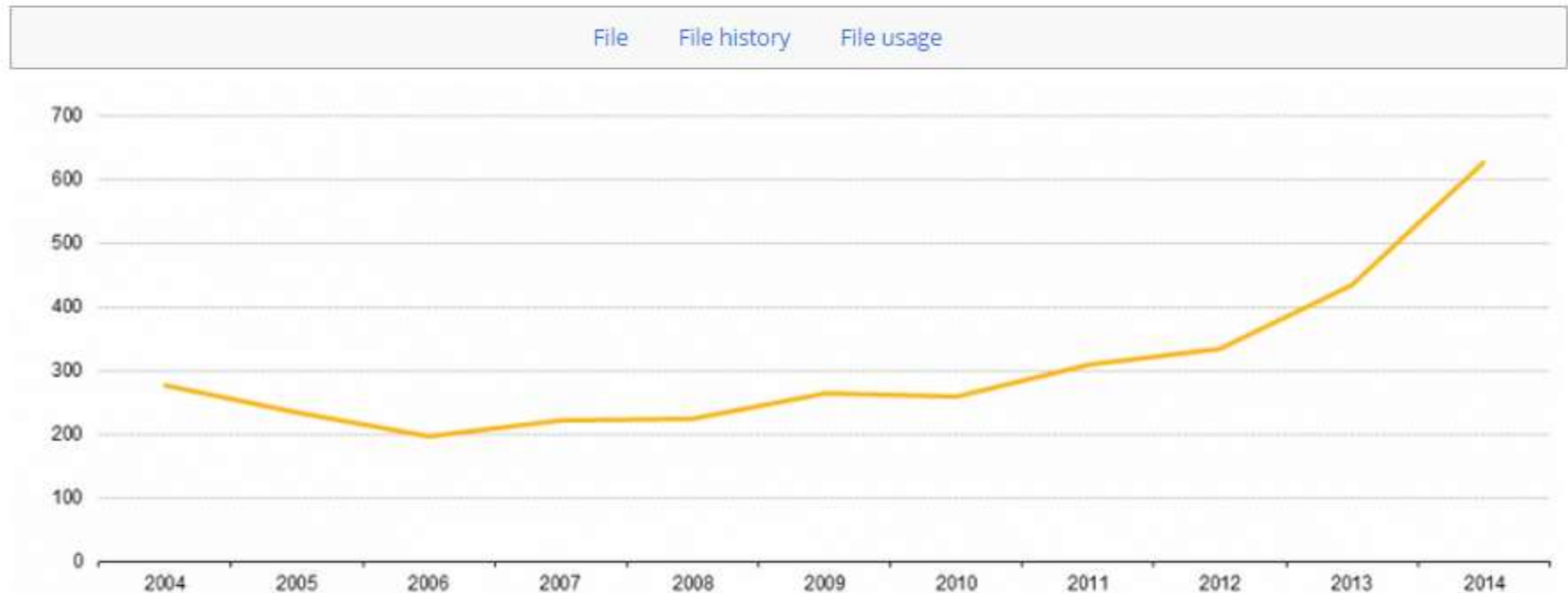
\* Reflects proportion out of global number of refugees at end-2014.



# European data

# INDIVIDUAL APPLICATIONS IN THE EU, 2004 - 2014

File:Asylum applications (non-EU) in the EU-28 Member States, 2004–14 (¹) (thousands) YB15 II.png



(¹) 2004–07: EU-27 and extra-EU-27.

Source: Eurostat (online data codes: migr\_scurtb and migr\_scvannrta)

Source:

Eurostat, [http://ec.europa.eu/eurostat/statistics-explained/index.php/File:Asylum\\_applications \(non-EU\) in the EU-28 Member States, 2004–14 \(¹\) \(thousands\) YB15 II.png](http://ec.europa.eu/eurostat/statistics-explained/index.php/File:Asylum_applications_(non-EU)_in_the_EU-28_Member_States,_2004%E2%80%9314_(%C2%B9)_thousands_YB15_II.png)

# ASYLUM APPLICATIONS BY EU COUNTRY, 2013 4Q – 2014 4Q

Table 1: Asylum applicants (including first time asylum applicants), Q4 2013 – Q4 2014

	Q4 2013			Q1 2014			Q2 2014			Q3 2014			Q4 2014			Q4 2014	Change in %		Applicants per million population (1) 2014	Last 12 months
	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.		between Q3 2014 and Q4 2014	between Q4 2013 and Q4 2014		
EU-28	47 195	41 045	35 085	40 735	35 515	37 515	39 475	42 875	46 235	58 395	55 020	67 335	69 070	64 790	69 105	202 960	12	65	1 235	626 065
Belgium	1 780	1 445	1 375	1 885	1 605	1 575	1 630	1 335	1 805	2 005	2 085	2 410	2 275	1 895	2 205	6 370	-2	39	2 025	22 710
Bulgaria	1 255	1 280	650	820	775	435	320	545	645	910	1 105	1 220	1 430	1 380	1 500	4 305	33	36	1 530	11 080
Czech Republic	80	45	60	60	50	90	85	100	70	105	100	140	120	90	130	340	-2	107	110	1 145
Denmark	710	635	520	570	440	505	610	720	1 005	1 710	2 295	3 085	1 855	1 115	765	3 735	-47	100	2 610	14 680
Germany	15 625	14 425	11 005	14 920	11 655	11 700	11 890	12 965	14 655	20 930	18 705	20 100	22 250	22 500	20 370	65 125	9	59	2 510	202 645
Estonia	5	15	5	10	5	5	10	10	15	15	20	15	30	10	10	50	-2	117	120	155
Ireland	80	110	70	100	85	110	95	105	105	130	125	140	130	155	170	455	15	76	315	1 450
Greece	835	780	630	760	885	795	840	845	730	880	510	670	890	670	955	2 515	22	13	860	9 430
Spain	355	315	270	290	345	405	380	350	415	475	450	540	730	640	610	1 980	35	111	120	5 615
France	6 320	5 235	5 385	4 895	5 165	5 825	5 770	4 655	4 955	5 415	4 160	5 095	6 040	4 930	5 835	16 805	15	-1	955	62 735
Croatia	95	55	35	55	30	45	35	35	35	45	45	35	45	30	25	100	-19	-47	105	450
Italy	3 390	3 135	2 260	3 480	3 265	3 955	4 300	5 465	4 615	5 675	5 110	7 265	8 980	6 865	5 660	21 500	19	145	1 065	64 625
Cyprus	140	145	120	120	120	145	155	130	130	140	130	180	205	150	140	495	10	22	2 035	1 745
Latvia	15	10	10	10	20	40	15	20	45	65	35	45	30	15	30	75	-47	117	190	375
Lithuania	40	35	40	35	25	35	10	20	35	20	30	40	35	70	75	185	99	65	150	440
Luxembourg	125	100	60	100	90	75	55	90	70	90	100	140	130	120	85	335	1	17	2 090	1 150
Hungary	785	935	1 035	1 325	725	685	725	765	1 205	1 615	2 200	4 895	5 425	9 130	14 075	28 630	229	940	4 330	42 775
Malta	115	130	65	75	50	75	135	65	205	125	100	185	135	80	120	335	-19	8	3 180	1 350
Netherlands	1 830	1 690	1 515	1 745	1 560	1 515	2 790	3 585	1 985	2 285	2 440	3 150	2 265	1 460	1 440	5 165	-34	3	1 555	26 210
Austria	1 695	1 550	1 520	1 520	1 235	1 330	1 410	1 780	1 765	2 215	2 445	3 290	3 155	3 690	4 200	11 045	39	132	3 295	28 035
Poland	625	445	385	625	465	605	695	635	695	725	620	810	815	680	645	2 140	-1	47	210	8 020
Portugal	45	30	105	20	15	30	30	35	35	45	50	40	40	60	40	140	4	-22	40	440
Romania	135	110	80	115	130	105	80	120	115	145	90	270	195	80	100	375	-26	15	75	1 545
Slovenia	20	5	10	15	35	30	40	35	25	30	30	55	40	15	40	95	-14	179	185	385
Slovakia	40	40	30	20	15	50	20	20	30	15	20	20	30	40	45	115	102	7	60	330
Finland	280	280	255	260	230	235	250	235	255	270	350	405	410	325	405	1 140	11	40	665	3 620
Sweden	7 910	5 530	5 325	4 450	4 100	4 395	4 845	6 010	8 070	9 380	8 855	9 965	8 175	5 995	6 945	21 115	-25	13	8 415	81 180
United Kingdom	2 905	2 585	2 285	2 450	2 395	2 730	2 275	2 200	2 525	2 930	2 815	3 130	3 215	2 595	2 485	8 295	-7	7	495	31 745
Iceland	15	10	10	5	10	5	10	10	15	5	15	20	25	5	35	65	47	97	515	170
Liechtenstein	5	0	0	5	10	5	5	5	5	0	5	15	5	5	10	20	6	260	1 725	65
Norway	1 095	855	760	915	750	850	940	1 455	1 335	1 115	1 225	1 485	1 265	1 000	880	3 145	-17	16	2 585	13 205
Switzerland	1 830	1 950	1 770	1 925	1 450	1 485	1 460	1 665	2 225	2 880	2 510	2 390	2 380	1 675	1 510	5 585	-28	0	2 895	23 555

Source:

Eurostat,  
Data in  
Focus  
3/2015 , p.  
4

# COUNTRY OF ORIGIN OF THE ASYLUM SEEKERS

	Total (number)		Change 2013 to 2014		Ranking		
	2013	2014	Absolute (number)	Relative (%)	2013	2014	Change
<b>Non-EU-28 total</b>	435 190	626 065	190 875	43.9	-	-	-
Syria	50 420	122 790	72 370	143.5	1	1	0
Afghanistan	26 235	41 305	15 070	57.4	3	2	1
Kosovo (UNSCR 1244/99)	20 220	37 875	17 655	87.3	6	3	3
Eritrea	14 605	36 990	22 385	153.3	8	4	4
Serbia	22 375	30 810	8 435	37.7	4	5	-1
Pakistan	20 890	22 120	1 230	5.9	5	6	-1
Iraq	11 205	21 330	10 125	90.4	11	7	4
Nigeria	11 660	19 950	8 290	71.1	10	8	2
Russia	41 500	19 685	-21 815	-52.6	2	9	-7
Somalia	18 570	16 910	-1 660	-8.9	7	10	-4
Albania	11 075	16 805	5 730	51.7	12	11	1
Stateless	9 620	15 680	6 060	63.0	14	12	2
Ukraine	1 060	14 040	12 980	1 224.5	47	13	34
Mali	6 635	12 905	6 270	94.5	20	14	6
Bangladesh	9 150	11 650	2 500	27.3	15	15	0
Gambia, The	3 550	11 515	7 965	224.4	29	16	13
Iran	12 785	10 890	-1 895	-14.8	9	17	-8
Bosnia and Herzegovina	7 070	10 675	3 605	51.0	19	18	1
FYR of Macedonia	11 065	10 330	-735	-6.6	13	19	-6
Unknown	4 330	9 590	5 260	121.5	27	20	7
Georgia	9 115	8 555	-560	-6.1	16	21	-5
Dem. Rep. of Congo	8 390	7 085	-1 305	-15.6	17	22	-5
Algeria	7 080	6 700	-380	-5.4	18	23	-5
Senegal	2 965	6 435	3 470	117.0	32	24	8
Guinea	6 515	6 265	-250	-3.8	22	25	-3
Sudan	3 255	6 225	2 970	91.2	31	26	5
Armenia	5 220	5 670	450	8.6	26	27	-1
Sri Lanka	6 600	5 315	-1 285	-19.5	21	28	-7
China (including Hong Kong)	5 320	5 200	-120	-2.3	25	29	-4
Turkey	5 645	5 165	-480	-8.5	23	30	-7
<b>Other non-EU-28</b>	61 065	69 605	8 540	14.0	-	-	-

Source: Eurostat (online data code: migr\_asyappctza)

Source:

Eurostat, [http://ec.europa.eu/eurostat/statistics-explained/index.php/File:Asylum\\_applications\\_\(non-EU\)\\_in\\_the\\_EU-28\\_Member\\_States,\\_2004%E2%80%932014\\_\(%C2%B9\)\\_thousands\\_YB15\\_II.png](http://ec.europa.eu/eurostat/statistics-explained/index.php/File:Asylum_applications_(non-EU)_in_the_EU-28_Member_States,_2004%E2%80%932014_(%C2%B9)_thousands_YB15_II.png)

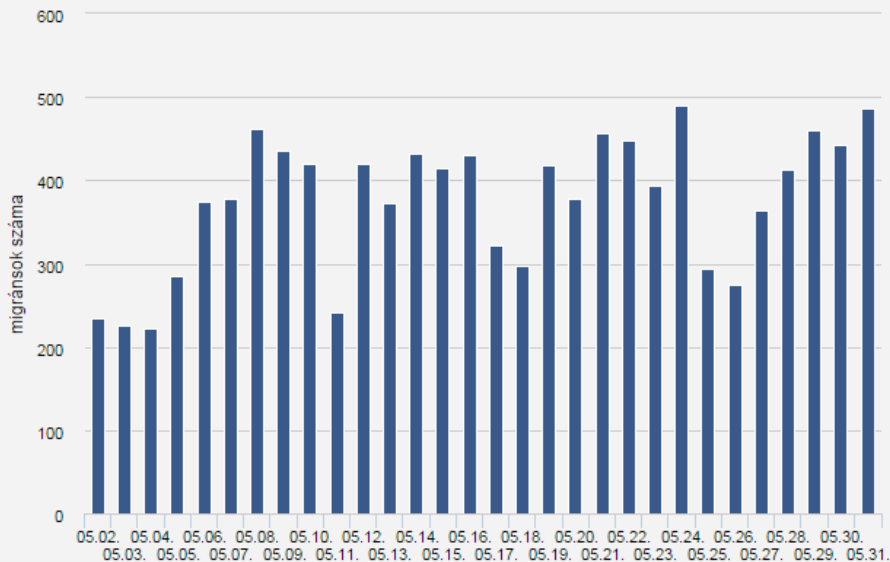
# Hungarian data

# HUNGARIAN STATISTICS

	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b> 1 January – 7 September
Application, total	1.693	2.157	18.900	42.777	155.484
3 Main countries of origin	Afghanistan (649) Kosovo (211) Serbia (27)	Afghanistan (880) Pakistan (327) Kosovo (226)	Kosovo (6.067) Pakistan (3.052) Afghanistan (2.279)	Kosovo (21.453) Afghanistan (8.796) Syria (6.587)	n.a.
Some form of protection	191	415	415	512	306
Refugee	52	87	198	260	88
Subsidiary protection	139	328	217	252	218
Rejection	740	751	4.185	4.553	n.a.
Termination	623	1110	11.339	23.406	64-696

Source: own collection based on OIN Yearly booklets and UNHCR data and Sándor Pintér's response to a question by a MP

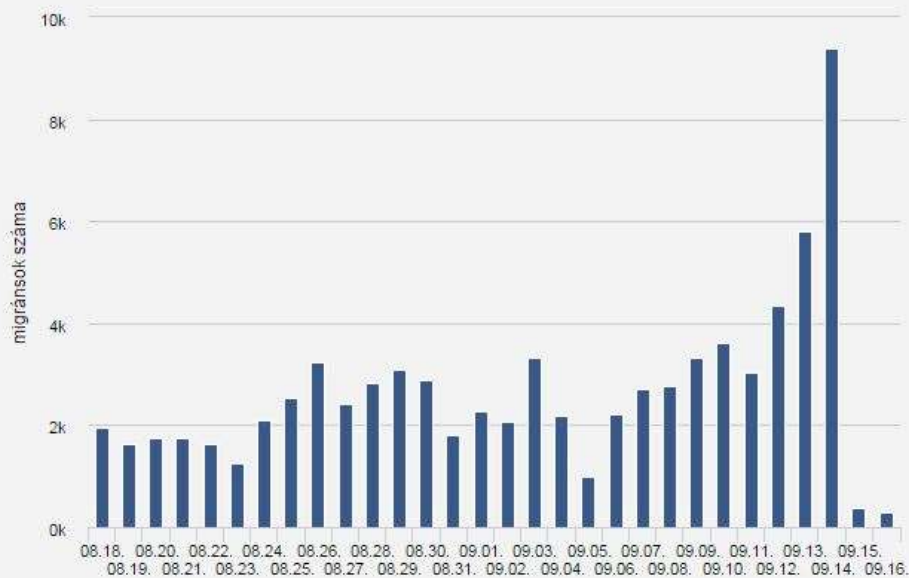
Elfogott migránsok száma az elmúlt 30 napban



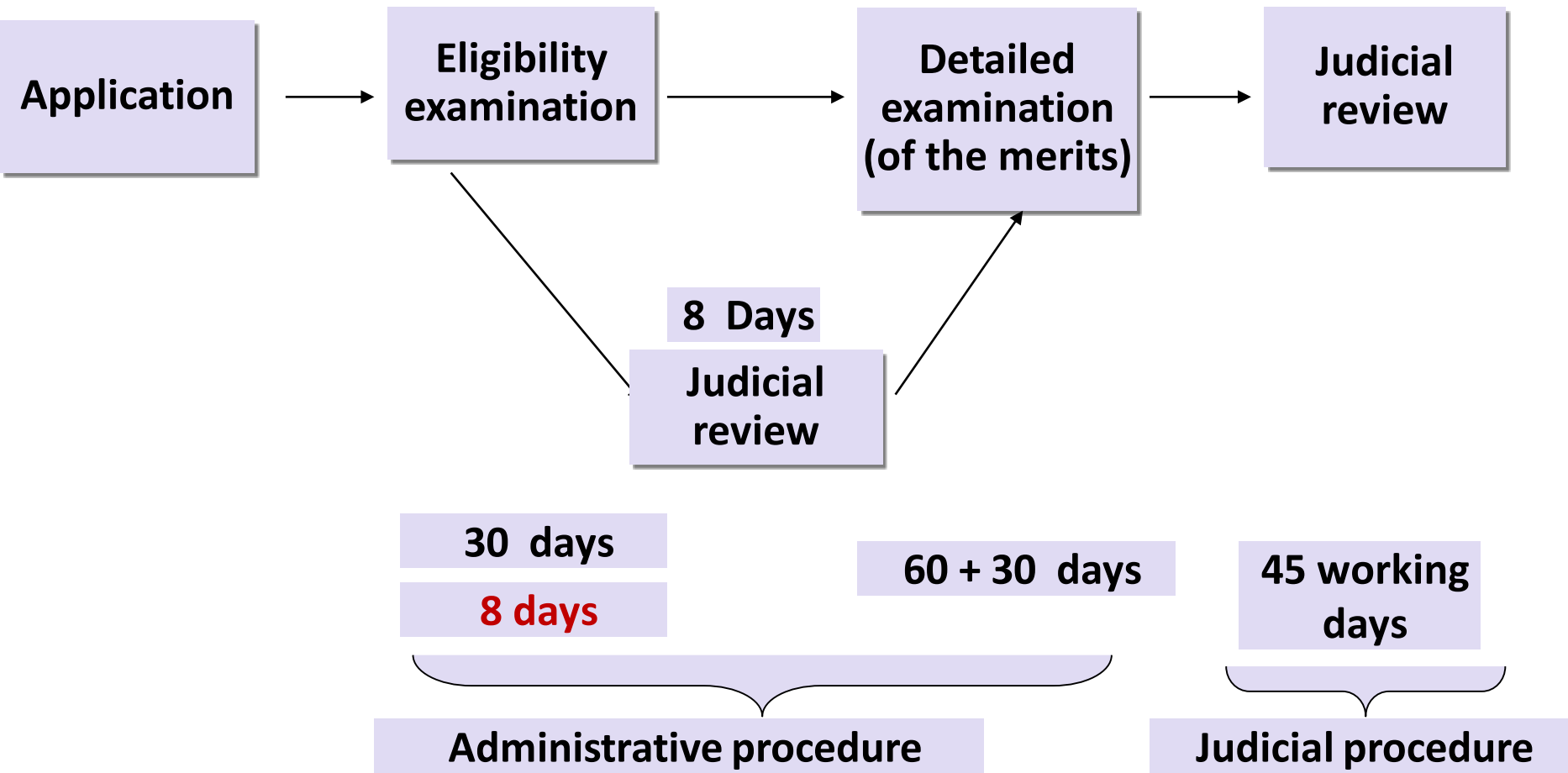
## IRREGULAR MIGRANTS INTERCEPTED IN MAY 2015 AND AUGUST SEPTEMBER

Source: <http://www.police.hu/hirek-es-informaciok/hatarinfo/elfogott-migransok-szama> 20150601 and 20150917)

Elfogott migránsok száma az elmúlt 30 napban



# THE HUNGARIAN REFUGEE AND BENEFICIARY OF SUBSIDIARY PROTECTION STATUS DETERMINATION PROCEDURE



**Border procedure:** no departure from the containers at the border. OIN Court there, or via telecommunication



**Law  
definitions,  
and the concept of safe third  
country**

GEO/TIME	2015M01	2015M02	2015M03	2015M04	2015M05	2015M06
European Union (28 countries)	60 150	64 630	60 170	57 300	66 465	75 780
Belgium	1 215	1 070	1 170	1 115	1 615	2 325
Bulgaria	1 055	1 025	1 110	1 120	1 325	1 605
Czech Republic	95	95	170	105	85	85
Denmark	630	430	455	550	870	1 075
Germany (until 1990 former territory of the FRG)	21 680	22 775	28 680	24 505	23 760	32 705
Estonia	5	15	30	30	10	25
Ireland	215	200	210	265	255	335
Greece	925	895	790	855	1 005	
Spain	745	575	715	895	845	
France	4 025	5 135	5 610	5 175	4 355	5 150
Croatia	10	15	15	10		5
Italy	4 740	5 075	5 430	4 500	5 130	5 265
Cyprus	155	125	150	145	120	
Latvia	15	15	15	25	30	50
Lithuania	15	25	5	25	25	10
Luxembourg	85	95	85	70	85	95
Hungary	11 655	16 405	4 750	6 485	9 800	16 385
Malta	65	160	120	105	160	115
Netherlands	885	740	800	1 085	2 250	2 935
Austria	3 875	3 065	2 770	3 715	6 195	
Poland	485	470	485	540	525	700
Portugal	40	80	60	80		
Romania	100	75	160	205	85	85
Slovenia	15	10	20	15	10	10
Slovakia	15	10	25	5	20	5
Finland	305	310	345	335	510	760
Sweden	4 345	3 520	3 570	3 405	4 850	6 055
United Kingdom	2 750	2 225	2 420	1 935	2 545	
Iceland	:	:	:	:	:	:
Liechtenstein	:	:	:	:	:	:
Norway	570	485	485	520	1 165	1 075
Switzerland	1 450	1 310	1 380	1 270	2 080	3 670
Total	62 165	66 420	62 035	59 095	69 710	80 525

First asylum applications, EU, 2015

Source: Eurostat, migr\_asyappctzm

## DEFINITIONS – THE UNIVERSAL STANDARD

### Geneva Convention relating to the status of refugees – 1951

#### Article 1.

#### *Definition of the term “refugee”*

A. For the purposes of the present Convention, the term “refugee” shall apply to any person who:

(1) Has been considered a refugee ...[according to the interwar arrangements and the IRO constitution]

(2) As a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

# DEFINITIONS – EU (AND HUNGARY)

## Council Directive

**2004/83/EC** of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted (OJ L 304/12 2004 09 30,)

## EU Qualification Directive

**2004/2011**

**Art 2** 2004:(e) 2011: (f)

DIRECTIVE **2011/95/EU** OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted

„person eligible for subsidiary protection” [means someone], „who **does not qualify as a refugee** but in respect of whom **substantial grounds have been shown for believing** that the person concerned, if returned to his or her country of origin, or in the case of a stateless person, to his or her country of former habitual residence, **would face a real risk of suffering serious harm** as defined in Article 15, .....is unable, or, owing to such risk, unwilling to avail himself or herself of the protection of that country;

**Art 15** (in both)

Serious harm consists of:

- (a) **death penalty or execution**; or
- (b) **torture or inhuman or degrading treatment or punishment** of an applicant in the country of origin; or
- (c) **serious and individual threat** to a civilian's life or person by reason of **indiscriminate violence in situations of international or internal armed conflict**”

## DIRECTIVE ON MINIMUM STANDARDS ON PROCEDURES THE CONCEPT OF THE SAFE THIRD COUNTRY

- **life and liberty are not threatened** on account of 5 Geneva Convention grounds; and no risk of serious harm
- the principle of **non-refoulement** is respected; and
- the **prohibition on removal** in breach of the right to freedom from **torture and cruel, inhuman or degrading treatment** as laid down in international law is respected; and
- the **possibility** exists **to request** refugee status and, if found to be a refugee, **to receive protection** in accordance with the Geneva Convention.

# THE CONCEPT OF THE SAFE THIRD COUNTRY

Minimum requirements concerning national rules on determining that a state is safe for a particular applicant:

meaningful link between applicant and s.t.c.

investigation if a particular country is safe for the particular a.s.(or national designation of s.t.c.)

a right of the a.s.to challenge the safety at least when torture and inhuman or degrading treatment or punishment is threatening the a.s.

Challenge also possible on the basis of lack of connection to stc

If inadmissible because of s.t.c. :

- inform a.s. accordingly,
- provide a.s. with document informing the s.t.c. that the application has not been examined in substance

# Policy issues

# EU INITIATIVES

May and September 2015 – two packages, combined effects

Issues:

- **ad hoc relocation from Greece and Italy** into other EU member states 40 000 asylum seekers „in clear need of protection”
- **ad hoc relocation** scheme, involving **Hungary also**. 15 600 asylumseekers from Italy, 50 400 from Greece and 54 000 from Hungary in respect of groups with at least 75% recognition rates
- a „**crisis relocation mechanism**” to be built into the Dublin regulation, to be triggered by „large and disproportionate” inflow of asylum seekers, creating „extreme pressure”
- **resettlement** of 20 000 refugees from outside the EU

- 
- EUNAVFOR – fight against smugglers
  - European Emergency Trust Fund for Africa
  - European list of safe countries of origin



# Thanks!

Boldizsár Nagy  
CEU, IR and Legal Departments

nagyb@ceu.hu  
[www.nagyboldizsar.hu](http://www.nagyboldizsar.hu)