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UNHCR concerned by Hungary's latest measures affecting access to asylum

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In this file photo from 2016, a young Afghan boy looks through a razor wire fence at the Röszke refugee camp on Hungary's border with Serbia. © UNHCR/Zsolt Balla

UNHCR, the UN Refugee Agency, deplores the recent decision of the Hungarian government to extend a decree that authorizes the police to automatically and summarily remove anyone intercepted for irregular entry and stay.

As a result of this decision, people who may be in need of international protection are denied access to territory and asylum procedures. Since 2016, the Hungarian authorities have forcibly removed more than 71,000 people.

The decree of 2016 declaring a 'crisis situation due to mass immigration', covering the entire territory of Hungary, was further extended on 27 February. This decision comes at a time when arrivals to the European Union, including Hungary, continue to decrease each year. The numbers of those arriving to the EU by sea and land in 2020 (95,000 people) decreased by 75 per cent when compared with 2016 (373,652).

This latest decision follows a string of concerning developments impeding access to asylum. In May 2020, the Government of Hungary introduced other extraordinary legislative provisions in response to the COVID-19 situation, requiring people seeking international protection to first express their intent to seek asylum at the Hungarian Embassy in neighbouring non-EU countries before they may be able to access territory and asylum procedures in Hungary.

"We urge the Government of Hungary to withdraw these legislative provisions and ensure that people who wish to seek international protection, many of whom are fleeing war, violence and persecution, have effective access to its territory and to the asylum procedure. UNHCR stands ready to support the Government of Hungary to review its asylum system to bring it in line with international refugee and human rights law," said UNHCR's Europe Bureau Director, Pascale Moreau.

"Today's challenges of forced displacement require global and regional responses, in the spirit of solidarity, and not standalone initiatives that erode the international protection system. This system, now 70 years old, has withstood the test of time and many situations of crisis. There is a collective responsibility to safeguard this system."

The right to seek and enjoy asylum is a basic human right guaranteed by international law and is supported by the legal framework of the 1951 Refugee Convention. When States introduce legitimate measures to control their borders, it must be done in a manner which is consistent with their obligations under international law, including the principle of non-refoulement and respect for the right to seek and enjoy asylum.

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