The aim of this study is to present the organisation of reception of persons seeking international protection, including the quality of the reception facilities, the effectiveness and costs of reception and the conclusions on them, doing this throughout the examination of relevant legislation, actual statistical data and reports.

Besides, it draws attention to the shortcomings on the reception of persons seeking recognition, and makes recommendations on increasing the quality of reception conditions in the future.

This is very actual in the case of Hungary, since in 2013 Hungary is under a particular asylum pressure (in 2012 the total number of the applicant was 2155\(^1\) persons, which reached 12517\(^2\) persons in the first half of 2013). In such conditions, the provision of adequate reception conditions faces challenges, when its shortcomings could be shown.

With regard to this, an additional aim of the study is to identify best practices for handling effectively particular pressure on asylum system that could give good examples to other Member States of the European Union.

The first manuscript was finalised on the 29\(^{th}\) July 2013, thus it responds to the questions of the European Migration Network on the basis of legislations in force at this time, our professional knowledge and experiences, as well as our relevant researches.

As a Member State of the European Union, as well as a party to the 1951 Geneva Convention and its 1967 New York Protocol\(^3\), Hungary undertakes reception of asylum seekers.

One of the aims of the European Commission with the Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers and its recast was to facilitate the realization of adequate and comparable reception conditions within the European Union.

In the recent years, Hungary transposed the asylum acquis of the European Union, thus brought

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\(^2\) Office of Immigration and Nationality (OIN) available statistics of July 2013

into line its national legislation with the relevant EU asylum legislation in a number of important respects. Act LXXX of 2007 on Asylum (Asylum Act) and Government Decree 301/2007. (XI.9.) on the implementation of the Act LXXX of 2007 on Asylum (Government Decree) are fully conform with the EU rules on reception conditions, though it is not completely satisfying according to signals from relevant international and civil society organizations. Therefore, the establishment of comparable reception conditions at EU level is needed, which always provides appropriate quality for applicants for international protection and responds to their needs.

The study presents the different type of reception facilities with facts on their numbers and capacities and the competent authorities responsible for their monitoring in particular financial and executive responsibility.

Besides, it describes the categories of applicants entitled to reception facilities and maps the competent authorities who decide on the allocation of applicants. Moreover, it investigates whether authorities take into account the specific needs of vulnerable groups during their decision-making process. Furthermore, it examines the factors that have influence on allocation of accommodation for applicants.

The study overviews the national legislation on basic material and non-material conditions of the reception of asylum-seekers and the related quality criteria for reception facilities. Moreover, it maps the rights granted to applicants of international protection.

Further to that, it analyzes the costs of receptions and examines the efficiency of reception system. Last but not least, it presents the existing flexibility mechanisms for reception of asylum-seekers in Hungary.

In the final part of the study the key findings on the Hungarian reception facility system are summarized, highlighting its strengths and weaknesses. It draws attention to domestic actions in times of particular asylum pressures, which have proven to be most effective in handling the situation. In addition, it tries to identify best practices that can serve to effectively manage costs of reception while increasing the quality of the conditions.

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**Section 1**

**Different types of Reception Facilities and different Actors**

**Q1. Please indicate in Table 1 below what type of reception facilities exist in your (Member) State.**

In case your (Member) State offers a different type of facility which is not listed in the table below, please include and describe this by adding additional rows to the table below. Please also indicate how many of these facilities exist and indicate what their capacity is and how many applicants were accommodated in these facilities per year starting from 1 January 2008 to 31
December 2012.

Should your (Member) State not be able to provide the maximum capacity, please provide a brief explanation for this and specify the actual number of applicants accommodated in a certain type of facility on an annual basis for the period 2008-2012.

Table 1 Different types of Reception Facilities

<table>
<thead>
<tr>
<th>Type of accommodation</th>
<th>Does this type of facility exist in your Member State?</th>
<th>If so, how many of these facilities existed at the end of 2012?</th>
<th>Specify the maximum number of applicants the facilities could accommodate</th>
<th>Number of applicants accommodated in such facilities per year during 2008-2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collective initial/transit reception centres</td>
<td>Yes/No</td>
<td>(2008-2010: Yes)</td>
<td>(2008-2010: 1)</td>
<td></td>
</tr>
<tr>
<td>Collective open reception centres⁴</td>
<td>Yes/No</td>
<td>1</td>
<td>2008-2010: 1100 2011-2012: 989</td>
<td>Total: 8180</td>
</tr>
<tr>
<td>Special reception centres or facilities for vulnerable groups (e.g. victims of torture or specific vulnerable female applicants)</td>
<td>Yes/No</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special separate reception centres for unaccompanied minors</td>
<td>Yes/No</td>
<td>2008-2010: 1 2011-2012: 1</td>
<td>50</td>
<td>Total: 740</td>
</tr>
<tr>
<td>Private houses or flats: arranged and paid for by competent authorities</td>
<td>Yes/No</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private hotels: arranged and paid for by competent authorities</td>
<td>Yes/No</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Individually arranged accommodation such as houses, flats, hotels and/or possibilities of staying with friends and/or family⁵</td>
<td>Yes/No</td>
<td>No data</td>
<td>No data</td>
<td>No data</td>
</tr>
<tr>
<td>Other premises for the purpose of accommodating applicants for international protection which are arranged and paid for by the competent authorities</td>
<td>Yes/No</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Reception facilities provide temporary accommodation for asylum-seekers, who can stay in the facility after submitting their applications until authorities take decision in their cases. The

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⁴ Open centres means that applicants are free to enter and leave the centre whenever they want.

⁵ Please specify whether applicants receive (or have the possibility of receiving) a financial allowance in case they have individually arranged their accommodation.
facilities offer accommodation, food, basic medical service and monthly allowance for applicants, who reside on its territory.

In its decision referring the application to the detailed procedure, the refugee authority (the Office of Immigration and Nationality) shall designate a private residence as his/her place of residence at the request of the person concerned, or – in the lack of such residences – a reception centre or other accommodation maintained on the basis of the associated contract unless the applicant is subject to any forced action, action or punishment, or any action ordered in alien control proceedings for the restriction of personal freedom. The refugee authority shall arrange placement of the unaccompanied minor asylum-seeker in a child protection institute. The applicant may reside at the place designated for him/her on a residential basis during the detailed procedure and the duration of any court review during this period.

According to Hungarian legislation, a reception centre is a facility operated by the refugee authority in order to accommodate and care for persons seeking recognition (international protection). Additionally other accommodation operated on a contractual basis (with the refugee authority) is also considered as a reception centre.

One of the reception facilities operates as special pre-integration centre, while some of them as separate accommodation for unaccompanied minors.

Actually, in Hungary three big reception centres are functioning, in Debrecen, in Békéscsaba and in Bicske. Although, due to the increased number of applicants this year, it was necessary to open temporary reception centres, for example on the territory of detention facilities in Kiskunhalas and in Nyírbátor. Nevertheless, opening of a new independent reception centre in Vámosszabadi is in process now.

Among the big reception centres, the one in Debrecen serves for the long-term placement of asylum-seekers with a maximal capacity of 989 persons, but due to the particular circumstances, about 1200 persons are accommodated there presently.

On the contrary, the reception centre in Bicske operates as a pre-integration facility for recognized
refugees and other beneficiaries of international protection.

The reception centre in Békéscsaba previously functioned as a kind of pre-filter facility, since the competent authorities primarily examined the foreigners who applied for asylum. After having been stayed there for 2 weeks they were transported to Debrecen. During this two-week period they were interviewed and their general medical examinations were carried out, while they were waiting for the decision on well-foundation of their claims. Throughout this process they were not allow to move freely, they could leave the territory of the facility only with permission of the refugee authority. Presently, it operates as a guarded reception centre for the implementation of asylum detention.

Unaccompanied minors are accommodated in child protection institutions. From 2008 to 2013 only one, the Károlyi István Children Centre in Fót was operated, but from the beginning of 2013 there are two more new possible locations to accommodate them, in Hódmezővásárhely and in Ópusztaszer.

Although, there is no separated facility maintained exclusively for vulnerable applicants, but the competent authority takes their special needs into account during their placement. It is possible in each reception centre for accommodating separately pregnant women/children/elderly/disabled or other persons who have special needs in a protected part of the reception facility.

In addition, there is also a possibility for the applicants to stay in individually organised private accommodations during their procedure, but this is very rare, because only a few of them have family or friendly connections in Hungary, and their material situations also do not allow to use this type of accommodation. Thus, in general, the arriving asylum seekers are placed in one of the above mentioned reception facilities.

Q2. Which authority(ies) carry financial responsibility over the reception facilities?

(a) State authorities
(b) Local authorities / regional governments
(c) External service provider such as NGOs, actors from the private sector or any other kind of third party involvement?

Q3. Which authorities carry executive responsibility14 over the facilities:

(a) State authorities

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12 Article 33 Paragraph (4) of Government Decree
13 Article 29 of Asylum Act
14 Executive responsibility refers to the day-to-day running of the reception facilities and would also for example include including quality control of the services provided in the facility.
(b) Local authorities / regional government

(c) External service provider such as NGOs, actors from the private sector or any other kind of third party involvement?

Due to the fact that responses to Q2 and Q3 are closely related in the case of Hungary, it is justified to merge them.

In accordance with the Hungarian legislation, it is the State’s responsibility to ensure the adequate standard of living of the asylum-seekers and their subsistence. Pursuant to the Government Decree this is performed directly by the refugee authority primarily through reception centres, which is a facility operated by the authority.

The Ministerial Decree 52/2007. (XII. 11.) IRM designates the Office of Immigration and Nationality (OIN) as the responsible authority for asylum, and as such for the reception of persons seeking recognition. It supervises the reception centres and asylum detention centres.

OIN carries out its duties as an independent budgetary government body, which is directly controlled by the Director-General. The reception centres operate (financially) under the direction of the Director-General as an independent department and perform their professional tasks under the supervision of the Refugee Affairs Directorate of the OIN. Thus, only one central body, the OIN carries over the responsibility for the financial operation and the professional duties of the reception centres.

Q4. In case reception facilities are run by local authorities/regional governments or with the involvement of an external service provider (e.g. NGOs or actors from civil society), please indicate whether the reception facilities are centrally coordinated (i.e. does one single authority still carry overall responsibility for the reception of applicants for international protection?)

No.

Q5. In case reception facilities are run by local authorities/regional governments or with involvement of an external service provider (e.g. NGOs or actors from civil society), how is their involvement regulated?

Have any formal coordination mechanisms between the different actors been signed (for example cooperation agreements stipulating the division of competences)?

No.

As above mentioned, the maintenance and the operation of the reception centre are directed by only one authority, the OIN in all cases, so Q4 and Q5 is irrelevant in case of Hungary.

Nevertheless, the NGOs, who work in the field of asylum, cooperate with the refugee authority in providing supplementary services for applicants. The OIN coordinates their activities carried out in the reception centres.

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15 Ministerial Decree 52/2007 (XII. 11.) IRM on the organisation of asylum system.
Q6. Please provide a short overview of which applicants for international protection are entitled to reception facilities provided by the State. Please complete Table 2 below:

<table>
<thead>
<tr>
<th>Different categories of applicants depending on type/stage of procedure</th>
<th>Entitled to reception facilities (Yes/No)</th>
<th>Are these applicants entitled to standard or specific reception facilities 16?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicants under Dublin II 17</td>
<td>Yes</td>
<td>Standard</td>
</tr>
<tr>
<td>Applicants in admissibility procedures 18</td>
<td>Yes</td>
<td>Standard</td>
</tr>
<tr>
<td>Applicants subject to accelerated procedures 19</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vulnerable groups of applicants 20 (with specific psychological/medical assistance needs)</td>
<td>Yes</td>
<td>Standard</td>
</tr>
<tr>
<td>Unaccompanied minors awaiting decision for international protection</td>
<td>Yes</td>
<td>Specific</td>
</tr>
<tr>
<td>Unaccompanied minors who have exhausted the procedure for international protection and are awaiting return</td>
<td>Yes</td>
<td>Specific</td>
</tr>
<tr>
<td>Applicants who have lodged an appeal procedure</td>
<td>Yes</td>
<td>Standard</td>
</tr>
<tr>
<td>Applicants who have lodged a subsequent application</td>
<td>Yes</td>
<td>Standard</td>
</tr>
<tr>
<td>Applicants who have received a positive decision on their international protection application 21</td>
<td>Yes</td>
<td>Standard</td>
</tr>
<tr>
<td>Applicants who have exhausted the procedure for international protection and who are awaiting return</td>
<td>Yes</td>
<td>Standard</td>
</tr>
<tr>
<td>Other (e.g. applicants from other EU Member States, families with</td>
<td>Yes</td>
<td>Standard</td>
</tr>
</tbody>
</table>

16 Specific reception facilities refer to facilities which divert from mainstream reception facilities, e.g. depending on the type of applicant, or stage/procedure.

17 Applicants under Dublin II means those applicants for which a Dublin procedure has been initiated and who are awaiting a Dublin decision determining the responsible country for examining the asylum claim.

18 Admissibility procedures refer to the stage of the application in which (Member) States determine whether an application will or will not be considered in substance based on the criteria laid down in Article 25 of Directive 2005/85/EC (the Asylum Procedures Directive) which stipulates circumstances in which Member States are allowed to declare application as inadmissible and are subsequently not required to examine the application.

19 Accelerated procedure does not exist in Hungary.

20 The Reception Conditions Directive makes reference to the following categories of applicants under vulnerable groups: unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, persons who have been subjected to torture, rape, or other serious forms of psychological, physical, or sexual violence.

21 If possible please specify for what duration they are still entitled to reception facilities.
Unaccompanied minors are placed in child protection institutions. From 2011 only one, the Károlyi István Children Centre in Fót operated, but from the beginning of 2013 there are two more new possible locations to accommodate them, in Hódmezővásárhely and in Ópusztaszer. It is possible at each reception centre for accommodating separately women/children/elderly/disabled or other persons who have special needs in a protected part of the reception facility.

Q7. From the aforementioned categories of applicants who are entitled to reception, can any be excluded from reception facilities for particular reasons (e.g. because the applicant has sufficient financial means, or because the applicant has misbehaved in a reception facility, or any other reasons)?

No, they are not excluded. Act LXXX of 2007 on Asylum however stipulates that the refugee authority may restrict and in exceptional and duly justified cases may withdraw material reception conditions when the applicant:
- leaves the reception centre or place of residence designated for him/her for more than 24 hours without permission;
- leaves the private accommodation for an unknown place for at least 15 days;
- submits a subsequent application for recognition based on the same facts as his/her previous application;
- fails to meet his/her reporting obligations in the asylum procedure and to provide information and data or does not fulfil his/her obligation to appear on personal hearings; or
- concealed his/her financial resources and thus unduly availed himself/herself of the material reception conditions.

Q8. a) Does your (Member) State carry out an assessment of vulnerability which could result in assignment to special reception facilities for vulnerable groups of applicants?

Although, there is no separated facility maintained only for vulnerable applicants, but the competent authority takes their special needs into account during their placement. There is a possibility at each reception centre for accommodating separately women/children/elderly/disabled or other persons who have special needs in a protected part of the reception facility.

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22 Article 33 Paragraph (4) of Government Decree
23 Article 29 of Asylum Act
Q8. b) If yes, please indicate whether the assessment of vulnerability is:
   
   a) Obligatory and laid down in law (Yes/No)
   
   b) Standard practice (Yes/No)
   
   c) Optional (Yes/No)

Q9. Which authority(ies) carry responsibility for deciding on the allocation of applicants for international protection to different reception facilities?

The maintenance and the operation of the reception centres are directed by only one authority, the Office of Immigration and Nationality (OIN) in all cases.

Q10. How do these authorities allocate applicants to different types of reception facilities?

   i) Capacity;
   
   ii) Dispersal Mechanism;
   
   iii) Type of asylum procedure;
   
   iv) Stage of asylum procedure;
   
   v) Profile of the asylum applicant;
   
   vi) Duration of the asylum procedure;
   
   vii) Other criteria (e.g. family composition)?

The organisation of reception facilities is very complex.

Until 2010 the reception centre in Békécsaba functioned as a kind of pre-filter facility, since the special groups of asylum seekers (women, married couples, families with children) were detained there for primary examinations. After 2 weeks of stay they were transported to Debrecen. During this period interviews and general medical examinations were carried out while waiting for the decision on well-foundation of their claims. They were not allowed to move freely and could leave the territory of the facility only with the permission of the refugee authority. Presently, it operates as a guarded reception centre for asylum detention. On the contrary, the reception centre in Bicske operates as a pre-integration facility for beneficiaries of international protection, with a maximum period of 12 months of stay. During that time, for their social integration, refugees and beneficiaries of subsidiary protection shall cooperate with the staff of the reception centre and take part in integration programmes.

There is a community shelter in Balassagyarmat for those submitting a subsequent application or for persons under alien policing procedure and foreigners who have exceeded 12 months in detention.
Unaccompanied minors or separated children are placed in child protection institutions. From 2011 only one, the Károlyi István Children Centre in Fót operated, but from the beginning of 2013 there are two more new possible locations to accommodate them, in Hódmezővásárhely and in Ópusztaszer.

Although, due to the increased number of applicants this year, it was necessary to open temporary reception centres for example on the territory of detention facilities in Kiskunhalas and in Nyírbátor. Nevertheless, opening of a new independent reception centre in Vámosszabadi is in process now.

Q11. Is the process for assignment of applicants to different reception facilities:

a) Laid down in legislation (Yes/No);
b) Outlined in soft law/guidelines (Yes/No);
c) Not outlined in official documents, but there is a standard practice in place (Yes/No)

Q12. Provided there is sufficient capacity, does your (Member) State offer the applicant a choice for reception facility/location?

No.

Q13. a) Does your (Member) State provide for a possibility to relocate applicants for international protection to different reception facilities after initial assignment to a reception centre?

Yes.

Q13. b) If yes, which of the below criteria are applied, or a combination thereof, for relocation to a different reception centre:

i) Capacity/bed management issues
ii) Change in family profile (e.g. birth of a child)
iii) Medical or special need reasons
iv) Incidents at centres which may require transfer to alternative accommodation
v) Time limits (procedural-driven)
vi) Programme for voluntary return to the country of origin
vii) Any other reasons?

Section 3 Quality:
National Legislation on Material Reception Conditions

Q14. According to national legislation in your (Member) State, what are applicants for international protection who are accommodated in reception facilities entitled to in terms of the following reception conditions:

a) Food;
b) **Clothing**

c) **Financial allowance**

According to the Asylum Act and the Government Decree the provisions and benefits are provided for those asylum-seekers who are in need and who do not have any network of contacts and adequate material conditions, taking their special situation into account.

a) **Food**

During the placement at the reception centre three meals (breakfast, lunch, dinner) a day or food allowance in equivalent value (with a maximum amount of 28500 HUF (about 85.6 EUR)/person/month) are provided for persons seeking recognition. A higher level of provisions (five meals per day) is provided for children. The meals are composed with taking the special needs into account.

b) **Clothing**

Pursuant to the relevant regulations, during the stay at the reception centre authorities should provide clothes (appropriate for the season) for asylum-seekers, which mainly come from external donations.

c) **Financial allowance**

ca) **Monthly allowance**

Asylum-seekers are entitled to monthly allowance (pocket money) once their application is referred to detailed examination and if s/he habitually lives in the reception centre (spends minimum 25 day per month at the reception centre). Its minimum amount is 7125 HUF (about 23.9 EUR) and the maximum is 28500 HUF (about 95.6 EUR), which depends on age, medical and family status. Children are entitled to it in their own right.

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25 Please explain what costs the financial allowance is intended to cover (e.g. does it cover accommodation costs, does it include pocket money etc.) and specify whether the financial allowance is provided de facto and/or whether it can be used to remunerate applicants who carry out work (small tasks) within the reception facility.

26 Article 26 Paragraph (2) of Asylum Act and Article 18 and 20 Paragraph (1) of Government Decree


28 Article 21 Point b) of Government Decree

29 Article 21 Point c) of Government Decree

30 Article 22 of Government Decree
The amount of the monthly allowance differs:

1) During the stay in the reception centre, 25% of the prevailing minimum amount of the old-age pension (currently 28500 HUF, about 95.6 EUR) for applicants who are minors under the age of 18, or applicants for recognition who have passed their 18th birthday and are pursuing primary or secondary school studies.

2) During the stay in the reception centre, 10% of the prevailing minimum amount of the old-age pension in the case of applicants of full age.

3) During the stay in the reception centre, 25% of the prevailing minimum amount of the old-age pension for single parents raising children, persons who have reached the age of 60, who have permanent and irreversible deterioration of health, who suffer from a mental or physical disability, who are pregnant or are unable to work due to raising children under six months of age.

4) During the stay in the reception centre, 25% of the prevailing minimum amount of the old-age pension in the case of persons unable to work due to illness not falling under 3) if the condition during which the person is unable to work persists for at least half of the month in question and in the case of those persons for whom the reception centre is unable to provide a possibility to work.

5) In the case of asylum-detained persons, 25% of the prevailing minimum amount of the old-age pension.\(^{31}\)

**cb) Travel allowance**

Travel benefits on means of transport are available for persons seeking recognition - upon their request - with the possession of a certificate issued by the refugee authority for arranging administrative affairs in connection with their procedure or using medical services. Actually, its rate is 100%, which is valid for the destinations and time defined in the certificate issued by the OIN.\(^{32}\)

**cc) Reimbursement of the costs of schooling and education**

In order to facilitate the fulfilment of compulsory schooling asylum-seekers – until the age of 21-during the stay at the reception centre the refugee authority shall reimburse – upon request – the costs of studies at kindergarten, primary school, secondary school, vocational school, institution for the education of persons with special or institution for conductive pedagogy of education and care. Such costs cover the costs of local and intercity public transport tickets and season tickets for travelling between the reception centre and the educational institution, the costs of meal at the

\(^{31}\) Article 22 of Government Decree and EMN Ad hoc Query: Cash and other benefits for asylum seekers (4\(^{th}\) March 2012)

\(^{32}\) Article 6 of Government Decree 85/2007. (IV. 25.) on travel benefits on means of public transport
educational institution and the costs of the accommodation at student’s hostel or dormitory.\textsuperscript{33}

cd) School-start benefit
In order to facilitate the fulfilment of mandatory schooling asylum-seekers – until the age of 21 – are entitled to school-start benefit once per academic year for school books, subject-specific exercise books, school supplies, school equipment and clothing. It is equal to the prevailing minimum amount of the old-age pension.\textsuperscript{34}

c) Grants from donations
Refugee authority may accept pecuniary donations or contributions in kind from Hungarian and foreign natural or legal persons/entities and organisations without legal personality in order to improve the conditions of the decision-making and care-taking activities and/or in order to provide better care to persons seeking recognition. Asylum-seekers may benefit from them by the discretion of the refugee authority.\textsuperscript{35}

cf) Allowance for final departure from the host country
In order to facilitate repatriation or final departure into a third country – at the request of the person seeking recognition – on the basis of a certificate issued by the foreign representation of the country concerned, the refugee authority shall ensure a ticket (flight ticket) valid up to the destination designated on the certificate or subsequently reimburse the price of the ticket (flight ticket) and may fully or partially cover properly certified expenses related to travel of one occasion.\textsuperscript{36}

\textbf{Q15. Please indicate in Table 3 below for each type of reception facility in place in your (Member) State: the available surface per applicant (in square meters); the supervision rate (number of staff per applicant); and specify whether applicants have the possibility to take part in organised leisure activities.}

\begin{table}[h]
\centering
\begin{tabular}{|l|l|l|l|}
\hline
\textbf{Type of accommodation} & \textbf{Available surface per applicant in square meters} & \textbf{Supervision rate (number of staff per applicant)} & \textbf{Possibility of leisure activities?} \\
\hline
Collective initial/transit reception centres & No data & No data & No data \\
\hline
Collective open reception centres & No data & No data & Yes \\
\hline
\end{tabular}
\end{table}

\textsuperscript{33} Article 29 of Government Decree
\textsuperscript{34} Article 30 of Government Decree
\textsuperscript{35} Article 3 of Government Decree
\textsuperscript{36} Article 31 of Government Decree
The organisation of reception facilities for asylum seekers in different Member States

| Special reception centres or facilities for vulnerable groups (e.g. victims of torture or specific vulnerable female applicants) | No data | No data | No data |
| Special separate reception centres for unaccompanied minors | No data | No data | Yes |
| Private houses or flats: arranged and paid for by competent authorities | No data | No data | No data |
| Private hotels: arranged and paid for by competent authorities | No data | No data | No data |
| Individually arranged accommodation such as houses, flats, hotels and/or possibilities of staying with friends and/or family | No data | No data | No data |
| Other premises for the purpose of accommodating applicants for international protection which are arranged and paid for by the competent authorities | No data | No data | No data |

The reception facilities organise programs in its competence for asylum-seekers to spend their leisure time effectively.\(^{37}\) Within this framework, social and community workers of the reception facility organise different activities involving asylum-seekers spending their free time usefully for example drawing, music activities, film clubs, cooking or sport events. Moreover, every facility have computer and community rooms, sport fields and playground providing place for applicants to give meaning to their stay at the reception facility.

**Q16. Has your (Member) State developed guidelines or a handbook in relation to the reception offered to applicants for international protection?**

Hungary has not elaborated any guidelines or handbook on the reception conditions of asylum-seekers so far. Nevertheless, Hungary is endeavouring to align its practice with the relevant international and European legal standards. To this end, it would be very useful to develop such a collection of guidelines or a handbook that would serve the practical compliance with regulations laid down in international papers with the aim of ensuring the uniformity of reception conditions and increase its qualities. The meaning of adequate standard of living should be laid down in it in order to facilitate its practical application, since there are differences between the provided conditions in different facilities.

**Q17. What control mechanisms are in place to ensure that reception conditions are provided**

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15 of 27

EMN Focussed Study 2013:  
The Organisation of Reception Facilities for Asylum Seekers in different Member States

According to the standards specified in national legislation or other protocols/regulations?

Presently, not a single official (external) monitoring mechanism exists that supervises the reception conditions in Hungary. Only the relevant international and civil organizations do this kind of activity regularly. In order to ensure the authorities to use such approach in connection with reception conditions that offers the adequate quality, it is indispensable to create an external control mechanism, which defines standards for general reception conditions independently (in form of guidelines or handbook) and monitors regularly the quality of their realisation.

Q18. Has there been a public debate about the quality of reception facilities in your Member State in the period from 2008 onwards - to date?

No.

Although, there has not been any so-called public debate about the quality of reception conditions in Hungary since 2008, but some other mechanisms and programs exist with the participation of relevant international and civil organizations where they can make their comments and recommendation concerning the existing system.

On the one hand, public consultation is held within the preparation of new regulations with the involvement of relevant organizations. During this process the drafts of legislation are put on the website of the Ministry of Interior where it becomes cognizable for everyone. Besides, the drafts are sent to the relevant organizations, who can give their written opinions on the drafts.

On the other hand, some of these organizations have free access to the reception facilities, where they can ascertain on the existing conditions by their own and can make remarks on them. The government cooperates actively with the UNHCR within the framework of Age, Gender and Diversity Mainstreaming Assessment Program38 every year together with other competent organizations. Many problems and shortcomings are detected concerning reception conditions during the programs which are recorded in the final reports that allow identifying priorities in connection with reception condition of asylum-seekers.

According to reports of the UNHCR, the quality of the reception conditions and services do not satisfy the requirements of international and European standards and has to be review urgently, since -as experiences show- the reception conditions are mostly determined by financial sources and not by the needs of the asylum-seekers. Furthermore, the refugee system receives less and less allocations, and more and more basic services at the reception facilities are outsourced, while their adequate quality assurance do not provided. Therefore, the UNHCR and civil associations

continuously monitor the living conditions and services offered by the facilities, which cover the control of basic hygienic conditions, quality of food and its variousness, access to sports and recreation activities and the existence of prayer rooms.\textsuperscript{39}

**Q19. Does primary research exist in your Member State, evaluating the quality of reception facilities?**

No.

Actually, not a single primary research on assessment of reception conditions takes place in Hungary, only the non-governmental organizations working on the field of asylum carry out such activities. Nevertheless, for further development, it would be appropriate the conduction of primary research that could stimulate stakeholders to take proper measures, and last but not least, could facilitate the comparability with the system in other Member States.

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### Section 4

#### Flexibility

**Q20. Please fill out the national statistics in Table 4 below:**

<table>
<thead>
<tr>
<th></th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total number of applicants entitled to reception</td>
<td>3047</td>
<td>4604</td>
<td>2033</td>
<td>1292</td>
<td>1862</td>
</tr>
<tr>
<td>Total number of applicants accommodated in reception facilities</td>
<td>2318</td>
<td>2642</td>
<td>1504</td>
<td>963</td>
<td>1457</td>
</tr>
<tr>
<td>Maximum number of applicants that could be accommodated in reception facilities</td>
<td>1350</td>
<td>1350</td>
<td>1350</td>
<td>1170</td>
<td>1170</td>
</tr>
<tr>
<td>Average occupation rate</td>
<td>No data</td>
<td>No data</td>
<td>No data</td>
<td>No data</td>
<td>No data</td>
</tr>
</tbody>
</table>

**Q21. Please describe any pressure that your (Member) State may have experienced in relation to the reception of applicants for international protection during the period 2008-2012 and briefly explain possible reasons for such pressure. (Note that annual statistics from Eurostat on the number of applications for international protection, first decisions, etc. over the years 2008-2012 will be incorporated in the relevant section of the Synthesis Report. Hence, if relevant, you may refer to a period of pressure by comparing the number of applications with the capacity of your (Member) State’s reception system).**

Regarding the examined period (2008-2012) Hungary did not have a huge pressure on its asylum system. Since January 2013, however, the number of applicants seeking recognition in Hungary has considerably increased, the approximate number of applications registered from January until the middle of July has exceeded over 12,000.

**Q22. Which flexibility mechanisms are foreseen and/or have been used in case there are shortages or surpluses in reception facilities? Please answer this question by indicating in Table 5 below whether any of the below mechanisms exist in your Member State and whether they have been actually used:**

<table>
<thead>
<tr>
<th><strong>Table 5 Flexibility Mechanisms</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Type of mechanism</strong></td>
</tr>
<tr>
<td>Early warning mechanism(^{40}) (including any software programmes monitoring capacity and occupancy in reception facilities)</td>
</tr>
<tr>
<td>Additional reception centres acting as buffer capacity</td>
</tr>
<tr>
<td>Emergency plans</td>
</tr>
</tbody>
</table>

\(^{40}\) An early warning mechanism refers to a monitoring system, e.g. a mechanism that monitors the inflow of applicants for international protection, evaluating in particular whether the (Member) State possesses the necessary capacity to deal with increased (or decreased) pressure. Such a monitoring system would enable identification of possible shortcomings (or excess capacity) at an early stage. An early warning mechanism could for example include a.o. any software programmes monitoring capacity and occupancy rate in reception facilities.
### Q23. Please indicate best practices in handling (disproportionate) pressure as well as ability to adjust to fluctuating numbers of applications over time. Where possible, please refer to the use (and effectiveness) of any of the aforementioned flexibility mechanisms.

The flow of asylum seekers in Hungary has remained constant for years, and we are just faced by a disproportionate pressure for so long.

In 2013 reception facilities are operating with occupancy above 100%. We may not have the best practices but the following different measures were carried out to handle this kind of crisis. Within the transformation of the existing organizational system, vacant state-owned estates are under restructuring to reception facilities (e.g., Vámosszabadi), buildings or parts of them were separated and temporary new camps were opened as well (e.g., Szeged-Nagyfa). Together with this, the budget of course needed to be revised. New employees (social workers) were enrolled into the new centres.

---

**Table:**

<table>
<thead>
<tr>
<th>Step</th>
<th>Yes</th>
<th>No data</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budget flexibility (to increase or decrease the budget when necessary)</td>
<td>Yes</td>
<td>No data</td>
<td>Yes</td>
</tr>
<tr>
<td>Employing more case-workers to speed up decision-making</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Fast-tracking procedures</td>
<td>No</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Application of different standards/modalities of reception conditions in emergency situations(^{41})</td>
<td>Yes</td>
<td>No data</td>
<td>No</td>
</tr>
<tr>
<td>Provision of financial vouchers/allowance to cover costs of private accommodation</td>
<td>No</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Review for specific categories of applicants who obtain priority access to reception</td>
<td>No</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>The use of excess space for other purposes</td>
<td>No</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Other?</td>
<td>No</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

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\(^{41}\) Article 14 paragraph 8 of the Reception Conditions Directive 2003/9/EC stipulates that: “Member States can exceptionally set modalities for material reception conditions different from those provided for in Article 14 for a reasonable period which shall be as short as possible, when: an initial assessment of the specific needs of the applicant is required; material reception conditions, as provided for in article 14, are not available in a certain geographical area; housing capacities normally available are temporarily exhausted; the asylum seeker is in detention or confined to border posts. The different conditions must cover in any case basic needs”.

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in order to speed up the procedure. Moreover, with a view of the given situation an extraordinary fundraising – organized by the OIN – also took place.

Fortunately flexibility mechanisms are hardly used, but if the current situation requires some or a combination of the aforementioned mechanisms will be introduced.

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### Section 5

#### Efficiency

**Q24. Please fill in the national statistics Table 6 below (please provide figures or, if not possible, estimates thereof):**

<table>
<thead>
<tr>
<th>Table 6 National Statistics on Efficiency</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>National budget allocated to the reception of applicants for international protection</td>
<td>601,441,000 HUF (2018258.38 EUR)</td>
<td>571,955,000 HUF (1919312.08 EUR)</td>
<td>580,206,000 HUF (19463778.52 EUR)</td>
<td>572,206,000 HUF (1920154.36 EUR)</td>
<td>569,303,000 HUF (1910412.75 EUR)</td>
</tr>
<tr>
<td>Total costs of reception</td>
<td>888,285,659 HUF (2980824.35 EUR)</td>
<td>861,954,000 HUF (2892463.08 EUR)</td>
<td>859,578,461 HUF (2884491.47 EUR)</td>
<td>585,629,049 HUF (2026398.09 EUR)</td>
<td>523,498,122 HUF (1756705.1 EUR)</td>
</tr>
<tr>
<td>Total direct costs<strong>42</strong></td>
<td>No data</td>
<td>No data</td>
<td>No data</td>
<td>No data</td>
<td>No data</td>
</tr>
<tr>
<td>Total indirect costs<strong>43</strong></td>
<td>No data</td>
<td>No data</td>
<td>No data</td>
<td>No data</td>
<td>No data</td>
</tr>
<tr>
<td>Total costs of reception including Dublin cases</td>
<td>888,285,659 HUF (2980824.35 EUR)</td>
<td>861,954,000 HUF (2892463.08 EUR)</td>
<td>859,578,461 HUF (2884491.47 EUR)</td>
<td>585,629,049 HUF (2026398.09 EUR)</td>
<td>523,498,122 HUF (1756705.1 EUR)</td>
</tr>
<tr>
<td>Total costs of reception excluding Dublin cases</td>
<td>No data</td>
<td>No data</td>
<td>No data</td>
<td>No data</td>
<td>No data</td>
</tr>
<tr>
<td>Inflow of new applicants to reception facilities</td>
<td>No data</td>
<td>No data</td>
<td>No data</td>
<td>No data</td>
<td>No data</td>
</tr>
<tr>
<td>Inflow/return of applicants who have temporarily left a reception facility</td>
<td>No data</td>
<td>No data</td>
<td>No data</td>
<td>No data</td>
<td>No data</td>
</tr>
</tbody>
</table>

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**42** Direct costs refer to explicitly defined costs and budgets for the reception of applicants for international protection in each (Member) State.

**43** Indirect costs refer to costs that are not directly measurable (as costs are borne by a wide range of stakeholders and further relate to the applicant’s access to general public services).
Unfortunately, the majority of the requested national statistics data does not available, as this type of data about the applicants for international protection are not being collected.

It is clear from the figures given that in Hungary the pre-estimated budget for the reception of asylum-seekers is generally insufficient. It was appropriate only in 2012, when the maximal costs of reception remained below the anticipations. Likely, in 2013, this rate will expectedly rise again due to the fact that until July more than 10,000 applications were submitted to the authorities, which is approximately five times more than in the whole last year.

The costs of reception involve all type of applicants in each case, so Dublin cases as well, we have no special information on its numbers.

The direct and indirect costs of reception are taken into account simultaneously during the calculation of annual costs, therefore their specification – as the given parameters – is not possible.

The costs of other authorities or service providers (for example medical services) that are in connection with the asylum procedures are totally reimbursed by the refugee authority in each case.

Q25. Are cost (estimations) available for the flexibility mechanisms used in your Member State (see Question 22)?

Actually, we do not have any concrete or estimated data on the costs of flexibility mechanisms as in the examined period (2008-2012) Hungary did not use any of them. Nevertheless, owing to the particular pressure on the Hungarian asylum-system the introduction of crisis management measures are necessary (such as opening new reception facilities to accommodate applicants, reallocating officers to accelerate procedures), but the costs of these new measures are not

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44 The median is the numerical value separating the higher half of the distribution of the lower half (middle value).

45 The interquartile ranges refer to the value of the first quartile (25 percentile) and the third quartile (75 percentile) in a distribution.
Q26. What is the tolerance time for extended stay of applicants in reception facilities who have already received a final decision on their application?

The duration of tolerance time for extended stay at the reception centre depends on the status of the beneficiaries of international protection. Refugees and beneficiaries of subsidiary protection are entitled to free accommodation and provisions at a reception centre for a period of six months counted from the date of the final document recognising their status, given that no other lodgings are provided for them. During their stay at the reception centre - for their social integration -, refugees and beneficiaries of subsidiary protection shall cooperate with the staff of the reception centre. Exceptionally, the refugee authority may extend this the period once, for another six months, if the refugee or beneficiary of subsidiary protection fulfilled his/her obligation to cooperate during his/her stay at the reception centre.

The refugee authority may grant accommodation and provisions to a refugee or a beneficiary of subsidiary protection at the reception centre beyond these time limits if the refugee or beneficiary of subsidiary protection is at least 60 year old and/or is not suitable for integration in the society, to carry on an autonomous life due to his/her long-term and irreversible health deterioration, psychic/body deficit, or illness resulting from a serious trauma, given that such health deterioration or deficit does not necessitate specialized institutional care of the refugee or beneficiary of subsidiary protection.

Beneficiaries of temporary protection are entitled to free of charge accommodation and provisions in a reception centre throughout the full duration of his/her temporary protection.

The beneficiaries of international protection shall no longer be eligible for boarding and assistance at the reception centre if s/he discontinues his/her habitual residence at the reception centre without

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46 Article 41 of Government Decree.
47 Hungary shall recognise as refugee a foreigner who 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 of the country of his/her origin and is unable or, owing to such fear, unwilling to avail himself/herself of the protection of that country. (Article 6 of Asylum Act).
48 Hungary shall grant subsidiary protection to a foreigner who does not satisfy the criteria of recognition as a refugee but there is a risk that, in the event of his/her return to his/her country of origin, s/he would be exposed to serious harm and s/he is unable or, owing to fear of such risk, unwilling to avail himself/herself of the protection of his or her country of origin (Article 12 Paragraph (1) of the Asylum Act).
49 Hungary shall grant temporary protection to a foreigner who belongs to a group of displaced persons arriving in the territory of the Republic of Hungary en masse which was recognised by the Council of the European Union as eligible for temporary protection under the procedure determined in Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (hereinafter: Directive 2001/55/EC), or was recognised by the Parliament as eligible for temporary protection as the persons belonging to the group had been forced to leave their country due to an armed conflict, civil war or ethnic clashes or the general, systematic or gross violation of human rights, in particular, torture, cruel, inhuman or degrading treatment.(Article 19 of Asylum Act).
any written notification, or the total time period of his/her reported absence exceeds thirty days.

Section 6
Conclusions

Q27. Please summarise the organisation of reception facilities in your (Member) State, indicating main strengths and weaknesses (please specify any evidence for these findings).

The organisation of reception facilities is complex, with each having a particular function. Among them we can find a facility operating as a special pre-integration centre, or as a separate child protection institution for asylum seeker unaccompanied minors or separated children.\footnote{Károlyi István Children Centre, Fót}

Faced by the huge pressure of the last 6 months, furthermore having regard to the introduction of the asylum detention that came into force on 1 July 2013, moreover due to the comments of the relevant international organisations and NGOs, we transformed the existing structure.

Now the following facilities can be found in Hungary:

1. guarded reception centre for asylum detention: a place for detention maintained by the OIN, asylum seekers illegally entering the country are accommodated here for a maximum period of 6 months (e.g. Békéscsaba,\footnote{The reception facility in Békéscsaba, previously functioning as a kind of pre-filter centre, was the place for the primary examinations of foreigners. After 2 weeks of stay they were transported to Debrecen. During this period interviews and general medical examinations were carried out, applicants were not allowed to move freely and they could only leave the territory with the permission of the refugee authority.} Nyírbátor);

2. reception centre: maintained by the OIN, designated as a compulsory place for residence for asylum seekers during the procedure, in the case of beneficiaries of international protection for one year, foreigners are allowed to leave the facility during the day (e.g. Debrecen, Bicske,\footnote{It operates as a pre-integration facility for beneficiaries of international protection.} Vámosszabadi);

3. community shelter: maintained by the OIN, serves as a designated place of residence for persons under alien policing procedure and foreigners recognized for a tolerated stay which they are allowed to leave during the day and with a maximum stay of 18 months that can be extended (Balassagyarmat);

4. immigration guarded accommodation: maintained by the Police, foreigners waiting for the execution of their expulsion ordered by the OIN or the immigration authority of the Police are accommodated there for a period of one year at most (Győr, Kiskunhalas, Budapest, Nyírbátor).
The Hungarian asylum system has constantly been criticized by the UNHCR, the Hungarian Helsinki Committee and the Office of Commissioner for Fundamental Rights, especially about the inappropriate quality of services and the circumstances of reception. Taking into consideration that the new system is currently being tested, the relevant – hopefully positive – conclusions may only be drawn later.

Q28. Please summarise whether your (Member) State has experienced pressure on its reception facilities (in terms of both in- and outflow, and duration of the processing time of applications) and indicate what measures have been most successful in handling such pressure.

Having regard to the examined period (2008-2012) Hungary did not have a pressure on its asylum system above the average. Since January however throughout Europe, therefore in Hungary, the number of applicants seeking recognition has considerably increased, the approximate number of applications registered from January until the middle of July has exceeded 12,000, compared to the year of 2012 (around 2,500 applicants). This means a tremendous ordeal for the Hungarian Government, the reception facilities are operating with occupancy above 100%, so different measures were carried out to handle this kind of crisis. Within the transformation of the existing organizational system, vacant state-owned estates are under restructuring to reception facilities (e.g. Vámoszabadi), buildings or parts of them were separated and temporary new camps were opened as well (e.g. Szeged-Nagyfa). Together with this, the budget of course needed to be revised. New employees (social workers) were enrolled into the new centres, because such an enormous rate of applications may result in a prolonged duration of the processing time. Moreover, with a view of the given situation an extraordinary fundraising – organized by the OIN – took place, where second hand clothes were collected.

It is to be added that Hungary is considered a transit country, which means that the majority of applicants disappear during the asylum procedure, choosing a Western European country instead.

Q29. Please describe best practices in controlling costs of reception facilities whilst ensuring quality (maximum half a page).

The Office of Immigration and Nationality (OIN) carries financial responsibility over the operation of the reception centres. The OIN is an independent budgetary government body, having a yearly defined budgetary framework. Reception facilities are units located inside the organization of the OIN, also having their own financial sources. Due to the fact however, that the budgetary framework is often cut too tight, the OIN – and the reception facility as well – tries to obtain...
additional sources. With the support of Solidarity Funds the quality of reception facilities can be maintained. These funds highly contributed to improving the infrastructural capacity of facilities and as a result there is access to specifically designated praying rooms, smoking rooms or internet access.
BIBLIOGRAPHY

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- Act LXXX of 2007 on Asylum
- Government Decree 301/2007. (XI.9.) on the implementation of the Act LXXX of 2007 on Asylum
- Ministerial Decree 52/2007. (XII. 11.) IRM on organisation of asylum system
- 9/2010. (IX. 29.) BM-KIM joint directive on the organisation and functioning of the Office of Immigration and Nationality
- Government Decree 85/2007. (IV. 25.) on travel benefits on means of public transport

II. **Studies, reports:**

Hungary as a country of refuge, UNHCR country report 2012.

EMN Ad hoc Query: Cash and other benefits for asylum seekers (4th March 2012)

III. **Internet websites**

Eurostat:

Office of Immigration and Nationality

UNHCR:

Békés Megyei Hírlap
### Annex 1 Reception Conditions in different Reception facilities

Please fill out the table below concerning the rights granted to applicants for international protection as laid down in national legislation in different reception facilities.

**Table A1.1 Reception conditions in different reception facilities**

<table>
<thead>
<tr>
<th></th>
<th>Collective initial/transit reception centres</th>
<th>Collective open reception centres</th>
<th>Special reception centres/facilities for vulnerable groups</th>
<th>Special separate receptions centres for UAMs</th>
<th>Private houses or flats(^{54})</th>
<th>Private hotels(^{55})</th>
<th>Individually arranged accommodation(^{56})</th>
<th>Other premises</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clothing</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Financial allowance(^{57})</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emergency health care</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medical care</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Psychological care</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Free legal assistance</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interpretation services</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Access to education</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

\(^{54}\) Arranged and paid for by competent authorities.

\(^{55}\) Arranged and paid for by competent authorities.

\(^{56}\) E.g. houses/flats/hotels and/or staying with friends and family.

\(^{57}\) Please explain what this consists of.
| Access to vocational training | X | | | X |
| Access to employment (after which period of time?) | X | | | X |
| Other? Please add | | | | |