



**NATIONAL REPORT FROM HUNGARY
ON
IMMIGRATION OF INTERNATIONAL STUDENTS TO THE EU**

DECEMBER 2012

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Executive Summary

The concrete purpose of the study is to present an overview on the current situation of foreign students in Hungary, the relating national strategies, the misuses concerning residence permits for the purpose of studying, the presentation of the actual situation as for foreign students in Hungary as well as the assessment of present situation outlined above. The study provides an overview on the relevant national legislation, the relating national strategies regarding foreign students as well as the exposure methods on abuses concerning residence permits for the purpose of studying and counterfeit documents. The study renders a comprehensive analysis on the recent and actual misuse tendencies and the national best practices developed to tackle these phenomena.

In Chapter 1 basic concepts and definitions will be presented, for instance who is considered a third-country national, what does residence permit for the purpose of study cover as well as the definition of higher education and the institution of higher education.

In Chapter 2 the structure of the Hungarian educational system as well the linkage of foreign students to this structure will be presented.

In Chapter 3 the most important immigration provisions governing the entry and stay of third-country nationals pursuing studies in Hungary will be outlined. In the same chapter background information can be found on the techniques of misuse by third-country nationals pursuing studies in Hungary, the current situation in Hungary, the evidence methods and the competent authorities.

Chapter 4 presents the issues of transnational cooperation of Hungary concerning foreign students at bilateral and multilateral level, whereas Chapter 5 outlines the impacts of foreign students on Hungary. Chapter 6 contains a summary on findings of this study.

1. INTRODUCTION

1.1 Methodology

The author of the present study aims to present an overview on the current situation of foreign students in Hungary, the relating national strategies, the misuses concerning residence permits for the purpose of studying, the presentation of the actual situation as for foreign students in Hungary as well as the assessment of present situation outlined above. During the preparation of the study the ministries having competence were contacted for providing up-to-date and correct data and information with respect to the national strategy, the structure of the educational system and transnational cooperation, thus feedback from residence permit authorization procedures and information provided by ministries have been taken into account.

In the recent decade Hungary has become the most popular destination for international students within Central Europe. Each academic year several hundreds of scholarship and self-sponsored international students begin their university studies at one of the prestigious Hungarian universities, colleges and preparatory courses. Year after year the number of foreign students is gradually increasing as a result of the reputable trainings.

1.2 Definitions

'Third-country national' pursuant to Article 3 of Act II of 2007 on the entry and stay of third-country nationals (hereinafter referred to as RRTN) a person shall be deemed to be a third-country national, in lack of evidence to the contrary, who verifies his/her nationality by a travel document issued by a third country or who does not presume to be entitled to the right of free movement and stay.

'Institution of higher education' is an institution rendering higher education. Pursuant to Article 2 Section (1) of Act CCIV of 2011 (hereinafter referred to as: NHE) on National

Higher Education an institution of higher education is an organization established for the purpose of pursuing educational, scientific research and fine art activities as core activities. Core educational activities include vocational training of higher level, bachelor, masters and PhD education as well as specialized trainings. Educational activity as core activity may be rendered – unless otherwise stipulated by the present act – exclusively by a higher educational institution¹. Higher educational institution may – independently or mutually with other stakeholders – be established by a) the Hungarian state, national minority self-government, b) ecclesiastical legal person incorporated into Hungarian law including its division holding legal personality (hereinafter referred to as: ecclesiastical legal person), c) business entity holding its official seat in Hungary [§ 685. Subsection c) of Act IV of 1959. on Civil Code (hereinafter referred to as: Ptk.)], d) endowment or public endowment registered in Hungary².

A higher educational institution may be established if it was instituted specifically for higher educational activities and it was recognized officially by the Parliament. Official recognition may be granted if the respective higher educational institution is in possession of preconditions needed to fulfil his functions, and is entitled to pursue a) bachelor, b) bachelor and master, c) bachelor, master and PhD, d) master and PhD educational activities in a facultative educational scheme according to subsections a)-d), in at least two scientific fields as well as at least in four subjects³.

The definition of '**higher education**' generally varies from country to country. In several countries this term refers to university and college education only, whereas in other states this concept includes higher vocational training programs as well. The concept⁴ applied by UNESCO and by Hungary as well distincts two categories: the higher „A” and the higher „B” educational programmes. The higher „A” program⁵ provides primarily for theoretical basic knowledge thus enabling the student to be eligible to attend higher level education or research programmes; its duration lasts 3 years at least. A higher „B” program⁶ focuses on the more successful integration of participants into the labour market by ensuring practical education, its duration lasts 2 years at least.

¹ Article 2 (3) Act CCIV of 2011.

² Article 4 (1) Act CCIV of 2011.

³ Article 6 (1)-(3) Act CCIV of 2011.

⁴ <http://stats.oecd.org/glossary/detail.asp?ID=1436>

⁵ <http://stats.oecd.org/glossary/detail.asp?ID=5440>

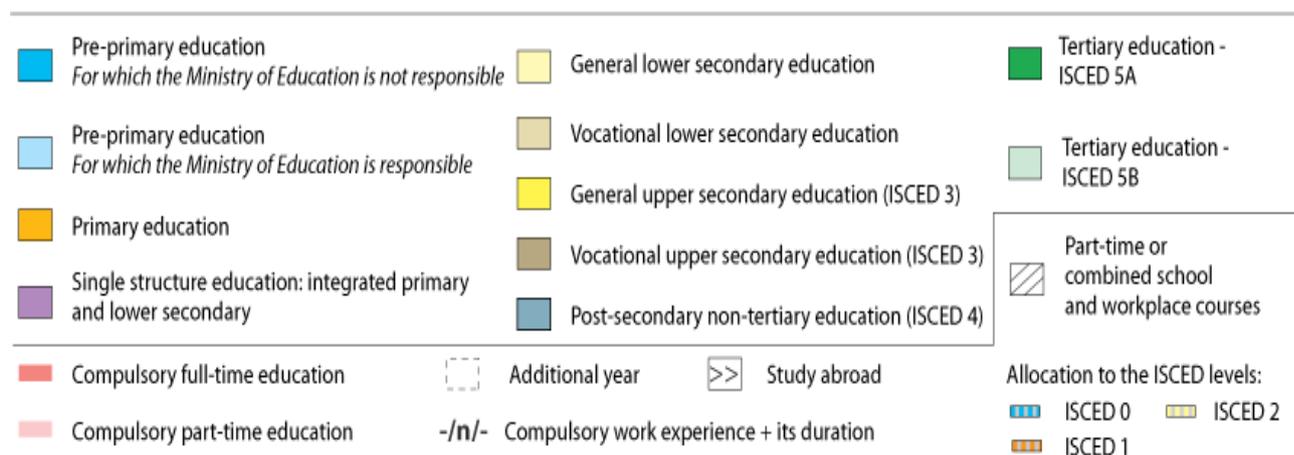
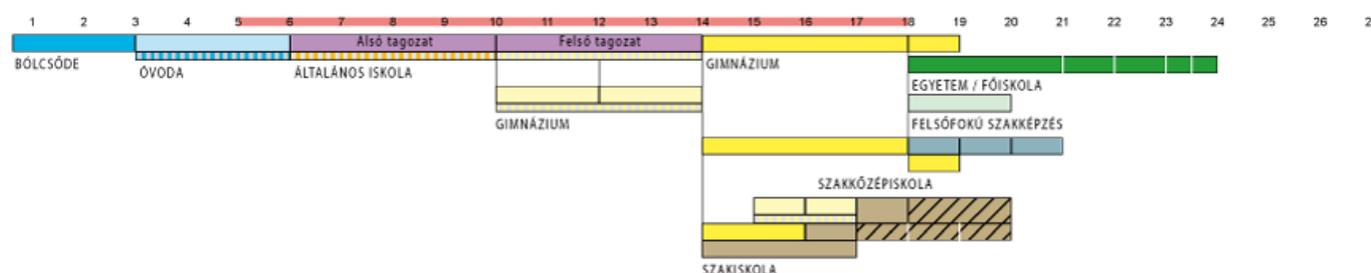
⁶ <http://stats.oecd.org/glossary/detail.asp?ID=5441>

'Residence permit with the purpose of studying' in accordance with the Section (1) of Article 21 of RRTN it can be issued to a third-country national who was accepted by an establishment of secondary or higher education accredited in Hungary and admitted to the territory of Hungary to pursue as his/her main activity a full-time course of study, or to attend a course in an establishment of higher education, which may cover a preparatory course prior to such education, if they are able to verify the linguistic knowledge required for the pursuit of studies.

2. THE NATIONAL EDUCATION SYSTEM AND INTERNATIONAL STUDENTS

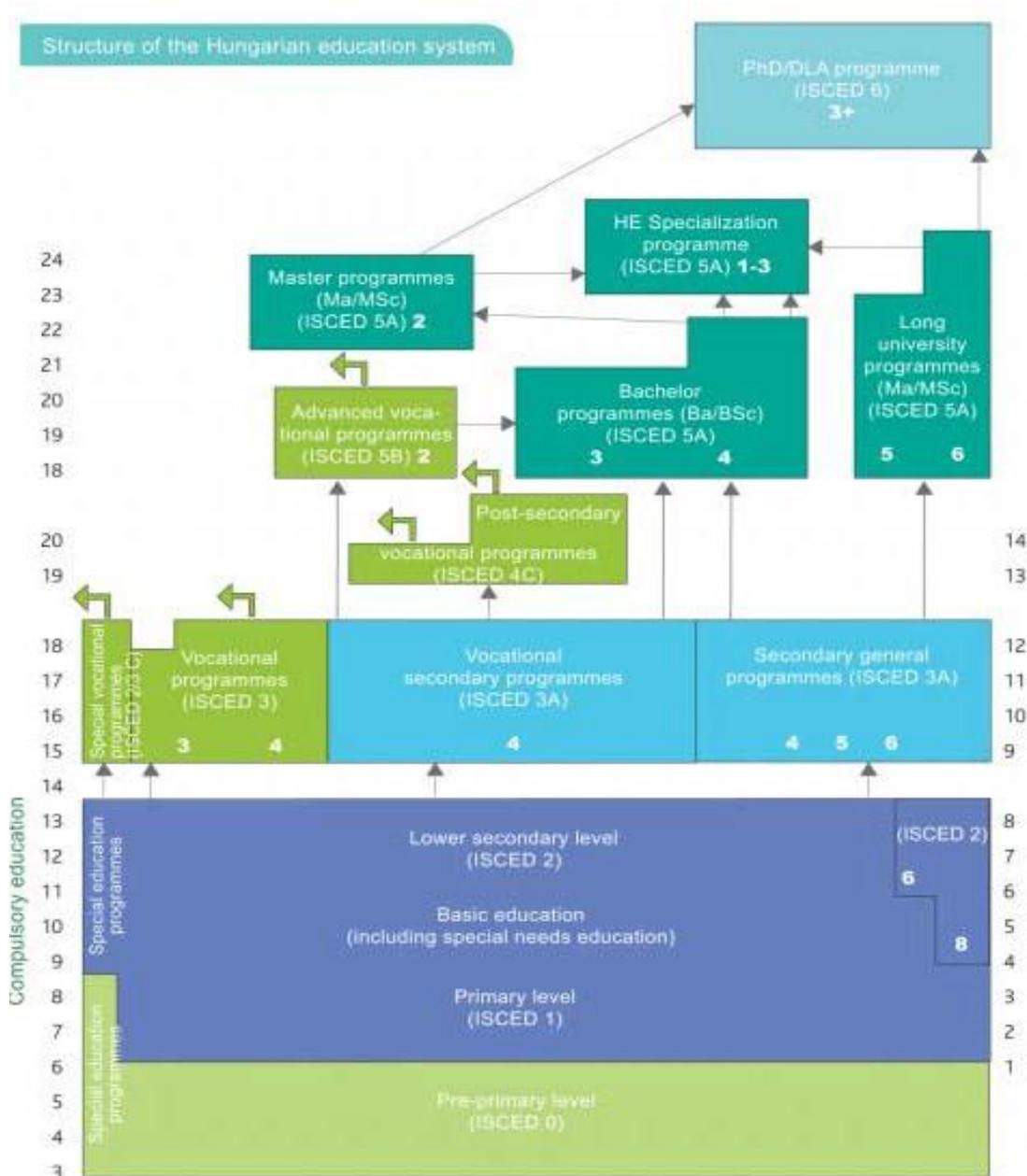
2.1 Structure of national education system

The following chart clearly illustrates the elements of the Hungarian educational training structure, and the connecting age group.



1. chart - The structure of the Hungarian educational system⁷

In connection with the figure seen above, the following chart presents the Hungarian educational system and the coherence between the trainings.



2. chart - The structure of the Hungarian educational system⁸

From the age of 5 kindergartens is compulsory (for at least 4 hours per day). From age 6 (or at last from age 8) starts the compulsory education (in case of school maturity). The compulsory

⁷ <https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/Hungary:Overview>

⁸ http://www.npk.hu/public/kiadvanyaink/2012/cd/mappa/EDUCATION_2012.pdf.

education lasts until the age of 16 for students starting school at the 1997/98 school year or before, from 1998/99 academic year the compulsory education lasts until the age of 18. Primary general school programmes include programmes for students in grade 1 to 8. Vocational programmes contain general, pre-vocational, guidance, professional, trade-groups foundation and vocational programmes without requirement of maturity examination. Special vocational programmes cover vocational school programmes tailored to students with special educational needs. Secondary vocational school programmes contain general, pre-vocational, guidance, professional, trade-groups foundation and vocational programmes with requirement of maturity examination and accredited post-secondary vocational programmes. Secondary general school programmes include the programmes with 4, 5, 6 and 8 grades. Accredited post-secondary vocational programmes with Certificate of Maturity examination as a precondition. Postgraduate specialisation programmes are programmes in ISCED 5A level do not provide a higher attainment level.

Hungarian higher education roots back to more than 600 years of academic excellence, the first university was founded in Pécs, located in the southern region of Hungary, in 1367. Hungary has a well-respected ***higher educational system comprising of public and private universities and colleges*** which offer a broad array of courses⁹. Hungary has a dual higher educational system comprising of ***19 state universities, 10 state colleges, 25 religious institutions*** (colleges/universities), ***14 private and foundation schools and 6 colleges of foreign countries*** established in Hungary¹⁰. The Act on Higher Education is based on the objectives of the Bologna Process and was adopted in December 2004. The act created a new three-cycle based structure introducing separate Bachelor, Master and doctoral studies. Courses may be full-time, correspondence or distance learning courses. As of 2005 the higher educational field, in the course of the Bologna process, gradually shifted from traditional undivided educational system (3-4 years at colleges whilst 4-6 years at universities) to the three-level system. In this scheme several students having completed their ***studies of 3-4 years***¹¹ ***may be admitted to master studies of 1-2 year(s)***¹² ***(in teacher training colleges 2,5***

⁹ The list of all the Hungarian higher educational institutions and their faculties can be found on the following website: <http://www.npk.hu/public/kiadvanyaink/2012/cd/mappa/Addresses2012.pdf>.

¹⁰ http://www.npk.hu/public/kiadvanyaink/2012/cd/mappa/EDUCATION_2012.pdf.

¹¹ First cycle programmes last 6-8 semesters and students are required to gain 180-240 credit points. Bachelor degree is the prerequisite of Master degree programmes.

¹² Master degree programmes last 2-4 semesters and students need to collect additional 60-120 credit points.

years). The highest level is the PhD level¹³ lasting for 3 years. Students having been admitted to undivided educational scheme pursue a single educational programme and receive a college or university degree at the end of their studies depending on the type of their graduation. Currently at 6 subjects (medics, dentistry, pharmacy, veterinary, law and architecture) it is possible to pursue studies in an undivided scheme. *Pursuant to Article 11 (1) of NHE studying cycles of higher education include a) bachelor b) master c) PhD studies.* In the framework of higher education – besides the above mentioned ones – a) vocational training of higher level and b) specialized training, neither of them providing a university/college degree, may also be set up. Educational scheme of divided and undivided studies are elaborated by the Government.

In the course of enactment of the new NHE the interests of national economy have been considered thoroughly and, as a result, the Act has established a sustainable system of high quality. It emphasizes the importance of acquiring competitive knowledge that render good opportunities for talented students wishing to study. By setting the quotas, the Government had a vision of such a structure which is in line with the strategy of national policy. In the renewed educational system the Government supports the students rather than the institutions, as of September 2012 students will have the opportunity to study in three different ways: with the funding of student scholarships, with the funding of partial student scholarships or financed by themselves. The scholarship students enter into contract with the State and the scholarship contract regulates that students receiving state scholarship have to work double of the length of their studies in Hungary in the 20 years following their graduation. As of September 2012 60% of the newcomer students (that is to say 6 students out of 10) receive a full state scholarship.¹⁴

In the recent decade Hungary became one of the most popular studying destinations in Central Europe among foreign students. Each year hundreds of foreign students commence their studies at several Hungarian universities, colleges or at preparatory trainings. The number of foreign students increases by 5% annually and Hungarian universities become more and more popular worldwide.

¹³ The third-cycle doctoral studies (PhD) may follow any Master's qualification.

¹⁴ www.kormany.hu/Felvetelikozlemeny

2.2 National policy framework regarding International Students

Although numerous Hungarian universities and colleges offer a wide range of educational programmes, specifically in English and German, and the ratio of foreign students studying at Hungarian universities and colleges increases annually, a special strategy targeting foreign students has not been elaborated so far, the strategy of national policy involves an action plan aiming at strengthening the education of ethnic Hungarians living outside the territory of Hungary. The Hungarian State highly promoted education of ethnic Hungarians in their mother tongue in the past 20 years. The strategy of national policy envisages primarily an Educational Area of the Carpathian Basin and the promotion of education of Hungarians living beyond the borders.¹⁵

Thanks to the Bologna process the notion of student mobility has gained vital importance in the EU, both European and Hungarian universities are offering more and more scholarship opportunities, thereby facilitating student mobility.

3. LEGAL AND PRACTICAL CONDITIONS AT NATIONAL LEVEL THAT APPLY TO INTERNATIONAL STUDENTS

3.1 Admission

3.1.1 Requirements of admission of foreign students

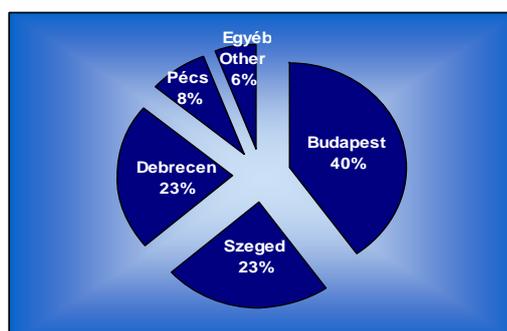
Several Hungarian colleges and universities offer foreign language, mainly English and German-taught degree programmes. The number of international students studying at Hungarian universities increases every year. Due to the Bologna Process students mobility has become a crucial issue within the European Union. More and more scholarships are offered at the various European universities with the aim of boosting student mobility.

On the basis of the research conducted by the National Higher Educational Information Centre, approximately one-third of international students in Hungary study in the field of medicine and health science, such as general medicine, dentistry, pharmacy, veterinary science, kinesiology and psychology. The majority of international students come from

¹⁵ Hungarian National Doctrine /www.kormany.hu/.

European countries (Cyprus, Germany, Romania, Slovakia, Serbia and Sweden) and from the countries of the Middle East¹⁶. The most popular Bachelor programmes are the ones in technology. Most students study at programmes of civil engineering, mechanical engineering and electrical engineering. In information technology programmes, most international students study software engineering, while among economics programmes, those in economics and management are chosen by most, among health science programmes, most international students attend nursing and patient care programmes. Competence in Hungarian language is not a criterion, with the exception of courses provided completely or partly in Hungarian.

Most international students participate in the courses offered by the largest and oldest universities of the country, namely Semmelweis University (Budapest), the Corvinus University of Budapest (Budapest), the Budapest University of Technology and Economics (Budapest). The most popular universities in the countryside are the University of Debrecen, the University of Pécs and the University of Szeged¹⁷.



In 2010, half of the students having received residence permits for the purpose of study pursuing their studies in Budapest, 23% in Debrecen and Szeged, 8% in Pécs. 6% of them studied in other towns: Székesfehérvár, Miskolc, Győr, Veszprém, Kecskemét, Nyíregyháza.

Regarding educational institution, most students study at Debrecen University (19%) and Szeged University (18%). Among the Budapest-based institutions, most students attend Semmelweis University (8.5%), followed by the Budapest Technical University (7.6%), the Central European University (6.5%), the Budapest Corvinus University (6.1%), the Eötvös Loránd University (4.3%), the International Business School (2.9%) and the Szent István

¹⁶ By the information of the National Higher Education Information Centre.

¹⁷ The updated list of the Higher Education Programmes Offered in Foreign Languages in Hungary can be found on the website of the National Higher Educational Information Centre (http://www.felvi.hu/for_foreigners/academic).

University (2.4%). 6.8% of students study in Pécs, while nation wide 5.2% of them attend preparatory courses (mainly at McDaniel College and Balassi Institute).¹⁸ These rates have not changed over the past few years, in the countryside University of Debrecen and University of Szeged and in Budapest the Semmelweis University and the University of Technology and Economics were the most popular ones in the past years.

Major universities are maintaining contacts with various countries' education agencies. These agencies are supporting their nationals in acquiring the necessary information and guidance on admission conditions, entry exams and preparatory courses. The Budapest University of Technical and Economic Studies and the University of Debrecen are keeping the smoothest contacts with such agencies whilst the Szent István University is in contact with a Hungarian company called International College. The Liszt Ferenc University of Musical Science as well as the Moholy Nagy University of Fine Arts are not recruiting students through agencies from abroad, they rather focus on receiving students of „higher quality” and with sound knowledge. The precondition for admission to colleges and universities is either a certificate issued by a Hungarian secondary school at the end of the studies or its equivalent issued by a foreign institution, or a degree obtained in higher education. Students can apply through the Hungarian university application system or directly to the university. Following the submission of applications students have to sit for an entrance examination. The higher educational institution sets the grade requirements of the secondary school leaving examination, the necessary level of secondary school performance and any other circumstances. Forms of entrance examination are also laid down by the institutions: there are universities which apply a remote admittance scheme, others require cover letters whilst others organize written and oral entrance examinations as well. International applicants should generally submit the following documents: photocopies of certificates of their highest qualification, if the candidate has not yet obtained a secondary school leaving certificate, school reports for the last two years including all graded results, curriculum vitae in English, medical certificate, two recent passport-size photographs, letters of recommendation (e.g. from school). At certain universities, certification of language competence (TOEFL Test),

¹⁸ Migration in Higher Education (Research Study of Third Country Nationals Studying in Hungarian Higher Education; By The Office of Immigration and Nationality as part of the 'Migration in Higher Education' project Balázs Danka, staff sociologist).

photocopy of passport with personal data. Besides, institutions may prescribe additional prerequisites as well.

The procedure and conditions of admission vary remarkably. Entry exams are organized not only in Hungary but also abroad for third-country nationals. This procedure entails more advantages. First: entry of students from remote countries into Hungary proved to be more difficult (on account of distance and visa requirements). Secondly, applicants from countries posing higher risk of illegal migration can be screened better. This is of course only efficient – taking into account the value for money – in case the selection committee travels abroad to examine a greater number of applicants. These selection procedures assess the knowledge of applicants and, in case of courses held in foreign language, their language knowledge as well.¹⁹

Third-country applicants wishing to study at Hungarian universities also have the opportunity to attend preparatory courses organized by major universities. The principal purpose of these preparatory courses is to allow applicants to acquire a sound knowledge in the entry subjects as well as to get familiar with the educational system of Hungary and to collect credit points.

Besides, it is necessary to highlight that according to Article 39 (1) of NHE each Hungarian citizen has the right, specified by law, to pursue studies of higher education with the support of full or partial state scholarship or funded individually. This right is also extended to persons enjoying the right to free movement and stay; refugees²⁰, exiles, persons with temporary and subsidiary protection status, persons with tolerated stay status, and persons holding permanent resident status; foreigners under the same legal standing as Hungarian nationals based on international agreements; those foreigners who belong to a country where

¹⁹ Migration in Higher Education (Research Study of Third Country Nationals Studying in Hungarian Higher Education; By The Office of Immigration and Nationality as part of the ‘Migration in Higher Education’ project Balázs Danka, staff sociologist).

²⁰ Pursuant to Article 17 (1) of Act LXXX of 2007 on asylum unless a rule of law or government decree expressly provides otherwise, a beneficiary of subsidiary protection²⁰ has the rights and obligations of a refugee, in this way a beneficiary of subsidiary protection shall have the right, specified by law, to pursue studies of higher education with the support of full or partial state scholarship or funded individually. Regarding to Article 12 (1) of Act LXXX of 2007 on Asylum 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. According to Article (2) fear of serious harm or of the risk of harm may also be based on events which occurred following the foreigner’s departure from his/her country of origin or on the activities of the foreigner which s/he was engaging in following departure from his/her country of origin.

Hungarian citizens enjoy the same legal conditions and may have access to higher education based on the principle of reciprocity; persons subject to the effect of Act on Hungarians in Neighbouring Countries, though who do not possess a Hungarian citizenship or do not enjoy the right to free movement and stay; Hungarian nationals who are subject to the Act on Entry and Stay of Third-Country Nationals provided s/he is not subject to the effect of Act on Hungarians in Neighbouring Countries and do not possess Hungarian nationality either, as well as third-country nationals who are in possession of an EU Blue Card (which enables them to work in positions requiring higher skills and knowledge) living in the territory of Hungary. Persons not specified above may pursue studies only if financed individually.

Foreign students attending courses in foreign languages have to pay a tuition fee in each semester. As for tuition fees we can ascertain that the amounts are determined by the institutions themselves in line with the relevant government decree. Tuition fees set by Hungarian universities are far less than those required by Western European universities: they amount an average to 1.200 €/1.500 \$ per semester whilst at medical faculties between 3.000 and 5.000 €. Detailed information on such fees can be found on the websites of the respective institutions and the Information Centre on Higher Education.

3.1.2 The procedural rules on the entry and stay of the third-country nationals for the purpose of study

The procedural rules on the entry and stay of the third-country nationals for the purpose of study and the residence permit application are regulated by the RRTN and the Government Decree 114/2007 (V. 24.) on the Implementation of Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals (hereinafter referred to as RRTN GD).

Generally it can be said that for the purposes of Article 13 (1) of RRTN *for entry into the territory of Hungary and for stays in the territory of Hungary for a period of longer than three months the entry conditions for third-country nationals are* the following:

- a) they are in possession of a valid travel document;*
- b) they are in possession of a visa for a validity period of longer than three months, a residence permit, an immigration permit, a permanent residence permit, an interim*

permanent residence permit, a national permanent residence permit, an EC permanent residence permit or EC Blue Card;

- c) they are in possession of the necessary permits for return or continued travel;*
- d) they justify the purpose of entry and stay;*
- e) they have accommodations or a place of residence in the territory of Hungary;*
- f) they have sufficient means of subsistence and financial resources to cover their accommodation costs for the duration of the intended stay and for the return to their country of origin or transit to a third country;*
- g) they have full healthcare insurance or sufficient financial resources for healthcare services;*
- h) they are not subject to expulsion or exclusion, they are not considered to be a threat to public policy, public security or public health, or to the national security of Hungary;*
- i) they are not subject to SIS warn signal.*

According to Article 21 (1) of RRTN *a residence permit may be issued on grounds of pursuit of studies to third-country nationals accepted by an establishment of secondary or higher education accredited in Hungary and admitted to the territory of Hungary to pursue as his/her main activity a full-time course of study, or to attend a course in an establishment of higher education, which may cover a preparatory course prior to such education, if they are able to verify the linguistic knowledge required for the pursuit of studies.*

Where the purpose of entry and residence is the pursuit of studies, third-country nationals *may verify the purpose of entry and stay with a certificate from the relevant educational institution; a document to verify his/her student status; or other reliable means*²¹. It is necessary to emphasise that a residence permit issued for the purpose of attending a preparatory course prior to education may be extended for the purpose of pursuing studies only if the third-country national in question is admitted to an institution of higher education accredited in Hungary following the aforesaid preparatory course.²² Pursuant to Article 21 (1) of RRTN the third-country nationals need to verify their linguistic knowledge which is required for the pursuit of studies regarding the purpose of entry and stay. ***Third-country***

²¹ Article 60 of RRTN GD.

²² Article 60. (2) of RRTN GD.

*nationals may verify the linguistic knowledge referred to in Article 21 (1) of the RRTN by a language certificate in proof of language proficiency examination, on official diploma in proof of studies in a foreign language, or other reliable means.*²³ It is also to be noted that there are a lot of international students in Hungary, who do not hold a residence permit for the purpose of study but a residence permit issued for other purposes. The reason for this is that some preparatory courses is not accredited in Hungary as institution of higher education, thus their students could not obtain a residence permit for the purpose of study. Any third-country national who is able to satisfy the requirements set out in Paragraphs a), c)-i) of Action 13 (1) may have a residence permit issued in the absence of the objectives listed under Articles 19-27 for eligibility for a residence permit²⁴, if the third-country national verify his/her student status.

Generally, it can be said that the immigration proceedings for the issuance and extension of residence permits is conferred under the competence of the minister in charge of foreign policies, and the regional directorate of the Office of Immigration and Nationality²⁵ (hereinafter referred to as OIN)²⁶. *Applications of third-country nationals for the issuance and extension of residence permits are adjudicated by the regional directorate*²⁷, with the exception set out in law²⁸. With the exception set out in RRTN GD, applications for residence permits may be submitted at any consulate officer of Hungary, or any other agency authorized to accept such applications for residence permit²⁹ in the country where the permanent or temporary residence of the applicant is located or in the country of the applicant's nationality. Applications for residence permits may be submitted at the consulate officers of Hungary, or any other agency authorized to accept such applications for residence permit in countries

²³ Article 60. (3) of RRTN GD.

²⁴ Article 28. (1) of RRTN.

²⁵ Applications of third-country nationals for the issuance and extension of residence permits are adjudicated by the regional directorate of jurisdiction by reference to their place of accommodation.

²⁶ Article 44. of RRTN GD.

²⁷ Article 45. of RRTN GD.

²⁸ Issuing residence permits to persons enjoying diplomatic immunity or some other privilege under international law, and their family members, visitors of members of international organizations and members of diplomatic and consular representations in Hungary, and to persons whose entry is desirable for political reasons, shall fall within the competence of the minister in charge of foreign policies as laid down in specific other legislation. – Article 46. of RRTN GD.

²⁹ Other entities authorized to accept applications for residence permit shall mean honorary consuls or commercial representation office, or independent contractors authorized to receive applications. – Article 47. (2a) of RRTN GD).

other than the ones referred above, in which the applicant is lawfully residing, provided that in the country where the permanent or temporary residence of the applicant is located there is no consulate officer or any other agency authorized to accept such applications for residence permit; or the applicant is able to provide documentary evidence to verify the reasons to submit his/her application in a country other than where his/her permanent or temporary residence is located; or the entry and stay of the applicant is desired on the grounds of substantial national interest of Hungary in the field of economics, culture, science or sports³⁰. Given that in a lot of country Hungary does not have consulate officer or any other agency authorized to accept such applications for residence permit, the consular officer can organise external consular day in case of high number of applicants (for example in case of groups of scholarship students).

The competent consulate officer shall forward applications for residence permit to the regional directorate of jurisdiction by reference to the future residence in Hungary of the third-country national affected upon receipt of application without delay³¹. ***Third-country nationals may apply for an entry visa for entitlement to collect the residence permit before admission to the country in the application for residence permit, without having to lodge a separate application.*** The decision concerning an application for a visa for entitlement to receive a residence permit is in the competence of the regional directorate that issued the residence permit. The positive decision of the regional directorate to grant the residence permit constitutes an approval for the issuing of a visa for entitlement to collect the residence permit, the issuance of which the competent consulate officer is be notified³².

The third-country nationals have to lodge the application for residence permit personally. Where it is necessary to clarify the relevant facts concerning the applicant's stay, the visa authority may request the applicant to produce further documentary evidence³³ by enclosing documents electronically or by post or telefax, the personally appearance is therefore not compulsory. If the decision of the regional directorate is in favour of the application for residence permit, it shall constitute approval for the issuance of a visa for entitlement to collect the residence permit, of which the competent consulate officer is be notified. The visa for entitlement to collect the residence permit is issued by the competent consulate officer

³⁰ Article 47. (1) – (2) of RRTN GD.

³¹ Article 47. (3) of RRTN GD.

³² Article 33. (1) - (3) of RRTN GD.

³³ Article 47. (9) of RRTN GD.

based on the regional directorate's decision.³⁴ The third-country nationals need to appear before the regional directorate of jurisdiction by reference to their place of accommodation in the 30 days following the entry into the territory of the Schengen Area and register their place of accommodation in Hungary. As of 20 May 2011, Hungary issues residence permit sin a uniform format containing biometric data³⁵, so at the same time with the above mentioned registration the third-country nationals have to make a declaration whether they wish to collect their residence permit personally or by post.

Apart from regulating applications for residence permits submitted at any consular officer of Hungary the RRTN also contains provisions for inland applications lodged at the regional directorate of jurisdiction by reference to the place of accommodation of the third-country nationals residing in the territory of Hungary if: there are special circumstances³⁶ justifying submission of the application in Hungary, such as on the grounds of family reunification or medical treatment; or the purpose of residence for a period of longer than three months is research; or lawfully residing in Hungary as nationals of the states listed in Annex II of Council Regulation 539/2001/EC, or together with such a third-country national in the capacity of a family member.³⁷ Applications for the extension of a residence permit has to be submitted on a standardized form prescribed in specific other legislation³⁸ to the regional directorate by reference to the place where the third-country national's accommodation is located within 30 days prior to the expiry of the residence permit³⁹. If the third-country national requests for extention of the residence permit or lodges the application at the regional directorate of jurisdiction by reference to the place of accommodation the relevant regional directorate of the OIN takes the biometric identifiers at the same time with the lodging of application.

³⁴ The maximum validity period of the visa for entitlement to collect the residence permit is 365 days and authorizes entry to the Schengen Area and stay for 30 days.

³⁵ As a general rule, the consular officer takes the biometric identifiers at the same time with the lodging of applications for residence permits. If the biometric data capture is not possible for technical reasons, or failed, the relevant regional directorate of the OIN takes the photograph and the fingerprints after entry.

³⁶ Third-country nationals may lodge their request for special consideration together with their applications for residence permit at the regional directorate of jurisdiction by reference to their place of accommodation. The regional directorate shall adopt a decision concerning the request for special consideration within eight days by way of a resolution. If the request for special consideration is refused, the regional directorate shall refuse the application for residence permit without examining the merits of the case.

³⁷ Article 47.(4) of RRTN GD.

³⁸ Ministry of Justice and Law Enforcement Decree 25/2007 (V. 31.) on the Implementation of Act I of 2007 on the Admission and Residence of Persons with the Right of Free Movement and Residence and Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals.

³⁹ Article 47. (5) – (6) of RRTN GD.

The applications for a residence permit of third-country nationals has to be processed *within fifteen days* if the purpose of entry is the pursuit of studies⁴⁰.

Pursuant to Article 28 (7) of the Basic Act of Hungary 'everyone shall have the right to lodge an appeal against such a judicial or administrative decision that is deemed to violate his/her rights or legal interests.' *Rejection of an application for a residence permit and the revocation of a residence permit can be challenged within 8 days from the announcement of the official decision*⁴¹. An appeal against a resolution for the refusal of an application for a residence permit is to be lodged at the first instance authority and against a resolution for the refusal of an application for a residence permit and for the revocation of a residence permit before the first entry of the third-country national is to be lodged at the consulate. The competent consular officer forwards the appeals to the regional directorate of jurisdiction by reference to the future residence in Hungary of the third-country national affected upon receipt without delay⁴². The OIN has to adopt a decision concerning appeals within 30 days from the time of receipt⁴³. Judicial review of the decision of the OIN concerning the appeal – on the ground of infringement of lawful rights - has to be lodged within 30 days from the announcement of the decision by the competent court⁴⁴.

Information about the procedural rules of the entry and stay of the third-country nationals for the purpose of study and the residence permit application can be found on the official website of the OIN, the Ministry of Foreign Affairs and the diplomatic representatives. The application form, the accommodation reporting form and other forms are downloadable on the website of the OIN, furthermore the foreigners can contact the OIN by email and telephone for specific information. The third-country nationals receive detailed orientation concerning their rights, obligations and the procedure of the extension of residence permit.

3.1.3 The most common grounds for rejection of residence permit with the purpose of study

Past experience has shown that in the majority cases applications submitted for the purpose of pursuing studies applicants were granted a residence permit. Although not supported by

⁴⁰ Article 49. § (3) of RRTN GD.

⁴¹ Article 55 (1) of RRTN GD.

⁴² Article 55 (2) of RRTN GD.

⁴³ Article 55 (3) of RRTN GD.

⁴⁴ Article 109 (a) Point b) of Act CXL of 2004 on administrative procedures (hereinafter referred to as AAP.).

official statistical data, however experience has shown that a significant proportion of rejected applications was due to the applicant having not verified sufficient financial resources or the availability of sufficient financial means were not adequately justified. Although not to a major extent, but only in a small percentage applications for residence permit for the purpose of study have been rejected on the basis that the host educational institution receiving the foreigner in Hungary is not an accredited secondary or post-secondary educational institution, thus not in line with the requirements laid down in national legislation (Article 21 (1) of RRTN).

Besides the lack of financial resources, the regional directorates of the OIN also face serious problems throughout the immigration procedures. One of the common reasons for rejection is that a particular group of the applicants fail to communicate even at a basic level during the consular interview despite the fact that they submit a certificate of their language knowledge.. As a result the immigration authority considers the requirements laid down in Article 21 (3) of RRTN as not having been verified despite the fact that the applicant was admitted to the Hungarian higher educational institution.

According to the Hungarian legislation in force - unless otherwise prescribed in RRTN - new residence permits or the extension of existing ones has to be rejected, or if already issued has to be withdrawn from third-country nationals who fail to comply with either of the requirements set out in law; ***who have disclosed false information or untrue facts to the competent authority with a view to obtaining the right of residence, or mislead the competent authority in terms of the purpose of residence***; who suffer from any disease that is considered to constitute a threat to public health, and who refuse to undergo the requisite compulsory medical treatment, or who fail to abide by the Hungarian health regulations while staying in the territory of Hungary; who established the family relationship solely for the purpose of obtaining a residence permit on the grounds of family reunification.⁴⁵

It also has to be noted that it occurs, although not in a massive extent, that applicants intend to lodging fake documents to support their purpose of stay, by enclosing fake student status document or the applicants intend to concealing the real intention of their stay (gainful employment, access to the Schengen area), thus by misleading the competent authority in terms of the purpose of the residence aims to obtain a title for stay.

⁴⁵ Article 18 of RRTN.

From a practical point of view, in order to detect these abuses, if a well-founded suspicion of submitting false documents arises during the application procedure, the competent authority initiates the procedure of the document expert. If the document expert ascertains that the document in question is false or forged, the application of the third-country national is rejected with reference to his/her fraudulent action by which s/he attempted to deceive the authorities by having made false statements [Article 1 (18) of RRTN] as well as the authority files charges for falsifying public documents at the competent police authority.

Generally speaking, the number of students in higher educational programmes is higher than those participating in preparatory courses. In the field of preparatory courses medical training programmes prevail; in this regard the ratio of Iranian and Israeli students is remarkable. At the beginning of university semesters greater groups come to Hungary within the framework of exchange programmes from the USA and Canada. Problems occur with respect to students exempted from visa requirements because their entire stay exceeds a three-month-period, however, their residence permits may not be issued for a longer term of 3 months at the time of processing of applications since they only appear before the immigration authority after the expiry of their visa-free 3 month period.

3.1.4 Statistics on third-country nationals holding a residence permit for the purpose of study

Relating statistical figures can be obtained from the OIN, this study is based on the figures of the period of 01.01. 2006 – 30.06. 2012. In general it can be noted that as compared to the statistical data available between 2006 and 2012 the number of third-country nationals having been granted residence permit from the purpose of study is increasing.

For the relating available statistical charts and diagrams (2. – 9. chart) see annexes 1.

3.2 Stay

3.2.1 Residence of international students in Hungary

The validity period of a residence permit issued on grounds of the pursuit of studies *corresponds to the duration of training*, if it is less than two years, the validity is at least one year or maximum two years if the duration of training is two years or more, and it may be extended by at least one or at most by two additional years at a time.⁴⁶ A residence permit issued for the purpose of attending a preparatory course prior to education may be extended for the purpose of pursuing studies only if the third-country national in question is admitted to an institution of higher education accredited in Hungary following the aforesaid preparatory course.⁴⁷ It is necessary to emphasise that the regional directorate determines the validity period of residence permits - within the limits defined in the RRTN - *on the basis of the documents enclosed with the application, the verifiable purpose and the planned duration of residence, and based on all other information available regarding the circumstances of residence, taking also into consideration the applicant's personal and particular circumstances*. The authorized duration of residence shall be determined - with the exceptions set out in law - so that the validity period of the third-country national's travel document shall have at least three months remaining at the time the authorized duration of residence expires. Where the purpose of residence of a third-country national is the pursuit of studies *the validity period of his/her travel document shall cover only the authorized duration of residence*.⁴⁸

In connection with the employment of international students, Article 20 (3) of RRTN *third-country nationals with a residence permit issued on grounds of pursuit of studies may engage in gainful employment during their term-time for maximum twenty-four hours weekly, and outside their term-time or for a maximum period of ninety days or sixty-six working days*. If the third-country national holds a residence permit for the purpose of study, and wants to work during the period of study he/she does not need to obtain a residence permit for the purpose of gainful employment or a work permit if the third-country national

⁴⁶ Article 21. (2) of RRTN.

⁴⁷ Article 60. (2) of RRTN GD.

⁴⁸ Article 51. (1)-(3) of RRTN GD.

takes part in a full-time study programme within a Hungarian educational institute⁴⁹. In all other cases the employer of the international student need to request a work permit at the Labour Office under the competent Government Office.

No statistical data is available on how many third-country nationals holding a residence permit for the purpose of study are engaged in gainful employment.

3.2.2 The residence of the family members of international students

According to Article 2 point d) of Act II of RRTN '**family member**' means:

- the spouse of a third-country national,
- the minor child (including adopted children) of a third-country national and his/her spouse,
- the minor child, including adopted and foster children, of a third-country national where this third-country national has parental custody and the children are dependent on him/her,
- the minor child, including adopted and foster children, of the spouse of a third-country national where the spouse has parental custody and the children are dependent on him/her.

According to RRTN the following relatives of sponsors, the spouses of sponsors or persons with refugee status may be granted a long-term visa or a residence permit on the grounds of family reunification: their parents who are dependants; their brothers and sisters, if they are unable to provide for themselves due to health reasons.⁵⁰

Given that under RRTN a family member is the spouse of a third-country national, the minor of a third-country national and his/her spouse, the minor child, including adopted and foster children, of a third-country national where this third-country national has parental custody and the children are dependent on him/her, the minor child, including adopted and foster children, of the spouse of a third-country national where the spouse has parental custody and the children are dependent on him/her; marriage is on the basis of the Hungarian law a social

⁴⁹ Article 2 (1) point 12) of Government Decree 355/2009 (XII. 30.) on the work permit exempted employment of Third-Country Nationals in Hungary.

⁵⁰ Article 19 (4) of Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals.

union and a legal contract between an adult man and woman, thus the registered partner⁵¹ cannot obtain a residence permit for reasons of family reunification, but if the registered partner is able to verify the purpose of the stay by verifiable means, he/she may obtain a residence permit for other purpose.

Besides the above the provisions governing registered partnerships⁵² should be taken into account. Pursuant to Article 3 (1) of Act XXIX of 2009 on registered partnership, provisions applicable to spouses **apply** for registered partnerships as well **unless otherwise specified by law, and according to commentary on the above act⁵³, the registered partner may obtain a residence permit for the purpose of family reunification. Furthermore, it is necessary to emphasize that third-country national spouses and children of the third-country national have to comply with the same above detailed requirements.**

According to Article 19 (1) of RRTN *a residence permit may be issued on the grounds of family reunification to a third-country national who is a relative of a third-country national who is in possession of a residence permit, immigration permit, permanent residence permit, interim permanent residence permit, a national or EC permanent residence permit, or - under specific other legislation - in possession of a residence card or permanent residence card.*

⁵¹ 'Cohabitation' is an arrangement where two people who are not [married](#) live together in an [intimate relationship](#), particularly an emotionally and/or sexually intimate one, on a long-term or permanent basis. Cohabitation is different from the marriage and from the registered partnership, because it is not established by act of will, but it comes into existence with the fact of living together. According to Article 685/A of the Civil Code cohabitation is a symbiosis between two persons who did not get married and established registered partnership with each other and anyone else, joining household and financial and emotional community and who are not direct relatives and not (half)brother and (half)sister.

⁵² 'Registered partnership' is a form of partnership which, similarly to marriage is established by act of will manifested before a state agent and following a registration. The registered partnership **enters into force** with the **statement of parties of same sex who are above 18 years of age before the registrar**. Registered partnership **ensures rights and** responsibilities to same sex couples identical to [civil marriage](#) and the regulation for spouses **apply** for registered partnerships. Pursuant to Article 3 (1) of Act XXIX of 2009 on registered partnerships if the Act unless otherwise specifies or does not preclude its application a) provisions governing marriage are applicable to registered partnerships, b) provisions applicable to the spouse are applicable to the registered partner. The Constitutional Court annulled Act CLXXXIV of 2007 on registered cohabitant relationship. From the standpoint of the Constitutional Court the Act considers the partnerships of people with different and same sex as a homogeneous group. This Act also contains a regulation that makes the marriage identical to the registered partnership regarding its relevant features. The Constitutional Court recalls that the Constitution protects the marriage, however, the registered partnership between a man and a woman - who have the opportunity to conclude a marriage - shall be regarded as a duplication of marriage which is defended by virtue of law.

Although the Constitutional Court has emphasized: the recognition and protection of the registered partnership of people with same sex may be deducted from the right for human dignity and, consequently, the establishment of registered partnership for people with same sex is not unconstitutional.

⁵³ **According to the commentary on** Act XXIX of 2009 on the registered partnership is same-sex couples identical to [civil marriage](#) in immigration cases.

Where the purpose of entry and residence is family reunification, *third-country nationals may verify the purpose of entry and stay with birth certificate, marriage certificate,⁵⁴ adoption document, or other reliable means.⁵⁵*

The validity period for a residence permit granted for the purpose of family reunification is three years, and it may be extended by three additional years at a time,⁵⁶ but the validity period of a residence permit issued for the purpose of family reunification may not exceed the validity period of the sponsor's residence permit.⁵⁷

Any third-country national who received his/her residence permit for reasons of family reunification is required to report to the competent regional directorate of jurisdiction by reference to the place where the residence of the third-country nationals is located if his/her marriage is dissolved or in the event of the death of his/her spouse within thirty days following the spouse's death or the final court ruling for the dissolution of the marriage with the relevant documents attached.⁵⁸

Data is not available on the number of cases where the family members of international students applied for a residence permit with the purpose of family reunification.

3.3 Period following the completion of study for international students

No statistical database exist for the purpose of follow-up of career paths of foreign students, however, based on practical experience some major conclusions can be drawn.

US and Mexican citizens come to Hungary, as a general rule, for a single semester based on intergovernmental or exchange agreements and following the completion of their studies they return to their home countries. Serbian and Ukrainian citizens of Hungarian nationality pursuing studies in Hungary participate generally in bachelor programmes and following the completion of their studies they enter the Hungarian labour market. Students coming from Arabic or African states either in interrupting their studies they start up their own business or following the completion of their studies they return to their home countries.

⁵⁴ A registrar certificate shall also mean a similar or equivalent document issued by a foreign authority.

⁵⁵ Article 56 (1) of RRTN GD.

⁵⁶ Article 19 (9) of RRTN.

⁵⁷ Article 19 (10) of RRTN.

⁵⁸ Article 58 of RRTN GD.

3.4 Misuse of the ‘student route’ to migration

In recent times, the visa authority has regularly encountered cases where applicants abuse the favourable admission conditions applying to students when entering in the Schengen zone, while their real purpose is to engage in gainful employment activities. Nowadays the ratio of foreign students from remote countries admitted for the purpose of study is increasing in Western Europe, the same applies to Hungary as well. However, it is important to put in place rigorous entry exam and selection procedures so as to avoid possible forms of abuses. By applying for, and being granted, a visa/residence permit with the purpose of studying these persons get the opportunity to enter the territory of the European Union and the Schengen zone.

Regarding residence permits with the purpose of study it has to be emphasized that following the receipt of notification on admission to the respective educational institution the residence permit will be granted. Experience has shown, however, that in many cases, primarily Chinese, Vietnamese, Egyptian, Indian and Pakistani citizens, once they enter the territory of Hungary they either fail to show up at the university or, following the registration during the first semester, they establish an undertaking and extend their residence permit with the purpose of gainful activity. Besides, in the course of residence permit procedures it has been found – based on the experience gained during the personal interviews held by consular officers - that the applicant either did not speak the language of the training programme or at a very poor level which rendered his/her real intents of entry and stay dubious, that is to say, whether s/he really wishes to pursue studies in a foreign language. Upon these findings some provisions of the RRTN were amended as of 24 December 2010, in line with the best practices found in several Member States and with the provisions of the Students Directive, thus making it possible to review the language knowledge of applicants required to pursue studies. We can find that applicants are capable of verifying their language knowledge (e.g. by submitting language certificates) and various institutions indicate the official language of education on the certification of enrolment as well as verify whether the applicant has the requisite language skills.

With a view to identifying faked certifications of enrolment the immigration authority, in case doubts arise over the validity of such documents and before a decision is made, contacts the issuing educational institution in order to verify the student status of the applicant.

4. TRANS-NATIONAL COOPERATION IN THE AREA OF INTERNATIONAL STUDENTS

4.1 Bilateral/multilateral agreements including Mobility Partnerships

Multilateral agreements with third countries in the field of student exchange programmes (public and higher education, postgradual training) are coordinated by the Ministry of Human Resources (hereinafter referred to as: EMMI). The EMMI concludes *educational and scientific intergovernmental agreements* and *bilateral work plans* based on the agreements, with third countries on the contents, methods and technical details thereof. As for work plans two types can be distinguished: a) donor and b) pool cooperation methods. Donor training programmes involve generally an entire university training while pool programmes involve usually only partial educational programmes.⁵⁹ Scholarship opportunities of the respective years are published on the website of the Hungarian Scholarship Committee⁶⁰.

With a view to strengthening student mobility and to evolve international contacts, the Balassi Institute (BI) established the Campus Hungary Programme in 2004. The objectives of the Campus Hungary⁶¹ set by BI include the inclusion of Hungarian higher education into the international mobility processes, the single representation of Hungarian higher education abroad, the fostering and encouraging of mobility of Hungarian students, both inward and outward mobility. The Campus Hungary Association was established with the participation of 40 higher educational institutions in February 2004. The objectives of the Association are to inspire higher educational institutions to launch educational programmes in foreign languages both for Hungarian and foreign students, to enhance the competitiveness of Hungarian higher

⁵⁹ It is important to highlight that work plans do not grant scholarships for public educational programmes since it is mandatory for persons, coming to Hungary with various status, until the age of 16.

⁶⁰ Scholarship opportunities open to third-country nationals are published on the website of the Hungarian Scholarship Committee (www.scholarship.hu).

⁶¹ The establishment of the Campus Hungary Association was supported by the statistical data that 13.000 foreigners participated in the Hungarian higher education, in full programmes, in the academic year of 2003/2004, and 57% of were coming from the neighbouring countries. 35% of them took part in unfunded training programmes.

education abroad, to increase the employment opportunities of graduates as well as to educate self-conscious Hungarian intellectuals with a worldwide perspective.

The objective of the Hungarian Government is to improve the international capacities; in this respect it encourages to develop the Campus Hungary Programme, the single exhibition of higher education institutions abroad and to further develop worldwide well-known, renowned universities. Besides, the Hungarian State also finances directly the foreign students studying in Hungary (in last year 6845 students out of 20176 were studying on the basis of state funding). The pool system was established in 2005 – in line with the EU best practices – by which professional collegiums may decide, considering the financial allocation at disposal, on the numbers of students and the countries from which students may be admitted to pursue studies on the basis of state funding. Furthermore, the German-speaking Andrásy Gyula University (AUB) and the English-speaking Central European University (CEU) also contribute to the training of foreign students in Hungary. The operation of these institutions and the financial contribution of the Hungarian State are regulated by bi- or multilateral agreements.

It is also important to stress that Hungary maintains bilateral contacts in the field of mobility development, based on bilateral scientific and technological agreements and Hungary supports the further conclusion of such agreements.

4.2 Cooperation with EU (and EU-financed mobility programmes) or international organisations

In the field of EU cooperation the ERASMUS Mundus programme needs to be mentioned with regard to Hungary and foreign students. So far this programme has promoted the mobility of altogether 2,7 million students. As to third-country students the conditions of entry and stay as well as the preconditions set by Hungarian universities correspond with the preconditions governed by intergovernmental or international agreements.

5. IMPACTS OF INTERNATIONAL STUDENTS IN HUNGARY

To sum up, we can conclude that foreign students have a positive impact on the perception of Hungary and the Hungarian higher educational system. Out of 359.824 students currently

studying in Hungary 10.518 came from the EU, 9.658 came from third countries and 339.648 are Hungarian citizens. The ratio of third-country students amounts 91% compared to students coming from the EU, 2.84 % compared to Hungarian students as well as 2,75 % compared to both EU and Hungarian students.

Students having experienced positive adventures further build the positive image of the Hungarian higher educational system, thereby improving Hungary's positive perception. Besides the fact that foreign students have a positive impact on Hungary, their impact from an economic perspective cannot be undermined either, apart from paying the tuition fees of 1.200-5.000 € they also spend a lot on accommodation, subsistence, travelling and to cover also their leisure activities.

Given the complexity of the issue at hand as well as taking into account the lack of statistical data available on this, the positive impact of international students on the economy of Hungary cannot be measured.

In view of the statistical data collection limitations, the third-country nationals' career line cannot be followed upon, and for this reason, no conclusion can be drawn as to whether after successful completion of their studies foreigners stay in Hungary or whether they use the knowledge obtained elsewhere in other areas.

6. CONCLUSIONS

Foreign students come to Hungary as a consequence of a conscious choice, however, it cannot be concluded that this is a result of a well-established country image. Major motivating factors for choosing Hungary include the geographical vicinity „I can travel back to home within 2 hours and I will receive an EU degree, which worth much more than a degree obtained from a third country” the family members living in Hungary „my uncle has been living here for 20 years, his wife is Hungarian, so is his child. My elder brother has also been living here. He suggested coming here if I wish to study further.” or the more favourable conditions of subsistence „I went with my brother to a study centre where I received guidance on studying programmes abroad. I had the opportunity to choose between France, Belgium and Hungary. We were comparing everything: the prices, the training and I tried to acquire

more and more information on the University of Debrecen. My decision was based on these factors.”⁶²

Nevertheless, apart from the previously mentioned positive economic impact of students, the international students can also have a negative effect on the demand for Hungarian higher education. Given that higher educational institutions enjoy a wide room for manoeuvre when governing the entire admission procedure to the institution with respect to the unfunded training programmes held in a foreign language, this carries the risk that financial factors become priority over quality considerations. It would be desirable to elaborate a strategy against the spread of „educational business” that would fully consider the interests of the higher educational institutions, the authorities as well as the entire society and open the door for positive economic impacts, moreover would improve the openness of the society, taking also into account security aspects.

This study is based on evaluation of documents, legislative provisions as well as practical experience and its utmost objective is to provide an overview of the measures for screening of international students, the related migration issues as well as the legal norms and practices in force. There are no official statistics available concerning career paths of foreign students, thus the major tendencies, the forms of abuses and other specificities cannot be supported by statistical data. Patterns described in this report are based on the law enforcement practice of OIN.

By granting a visa/residence permit for the purpose of study third-country nationals are provided with the opportunity to enter the territory of European Union and the Schengen zone. According to findings, however, in many cases, after having entered Hungary they either fail to appear at the university or, following the registration during the first semester, they establish an undertaking and extend their residence permit with the purpose of gainful activity. In these cases the purpose of pursuing studies as a purpose of entry and stay has solely been opted for with the view of avoiding the obligation of having to undergo complex evidentiary assessment required from the applicants. As a result these third-country nationals manage to enter the Schengen zone by deceiving the immigration authorities and by

⁶² Migration in Higher Education (Research Study of Third Country Nationals Studying in Hungarian Higher Education; By The Office of Immigration and Nationality as part of the ‘Migration in Higher Education’ project Balázs Dankó, staff sociologist).



circumventing immigration legislation. There is a need to take effective actions against such abuses.

The influx of students from third countries, not only the European Union but is also important for Hungary, but an example of the many positive effects, and in addition, problems connected to the international students have to be handled by the immigration authorities. The Hungarian experiences of international students in whole - any Member State – is really good.

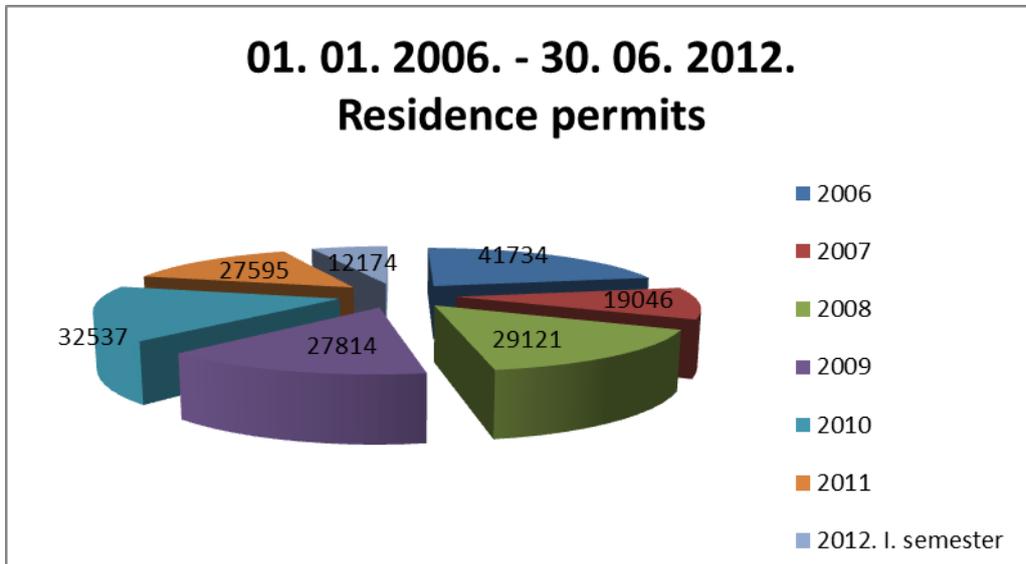
With a view to making Hungary a more attractive destination for the third-country students and to offer the highest possible quality of training for students, there is a need for putting in place a strategy unifying and coordinating the various opinions in the field, which could set a framework for imposing quantitative and qualitative requirements in the selection process of students.

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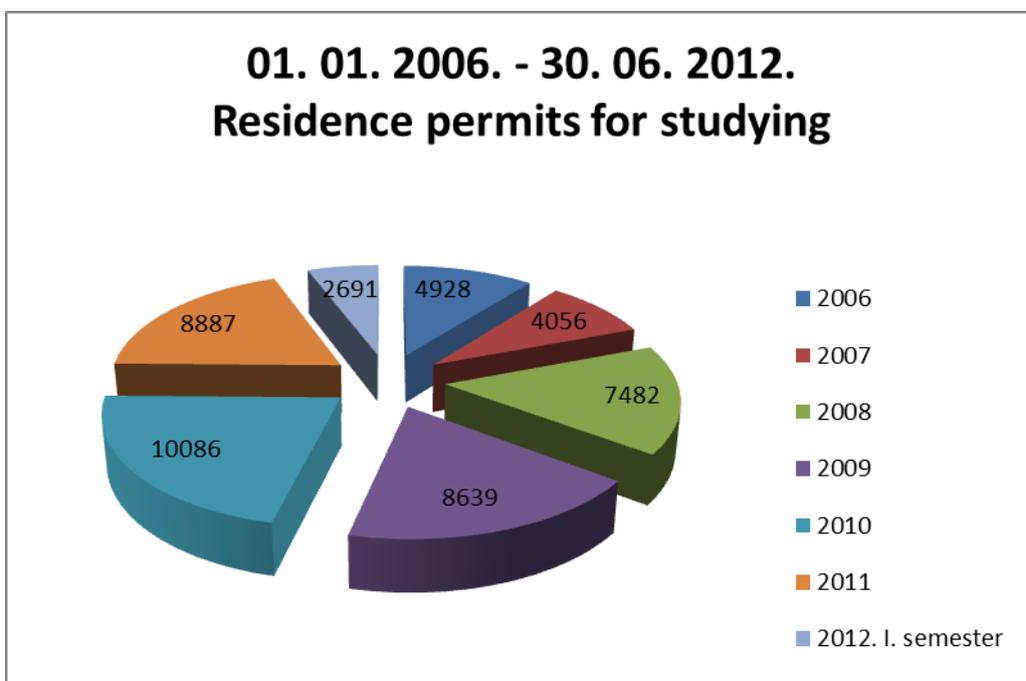
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Annex

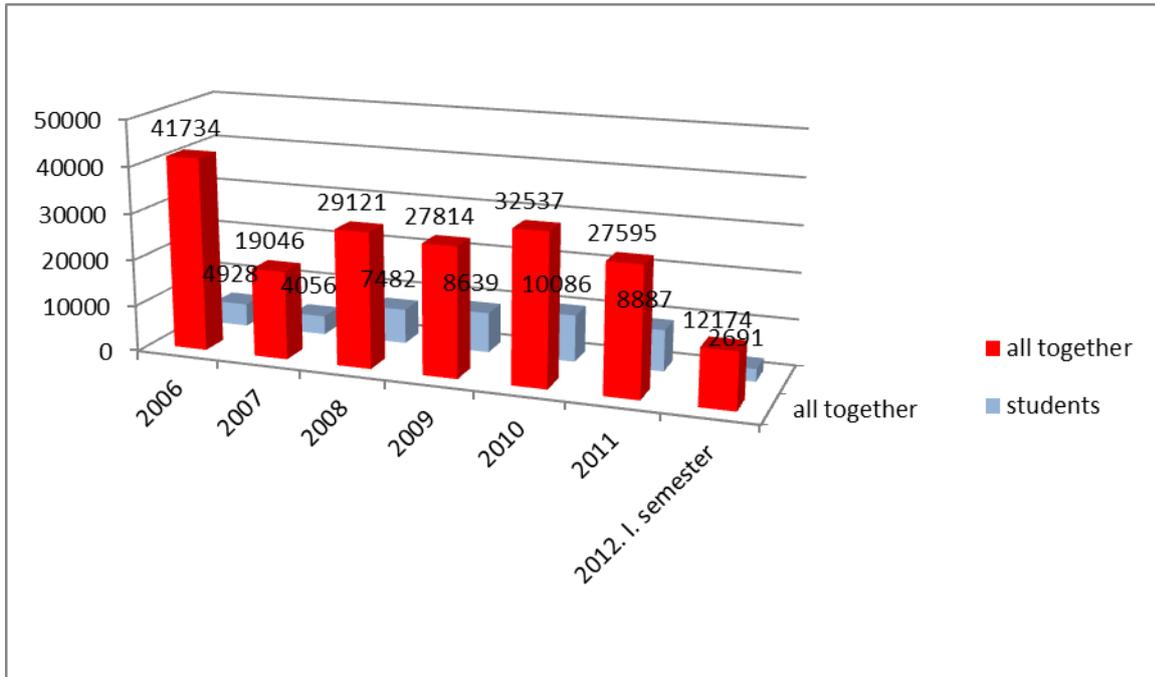
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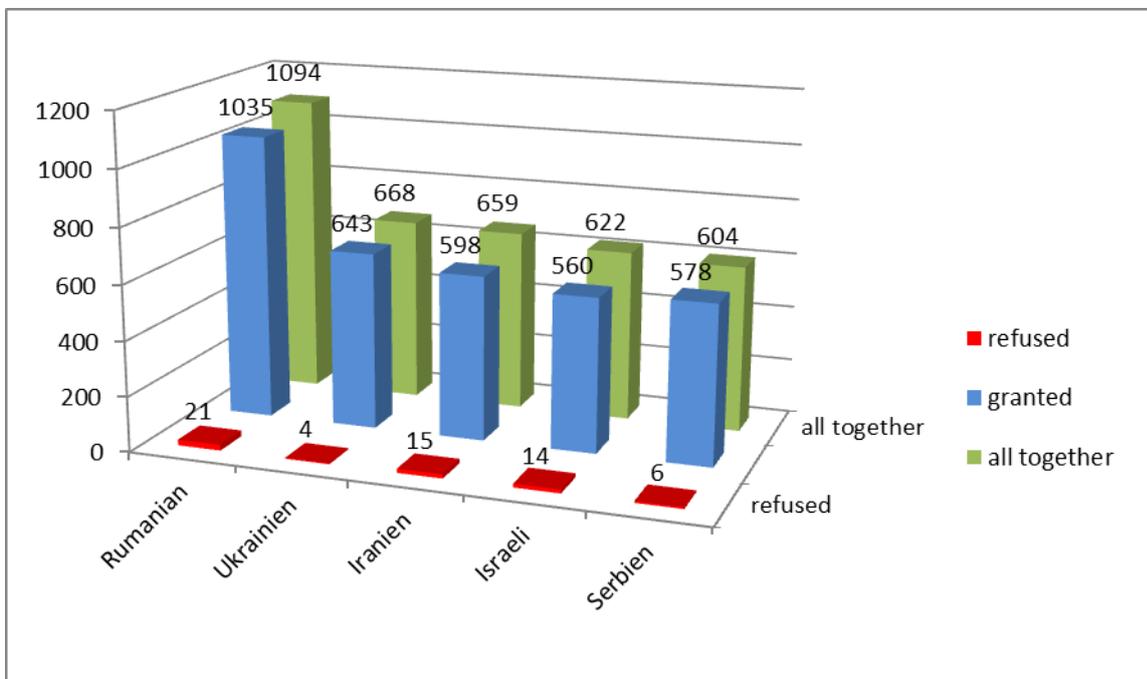
1. chart - Rate of the residence permits issued between 01. 01. 2006 and 30. 06. 2012.



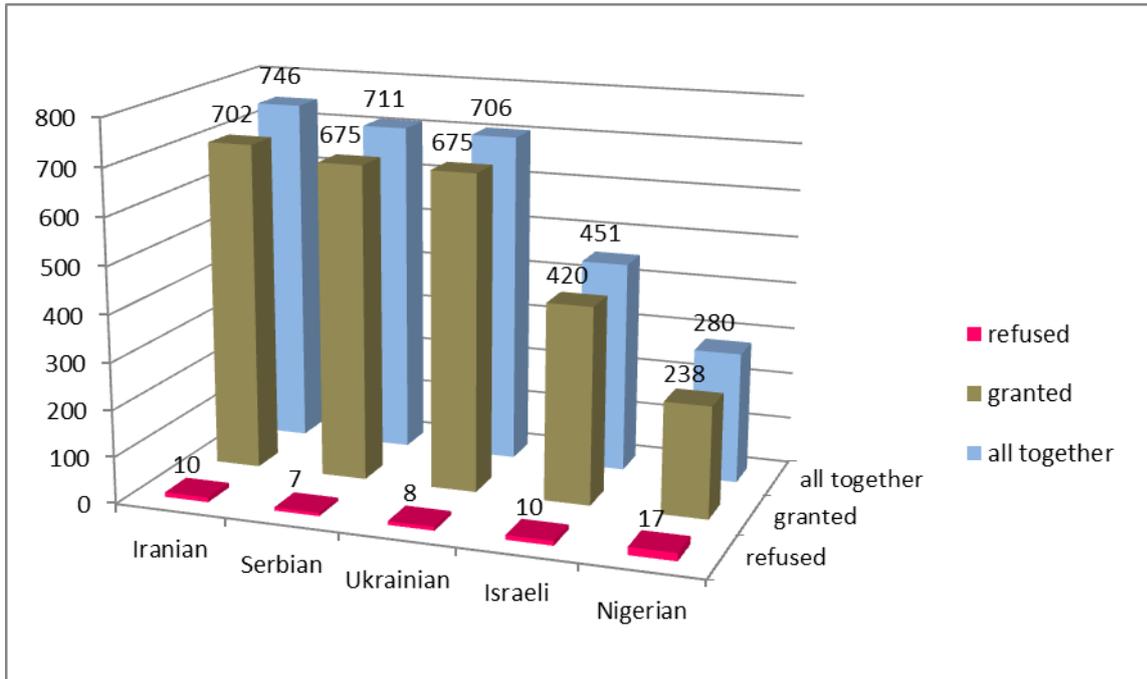
2. chart - Rate of the residence permit form the purpose of study (2006-2012)



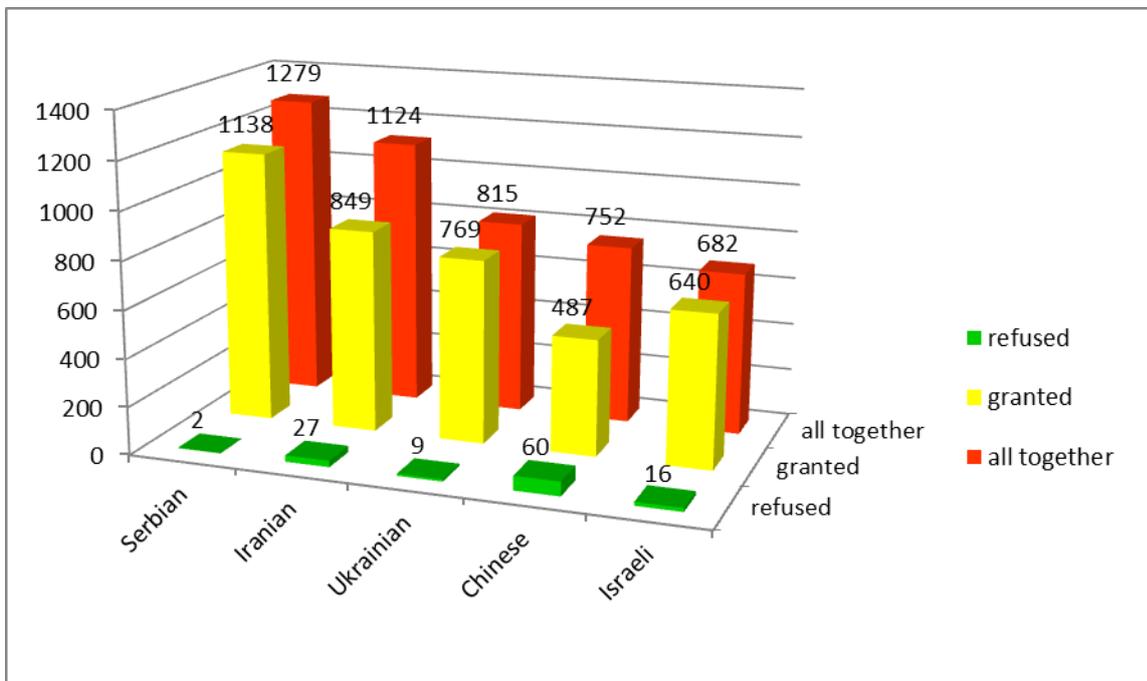
3. chart –The total number of the third country nationlas holding a residence permit and the number of the third country nationlas holding a residence permit with the purpose of study.



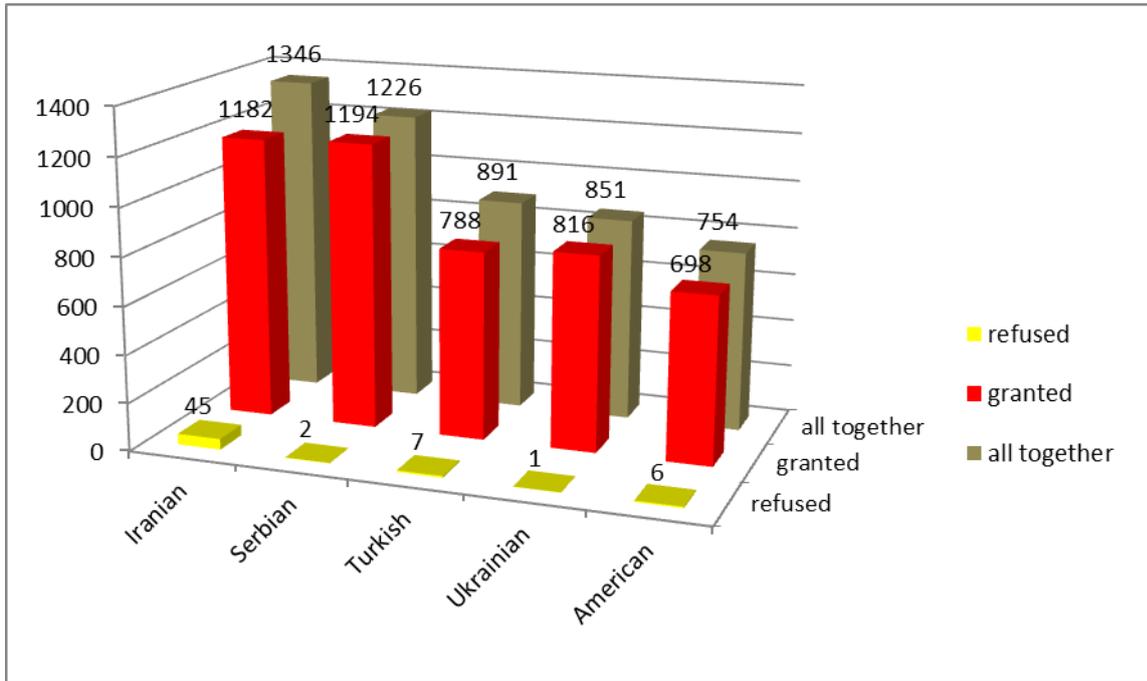
4. chart - The rate of residence permit of students with third-country nationality in 2006.



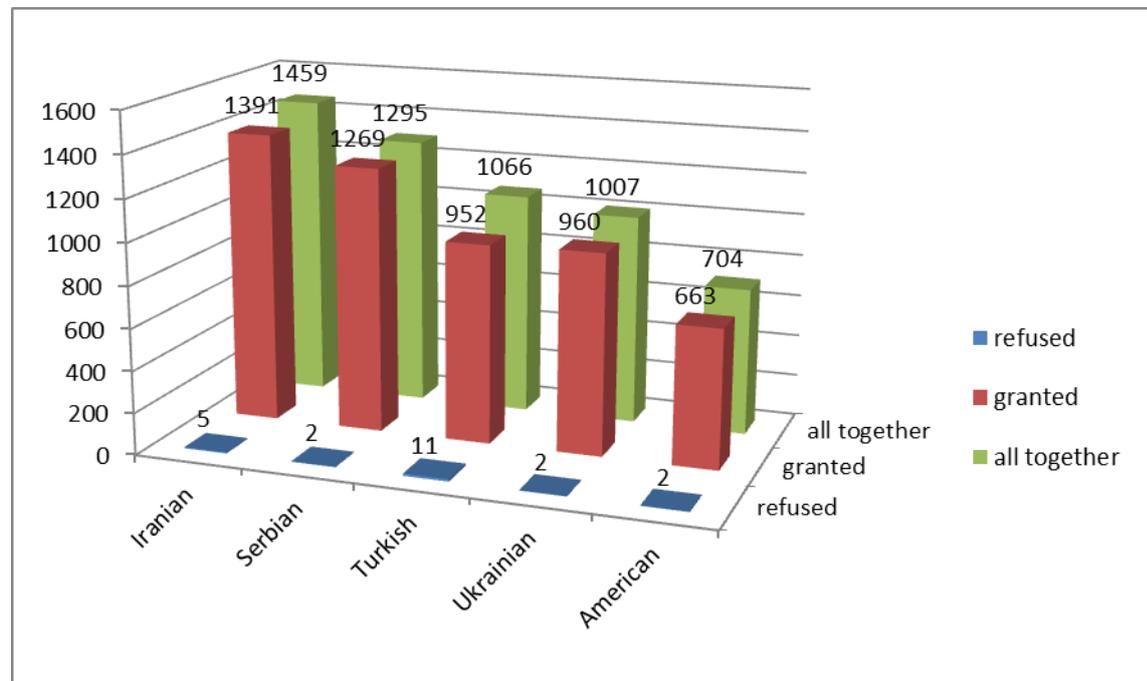
5. chart - The rate of residence permit of students with third-country nationality in 2007.



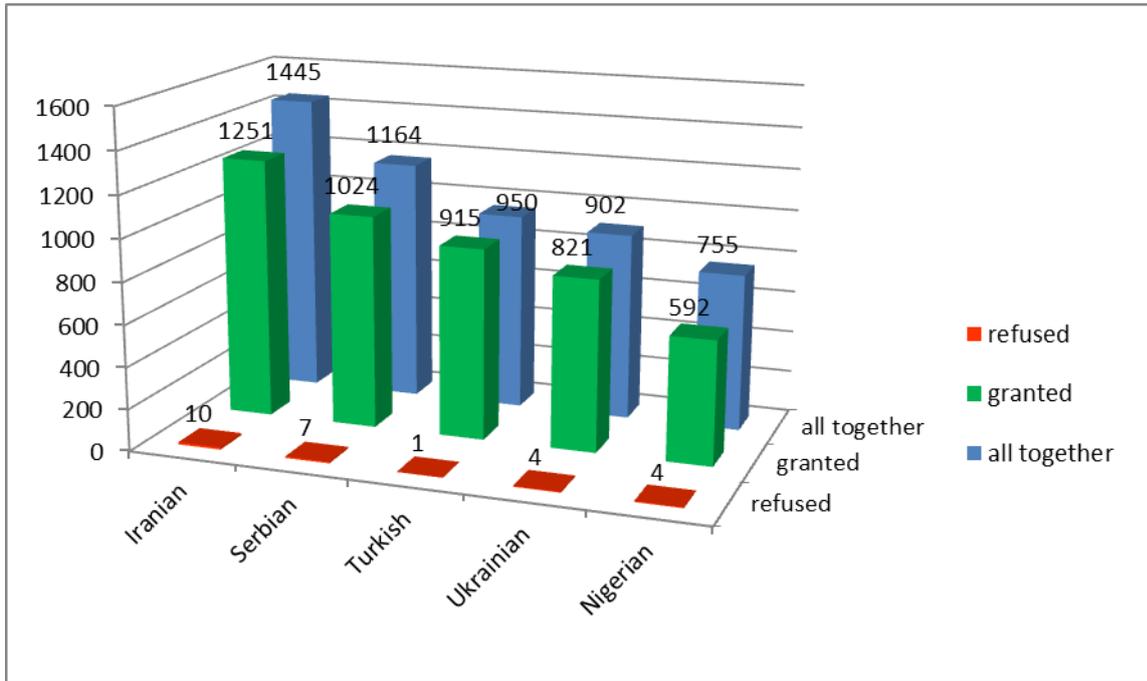
6. chart - The rate of residence permit of students with third-country nationality in 2008.



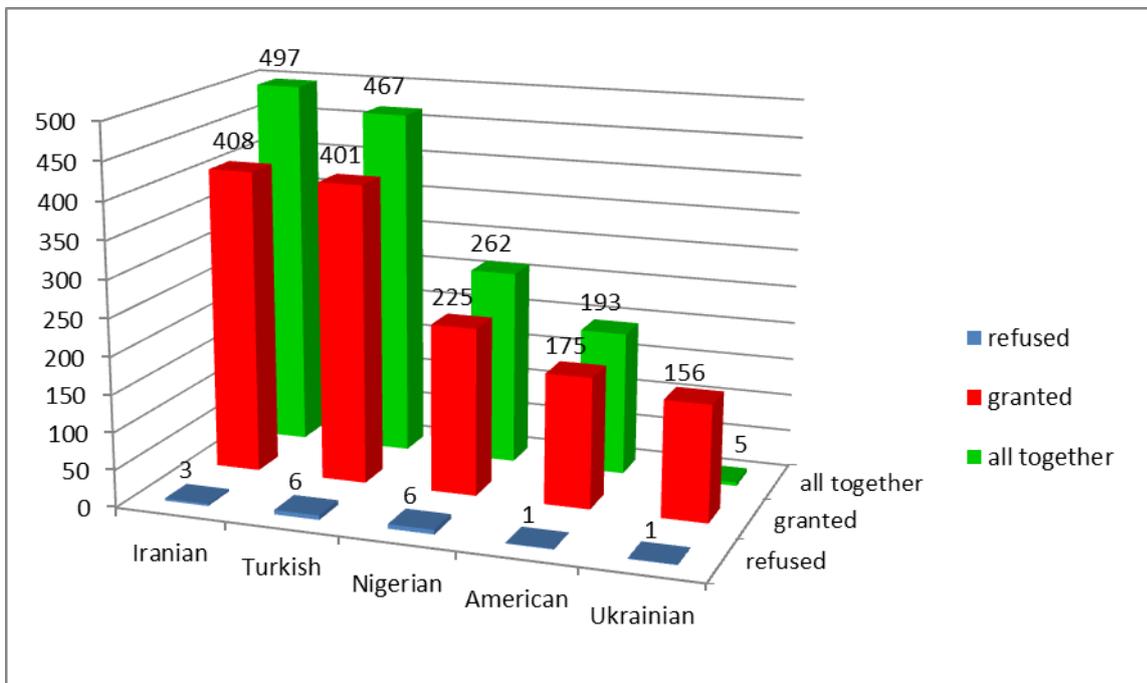
7. chart - The rate of residence permit of students with third-country nationality in 2009.



8. chart - The rate of residence permit of students with third-country nationality in 2010.



9. chart - The rate of residence permit of students with third-country nationality in 2011.



10. chart - The rate of residence permit of students with third-country nationality on 30. June 2012.