

NATIONAL UNIVERSITY OF PUBLIC SERVICE

Doctoral School of Military Science

THESIS

Eszter Nagyné Dr. Csobolyó

The relationship between NGOs and refugees in Hungary

author's review of Doctor of Philosophy (PhD) thesis

Thesis Supervisor:

Dr. Zoltán Balla, Associate Professor

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1. Formulation of the scientific problem

Since 2014, a huge wave of migration has started towards the external borders of our country and the European Union. First, refugees from crisis zones arrived on the continent, in need of international protection, but also masses of people from the Central/Eastern Mediterranean and the Western Balkans, due to their economic situation. Irregular migration is also forcing the European Union and its Member States to act, including Italy, which is under the greatest pressure, and Greece. Our country is facing a serious challenge, both in terms of the number of (illegal) migrants as well as the number of asylum seekers. In the European Union, the highest number of asylum seekers was from Syria, while in Hungary the highest number of them arrived from Kosovo, typically with large families, often with young children. A significant number of applicants left the country, staying for short periods of time in reception centres. The transit nature of our country is well illustrated by the fact that it had the highest number of terminated procedures within the EU during this period.

It is very important to highlight that asylum management in Hungary is not taking place in a vacuum; as a member of the European Union, the "gatekeeper" of the Community, none of Hungary's actions has such an impact that would stop at the borders, but continues to spread. Our situation is made particularly difficult by the fact that the defence of the Schengen border has not been met with respect and support in the European institutions, but rather with sharp criticism. Of course, this effect is twofold, so that the rights and obligations arising from our membership also apply to us.

In the context of the challenge of 2015, as a Hungarian Christian I have been particularly attentive and critical as to how my church, and especially our historic churches in Hungary and their associated NGOs, are stepping up, what they are doing or failing to do, how they are addressing the believers in their communities, and how they are doing it. Many NGOs have found their place of ministry from day one, but many have taken a position of distance or observation. All of this is supported by their statements as well as by press reports. This is, however, well explained by the fact that, almost from the very beginning, illegal migrants in the guise of refugees, and even in an apparently organised way, have been arriving with the refugees. So welcoming refugees is relatively easy, distinguishing them from migrants is more difficult, but the illegal invasion is bewildering. This confusion was palpable in the uncertainty of NGOs and communities. Many grassroots initiatives were launched, which could be joined

by other volunteers not affiliated to NGOs. These organisations have now evolved into communities with a legal form.

The refugee issue has invaded almost every home. This was evident in the case of those whose farm windows had been smashed, their gardens trampled and their fruit eaten. For others, the sight of railway stations was a source of anxiety. There were also those who, in their spare time, wanted to play an active part in helping the refugees. There were also those who, from what they had heard on the news, showed up in person and took action with blankets, food and two helping hands. Of course, there were also the volunteers associated with the classic goodwill NGOs, who acted in a professional manner. And of course there were those who missed the wise and radical action of the Government, or simply closed their eyes.

The professional-moral dichotomy that arose in me was sorted into a complementary whole by the professional training I received at the National University of Public Service's Doctoral School of Military Science and my service in the Reformed Church. My venture here was greatly inspired by a six-month research fellowship provided and awarded by the Department of the Interior at the then Office of Refugee and Immigration Services. It also meant a great deal to visit the Refugee Detention Centre in Békéscsaba and to coordinate and transport the Easter fundraising in Pest County to Ukraine.

I would also like to express my gratitude to my teachers, my professional supervisors, my pastor and my family for the extensive support they provided in the preparation of this thesis.

2. Research assumptions, hypotheses and objectives

The hypotheses of the doctoral thesis that I sought to clarify:

1. Systematic review and classification of domestic NGO initiatives and activities involved in the management of asylum based on the conceptual categories prevalent in the international literature, including their function, organisation, and relationship with government: supplementary, complementary, advocacy.
2. Identifying factors that influence the scope of NGOs and initiatives. Emphasis will be placed on the analysis of social activity/capacity, the capacity of public institutions, the normative environment (laws) and political will.

3. Examination of how global contextual changes are affecting and pressuring the refugee issue.

Taking all these into account, I formulated the following two hypotheses:

1. NGOs play a key role in the provision of refugee services in Hungary through their indispensable service that fills a gap. In this context, I hypothesise that all four forms of the relationship between government and NGOs in the field of asylum in Hungary (cooperative, competitive, complementary, confrontational) are present, depending on the capacity of the state's organisational system, international pressure and political will.
2. Government policy should be present in the asylum field, but only to the extent necessary. Government policy in the field of asylum can help NGOs by involving them in decision-making and providing financial support, while it can hinder them by over-controlling or restricting their scope.

My overall strategic goal is to increase the body of academic knowledge on the analysis of the domestic refugee process.

My specific objective: to establish a data source for further analysis.

My operational objective: to provide information to legislators, implementers and users of rights.

My personal objective: to restore confidence in the third sector, to strengthen NGOs.

3. Research methodology

The first stage of the research design was to establish the theoretical basis of domestic NGOs and to review the relevant literature. This was followed by the critical processing of the literature on migration as a popular and researched field of social sciences in Hungarian and English. The processing of secondary sources involved the collection and detailed study of reports, analyses and statistics from NGOs/organisations and their analysis by several dimensions (functional, temporal, organisational form).

In addition, the analysis of press material, requests for public data from public bodies and the processing of legislation constituted a significant part of the documentary analysis.

Given the length of the research period, I had the opportunity to monitor and evaluate legislative changes. The passage of time also entailed a significant risk, as it is particularly true in the refugee context that what is right and regulated today may not be right and maintained in the future. The precise monitoring of organisational change required particular precision.

In a number of cases, as a result of our membership of the European Union, Hungarian court decisions in asylum cases have been given the opportunity to be further examined in the international platform. The processing and evaluation of these judgments is an important part of this thesis.

The organisational sphere of Hungarian NGOs and the role of NGOs in refugee issues is a much less processed and documented part of domestic research. For the collection and analysis of primary sources, I used qualitative empirical methods, field research and interviews. The selection of interviewees was systematic. My aim was to interview and collect information from the heads of organisations with different functions. In examining grassroots initiatives, I focused in particular on their organisational development.

During the observational research, my research sites were NGOs and institutions dealing with immigration, where I took notes on the activities of the NGOs, collecting valuable data to analyse the events, the dates and the people present. Empirical research has strongly influenced my political and social understanding of refugees. The personal interviews focused on the human side, with all its strengths and weaknesses, but I had to remain objective in order to maintain unbiased objectivity and scientific rigour. Being on the ground gave me a better sense of the changing dynamics of the refugee situation, which would not have been a fully credible

picture had I only studied secondary sources and documents. I was present at conferences, round tables and events.

In my research I also used the snowball method, asking my interlocutors and interviewees to recommend other NGOs and researchers they knew who were familiar with the issue. I also met newer organisations, experts and researchers at various events related to immigration, such as fundraising and distribution, and contacted them.

Significant stages of research:

1. Data collection: systematic review of lists and databases available online and collection of data from the organisations to be investigated in a separate register.

The basic register of organisations is the official register of registered NGOs maintained by the courts. The register of NGOs was searched one by one on the basis of name-specific data, such as refugee, asylum, Ukrainian, Syrian, etc.

Another useful tool is the database "Migrant Organisations in Hungary" on the central website of the Centre for Social Science Research Institute for Minority Studies. Collected and set up by András Kováts in 2012, it contains 144 NGOs.

An important source of data was the register kept by NGOs and institutions active in the field of asylum, as well as publications and additional communities identified by the interviewed organisations.

2. Data sheet information collection: information was collected through a self-completion survey. Representatives of organisations were provided with a pre-defined data sheet containing five basic questions and asked to return the completed data sheet online.

3. Interview data collection: during the data collection, the representatives/volunteers of the contacted organisations were interviewed about the organisation and their experiences with the organisation, mainly along the lines of the questions used in the data sheet information collection, and an in-depth interview was also conducted. The duration of the exploratory interviews was generally 60 minutes, where I put into

context the quantitative information that could be extracted from the data sheets. I took part in talks with 25 different NGOs.

4. Expert interviews and discussions: using an interview schedule, I asked experts about their knowledge, experience and opinions on the functioning of refugee organisations. In addition to collecting explicit, objective information, I also placed great emphasis on exploring subjective assessments of the situation during the interviews, which usually lasted 60 minutes.

I participated in conferences and round tables, where I collected relevant information using the observation method. Informal discussions and the opportunity to ask questions at various events also provided me with relevant knowledge, which is integral to this dissertation.

The chosen research topic is extremely complex and has important links with several other disciplines. Both the topic and the author of the thesis are the source of the interdisciplinary character of the thesis, which is therefore not a digression, but a form undertaken for the sake of content.

4. Concise description of the study carried out, chapter by chapter

The first chapter deals with the conceptual definition of NGOs and the identification of their characteristic features. In Hungary, NGOs are defined as civil society organisations, foundations and associations. Civil society organisations are not covered in this research, given that they are not registered with a court. While the purpose of an association is to bring people together, the joint activity of at least 10 members, the primary purpose of a foundation is to operate the assets assigned to it. They may be established for any activity not prohibited by law. They are not primarily engaged in economic activities and their main driving force is voluntary activity. According to Morris's categories, the financial resources of NGOs are generally made up of grants and donations. The second characteristic is the provision of community needs, to which we can also associate Flora Gravi's strategies of enforcement, initiative, defensive overt advocacy and, finally, infiltration. Morris's final summing up is the prohibition on the distribution of net revenues to NGOs, which can only use the funds to provide public services.

In the semantic system of NGOs, I examine the different denominations of NGOs. Perhaps the name non-profit is the only common feature that applies to all NGOs. The characteristics of an NGO - non-governmental organisation - have been compiled by the European Commission. The terminology evolves over time, such as the creation of the term civil society organisation and the umbrella term GONGO.

The first significant stop for the NGO sector was 1987, when the change in the NGO sector preceded the political regime change. The legal institution of the foundation was reintroduced into the Civil Code, and the Law on the Right of Association was adopted, thus creating legal guarantees of freedom of association. The explosive growth of NGOs in the 1990s was dampened by the legal provisions of 2011, which removed the right of association from public law and made it part of private law. Hungary's Fundamental Law was adopted and the Act on the Right of Association, the Public Benefit Status and the Functioning and Support of Civil Organisations entered into force, as well as the new Civil Code.

In the second chapter of the thesis, migration and asylum as a public task and a social challenge are discussed. I have tried to clearly formulate migration definitions, clarify the concepts of refugee and asylum seeker and analyse their terminological changes in certain situations. In the course of the research, I focused on NGOs working in the field of asylum that are functionally concerned with refugee care. Accordingly, I have classified and categorised the activities of NGOs in the field of refugees according to UN recommendations and publications. In my view, NGOs should carry out their services in accordance with Max Weber's ethics of responsibility and emotion. The consequence of the act and the moral basis must be in harmony. To sum up, all NGOs, by their very presence, are advocates, raising awareness of the importance of what they represent. In the course of the empirical collection, I came into contact with NGOs, and their professional publications were of great help. Previous research on the subject provided a sufficient basis for screening communities. Personal contacts, interviews and visits to institutions resulted in a database of 107 NGOs. Most of them were established for social purposes, followed by legal protection and then education/research. As a second criterion, I examined whether the communities met the five key characteristics of Salamon and Anheier (1992) from a structural-functional point of view. 1. They are formal organisations, i.e. institutionalised in terms of their organisational form/operational system. I looked only for NGOs with a legal registration. Thus I identified 42 associations and 58 foundations, as well as public bodies, public benefit societies and associations. 2. In carrying out its activities, the organisation has a public function, and, according to the level of social support and financial

resources, it has a public benefit status, which means both financial benefits and prestige in terms of perception. The survey found that 57 NGOs have public benefit status. 3. It has an autonomous internal management and administrative apparatus. 4. It is voluntary, which is the most important basis for the NGO sector. 5. It is a social organisation. In the most important point of this criterion, I have focused on the domestic regulation of the church, emphasising the separation of church and state, its theories and reasons.

The third chapter examines the cooperation between NGOs and the Government in the field of asylum in Hungary between 1990 and 2023. The third analytical aspect of the research is the relationship of NGOs with the Government. Their cooperation can be identified in four ways: cooperative or competitive, and complementary or confrontational. In Hungary, in the more than one decade following the regime change, the complementary type of cooperation was predominant. In the case of refugees from the first border countries, especially Hungarians from across the border, the Inter-Parliamentary Committee asked the Hungarian Red Cross to organise a large-scale social action. This broad social action, with its growing ethics of emotion and grassroots initiatives, can be seen again in 2015 and now with the Russian-Ukrainian war. In the case of the East German refugees, the stand of the Hungarian Charity Service of the Order of Malta has been typical, with the encouragement and physical support of the Government. The South Slavic refugees were already protected by the established state refugee organisation. All the NGOs that served at the time, most of them linked to historic churches, are still faithfully fulfilling their role today. A significant number of agreements have defined and influenced the domestic asylum service in the two decades following the regime change. The tripartite agreement between the Hungarian Helsinki Committee, the National Command of the Border Guard and the Regional Representation of the United Nations High Commissioner for Refugees was unique in Europe at its time. The agreement covered monitoring, ensuring/enforcing rights, keeping contact, training, etc.

During the refugee crisis in 2015, social sentiment was heightened, especially on social networking sites, with groups formed specifically for the refugee crisis, largely by amateurs. Strong conflicts were felt within refugee organisations - for example due to overload - and between organisations - professional/non-professional tasking - and between government/organisations and NGOs. Humanitarian organisations with a membership of the Charity Council, largely linked to the historic churches, have delivered their work in a coordinated way with strong central support. The relationship with the Government was confrontational, especially with the grassroots communities/members with a social function.

The fourth chapter focuses on limiting the world's room for manoeuvre, starting with the lockdown - closing our southern borders - then the epidemic - pandemic situation in 2020 - and finally the war between Russia and Ukraine. Along with the border closure, the operating space of NGOs has also been severely restricted, with many mobilising their organisations and volunteers at border crossings in and out. Access to the transit zones set up was heavily and strictly regulated for NGOs. Institutions were closed due to the outbreak of the Covid-19 coronavirus, and NGOs continued to serve in virtual space. We enjoyed a brief period of freedom during the waning of the pandemic, as the Russian-Ukrainian war that broke out on 24 February 2022 again blocked the lives of many of us. The armed conflict in our neighbourhood, which can be felt directly, is having a profound impact on the work of our local NGOs and the many good volunteers who are willing and able to do something. Across the border, Hungarian communities who have previously been present in the area are generally carrying out their relief work. Fundraising and the response to help neighbours spread like wildfire in Hungarian society and the attitude of reaching out to our fellow human beings is still exemplary today. The Hungarian Government's cooperation with credible NGOs is a successful collaboration.

Chapter 5 covers the evolution of the Government's migration policy and organisation from 2015 to the present. The Government has adopted its Migration Strategy for the period 2014-2020, which has already involved NSAs in its elaboration and the document gives a special role to non-governmental actors. The European Union has also set out its strategic agenda for 2019-2024, including its migration policy, with an emphasis on cooperation with countries of origin and transit. Among the backbone institutions of the asylum system, the Charity Council, the Working Group on Refugees and Migration and the Deputy State Secretariat for Civil and Social Relations are worth highlighting. The work of the State Secretariat for Persecuted Christians is also unique and exemplary in the world. The Hungary Helps Programme aims to support local people to stay. It has responded to the refugee situation by transforming the institutional system. This change can be traced in particular to the life of the Immigration and Asylum Office, which continues to serve today under the name of the National Directorate-General for Aliens Policing, with a changed function, remit and location. The legislative developments should start with the amendment of the Fundamental Law, and then it is important to look at the protection activities related to the state border. Our southern border has been closed, transit zones have been set up and the Government has declared a mass immigration crisis. These are the main pillars along which cooperative cooperation with NGOs

has been transformed into a confrontational relationship. The provisions of the Stop Soros bill on the bearing of border protection costs have further deepened the rift between the two sides. The Aliens Removal Bill has almost aggravated the relationship between the two. From the government's point of view, the loss of trust in NGOs is based on the suspicion that some organisations have been involved in the smuggling of human beings and that they represent foreign interests in the domestic society. These suspicions have certainly contributed to the termination of previously concluded cooperation agreements as of 2017. Somewhat reassuring is the information provided by the Prosecutor General's Office regarding "asylum-related" crimes committed between 2010 and 2021, from which I have drawn the summary conclusion that there was no registration of NGOs as perpetrators. The quasi-disputes between the Government and NGOs have been addressed by the competent bodies of the European Union through their decisions in this area.

The last chapter, chapter 6, describes the NGO system after the regime change until 2023. If only the court registration of the 107 NGOs is taken as a basis, the diagrams show that the propensity to found NGOs is, of course, high after the regime change, and that the number of NGOs that come into service fluctuates. The work with refugees, which can also be observed on the basis of the present research, is primarily linked to NGOs set up for social, legal, cultural and educational purposes. Their registration with the courts is particularly variable, especially for the second objective. The civil society age tree and the indication of dissolutions/establishments on it are slightly suggestive of the above. The dissolution of NGOs is still a difficult situation, given that the closure of an activity can, as a rule, be initiated from the NGO side. Of the 107 cadastres set up, 30 elements are presumed to be inactive today. The interviews carried out during the research also confirm that the relationship between the State and the rights defenders in particular has changed. In line with this changing situation, the attitude of NGOs has also changed, with a shift in focus towards the provision of services to the community being the most important element. Accordingly, some elements of the grassroots communities have taken on the form of civil society organisations, while some organisations see their independence as being preserved by operating without a legal framework. In response to the domestic refugee situation, we can see the emergence of communities that were created specifically to provide assistance in 2015 and in the context of the Russian-Ukrainian war. It is disheartening that even in this situation there are formats that seek profit under the guise of a non-profit organisation. In order to provide effective aid, some NGOs have restructured their internal structures or even taken on a new organisational form to replace the old one, or

additionally to it. The use of national and international grant opportunities also provides a useful picture of the strengths and potential of the third sector.

5. Summary conclusions

The collection of accurate data from the 107 NGOs set up from the change of regime in Hungary to the present day shows that they have a wide variety of roles in the provision of refugee services, with different relationships to government. The 1990s were characterised by a complementary type of cooperation, mainly involving written agreements. The tripartite consensus on the rights of the vulnerable was unprecedented. Today, like other pacts, they have been denounced by the State. The broad social coalition organised by the Hungarian Red Cross to help Hungarians living beyond the borders is being felt again in 2015 and due to the Russian-Ukrainian war.

There is no doubt that the social embeddedness of NGOs is being felt, that they have been/are being seriously damaged by pseudo-civilians, and that the NGO sector is suspected of committing certain crimes. These ethically, morally and legally undesirable phenomena, as well as the social tensions of the 2015 refugee crisis, have contributed to the Government's confrontational strategy, especially with the grassroots communities/members with a social function. In my view, the Stop Soros law package is motivated by the government's loss of trust in the non-governmental sector, based on the fact that, on the one hand, certain organisations are alleged to have been involved in the commission of human trafficking and, on the other hand, that they represent foreign interests in domestic society. With the outbreak of the Russian-Ukrainian war, the two sides seem to be moving closer together again, their cooperation being based primarily on a joint service coordinated by the National Humanitarian Coordination Council, which has been formed from the Charity Council.

6. New scientific results

a. Although the forms of cooperation between government and NGOs in the field of asylum have been examined in both international and domestic literature, the results of this research are novel in Hungary in such a systematic and longitudinal framework. In this way,

the paper contributes to the understanding of a critical policy issue, namely that cooperation between government and NGOs is both necessary and justified in the field of asylum. The paper points to the fact that the refugee phenomenon is simply unmanageable without the involvement of the civil society.

b. The paper will explore and illustrate how NGOs are moving away from an advocacy/advisory function towards a more service-type, provision function in a shrinking political/governmental space.

c. The results of the research show that NGOs working with refugees in Hungary are an integral part of Hungarian civil society and, similarly, their activities are an integral part of the immigration institutional system.

d. NGOs carry out their refugee function to the fullest extent in cooperative and complementary cooperation with the government.

e. The migratory pressure is a historic moment when NGOs cannot remain silent, cannot stand idly by and watch events unfold, but must act in their own 'status confessionis' service.

f. From the advocacy model (examination of the phenomenon) to the activist model (consideration of the refugee), NGOs must be more attentive to individual lives, so that they can help where needed, either cooperating with each other to the best of their ability, expertise and vocation, or acting as lone benefactors.

7. Recommendations

In the course of this research, I have tried to show how the action of NGOs in the field of refugees has changed from the regime change to the present day, and how this has been achieved in relation to the Hungarian Government. The thesis follows a strict chronological order, detailing the roles of the NGOs involved and the collaborators/partners.

After a historical overview, I will consider the structural developments of NGOs, followed by a detailed examination of the 107-item cadastre that was compiled during the research. The register is constantly changing, with old organisations disappearing, new ones being created and existing ones adapting their activities to a changing world. Accordingly, the

register cannot be closed. And what is true of my earlier statement on asylum, namely that everything is constantly changing, is also true of the civil sector.

Great studies and research have been done on NGOs, but I believe that this kind of presentation of NGOs working in the field of asylum is, in its modest way, one of a kind, and as such, fills a huge gap. This detailed presentation seeks to highlight the power of NGOs, showing their wide-ranging partnership. The database compiled provides a good basis for further mapping of NGOs working on migration.

The novelty of the paper lies mainly in the presentation of the NGOs contacted in a single unit, to which the interviews and discussions conducted make a major contribution and add value. Certainly there are other NGOs that have been left out of the research. It would be worthwhile to extend the survey to these organisations in the future.

An important objective of the research is to raise awareness and restore the loss of confidence in NGOs. There has been a significant decline in the appreciation of NGOs in recent years. Many have been innocent victims of harsh criticism and its negative consequences. This negative perception prevails not only in the government sector, but also in Hungarian society.

8. Practical use of research results

The research results can be used to:

- add to the body of scientific knowledge analysing refugee processes in the country;
- serve as a source of data for further analysis;
- provide information to legislators and policy-makers;
- strengthen refugee organisations, guide government efforts to involve them in consultative processes, and increase their legitimacy.

9. List of publications on the topic

Institutional migration strategy of NGOs, War Studies Review Vol. 16 (2023) No. 1

On the legal regulation of NGOs and their involvement in the Ukrainian refugee issue, Theological Review LXV 2022. p. 4. p. 248-252

A framework for addressing security issues in migration management in international cooperation, Home Affairs Review Vol. 67 No. 11 2019 p. 83-98

International/Cooperative Frameworks for Remediating the Safety Issues Present in Immigration Management, Hungarian Policing Volume XVIII 2018/3 Issue 2018 p 59-74

The Temporary Border Barrier as a Critical Infrastructure for Border Management purposes Military Science Review Volume 10 2017 p. 482-494

The role of NGOs in the management of mass migration and the possibilities for further development of their participation Border Police Studies 13. 2016 p. 20-29

Zoltán Hautzinger, Judit Hegedűs, Zoltán Klenner: The Theory of Migration (review) Theological Review LVIII. 2015 p. 195-196

10. Professional and academic biography

Dr. Eszter Csobolyó Nagy, 39, lives with her husband and three children in Dunavarsány. She graduated from the Faculty of Law and Political Sciences of the Károli Gáspár Reformed University in 2008 and was a trainee lawyer. In 2012, she passed the bar exam. In 2007 she applied to the Faculty of Theology at the Selye János University in Révkomárom, where she graduated in 2013.

Since Autumn 2013, she has been an associate pastor in the Reformed parish of Dunavarsány, and is the head pastor of the local Soli Deo Gloria Community House. She is the professional leader of the Pest County Civil Community Service Centre.

She has been a member of the Kossuth Lajos Scout Troop in Dunavarsány for almost four decades, taking over the command of the troop in 2007. She is the editor-in-chief of the Hungarian Scout Association's community magazine ICHTHÜSZ.

She is a member of the Dunavarsány City Council, Chairman of the Finance, Development and Affairs Committee.

On 15 March 2023 she was awarded the Hungarian Bronze Cross of Merit for her work for the civil community.