

HUNGARY PROTECTION BRIEF UKRAINE RESPONSE ACCESS TO SOCIAL PROTECTION

Operational Context

The Government has registered over 65,000 refugees from Ukraine who have started living in Hungary since the full-scale outbreak of war in February 2022. This figure includes 38,314 persons granted temporary protection (TP) at the end of 2023, and over 27,000 refugees who fled the war and have been issued residence permits (mostly employment-based) since March 2022. According to government data, most TP holders from Ukraine are women and children, however the percentage of men has steadily increased during 2023. From UNHCR's protection monitoring and profiling – over one third are persons with specific needs including persons with disabilities and serious medical conditions.

With many refugees from Ukraine in Hungary now for two years, access to national social protection schemes and measures towards socio-economic inclusion of vulnerable refugees who have chosen to reside in Hungary has become crucial.

Several important measures to support TP holders and other refugees have been taken by the Hungarian government. These include: granting refugee children access to some social benefits such as free meals; providing maternity allowances to TP holders (for children born starting from 2024), allowing TP applicants and beneficiaries to work in any profession without a work permit; granting TP holders access to sick pay ("táppénz" in Hungarian); and providing refugees with a regular subsistence allowance under specific conditions (e.g., being registered as a jobseeker), which amounts to HUF 22,800 per month for adults and HUF 13,700 per month for children.

Notwithstanding these efforts, the TP beneficiaries do not fall under the personal scope of sectoral legislation on social welfare and inclusion such as the Social Act, the Family Support Act, the Disability Act, or the Child Protection Act – and this effectively prevents them from accessing mainstream social assistance on par with nationals. These services are crucial to meet the needs of children at risk, older persons, persons with disabilities and other groups of vulnerable individuals. Against this background, this brief explores TP holders' access to social protection rights in Hungary, with a particular focus on children and persons with disabilities.

Key protection monitoring figures¹



90%

Of respondents were Ukrainian nationals



42%

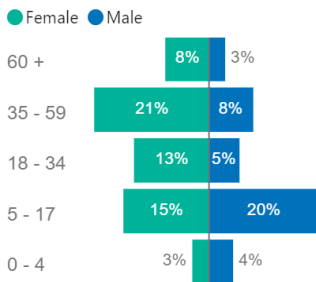
Of household members surveyed are children



11%

Of household members surveyed are older persons

Household members by age group and gender**



Note: including the respondent



33%

Of households surveyed indicated having at least one family member with specific needs such as disabilities or serious medical conditions



37%

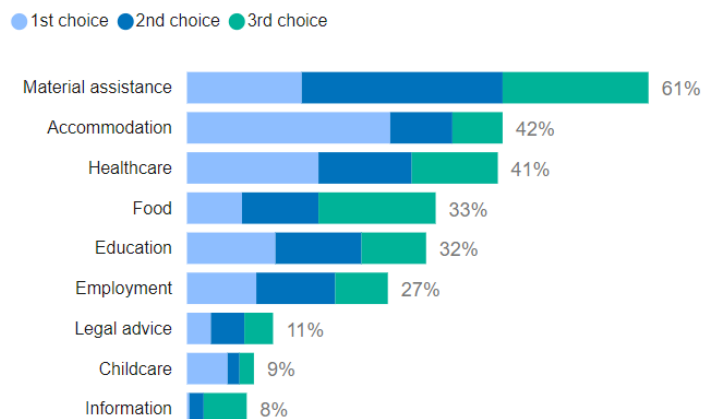
Of respondents are currently employed in Hungary, remote or self-employed



94%

Of respondents have at least one urgent need

Top 10 urgent needs*



* Multiple responses were possible, so percentages can go over 100% when added.

** Due to rounding some percent totals do not add up to 100%.

¹ Source: Regional Protection Profiling & Monitoring dashboard (<https://data.unhcr.org/en/dataviz/293>)

Lack of access to social protection benefits under the Social Act

Act III of 1993 on Social Administration and Social Benefits (the Social Act) provides for essential services and benefits in relation to financial and in-kind support based on social and specific needs. The Social Act covers, for instance, social support for older persons (“időskorúak járadéka”), employment substitution support (“aktív korúak ellátása”), home care allowance (“ápolási díj”), children home care allowance (“gyermekek otthongondozási díja”) and supported living (támogatott lakhatás). In-kind benefits regulated by the Social Act include the provision of social work, care of homeless persons, provision for temporary housing and nursing homes and public burials (“köztemetés”).

Despite covering many important services and assistances for vulnerable persons, **the personal scope of the Social Act does not include temporary protection beneficiaries**, preventing them from receiving essential services, and an enacting legislation has not been passed to remedy the situation. UNHCR has encountered vulnerable refugees in extremely challenging situations, that attest to the real-life impact of this gap in support. For example, a daughter caring full time for her 90-year-old mother, is not entitled to home care allowance as a TP beneficiary. The family of two is barely able to sustain itself, given that the daughter is not able to generate income. Another example - an older Ukrainian TP holder, who lives in a shelter, does not have access to a subsidized price for the diapers or the wheelchair he needs. As the Social Act does not cover TP beneficiaries these individuals fall outside the scope of this kind of social support.

Insufficient support for persons with disabilities

According to UNHCR’s [regional protection monitoring](#), approximately 12% of the respondents across the region have at least one household member with a disability. In Hungary, data collected for the Regional Protection Monitoring indicate slightly higher figures with 15% having at least one household member with a disability. Even though households with a family member with a disability are less likely to find employment in Hungary, persons with disabilities are not able to benefit from Hungarian disability allowances to compensate for the loss of income. This is because the Disability Act’s scope does not include TP beneficiaries.

Furthermore, other financial support mechanisms for people with disabilities that are regulated under the Social Act and the Family Support Act - such as the Home Care and Childcare Allowance as well as the increased amounts of Family Allowances for families with a child that is disabled – are also inaccessible to TP beneficiaries. As a result, households containing at least one person with a disability often struggle to meet their basic needs, leaving them at higher risk of exploitation and abuse, among others. In practice, this means that a person with disabilities who does not receive a disability allowance in Hungary and is not able to access the labour market is unlikely to be able to cover daily needs. According to UNHCR’s [regional protection monitoring](#), a staggering 94% of households with at least one member with a disability have urgent needs, significantly higher than other households.

Need for enhanced support through the Child Protection Act

In Hungary, approximately 42% of TP holders are children. If we assume that 3 - 5% of these children are likely to be children at risk who require dedicated support through the child welfare and child protection system, it means approximately 450 - 700 children with a TP status in Hungary may require enhanced support.

Shortly after the outbreak of war, and arrival of refugees to Hungary, the former Ministry of Human Capacities issued a guideline which excludes TP holders from accessing most child welfare and child protection services. According to the guideline, which is still in force, TP holders are only entitled to benefit from the Sure Start Children’s House (‘Biztos Kezdet Gyerekház’) and

specialized child protection services ('gyermekvédelmi szakellátások') in case they are 'endangered'/at risk, including those identified as unaccompanied children. Such specialized childcare services include placement of the child in alternative care arrangements, including foster care and childcare institutions, after care services and juvenile justice facilities.

Additionally, TP holders have access to daycare for children ('Gyermekek napközbeni ellátása'); however, it was reported to UNHCR that in practice, nurseries are not able to enrol children without a TAJ ('társadalombiztosítási azonosító jel') social security number due to technical reasons because the registration systems are not built to accept the TP number for the enrolment. In practice, UNHCR observed that a few nurseries still enrolled Ukrainian children based upon their goodwill and despite the fact they may not receive the financial support for these children.

Despite the availability of certain services, essential basic child welfare care and welfare services ("gyermekjóléti alapellátás", "gyermekjóléti szolgáltatás"), child protection measures ('védelembé vétel') and temporary placements ('Gyermekek átmeneti gondozása') are not accessible for families and children at risk because of their temporary protection status. These services are essential to support families in difficult situations and ensure family unity where possible. For example, in some cases of children with TP status at risk of neglect or abuse, the relevant Child Welfare authorities did not introduce the required protection measure 'védelembé vétel' through which the social worker would have been able to support the family to overcome the risk, but instead placed the child into temporary care and by that, caused unnecessary family separation.

Calls to Action

With great appreciation for the services and support that has been ensured for vulnerable TP holders, UNHCR recommends the Hungarian Government:

- **Enhance** the protection of TP holders through their inclusion into the Social, Disability and Child Protection Acts on the same footing as Hungarian nationals. This could be ensured either through legislative changes (i.e. enacting legislation changing the scope) or through an administrative instruction, allowing an inclusive interpretation of the current legislative framework.
- **Address** administrative and practical barriers that prevent TP holders from accessing rights to which they are entitled. For example, online daycare enrolment platforms require a TAJ social security number, which TP holders do not have.
- **Build** the capacity of service providers (social workers, educators in schools and kindergarten, medical staff) on the rights of TP holders to social protection, including through the development of targeted outreach such as guideline and leaflets.