Legal assistance and representation - Hungary

Overview

Content updated and validated on: 16/09/2025

Relevant EU legislation

Hungary is bound by the recast Asylum Procedures Directive, the recast Reception Conditions Directive, and the Dublin III Regulation. These provisions have been transposed into Hungarian law through Act LXXX of 2007 on Asylum.

National legislation

Asylum Act, Article 3(1)(f) provides that legal aid shall be available to those who are eligible for it, as long as the person is involved in a public administrative procedure and needs legal advice in order to understand and exercise their rights and obligations or requires assistance with the drafting of legal documents or any submissions.

Competent authority and stakeholders

Area	National authority/stakeholder
Provision of legal and procedural information on the applicant's rights and obligations	Upon registration, the determining authority provides an information package which contains specific information on the possibility to contact a lawyer from the Bar Association of Luxembourg and the conditions to apply for free legal aid or the possibility to engage a lawyer at their own expenses.

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Area	National authority/stakeholder
Legal assistance at first instance determination	Legal Aid Service (Jogi Segítségnyújtó Szolgálat) Civil society organisations- Hungarian Helsinki Committee
Legal counselling provided by civil society organisations or other organisations	Civil society organisations- Hungarian Helsinki Committee
Legal assistance at second instance determination	Legal Aid Service (Jogi Segítségnyújtó Szolgálat) Civil society organisations- Hungarian Helsinki Committee
Legal assistance for other related procedures	Civil society organisations - Hungarian Helsinki Committee Menedék Association UNHCR

Access to legal assistance and representation

Provision of information on legal assistance and representation

According to Article 37(1) of the Asylum Act, the determining authority is responsible for informing applicants about their procedural rights and obligations. This information must be provided in the applicant's native language or a language they understand, and the acknowledgment must be recorded in a minute. This occurs at the time of application submission.

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

The Legal Aid Service displays relevant contact details in reception facilities and provides a list of legal assistants. According to Article 28(1) of the Legal Aid Act, the service must inform applicants about the conditions for authorizing, revising, withdrawing, and refunding legal aid grants. They also provide necessary forms and assistance in filling them out.

Access to premises

The Asylum Act ensures that applicants have the right to maintain contact and communicate with their legal representatives, legal advisers, counsellors, and persons representing NGOs and UNHCR. The Asylum Act provides for the right to maintain contact and communicate/receive visits with legal representative, legal advisers, counsellors; persons representing NGO-s, UNHCR).

Legal counsel has the right to access premises as stipulated under Article 37(4)(c) of the Asylum Act. This access is essential for legal representatives to effectively support and advocate for their clients. However, for civil society organisations, the situation is more restrictive.

Article 38 of the Asylum Act outlines the role of UNHCR, including their access to premises and communication with applicants. UNHCR has full access to reception facilities and does not need to send prior notification to the NDGAP before visits.

Requirements: Means test and merits test

There is no sufficient means test.

According to the Legal Aid Act and the Legal Aid Service, the following categories are considered as needy and eligible for free legal aid: - a refugee, asylum seeker, person seeking recognition as a refugee or asylum seeker, or as a stateless person, as well as a person requesting temporary or subsidiary protection.

Asylum applicants are eligible for free legal aid if they are entitled to receive benefits and support under the Asylum Act. Article 3(1)(f) provides that legal aid shall be available to those who are eligible for it, as long as the person is involved in a public administrative procedure and needs legal advice in order to understand and exercise their rights and obligations or requires assistance with the drafting of legal documents or any submissions.

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Modalities to submit a request for legal aid

Since the benefit from free legal aid does not operate ex officio, applicants need to undergo a separate application procedure for legal aid request under the general provisions of the Legal Aid Act. Article 39 (9)(d) states that the procedure regarding the legal aid request is free of charge.

The applicant must submit an application form at the competent district legal aid office according to the place of residence, place of stay, or place of work. The application form (in Hungarian or English) can be downloaded by clicking on the following link: Form for submitting an application for legal aid grants. The Legal Assistance Service | Jogi Segítségnyújtó Szolgála offers detailed information on the process of applying for legal aid.

The application for legal aid must include the requested services (legal advice or drafting of documents) and at least a brief description of the case for which the legal assistance is requested. The application must also include the documents or certificates proving eligibility for legal aid. (Articles 22 and 40 (1) of the Legal Aid Act).

Once the Legal Aid Service issued a positive decision regarding the legal aid request, the applicant can benefit from the legal aid within 3 months of receiving the decision (Article 42 of the Legal Aid Act).

Legal aid support is limited to a maximum of 10 legal representations offered in one year, whereas extension may be admitted in special circumstances (Article 21 of the Legal Aid Act).

There is no time limit to apply for legal aid. The application for legal aid is free of charge, as stated in Section 39 (9)(d) of the Legal Aid Act.

Outcome of the request for legal aid

Article 23 (1) of the Legal Aid Act provides that the time limits to decide on an application for fee legal aid are:

Up to 5 days for applications submitted in person.

Up to 15 days for written applications.

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Article 23 (2) of the Legal Aid Act provides the following possible outcomes of an application for legal aid:

a) authorization of support or rejection of the application,

b) withdrawal of support,

c) determining the amount of the subsidy,

d) obligation to refund the subsidy.

There is no mention in the Legal Aid Act of a remedy against refusal. Article 16 of the Legal Aid Act provides the grounds for exclusion from the benefit of legal aid even if the conditions are met, such as if the applicant has received the costs of legal representation or the actual legal representation in the case is provided under the aid programme of another country. Similarly, if the asylum application was ill-mannered.

Article 24 of the Legal Aid Act provides that the applicant is obliged to notify the legal assistance service within five days of any changes in the data examined during the authorization of the aid until the legal aid service has ruled its decision regarding the authorization of the aid.

Article 48 of the Legal Aid Act provides that the legal aid service may review the existence of the conditions for the use of the aid at any time within one year from the date of its final approval.

Legal assistance and representation at first instance determination

Service provider

Legal assistance and representation for asylum applicants in Hungary is a procedural right which can be exercised at the applicant's own expense or free of charge in accordance with the provisions of the Legal Aid Act as regulated under Article 37 (3) of the Asylum Act.

Article 4 (1)(b) and 5 (2)(d) the Legal Aid Act provide that asylum applicants can benefit of free legal aid at first instance determination regardless of their income and wealth. Thus, the condition of need set out in Section 37 (3) of the Asylum

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Act is automatically met, based on the applicant's statement regarding their income and financial situation.

Section 5(2)(d) of the Legal Aid Act provides access to legal aid for refugees, asylum seekers, nationals applying for temporary or subsidiary protection, or detained persons for the purpose of implementing Dublin transfers. Legal assistance and representation are not mandatory at first instance determination in the Hungarian asylum procedure and applicants may benefit from legal aid upon their request submitted to the responsible authorities – Legal Aid Service.

The Legal Aid Service (Jogi Segítségnyújtó Szolgálat) is part of the Judicial Affairs Office of the Ministry of Justice and is responsible for assessing and deciding upon legal aid requests submitted by applicants for international protection. Legal services are carried out by legal representatives such as attorneys or law firms, entities providing legal services such as associations, NGOs, and universities, which have been contracted by the Legal Aid Service and registered in the registry of legal advisers. The registry can be consulted consulted here (Source: Articles 64 (1) and 66 of the Legal Aid Act ; see also the Legal Aid Service).

The Legal Aid Service has decentralised services with district offices at national level and the list of contacts per district is available here.

Civil society organisations

The Hungarian Helsinki Committee is providing legal assistance to asylum applicants, including detained third country nationals. The following projects are covering legal aid:

- Complet legal services to asylum-seekers started in January 2024, funded by UNHCR and aims at providing high-quality, free-of-charge legal assistance and representation to asylum-seekers and other persons of concern to UNHCR in Hungary, as well as to ensure through information provision and situation monitoring, evidence-based advocacy and strategic litigation activities that the right to international (including temporary) protection is ensured in Hungary.

- Integration together free legal aid in family reunification cases.

According to the HHC Annual Report 2023, free legal advice was provided to 4,649 persons in 2023. • 3,240 persons as part of the Ukraine refugee crisis response • 506 other people assisted by the HHC Refugee Programme • 903 persons assisted by our Human Rights Counselling Office. Also, according to their statistics, 12 asylum-seekers obtained international protection in 2023 as a result

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

of HHC's legal assistance work.

According to the AIDA Update Hungary 2024, since 2019, following a series of court rulings, lawyers who are not yet members of the Bar Association can again represent asylum seekers in their administrative proceedings. HHC attorneys can only represent the clients if the asylum seekers explicitly communicate the wish to be represented by the HHC attorney to the NDGAP and sign a special form. Once this form is received by the NDGAP, the HHC attorney can meet the client – accompanied by police officers – in a special room inside the reception centre or detention.

Scope of legal assistance

Legal aid, according to Article 37 (4) of the Legal Aid Act, consists of:

- Access to legal aid providers during the applicants' personal interview;
- Access to and the possibility to make copies of the provided documents during the asylum procedure
- Access to reception and detention facilities in order to maintain contact with the applicants.

Article 37 (4) of the Asylum Act mentions the following on the role of the legal counsel:

(4) The person providing legal assistance entrusted by the applicant

a) may be present at the personal hearing of the applicant for recognition;

b) can look into the documents created during the asylum procedure and make copies of them;

c) in order to maintain contact with the applicant for recognition, he may enter the territory of the institution serving the placement of the applicant for recognition, and if the applicant for recognition is detained, he may enter the place of detention.

Additionally, Section 43 (5) of the Asylum Act also grants the right of legal aid providers to attend the personal interview of asylum seekers, even though the interview is conducted through a private communication network.

Chapter V of the Legal Aid Act sets out rules on the availability of legal aid in the context of the provision of legal advice and assistance with drafting of legal

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

documents for persons who are eligible for legal aid. Chapter VI of the Legal Aid Act covers the special rules regarding legal aid provided in civil and administrative proceedings. For example, Article 52 of the Legal Aid Act provides also that legal assistance is ensured until the hearing before the decision ending the lawsuit (until the end of non-litigation proceedings) is adjourned and that the scope of the aid lasts from the time the decision on granting the aid becomes final or enters into force until the final conclusion of the case.

Procedural aspects

While the law does not provide for the translation or interpretation services available to facilitate communication between legal counsellors and the applicants, Section 39 (9)(d) of the Legal Aid Act allows for the exemption of fees for interpretation and translation services incurred during the legal aid request procedure. Section 41 of the Legal Aid Act expressly provides the right to an interpreter in cases of deportation as provided in Sections 98 (1) and (3) in the Law XC of 2023 on the general rules for the entry and stay of third country nationals.

According to Article 32/S of the Asylum Act, the decision and the order issued by the asylum authority are communicated to the applicant and the professional authority that acted in the case as well as to the representative. Usually, the communication is done electronically, but when it is not, then the law provides for all possible scenarios in order to ensure communication. General rules apply for all participating in the asylum procedure for access to documents.

The Asylum Act provides under Article 32/V the right to access the documents of the procedure and the conditions for it. Articles 33 – 34 of the 2016 CL. Law on the general administrative procedure are applicable, and the request shall be granted except in situations where there is a personal security conditions or in the absence of a permission to access the document containing the classified data. The refusal to be granted access to documents ca be appealed against. When the request is granted, the person has the right, during inspection of the document, to make a copy, extract or request a copy. Certification of documents by the asylum authority is possible, upon request.

According to Article 32/U of the Asylum Act, all communications are done in written by electronic means specified in the Act on the Digital State and Certain Rules for the Provision of Digital Services (in writing), or in person, by electronic

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

means that are not considered written (verbally) with the client and the participants in the procedure. The form of contact is determined by the asylum authority.

According to the Legal Aid Act and the Asylum Act, the communication and other procedural aspects are conducted via electronic means.

Representation

There are two scenarios provided by the Asylum Act for representation during the asylum procedure.

General rule – Article 32/T of the Asylum Act provides for the possibility of being represented during the asylum procedure when the law does not prescribe that the procedure is personal. The legal representative must prove the power of attorney in writing, a private document with full evidential force, or a protocol. The asylum authority can reject the designation of a representative by order when the person is ‘obviously not suitable for representation’ or does not prove his right for representation. In such case, the person can choose another representative.

The power of attorney can cover all statements except those which can only be made by the applicant. In cases where the representative was subject to penalties in early stages of the procedure for repeated wrong behaviour, the asylum authority can reject his right to representation by order. Such order can be appealed against.

Special rule - For applicants with limited legal capacity, Article 35 of the Asylum Act provides that:

If the person wishes to submit an application for asylum in person, the asylum authority has the obligation to involve that person legal representative, failure to which, it needs to appoint a guardian.

If a joint application concerns a family member with limited legal capacity, the later must consent in written in advance for the joint application or at the latest during the hearing. The written consent of the legal representative is obligatory in such situations.

Aspects related to special procedures

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

The provisions and modalities to provide legal aid for special procedures, such as border, accelerated, or admissibility procedures, are the same as those for the regular procedure.

Aspects related to applicants with special needs

The specific aspects or procedural safeguards in place for the provision of legal aid to applicants with special needs, such as unaccompanied minors, minors, applicants with disabilities, victims of human trafficking, victims of torture, victims of gender-based violence, elderly, single parents, and pregnant women, are the same as in the regular procedure.

Legal assistance and representation in appeals

Service provider

Legal assistance or representation is not mandatory in administrative proceedings against the decisions of the NDGAP (source: National Directorate-General for Aliens Policing | Országos Idegenrendészeti Főigazgatóság. (2019, July 1). Tájékoztató a bírói jogorvoslati lehetőségekről [Information on judicial remedies]).

The Asylum Act provides the right to legal assistance under Article 37 (3) mainly for the administrative procedure. Article 13 (b) of the Legal Aid Act provides that legal aid may be granted to persons who contest in court the decision taken in the asylum proceedings. The general rules of the Legal Aid Act apply, especially Chapter II which provides the rules for legal aid in civil and administrative proceedings.

The Asylum Act provides the right to legal assistance under Article 37 (3) during the asylum procedure. Article 13 (b) of the Legal Aid Act provides that legal aid may be granted to persons who contest in court the decision taken in the asylum proceedings. The general rules of the Legal Aid Act apply, especially Chapter II which provides the rules for legal aid in civil and administrative proceedings.

Legal assistance or representation is not mandatory in administrative proceedings against the decisions of the NDGAP (source: National Directorate-

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

General for Aliens Policing | Országos Idegenrendészeti Főigazgatóság. (2019, July 1). Tájékoztató a bírói jogorvoslati lehetőségekről [Information on judicial remedies]).

Legal assistance is mandatory in appeals concerning the review of the detention decision - Article 31/D (3) of the Asylum Act and in appeals against return decisions - Article 41 (2) of the Legal Aid Act.

Civil society organisations and international organisations can provide legal aid at second instance determination. For example, the Hungarian Helsinki Committee (HHC) offers legal assistance to asylum applicants, including detained third-country nationals.

Scope of legal assistance

Same as for the procedure at first instance.

Preparatory time - no specific mention in the law

The Legal Aid Act has special rules for appeals concerning return decisions.

According to Article 41 (2) of the Legal Aid Act , for cases where legal assistance is requested under Article 98 (1) and (3) of the Law XC of 2023 on the general rules for the entry and residence of third country nationals, concerning a person subject to a return decision and where the request for legal assistance is necessary to challenge the expulsion decision that has become final in court, simultaneously with the decision on out-of-court support, a legal assistant and, if necessary, an interpreter are appointed in the order, who on assignment, interprets between the legal assistant and the party during the provision of legal services. There is no appeal against the decision approving the request.

Articles 47/A – C of the Legal Aid Act are special provision for provision of legal assistance in return procedure. Once free legal assistance is authorised in return procedure as provided under Article 41 (2) the assignment order shall be delivered by the legal assistance service to the legal assistant or the interpreter without delay, using electronic means of communication (especially telephone, electronic mail). If the third-country national is in the custody of the immigration law enforcement authority handling his case, the legal assistance service delivers the decision approving the request and the assignment order to the third-country national via the immigration law enforcement authority, or in other cases with

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

the assistance of the legal assistant. The decision rejecting the application must also be delivered to the third-country national by post. Also, the immigration enforcement authority acting in the case of a third-country national shall immediately inform the legal assistance service via electronic means of a change in the third-country national's place of residence.

As for the obligations of the legal assistant and the interpreter, the following rules are applicable:

They have to inform the legal assistance service immediately by means of an electronic communication device of the refusal to cooperate, specifying the reason for the refusal. Thus, if necessary, the legal assistance service shall immediately assign a new legal assistant or interpreter, and at the same time revoke the previous assignment order.

They have to personally contact the third country national immediately after receiving the assignment, but no later than within 5 days, in order to prepare a statement of claim against the expulsion decision that has become final.

They are obliged, upon receipt of the assignment order, to coordinate the necessary measures to prepare the statement of claim without delay.

The interpreter is allowed also to contribute via remote interpretation. If the assistance of the interpreter takes place at the location of the immigration enforcement authority (directorate, guarded accommodation), the technical conditions for remote interpretation are ensured by the immigration enforcement authority.

The legal assistant must submit the claim to the competent court immediately or on the next working day at the latest, after personal contact was established with the third-country national.

The legal assistant confirms the submission of the claim letter to the legal assistance service by presenting a copy of the claim letter

Procedural aspects

Same as for the procedure at first instance.

Type of appeal

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Legal aid covers regular procedure and special procedure for which an appeal is possible. There are special rules for legal aid to contest a return decision, provided under Articles 41 (2) and Articles 47/A – C of the Legal Aid Act ,

Detention - Article 31/D (3) of the Asylum Act provides that an asylum applicant in detention must have a legal representative and an interpreted for court proceedings concerning review of detention. Also, paragraph 5 provides that the hearing can also be held in the absence of the legal representative. However, the decision must be communicated to the applicant and to his legal representative.

Representation

Asylum applicants can be represented during the second instance determination under the same conditions, as during first instance.

Aspects related to applicants with special needs

The specific aspects or procedural safeguards in place for the provision of legal aid to applicants with special needs, such as unaccompanied minors, minors, applicants with disabilities, victims of human trafficking, victims of torture, victims of gender-based violence, elderly, single parents, and pregnant women, are the same as in the regular procedure.

Right to counselling in the Dublin procedure

Same rules apply as for the regular procedure.

Access to legal aid while in detention

Same rules apply as for the regular procedure.

The rights related to legal representatives are also included in the Law LXXX of 2007 (Asylum Act). Asylum applicants held in detention have the right to maintain contact and communicate/receive visits with legal representative, legal advisers, counsellors; persons representing NGOs, UNHCR.

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Appeals - Article 31/D (3) of the Asylum Act provides that an asylum applicant in detention must have a legal representative for court proceedings concerning review of detention and an interpreter. Also, paragraph 5 provides that the hearing can also be held in the absence of the legal representative. However, the decision must be communicated to the applicant and to his legal representative.

Quality assurance

Selection, qualifications and training

The legal conditions under which lawyers are admitted to the registry of legal advisers are set by Section 66 (4) of the Legal Aid Act as follows:

(a) Their legal activity has not ceased;

(b) Lawyers have not been suspended from their profession;

(c) They are not subjected to a disciplinary sanction or at least one year has passed since the final disciplinary sanction;

(d) They have completed the training course for legal assistants provided by the rules of the Hungarian Bar Association or the training will be completed within one year since the registration in the registry.

Legal aid providers may be attorneys, NGOs or law schools who have registered with the Legal Aid Service of the Judicial Affairs Office of the Ministry of Justice. Legal aid providers may specify which main legal field they specialise in, i.e. whether in criminal law, or civil and public administrative law. Generally, beneficiaries of legal aid are free to select a legal aid provider of their own choice. This is facilitated by the legal aid offices around the country, which maintain lists and advise clients according to their specific needs.

Chapter VIII of the Legal Aid Act regulates the conditions and requirements for legal assistants.

The Legal assistance service has a dedicated page with detailed information on access to legal aid but also on rights and obligations of legal assistants.

Chapter VIII of the Legal Aid Act regulates the conditions and requirements for legal assistants.

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

The Hungarian Bar Association provides for the training and continuous education for lawyers and legal assistants.

Mechanisms for quality assurance

The quality control of the services is the responsibility of the entity who provides them.

Inter-institutional cooperation

There is currently no specific mechanism in place to ensure cooperation between the different stakeholders involved in the asylum procedure and the provision of legal aid.

Legal assistance and representation for related procedures

Reception conditions

The Legal Aid Service can be contacted for legal assistance, as well as NGOs for non-state-funded support, according to the general rules. Legal services are carried out by legal representatives such as attorneys or law firms, entities providing legal services such as associations, NGOs, and universities, which have been contracted by the Legal Aid Service and registered in the registry of legal advisers. The registry can be consulted consulted here (Source: Articles 64 (1) and 66 of the Legal Aid Act ; see also the Legal Aid Service). Only registered providers may have access to reception facilities.

Family reunification

Legal aid can be accessed according to the general rules.

Temporary protection procedure

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

According to the AIDA Temporary Protection Hungary - 2024 Update, legal assistance concerning temporary protection were provided predominantly by the civil society organisations (e.g. HHC and Menedék Association), a network of legal assistance providers called ‘Hungarian Attorneys for Ukraine’ set up by the Hungarian Bar Association and by international organisations such as the UNHCR and IOM.

Their activities included:

set up a dedicated phone number for hot-line and email addresses, operated by Ukrainian or Russian-speaking staff members or with their help.

information available on their websites.

constant presence of UNHCR and the IOM in the border area since 24 February 2022.

HHC and UNHCR information materials on the free legal aid are physically available at the helping points close to the border and accommodation sites visited by these organisations during their monitoring missions.

Beneficiaries of international protection

The general rules for legal aid apply to beneficiaries of international protection, as for nationals.

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.