

THE HIDDEN PRICE OF ABUSING FAMILY TIES – PERPETRATORS CAUGHT IN THE WEB OF LEGAL CONSEQUENCES BEYOND CRIMINAL LAW*

Petra Ágnes Kanyuk¹

The establishment of family relationships has traditionally been regarded as a cornerstone of social order and legal stability. Yet when such relationships are created not out of affection or genuine commitment, but in exchange for material gain and for the purpose of securing residence rights, they may conceal a hidden price – one that far exceeds the modest sums involved. The Ministerial Reasoning to the criminal offence of abuse by establishing family relationships demonstrates that it emphasised solely the risk inherent in the conduct of Hungarian citizens and third-country nationals, as well as the increased threat to Hungary and the European Union posed by irregular migration, as arguments for criminalisation. This perspective is prevalent in the existing literature on the subject, although it is important to note that the concept of marriage and other relationships of convenience that appear in the criminal offence clearly contradict the values enshrined in the Fundamental Law of Hungary, which protects marriage and the family.

Beyond the act of criminalisation, those who abuse the institution of family ties for material gain often find themselves trapped in a web of lasting legal and personal consequences. On the part of the perpetrators – according to the classic manifestation of relationships of convenience – a valid marriage ‘remains’, the dissolution of which seems quite hopeless, as their husbands often reside in unknown or untraceable locations. Consequently, they are unable to enter into legal matrimony; their only remaining option is to continue living with their current partner as a cohabiting couple. The cumulative effect of these factors, in consideration of the relatively minor penalties for criminal acts associated with this phenomenon, naturally directs attention to the legal consequences of entering into various relationships of convenience beyond criminal law, as the web of possible complications may, in some cases, outweigh the criminal law implications of their actions, both in scope and in their lasting impact on the lives of the perpetrators.

Keywords

relationships of convenience, marriage, irregular migration, abuse by establishing family relationships, legal consequences, civil law, immigration law

* DOI 10.21868/PGnG.2024.2.6.

¹ Petra Ágnes Kanyuk, Assistant Professor, University of Debrecen, Faculty of Law

SUPPORTED BY THE ÚNKP-22-4 NEW NATIONAL EXCELLENCE PROGRAM OF THE MINISTRY FOR CULTURE AND INNOVATION FROM THE SOURCE OF THE NATIONAL RESEARCH, DEVELOPMENT AND INNOVATION FUND.



Új Nemzeti
Kiválóság Program



MINISTRY OF CULTURE
AND INNOVATION

Introduction

In line with other European Union Member States, Hungary has incorporated criminal law categories into its Criminal Code that penalise acts *facilitating illegal residence* and, along with these, third parties who assist in such acts. These include the criminal offence of *abuse by establishing family relationships*, which is listed among crimes against public administration in Section 355 of Act C of 2012 on the Criminal Code (hereinafter Criminal Code) and according to which a person over the age of eighteen who, for the purpose of obtaining material gain, establishes a family relationship or consents to a declaration of paternity with full effect, solely for the purpose of the issuance of a residence permit, shall be punished by imprisonment for up to two years for a misdemeanour, unless a criminal offence of greater gravity is established. The criminal offence under investigation differs in nature from the crimes established in the ‘classical’ sense with regard to irregular migration (Hautzinger 2017, 71–82), which crime poses a serious security risk to Hungary and neighbouring Member States in general due to its close links with organised crime. Furthermore, it could also have a decisive impact on the lives of those involved, exploiting the most intimate and protected family relationships for purposes other than those for which they were intended.

The present paper, as emphasised in its title, seeks to explore the legal consequences of the crime under examination that extend beyond the scope of criminal law. Given that these legal consequences are assessed from the perspective of the perpetrators, considering the nature of the crime, the analysis begins with the identification of the perpetrators, followed by a discussion of their particular significance in relation to the relevant civil law and immigration law consequences. This study attempts to describe both the relevant regulations and practices throughout the explanation.

1. Presentation of perpetrators of abuse by establishing family relationships

1.1. Conditions for becoming a perpetrator

In accordance with the provisions of the aforementioned criminal offence, the perpetrator must be a person who has attained the age of eighteen years. It is also noteworthy that the second form of realisation of the criminal offence – consenting to a declaration of paternity with full effect – constitutes a *delictum proprium*, as its perpetrator must be a person defined in Section 4:101, paragraph (5) of Act V of 2013 on the Civil Code (hereinafter Civil Code) (Gál 2019, 823). Several analyses suggest that, in such cases, it is typically the *mother* who arranges and benefits from the transaction (Gellér 2016, 1121; Görgényi 2013, 502; Madai 2018, 146; Sinku 2018, 640).

Nevertheless, whilst this arrangement appears to be both logical and standard, it must be noted that it is by *no means the sole possible form of realisation*. In its judgement on the judicial review of an administrative decision in an immigration case, the Curia referred to a man of Hungarian nationality who, at the time of the judgement, was facing criminal proceedings on suspicion of abuse by establishing family relationships because he had consented to a declaration of paternity with full effect for

the children of three Vietnamese women. This is an intriguing matter, given that, concerning the aforementioned legal facts of the crime, it is the act of consenting to it, rather than the declaration itself, that constitutes the criminal offence of abuse by establishing family relationships. Consequently, in this case, at most – interpreted generously – the second form of realisation of the criminal offence, the establishment of a family relationship, could be established (Curia Kfv.VI.37.450/2018/9.). The case is distinguished by the fact that, in the case examined by the Curia, the individual in question was not present in his position as described in the criminal case referred to, i.e., as the person consenting to a declaration of paternity with full effect, but as a spouse. It is asserted that the individual referred to had entered into a marriage of convenience with a woman who was also a Vietnamese citizen, which, in accordance with the findings of the court of first instance (Budapest-Capital Administrative and Labour Court 7.K.33.193/2017/6.), in addition to the facts revealed in the usual evidentiary procedure in immigration law,² also attached decisive importance to the fact that criminal proceedings were ongoing against the Hungarian spouse, although in a case different from the one under review (Curia Kfv.VI.37.450/2018/9.).

1.2. Revealing the perpetrators' situation

Even authors who endorse the use of criminal sanctions emphasise that the *perpetrators* are typically Hungarian citizens who are vulnerable due to their social and economic situation, usually *unmarried or divorced women*, and in most cases *do not even assess the actual consequences of their actions*, while deriving little financial benefit from the transaction (Töttös 2016, 321).³ Furthermore, *single-parent households* may also be particular 'targets' for marriages of convenience, given their increased risk of poverty or social exclusion. The most recent statistical data for 2023 indicates that the standard of living for households has shown signs of improvement in this question, with a decline from 37.1% in 2022 to 32%. However, this figure remains significantly higher than the average, as evidenced by a comparative analysis with the relevant average for households with children in diverse circumstances (18.3%) (KSH 2023). This is of particular relevance in the context of the present research, as single parents in especially challenging circumstances often find themselves in an increasingly desperate situation when the prospect of caring for their families becomes a realisable option.

All this is reflected in certain details of the suspects' statements made during the investigation in a criminal case before the *Siklós District Court*: *'I did it all (...) so that I could provide my family with slightly better conditions... I regret getting involved in the whole thing; if I had known that it was illegal and that I was committing a crime, I would certainly have said no right from the start...'* '... (name of defendant) *also said that I wouldn't get into any trouble...*' (Siklós Police Station, ref. no. 02050/315-

² The following facts were assessed in this regard: the plaintiff and her spouse were unable to communicate properly with each other, as the plaintiff spoke very little Hungarian, while her husband did not speak Vietnamese; on the other hand, the plaintiff was unable to prove the actual existence of a conjugal community, as no men's clothing, shoes or personal items were found at her place of residence. Budapest-Capital Administrative and Labour Court 7.K.33.193/2017/6.

³ On the nature of the phenomenon as it affects women and the common characteristics of those involved, see Bacci Tamburlini 2018, 39–62.

68/2016.). Similarly, in the historical facts established in the judgement of a criminal case before the *Kiskunhalas District Court*, it was emphasised that *'in several cases, the organisers also informed the participants that they were not committing a criminal offence'* (Kiskunhalas District Court 9.B.68/2016/232.); and the statements of the Hungarian women entering into marriage also revealed that they were unaware that what they were doing was punishable (Pozsgai 2016). In the criminal cases referred to, a larger group of suspects received reprimands, and the prosecuting authority, in applying the measure, placed greater emphasis on these personal circumstances of those entering into family relationships (Kiskunhalas District Court 9.B.68/2016; Siklós District Court 2.Bpk.158/2017.). These factors were also a common feature in other cases. In a criminal case before the *Karcag District Court*, for example, the following is stated in the suspect's statement: *'... I knew that what I was doing was wrong and illegal, but I went along with it for the money.'* *'... I am raising my three children on my own... and we mainly live on childcare and family allowance.'* (Karcag Police Station, ref. no. 16030/1524-31/2018.).

2. Assessment of legal consequences beyond criminal law

2.1. Are the relationships of convenience valid?

First and foremost, it should be noted that, as highlighted in the *2014 Handbook* published by the European Commission (Commission 2014, 10), marriages of convenience are considered valid marriages. In accordance with this finding, the relevant domestic experiences summarised in publications such as those by the *Curia's jurisprudence-analysing working group on immigration* (Curia 2013, 80, 83–85) and the *law enforcement authorities* (Rothermel 2019, 171) that regularly review similar cases have also been stated recently⁴ that the examination by the authorities of the genuine substance of the marriage or parent-child relationship⁵ and the results thereof do not affect the validity of the marriage or the declaration of paternity. Therefore, it is indisputable that, from a civil law standpoint, the formation of a marriage of convenience does not inherently constitute grounds for its invalidation. Consequently, the validity of the marriage remains intact even in instances where the parties involved do not establish a conjugal community, do not cohabit, do not share an emotional or intimate (sexual) relationship, do not collectively manage their finances, and do not reside in a community of property.⁶ It is worth noting that the issue of validity is so 'untouchable' in this context that in a specific case where the parties entered into marriage solely for the purpose of acquiring the nationality of the state concerned and

⁴ In fact, the validity of marriages of convenience under Hungarian civil law is also treated as evidence by other sources, such as Törőcsik 2016, 76.

⁵ In view of the above, the findings made regarding marriage may also be interpreted as referring to other family relationships of an untrue nature.

⁶ In a broader context, the concept of marriage of convenience arose: Budapest-Capital Regional Court ...P. .../2013/12; Budapest-Capital Regional Court of Appeal 17.Pf.20.311/2018/4-II.

the authorities declared it invalid, the European Court of Human Rights found that this constituted interference in the parties' family life.⁷

All this is of particular importance from the perspective of our chosen topic, because, as mentioned in the prelude to the introductory thoughts of this study, according to the classic scenario, a valid marriage 'remains' on the perpetrator's side, and there is usually no realistic chance of dissolving it with the husband residing in an unknown location. Furthermore, due to the existence of the 'remaining' marriage, the perpetrators are only permitted to enter into a cohabitation relationship with their real partners,⁸ which, in addition to excluding them from the various state subsidies and benefits available to married couples, also results in an unsettled legal situation with regard to their possible children (Tóttós 2016, 318). The web of complications that arise may therefore easily outweigh the criminal law implications of their actions in terms of their impact on the perpetrators' lives.

The issue is further compounded by the legal situation concerning children, as in the case of children born to cohabiting couples, the husband in the marriage of convenience must be considered the father until this presumption is rebutted in court proceedings (Tóttós 2016, 318). The possibility of all these consequences, in comparison to which even the spokesperson for the Kecskemét Regional Court, who, in the context of the case cited above, characterised the criminal proceedings as '*almost insignificant*' (Híradó 2017), must not be disregarded.⁹ Nor is it a figment of the imagination that women entering into marriages of convenience are already living in cohabitation. For instance, one couple who spoke on condition of anonymity admitted to having committed the crime in question, citing the accumulation of debt as their motivation. The couple had owned a council flat, and they sought to utilise the promised funds to settle their debts and avoid eviction (Pozsgai 2016).

Nevertheless, as the Commentary on the Civil Code also highlights, Article L) of the Fundamental Law of Hungary¹⁰ does not only emphasise the *state's obligation to protect* family and the institution of marriage but also the definition contained in Article L), paragraph (1), which defines marriage as *a life partnership* and affirms the fundamental value of the family (Szeibert 2023, 532). Notably, civil law places significant emphasis on this concept, along with the existence of marriage as a bond, giving it a prominent role primarily in property law issues. The Commentary referred to also emphasises that a life partnership may also have legal effects in terms of personal

⁷ However, it is true that in this particular case, this measure was necessary for several reasons, see ECHR 1992; Council of Europe 1992, 32.

⁸ What is more, the following article reporting on the charges brought by the public prosecutor's office describes a couple who were already living together and were forced to remain in that relationship, who admitted to having committed the crime under discussion in the hope of settling their mounting debts (see Pozsgai 2016).

⁹ It is also noteworthy that it is not only the perpetrators who have to deal with the civil law consequences. According to a young woman who spoke about the case cited above, at the request of the organisers, she was also obliged to sign a document waiving any inheritance rights to her 'husband' (which, although unnecessary in light of the discussions on inheritance rights below, should nevertheless be considered a necessary precaution due to the complexity of the issue) (See Hetek 2017).

¹⁰ The Fundamental Law of Hungary (25 April 2011).

law and immigration law, the latter including the acquisition of a residence card, and it also points out that if the spouses do not speak each other's language or any other common language and are completely unfamiliar with each other's private lives, a life partnership may not be established (Szeibert 2023, 542).

2.2. The question of establishing the right of residence

One question, therefore, is the *validity* of the marriage from a civil law perspective, which, as emphasised, is basically not a matter of dispute¹¹ – since this is the essence of the phenomenon (as opposed, for example, to forced marriage, which dispenses with even the 'veneer' of validity), making it difficult to detect and, at the same time, easy to recruit the typically disadvantaged individuals involved, as the appearance of validity may reinforce the naive belief that the act carried out does not contravene the law – while it is another question *whether a right of residence may be established* based on a marriage that is otherwise valid but devoid of actual content, or based on a cohabitation that is false in content, empty, and contrary to the spirit declared by the Fundamental Law.

However, this question is by no means theoretical, as the consistent practice of immigration control (Curia 2013, 80–82) has been confirmed by a Curia ruling on the matter (BH 2017.36.), based on crystal-clear logic developed over decades of practice, according to which the fact of marriage alone does not justify the granting of a residence card, and a marriage of convenience does not result in the acquisition of family member status.¹² All this is related to the criminal offence of abuse by establishing family relationships, which is strongly determined by the fact that the criminal conducts contained therein must *only* be carried out for the purpose of the *issuance of a residence permit*.¹³ In this regard, the aforementioned working group of the Curia emphasises that if there is any mutual emotional and economic relationship between the parties, it is irrelevant that the parties also decide to enter into marriage in order to legalise their residence, as this is a necessary condition for the successful maintenance of the existing relationship in this case (Kovács 2013, 1280). Incidentally, the Criminal Code does not limit the purpose to the issuance of a document entitling the holder to reside in Hungary, so in principle the criminal offence of abuse by establishing family relationships may also be committed in connection with a foreign document of similar content, just as there is no restriction on the nationality of the perpetrator. Furthermore, the criminal offence under discussion assesses a *dual purpose*: for the abuse by establishing family relationships to be realised, the perpetrator must also be motivated by the purpose of obtaining material gain (Kanyuk 2019, 103–104; 106–107).

¹¹ It is evident that counterexamples to this proposition do exist, albeit within a relatively limited cohort. *Sarolta Molnár*, for example, states that a marriage may not be established on the basis of a marriage declaration that is subject to conditions and time limits, as she concludes that '*otherwise, the institution would rightly give rise to abuse if, for example, marriage were only concluded for the purpose of obtaining citizenship*' (see Molnár 2014, 29).

¹² The decision described above (Curia Kfv.II.38.064/2015.) was published in Curia Decisions 2017/1, No. 36.

¹³ The difference between issuance and acquisition is highlighted by Madai 2018, 146.

However, in addition to the fact that, according to legal practice, a marriage of convenience does not constitute a *legitimate basis for a right of residence*, what is more, if the marriage or other relationships of convenience are established specifically for the purpose of the issuance of a residence permit – as a right associated with EU citizenship – it is (in addition to other legal facts) criminalised as the criminal offence of abuse by establishing family relationships; it could not be argued that such relationships of convenience have no other legal relevance, nor that their establishment for other reasons has no legal relevance. In this regard, it should first be noted that nothing precludes a state from assessing the legitimacy of the objectives underlying the conclusion of a marriage from a civil law perspective. An example of this may be found in Section 295 of the Romanian Civil Code (Legea nr. 287/2009) on the so-called sham marriages, paragraph (1) of which provides that a marriage concluded for purposes other than starting a family is null and void, while paragraph (2) explains that the nullity of the marriage shall be avoided if the spouses have cohabited until the court decision becomes final, the wife has given birth or become pregnant, or two years have elapsed since the marriage was concluded.¹⁴

2.3. Legal consequences of a ‘dead’ marriage in terms of inheritance law

The examination of the present issue is basically consistent with the aforementioned finding that the fact that the validity of the marriage is not affected by its interest-based nature does not mean that *civil law* is insensitive to the phenomenon in all respects and does not assess the lack of cohabitation in other contexts. In a case of a declaration of exclusion from legal inheritance before the *Debrecen Regional Court of Appeal* (Debrecen Regional Court of Appeal Pf. II. 20.383/2008/3.), in full agreement with the reasoning of the Szabolcs-Szatmár-Bereg County Court (Szabolcs-Szatmár-Bereg County Court I. P. 21.263/2007/21.) as the court of first instance, it emphasises that it follows from the provisions of civil law relating to marriage that the true substance of marriage is the cohabitation of the spouses and their emotional and economic community. If this is not the case and the marriage exists only as a formal legal bond, the marriage is a ‘*dead*’ marriage. The legal consequences of this are drawn from the inheritance law provisions of the Civil Code, which link inheritance between spouses to the actual – not just legal – conjugal, emotional and economic community.

The legal regulation, therefore, is based on the objective fact that if a conjugal community exists between the spouses, a right of inheritance is recognised. Conversely, the objective absence of that matrimonial intercourse – albeit not *ex officio* – results in the *loss of inheritance rights*.¹⁵ In the case referred to, the marriage between the testator and the defendant was deemed to be merely fictitious, entered into with the sole purpose of facilitating the defendant’s acquisition of Hungarian citizenship, for which he paid the testator a sum of two hundred thousand forints. The registered address and place of work reported to the Immigration Office were found to be false, no conjugal community was established between them, and there was no intention of actually living together in

¹⁴ See the Hungarian translation of the abovementioned Act: Lex Sapientia 2009.

¹⁵ See in this context: BH 2005.252.

this form. At the time of inheritance, there was no possibility of restoration or even establishment.

Closing remarks

The legal consequences that extend beyond the scope of criminal law serve to underscore the fact that the criminal offence of abuse by establishing family relationships is of a completely different nature compared to the crimes that are typically intended to deal with irregular migration. The various relationships of convenience described in the criminal offence under review not only pose a *real security problem* when viewed in a broader context, in relation to the *rule of law* of Hungary and the host Member State, but also have a decisive and an extremely *wide-ranging impact on the lives of the citizens involved*, who are typically Hungarian nationals (Kanyuk 2019, 106–107), by undermining the foundations of the family – which the Fundamental Law of Hungary describes as the basis for the Nation’s survival – and using them for purposes other than those intended.

References

- Bacci Tamburlini, M. (2018). ‘Marriage of convenience’ regulations in Portugal: gendered constructions of (il)legality. In Timmerman, C., Fonseca, M. L., Van Praag, L. & Pereira, S. (Eds.), *Gender and Migration: A Gender-Sensitive Approach to Migration Dynamics. CeMIS Migration and Intercultural Studies*. Leuven: Leuven University Press, pp. 39–62.
- Council of Europe (1992). *Yearbook of the European Convention on Human Rights*. Dordrecht – Boston – London: Martinus Nijhoff Publishers
- Gál, A. (2019). A közigazgatás rendje elleni bűncselekmények. In Karsai, K. (Ed.), *Nagykommentár a Büntető Törvénykönyvhöz*. Budapest: Wolters Kluwer, pp. 798–840.
- Gellér, B. J. (2016). A közigazgatás rendje elleni bűncselekmények. In Polt, P., Miskolczi, B., Török, T. & Gasz, P. (Eds.), *A Büntető Törvénykönyvről szóló 2012. évi C. törvény nagykommentárja*. Budapest: OPTEN, pp. 1097–1147.
- Görgényi, I. (2013). A közigazgatás rendje elleni bűncselekmények. In Horváth, T. & Lévay, M. (Eds.), *Magyar Büntetőjog – Különös Rész*. Budapest: Wolters Kluwer, pp. 493–512.
- Hautzinger, Z. (2017). Büntetőjogi példázatok a migráció nemzeti szabályozása terén. In Sabjanics, I. (Ed.), *Modern kori népvándorlás. A migráció komplex megközelítése*. Budapest: Dialóg Campus, pp. 71–82.
- Hetek (2016). [Feleség 50 ezer forintért](#). Hetek.hu, February 19. [accessed July 11, 2023]
- Híradó (2017). [Pénzért mondták ki az igent, most a vádlottak padján ülnek](#). Híradó.hu, March 1. [accessed July 11, 2023]

- Kanyuk, P. Á. (2019). „A büntetőhatalomban rejlő lehetőségek nem korlátlanok...” – gondolatok a családi kapcsolatok létesítésével visszaélés tényállásáról. *Magyar Rendészet* 19(2–3): 97–114.
- Kovács, A. Gy. (2013). A Kúria Idegenrendészeti joggyakorlat-elemző csoportjának összefoglaló véleménye /kivonat/. *Kúriai Döntések* 61(12): 1273–1284.
- KSH (2023). [Helyzetkép 2023. Társadalmi folyamatok. A háztartások életszínvonala. A szegénység vagy társadalmi kirekesztődés kockázatának kitétek aránya egyes háztartástípusok szerint.](#) [accessed January 11, 2024]
- Madai, S. (2018). A közigazgatás rendje elleni bűncselekmények. In Blaskó, B. (Ed.), *Büntetőjog – Különös Rész II.* Budapest–Debrecen: Rejtjel, pp. 127–159.
- Molnár, S. (2014). A családjogi charta és a civil jog házasságképe. *Iustum Aequum Salutare* 10(1): 23–31.
- Pozsgai, Á. (2016). [Tömeges vádemelés álházasságok ügyében.](#) HalasMédia.hu, April 1. [accessed July 21, 2023]
- Rothermel, E. (2019). Az idegenrendészeti ügyek bírósági felülvizsgálatának változásai. In Bartók, F., Madarász, G., Marton, I., Dévényi, O. & Varga, E. (Eds.), *Tanulmánykötet a Kúria Közigazgatási Szakágában 2019-ben ítélező bírák tollából.* Budapest: Kúria, pp. 167–176.
- Sinku, P. (2018). A közigazgatás rendje elleni bűncselekmények – Btk. XXXIV. fejezet. In Belovics, E. (Ed.), *Büntetőjog II. Különös Rész.* Budapest: HVG-ORAC, pp. 626–653.
- Szeibert, O. (2023). Negyedik könyv: Családjog. In Vékás, L. & Gárdos, P. (Eds.), *Nagykommentár a Polgári Törvénykönyvről szóló 2013. évi V. törvényhez (2023. január 1. időállapotú, 2023. évi Jogtár-formátumú kiadás).* Budapest: Wolters Kluwer
- Töröcsik, B. (2016). Az előzetes letartóztatás végrehajtását érintő ügyészi rendelkezési jog egyes kérdéseiről, különös tekintettel a kapcsolattartást érintő döntésekről. *Börtönügyi Szemle* 35(4): 63–81.
- Töttös, Á. (2016). A névházasság jelensége és az ellene való fellépés Magyarországon és az Európai Unióban. In Hautzinger, Z. (Ed.), *A migráció bűnügyi hatásai.* Budapest: Magyar Rendészettudományi Társaság Migrációs Tagozat, pp. 313–328.
- The Fundamental Law of Hungary (25 April 2011)
- Act C of 2012 on the Criminal Code
- Act V of 2013 on the Civil Code
- BH 2005.252.
- BH 2017.36. (Curia Kfv.II.38.064/2015.)
- Budapest-Capital Administrative and Labour Court 7.K.33.193/2017/6.
- Budapest-Capital Regional Court ...P. .../2013/12.
- Budapest-Capital Regional Court of Appeal 17.Pf.20.311/2018/4-II.
- Commission (2014). [Commission Staff Working Document. Handbook on addressing the issue of alleged marriages of convenience between EU citizens](#)

- [and non-EU nationals in the context of EU law on free movement of EU citizens](#), SWD (2014) 284 final. Brussels, 26.9.2014. [accessed July 10, 2023]
- Curia (2013). [Summary opinion adopted by the Curia's jurisprudence-analysing working group on immigration policing on 30 May 2013 and approved by the Administrative and Labor College of the Curia on 23 September 2013](#). 2012.El.II.F.1./9. 2013. [accessed July 11, 2023]
 - Curia Kfv.VI.37.450/2018/9.
 - Debrecen Regional Court of Appeal Pf. II. 20.383/2008/3.
 - ECHR (1992). [Josefa Benes v. Austria. Application No. 18643/91](#). [accessed July 11, 2023]
 - Karcag Police Station, ref. no. 16030/1524-31/2018.
 - Kiskunhalas District Court 9.B.68/2016/232.
 - Lex Sapientia (2009). [Law no. 287/2009 on the Civil Code](#). [accessed July 11, 2023]
 - Siklós District Court 2.Bpk.158/2017.
 - Siklós Police Station, ref. no. 02050/315-68/2016.
 - Szabolcs-Szatmár-Bereg County Court 1. P. 21.263/2007/21.