

Coronavirus pandemic in the EU – Fundamental Rights Implications

Country: Hungary

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1 Measures taken by government/public authorities

1.1 Emergency laws/states of emergency

Provide information on emergency laws/declarations of states of emergency, including actions taken by police to enforce them and court rulings concerning the legality of such measures.

In **Hungary**, the Government declared a state of danger¹ on 11 March 2020 in relation to the Coronavirus outbreak. This special legal order entitled the Government to issue decrees to suspend the application of certain laws or to derogate from the provisions of laws and to take other extraordinary measures.² These decrees, according to the limitation provided for in the Fundamental Law, only remain in force for 15 days unless the Parliament extends their application.³ The Hungarian Parliament, however, adopted Act XII of 2020 on the containment of Coronavirus on 30 March 2020 (hereinafter: Authorisation Act).⁴ The Authorisation Act now entitles the Government to suspend the application of any laws adopted by the Parliament, to derogate from these laws and to establish extraordinary measures in order to prevent mass infection and to ease the negative consequences of the Coronavirus outbreak, and these decrees do not require authorisation from the Parliament to remain in force for the period determined by the Government.⁵ The Authorisation Act, however, entrusts the Parliament to withdraw the authorisation before the end of the period of state of danger in relation to either specific measures or in general.⁶ Under the Authorisation Act, the Government adopted altogether 50 new decrees on measures in relation to the Coronavirus outbreak in May.⁷ On 18 May 2020, the Minister of Justice communicated that the state of danger may end in June, referring to a statement made by the Prime Minister on the same day in Serbia.⁸

In **Hungary**, on 26 May 2020, the Government submitted a legislative proposal to the Parliament to end the state of danger and to withdraw the Authorisation Act.⁹ On the same day, the Government submitted another proposal to the Parliament on the temporary rules in relation to ending the state of danger.¹⁰ The latter bill, by an amendment proposed to Act CLIV of 1997 on health care¹¹, aims to

¹ Hungary, Governmental Decree no. 40/2020 on declaring state of danger (40/2020. (III. 11.) Korm. rendelet veszélyhelyzet kihirdetéséről), 11 March 2020, available at: https://njt.hu/translated/doc/J2020R0040K_20200326_FIN.pdf.

² Hungary, Fundamental Law (Alaptörvény), 25 April 2011, Article 53(2), available at: https://njt.hu/translated/doc/TheFundamentalLawofHungary_20191213_FIN.pdf.

³ Hungary, Fundamental Law (Alaptörvény), 25 April 2011, Article 53(3), available at: https://njt.hu/translated/doc/TheFundamentalLawofHungary_20191213_FIN.pdf.

⁴ Hungary, Act XII of 2020 on the containment of Coronavirus (2020. évi XII. törvény a koronavírus elleni védekezésről), 31 March 2020, available at: https://njt.hu/translated/doc/J2020T0012P_20200401_FIN.pdf.

⁵ Hungary, Act XII of 2020 on the containment of Coronavirus (2020. évi XII. törvény a koronavírus elleni védekezésről), 31 March 2020, Article 2, available at: https://njt.hu/translated/doc/J2020T0012P_20200401_FIN.pdf.

⁶ Hungary, Act XII of 2020 on the containment of Coronavirus (2020. évi XII. törvény a koronavírus elleni védekezésről), 31 March 2020, Article 3(2), available at: https://njt.hu/translated/doc/J2020T0012P_20200401_FIN.pdf.

⁷ The Decrees are listed in Wolters Kluwer's electronic database 'Új Jogtár' that is available on a subscription basis, available at: <https://uj.jogtar.hu>.

⁸ Kormany.hu (2020), 'Judit Varga: The special legal order may end in June' (Varga Judit: Júniusban megszűnhet a rendkívüli jogrend), 18 May 2020, available at: <https://www.kormany.hu/hu/igazsagugyi-miniszterium/hirek/varga-judit-juniusban-megszunhet-a-rendkivuli-jogrend>.

⁹ Hungary, Legislative proposal no. T/10747 on terminating the state of danger (T/10747. számú törvényjavaslat a veszélyhelyzet megszüntetéséről), 26 May 2020, available at: <https://www.parlament.hu/irom41/10747/10747.pdf>.

¹⁰ Hungary, Legislative proposal no. T/10748 on transitional provisions related to the termination of the state of danger and on health crisis situation (T/10748. számú törvényjavaslat a veszélyhelyzet megszűnésével összefüggő átmeneti szabályokról és az egészségügyi készenlétről), 26 May 2020, available at: <https://www.parlament.hu/irom41/10748/10748.pdf>.

entitle the Government, based on a proposal from the Minister responsible for health care, following a recommendation of the Chief Public Health Officer, to declare a health crisis situation in case the WHO declares an epidemiological emergency, or other unforeseeable event that jeopardises the life, physical integrity and health of the citizens or the operation of healthcare providers would justify this.¹² The decree of the Government on declaring a health crisis situation could establish special rules in relation to healthcare services.¹³ In such a crisis, the Government would be entitled to impose restrictions on the operation of any institution or facility and on the organisation of events that would contribute to spreading the disease. The Government would also have the power to restrict the sale and consumption of certain goods, to restrict passenger and cargo traffic, social connections, visiting certain facilities, leaving certain territories or getting access to certain medical services.¹⁴ In a health crisis situation, the proposal stresses that the Government may only use these powers insofar as those are necessary and proportional to the purpose of preventing, tackling and eliminating the health crisis situation and preventing and combating its detrimental effects. The proposal also highlights that the Government cannot introduce restriction on movement.¹⁵ The validity of the decree on declaring a health crisis situation would be for six months.¹⁶ The media interpreted the proposal as a way of entitling the Government to govern through decrees with even fewer safeguards than the Fundamental Law ensures in relation to the current state of danger.¹⁷ Hungarian NGO's and constitutional lawyers criticised the Government and warn that the adoption of the bill could lead to the restriction of some basic political and civic rights such as the freedom of movement, the freedom of assembly, the protection of personal data and the right to freedom of information.¹⁸ They also criticised the proposed amendment of the

¹¹ Hungary, Act CLIV of 1997 on health care (1997. évi CLIV. törvény az egészségügyről), 1 July 1998, available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=30903.384704.

¹² Hungary, Legislative proposal no. T/10748 on transitional provisions related to the termination of the state of danger and on health crisis situation (T/10748. számú törvényjavaslat a veszélyhelyzet megszűnésével összefüggő átmeneti szabályokról és az egészségügyi készenlétről), 26 May 2020, Section 302(2), available at: <https://www.parlament.hu/irom41/10748/10748.pdf>.

¹³ Hungary, Legislative proposal no. T/10748 on transitional provisions related to the termination of the state of danger and on health crisis situation (T/10748. számú törvényjavaslat a veszélyhelyzet megszűnésével összefüggő átmeneti szabályokról és az egészségügyi készenlétről), 26 May 2020, Section 302(1) available at: <https://www.parlament.hu/irom41/10748/10748.pdf>.

¹⁴ Hungary, Legislative proposal no. T/10748 on transitional provisions related to the termination of the state of danger and on health crisis situation (T/10748. számú törvényjavaslat a veszélyhelyzet megszűnésével összefüggő átmeneti szabályokról és az egészségügyi készenlétről), 26 May 2020, Section 307, available at: <https://www.parlament.hu/irom41/10748/10748.pdf>.

¹⁵ Hungary, Legislative proposal no. T/10748 on transitional provisions related to the termination of the state of danger and on health crisis situation (T/10748. számú törvényjavaslat a veszélyhelyzet megszűnésével összefüggő átmeneti szabályokról és az egészségügyi készenlétről), 26 May 2020, Section 307, available at: <https://www.parlament.hu/irom41/10748/10748.pdf>.

¹⁶ Hungary, Legislative proposal no. T/10748 on transitional provisions related to the termination of the state of danger and on health crisis situation (T/10748. számú törvényjavaslat a veszélyhelyzet megszűnésével összefüggő átmeneti szabályokról és az egészségügyi készenlétről), 26 May 2020, Section 303, available at: <https://www.parlament.hu/irom41/10748/10748.pdf>.

¹⁷ HVG (2020), 'The government would get special power in a health crisis situation' (Egészségügyi válsághelyzetben különleges jogokat kapna a kormány), 27 May 2020, available at: https://hvg.hu/itthon/20200527_Egeszsegugyi_valasghelyzetben_kulonleges_jogokat_kapna_a_kormany.

¹⁸ Eötvös Károly Institute (2020), Standpoint, Csöbörből vödörbe - A megszüntetve megőrzött veszélyhelyzet (álláspont), EKINT, 28 May 2020, available at: <http://ekint.org/alkotmanyossag/2020-05-28/csoborbol-vodorbe-a-megszuntetve-megorzott-veszelyhelyzet-allaspon>; Hungarian Helsinki Committee, Hungarian Civil Liberties Union, Amnesty International Hungary (2020), Rapid analysis of the Bill on Terminating the State of Danger (T/10747) & the Bill on Transitional Provisions related to the Termination of the State of Danger (T/10748), , 27 May 2020, available at: <https://www.helsinki.hu/en/never-ending-story/>; Halmai, G., Mészáros, G. Scheppele, K. L., *From Emergency to Disaster: How Hungary's Second Pandemic Emergency will Further Destroy the Rule of Law*, *VerfBlog*, 2020/5/30, <https://verfassungsblog.de/from-emergency-to-disaster/>.

Disaster Management Act that authorises the government to suspend or set aside laws if it seems necessary under a state of danger.¹⁹ The criticism of constitutional lawyers is that the amendment entitles the government to act “on its own across a very broad landscape of vaguely defined powers [...] which will not only make it harder to track the government’s actions but will also give the Parliament no opportunity to intervene even if it objects”²⁰. According to the critics, this could circumvent the guarantees set in the Fundamental Law which permits the suspension of laws only in cases initially allowed in the cardinal (requiring a two-third majority) act.²¹

1.2 Measures affecting the general population

1.2.1 Social distancing

Focus on:

- *Lifting of stay at home orders, and measures/rules for general physical distancing when in public or at home*
- *Enforcement and penalties*

In **Hungary**, Governmental Decree no. 168/2020 on protective measures entered into force on 4 May 2020. This Decree replaced Governmental Decree no. 71/2020 on restricting movement that has been in force since 28 March 2020 in the entire territory of the country. The decree on protective measures lifted the restriction on movement in the country excluding Budapest and Pest County. The decree on protective measures maintained the general protective measures on physical distancing obliging people to restrict social contact with others, with the exception of those living in the same household, as much as possible and to maintain a distance of at least 1.5 metres from others, if possible.²² Moreover, the decree ordered people to wear mouth and nose covers (e.g. medical masks, scarfs or shawls) when shopping in a store or using public transportation.²³ The decree introduced the following important easing of the restrictions as of 4 May 2020:

- visiting public spaces and parks is permitted provided that the protective distance is maintained;²⁴
- all shops are permitted to open and to receive customers;²⁵
- staying and consuming ordered food or drink is permitted in the garden or on the terrace of catering facilities (e.g. restaurants, cafés, confectioneries, bistros, cafeterias); it is, however,

¹⁹ Hungary, Legislative proposal no. T/10748 on transitional provisions related to the termination of the state of danger and on health crisis situation (T/10748. számú törvényjavaslat a veszélyhelyzet megszűnésével összefüggő átmeneti szabályokról és az egészségügyi készenlétről), 26 May 2020, Section 339, available at: <https://www.parlament.hu/irom41/10748/10748.pdf>.

²⁰ Halmai, G., Mészáros, G. Scheppele, K. L., *From Emergency to Disaster: How Hungary’s Second Pandemic Emergency will Further Destroy the Rule of Law*, *VerfBlog*, 2020/5/30, <https://verfassungsblog.de/from-emergency-to-disaster/>.

²¹ Halmai, G., Mészáros, G. Scheppele, K. L., *From Emergency to Disaster: How Hungary’s Second Pandemic Emergency will Further Destroy the Rule of Law*, *VerfBlog*, 2020/5/30, <https://verfassungsblog.de/from-emergency-to-disaster/>.

²² Hungary, Governmental Decree no. 168/2020 on protective measures (168/2020. (IV. 30.) Korm. rendelet a védelmi intézkedésekről), 4 May 2020, Section 2(1), available at: https://njt.hu/translated/doc/J2020R0168K_20200518_FIN.pdf.

²³ Hungary, Governmental Decree no. 168/2020 on protective measures (168/2020. (IV. 30.) Korm. rendelet a védelmi intézkedésekről), 4 May 2020, Section 2(2), available at: https://njt.hu/translated/doc/J2020R0168K_20200518_FIN.pdf.

²⁴ Hungary, Governmental Decree no. 168/2020 on protective measures (168/2020. (IV. 30.) Korm. rendelet a védelmi intézkedésekről), 4 May 2020, Section 2(3), available at: https://njt.hu/translated/doc/J2020R0168K_20200518_FIN.pdf.

²⁵ Hungary, Governmental Decree no. 168/2020 on protective measures (168/2020. (IV. 30.) Korm. rendelet a védelmi intézkedésekről), 4 May 2020, Section 4(1), available at: https://njt.hu/translated/doc/J2020R0168K_20200518_FIN.pdf.

not allowed for people other than the employees to stay inside these places, except for the pick-up and delivery of food for take-away;²⁶

- outdoor bathing facilities and open-air pools are permitted to stay open and to receive visitors;²⁷
- open-air museums and zoos are permitted to stay open and to receive visitors;²⁸
- all services can be provided without restrictions;²⁹
- religious services, weddings and funerals are permitted without restriction of the number of attendees; however, protective distance must be maintained, with the exception of the parties entering into marriage;³⁰
- students are allowed to enter the premises of the universities: this decision is, however, in the hands of the rectors of the universities who shall also ensure the conditions for maintaining protective distance.³¹

The Government justified the lifting of the previous restrictions in the country by the decreasing number of newly infected people. They, however, stressed that Budapest and the surrounding region (Pest County) must follow the measures introduced under the decree on restricting movement due to the large number of infected people.³²

In **Hungary**, Governmental Decree no. 207/2020 on the next phase of protective measures further lifted the restrictions in the country excluding Budapest as of 18 May 2020.³³ This decree on further opening applies to Pest County as well. The measures introduced by this decree are the following:

- catering facilities now receive customers in the inner (closed) part of their premises; however, employees are obliged to wear mouth and nose covers and the protective distance of 1.5 metres must be kept;³⁴
- open-air playgrounds can be open and receive visitors;³⁵
- places of accommodation (e.g. hotels) are permitted to receive guests and guests can stay there;³⁶

²⁶ Hungary, Governmental Decree no. 168/2020 on protective measures (168/2020. (IV. 30.) Korm. rendelet a védelmi intézkedésekről), 4 May 2020, Section 4(2)-(3), available at: https://njt.hu/translated/doc/J2020R0168K_20200518_FIN.pdf.

²⁷ Hungary, Governmental Decree no. 168/2020 on protective measures (168/2020. (IV. 30.) Korm. rendelet a védelmi intézkedésekről), 4 May 2020, Section 4(4), available at: https://njt.hu/translated/doc/J2020R0168K_20200518_FIN.pdf.

²⁸ Hungary, Governmental Decree no. 168/2020 on protective measures (168/2020. (IV. 30.) Korm. rendelet a védelmi intézkedésekről), 4 May 2020, Section 4(5), available at: https://njt.hu/translated/doc/J2020R0168K_20200518_FIN.pdf.

²⁹ Hungary, Governmental Decree no. 168/2020 on protective measures (168/2020. (IV. 30.) Korm. rendelet a védelmi intézkedésekről), 4 May 2020, Section 4(6), available at: https://njt.hu/translated/doc/J2020R0168K_20200518_FIN.pdf.

³⁰ Hungary, Governmental Decree no. 168/2020 on protective measures (168/2020. (IV. 30.) Korm. rendelet a védelmi intézkedésekről), 4 May 2020, Section 6, available at: https://njt.hu/translated/doc/J2020R0168K_20200518_FIN.pdf.

³¹ Hungary, Governmental Decree no. 168/2020 on protective measures (168/2020. (IV. 30.) Korm. rendelet a védelmi intézkedésekről), 4 May 2020, Section 7, available at: https://njt.hu/translated/doc/J2020R0168K_20200518_FIN.pdf.

³² Kormany.hu (2020), 'Gradually, following a strict schedule, life can be reopened' (Fokozatosan, szigorú menetrend mellett újraindítható az élet), 30 April 2020, available at: <https://www.kormany.hu/hu/miniszterelnokseg/hirek/fokozatosan-szigoru-menetrend-mellett-ujraindithato-az-elet>.

³³ Hungary, Governmental Decree no. 207/2020 on the next phase of protective measures (207/2020. (V. 15.) a védelmi intézkedések következő üteméről), 15 May 2020, available at: https://njt.hu/translated/doc/J2020R0207K_20200519_FIN.pdf.

³⁴ Hungary, Governmental Decree no. 207/2020 on the next phase of protective measures (207/2020. (V. 15.) a védelmi intézkedések következő üteméről), 15 May 2020, Section 2(1)-(2), available at: https://njt.hu/translated/doc/J2020R0207K_20200519_FIN.pdf.

³⁵ Hungary, Governmental Decree no. 207/2020 on the next phase of protective measures (207/2020. (V. 15.) a védelmi intézkedések következő üteméről), 15 May 2020, Section 2(3), available at: https://njt.hu/translated/doc/J2020R0207K_20200519_FIN.pdf.

- starting from 1 June 2020, family events following funerals and marriages are permitted to be held; however, the number of participants cannot exceed 200 persons and the rules on physical distancing must be kept. These family events can even be held in catering or accommodation facilities.³⁷

In **Hungary**, Governmental Decree no. 211/2020 on protective measures in the capital lifted most measures on restriction on movement in Budapest as of 18 May 2020.³⁸ The new protective measures for Budapest were very similar to those introduced by Governmental Decree no. 168/2020 on 4 May 2020 for the rest of the country. In Budapest, however, the Government ordered that until 1 September 2020, operators of catering facilities who are only allowed to receive and serve guests on their terraces do not have to pay a fee for the use of a public space where they operate a terrace.³⁹ Family events following funerals and marriages where the number of participants do not exceed 200 persons will be permitted in Budapest only from 15 June 2020.⁴⁰ As of 29 May 2020, Governmental Decree no. 240/2020 further lifted restrictions:

- catering facilities now receive customers in the inner (closed) part of their premises; however, employees are obliged to wear mouth and nose covers and the protective distance of 1.5 metres must be kept;⁴¹
- playgrounds can stay open and receive visitors;⁴²
- places of accommodation are permitted to receive guests and guests can stay there;⁴³
- the city mayors of the districts of Budapest are authorised to foster the use of open public spaces for catering facilities through enlarging the open space these facilities are permitted to use.⁴⁴

In **Hungary**, those who violate the protective measures commit a minor offence and the sanctions – as stipulated in the Minor Offences Act⁴⁵ – may be applied against them by the Police. The respective

³⁶ Hungary, Governmental Decree no. 207/2020 on the next phase of protective measures (207/2020. (V. 15.) a védelmi intézkedések következő üteméről), 15 May 2020, Section 4, available at: https://njt.hu/translated/doc/J2020R0207K_20200519_FIN.pdf.

³⁷ Hungary, Governmental Decree no. 207/2020 on the next phase of protective measures (207/2020. (V. 15.) a védelmi intézkedések következő üteméről), 15 May 2020, Section 5, available at: https://njt.hu/translated/doc/J2020R0207K_20200519_FIN.pdf.

³⁸ Hungary, Governmental Decree no. 211/2020 on protective measures in the capital (211/2020. Korm. rendelet a fővárosi védelmi intézkedésekről), 18 May 2020, available at: https://njt.hu/translated/doc/J2020R0211K_20200519_FIN.pdf.

³⁹ Hungary, Governmental Decree no. 211/2020 on protective measures in the capital (211/2020. Korm. rendelet a fővárosi védelmi intézkedésekről), 18 May 2020, Section 5(3), available at: https://njt.hu/translated/doc/J2020R0211K_20200519_FIN.pdf.

⁴⁰ Hungary, Governmental Decree no. 211/2020 on protective measures in the capital (211/2020. Korm. rendelet a fővárosi védelmi intézkedésekről), 18 May 2020, Section 6(3)-(4), available at: https://njt.hu/translated/doc/J2020R0211K_20200519_FIN.pdf.

⁴¹ Hungary, Governmental Decree no. 240/2020 on the next phase of protective measures in the capital (240/2020. (V. 27.) Korm. rendelet a fővárosi védelmi intézkedések következő üteméről), 29 May 2020, Section 2, available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=219715.383536.

⁴² Hungary, Governmental Decree no. 240/2020 on the next phase of protective measures in the capital (240/2020. (V. 27.) Korm. rendelet a fővárosi védelmi intézkedések következő üteméről), 29 May 2020, Section 3, available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=219715.383536.

⁴³ Hungary, Governmental Decree no. 240/2020 on the next phase of protective measures in the capital (240/2020. (V. 27.) Korm. rendelet a fővárosi védelmi intézkedések következő üteméről), 29 May 2020, Section 4, available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=219715.383536.

⁴⁴ Hungary, Governmental Decree no. 240/2020 on the next phase of protective measures in the capital (240/2020. (V. 27.) Korm. rendelet a fővárosi védelmi intézkedések következő üteméről), 29 May 2020, Section 7, available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=219715.383536.

Governmental decrees on the protective measures in Budapest and for the rest of the country, however, set the minimum and maximum thresholds for on-site monetary fines. Those who violate the rules on maintaining protective distance are subject to monetary fines of between 5,000 HUF and 500,000 HUF (cc. €14 and €1,430). For those who violate other protective measures, the monetary fines are between 5,000 HUF and 100,000 HUF (cc. €14 and €285). If the violation is committed repeatedly, the maximum amount of the fine is 150,000 HUF (cc. €428).⁴⁶

In **Hungary**, the National Police Headquarters reported that between 1-18 May 2020, they had to act in 26,755 cases against people who breached the decree on restricting movement, imposed monetary fines on site against 13,132 people and initiated infraction proceedings against 11,495 people.⁴⁷ As regards to violating the rules on the decrees on protective measures that have been in effect since 4 May 2020, between 4-31 May, the Police had to act in 703 cases, and had to impose monetary fines on site against 169 people and initiated infraction proceedings against 200 people.⁴⁸

In **Hungary**, the Police is entrusted to monitor official home quarantines through an electronic software, a mobile application as of 7 May 2020.⁴⁹ Official home quarantines are ordered against people who are infected by the Coronavirus and do not require medical attention in hospitals, against people who are proved to have been in contact with infected persons, and against those arriving in Hungary from abroad. The epidemiological authority has competency to order that the compliance with the rules relating to the official home quarantine is monitored by the software that tracks movement and transfers the facial image and health data of the person concerned. The use of the software is voluntary and requires the consent of the person concerned who must have full capacity to act when providing for consent. If the person is willing to be monitored through the software, he/she must make a statement on meeting the requirements for installing the software.⁵⁰ The Police compare the movement data provided by the software against the data of the location designated for the official home quarantine. Monitoring, however, may not entail the unnecessary disturbance of the privacy of the person concerned. The Decree specifically calls for the obligation not to disturb the person without a reason between 10pm and 6am.⁵¹ In the case of monitoring

⁴⁵ Hungary, Act II of 2012 on minor offences, minor offence procedures and the registration system of minor offences (2012. évi II. törvény a szabálysértésekről, a szabálysértési eljárásról és a szabálysértési nyilvántartási rendszerről), 15 April 2012, available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=143166.377040.

⁴⁶ Hungary, Governmental Decree no. 168/2020 on protective measures (168/2020. (IV. 30.) Korm. rendelet a védelmi intézkedésekről), 4 May 2020, Section 10(5)-(6), available at: https://njt.hu/translated/doc/J2020R0168K_20200518_FIN.pdf; Governmental Decree no. 211/2020 on protective measures in the capital (211/2020. Korm. rendelet a fővárosi védelmi intézkedésekről), 18 May 2020, Section 10(4)-(5), available at: https://njt.hu/translated/doc/J2020R0211K_20200519_FIN.pdf.

⁴⁷ National Police Headquarters (Országos Rendőrfőkapitányság) (2020), 'Daily national statistics' (Országos összesítő), 31 May 2020, available at: <http://www.police.hu>.

⁴⁸ National Police Headquarters (Országos Rendőrfőkapitányság) (2020), 'Daily national statistics' (Országos összesítő), 31 May 2020, available at: <http://www.police.hu>.

⁴⁹ Hungary, Governmental Decree no. 181/2020 on the electronic monitoring of official home quarantines ordered with respect to the human epidemic endangering life and property and causing massive disease outbreaks (181/2020. (V. 4.) Korm. rendelet az élet- és vagyonbiztonságot veszélyeztető tömeges megbetegedést okozó humánjárvány vonatkozásában elrendelt hatósági házi karantén elektronikus ellenőrzéséről), 7 May 2020, available at: https://njt.hu/translated/doc/J2020R0181K_20200521_FIN.pdf.

⁵⁰ Hungary, Governmental Decree no. 181/2020 on the electronic monitoring of official home quarantines ordered with respect to the human epidemic endangering life and property and causing massive disease outbreaks (181/2020. (V. 4.) Korm. rendelet az élet- és vagyonbiztonságot veszélyeztető tömeges megbetegedést okozó humánjárvány vonatkozásában elrendelt hatósági házi karantén elektronikus ellenőrzéséről), 7 May 2020, Section 1(2), available at: https://njt.hu/translated/doc/J2020R0181K_20200521_FIN.pdf.

⁵¹ Hungary, Governmental Decree no. 181/2020 on the electronic monitoring of official home quarantines ordered with respect to the human epidemic endangering life and property and causing massive disease outbreaks (181/2020. (V. 4.) Korm. rendelet az élet- és vagyonbiztonságot veszélyeztető tömeges megbetegedést okozó humánjárvány vonatkozásában

home quarantine through the software, the police may only perform personal monitoring if there is a suspicion that the monitoring by the software was circumvented or if the person concerned fails to use the software.⁵² Those who do not provide consent to be monitored by a software are monitored in person by the Police.⁵³

1.2.2 Education

Focus on:

- *Steps to reopen educational institutions (schools, third level educational facilities and kindergartens/day care). Please include any specific measures aimed at children from socioeconomically disadvantaged backgrounds*
- *Measures to protect students and staff as they return to educational institutions (e.g. related to physical distancing, shift patterns, health and hygiene, etc.)*

In **Hungary**, Government Decision no. 1102/2020 implemented new “work mode” outside the classroom in the frame of digital education both in public and Vocational Education and Training (VET) institutions due to COVID-19.⁵⁴

In **Hungary**, Government Decree no. 119/2020, stated the organisation of matura – end of upper secondary (VET) certificate - exams during the emergency period in May-June, 2020. According to the Decree, students can withdraw from the May-June exam period without sanctions and attend the autumn exam session instead.⁵⁵

In **Hungary**, on 24th April, the Ministry for Innovation and Technology (MIT) published in its Individual Ministerial Decision no. JEF/36644/2020-ITM on the new regulations for the organisation of the vocational qualification complex exams in VET.⁵⁶

In **Hungary**, on 12th May, MIT published its official information on country-border entering rules for foreign students to attend on their vocational qualification exams in Hungary.⁵⁷ Students arriving to

elrendelt hatósági házi karantén elektronikus ellenőrzéséről), 7 May 2020, Section 1(5), available at: https://njt.hu/translated/doc/J2020R0181K_20200521_FIN.pdf.

⁵² Hungary, Governmental Decree no. 181/2020 on the electronic monitoring of official home quarantines ordered with respect to the human epidemic endangering life and property and causing massive disease outbreaks (181/2020. (V. 4.) Korm. rendelet az élet- és vagyonbiztonságot veszélyeztető tömeges megbetegedést okozó humánjárvány vonatkozásában elrendelt hatósági házi karantén elektronikus ellenőrzéséről), 7 May 2020, Section 1(5), available at: https://njt.hu/translated/doc/J2020R0181K_20200521_FIN.pdf.

⁵³ Hungary, Governmental Decree no. 181/2020 on the electronic monitoring of official home quarantines ordered with respect to the human epidemic endangering life and property and causing massive disease outbreaks (181/2020. (V. 4.) Korm. rendelet az élet- és vagyonbiztonságot veszélyeztető tömeges megbetegedést okozó humánjárvány vonatkozásában elrendelt hatósági házi karantén elektronikus ellenőrzéséről), 7 May 2020, Section 1(7), available at: https://njt.hu/translated/doc/J2020R0181K_20200521_FIN.pdf.

⁵⁴ Hungary, Governmental Decision no. 1102/2020 on introducing a work mode in public education and vocational education institutions (1102/2020. (III. 14.) Korm. határozat a koronavírus miatt a köznevelés és szakképzési intézményekben új munkarend bevezetéséről), entered into force on 14 March 2020 and amended on 22 May 2020, available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=218513.383330.

⁵⁵ Hungary, Governmental Decree no. 119/2020 on organising matura exams in May-June 2020 during the state of danger (119/2020. (IV. 16.) Korm. rendelet a veszélyhelyzet során az érettségi vizsgák 2020. május-júniusi vizsgaidőszakban történő megszervezéséről), entered into force on 17 April and amended on 1 May 2020, available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=219064.381874.

⁵⁶ Hungary, Individual Ministerial Decision of the Ministry for Innovation and Technology no. JEF/36644/2020-ITM on the new regulations for the organisation of the vocational qualification complex exams in VET, 24 April 2020, available at https://www.kormany.hu/download/e/2e/c1000/Egyedi_Min_Hat%C3%A1rozat_JEF_36644_2020.pdf#!DocumentBrowse

Hungary for the purpose of doing the exam must undergo an individual medical examination when crossing the border. Third country nationals who are suspected of being infected with COVID-19 are prohibited to enter, while Hungarian citizens and citizens of the EEA are placed into quarantine. Entry is possible only on the day of the exam or two days prior to this day. Students can be accompanied by only one person.

In **Hungary**, Governmental Decree no. 215/2020 ordered nurseries and kindergartens located outside of Budapest to reopen as of 25 May 2020 and to operate under the rules that applied to them prior to the state of danger.⁵⁸ Nurseries and kindergartens in Budapest will reopen only on 2 June 2020.⁵⁹ Nurseries and kindergartens can only close their gates for a period of two weeks maximum until 31 August 2020, therefore, their operations will be continuous.⁶⁰ All nurseries and kindergartens must provide daily information to the city mayors on the number of children they received.⁶¹ Summer camps – both day camps and residential camps – can be held as of 17 June 2020 in order to ease the burden of supervision for parents who work in the summer.⁶² As the decree does not provide for special rules on protecting children and staff in nurseries and kindergartens, the general protection measures (e.g. keeping at least 1.5 metres distance from each other) shall apply. While it is not stipulated in legislation, the National Chief Public Health Officer stated wearing masks is not mandatory to those under six years of age.⁶³

In **Hungary**, the state secretary for public education stated in a radio interview held on 21 May 2020 that digital education is successful and efficient, therefore, there is no need to change it for this school year. The state secretary, however, admitted that there may be a need to allow students to attend the schools in small groups and to gain better understanding of the study materials in a classic classroom setting. He promised the Government will ease the restriction for schools in June. He stressed children will not be obliged to go to school, instead, the new rules will provide an

⁵⁷ Information of the Ministry for Innovation and Technology on the conditions and method of participating in a vocational qualification exam for cross-border students studying in Hungary, 12 May 2020, available at: https://www.kormany.hu/download/3/90/d1000/ITM_T%C3%A1j%C3%A9koztat%C3%B3%20a%20tanul%C3%B3hat%C3%A1ron%20t%C3%BAl%20di%C3%A1kok%20szakmai%20vizsg%C3%A1n%20val%C3%B3r%C3%A9szv%C3%A9tel%C3%A9r%C5%91.pdf#!DocumentBrowse

⁵⁸ Hungary, Governmental Decree no. 215/2020 on reopening nurseries and kindergartens and on the organisation of summer camps (215/2020. (V. 20.) Korm. rendelet az óvodák és bölcsődék újranyitásáról, valamint a nyári táborok megszervezéséről), 25 May 2020, Section 1(1), available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=219555.383171.

⁵⁹ Hungary, Governmental Decree no. 215/2020 on reopening nurseries and kindergartens and on the organisation of summer camps (215/2020. (V. 20.) Korm. rendelet az óvodák és bölcsődék újranyitásáról, valamint a nyári táborok megszervezéséről), 25 May 2020, Section 1(2), available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=219555.383171.

⁶⁰ Hungary, Governmental Decree no. 215/2020 on reopening nurseries and kindergartens and on the organisation of summer camps (215/2020. (V. 20.) Korm. rendelet az óvodák és bölcsődék újranyitásáról, valamint a nyári táborok megszervezéséről), 25 May 2020, Section 1(3), available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=219555.383171.

⁶¹ Hungary, Governmental Decree no. 215/2020 on reopening nurseries and kindergartens and on the organisation of summer camps (215/2020. (V. 20.) Korm. rendelet az óvodák és bölcsődék újranyitásáról, valamint a nyári táborok megszervezéséről), 25 May 2020, Section 2, available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=219555.383171.

⁶² Hungary, Governmental Decree no. 215/2020 on reopening nurseries and kindergartens and on the organisation of summer camps (215/2020. (V. 20.) Korm. rendelet az óvodák és bölcsődék újranyitásáról, valamint a nyári táborok megszervezéséről), 25 May 2020, Section 3, available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=219555.383171.

⁶³ Koronavirus.gov.hu (2020), 'National Chief Medical Officer: a preliminary phone registration is needed for all types of medical treatment' (Országos tisztifőorvos: valamennyi egészségügyi ellátáshoz előzetes telefonos bejelentkezés szükséges), 19 May 2020, available at: <https://koronavirus.gov.hu/cikkek/orszagos-tisztifoovos-valamennyi-egeszseguyi-ellatashoz-elozetes-telefonos-bejelentkezés>.

opportunity for those who are in need, especially for those who, for some reason, were not able to join the digital learning to catch up with the material.⁶⁴

In **Hungary**, for students in their final year of secondary school education, the maturity exams were conducted only in writing between 4-21 May 2020, keeping the protective distance in the classroom and providing masks, gloves and disinfectant to both students and supervisors.⁶⁵ The Government decided on 16 April 2020 to organise these exams since they are essential for students for the entry into universities, and ordered the exams to be only in writing.⁶⁶

In **Hungary**, the local government of Budaörs, in preparation of reopening kindergartens and nurseries as of 25 May 2020, tested 310 staff members in such facilities and found eight people were infected by the Coronavirus. These persons did not show any sign of infection. The local government stressed none of the infected workers were over 65 years of age. The local government also added that they performed a deep disinfection of all kindergartens and nurseries under the control of the local government. The city mayor of Budaörs called parents to pay particular attention not to enter the premises when leaving or picking up their children at these facilities; instead, hand them over or receive them from the staff members at the gates.⁶⁷

In **Hungary**, on 22 May 2020, the Government adopted a decree on the operation of schools in June 2020.⁶⁸ While until the end of this school year (15 June 2020), distance learning will remain in place, schools, based on the experience gained in the past months, may organise individual or small group classes in order to help pupils and students gain better understanding of the study material.⁶⁹ The decree orders schools to provide for day care services and to provide food to children in the period 2-26 June 2020.⁷⁰ Vocational schools, however, may return to their normal routine and may give up digital education as of 2 June 2020 based on the decision of the schoolmasters.⁷¹ As the decree does not elaborate on special protective measures, the general protective measures (e.g. keeping at least 1.5 metres distance from each other) will apply. The decree will enter into force on 2 June 2020.

⁶⁴ Kormany.hu (2020), 'Digital education is successful and efficient' (*Sikeres és eredményes a digitális oktatás*), 21 May 2020, available at: <https://www.kormany.hu/hu/emberi-eroforrasok-miniszteriuma/oktatasi-felelos-allamtitkarsag/hirek/sikeres-es-eredmenyes-a-digitalis-oktatasi>.

⁶⁵ Education Office (*Oktatási Hivatal*) (2020), 'The May-June maturity exams are about to start' (*Kezddnek a május-júniusi érettségi vizsgák*), 30 April 2020, available at: <https://www.oktatas.hu/sajtoszoba/sajtoanyagok/kezdodnek-a-majus-juniusi-erettsegi-vizsgak/>; Education Office (*Oktatási Hivatal*) (2020), 'The written exams are over' (*Véget értek az írásbeli érettségik*), 22 May 2020, available at: <https://www.oktatas.hu/sajtoszoba/sajtoanyagok/veget-ert-irasbeli-erettsegik2020/>.

⁶⁶ Hungary, Governmental Decree no. 119/2020 on organising the maturity exams in May-June 2020 during the state of danger (119/2020. (IV. 16.) a veszélyhelyzet során az érettségi vizsgák 2020. május-júniusi vizsgaidőszakban történő megszervezéséről), 16 April 2020, available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=219064.381874.

⁶⁷ Index (2020), 'Budaörs tested workers in nurseries and kindergartens, and found eight infected' (*Budaörs leteszteltette az óvodai és bölcsődei dolgozókat, nyolc főnél pozitív lett*), 26 May 2020, available at: <https://index.hu/belfold/2020/05/26/onkormanyzat-budaors-ovodanyitas-kinai-koronavirus-magyarorszagon-teszt/>.

⁶⁸ Hungary, Governmental Decree no. 220/2020 on the operation of schools in June 2020 (220/2020. (V. 22.) Korm. rendelet az iskolák 2020. júniusi működéséről), 2 June 2020, available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=219602.383315.

⁶⁹ Hungary, Governmental Decree no. 220/2020 on the operation of schools in June 2020 (220/2020. (V. 22.) Korm. rendelet az iskolák 2020. júniusi működéséről), 2 June 2020, Article 1, available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=219602.383315.

⁷⁰ Hungary, Governmental Decree no. 220/2020 on the operation of schools in June 2020 (220/2020. (V. 22.) Korm. rendelet az iskolák 2020. júniusi működéséről), 2 June 2020, Section 2, available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=219602.383315.

⁷¹ Hungary, Governmental Decree no. 220/2020 on the operation of schools in June 2020 (220/2020. (V. 22.) Korm. rendelet az iskolák 2020. júniusi működéséről), 2 June 2020, Section 1(4), available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=219602.383315.

In **Hungary**, as of 4 May 2020 (as of 18 May 2020 in Budapest⁷²) students are allowed to enter the premises of the universities with the exception of dormitories: the decision on reopening, however, is in the hands of the rectors of the universities who shall also ensure the conditions for maintaining protective distance.⁷³

1.2.3 Work

Focus on:

- *Steps for specific sectors/the general population to return to work and measures to protect employees in the workplace (physical distancing, health and hygiene, shift patterns, etc.)*
- *People in precarious work*

In **Hungary**, there has been specific measures adopted to protect employees in the workplace. Above all, the general protective measures as stipulated in the relevant Governmental decrees apply (i.e. wearing masks, keeping a minimum of 1.5 metres distances from each other).⁷⁴ With temporary effect and for the duration of the state of danger, for the protection of the health of the workers and creation of safe working conditions, the employer may unilaterally order its workers for working from home or for teleworking. In addition, the employer may take necessary and justified measures for checking the health of employees.⁷⁵ This option was originally granted to employers as of 19 March 2020, however, the National Public Health Centre issued a workplace guidance to assist the restart of work, and in parallel, the occupational safety and health administration has also issued a guide to returning to work on 19 May 2020, which will provide practical help in taking appropriate preventive measures at workplaces.⁷⁶ The guidance recommends employers to reduce the number of employees working in the workplace at the same time. Instead of 'open-space' offices, the guide suggests the use of separate offices where only a couple employees can work. The guide warns employers on keeping an eye on personal hygiene. The guide also suggests employers to limit the number of employees who can be present at the dining and resting facilities and at places designated for smokers.⁷⁷

In **Hungary**, the state secretary of the Ministry for Innovation and Technology stated on 20 May 2020 that those working in commerce and in public transportation are more exposed to infection, therefore, their protection is vital. The state secretary emphasised the Government had taken measures to strengthen the safety of those working in shops when they increased the maximum

⁷² Hungary, Governmental Decree no. 211/2020 on protective measures in the capital (211/2020. Korm. rendelet a fővárosi védelmi intézkedésekről), 18 May 2020, Section 7, available at: https://njt.hu/translated/doc/J2020R0211K_20200519_FIN.pdf.

⁷³ Hungary, Governmental Decree no. 168/2020 on protective measures (168/2020. (IV. 30.) Korm. rendelet a védelmi intézkedésekről), 4 May 2020, Section 7, available at: https://njt.hu/translated/doc/J2020R0168K_20200518_FIN.pdf.

⁷⁴ Hungary, Governmental Decree no. 168/2020 on protective measures (168/2020. (IV. 30.) Korm. rendelet a védelmi intézkedésekről), 4 May 2020, Section 2(1), available at: https://njt.hu/translated/doc/J2020R0168K_20200518_FIN.pdf.

⁷⁵ Government Decree 47/2020 on immediate measures necessary for alleviating the effects of the coronavirus pandemic on national economy (47/2020. (III. 18.) Korm. rendelet a koronavírus világjárvány nemzetgazdaságot érintő hatásának enyhítése érdekében szükséges azonnali intézkedésekről), 18 March 2020, Section 6(2), available at: http://njt.hu/translated/doc/J2020R0047K_20200507_FIN.pdf.

⁷⁶ National Public Health Centre (Nemzeti Népegészségügyi Központ) (2020), 'Guidance to restart work at the workplace' (Ajánlás az újbóli munkahelyi munkavégzés megkezdéséhez), 19 May 2020, available at: <https://www.nnk.gov.hu/index.php/koronavirus-tajekoztato/646-ajanlas-az-ujboli-munkahelyi-munkavegzes-megkezdesehez>

⁷⁷ National Public Health Centre (Nemzeti Népegészségügyi Központ) (2020), 'Guidance to restart work at the workplace' (Ajánlás az újbóli munkahelyi munkavégzés megkezdéséhez), 19 May 2020, available at: <https://www.nnk.gov.hu/index.php/koronavirus-tajekoztato/646-ajanlas-az-ujboli-munkahelyi-munkavegzes-megkezdesehez>

threshold of contactless payment (i.e. the use of Paypass function on bank cards) from 5,000 HUF to 15,000 HUF (cc. €14 to €43) in March. He added the Government also made it possible for passengers of local bus transport and of train transport to purchase tickets through a mobile application.⁷⁸

In **Hungary**, the state secretary responsible for family and youth matters stated in a television interview held on 22 May 2020 that there was a growing need for nurseries and kindergartens. Around 10% of the children who, under normal circumstances would have gone to these facilities, actually attended the day care services that nurseries and kindergartens had to provide in small groups. The state secretary stressed this was the reason the Government decided to reopen all nurseries and kindergartens in the country as of 25 May 2020 and to allow summer camps to be held. She added, based on the results of an online survey, 72% of the parents wanted summer camps to be held in order to ease the burden on taking care of the children while the parents are at work. The state secretary, however, stressed that the reopened facilities must pay increased attention to provide for good hygiene and sanitary conditions at all times.⁷⁹

In **Hungary**, there has been no development concerning people in precarious work situations in May.

1.2.4 Access to justice

Focus on:

- *Strategies /steps to lift measures or restrictions previously imposed on court proceedings (e.g. resuming physical hearings)*
- *Measures to address the backlog in cases/proceedings prompted by lockdown restrictions*

In **Hungary**, no new rules have entered into force to lift the restrictions on the operation of courts in May, therefore, clients are still not allowed to enter the court building and personal client reception is also suspended at the administrative offices of the courts.⁸⁰ The court shall, as far as possible, conduct the proceedings in all cases by means of an electronic communications' network or other means capable of transmitting electronic images and sound.⁸¹ An online video was made available on the central website of the court system to educate clients on the use of electronic communication channels in court proceedings in May.⁸² There have been no reports on a backlog in court cases or measures to address them, if any, in May.

⁷⁸ Kormany.hu (2020), 'For the protection of those working in commerce and in public transport, it is important to keep the rules on physical distancing and on using masks' (*A kereskedelemben és a közösségi közlekedésben dolgozók egészségének megóvása érdekében fontos, hogy mindenki betartsa a védőtávolságra és maszkhasználatra vonatkozó szabályokat*), 20 May 2020, available at: <https://www.kormany.hu/hu/innovacios-es-technologiai-miniszterium/parlamenti-allamtitkar/hirek/a-kereskedelemben-es-a-kozossegi-kozlekedesben-dolgozok-egeszsegenek-megovasa-erdekeben-fontos-hogy-mindenki-betartsa-a-vedotavolsagra-es-a-maszkhasznalatra-vonatkozo-szabalyokat>.

⁷⁹ Kormany.hu (2020), 'The need for nurseries and kindergartens increased dramatically' (*Drasztikusan nőtt az igény a bölcsődékre, óvodákra*), 22 May 2020, available at: <https://www.kormany.hu/hu/emberi-eroforrasok-miniszteriuma/csalad-es-ifjusagugyvert-felelos-allamtitkarsag/hirek/drasztikusan-nott-az-igeny-a-bolcsodekre-ovodakra>.

⁸⁰ Hungary, Governmental Decree no. 74/2020 on certain procedural measures applicable during the period of state of danger (74/2020. (III. 31.) Korm. rendelet a veszélyhelyzet ideje alatt érvényesülő egyes eljárásjogi intézkedésekről), 31 March 2020, Article 21, available at: https://njt.hu/translated/doc/J2020R0074K_20200508_FIN.pdf.

⁸¹ Hungary, Governmental Decree no. 74/2020 on certain procedural measures applicable during the period of state of danger (74/2020. (III. 31.) Korm. rendelet a veszélyhelyzet ideje alatt érvényesülő egyes eljárásjogi intézkedésekről), 31 March 2020, Article 26, available at: https://njt.hu/translated/doc/J2020R0074K_20200508_FIN.pdf.

⁸² Courts of Hungary (2020), 'Online court proceedings' (*Online bírósági ügyintézés*), available at: <https://birosag.hu/media/11364>.

However, a new Government Decree, amending the Government Decree no. 74/2020 and outlining changes to the pandemic-related procedural rules with an entry into force of 1 June 2020, was promulgated on 25 May 2020,⁸³ and the courts also published information materials on these amendments on their website on 29 May 2020.⁸⁴ The new rules detail the rules of online hearings, and provide for measures to decrease the presence of the parties in the court buildings.

1.2.5 Freedom of movement

Focus on:

- *Steps to reopen borders/lift restrictions on freedom of movement to (external borders) and within the EU (internal borders), including rules or restrictions applying to certain categories of people (citizens; ‘essential workers’; cross border commuters etc). Please mention what requirements are in place for various categories of people to enter country (e.g. negative COVID-19 test result and/or obligation to self quarantine; work certificate etc).*
- *Any changes to asylum application procedures (e.g. lifting of temporary suspensions or restrictions on procedures, or mentioning whether such restrictions are rather still in place)*

In **Hungary**, the general rules on entry to the country remained in place in May. Governmental Decree no. 81/2020 prohibits non-Hungarian citizens arriving from abroad in passenger traffic to enter Hungary.⁸⁵ The decree states EEA citizens who are entitled to permanent residence in Hungary and who can prove this right with a permanent residence card can enjoy the same treatment as Hungarian citizens in relation to entry into Hungary.⁸⁶ Exception under the general prohibition on entering is allowed with the permission of the National Police Headquarters (*Országos Rendőr-főkapitányság*) provided that the person concerned undergoes a medical examination that does not result in the suspicion of a COVID-19 infection and that the person is listed in the registry of the epidemiological authority.⁸⁷ This may be the option to those third-country citizens residing lawfully in Hungary who are trying to get back to the country. The National Chief of Police is authorised to establish special rules for the citizens of neighbouring countries and, based on humanitarian purposes, to those transiting through Hungary. Also, the National Chief of Police may entitle persons (citizens of a neighbouring country or Hungarian citizens without domicile in Hungary) from the

⁸³ Hungary, Governmental Decree no. 229/2020 on the amendment of Governmental Decree no. 74/2020 on certain measures applicable during the period of state of danger and of Governmental Decree no. 90/2020 on amending certain rules related to penal law in relation to the promulgation of state of danger (229/2020. (V. 25.) Korm. rendelet a veszélyhelyzet ideje alatt érvényesülő egyes eljárásjogi intézkedésekről szóló 74/2020. (III. 31.) Korm. rendelet, valamint a veszélyhelyzet kihirdetésével összefüggésben egyes büntetés-végrehajtási szabályok módosításáról szóló 90/2020. (IV. 5.) Korm. rendelet módosításáról), 25 May 2020, available at http://njt.hu/cgi_bin/njt_doc.cgi?docid=219685.383456.

⁸⁴ Courts of Hungary (2020), ‘Rules for court proceeding will change as of 1 June – the information leaflets are available’ (*Június 1-étől változik a bíróságok előtti eljárás rendje – elérhetők a tájékoztatók*), 29 May 2020, available at: <https://birosag.hu/hirek/kategoria/ugyfeleknek/junius-1-etol-valtozik-birosagok-elotti-eljaras-rendje-elarhetok>.

⁸⁵ Hungary, Governmental Decree no. 81/2020 on extraordinary measures relating to the state of danger declared for the protection of health and lives and for the restoration of national economy (81/2020. (IV. 1.) Korm. rendelet az egészség és élet megóvása, valamint a nemzetgazdaság helyreállítása érdekében elrendelt veszélyhelyzettel kapcsolatos rendkívüli intézkedésekről), 1 April 2020, Section 2, available at: https://njt.hu/translated/doc/J2020R0081K_20200514_FIN.pdf.

⁸⁶ Hungary, Governmental Decree no. 81/2020 on extraordinary measures relating to the state of danger declared for the protection of health and lives and for the restoration of national economy (81/2020. (IV. 1.) Korm. rendelet az egészség és élet megóvása, valamint a nemzetgazdaság helyreállítása érdekében elrendelt veszélyhelyzettel kapcsolatos rendkívüli intézkedésekről), 1 April 2020, Section 7, available at: https://njt.hu/translated/doc/J2020R0081K_20200514_FIN.pdf.

⁸⁷ Hungary, Governmental Decree no. 81/2020 on extraordinary measures relating to the state of danger declared for the protection of health and lives and for the restoration of national economy (81/2020. (IV. 1.) Korm. rendelet az egészség és élet megóvása, valamint a nemzetgazdaság helyreállítása érdekében elrendelt veszélyhelyzettel kapcsolatos rendkívüli intézkedésekről), 1 April 2020, Section 4(1), available at: https://njt.hu/translated/doc/J2020R0081K_20200514_FIN.pdf.

neighbouring countries to enter if they are part of the workforce for the agricultural sector.⁸⁸ The National Chief of Police may lay down rules on workplace quarantine as well.⁸⁹ Hungarian citizens arriving by passenger traffic from abroad are generally obliged to stay in home quarantine for 14 days.⁹⁰ Hungarian citizens, however, arriving home from the Czech Republic, Poland, South Korea, Germany, Austria, Slovakia or Japan are not obliged to stay in home quarantine after a trip for business reasons made in the territory of any of these countries, provided that the Hungarian citizen is an executive officer or employee of a company registered in Hungary or in any of the states listed above that has an affiliated relation with another company registered at least in one of the states listed above (affiliated undertakings). The same applies to non-Hungarian citizens who are citizens of any of the seven countries listed above.⁹¹

In **Hungary**, the website of the Police provides for updated information on entry from the neighbouring countries. The National Chief of Police, based on the authorisation provided for him in Governmental Decree no. 81/2020, allows entry to citizens of the neighbouring countries (Austria, Slovakia, Ukraine, Romania, Serbia, Croatia, Slovenia). The Police's website indicates the situations in which citizens of each of the neighbouring countries are obliged to stay in home quarantine for 14 days after entering Hungary. In general, family members of Hungarian citizens are obliged to stay in home quarantine after entering, while commuters are not bound by this restriction.⁹² As of 27 May 2020, citizens of the Czech Republic, Slovakia and Hungary may enter into these countries without the obligation to stay in a home quarantine in case their stays in the territory of the other country do not exceed 48 hours.⁹³ As of 28 May 2020, citizens of Slovenia and Hungary may enter into these countries without the obligation to stay quarantined at home. If, after entering the territory of Hungary, a Hungarian citizen or a Slovakian citizen staying in the territory of Hungary experiences symptoms of a COVID-19 infection, he/she cannot leave his/her domicile, place of residence or accommodation and shall notify the epidemiological authority by telephone without delay. EEA citizens entitled to permanent residence and can prove this right with permanent residence cards are also entitled to the same treatment as Hungarian citizens in this regard.⁹⁴

⁸⁸ Hungary, Governmental Decree no. 81/2020 on extraordinary measures relating to the state of danger declared for the protection of health and lives and for the restoration of national economy (81/2020. (IV. 1.) Korm. rendelet az egészség és élet megóvása, valamint a nemzetgazdaság helyreállítása érdekében elrendelt veszélyhelyzettel kapcsolatos rendkívüli intézkedésekről), 1 April 2020, Section 4(2), available at: https://njt.hu/translated/doc/J2020R0081K_20200514_FIN.pdf.

⁸⁹ Hungary, Governmental Decree no. 81/2020 on extraordinary measures relating to the state of danger declared for the protection of health and lives and for the restoration of national economy (81/2020. (IV. 1.) Korm. rendelet az egészség és élet megóvása, valamint a nemzetgazdaság helyreállítása érdekében elrendelt veszélyhelyzettel kapcsolatos rendkívüli intézkedésekről), 1 April 2020, Section 4(2), available at: https://njt.hu/translated/doc/J2020R0081K_20200514_FIN.pdf.

⁹⁰ Hungary, Governmental Decree no. 81/2020 on extraordinary measures relating to the state of danger declared for the protection of health and lives and for the restoration of national economy (81/2020. (IV. 1.) Korm. rendelet az egészség és élet megóvása, valamint a nemzetgazdaság helyreállítása érdekében elrendelt veszélyhelyzettel kapcsolatos rendkívüli intézkedésekről), 1 April 2020, Section 3, available at: https://njt.hu/translated/doc/J2020R0081K_20200514_FIN.pdf.

⁹¹ Hungary, Governmental Decree no. 81/2020 on extraordinary measures relating to the state of danger declared for the protection of health and lives and for the restoration of national economy (81/2020. (IV. 1.) Korm. rendelet az egészség és élet megóvása, valamint a nemzetgazdaság helyreállítása érdekében elrendelt veszélyhelyzettel kapcsolatos rendkívüli intézkedésekről), 1 April 2020, Section 4/A, available at: https://njt.hu/translated/doc/J2020R0081K_20200514_FIN.pdf.

⁹² National Police Headquarters (Országos Rendőr-főkapitányság) (2020), 'Entry from the neighbouring countries' (Beutazás a szomszédos országokból Magyarországra), 23 May 2020, available at: <http://www.police.hu/hu/hirek-es-informaciok/legfrissebb-hireink/hatarrendeszet/beutazas-a-szomszedos-orszagokbol>.

⁹³ Hungary, Governmental Decree no. 235/2020 on crossing the border from the Czech Republic and from Slovakia (235/2020. (V. 26.) Korm. rendelet a Cseh Köztársaságból és a Szlovák Köztársaságból történő határátlépésről), 27 May 2020, available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=219702.383491.

⁹⁴ Hungary, Government Decree no. 243/2020 on crossing the border from the Republic of Slovenia (243/2020 (V. 28.) a Szlovén Köztársaságból történő határátlépésről), 29 May 2020, available at: https://njt.hu/translated/doc/J2020R0243K_20200528_FIN.pdf.

In **Hungary**, until 21 May 2020, the transit zones (Röszke, Tompa) remained sealed and asylum-seekers could not enter or leave the transit zones. Following the decision of the Court of Justice of the European Union that found that placing of asylum seekers or third-country nationals who are subjects of a return decision in the transit zone was *de facto* detention,⁹⁵ the Government decided to close the transit zones and transported all asylum-seekers from Röszke and from Tompa to the open refugee camps in Vámoszabadi and Balassagyarmat.⁹⁶ Pursuant to Governmental Decree 233/2020 that entered into force on 27 May 2020,⁹⁷ the Government plans that the submission of declaration of intent to lodge an application will only be possible outside the territory of Hungary, at the Hungarian diplomatic mission abroad, and that asylum-seekers cannot enter the country until their declarations of intent are positively concluded.⁹⁸ The national security advisor to the Prime Minister stated in a television interview on 23 May 2020 that migration may speed up when the Government lifts the restrictive measures that it introduced in relation to the Coronavirus outbreak. The national security advisor added that the number of those attempting to illegally cross the borders already started to increase in the second half of May.⁹⁹

1.3 Impact of measures on particular groups

Select the three most relevant groups from the following:

- *persons with disabilities,*
- *homeless people,*
- *Roma and Travellers (Note – for those countries requested to collect additional data on the impact of COVID-19 on Roma – Service request No 33 (Belgium, Bulgaria, Czechia, Ireland, Greece, Spain, France, Croatia, Italy, Hungary, Netherlands, Portugal, Romania, Slovakia and Sweden), information submitted on Roma for Bulletin 3 should not be duplicated in this additional data collection)*
- *Detainees (including measures on early release or alternatives to detention)*
- *or another group not listed that have immersed in your country as facing particular challenges - before selection, this should be discussed with FRA.*

Persons with disabilities

In **Hungary**, the National Assembly of Associations for Persons with Disabilities (*Mozgáskorlátozottak Egyesületeinek Országos Szövetsége*) launched a crisis hotline (COVID-19 crisis hotline) to help persons with disabilities who are in need due to the lack of proper assistance in the

⁹⁵ Court of Justice of the European Union, Judgment in Joined Cases C-924/19 PPU and C-295/19 PPU FMS and Others v Országos Idegenrendészeti Főigazgatóság Dél-alföldi Regionális Igazgatóság and Országos Idegenrendészeti Főigazgatóság, 14 May 2020, available at: <https://curia.europa.eu/jcms/upload/docs/application/pdf/2020-05/cp200060en.pdf>.

⁹⁶ Hungarian Helsinki Committee (*Magyar Helsinki Bizottság*) (2020), Facebook entry on 21 May 2020, available at: <https://www.facebook.com/helsinkibizottsag/>.

⁹⁷ Hungary, Governmental Decree no. 233/2020 on the rules of asylum procedure during the state of danger for the prevention of the human epidemic endangering life and property and causing massive disease outbreaks, for the elimination of its consequences, and for the protection of the health and lives of Hungarian citizens (233/2020. (V. 26.) Korm. rendelet az élet- és vagyonbiztonságot veszélyeztető tömeges megbetegedést okozó humánjárvány megelőzése, illetve következményeinek elhárítása, a magyar állampolgárok egészségének és életének megóvása érdekében elrendelt veszélyhelyzet során a menekültügyi eljárás szabályairól), 27 May 2020, available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=219700.383485.

⁹⁸ Kormany.hu (2020), 'Soros' organisation makes fake news and hopes in vain' (*Soros szervezete álhíreket gyárt és hiába reménykedik*), 21 May 2020, available at: <https://www.kormany.hu/hu/miniszterelnoki-kabinetiroda/hirek/soros-szervezete-alhireket-gyart-es-hiaba-remenykedik>.

⁹⁹ Kormany.hu (2020), 'Migration pressure may speed up once the epidemic ends' (*Fokozódhat a migrációs nyomás a járvány után*), 23 May 2020, available at: <https://www.kormany.hu/hu/hirek/fokozodhat-a-migracios-nyomas-a-jarvany-utan>.

current COVID-19 situation. The crisis hotline provides for social care and legal advice. The Assembly called persons with disabilities to turn to the hotline in case mandatory care (e.g. to assist them in bathing, dressing, shopping, delivering hot meals) is denied to them, in case they have been recently discharged from the hospital, in case they are unable to take care of themselves, or in case they cannot get access to the medical supply they need. The crisis hotline aims to direct persons on where to turn to get the care they are entitled to and on how to launch the proceedings necessary in case persons or institutions who are obliged to take care of them deny to perform their duties. The hotline is available by calling +36-20-219-5577 every working day between 8am and 4pm.¹⁰⁰ There is no information available in the public domain on how many people with disabilities have used the hotline.

In **Hungary**, the National Assembly of Associations for Persons with Disabilities (*Mozgáskorlátozottak Egyesületeinek Országos Szövetsége*) released a statement on its website on 8 May 2020 to call the attention of the Minister for Human Capacities on missing vital medical aid devices that cannot be ordered through an electronic prescription. While in the state of danger, most pharmaceuticals and medical items can be ordered by medical doctors via e-prescriptions,¹⁰¹ some vital devices that persons with disabilities rely on are missing from the pool of items (e.g. ostomy pouch, accessories to respiratory assistance machines, suction catheter). The Assembly urges the Minister to widen the scope of the e-prescription system to cover these devices and to allow persons with disabilities to obtain the e-prescription without visiting the doctor, and to be able to use a single e-prescription multiple times if there is a recurring need for the devices. The Assembly stresses the e-prescription system still requires the patient to show up in person at the medical service provider. Therefore, the current scheme may help people receive the necessary items more easily; however, it does not provide for a solution for the obligation of the patient to see a medical doctor every time he/she runs out of the necessary medical items. The Assembly believes the current state of danger and the consequences of it (e.g. restrictions in relation to visiting medical service providers, mandatory appointment booking through the phone, longer waiting times) seriously endanger persons with disabilities to get access to the medical items that they need on a regular basis.¹⁰²

Homeless people

In **Hungary**, the city mayor of Budapest announced on 4 May 2020 that homeless people who otherwise would not be able to find a shelter in Csepel, one of the districts of Budapest, would be able to use a wing of the City Hall of Budapest as a shelter for the duration of the state of danger. Earlier, the city mayor of Csepel protested against the request of the city mayor of Budapest to establish a temporary homeless shelter that may help enforce the rules on physical distancing for the homeless. The designated wing of the City Hall of Budapest underwent a quick renovation in

¹⁰⁰ National Assembly of Associations for Persons with Disabilities (*Mozgáskorlátozottak Egyesületeinek Országos Szövetsége*) (2020), 'COVID-19 crisis hotline is launched to persons with disabilities' (*Indul a COVID-19 Krízisvonalunk mozgássérült embereknek*), 24 April 2020, available at: <http://www.meosz.hu/blog/indul-a-covid-19-krizisvonalunk-mozgasserult-embereknek/>.

¹⁰¹ Hungary, Decree of the Minister for Health, Social and Family Affairs no. 44/2004 on the perscription and handing over of human pharmaceuticals (44/2004. (IV. 28.) ESZCSM rendelet az emberi felhasználásra kerülő gyógyszerek rendeléséről és kiadásáról), 28 April 2004, Section 23/C, available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=84408.380656.

¹⁰² National Assembly of Associations for Persons with Disabilities (*Mozgáskorlátozottak Egyesületeinek Országos Szövetsége*) (2020), 'The ostomy pouch is also not available through e-perscription – vital medical aid items are missing from the pool of e-perscription' (*A sztómazsák továbbra sem rendelhető eRecepten – létfontosságú gyógyászati segédeszközök hiányoznak az elektronikus rendelési körből*), 8 May 2020, available at: <http://www.msme.hu/wp-content/uploads/2020/05/2020.-05.08.-gyse-eRecept-közlemény.pdf>.

May to ensure that the rules on physical distancing can be kept there.¹⁰³ The number of persons who will be sheltered in this designated wing was not specified in the communication of the city mayor.

Detainees

In **Hungary**, the Hungarian Prison Service Headquarters (*Büntetésvégrehajtás Országos Parancsnoksága*) ordered penitentiary institutions to perform a complex preventative disinfection in all 30 prisons of Hungary, disinfecting 11,000 cells using 85,000 litres of disinfectant in the first week of May 2020.¹⁰⁴ Disinfection covered outdoor and indoor areas of prisons, transportation corridors, sports facilities, work rooms, ward offices and vehicles. Disinfection is planned to be repeated regularly. The Command believes that this complex and regular disinfection resulted in no reports of infected detainees inside the penitentiaries in Hungary.¹⁰⁵ There have been no comprehensive testing strategies implemented in penitentiaries. Procedures have been established for cases of suspected infection within penal institutions. Continuous supply of medication as well as of consumables needed to operate the medical and emergency devices is ensured. The newly admitted prisoners are confined and monitored for 14 days from the date of admission. As of 2 April 2020, the Chief Medical Officer of State has designated the Central Hospital of the Hungarian Prison Service to the hospitalization of prisoners who may be infected by the virus.¹⁰⁶ The ban on visiting penitentiaries was still in place in May and there was no information about when this would be lifted.

¹⁰³ Hvg (2020), 'The Budapest City Hall will welcome homeless people during the epidemic' (*A budapesti Városházára fogadnak be hajléktalanokat a járvány idejére*), 4 May 2020, available at: https://hvg.hu/itthon/20200504_varoshaza_budapest_csepel_hajlektalan_karacsony.

¹⁰⁴ See the general homepage: <https://bv.gov.hu/en/headquarters>

¹⁰⁵ Hungarian Prison Service Headquarters (*Büntetésvégrehajtás Országos Parancsnoksága*) (2020), 'The preventive disinfection of prisons has ended' (*Befejeződött a börtönök megelőző fertőtlenítése*), 5 May 2020, available at: <https://bv.gov.hu/hu/node/3592>.

¹⁰⁶ Europris (2020), 'Prevention Measures in European Prisons against COVID-19 – Hungarian Prison Service', 8 April 2020, available at: <https://www.europris.org/hungarian-prison-service-hu/>.

2 Impact on fundamental rights of older people

Please provide information under each title / sub-title; and indicate n/a when no information available.

2.1 Data/statistics

Where available, data should be disaggregated by age groups and sex.

2.1.1 Share of persons 60+ in the total number of persons in the community infected, recovered and died in relation to COVID-19.

In **Hungary**, there are no regularly updated statistics available in the public domain on persons over 60 years of age who were infected and recovered in relation to COVID-19. The Operational Corps, however, from time to time, report on the current situation. The last report was made on 25 May 2020.¹⁰⁷

- Infected by COVID-19

In **Hungary**, until 25 May 2020, 1,975 persons aged 60+ had been infected by COVID-19. This accounts for 52.5% of those infected by the virus.¹⁰⁸

- Recovered from COVID-19

In **Hungary**, there is no report on the number and share of persons aged 60+ who recovered from COVID-19.

- Died in relation to COVID-19

In **Hungary**, until 31 May 2020, 498 persons 60+ years of age died in relation to COVID-19. This is 95% of all deceased.¹⁰⁹

2.1.2 Share of persons 60+ in the total number of persons in institutional settings infected, recovered and died in relation to COVID-19.

In **Hungary**, there are no regularly updated statistics available in the public domain on those infected, recovered or died in relation to COVID-19 in institutional settings. The Operational Corps, from time to time, provides some details during their daily press conferences. The last update was made on 15 May 2020 regarding statistics on all residential care homes in the country.¹¹⁰ For certain residential care homes, however, the Operational Corps provide statistics sporadically; regarding the residential care homes of Pesti street and Kamaraerdő street in Budapest, the Corps provided an update on 22 May 2020.¹¹¹

¹⁰⁷ Koronavirus.gov.hu (2020), 'National Chief Public Health Officer: the epidemic is in its decaying stage' (*Országos tisztifőorvos: a járvány lecsengő szakaszában van*), 25 May 2020, available at: <https://koronavirus.gov.hu/cikkek/orszagos-tisztifoorvos-jarvany-lecsengo-szakaszaban-van>.

¹⁰⁸ Koronavirus.gov.hu (2020), 'National Chief Public Health Officer: the epidemic is in its decaying stage' (*Országos tisztifőorvos: a járvány lecsengő szakaszában van*), 25 May 2020, available at: <https://koronavirus.gov.hu/cikkek/orszagos-tisztifoorvos-jarvany-lecsengo-szakaszaban-van>.

¹⁰⁹ Koronavirus.gov.hu (2020), 'Deceased' (*Elhunytak*), 31 May 2020, available at: <https://koronavirus.gov.hu/elhunytak>.

¹¹⁰ Koronavirus.gov.hu (2020), '105 people died in elderly care homes' (*105-re nőtt az időotthonokban elhunytak száma*), 15 May 2020, available at: <https://koronavirus.gov.hu/cikkek/105-re-nott-az-idosotthonokban-elhunytak-szama>.

¹¹¹ Koronavirus.gov.hu (2020), 'New problems came to light in the residential care homes at Pesti street and Kamaraerdő street' (*A Pesti úti és a Kamaraerdei úti időotthonban is újabb hiányosságokra derült fény*), 22 May 2020, available at:

- Infected by COVID-19

In **Hungary**, until 15 May 2020, altogether 807 residents of residential care homes were infected by COVID-19.

- Recovered from COVID-19

In **Hungary**, until 15 May 2020, altogether 234 residents of residential care homes had recovered from COVID-19.

- Died in relation to COVID-19

In **Hungary**, until 15 May 2020, altogether 105 residents of residential care homes died in relation to COVID-19.

2.1.3 Number and type of institutions affected

In **Hungary**, there are no official statistics available on how many institutions with elderly residents were affected by the Coronavirus. Sporadic reports from the Operational Corps that list a few, mainly Budapest based residential care homes in which infected elderly people were identified. Outside of Budapest, residential care homes in Seregélyes, Mezőszilas, Zalaegerszeg, Borsodnádásd, Dunakeszi and Dabas also reported infections in May.¹¹² On 15 May 2020, the Operational Corps reported they had found infected older people in altogether 33 residential care homes (13 of them are located in Budapest). Altogether 807 residents and 220 staff members were infected there. On 15 May 2020, out of these infected elderly, 220 were hospitalised and 234 had recovered.¹¹³

2.1.4 Do official statistics on mortality rates from COVID-19 include deaths of older persons in care homes? Has there been any critique of data collection with respect to care homes?

In **Hungary**, the authorities decided on 31 March 2020 to publish detailed information on those who died in connection with COVID-19 on the official information website of the Government; however, it only provides for a list on the deceased persons showing the age, the gender and the chronic diseases that the deceased persons suffered from.¹¹⁴ It, however, does not provide for a list on those who died in care homes or in other institutional settings. From time to time, the Operational Corps provides data on the number of people who died in relation to COVID-19 in certain residential care homes in Budapest. On 15 May 2020, the Operational Corps reported altogether 105 residents of elderly care homes who had died in relation to COVID-19. Moreover, 59% of those infected in the residential care homes were from Budapest and 73% of the deceased people were also from

<https://koronavirus.gov.hu/cikkek/kormanyhivatal-pesti-uti-es-kamaraerdei-uti-idosotthonban-ujabb-hianyossagokra-derult-feny>.

¹¹² Koronavirus.gov.hu (2020), '105 people died in elderly care homes' (105-re nőtt az idősotthonokban elhunytak száma), 15 May 2020, available at: <https://koronavirus.gov.hu/cikkek/105-re-nott-az-idosotthonokban-elhunytak-szama>.

¹¹³ Koronavirus.gov.hu (2020), '105 people died in elderly care homes' (105-re nőtt az idősotthonokban elhunytak száma), 15 May 2020, available at: <https://koronavirus.gov.hu/cikkek/105-re-nott-az-idosotthonokban-elhunytak-szama>.

¹¹⁴ Koronavirus.gov.hu (2020), 'Deceased' (Elhunytak), 31 March 2020, available at: <https://koronavirus.gov.hu/elhunytak>.

Budapest.¹¹⁵ On 22 May 2020, the Operational Corps reported that 45 people died in the residential care home of Pesti street in Budapest out of the 306 residents who were infected by the Coronavirus there, and five people died out of the 47 infected in the Kamaraerdő street home in Budapest.¹¹⁶ There has been no critique of data collection with respect to care homes.

2.1.5 Independent studies published on the situation of older persons with respect to the impact of and responses to COVID-19

Please reference up to three studies and provide brief information on their focus.

In **Hungary**, a media article reported on a conference held on 25 May 2020 and organised by the Hungarian Health Economy Society (*Magyar Egészség-gazdaságtani Társaság*) that one of the speakers stressed the most endangered groups (older people and those suffering from chronic disease) had remained unprotected in Hungary. The speaker emphasised the decision makers did not rely on the opinion of health-economy experts and that they only protected those who were not in need. The speaker added that while the number of infections remained low, the number of deaths were significant and most deceased persons were from residential care homes. This, according to the speaker, proves that the protective measures failed to address vulnerable groups and imposed unnecessary negative economic consequences through restricting those who were not endangered by the virus.¹¹⁷

In **Hungary**, there were no independent studies identified on the situation of older persons with respect to the impact of and responses to COVID-19.

2.2 COVID-19 measures targeting older people

Please indicate the age group/s concerned; e.g. 60+, 65+, 70+ etc.

Please consult and refer in particular to measures related to existing or planned national exit strategies (policies/measures).

Please report on developments for the reference period 1 May – 31 May (inclusive) and on any changes/revisions of measures reported in the 1st and 2nd bulletin regarding older people.

In **Hungary**, legislation considers those over 65 years of age the most vulnerable to the virus. Therefore, the measures that aim to protect older people focus on those over 65 years of age.¹¹⁸

In **Hungary**, during the times of restriction on movement and on the first and second phases of protective measures, the respective Governmental decrees provided for a dedicated timeframe for the elderly to visit grocery stores, drugstores, pharmacies or stores marketing medical products or medical devices. This timeframe has been between 9am and 12am and is still in place. Other than

¹¹⁵ Koroanvirus.gov.hu (2020), '105 people died in elderly care homes' (105-re nőtt az időotthonokban elhunytak száma), 15 May 2020, available at: <https://koronavirus.gov.hu/cikkek/105-re-nott-az-idosotthonokban-elhunytak-szama>.

¹¹⁶ Koronavirus.gov.hu (2020), 'New problems came to light in the residential care homes at Pesti street and Kamaraerdő street' (A Pesti úti és a Kamaraerdei úti időotthonban is újabb hiányosságokra derült fény), 22 May 2020, available at: <https://koronavirus.gov.hu/cikkek/kormanyhivatal-pesti-uti-es-kamaraerdei-uti-idosotthonban-ujabb-hianyossagokra-derult-feny>.

¹¹⁷ Napi.hu (2020), 'Coronavirus: We did not protect those in need just those who were not endangered' (Koronavírus: nem védjük meg azokat, akiket kellett volna, csak azokat, akik nem szorultak rá), 26 May 2020, available at: https://www.napi.hu/magyar_gazdasag/koronvirus-magyarorszag-fertozes-jarvany.706906.html.

¹¹⁸ Hungary, Governmental Decree no. 168/2020 on protective measures (168/2020. (IV. 30.) Korm. rendelet a védelmi intézkedésekről), 4 May 2020, Section 3(1), available at: https://nit.hu/translated/doc/J2020R0168K_20200518_FIN.pdf.

the employees, no person under 65 years of age can stay in these stores during the dedicated timeframe.¹¹⁹ These measures have been in place since 28 March 2020. As of 18 May 2020, national legislation entrusts local governments to lay down special arrangements for the opening hours of a market operating in the city or town, and special arrangements for the access by the elderly to the market (e.g. limitation on the number of people who can stay inside, obliging sellers to wear masks and/or gloves) that may derogate from the provisions of national legislation.¹²⁰

2.2.1 **National guidelines/protocols in response to COVID-19 addressing older people**

- in residential care homes (including protective equipment, visits etc.)

In **Hungary**, the National Public Health Centre (*Nemzeti Népegészségügyi Központ*) published guidelines and protocols in preparation for the containment of the Coronavirus and on the measures that infection control requires in residential care homes. The guidelines require staff in the residential care homes to pay extra attention to hygiene and to question every resident daily on the typical signs of the COVID-19 infection.¹²¹

In **Hungary**, military commanders were sent to 18 residential care homes having more than 200 inhabitants in May to make proposals on the use of protective equipment and on the rules necessary to protect the elderly from the virus.¹²²

In **Hungary**, the largest number of older people identified as having been infected by the Coronavirus were from residential care homes located in Budapest. The local government of Budapest reported they had implemented the following measures in response to COVID-19 in these institutions:

- enforcing pandemic and isolation plans in each institute;
- providing for help in maintaining supply of protective tools (e.g. FFP2/FFP3 masks, protective clothing);
- maintaining frequent contact for the management of the residential care homes in Budapest;
- ensuring that a procedure is in place for the suspicion of infection.¹²³

¹¹⁹ Hungary, Governmental Decree no. 168/2020 on protective measures (168/2020. (IV. 30.) Korm. rendelet a védelmi intézkedésekről), 4 May 2020, Section 3(1)-(2), available at: https://nit.hu/translated/doc/J2020R0168K_20200518_FIN.pdf.

¹²⁰ Hungary, Governmental Decree no. 168/2020 on protective measures (168/2020. (IV. 30.) Korm. rendelet a védelmi intézkedésekről), 4 May 2020, Section 3(3), available at: https://nit.hu/translated/doc/J2020R0168K_20200518_FIN.pdf.

¹²¹ National Public Health Centre (*Nemzeti Népegészségügyi Központ*) (2020), 'Tasks of residential care homes in relation to the containment of COVID-19 infection and on infection control' (*A bentlakásos szociális intézmények COVID-19 fertőzéssel kapcsolatos felkészülési és infektókontroll feladatai*), 3 April 2020, available at: <https://www.nnk.gov.hu/index.php/koronavirus-tajekoztato/599-a-bentlakasos-szocialis-intezmenyek-covid-19-fertozessel-kapcsolatos-felkeszulesi-es-infekciokontroll-feladatai-2020-04-03>.

¹²² Koronavirus.gov.hu (2020), 'There will be hospital commanders in larger residential care homes too' (*A nagyobb időotthonokban is lesznek kórházparancsnokok*), 30 April 2020, available at: <https://koronavirus.gov.hu/cikkek/nagyobb-idosotthonokban-lesznek-korhazparancsnokok>.

¹²³ Local Government of Budapest (2020), 'Facts and lies in relation to the Coronavirus situation in residential care homes in Budapest' (*Tények és hazugságok a budapesti időotthonokban kialakult koronavírus helyzetről*), 5 May 2020, available at: <https://budapest.hu/Lapok/2020/tenyek-es-hazugsagok-a-budapesti-onkormanyzati-idosotthonokban-kialakul-koronavirus-helyzetrol.aspx>.

- in the community in general

In **Hungary**, as of March 28, a dedicated timeframe between 9am and 12am is reserved for the elderly (those over 65 years of age) to visit grocery stores, drugstores, pharmacies or stores marketing medical products of medical devices.¹²⁴ Local governments are obliged to assist people over 70 years of age who are unable to take care of themselves (e.g. shopping for groceries, pharmaceuticals).¹²⁵ As an example, in Pécs, a city in the southwestern part of Hungary, the local government teamed up with the local pharmacy and dedicated a vehicle to do the shopping and other everyday businesses (e.g. visit post offices, deliver hot meals) for the older people in the city.¹²⁶

2.2.2 **National guidelines/protocols on patient triage that apply age as the main and decisive criterion**

In **Hungary**, there are no national guidelines and protocols on patient triage that apply age as the main and decisive criterion available in the public domain. Medical service providers act under the general rules that apply to their activities, and no special rules in relation to the state of danger have been adopted on patient triage. All patients, including older people must book an appointment over the phone before visiting medical facilities and the facilities decide on patient triage.¹²⁷

2.2.3 **Targeted testing of residents and staff in residential care homes**

- Is this laid down in a targeted policy/measure or done on an ad-hoc basis when a case has been detected?

In **Hungary**, residents and staff members of residential care facilities are tested on an ad-hoc basis when a case has been detected. The Local Government of Budapest, however, reported to have

¹²⁴ Hungary, Governmental Decree no. 168/2020 on protective measures (168/2020. (IV. 30.) Korm. rendelet a védelmi intézkedésekről), 4 May 2020, Section 3(1)-(2), available at: https://njt.hu/translated/doc/J2020R0168K_20200518_FIN.pdf.

¹²⁵ Hungary, Governmental Decree no. 46/2020. on prevention, avoidance of the mass human disease threatening the safety of human health and property, and on the measures taken in the state of emergency in order to protect the health of the Hungarian citizens (III.) (46/2020. (III. 11.) Korm. rendelet az élet- és vagyonbiztonságot veszélyeztető tömeges megbetegedést okozó humánjárvány megelőzése, illetve következményeinek elhárítása, a magyar állampolgárok egészségének és életének megóvása érdekében elrendelt veszélyhelyzet során teendő intézkedésekről (III.)), 16 March 2020, Article 2, available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=218547.380736

¹²⁶ Pecs.hu (2020), 'A local pharmacy helps providing care to the elderly using a vehicle' (Helyi patika segíti kölcsönautóval a pécsi idősek és rászorulókat ellátását), 19 May 2020, available at: https://www.pecs.hu/tartalmak/Helyi_patika_segiti_kolcsonautoval_a_pecsi_idosek_es_raszorulok_ellatasat.

¹²⁷ Kormany.hu (2020), 'For all medical services, booking an appointment in advance is mandatory' (Valamennyi egészségügyi ellátáshoz előzetes bejelentkezés szükséges), 19 May 2020, available at: <https://www.kormany.hu/hu/hirek/valamennyi-egeszsegugyi-ellatashoz-elozetes-bejelentkezes-szukseges>.

purchased 20,000 PCR tests to use on the most vulnerable groups in Budapest (residential care homes and homeless shelters) as the Government has no targeted policy on testing.¹²⁸

- Data/statistics on testing & frequency of testing – institutions, residents, staff

In **Hungary**, by 21 May 2020, the Local Government of Budapest performed 8,577 PCR tests in residential care facilities and homeless shelters in Budapest (residents and staff members were also tested) and found that only 1.5% of the persons (including both older and homeless people) were infected. There is no information available on the aggregation of the results between older people and homeless people. The local government plans to conduct another round of testing in the autumn in preparation for the second phase of the epidemic.¹²⁹ There is no official data available on the number and frequency of testing residents and staff in residential care homes elsewhere in the country.

2.2.4 Restrictions/bans on visits to residential care settings, and any (conditional) lifting of these restrictions

Please report on the conditions applied.

In **Hungary**, residential care facilities have been facing a ban on visits. Also, residents cannot leave the facility and new residents cannot be admitted.¹³⁰ These restrictions have been in place since 18 March 2020 and there has been no information on lifting of these restrictions.

2.2.5 Restrictive measures for older people living in the community

Please report on any restrictions for older people after gradual lifting of confinement measures (e.g. use of public services, work, and participation in voluntary and social activities).

In **Hungary**, while lifting of the restriction on movement took place on 4 May 2020 in the country and on 18 May 2020 in Budapest, the previously introduced restrictive measures targeting older people (designated timeframe for shopping, rules on providing care to the elderly by the local government) remained in place.¹³¹ The Government still advises those over 70 years of age to stay at home, however, this is not mandatory and not enforced.¹³²

¹²⁸ Portfolio (2020), 'Very few infected were identified among the elderly and the homeless in Budapest' (*Kevés koronavírus-fertőzöttet találtak a budapesti idősek és hajléktalanok között*), 21 May 2020, available at: <https://www.portfolio.hu/gazdasag/20200521/keves-koronavirus-fertozottet-talaltak-a-budapesti-idosek-es-hajlektalanok-kozott-433272>.

¹²⁹ Portfolio (2020), 'Very few infected were identified among the elderly and the homeless in Budapest' (*Kevés koronavírus-fertőzöttet találtak a budapesti idősek és hajléktalanok között*), 21 May 2020, available at: <https://www.portfolio.hu/gazdasag/20200521/keves-koronavirus-fertozottet-talaltak-a-budapesti-idosek-es-hajlektalanok-kozott-433272>.

¹³⁰ Koronavirus.gov.hu (2020), 'The epidemiological authority ordered residential care facilities to implement new measures' (*Újabb intézkedések végrehajtására utasította a járványügyi hatóság az idősek otthonainak fenntartóit*), 6 April 2020, available at: <https://koronavirus.gov.hu/cikkek/ujabb-intezkedesek-vegrehajtasara-utasitotta-jarvanyugyi-hatosag-az-idosek-otthonainak>.

¹³¹ Hungary, Governmental Decree no. 168/2020 on protective measures (168/2020. (IV. 30.) Korm. rendelet a védelmi intézkedésekről), 4 May 2020, Section 3, available at: https://njt.hu/translated/doc/J2020R0168K_20200518_FIN.pdf.

¹³² Hungary, Governmental Decree no. 46/2020. on prevention, avoidance of the mass human disease threatening the safety of human health and property, and on the measures taken in the state of emergency in order to protect the health of the Hungarian citizens (III.) (46/2020. (III. 11.) Korm. rendelet az élet- és vagyonbiztonságot veszélyeztető tömeges megbetegedést okozó humánjárvány megelőzése, illetve következményeinek elhárítása, a magyar állampolgárok egészségének és életének megóvása érdekében elrendelt veszélyhelyzet során teendő intézkedésekről (III.)), 16 March 2020, Article 2(1), available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=218547.380736.

2.2.6 Access to healthcare for older people for conditions unrelated to COVID-19

Please report on measures targeted at older people living in the community and in institutional care settings (e.g. home-based visits, mobile health care, other hospital treatment).

In **Hungary**, prior to 18 May 2020, the Government ordered hospitals to suspend medical treatment and postpone surgeries in case they were not vital or urgent in order to save on blood supply.¹³³ Hospitals urged people who did not have severe medical conditions to reach out to the doctors over the phone instead of showing up in person.¹³⁴ Those suffering from chronic diseases could consult their doctors in a distance format and the doctor could prescribe their medications using an electronic prescription.¹³⁵ By the beginning of May, medical service providers were obliged to free up 60% of their beds in preparation for treating a massive number of infected people.¹³⁶ As of 18 May 2020, medical services can be provided again without restriction and non-urgent surgeries can also be performed.¹³⁷ All patients, however, must book an appointment over the phone before visiting medical facilities and staff members check for symptoms of COVID-19 before people can enter the facilities.¹³⁸ There are no special rules, protocols or guidelines on older people in relation to access to healthcare unrelated to COVID-19.

2.2.7 Support measures and promising practices targeting older people, including access to goods and services online and offline, social/psychological support, and use of digital tools and technology

Please also report on any targeted measures for people with dementia.

In **Hungary**, there have been no support measures adopted targeting older people to assist them with access to goods and services online or to provide for social/psychological support at a national level. Local governments, however, are obliged to assist people over the age of 70 years who are unable to take care of themselves (e.g. shopping for groceries, pharmaceuticals).¹³⁹ This can be

¹³³ Index (2020), 'Hospitals are given blood only for emergency surgeries' (*Csak a sürgősségi műtétekhez kapnak vért a kórházak*), 14 March 2020, available at: https://index.hu/belfold/2020/03/14/ovsz_surgossegi_mutet_verkeszitmeny/.

¹³⁴ Index (2020), 'More hospitals introduce strict policies due to the state of emergency' (*Több kórház is komoly szigorításokat vezet be a veszélyhelyzet miatt*), 16 March 2020, available at: https://index.hu/belfold/2020/03/16/koronavirus_magyarorszagon_korhaz_mukodesi_korlatozas/.

¹³⁵ Hungary, Decree of the Minister of Human Capacities no. 10/2020 on the amendment of certain health care decrees necessary because of the state of emergency (10/2020. (III. 14.) EMMI rendelet a kihirdetett veszélyhelyzet miatt szükséges egyes egészségügyi tárgyú miniszteri rendeletek módosításáról), 14 March 2020, Article 3, available at: <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=2ahUKEwigTYG73qHoAhVyx4sKHfiqAdQQFJAegQIAhAB&url=https%3A%2F%2Fmagyarokozlony.hu%2Fdokumentumok%2F9421b74af54379d07ba8934a5fe3180c7f62d0be%2Fletoltes&usg=AOvVaw2kjf1ALElCHfZiuAHuK5x>.

¹³⁶ Koronavirus.gov.hu (2020), 'Hospitals across the country are in preparation for the mass infection' (*A kórházak országszerte felkészülnek a tömeges megbetegedésekre*), 15 April 2020, available at: <https://koronavirus.gov.hu/cikkek/korhazak-orszagszerte-felkeszulnek-tomeges-megbetegedesekre>.

¹³⁷ Kormany.hu (2020), 'Starting from 18 May, new hospital services are relaunched' (*Május 18-tól újabb kórházi ellátások indulhatnak újra*), 15 May 2020, available at: <https://www.kormany.hu/hu/video/majus-18-tol-ujabb-korhazi-ellatasok-indulhatnak-ujra>.

¹³⁸ Kormany.hu (2020), 'For all medical services, booking an appointment in advance is mandatory' (*Valamennyi egészségügyi ellátáshoz előzetes bejelentkezés szükséges*), 19 May 2020, available at: <https://www.kormany.hu/hu/hirek/valamennyi-egeszsegugyi-ellatashoz-elozetes-bejelentkezes-szukseges>.

¹³⁹ Hungary, Governmental Decree no. 46/2020. on prevention, avoidance of the mass human disease threatening the safety of human health and property, and on the measures taken in the state of emergency in order to protect the health of the Hungarian citizens (III.) (46/2020. (III. 11.) Korm. rendelet az élet- és vagyonbiztonságot veszélyeztető tömeges megbetegedést okozó humánjárvány megelőzése, illetve következményeinek elhárítása, a magyar állampolgárok egészségének és életének megóvása érdekében elrendelt veszélyhelyzet során teendő intézkedésekről (III.)), 16 March 2020, Article 2, available at: http://njt.hu/cgi_bin/njt_doc.cgi?docid=218547.380736.

interpreted as a measure assisting older people in getting access to goods offline. For people with dementia, there were no targeted measures adopted.

2.2.8 Consultation of older people's organisations and/or other civil society organisations in the design, implementation and review of COVID-19-related measures

In **Hungary**, there has been no information available in the public domain whether the Government, when deciding on protective measures, consulted older people's organisations and other civil society organisations.