

# **Coronavirus pandemic in the EU – Fundamental Rights Implications**

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# 1 Measures taken by government/public authorities impacting on specific freedoms

*Please briefly describe the main developments, between 1 September – 31 October 2020, in the legal framework and related measures adopted in your country in response to the Coronavirus pandemic with respect to emergency laws/state of emergency, freedom of assembly and freedom of movement.*

## 1.1 Emergency laws/states of emergency

In **Hungary**, on 18 June 2020, the Hungarian Government terminated the state of danger it had declared on 11 March 2020 in relation to the Coronavirus outbreak.<sup>1</sup> The same day, the Parliament adopted Act LVIII of 2020 (hereinafter: Act on Transitional Rules) that provides for special transitional rules for the period after the state of danger, and entrusts the Government to declare epidemiological preparedness that is not one of the special legal orders listed in the Fundamental Law.<sup>2</sup> The Government declared an epidemiological preparedness on 18 June 2020 which has been in effect ever since.<sup>3</sup> The epidemiological preparedness – according to the original plan – will be in effect until 18 December 2020,<sup>4</sup> and the Government shall revise its necessity every three months.<sup>5</sup>

In **Hungary**, the Government introduced several protective measures for the period of state of epidemiological preparedness to prevent the spread of the virus. Amongst them, mouth and nose coverings are mandatory. With the exceptions of minors under the age of six, everyone is obliged to wear a surgical mask, work safety mask or other mask made of fabric or other material in a manner that covers the nose and the mouth at all times:<sup>6</sup>

- on all public transport,
- when shopping or working in a shop (excluding customers of catering facilities),
- when within the precincts of shopping centres (excluding customers of catering facilities, precincts of offices, premises used for sporting purposes and service premises),
- with the exception of the performers, at performance venues, events of any branch of the performing arts, and in particular theatre, dance and music arts, regardless of whether they are public,
- within the precincts of cinemas, not including offices and service premises,
- within the precincts open to visitors

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<sup>1</sup> Hungary, Governmental Decree no. 282/2020 on terminating the state of danger declared on 11 March 2020 (282/2020. (VI. 17.) a 2020. március 11-én kihirdetett veszélyhelyzet megszüntetéséről), 18 June 2020, available at: [https://nit.hu/translated/doc/J2020R0282K\\_20200618\\_FIN.pdf](https://nit.hu/translated/doc/J2020R0282K_20200618_FIN.pdf).

<sup>2</sup> Hungary, Act LVIII of 2020 on the transitional rules related to the termination of the state of danger and on the epidemiological preparedness (2020. évi LVIII. törvény a veszélyhelyzet megszűnésével összefüggő átmeneti szabályokról és a járványügyi készütségről), 18 June 2020, available at: [http://nit.hu/cgi\\_bin/njt\\_doc.cgi?docid=220120.384679](http://nit.hu/cgi_bin/njt_doc.cgi?docid=220120.384679).

<sup>3</sup> Hungary, Governmental Decree no. 283/2020 on introducing a state of epidemiological preparedness (283/2020. (VI. 17.) Korm. rendelet a járványügyi készütség bevezetéséről), 18 June 2020, available at: [https://nit.hu/translated/doc/J2020R0283K\\_20200618\\_FIN.pdf](https://nit.hu/translated/doc/J2020R0283K_20200618_FIN.pdf).

<sup>4</sup> Hungary, Governmental Decree no. 283/2020 on introducing a state of epidemiological preparedness (283/2020. (VI. 17.) Korm. rendelet a járványügyi készütség bevezetéséről), 18 June 2020, Section 3, available at: [https://nit.hu/translated/doc/J2020R0283K\\_20200618\\_FIN.pdf](https://nit.hu/translated/doc/J2020R0283K_20200618_FIN.pdf).

<sup>5</sup> Hungary, Governmental Decree no. 283/2020 on introducing a state of epidemiological preparedness (283/2020. (VI. 17.) Korm. rendelet a járványügyi készütség bevezetéséről), 18 June 2020, Section 1(2), available at: [https://nit.hu/translated/doc/J2020R0283K\\_20200618\\_FIN.pdf](https://nit.hu/translated/doc/J2020R0283K_20200618_FIN.pdf).

<sup>6</sup> Hungary, Governmental Decree no. 431/2020 on protective measures during the period of state of epidemiological preparedness (431/2020. (IX. 18.) Korm. rendelet a járványügyi készütségi időszak védelmi intézkedéseiről), 18 September 2020, Section 1, available at: [http://nit.hu/translated/doc/J2020R0431K\\_20201010\\_FIN.pdf](http://nit.hu/translated/doc/J2020R0431K_20201010_FIN.pdf).

- of museum institutions within the meaning of the Act on museum institutions, public library services and community culture,<sup>7</sup>
- of institutions offering public library services within the meaning of the Act on museum institutions, public library services and community culture,
- of image and sound archives within the meaning of the Act on museum institutions, public library services and community culture,
- of institutions of community culture within the meaning of the Act on museum institutions, public library services and community culture,
- of community spaces within the meaning of the Act on museum institutions, public library services and community culture,
- of integrated cultural institutions within the meaning of the Act on museum institutions, public library services and community culture
- within the precincts open to third parties
  - of public archives within the meaning of the Act on public documents, public archives and the protection of private archive materials,<sup>8</sup>
  - of publicly accessible private archives within the meaning of the Act on public documents, public archives and the protection of private archive materials
- during office hours,
  - within the precincts open for public of administrative organs,
  - within premises open for customers operated by a universal postal service provider or a postal intermediary, and
  - within any other premises where customers are received for the administration of matters and more than five persons, including persons employed there, are regularly present at the same time
- in any other premises dedicated for waiting for means of public transport,
- with the exception of participants of sports events, coaches, referees and their helpers, spectators at a sports event at the premises of the event (as of 23 October 2020),
- those attending assemblies, excluding the person speaking at the assembly for the duration of his/her speech (as of 23 October 2020),
- within the premises of healthcare institutions excluding patients within the ward they are placed in,
- in social care institutions,
  - persons employed there when contacting care recipients directly or if continuously staying within 1.5 metres from the care recipients,
  - care recipients, if possible, during community programmes or when staying in community spaces.

In **Hungary**, the enforcement of the mask wearing obligation is a duty of the operator of the designated institutions where wearing a mask is mandatory. If the police find the mask wearing obligation is violated, they shall draw the attention of the operator to this fact and shall notify the commercial authority in case the violation took place in the premises of a shop, a shopping centre or a cinema. The commercial authority is entrusted to apply sanctions gradually against the operator of these premises as follows:

- for a first violation, it shall impose a rebuke,

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<sup>7</sup> Hungary, Act CXL of 1997 on museum institutions, public library services and community culture (*1997. évi CXL. törvény a muzeális intézményekről, a nyilvános könyvtári ellátásról és a közművelődésről*), 1 January 1998, available at: [http://nit.hu/cgi\\_bin/njt\\_doc.cgi?docid=30818.383676](http://nit.hu/cgi_bin/njt_doc.cgi?docid=30818.383676).

<sup>8</sup> Hungary, Act LXVI of 1995 on on public documents, public archives and the protection of private archive materials (*1995. évi LXVI. törvény a közokiratokról, a közlevéltárakról és a magánlevéltári anyag védelméről*), 1 January 1996, available at: [http://nit.hu/cgi\\_bin/njt\\_doc.cgi?docid=23938.383663](http://nit.hu/cgi_bin/njt_doc.cgi?docid=23938.383663).

- for a second violation, it shall impose a fine ranging from 100,000 HUF (cc. €274) to 1 million HUF (cc. €2,740),
- for a third violation, it may order the shop or the premises to be temporarily closed for a period of not less than three days, but not more than a year,
- for a fourth and every further violation, it may order the shop or the premises to be temporarily closed for a period of not fewer days than the number of violations, but not more than a year.

If multiple checks are carried out on the same day, the sanctions may be imposed after each check. The sanctions may not be imposed if the operator took the necessary steps to eliminate the unlawful situation, and in particular if:

- he requested the person committing the violation to leave,
- he refused to serve the person committing the violation,
- he informed the police after the person committing the violation refused to comply with the request to leave.

In **Hungary**, on 21 September 2020, the Civil Liberties Union (*Társaság a szabadságjogokért*) raised concerns in relation to the “passivity” of the Government during the second wave of the Coronavirus pandemic.<sup>9</sup> The Civil Liberties Union believes that while during the first wave of the epidemic in the spring, the Hungarian Government was often accused of restricting fundamental rights beyond what was necessary to fight the spread of the infection, during the more serious second wave of the epidemic, the Government’s passivity violates fundamental rights and other constitutional norms. The main concerns of the Civil Liberties Union are as follows:

- Violation of the rule of law. The Civil Liberties Union believes the Government keeps changing the rules on restrictions rapidly and in an unpredictable manner. Moreover, the respective Governmental Decrees on epidemiological measures and on travel restrictions often use blurry definitions that may result in different interpretation by the authorities.
- Sufficient time to prepare for a change is not granted to citizens. The Civil Liberties Union raises concerns that the Government often informs the public on amendments to the existing protective measures in the state of epidemiological preparedness only a few hours or days before these amendments enter into force.
- No respect for the internal hierarchy of the legal system. The Civil Liberties Union stresses the measures established with respect to the containment of the Coronavirus are scattered in Parliamentary Acts, Governmental Decrees and even in protocols published by the epidemiological authority which is not a legislative body and its protocols do not qualify legal sources.
- Violation of the principle of equal treatment and the right to a fair proceeding. The Civil Liberties Union reports on cases where the authorities applied the laws on epidemiological measures either *contra legem* or in completely different manners. It was mainly a concern in relation to the application of the rules on travel restrictions: in some cases the authorities either neglected to order quarantine against a person who entered while it should have been mandatory, or they applied more stringent measures against those who were subject to more levied rules according to the valid law.

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<sup>9</sup> Civil Liberties Union (*Társaság a Szabadságjogokért*), ‘The Government’s passivity in the second wave of the Coronavirus pandemic is violating the Fundamental Law’ (*Alaptörvény-sértő a kormány passzivitása a koronavírus második hullámában*), 21 September 2020, available at: <https://tasz.hu/cikkek/alaptorveny-serto-a-kormany-passzivitasa-a-koronavirus-masodik-hullamaban>.

- Violation of the freedom of information. The Civil Liberties Union criticises the Government for the lack of a comprehensive and central source where citizens may inform themselves about all the special rules that apply to the current situation in a transparent manner. Moreover, the central information website the Government established ([koronavirus.gov.hu](http://koronavirus.gov.hu)) provides for partial statistics and information on the spread of the infection, and the quality and quantity of the information is, according to the Civil Liberties Union, far from being satisfactory. The Civil Liberties Union raises questions why the Government does not provide information on the background and the justification of the decisions they make, mainly on why they do not apply similar protective measures to those that were in effect in the spring when the number of infected people was significantly lower than in the autumn months.
- Several provisions related to the home quarantine are against the Fundamental Law. The Civil Liberties Union stresses the current legal framework provides for the possibility to the medical doctor to decide on the isolation of a patient at his/her home or in a hospital.<sup>10</sup> The Civil Liberties Union emphasises the isolation is a restriction of the right to free movement given that the person is obliged not to leave their home; therefore, it should belong to the competency of an authority rather than a medical doctor.
- Lack of proper organisation of healthcare services. The Civil Liberties Union believes the Government did not ensure the healthcare system has enough tests and testing capacity to identify COVID-19 patients. The Civil Liberties Union says the number of tests increase mainly because of the tests people finance on their own.

## 1.2 Freedom of assembly

In **Hungary**, while the Act on Transitional Rules allows all events to be held, it also entitles the Government to establish special rules for attending these events.<sup>11</sup> The Government, based on this authorisation, prohibited music and dance events held either indoors or outdoors, regardless of their public, non-public or regular nature, if the number of persons present there, including those working for the event, would exceed 500 persons.<sup>12</sup> As of 19 September 2020, staying at the venues of these music and dance events, except for those employed there, is forbidden between 11pm and 6am.<sup>13</sup> There is, however, no restriction on the number of people who can attend sports events. On 24 September 2020, the UEFA Super Cup was played in front of around 15,500 soccer fans in Budapest,<sup>14</sup> and on 24 October 2020, the Ferencváros-Újpest Hungarian Premier League match was played in front

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<sup>10</sup> Hungary, Act CLIV of 1997 on healthcare (1997. évi CLIV. törvény az egészségügyről), 1 July 1998, Section 63(1)-(2), available at: [http://njt.hu/cgi\\_bin/njt\\_doc.cgi?docid=30903.383679](http://njt.hu/cgi_bin/njt_doc.cgi?docid=30903.383679).

<sup>11</sup> Hungary, Act LVIII of 2020 on the transitional rules related to the termination of the state of danger and on the epidemiological preparedness (2020. évi LVIII. törvény a veszélyhelyzet megszűnésével összefüggő átmeneti szabályokról és a járványügyi készültségről), 18 June 2020, Section 86, available at: [http://njt.hu/cgi\\_bin/njt\\_doc.cgi?docid=220120.384679](http://njt.hu/cgi_bin/njt_doc.cgi?docid=220120.384679).

<sup>12</sup> Hungary, Governmental Decree no. 431/2020 on protective measures during the period of state of epidemiological preparedness (431/2020. (IX. 18.) Korm. rendelet a járványügyi készültségi időszak védelmi intézkedéseiről), 18 September 2020, Section 6(1), available at: [http://njt.hu/translated/doc/J2020R0431K\\_20201010\\_FIN.pdf](http://njt.hu/translated/doc/J2020R0431K_20201010_FIN.pdf).

<sup>13</sup> Hungary, Governmental Decree no. 431/2020 on protective measures during the period of state of epidemiological preparedness (431/2020. (IX. 18.) Korm. rendelet a járványügyi készültségi időszak védelmi intézkedéseiről), 18 September 2020, Section 6(2), available at: [http://njt.hu/translated/doc/J2020R0431K\\_20201010\\_FIN.pdf](http://njt.hu/translated/doc/J2020R0431K_20201010_FIN.pdf).

<sup>14</sup> Infostart (2020), 'Super Cup in Budapest: Assessed by the HSA' (*Szuperkupa Budapesten: Így értékel az MLSZ*), 26 September 2020, available at: <https://infostart.hu/sport/2020/09/26/szuperkupa-budapesten-igy-ertekel-az-mlsz>.

of around 16,000 fans.<sup>15</sup> Starting from 23 October 2020, the mask wearing obligation was extended to sports events too.<sup>16</sup>

In **Hungary**, there are no restrictions on exercising the right to assembly, therefore, demonstrations and congregations can be held. As of 23 October 2020, the Government extended the obligation to wear a mask covering the face and nose to assemblies held outdoors. Those speaking publicly in these assemblies, for the duration of the speech, are exempted from the obligation to wear a mask.<sup>17</sup>

### 1.3 Freedom of movement

In **Hungary**, Governmental Decree no. 408/2020<sup>18</sup> provides for rules on travel restrictions. As of 1 September 2020, the Government introduced serious travel restrictions, similar to those that had been in effect during the period of the state of danger. Access to the territory of Hungary is denied to persons other than Hungarian citizens arriving from abroad in passenger traffic.<sup>19</sup> Several categories of non-Hungarian citizens, however, are exempted from this prohibition and are granted the same treatment as Hungarian citizens:

- persons entitled to permanent residence in Hungary and their family members, provided that this right is certified by a document;
- persons holding a valid permit issued by the immigration authority to reside for more than 90 days within the territory of Hungary under any legal title, who present the document to that effect upon entering the country;
- competitors and sports technicians of any Hungarian sports organisations, when entering the territory of Hungary after having participated in an international sports event organised abroad;
- persons participating, on the basis of a personal invitation or delegation by a Hungarian sports organisation, in an international sports event organised abroad, when entering the territory of Hungary after having participated in an international sports event organised abroad;
- persons employed by a Hungarian cultural institution, when entering the territory of Hungary after having participated, as a performer or as a member of the technical staff, in a cultural event organised abroad.<sup>20</sup>

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<sup>15</sup> 444.hu (2020), 'Restriction on movement is effective in many countries, while 16,000 fans gathered in Hungary for the Ferencváros-Újpest game' (*Több országban már kijárási korlátozás van, nálunk összegyűlt 16 ezer néző a Fradi-Újpestre*), 24 October 2020, available at: <https://foci.444.hu/2020/10/24/tobb-orzagban-mar-kijarasi-korlatozas-van-nalunk-osszegyult-16-ezer-nezo-a-fradi-ujpestre>.

<sup>16</sup> Hungary, Governmental Decree no. 431/2020 on protective measures during the period of state of epidemiological preparedness (431/2020. (IX. 18.) Korm. rendelet a járványügyi készültségi időszakok védelmi intézkedéseiről), 18 September 2020, Section 1(j), available at: [http://njt.hu/translated/doc/J2020R0431K\\_20201010\\_FIN.pdf](http://njt.hu/translated/doc/J2020R0431K_20201010_FIN.pdf).

<sup>17</sup> Hungary, Governmental Decree no. 431/2020 on protective measures during the period of state of epidemiological preparedness (431/2020. (IX. 18.) Korm. rendelet a járványügyi készültségi időszakok védelmi intézkedéseiről), 18 September 2020, Section 1(1)(k), available at: [http://njt.hu/translated/doc/J2020R0431K\\_20201010\\_FIN.pdf](http://njt.hu/translated/doc/J2020R0431K_20201010_FIN.pdf).

<sup>18</sup> Hungary, Governmental Decree no. 408/2020 on travel restrictions during the period of state of epidemiological preparedness (408/2020. (VIII. 30.) Korm. rendelet a járványügyi készültségi időszak utazási korlátozásairól), 1 September 2020, available at: [http://njt.hu/translated/doc/J2020R0408K\\_20200921\\_FIN.pdf](http://njt.hu/translated/doc/J2020R0408K_20200921_FIN.pdf).

<sup>19</sup> Hungary, Governmental Decree no. 408/2020 on travel restrictions during the period of state of epidemiological preparedness (408/2020. (VIII. 30.) Korm. rendelet a járványügyi készültségi időszak utazási korlátozásairól), 1 September 2020, Section 5, available at: [http://njt.hu/translated/doc/J2020R0408K\\_20200921\\_FIN.pdf](http://njt.hu/translated/doc/J2020R0408K_20200921_FIN.pdf).

<sup>20</sup> Hungary, Governmental Decree no. 408/2020 on travel restrictions during the period of state of epidemiological preparedness (408/2020. (VIII. 30.) Korm. rendelet a járványügyi készültségi időszak utazási korlátozásairól), 1 September 2020, Section 1(2), available at: [http://njt.hu/translated/doc/J2020R0408K\\_20200921\\_FIN.pdf](http://njt.hu/translated/doc/J2020R0408K_20200921_FIN.pdf).

In **Hungary**, the police may authorise the entry of a person not holding Hungarian citizenship if the person provides evidence that the objective of the entry is:

- participating in a procedural act relating to the proceedings in Hungary of a court or an authority that is certified by a document issued by the Hungarian court or authority;
- receiving healthcare services on the basis of a referral issued by a healthcare institution or other appropriate certificate;
- fulfilling a study or examination obligation arising from a student or pupil status, provided that it is certified by a certificate issued by the educational institution;
- travelling in passenger traffic in connection with work related to carriage activities if it is aimed at arriving at the starting point of the carriage task (the location of commencement of work), or going home in passenger traffic after such work, provided that it is certified by a certificate issued by the employer;
- participating in family events (marriage, baptism, funeral),
- caring for or nursing a relative;
- participating in church events of major importance that have international relevance;
- any legitimate reason other than those specified above.<sup>21</sup>

In **Hungary**, an application to get exemption under the prohibition of entry for non-Hungarian citizens must be submitted electronically in either Hungarian or English, or by way of a statutory representative or an agent designated in an authorisation drawn up as a private deed of full probative value.<sup>22</sup> For close relatives living in the same household as the applicant, only a single application needs to be submitted if the border crossing takes place for the same reason and at the same time for all family members.<sup>23</sup> Even those holding a special permit to enter Hungary may be subjected to a health screening upon arrival.<sup>24</sup>

In **Hungary**, special rules apply to cross-border workers. Citizens of, and Hungarian citizens living in, neighbouring countries (Croatia, Slovenia, Austria, Slovakia, Ukraine, Romania and Serbia) are entitled to enter the territory of Hungary to stay within 30 kilometres of the border for a period of no more than 24 hours. When returning from the territory of a neighbouring country, Hungarian citizens living in the territory of Hungary within a 30km zone from the border between Hungary and that neighbouring country may enter Hungary without any restrictions, provided that the period of their stay abroad did not exceed 24 hours and they did not leave the 30km zone.<sup>25</sup>

In **Hungary**, Hungarian citizens and non-Hungarian citizens may enter, without any restrictions, the territory of Hungary after having exited it if the objective of exit was an activity for business or

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<sup>21</sup> Hungary, Governmental Decree no. 408/2020 on travel restrictions during the period of state of epidemiological preparedness (408/2020. (VIII. 30.) Korm. rendelet a járványügyi készültségi időszak utazási korlátozásairól), 1 September 2020, Section 6(2), available at: [http://njt.hu/translated/doc/J2020R0408K\\_20200921\\_FIN.pdf](http://njt.hu/translated/doc/J2020R0408K_20200921_FIN.pdf).

<sup>22</sup> Hungary, Governmental Decree no. 408/2020 on travel restrictions during the period of state of epidemiological preparedness (408/2020. (VIII. 30.) Korm. rendelet a járványügyi készültségi időszak utazási korlátozásairól), 1 September 2020, Section 6(3), available at: [http://njt.hu/translated/doc/J2020R0408K\\_20200921\\_FIN.pdf](http://njt.hu/translated/doc/J2020R0408K_20200921_FIN.pdf).

<sup>23</sup> Hungary, Governmental Decree no. 408/2020 on travel restrictions during the period of state of epidemiological preparedness (408/2020. (VIII. 30.) Korm. rendelet a járványügyi készültségi időszak utazási korlátozásairól), 1 September 2020, Section 6(5), available at: [http://njt.hu/translated/doc/J2020R0408K\\_20200921\\_FIN.pdf](http://njt.hu/translated/doc/J2020R0408K_20200921_FIN.pdf).

<sup>24</sup> Hungary, Governmental Decree no. 408/2020 on travel restrictions during the period of state of epidemiological preparedness (408/2020. (VIII. 30.) Korm. rendelet a járványügyi készültségi időszak utazási korlátozásairól), 1 September 2020, Section 7(3), available at: [http://njt.hu/translated/doc/J2020R0408K\\_20200921\\_FIN.pdf](http://njt.hu/translated/doc/J2020R0408K_20200921_FIN.pdf).

<sup>25</sup> Hungary, Governmental Decree no. 408/2020 on travel restrictions during the period of state of epidemiological preparedness (408/2020. (VIII. 30.) Korm. rendelet a járványügyi készültségi időszak utazási korlátozásairól), 1 September 2020, Section 10, available at: [http://njt.hu/translated/doc/J2020R0408K\\_20200921\\_FIN.pdf](http://njt.hu/translated/doc/J2020R0408K_20200921_FIN.pdf).

economic purposes, provided that the Hungarian citizen provides evidence of this fact upon re-entering Hungary.<sup>26</sup>

In **Hungary**, non-Hungarian citizens who are participants (excluding members of the audience) in an international sports event in Hungary, or who have a personal letter of invitation from the organiser of a sports event in Hungary, or arriving on the invitation of a Hungarian sports organisation or national sports association, or participating in a cultural event organised in Hungary as performers or members of the technical staff may enter Hungary, provided that they certify that at the time of the examination, the Coronavirus could not be detected in them according to the results of two PCR tests carried out in the five days prior to their entries with at least 48 hours passing between the tests.<sup>27</sup>

In **Hungary**, when entering the territory of Hungary in passenger traffic, Hungarian citizens, or the family members of a Hungarian citizen not holding Hungarian citizenship, arriving from abroad may be subjected to a health screening, which they shall be required to tolerate. In case the health screening raises no suspicion of the infection, Hungarian citizens and their family members are placed in official home quarantine for 10 days.

In **Hungary**, for the period between 6-31 October 2020, Hungarian citizens and their non-Hungarian family members arriving from the Czech Republic, Poland or Slovakia are exempted from the quarantine obligation when entering Hungary. This exemption applies to the citizens of these countries too, if they provide evidence of an accommodation booking for at least a day in Hungary until 31 October 2020, and this booking was made before 6 October 2020. The citizens of the Czech Republic, Poland and Slovakia are also exempted from the quarantine obligation if they provide evidence a PCR test made in the five days prior to the entry to Hungary proves they are not infected with the Coronavirus.<sup>28</sup>

In **Hungary**, the Civil Liberties Union (*Társaság a Szabadságjogokért*) raises criticism against the Decree on travel restrictions. The Civil Liberties Union believes the rule of law is violated as the Government keeps changing the rules on travel restrictions rapidly and in an unpredictable manner. The Civil Liberties Union stresses several terms the Governmental Decree on travel restrictions uses are without explicit definitions that makes the instances of exemption under the general prohibition for non-Hungarian citizens to enter Hungary uncertain and unpredictable (e.g. there is no clear definition on what is considered travel for economic and business purposes, what is considered a cultural event, who qualifies as a family member of a Hungarian citizen). The Civil Liberties Union believes the blurry provisions in the Decree may urge people to look for leeways on the possible circumvention of the restrictions, while, on the other hand, these provisions may also lead to different interpretations by the authorities.<sup>29</sup> It is, however, worth to mention that the website of the National

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<sup>26</sup> Hungary, Governmental Decree no. 408/2020 on travel restrictions during the period of state of epidemiological preparedness (408/2020. (VIII. 30.) Korm. rendelet a járványügyi készültségi időszak utazási korlátozásairól), 1 September 2020, Sections 10/A-10/B, available at: [http://njt.hu/translated/doc/J2020R0408K\\_20200921\\_FIN.pdf](http://njt.hu/translated/doc/J2020R0408K_20200921_FIN.pdf).

<sup>27</sup> Hungary, Governmental Decree no. 408/2020 on travel restrictions during the period of state of epidemiological preparedness (408/2020. (VIII. 30.) Korm. rendelet a járványügyi készültségi időszak utazási korlátozásairól), 1 September 2020, Sections 12, available at: [http://njt.hu/translated/doc/J2020R0408K\\_20200921\\_FIN.pdf](http://njt.hu/translated/doc/J2020R0408K_20200921_FIN.pdf).

<sup>28</sup> Hungary, Governmental Decree no. 450/2020 on the entry into Hungary of Hungarian citizens arriving from the territory of the Czech Republic, the Republic of Poland or the Slovak Republic, and the entry into Hungary of citizens of the Czech Republic, the Republic of Poland or the Slovak Republic (450/2020. (X. 5.) a magyar állampolgárok Cseh Köztársaság, Lengyel Köztársaság és Szlovák Köztársaság területéről való beutazásáról, valamint a Cseh Köztársaság, a Lengyel Köztársaság és a Szlovák Köztársaság állampolgárainak beutazásáról), 6 October 2020, available at: [http://njt.hu/translated/doc/J2020R0450K\\_20201006\\_FINrev.pdf](http://njt.hu/translated/doc/J2020R0450K_20201006_FINrev.pdf).

<sup>29</sup> Civil Liberties Union (*Társaság a Szabadságjogokért*), 'The Government's passivity in the second wave of the Coronavirus pandemic is violating the Fundamental Law' (*Alaptörvény-sértő a kormány passzivitása a koronavírus második hullámában*),



Police Headquarters (*Országos Rendőr-főkapitányság*)<sup>30</sup> and the official information website the Government, set up for providing information on the epidemic,<sup>31</sup> contain up to date information on the travel restrictions.

## 2 Implications of COVID-19 and measures to contain it on specific social rights

*Please provide information on legislation/measures taken by the government/public authorities, between 1 September – 31 October 2020, in response to COVID-19 that have impacted negatively on relevant social rights with respect to two of the following areas of life: education, work, health care and housing.*

### Education

In **Hungary**, education started in a regular manner in September in all public educational institutions (nurseries, kindergartens, elementary schools, secondary schools, vocational schools). Special protective measures, however, were set. As of 1 October 2020, upon arriving at the institutions, everyone is obliged to subject themselves to a body temperature check. For the staff members, for persons entering with a view to carrying out an obligation set out by law and for adult students, entry to the public education institutions is only allowed if their body temperature does not reach 37.8C. Children and minor students whose body temperature reaches or exceeds this threshold upon entry are separated from the other children and students; their parent or legal guardian is notified accordingly without delay by way of a telecommunication device.<sup>32</sup> Persons other than those employed there, those carrying out necessary maintenance or repair works there, those entering with a view to carrying out an obligation set out by law, children and students and adult persons accompanying them are not allowed to enter the premises of public education institutions. A single adult person accompanying the child or student arriving at, or going home from, the institution who wears a mask may enter the premises of the institution, but may not advance further than the body temperature check point.<sup>33</sup>

In **Hungary**, while wearing a mask is not mandatory by law for those studying at a public educational institution, most elementary, secondary and vocational schools require students to wear masks during classes.<sup>34</sup> The recommendations of the Ministry of Human Capacities (*Emberi Erőforrások Minisztériuma*) suggest the wearing of a mask only in community places in the upper elementary

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21 September 2020, available at: <https://tasz.hu/cikkek/alaptorveny-serto-a-kormany-passzivitasa-a-koronavirus-masodik-hullamaban>.

<sup>30</sup> Website of the National Police Headquarters (*Országos Rendőr-főkapitányság*) is available at: <http://www.police.hu/hu/hirek-es-informaciok/hatarinfo/hataratlepesrel-kapcsolatos-informaciok>.

<sup>31</sup> The official information website of the Government on the Coronavirus is available at: <https://koronavirus.gov.hu>.

<sup>32</sup> Hungary, Governmental Decree no. 431/2020 on protective measures during the period of state of epidemiological preparedness (431/2020. (IX. 18.) Korm. rendelet a járványügyi készültségi időszak védelmi intézkedéseiről), 18 September 2020, Section 4, available at: [http://njt.hu/translated/doc/J2020R0431K\\_20201010\\_FIN.pdf](http://njt.hu/translated/doc/J2020R0431K_20201010_FIN.pdf).

<sup>33</sup> Hungary, Governmental Decree no. 431/2020 on protective measures during the period of state of epidemiological preparedness (431/2020. (IX. 18.) Korm. rendelet a járványügyi készültségi időszak védelmi intézkedéseiről), 18 September 2020, Section 5, available at: [http://njt.hu/translated/doc/J2020R0431K\\_20201010\\_FIN.pdf](http://njt.hu/translated/doc/J2020R0431K_20201010_FIN.pdf).

<sup>34</sup> Eduline.hu (2020), 'Mandatory wearing of mask: rules from abroad' (*Kötelező maszkviselés: szabályok és előírások külföldi iskolákból*), 21 September 2020, available at: [https://eduline.hu/kozoktatas/20200921\\_maszk\\_viselese\\_mashol](https://eduline.hu/kozoktatas/20200921_maszk_viselese_mashol).

schools and in the secondary schools in case the protective distance of 1.5 metres cannot be enforced.<sup>35</sup>

In **Hungary**, the Operational Corps (*Operatív Törzs*) occasionally provides statistics on the number of public educational institutions in which, due to COVID-19 infections, digital education had to be introduced or the institution had to be closed. On 21 October, the Operation Corps ordered extraordinary breaks in 64 kindergartens and in 31 schools. 176 classes and 17 schools had to switch to digital education.<sup>36</sup> There have been no special measures in September and October 2020 to support digital learning in the schools that were forced to switch to e-learning. The Klebersberg Centre (*Klebersberg Központ*), a central government office that exercises supervisory and maintenance powers over the public schools in Hungary, reported pupils and students who have no access to internet capable devices may borrow devices from the school, and they may enter the premises of the school to use digital technology there. The Centre believes these measures ensure equal access to education in schools that have to switch to online learning.<sup>37</sup> There have been no specific measures to address privacy of children in digital education in Hungary.

In **Hungary**, the Ministry for Innovation and Technology (*Innovációs és Technológiai Minisztérium*) published a recommendation to VET (vocational education and training) schools<sup>38</sup> in which it is stated that all VET schools are to prepare and continuously update their own institution level action plan. Health safety instructions include entrance to the VET school buildings (temperature and other symptoms), social distance of 1,5 metres, disinfection measures and frequent airing of rooms. Regarding the organisation of education and training, in case the distance of 1,5 metres is not possible to maintain, it is possible to organise learning in a smaller group within the school and meanwhile for the other part of pupils online, requiring a project work that they are able to carry on online and then change the groups. A further difference from public education schools is that during practical training, both in school workshops and company or other workshops, wearing of masks is highly recommended.

In **Hungary**, the Ministry for Innovation and Technology (*Innovációs és Technológiai Minisztérium*) published a recommendation to help universities implement protective measures in the state of epidemiological preparedness.<sup>39</sup> The recommendation was updated according to changes of

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<sup>35</sup> Ministry of Human Capacities (*Emberi Erőforrások Minisztériuma*) (2020), 'Action Plan for the 2020/2021 educational year in public upbringing institutions during the epidemiological preparedness' (*Intézkedési terv a 2020/2021. tanévben a köznevelési intézményekben a járványügyi készenlét idején alkalmazandó eljárásrendről*), available at: [https://www.oktatas.hu/pub\\_bin/dload/kozoktatas/Tanevkezdes2020/Intezkedesi\\_terv\\_a\\_koznevelési\\_intezmenyek\\_re\\_2020\\_2021\\_tanev.pdf](https://www.oktatas.hu/pub_bin/dload/kozoktatas/Tanevkezdes2020/Intezkedesi_terv_a_koznevelési_intezmenyek_re_2020_2021_tanev.pdf).

<sup>36</sup> Index (2020), 'Coronavirus appeared again in a residential care home in Budapest' (*Újra megjelent a koronavírus egy fővárosi időotthonban*), 4 September 2020, available at: [https://index.hu/belfold/2020/09/04/koronavirus\\_fopolgarmesteri\\_hivatal\\_kozlemeny\\_idosotthon/](https://index.hu/belfold/2020/09/04/koronavirus_fopolgarmesteri_hivatal_kozlemeny_idosotthon/); Index (2020), 'Many Coronavirus infected were found in a residential home facility in Bátorfyerenye, however, they were not informed about it' (*Rengeteg koronavírus-fertőzöttet találtak egy bátonyterenyei időotthonban, de nem is szóltak nekik*), 9 October 2020, available at: [https://index.hu/belfold/2020/10/09/koronavirus\\_fertozott\\_idosotthon\\_batonyterenye\\_nograd\\_megye\\_pozitiv\\_teszt/](https://index.hu/belfold/2020/10/09/koronavirus_fertozott_idosotthon_batonyterenye_nograd_megye_pozitiv_teszt/).

<sup>37</sup> Novekedes.hu (2020), 'There should not be swimming training and choir practice – the Klebersberg Centre suggests' (*Most ne legyen úszásoktatás és énekarok sem – Ezt javasolja a Klebersberg Központ*), 4 September 2020, available at: <https://novekedes.hu/interju/klebersberg-kozpont-jelenleg-negy-iskolaban-van-karanten-miatt-digitalis-oktatas>.

<sup>38</sup> Ministry for Innovation and Technology (*Innovációs és Technológiai Minisztérium*) (2020), 'Sectoral Recommendations for Organizing Vocational Education and Training During the State of Health Crisis' (*Ágazati ajánlás a szakképzés egészségügyi válsághelyzet során történő megszervezéséhez*), available at: [https://www.skik.hu/static/files/uploads/Szakk%C3%A9pz%C3%A9s/Szakk%C3%A9pz%C3%A9s%20%C3%A1gazati%20ir%C3%A1nymutat%C3%A1s\\_2020.09.28\\_.pdf](https://www.skik.hu/static/files/uploads/Szakk%C3%A9pz%C3%A9s/Szakk%C3%A9pz%C3%A9s%20%C3%A1gazati%20ir%C3%A1nymutat%C3%A1s_2020.09.28_.pdf).

<sup>39</sup> Ministry for Innovation and Technology (*Innovációs és Technológiai Minisztérium*) (2020), 'Sectoral Recommendations for Organizing Higher Education During the State of Health Crisis' (*Ágazati ajánlás a felsőoktatási képzés egészségügyi*

pandemic situation on 1 September 2020 and on 28 September 2020.<sup>40</sup> Based on the recommendation each higher education institution had to elaborate and continuously update an institutional action plan to handle the epidemiological preparedness. Primarily in-person attendance is preferred in higher education institutions.<sup>41</sup> However, there are exceptions. The recommendation provides for classes involving a large number of students to be held online – preferably live, with appropriate interactivity or in groups, if necessary. It is necessary to provide options for small group or one-to-one consultations on an ongoing basis. In case of presence-based classes, the protective distance of 1.5 metres must be ensured between students. Measuring body temperature and wearing a mask indoors is mandatory. Non-Hungarian citizens, in case they could not enter Hungary, may join the university programmes through e-learning platforms.<sup>42</sup>

Procedures regarding the rules for entering Hungary and special medical examination for Hungarian students with dual citizenship, for non-Hungarian students and for students of foreign higher education institutions created by the Ministry for Innovation and Technology were delivered to higher education institutions.<sup>43</sup>

### Health care

In **Hungary**, the Chief Medical Officer of the National Public Health and Medical Officer Service (*országos tisztifőorvos*) ordered a prohibition on visiting patients in institutions providing for in-patient specialist care on 8 September 2020. Exceptions only apply to:

- a person designated by an end-stage patient may stay in the hospital;
- the parent or the legal guardian may stay with a child patient in the hospital;

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válsághelyzet során történő megszervezéséhez), available at: <https://rkk.uni-obuda.hu/sites/default/files/csatolmany/a-felsooktatasi-intezmeny-latogatasara-vonatkozó-agazati-ajanlas-20200817.pdf>.

<sup>40</sup> Ministry for Innovation and Technology (*Innovációs és Technológiai Minisztérium*) (2020), 'Recommendation to the higher education sector on organising education during the health crisis situation' (*Ágazati ajánlás a felsőoktatási képzés egészségügyi válsághelyzet során történő megszervezéséhez*), 1 September 2020, available at: <https://www.elte.hu/dstore/document/5340/A%20felsőoktatási%20intézmény%20látogatására%20vonatkozó%20ajánlások%20200831.pdf>; Ministry for Innovation and Technology (*Innovációs és Technológiai Minisztérium*) (2020), 'Sectoral Recommendations for Organizing Higher Education During the State of Health Crisis' (*Ágazati ajánlás a felsőoktatási képzés egészségügyi válsághelyzet során történő megszervezéséhez*), 28 September 2020, available at: [http://mte.eu/wp-content/uploads/2020/10/A-fels%C5%91oktat%C3%A1si-int%C3%A9zm%C3%A9ny-l%C3%A1togat%C3%A1s%C3%A1ra-vonatkoz%C3%B3-aj%C3%A1nl%C3%A1sok\\_20200928.pdf](http://mte.eu/wp-content/uploads/2020/10/A-fels%C5%91oktat%C3%A1si-int%C3%A9zm%C3%A9ny-l%C3%A1togat%C3%A1s%C3%A1ra-vonatkoz%C3%B3-aj%C3%A1nl%C3%A1sok_20200928.pdf).

<sup>41</sup> Ministry for Innovation and Technology (*Innovációs és Technológiai Minisztérium*) (2020), 'Recommendation to the higher education sector on organising education during the health crisis situation' (*Ágazati ajánlás a felsőoktatási képzés egészségügyi válsághelyzet során történő megszervezéséhez*), 1 September 2020, available at: <https://www.elte.hu/dstore/document/5340/A%20felsőoktatási%20intézmény%20látogatására%20vonatkozó%20ajánlások%20200831.pdf>.

<sup>42</sup> Hungary, Act LVIII of 2020 on the transitional rules related to the termination of the state of danger and on the epidemiological preparedness (2020. évi LVIII. törvény a veszélyhelyzet megszűnésével összefüggő átmeneti szabályokról és a járványügyi készülségről), 18 June 2020, Section 79(11), available at: [http://njt.hu/cgi\\_bin/njt\\_doc.cgi?docid=220120.384679](http://njt.hu/cgi_bin/njt_doc.cgi?docid=220120.384679).

<sup>43</sup> Ministry for Innovation and Technology (*Innovációs és Technológiai Minisztérium*), "Procedures regarding the rules of entering Hungary and special medical examination for Hungarian students with dual citizenship, for non-Hungarian students and for students of foreign higher education institutions", available at: <https://semmelweis.hu/erasmus/english/incoming/procedures-regarding-the-rules-of-entering-hungary-and-special-medical-examination-for-hungarian-students-with-dual-citizenship-for-non-hungarian-students-and-for-students-of-foreign-higher-education/>

- the person designated by a pregnant woman may accompany her for the full duration of labour and child birth.<sup>44</sup>

In **Hungary**, the media reported testing capacities had reached the upper limit by the end of September; therefore, waiting times to take the test can be up to seven days, while the results may only come another week after this.<sup>45</sup> A maximum of 10,000-12,000 tests can be analysed per day.<sup>46</sup> As the family doctors, based on the symptoms of the patients, order more and more tests, the system faces challenges that result in longer waiting times.<sup>47</sup> PCR tests are free of charge if the family doctor, the hospital or the epidemiological authority order them.<sup>48</sup> The Government set an official price private laboratories may charge for the PCR test on 18 September 2020. The fee for taking the test is 2,500 HUF (cc. €7), while the price for the analysis is an additional 17,000 HUF (cc. €47).<sup>49</sup> The opposition parties criticise the Government for not increasing testing capacities. They believe Hungary does not meet the requirements the WHO set on the amount of tests performed daily (the number of positive results should not be over 5% of the tests taken).<sup>50</sup>

In **Hungary**, the Government designated hospitals in every region where COVID-19 patients are treated. The reason for this separation is to ensure 'clean hospitals' can operate safely to treat other patients.<sup>51</sup> To handle the increasing pressure on the COVID hospitals, the Government redirects medical doctors and nurses from their home institutions.<sup>52</sup> The media reported medical doctors felt this system unpredictable and sudden, given that many of them discover their new place to work just the day before.<sup>53</sup> The Operational Corps (*Operatív Törzs*) occasionally reports on the number of health

<sup>44</sup> National Chief Public Health Officer (2020), 'Ordering a ban on visitation' (*Látogatási tilalom elrendelése*), 8 September 2020, available at: [https://www.nnk.gov.hu/attachments/article/799/HATÁROZAT%20-%20látogatási%20tilalom%20elrendelése%2042935-1\\_EÜIG.pdf](https://www.nnk.gov.hu/attachments/article/799/HATÁROZAT%20-%20látogatási%20tilalom%20elrendelése%2042935-1_EÜIG.pdf).

<sup>45</sup> Portfolio (2020), 'Coronavirus: the Hungarian test capacity collapses, the result is due in two weeks' (*Koronavírus: most szakad össze a magyar tesztkapacitás, két hét múlva van eredmény*), 23 September 2020, available at: <https://www.portfolio.hu/gazdasag/20200923/koronavirus-most-szakad-ossze-a-magyar-tesztkapacitas-ket-het-mulva-van-eredmeny-449720>.

<sup>46</sup> Koronavirus.gov.hu (2020), 'National Chief Public Health Officer: in case of suspected infection, the PCR test is performed for everyone free of charge' (*Országos tisztifőorvos: fertőzékeny eseten mindenkinél térítésmentesen elvégzik a PCR-tesztet*), 30 September 2020, available at: <https://koronavirus.gov.hu/cikkek/orszagos-tisztifoorvos-fertozesgyanu-eseten-mindenkinel-teritesmentesen-elvegzik-pcr-tesztet>.

<sup>47</sup> Portfolio (2020), 'Coronavirus: the Hungarian test capacity collapses, the result is due in two weeks' (*Koronavírus: most szakad össze a magyar tesztkapacitás, két hét múlva van eredmény*), 23 September 2020, available at: <https://www.portfolio.hu/gazdasag/20200923/koronavirus-most-szakad-ossze-a-magyar-tesztkapacitas-ket-het-mulva-van-eredmeny-449720>.

<sup>48</sup> Koronavirus.gov.hu (2020), 'Dömtör: In case the test is ordered by the family doctor, it is free of charge' (*Dömtör: Ha a tesztelést a házi orvos rendeli el, ingyenes a teszt*), 17 September 2020, available at: <https://koronavirus.gov.hu/cikkek/domotor-ha-tesztelest-hazi-orvos-rendeli-el-ingyenes-teszt>.

<sup>49</sup> Hungary, Governmental Decree no. 433/2020 on the amendment of Governmental Decree no. 284/1997 on the fee for certain medical services for which service providers charge a fee (433/2020. (IX. 18.) Korm. rendelet a térítési díj ellenében igénybe vehető egyes egészségügyi szolgáltatások térítési díjáról szóló 284/1997. (XII. 23.) Korm. rendelet módosításáról), 21 September 2020, available at: [http://nit.hu/cgi\\_bin/nit\\_doc.cgi?docid=221816.389244](http://nit.hu/cgi_bin/nit_doc.cgi?docid=221816.389244).

<sup>50</sup> Index (2020), 'Ferenc Gyurcsány: If Orbán does not test enough, the country may stop' (*Gyurcsány Ferenc: Ha Orbánék nem tesztelnek eleget, leállhat az ország*), 17 October 2020, available at: <https://index.hu/belfold/2020/10/17/gyurcsany-ferenc-koronavirus-teszteles-statisztika-orban-viktor/>.

<sup>51</sup> Koronavirus.gov.hu (2020), 'National Chief Public Health Officer: we are in the raising stage of the epidemic' (*Országos tisztifőorvos: a járvány felszálló szakaszában vagyunk*), 23 September 2020, available at: <https://koronavirus.gov.hu/cikkek/orszagos-tisztifoorvos-jarvany-felszallo-szakaszaban-vagyunk>.

<sup>52</sup> Koronavirus.gov.hu (2020), 'National Chief Public Health Officer: health workers are redirected according to the plan' (*Országos tisztifőorvos: tervszerűen zajlik az egészségügyi dolgozók vezénylése*), 5 October 2020, available at: <https://koronavirus.gov.hu/cikkek/orszagos-tisztifoorvos-tervszeruen-zajlik-az-egeszseguyi-dolgozok-vezenylese>.

<sup>53</sup> Hvg.hu (2020), 'Redirecting health workers: the doctors and the nurses experience chaos and uncertainty' (*Átvezénylés az egészségügyben: káoszt és bizonytalanságot tapasztalnak az orvosok és a szakdolgozók*), 12 October 2020, available at: [https://hvg.hu/itthon/20201012\\_atvezenyles-egeszseguy-kunetz-zsombor](https://hvg.hu/itthon/20201012_atvezenyles-egeszseguy-kunetz-zsombor).

workers who got infected by the virus. In a press conference held on 2 October 2020, the Operational Corps reported on 1,234 health workers who suffered from COVID-19 since the beginning of the epidemic.<sup>54</sup> The Minister of Human Capacities (*Emberi Erőforrások Minisztere*) stated in an interview on 8 October 2020 that two health workers had died since the beginning of the epidemic in Hungary.<sup>55</sup> In September and October 2020, either because of the large number of infected health workers or because of the large number of health workers who were in quarantine (being close contacts to infected persons), several hospital units were forced to temporarily suspend their operations.<sup>56</sup> There are, however, no official statistics available on the exact number of these hospitals in the public domain.

In **Hungary**, the Government arranged flu vaccines for everybody, free of charge for the upcoming flu season. The free vaccine can be asked from the family doctors. The Government encourages people to get vaccinated in order to rule out at least one out of the two potentially harmful respiratory diseases in the winter season.<sup>57</sup>

### 3 Negative impact on social rights for vulnerable groups including measures to address this

*Please select and provide information concerning two groups whose social rights were particularly negatively impacted with respect to developments/measures adopted in relation to COVID-19, between 1 September – 31 October 2020. For each of the two groups selected – highlight which social rights were most impacted. Also, identify any government and related measures that were introduced to alleviate the negative impact on these groups.*

#### Older people

In **Hungary**, while in the early days of the second wave of the pandemic, most infected people were relatively young, by mid-September, more and more residential care homes reported having infected older residents.<sup>58</sup>

In **Hungary**, on 8 September 2020, the Chief Medical Officer of the National Public Health and Medical Officer Service (*országos tisztifőorvos*) ordered a ban on visitation in all residential care homes in

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<sup>54</sup> Hvg.hu (2020), 'Cecília Müller: Since the beginning of the epidemic, 1,234 health workers got infected' (*Müller Cecília: A járvány kezdete óta 1234 egészségügyi dolgozó betegedett meg*), 2 October 2020, available at: [https://hvg.hu/itthon/20201002\\_koronavirusjarvany\\_operativ\\_torz\\_tajekoztatoja\\_muller\\_cecilia\\_rekordszamu\\_fertozott](https://hvg.hu/itthon/20201002_koronavirusjarvany_operativ_torz_tajekoztatoja_muller_cecilia_rekordszamu_fertozott).

<sup>55</sup> Portfolio.hu (2020), 'Two health workers died in Coronavirus infection in Hungary' (*Két egészségügyi dolgozó halt meg koronavírus fertőzésben Magyarországon*), 8 October 2020, available at: <https://www.portfolio.hu/gazdasag/20201008/ket-egeszsegugyi-dolgozo-halt-meg-koronavirus-fertozesben-magyarorszagon-452156>.

<sup>56</sup> Debreciner.hu (2020), 'The surgery of the hospital in Berettyóújfalu has been shut down due to Coronavirus infection' (*Bezárt a berettyóújfalui kórház sebészete koronavírusos fertőzések miatt*), 27 October 2020, available at: [https://www.debreciner.hu/cikk/3798\\_bezart\\_a\\_berettyoujfalui\\_korhaz\\_sebeszete\\_fertozesek](https://www.debreciner.hu/cikk/3798_bezart_a_berettyoujfalui_korhaz_sebeszete_fertozesek).

<sup>57</sup> Koronavirus.gov.hu (2020), 'Both flu vaccines are safe' (*Az influenza elleni mindkét védőoltás biztonságos*), 21 October 2020, available at: <https://koronavirus.gov.hu/cikkek/nnk-az-influenza-elleni-mindket-vedooltas-biztonsagos>.

<sup>58</sup> Index (2020), 'Coronavirus appeared again in a residential care home in Budapest' (*Újra megjelent a koronavírus egy fővárosi idősotthonban*), 4 September 2020, available at: [https://index.hu/belfold/2020/09/04/koronavirus\\_fopolgarmesteri\\_hivatal\\_kozlemeny\\_idosotthon/](https://index.hu/belfold/2020/09/04/koronavirus_fopolgarmesteri_hivatal_kozlemeny_idosotthon/); Index (2020), 'Many Coronavirus infected were found in a residential home facility in Bátorfyerenye, however, they were not informed about it' (*Rengeteg koronavírus-fertőzöttet találtak egy bátorfyerenyei idősotthonban, de nem is szóltak nekik*), 9 October 2020, available at: [https://index.hu/belfold/2020/10/09/koronavirus\\_fertozott\\_idosotthon\\_batonyterenye\\_nograd\\_megye\\_pozitiv\\_teszt/](https://index.hu/belfold/2020/10/09/koronavirus_fertozott_idosotthon_batonyterenye_nograd_megye_pozitiv_teszt/).

Hungary<sup>59</sup>. For family members visitation can be granted based on compassionate grounds to say goodbye to an end stage patient. Permit to leave the institution is only granted under exceptional circumstances by the head of the residential care home or on other reasonable grounds (e.g. for medical purposes, health evaluation). Residents, however, may go out to the garden of these institutions. New residents can only be admitted in possession of two negative SARS-CoV-2 PCR tests.<sup>60</sup> No other measures targeting older people have been implemented by the Government.

### Homeless people

In Hungary, civil society organisations emphasise how vulnerable homeless people are to the COVID-19 infection. Their immune system is weaker due to the insufficient and low quality food, and their access to sanitation facilities are typically restricted.<sup>61</sup> Partizán, an independent social media site reported homeless people are reluctant to seek shelter in the care facilities due to the crowd they experience there.<sup>62</sup> The Street Lawyer Association (*Utcajogász Egyesület*), a civil society organisation that provides legal counsel in the streets free of charge, believes homeless people do not get special attention from the Government.<sup>63</sup> While homeless shelters are open and provide for an increased hygiene, they are often overcrowded and social distancing cannot be achieved there.<sup>64</sup> The Shelter Foundation (*Menhely Alapítvány*) reported it is common to have 4-10 people accommodated in one room in these shelters. Protective tools (facial masks, disinfectants, hand sanitisers) are typically provided to the shelters by the local governments and the civil society organisations rather than the state.<sup>65</sup>

For civil society organisations, the only way to help homeless people is to contact them physically given that most of them cannot be reached via telecommunication devices. It imposes an increased risk to both the homeless and to the staff members of the civil society organisations.<sup>66</sup> While the

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<sup>59</sup> Decision 42935-2/2020/EÜIG

<sup>60</sup> National Public Health Centre (*Nemzeti Népegészségügyi Központ*) (2020), 'Prohibition on leaving and visiting social institutions' (*Intézmény elhagyási és látogatási tilalom a szociális intézményekben*), 8 September 2020, available at: <https://www.nnk.gov.hu/index.php/koronavirus-tajkoztato/797-intezmeny-elhagyasi-es-latogatasi-tilalom-a-szocialis-intezmenyekben>.

<sup>61</sup> Noizz.hu (2020), 'For those living in the streets, the Coronavirus is also more dangerous: are we before the explosion of the epidemic among the homeless?' (*Az utcán élőknek a koronavírus is veszedelmesebb: robbanás előtt a járvány a hajléktalanok között?*), 29 September 2020, available at: <https://noizz.hu/big-stories/az-utcan-eloknek-a-koronavirus-is-veszedelmesebb-robbanas-elott-a-jarvany-a-ybveng6>.

<sup>62</sup> Partizán (2020), 'Let's worry for and not to be afraid of the homeless' (*Féltsük és ne féljünk a hajléktalan emberektől*), 2 October 2020, available at: [https://www.youtube.com/watch?v=a9p\\_yyK-Jnk](https://www.youtube.com/watch?v=a9p_yyK-Jnk).

<sup>63</sup> Noizz.hu (2020), 'For those living in the streets, the Coronavirus is also more dangerous: are we before the explosion of the epidemic among the homeless?' (*Az utcán élőknek a koronavírus is veszedelmesebb: robbanás előtt a járvány a hajléktalanok között?*), 29 September 2020, available at: <https://noizz.hu/big-stories/az-utcan-eloknek-a-koronavirus-is-veszedelmesebb-robbanas-elott-a-jarvany-a-ybveng6>.

<sup>64</sup> Noizz.hu (2020), 'For those living in the streets, the Coronavirus is also more dangerous: are we before the explosion of the epidemic among the homeless?' (*Az utcán élőknek a koronavírus is veszedelmesebb: robbanás előtt a járvány a hajléktalanok között?*), 29 September 2020, available at: <https://noizz.hu/big-stories/az-utcan-eloknek-a-koronavirus-is-veszedelmesebb-robbanas-elott-a-jarvany-a-ybveng6>.

<sup>65</sup> Noizz.hu (2020), 'For those living in the streets, the Coronavirus is also more dangerous: are we before the explosion of the epidemic among the homeless?' (*Az utcán élőknek a koronavírus is veszedelmesebb: robbanás előtt a járvány a hajléktalanok között?*), 29 September 2020, available at: <https://noizz.hu/big-stories/az-utcan-eloknek-a-koronavirus-is-veszedelmesebb-robbanas-elott-a-jarvany-a-ybveng6>.

<sup>66</sup> Noizz.hu (2020), 'For those living in the streets, the Coronavirus is also more dangerous: are we before the explosion of the epidemic among the homeless?' (*Az utcán élőknek a koronavírus is veszedelmesebb: robbanás előtt a járvány a hajléktalanok között?*), 29 September 2020, available at: <https://noizz.hu/big-stories/az-utcan-eloknek-a-koronavirus-is-veszedelmesebb-robbanas-elott-a-jarvany-a-ybveng6>.

Operational Corps (*Operatív Törzs*) recommends contacting the general practitioners via phone instead of showing up in person, for homeless people, it is not an option due to a lack of telecommunication devices; this results in homeless people being often unable to exercise their right to get access to medical care.<sup>67</sup>

Moreover, social distancing can be a challenge to the homeless as, to avoid the hazards of bad weather, they are forced to find shelter in underpasses where many of them are crowded.<sup>68</sup>

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<sup>67</sup> Noizz.hu (2020), 'For those living in the streets, the Coronavirus is also more dangerous: are we before the explosion of the epidemic among the homeless?' (*Az utcán élőknek a koronavírus is veszedelmesebb: robbanás előtt a járvány a hajléktalanok között?*), 29 September 2020, available at: <https://noizz.hu/big-stories/az-utcan-eloknek-a-koronavirus-is-veszedelmesebb-robbanas-elott-a-jarvany-a/ybveng6>.

<sup>68</sup> Noizz.hu (2020), 'For those living in the streets, the Coronavirus is also more dangerous: are we before the explosion of the epidemic among the homeless?' (*Az utcán élőknek a koronavírus is veszedelmesebb: robbanás előtt a járvány a hajléktalanok között?*), 29 September 2020, available at: <https://noizz.hu/big-stories/az-utcan-eloknek-a-koronavirus-is-veszedelmesebb-robbanas-elott-a-jarvany-a/ybveng6>.