

Report of Various Sizes (FRANET)

**EU mapping of child protection systems**

Lot 16 – Hungary

2 April 2014

# Contents

- I. Legislative framework and policy developments..... 2
- II. Structures and Actors..... 41
- III. Capacities..... 77
- IV. Care..... 91
- V. Accountability..... 118
- References ..... 166
- Annex – Terms and definitions ..... 183

# I. Legislative framework and policy developments

## 1. Overview of the normative framework of the national child protection system.

### 1. Normative framework:

The United Nations Convention on the Rights of the Child (UN CRC) was ratified in 1991 in Hungary<sup>1</sup>. The new Child Protection Act in accordance with the CRC came into force in November of 1997<sup>2</sup>. Its main goal is to promote the best interests, the protection and wellbeing of children. The normative framework ensures the wellbeing and the protection of children from violence, exploitation, abuse, neglect, trafficking, child labour, and child separation. The children's rights approach is set out by the priority to ensure the best interest of the child. According to the laws the separation from the biological family is the last resort, prevention is the main priority. Families have to be protected with all needed support.

The child protection system includes:

- basic child welfare provision (child welfare service, day care of children, emergency/temporary substitute care of children);
- professional child protection local, regional provisions (guardianship, children's homes, group homes, foster parents);
- administrative measures (placing the children on the protection register).

The simplified structure of child protection system includes: preventive services, targeted services and residential care.

The obligatory planning and reviewing procedure incorporated into the legislation since 1999<sup>3</sup> is based on the Hungarian adaptation of the Looking After Children Assessment and Documentation system<sup>4</sup>

### 2. Scope and needs

In 2012 according to the Hungarian Central Statistical Office's (*Központi Statisztikai Hivatal*) official data:

- 190,564 minors (108.4 per thousand inhabitants of corresponding age)<sup>5</sup> were registered as „at risk” by public guardianship authorities (Note: due to the reorganisation of the public administration system, data is not fully comparable with the data from previous years: data on guardianship authorities covers the period of time

<sup>1</sup> Hungary, Act LXIV of 1991, on the ratification of the UN Convention on the rights of the child (*1991. évi LXIV. törvény a gyermek jogairól szóló, New Yorkban, 1989. november 20-án kelt Egyezmény kihirdetéséről*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99100064.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99100064.TV).

<sup>2</sup> Hungary, Act XXXI of 1997, on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>3</sup> Hungary, Governmental Decree 235/1997 (XII.17) on handling personal data by the guardianship offices, county child protection agencies, child welfare services, organisations providing personal care and persons (*235/1997. (XII. 17.) Korm. rendelet a gyámhatóságok, a területi gyermekvédelmi szakszolgálatok, a gyermekjóléti szolgálatok és a személyes gondoskodást nyújtó szervek és személyek által kezelt személyes adatokról*), available at: [available at: available at: http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700235.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700235.KOR).

<sup>4</sup> Hungary, Herczog, M.(ed.) (1999) "On the protection of our children" *Handbook on how to use the child welfare and child protection assesment and documentation (Gyermekeink védelmében Kézikönyv a gyermekjóléti és gyermekvédelmi ellátásban részeseülők gondozását-nevelését segítő adatlapok használatához)*. Országos Család- és Gyermekvédelmi Intézet, Budapest.

<sup>5</sup> Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2013): Yearbook of Welfare and Stastics - 2012 (*Szociális Statisztikai Évkönyv - 2012*), Budapest, table 5.1.

between the 1st January 2012 to 1st of December (instead of till the 31st of December).)

- 25,755 (14.7 per thousand inhabitants of corresponding age)<sup>6</sup> were „taken under protection”, were registered in the child protection registry. (Due to the reorganisation of public administration data have limited comparability with previous years.)
- 18,464 children (under the age of 18) lived in alternative care (10.5 per thousand inhabitants of corresponding age)<sup>7</sup> which is the highest percentage since decades despite the general decline in child population. In 2010, 90,335, while in 2013, only 88,700 children were born in Hungary<sup>8</sup>.
- Minors under guardianship: 31,192<sup>9</sup> (7,927 live in kinship care, 6,471 live with “third persons” (means the guardian is not one of the parents), 2,984 have a professional guardian, 8,574 have foster parents as guardian, 5,236 have the director of the children’s home as guardian.
- Number of approved adoptions: 793<sup>10</sup>
- Number of foster parents: 5,546<sup>11</sup>

### 3. Resources

The child protection system is funded primarily by the State. In 2014, the annual budget<sup>12</sup>: is 79,692.5 million HUF (approx. 266,000,000 EUR) for the national child protection bodies, 115.0 million HUF (approx. 383,000 EUR) for the development of child protection services. The expenditure on the social system (including family policy, child welfare and child protection, social welfare and social inclusion) is around 13% of the overall central budget<sup>13</sup>. Besides the central budget, local authorities finance their services from local budget. Church-run institutions are entitled for a higher normative support from the State.

### 4. Historical factors

According to academic findings, before the WWII, over 85% of the children were placed into foster families. After the war the role of foster care decreased rapidly, mostly due to ideological reasons and by the mid 80’s it took less than 30% of all placements. The changes to broaden the scope of foster care placements slowly occurred due to the strong prejudice against foster carers for different reasons, and the high employment rate of women as well.<sup>14</sup> After the 80’s “despite the gradual recognition of the value of family-based care in child welfare, previous patterns, which relied heavily on institutional care, have been difficult to change.”<sup>15</sup>

Between 2003 and 2004 the ratio of children in children’s home and in foster care reached the equal proportion. In 2012 more than 61.4%<sup>16</sup> of children in alternative care lived with foster parents.

<sup>6</sup> Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2013): Yearbook of Welfare and Stastics - 2012 (*Szociális Statisztikai Évkönyv - 2012*), Budapest, table 5.2.

<sup>7</sup> Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2013): Yearbook of Welfare and Stastics - 2012 (*Szociális Statisztikai Évkönyv - 2012*), Budapest, KSH, table 5.9.

<sup>8</sup> Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) online database: STADAT 1.1 – Population, vital event (1941-) [www.ksh.hu/docs/hun/xstadat/xstadat\\_eves/i\\_wnt001b.html](http://www.ksh.hu/docs/hun/xstadat/xstadat_eves/i_wnt001b.html).

<sup>9</sup> Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2013): Yearbook of Welfare and Stastics - 2012 (*Szociális Statisztikai Évkönyv - 2012*), Budapest, KSH, table 5.6.

<sup>10</sup> Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2013): Yearbook of Welfare and Stastics - 2012 (*Szociális Statisztikai Évkönyv - 2012*), Budapest, KSH, table 5.8.

<sup>11</sup> Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2013): Yearbook of Welfare and Stastics - 2012 (*Szociális Statisztikai Évkönyv - 2012*), Budapest, KSH, table 5.14.

<sup>12</sup> Hungary, Act on State Budget of Hungary of 2014 (2013. évi CCXXX. törvény Magyarország 2014. évi központi költségvetéséről), available in Hungarian at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300230.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300230.TV).

<sup>13</sup> Hungary, Central Statistical Office: Yearbook of Welfare statistic (2013), (*Szociális Statisztikai Évkönyv - 2012*), Budapest, KSH, table 2.7.

<sup>14</sup> Hungary, Herczog, M. (2001): ‘The development and state of specialized foster care system in Hungary’. Written consultation paper’, UNICEF Technical meeting on specialised Fostering, 19-20 March 2001, Belgrade.

<sup>15</sup> Hungary, Herczog, M., Ideology and the changing role of foster family care in Hungary. In: McKenzie, B. (ed.) (1994): *Current perspectives on foster family care for children and youth*. Jessica Kingsley Publishers, London and Philadelphia

<sup>16</sup> Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2013): Yearbook of Welfare and Stastics - 2012 (*Szociális Statisztikai Évkönyv -2012*), Budapest, KSH, table 5.9.

## 5. Current priority

Prevention of family separation is a priority according to the Act on Child Protection<sup>17</sup>. Expanding foster care, and prioritising it to residential placements. Every child under 12 should be placed into foster families from 01/01/2014<sup>18</sup> and those who are already in children's homes should be transferred to foster care until 2017 latest, first under children 3 years of age, then children under 6, and finally the children under 12.

## 2. Legal provisions in constitutional, civil, criminal and administrative law related to children in need of protection.

Question	YES	NO	Comments
2. 1. Does the constitution contain any provisions on children's rights and child protection?	X		<p>Fundamental Law of Hungary (<i>Magyarország Alaptörvénye</i>)<sup>19</sup></p> <p>Article XV (5) Hungary shall adopt special measures to protect children, women, the elderly and persons living with disabilities.</p> <p>Article XVI (1) <b>Every child shall have the right to the protection and care required for his or her proper physical, mental and moral development.</b></p> <p>(2) Parents shall have the right to choose the type of upbringing they deem fit for their children.</p> <p>(3) Parents shall be obliged to look after their children. This obligation shall include the provision of schooling for their children.</p> <p>(4) Adult children shall be obliged to look after their parents if they are in need.</p> <p>Article XVIII (1) The employment of children shall be prohibited except for cases laid down in an Act posing no risk to the child's physical, mental or moral development.</p>
2. 2. Are all children in the State's jurisdiction entitled to the same level of protection and have equal access to services and rights?	X		<p>According to the legal framework the State should ensure that every child has equal rights.</p> <p>Hungary ratified the UN Convention on the rights of the child, proclaimed in its Act LXIV of 1991 with reference to Article 2.</p> <p>"1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's</p>

<sup>17</sup> Hungary, Act XXXI of 1997, on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

<sup>18</sup> Hungary, Act XXXI of 1997, on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), para. 78. available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

<sup>19</sup> Hungary, Fundamental Law of Hungary (*Magyarország Alaptörvénye*), see in English: [www.kormany.hu/download/4/c3/30000/THE%20FUNDAMENTAL%20LAW%20OF%20HUNGARY.pdf](http://www.kormany.hu/download/4/c3/30000/THE%20FUNDAMENTAL%20LAW%20OF%20HUNGARY.pdf)

		<p>race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.</p> <p>2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.</p> <p>It reflects in the Fundamental Law of Hungary, which states in <i>Article XVI</i>:</p> <p>(1) Every child shall have the right to the protection and care necessary for his or her proper physical, mental and moral development.</p> <p>The act XXXI. Of 1997 on the protection of children and the administration of Guardianship ((1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról) in its article no.4 determines the scope of the act and the eligibility for the services and rights assured in this act as:</p> <p>Article 4 (1)</p> <p>This act shall apply to all children and adolescents as well as their parents staying in the Republic of Hungary, who are Hungarian citizens, or immigrants entitled to permanent residence with personal identification cards, or those recognized by Hungarian authorities as refugees.</p> <p>(2) Beyond the persons defined in paragraph (1) above, this act shall be applied to a child who stays in the Republic of Hungary and is not a Hungarian citizen, to protect his or her interest, if failure to take such measures would involve endangerment of the child or unavoidable damage.</p> <p>The Act provides for all unaccompanied children under the Asylum Act equal rights and equal eligibility regarding the services specified in the act<sup>20</sup>.</p> <p>The protection of the interest of every child staying in the territory of Hungary, even with irregular status, is ensured by 4§ of the Child Protection Act declaring the right of services for every child "if failure to take such measures would involve endangerment of the child or unavoidable damage."<sup>21</sup></p>
2. 3. Is there a single legal instrument devoted to child protection and child rights, e.g. a Children's Act?	X	Yes, Act No. XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról).

<sup>20</sup> Hungary, Act LXXX of 2007 on the Right of Asylum (2007. évi LXXX. törvény a menedékjogról), Article 4., available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0700080.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0700080.TV)

<sup>21</sup> Hungary, Act No. XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 4 (3). available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

2. 4. Please provide an **inventory** of key child protection related legislation, including dates and the areas covered. Please include civil, criminal and administrative legislation covering different areas of child protection (please add rows, as needed).

Legislation	Date passed	Child protection areas covered
Hungary, Act No. XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról)	08/05/1997	The Act ensures the best interest of the child and the right to be brought up in the biological family and it guarantees and names various support and services for families and children. It defines the types of alternative care. According to this Act (and its modifications) every foster carer and adoptive parent has to be trained and assessed before the placement. <b>At the local level, basic child welfare services</b> are in principle available, guardianship offices handle the administrative measures at the sub-regional "district" level, the state and the counties are responsible for the provision of alternative care of children. <b>The Ministry of Human Resources is running special children's homes and the juvenile correction facilities are run by the Ministry of Human Resources in cooperation with the Ministry of Public Administration and Justice.</b>
Hungary, 15/1998 Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care(15/1998. (IV. 30.) NM rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről)	30/04/1998	Chapter III. <b>includes the detailed standards on the conditions of care in child welfare and child protection institutions.</b> Requirements are set on the personnel, infrastructure, living conditions and daily care of children.
Hungary, 149/1997. (IX. 10.) Governmental Decree on the guardianship offices and on the proceedings of child protection and guardianship cases (331/2006. (XII. 23.) Korm. Rendelet a gyermekvédelmi és gyámügyi feladat- és hatáskörök ellátásáról, valamint a gyámhatóság szervezetéről és illetékességéről)	10/09/1997	<b>It includes the responsibilities of guardianship offices.</b> The right of family members to keep contact with their child during the out-of-home placement is also set out and regulated by this act. <b>As well as the regular review of the placement in every year/half year depending on the age of the child and on the length of the stay.</b>
Hungary, 331/2006. (XII. 23.) Governmental Decree on the roles and responsibilities in	23/12/2006	1 § (1) "The guardianship authority includes: a) <b>the municipal notary</b> , b) <b>the district guardianship office</b> , c) <b>the county social and guardianship agency</b> ". This

<p>child protection and guardianship affairs and on the authority and jurisdiction of guardianship offices (331/2006. (XII. 23.) Korm. Rendelet a gyermekvédelmi és gyámügyi feladat- és hatáskörök ellátásáról, valamint a gyámhatóság szervezetéről és illetékességéről)</p>		<p>regulation describes the responsibilities of the guardianship authorities at each level: <b>the notary conducts</b> the environment <b>study of the families</b>, decides on the eligibility of child care, welfare allowances, takes the child under protection, etc.; <b>the district guardianship office makes the decision on temporary, short-term and long-term placement</b> of the children in alternative care, it <b>reviews</b> and changes the placements, makes the accusation if a child is at risk, etc.; <b>the county social and guardianship agency coordinates</b> the municipal notaries and the district guardianship offices within the county, authorize the child welfare, child protection services and <b>monitor</b> them, etc.</p>
<p>Hungary, 29/2003. (V. 20.) Decree of the Ministry of Health, Social and Family Affairs <b>on the professional and exam requirements of substitute parents, foster parents and families providing day care and on counselling and preparation training prior to adoption (29/2003 ESzCsM Rendelet a helyettes szülők, a nevelőszülők, a családi napközit működtetők képzésének szakmai és vizsgakövetelményeiről, valamint az örökbefogadás előtti tanácsadásról és felkészítő tanfolyamról)</b></p>	<p>20/05/2003</p>	<p>It provides <b>for the professional requirements of the foster carer's and the adoptive parents' training.</b></p>
<p>Hungary, Criminal Code - Act No. 100 of 2012. – Chapter XI. (2012. évi C. törvény - a Büntető Törvénykönyvről)</p>	<p>13/08/2012</p>	<p>The age of criminal responsibility was modified: children <b>under 14 can be charged</b> for manslaughter, manslaughter under provocation, bodily harm, robbery and plunder, <b>if the child can judge the consequences of his/her actions.</b></p> <p>16. § Children under 14 cannot be held criminally reliable in general but children <b>older than 12 can be punished in case of serious crimes (see above).</b></p> <p>105. § (1) juveniles are children who at the time of the crime/offence were <b>at least 12</b>, but were not 18 yet.</p> <p>Punishments and measures can be used to “develop the juvenile to the right direction in order to help him/her to become a useful member of the society” (108. § (1)). In case of children under 14 only measures can be used and it is also a priority for older children, but if the measures do not lead to the purpose, <b>punishments can apply.</b> Deprivation of liberty is only possible “if the purpose of the measure or the punishment cannot be achieved by other means” (§ 108 (3)).</p> <p><b>The main punishment is imprisonment</b> in „special” prisons for juvenile offenders, the minimum period of the</p>



		<p>sentence is 1 month, the maximum is 10 or <b>15 years (it depends if the juvenile is younger or older than 16)</b>. The court can order measures besides punishment: warning, suspension, probation, fine, <b>community work (if the child is older than 16)</b> and „education in a correction institute” <b>up to 4 years (for children between 12- 20)</b>.</p> <p>Despite the legal possibility that has been in place since 2006, restorative justice has been implemented in a low number of cases. In 2011 13510 children committed crimes and petty offenses<sup>22</sup> and mediation <b>was only used in 370 cases (with 582 juveniles)</b> which means 127% growth<sup>23</sup> of use of restorative justice compared to the previous year. The geographical dispersion of the use of restorative justice is uneven.<sup>24</sup></p>
Hungary, Act XIX of 1998 on Criminal Proceedings (1998. évi XIX. törvény - a büntetőeljárásról)	01/01/2000	<p>The 21<sup>st</sup> chapter provides for the special rules for juvenile justice proceedings. It names the “<b>corrective education</b>” as a measure, <b>notes the need to inform and involve the child protection system, sets forth custody as a last resort</b> and includes the rights of defendants such as the rule to have a pedagogue in the judicial council, right to information, to have a defence counsel, and the presence of legal representatives if the suspect is under 18, etc.</p> <p>454. § (2) “<b>The place for pre-trial detention of juveniles can be a: a) correctional institute, b) a penal institution</b>” upon the decision of the court in relation with the alleged offense and the suspect's personality. <b>Children under age 14 only can be placed to correction facilities during pre-trial.</b></p> <p>459. § includes the possibility of suspended imprisonment and mediation.</p>
Hungary, Act II of 2012 on petty offences, procedure of petty offences registration (2012. évi II. törvény a szabálysértésekről, a szabálysértési eljárásról és a szabálysértési nyilvántartási rendszerről)	06/01/2012	<p>Chapter 4 special provisions, 18. Regulations concerning juveniles and soldiers 27. paragraph (2) For criminal acts under the value of a misdemeanour, the punishment can be 30, in aggravated cases 45 days of detention for juveniles.</p>
Hungary, Act LXII of 2012 on the Amendment of Certain	21/05/2012	<p>Implemented child-friendly justice provisions in accordance</p>

<sup>22</sup> Hungary, Office of the Chief Prosecutor (*Főügyészség*) (2011): J/6851 Report of the: (*J/6851 A legfőbb ügyész országgyűlési beszámolója*), Budapest, table 11, available at: [www.mklu.hu/pdf/ogy\\_besz/ogy\\_beszamolo\\_2011.pdf](http://www.mklu.hu/pdf/ogy_besz/ogy_beszamolo_2011.pdf).

<sup>23</sup> Hungary, Office of the Chief Prosecutor (*Főügyészség*) (2011): J/6851 Report of the: (*J/6851 A legfőbb ügyész országgyűlési beszámolója*), Budapest, available at: [www.mklu.hu/pdf/ogy\\_besz/ogy\\_beszamolo\\_2011.pdf](http://www.mklu.hu/pdf/ogy_besz/ogy_beszamolo_2011.pdf).

<sup>24</sup> Hungary, Barabás T. (2010): 'Initial Experiences of Mediation in Criminal Justice'

*OKRI Review* 2. OKRI, Budapest, pp. 6–8, available at: [www.okri.hu/images/stories/OKRIReview/okri%20review\\_2010\\_2.pdf](http://www.okri.hu/images/stories/OKRIReview/okri%20review_2010_2.pdf)

Laws Connected to the Implementation of Child-friendly Justice (2012. évi LXII. törvény a gyermekbarát igazságszolgáltatás megvalósulásához kapcsolódó egyes törvények módosításáról).		with EU law.  A working group for child-friendly justice was created in December of 2011 <sup>25</sup> .
Hungary, Act No. CCXI of 2011 on the Protection of Families (2011. évi CCXI. törvény a családok védelméről)	31/12/2011	Protection of families as the “most important national resource of Hungary” (Preamble).  Rights and obligations of parents and children are defined and the responsibility of the State to provide assistance to families (3-4 paragraph).  Family is defined in this act as a marriage between a man and a woman excluding the legitimacy of any other forms of families such as domestic partnerships, patchwork families, single parents, etc.
Hungary, Fundamental Law of Hungary <sup>26</sup> (Magyarország Alaptörvénye)	21/05/2011	Article L (1) Hungary shall protect the institution of marriage as the union of a man and a woman established by voluntary decision, and the family as the basis of the nation’s survival.
Hungary, Act IV of 1952 on Marriage, Family and Guardianship (1952. évi IV. törvény a házasságról, a családról és a gyámságról)	06/06/1952	According to this act every child must be under either parental supervision or guardianship (70. §). If the child lacks parental care (temporarily or permanently), the guardianship office appoints a guardian for her/him (94. §).  The goal and conditions of adoption are also regulated by this law (VI. Chapter).
Hungary, Act CXC of 2011 on National Public Education (2011. évi CXC. törvény a nemzeti köznevelésről)	29/12/2011	Section 45 (3) Compulsory education lasts until a student turns sixteen years of age. (It brought a decrease of compulsory school age from 18 to 16.)  Section 14 (1) By performing complex educational, social, cultural, pedagogical tasks for developing the skills and the personality, the Public Education Bridge Programmes assist students in joining secondary education or vocational training or the obtaining of knowledge necessary for getting employed and starting independent life.
Act XXVI of 1998 on the Rights and Equal Opportunities of Persons with Disabilities (Act on the Rights of Persons with Disabilities)	01/01/1999	Sets up the key rules in Hungarian legislation with regards to people living with disabilities, including children. The primary objective of the act is to guarantee the rights of persons with disabilities, and thus to promote their equal opportunities, independent living and active involvement in

<sup>25</sup> Hungary, Government’s announcement on child friendly justice, available at: <http://gyermekbarat.kormany.hu/gyermekbarat-igazsagszolgáltatás-munkacsoport-felállítás>.

<sup>26</sup> Hungary, Fundamental Law of Hungary (Magyarország Alaptörvénye), available in English at: [www.kormany.hu/download/4/c3/30000/THE%20FUNDAMENTAL%20LAW%20OF%20HUNGARY.pdf](http://www.kormany.hu/download/4/c3/30000/THE%20FUNDAMENTAL%20LAW%20OF%20HUNGARY.pdf)

		social life.
--	--	--------------

### 3. Policy framework.

Question	YES	NO	Comments
3. 1. Does the State have a specific national policy framework or a national strategy on child rights and/or child protection?		X	No specific national policy/strategy on child protection or on children's' rights.
3. 2. Has the State adopted national plans for action or particular policies targeting specific groups of children or particular areas, e.g. children in care?		X	<p>Child poverty and inclusion:  The Hungarian National Social Inclusion Strategy (<i>Nemzeti Társadalmi Felzárkózási Stratégia – Mélyszegénység, gyermekszegénység, romák – (2011–2020)</i>)<sup>27</sup> includes goals to tackle child poverty as well as the National Reform Program (<i>Nemzeti Reform Program, 2013</i>)<sup>28</sup> (In accordance with the Europe 2020 targets).  Intervention areas in the National Social Inclusion Strategy:  - Child well-being: wider application of part-time employment for women; extension of day-care child services; early childhood care and education; strengthen prevention: child welfare and family support services; extension of eligible criteria for free school meals; training of specialists dealing with disadvantaged young children and their families; effective regional coordination,  - Education and training: kindergarten education; inclusive schools; facilitate secondary and higher education attendance; development of cultural and sports services.  - Employment of parents  - Health care: health promotion; health protection; reduction of inequalities in access to health care; development of infant, child and youth health care.  -Housing: housing support; debt management; slum programmes; urban social rehabilitation; social housing.  - Awareness raising, fight against discrimination.</p> <p>Well-being:  The Making things better for our Children 2007-2032 National Strategy (47/2007. (V. 31.) OGY határozat a "Legyen jobb a gyermekeknek!" Nemzeti Stratégiáról, 2007-2032)<sup>29</sup> was integrated to the above mentioned National Social Inclusion Strategy.</p>

<sup>27</sup>Hungary, Ministry of Public Administration and Justice, State Secretariat for Social Inclusion (2011), National Social Inclusion Strategy – Extreme Poverty, Child Poverty, the Roma – (2012–2020) November 2011, (*Nemzeti Társadalmi Felzárkózási Stratégia – Mélyszegénység, gyermekszegénység, romák – (2011–2020)*, 2011. november), official English translation is available at: <http://romagov.kormany.hu/download/5/58/20000/Strategy%20-%20HU%20-%20EN.PDF>.

<sup>28</sup> Hungary, National Reform Programme, 2013 (*Nemzeti Reform Program, 2013*), available at: [http://ec.europa.eu/europe2020/europe-2020-in-your-country/magyarorszag/national-reform-programme/index\\_en.htm](http://ec.europa.eu/europe2020/europe-2020-in-your-country/magyarorszag/national-reform-programme/index_en.htm).

<sup>29</sup> Hungary, Parliamentary Resolution 47/2007. (V. 31.) on the Making things better for our Children 2007-2032 National Strategy (47/2007. (V. 31.) OGY határozat a "Legyen jobb a gyermekeknek!" Nemzeti Stratégiáról, 2007-2032), available at: [www.complex.hu/kzldat/o07h0047.htm/o07h0047.htm](http://www.complex.hu/kzldat/o07h0047.htm/o07h0047.htm).

		<p>Trafficking: 4-Year Plan Document Related to the Directive against Human Trafficking and the European Strategy towards the Eradication of Trafficking in Human Beings and Replacing the National Strategy against Human Trafficking 2008-2012<sup>30</sup> (<i>Az Emberkereskedelem elleni irányelvhez és az Emberkereskedelem Felszámolását célzó Európai Stratégiához kapcsolódó, valamint az emberkereskedelem elleni küzdelemről szóló 2008-2012 közötti nemzeti stratégiát felváltó 4 éves stratégiai tervdokumentum</i>).</p> <p>The strategy mentions children among the especially vulnerable social groups. Priorities related to protection of children: prevention of victimisation; regular participation in training to specialists working with child victims; training for child protection institution's personnel; social integration or reintegration of human trafficking victims (including children).</p> <p>Youth: National Youth Strategy 2009-2024 (<i>Nemzeti Ifjúsági Stratégia 2009–2024</i>)<sup>31</sup>. Objectives: integration of youth; promotion of family life; skill development; guaranteeing equal opportunities; empowering; education; improving the capacities of youth organizations; youth policy development and implementation.</p> <p>Health: National Infant and Child Health Program (<i>Nemzeti Csecsemő- és Gyermek egészségügyi Program</i>)<sup>32</sup> Objectives: ensure the quality and accessibility of health care in particular promote maternal health, infants' health, adolescent health, psychosocial development and mental health; prevention of injuries and violence.</p> <p>Safety: National Action Plan on Child and Youth Safety Programme for Preventing Unintentional Injuries of 0–24-year-olds, 2010–2019 (<i>Nemzeti Gyermek- és</i></p>
--	--	--

<sup>30</sup> Hungary, 4-Year Plan Document Related to the Directive against Human Trafficking and the European Strategy towards the Eradication of Trafficking in Human Beings and Replacing the National Strategy against Human Trafficking 2008-2012 (*Az Emberkereskedelem elleni irányelvhez és az Emberkereskedelem Felszámolását célzó Európai Stratégiához kapcsolódó, valamint az emberkereskedelem elleni küzdelemről szóló 2008-2012 közötti nemzeti stratégiát felváltó 4 éves stratégiai tervdokumentum*), available at: <http://thb.kormany.hu/knowledge-base>.

<sup>31</sup> Hungary, National Youth Strategy 2009-2024 (*Nemzeti Ifjúsági Stratégia 2009–2024*), Available at: [http://planipolis.iiep.unesco.org/upload/Youth/Hungary/Hungary\\_National\\_Youth\\_Strategy.pdf](http://planipolis.iiep.unesco.org/upload/Youth/Hungary/Hungary_National_Youth_Strategy.pdf).

<sup>32</sup> Hungary, National Infant and Child Health Program (*Nemzeti Csecsemő- és Gyermek egészségügyi Program*), Available at: [www.eum.hu/national-infant-and](http://www.eum.hu/national-infant-and)

			<p><i>Ifjúságbiztonsági Akcióterv 0-24 évesek véletlen baleseteinek megelőzési programja 2010-2019</i>)<sup>33</sup> coordinated by the National Institute of Child Health and supported by the Ministry of Health.</p> <p>Priority areas: injury prevention; safety promotion (includes home safety and road safety); ensure the safety of child care institutions; play-, leisure- and sports safety; improvement of coordination, evaluation and monitoring.</p>
--	--	--	---

#### 4. Particular groups

##### 4.1. Children victims of abuse, exploitation or neglect

**In the areas of sexual abuse, exploitation, pornography; trafficking; domestic violence; ICT and cyber bullying; school bullying; neglect and children in risk of abuse and neglect, including street children (begging or selling things)**

Policy developments (comments)	Legislative developments (comments)
<p>The National Institute for Child Health (<i>Országos Gyermekegészségügyi Intézet - OGYEI</i>) initiated an awareness raising campaign in Hungary dedicated to the prevention of violence against children.</p> <p>Two methodological letters have been published by the National Institute for Child Health (2011) (<i>Országos Gyermekegészségügyi Intézet - OGYEI</i>) and by the Child Protection Directorate of the Ministry (2004) (<i>Szociális és Gyermekvédelmi Főigazgatóság</i>) on the prevention and recognition of child abuse.</p> <p>In December 2012, based on the recommendations of the <b>Commissioner for Fundamental Rights</b><sup>34</sup> (Ombudsman), which were published in a report on child abuse in 2011<sup>35</sup> the <b>Child Protection Methodological Service of Budapest</b> (<i>Budapest Fővárosának Módszertani Gyermekvédelmi Szakszolgálat, Fővárosi TEGYESZ</i>) launched a <b>professional guideline on combating sexual abuse of children in state care</b>. The aim of the guidelines is to prevent sexual abuse against children in institutional settings, as well as to decrease the latency rate of such crimes and to promote</p>	<p>Actors involved:</p> <p>Responsible governmental bodies: Ministry of Human Resources (<i>Emberi Erőforrások Minisztériuma</i>); Department of Child Protection and Guardianship (<i>Gyermekvédelmi és Gyámügyi Főosztály</i>), Secretary of Health (<i>Egészségügyi Államtitkárság</i>) National Employment Service (<i>Nemzeti Foglalkoztatási Szolgálat</i>).</p> <ul style="list-style-type: none"> <li>- Ministry of Justice and Public administration – on victim protection, child friendly justice provisions</li> <li>- Placement of children into foster care</li> <li>- Decrease of criminal responsibility age</li> <li>- Decrease of compulsory school age</li> <li>- Nm. regulations on foster care, training and employment scheme, child protection guardians</li> </ul> <p>Roma inclusion:</p> <p>Actors involved in the implementation: child welfare and family support services, child protection signalling system, public education, public</p>

<sup>33</sup> Hungary, National Action Plan on Child and Youth Safety Programme for Preventing Unintentional Injuries of 0–24-year-olds, 2010–2019 (*Nemzeti Gyermek- és Ifjúságbiztonsági Akcióterv 0-24 évesek véletlen baleseteinek megelőzési programja 2010-2019*) Available at: [www.childsafetyeurope.org/europe/hungary.html](http://www.childsafetyeurope.org/europe/hungary.html).

<sup>34</sup> Hungary, Written information (reg. no AJB-6161/2012) provided by the Office of the Parliamentary Commissioner for Fundamental Rights for the purposes of the Contribution to the FRA Annual Report 2012, Lot 16 Hungary, Revised version, 15 January 2013, see Section 4.1.1 ('Physical, psychological and sexual violence against children').

<sup>35</sup> Hungary, Kovács, Sz. (Ed.) (2012) *Módszertani segédlet a gyermekvédelmi gondoskodásban élő gyermekekkel szembeni szexuális visszaélések eseteire: Felismerés és jelzés*, Budapest, Budapest Főváros Önkormányzatának Módszertani Gyermekvédelmi Szakszolgálat, available at: [www.tegyesz.hu/file/Szakmai\\_informaciok/Kiadvanyok/modszertani\\_segedlet\\_2012.pdf](http://www.tegyesz.hu/file/Szakmai_informaciok/Kiadvanyok/modszertani_segedlet_2012.pdf).

<p>the access of child victims to remedies.</p> <p>The most vulnerable group of children in relation with abuse is children in alternative care and children living in disadvantaged areas. This methodological paper focuses on them.</p> <p>In 2009 the National Institute of Criminology (<i>Országos Kriminológiai Intézet</i>) together with the police developed Internet Child Protection Strategy (<i>Internetes Gyermekvédelmi Stratégia</i>)<sup>36</sup> on the prevention of cyber bullying and online abuse. The priorities are: awareness raising (among teachers, parents and children), to provide information on the risks, development and use of IT applications, softwares to ensure internet safety, design training.</p> <p>On human trafficking an Action Plan has been prepared: 4-Year Plan Document Related to the Directive against Human Trafficking and the European Strategy towards the Eradication of Trafficking in Human Beings and Replacing the National Strategy against Human Trafficking 2008-2012<sup>37</sup> (<i>Az Emberkereskedelem elleni irányelvhez és az Emberkereskedelem Felszámolását célzó Európai Stratégiához kapcsolódó, valamint az emberkereskedelem elleni küzdelemről szóló 2008-2012 közötti nemzeti stratégiát felváltó 4 éves stratégiai tervdokumentum</i>)</p> <p>For more information see: 3. Policy Framework, 3.2.</p> <p>An integrated model of prevention and help in situations of sexual exploitation and abuse of children.</p> <p>The Blue Line Child Crisis Foundation (<i>Kék-Vonal/Gyermekkrízis Alapítvány</i>) will launch an awareness-raising and educational campaign, tackling the problem of sexual exploitation of children and youth<sup>38</sup> in the framework of Prevention of and Fight against Crime Programme (ISEC) of the European Union.</p> <p>The Anoni Mara Association (<i>Anoni Mara Társaság</i>) recently launched a webpage where child victims of sexual abuse can share their stories and seek for help.<sup>39</sup></p>	<p>employment services.</p> <p>Coordination: Ministry of Human Resources (<i>Emberi Erőforrások Minisztériuma</i>), Ministry of Public Administration and Justice (<i>Közigazgatási és Igazságügyi Minisztérium</i>) and Ministry of Interior (<i>Belügyminisztérium</i>).</p> <p>Implementation: local child welfare and family support services, members of the child protection signalling system, child protection system, police, justice system, victim support services.</p> <p>Main provisions: In the past few years more attention has been paid to this issue in accordance with the international instruments See below: the Optional Protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography was ratified and Lanzarote Convention was signed). The priorities are the prevention of victimization of children (See the column on the left: methodological papers and the Internet Child Protection Strategy),, early recognition of abuse/neglect/exploitation (See the column on the left: methodological papers),, professionalization of victim support services See below: CXXXV. Of 2005 on the support of victims of criminal offences and the rules of state remedies), cooperation facilitation between actors (See the column on the left: Action Plan has been prepared: 4-Year Plan Document Related to the Directive against Human Trafficking and the European Strategy).</p> <p>CLXI of 2009 on promulgating the Optional Protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2009. évi CLXI. Törvény a gyermekek eladásáról, a gyermekprostitúcióról és a gyermekpornográfiáról szóló, a Gyermek jogairól szóló egyezményhez fűzött Fakultatív Jegyzőkönyv megerősítéséről és kihirdetéséről)</p> <p>The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) was signed by Hungary on November 29, 2010.</p>
---	---

<sup>36</sup>Hungary, National Institute of Criminology (*Országos Kriminológiai Intézet*): 'Child Protection Strategy - Draft' (*Internetes Gyermekvédelmi Stratégia Vázlata*), Available at: [www.biztonsagosbongesztes.hu/hu/pdf/strategia\\_vazlata.pdf](http://www.biztonsagosbongesztes.hu/hu/pdf/strategia_vazlata.pdf).

<sup>37</sup> Hungary, 4-Year Plan Document Related to the Directive against Human Trafficking and the European Strategy towards the Eradication of Trafficking in Human Beings and Replacing the National Strategy against Human Trafficking 2008-2012 (*Az Emberkereskedelem elleni irányelvhez és az Emberkereskedelem Felszámolását célzó Európai Stratégiához kapcsolódó, valamint az emberkereskedelem elleni küzdelemről szóló 2008-2012 közötti nemzeti stratégiát felváltó 4 éves stratégiai tervdokumentum*), available at: <http://thb.kormany.hu/knowledge-base>.

<sup>38</sup>Hungary, homepage of Blue Line Child Crisis Foundation, projects: [www.kek-vonal.hu/index.php/en/projects](http://www.kek-vonal.hu/index.php/en/projects).

<sup>39</sup> Hungary, available at: [www.beszjelrola.hu/](http://www.beszjelrola.hu/)

	<p>Act CXXXV. Of 2005 on the support of victims of criminal offences and the rules of state remedies (2005. CXXXV. törvény a bűncselekmények áldozatainak segítéséről és az állami kárenyhítésről)<sup>40</sup> sets up the key rules of victims support and establishes the Victim Support Services country wide.</p> <p>177/2012. (VII. 26.) Governmental Decree About the establishment of the Office of Administration and Justice (177/2012. (VII. 26.) Korm. rendelet a Közigazgatási és Igazságügyi Hivatalról)<sup>41</sup> changes the structure of the victim support services by establishing the Office of Administration and Justice as the supervisory authority of the Victim Support Service</p> <p>In 2011 the Hungarian Presidency of the Council of the EU passed a Resolution on a roadmap for strengthening the rights and protection of victims, in particular in criminal proceedings, welcoming European Commission's proposal for a package of measures on victims of crime and emphasized vulnerability of children victims and their need for special care and attention. The deadline for the transposition of the two Directives of the Commission (Directive 2012/29/EU and Directive 2011/99/EU) is 2015.<sup>42</sup></p>
<p><b>4. 2. Children with disabilities</b> <b>(please include children with psycho-social disabilities)</b></p>	
Policy developments	Legislative developments

<sup>40</sup> Hungary, Act CXXXV of 2005 on the support of victims of criminal offences and the rules of state remedies (2005. CXXXV. törvény a bűncselekmények áldozatainak segítéséről és az állami kárenyhítésről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0500135.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0500135.TV).

<sup>41</sup> Hungary, 177/2012. (VII. 26.) Governmental Decree About the establishment of the Office of Administration and Justice (177/2012. (VII. 26.) Korm. rendelet a Közigazgatási és Igazságügyi Hivatalról), available at: <http://net.jogtar.hu/jr/gen/getdoc2.cgi?dbnum=1&docid=A1200177.KOR>.

<sup>42</sup> European Union, Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:315:0057:0073:EN:PDF>; Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European Protection Order, available at: [http://ec.europa.eu/justice/criminal/files/directive\\_2011\\_99\\_on\\_epo\\_en.pdf](http://ec.europa.eu/justice/criminal/files/directive_2011_99_on_epo_en.pdf).

<p>National Disability Programme for 2007-2013 (<i>Országos Fogyatékosügyi Program, 2007-2013</i>): children are not mentioned in it.</p> <p>The Strategy for 2011-2041 on the de-Institutionalising social institutions for disabled persons<sup>43</sup> (<i>A fogyatékos személyek számára ápolást-gondozást nyújtó szociális intézményi férőhelyek kiváltásáról szóló, 2011-2041. évre elkészített Stratégia</i>) does not mention children or children's homes.</p> <p>According to the 1257/2011. (VII.21.) Government Decree every social residential facility for disabled and mentally ill persons that accommodate more than 50 people should be deinstitutionalised. It means 100 institutions with 11 939 care places<sup>44</sup>. According to the Decree until the 31. 12. 2013 1500 care places should have been transformed to "group homes" or other community based services<sup>45</sup>. The De-I process estimated to be done in 30 years<sup>46</sup>.</p> <p>These social residential institutions accommodate children and adults together.</p> <p>See the table below on persons living in social residential institutions by age group (in 2010)<sup>47</sup>.</p>	<p>Actors involved: Coordination: Ministry of Human Resources (<i>Emberi Erőforrások Minisztériuma</i>)</p> <p><i>Implementation: local child welfare and family support services, early childhood development centres, basic health care provision, social residential institutions, child protection system, inclusive and specialized schools.</i></p> <p>The priority is de-Institutionalising the residential system for disabled persons however in the legislation, strategies and policies children have not been included as a target group and the implementation of De-I faces challenges (See the left side of this box: Policy developments).</p> <p>In 2011 the 1257/2011 Governmental Decree on deinstitutionalization strategy and tasks on implementation for institutions providing care for disabled persons (1257/2011. (VII.21.) <i>Korm. határozata a fogyatékos személyek számára ápolást-gondozást nyújtó szociális intézményi férőhelyek kiváltásának stratégiájáról és a végrehajtásával kapcsolatos kormányzati feladatokról</i>)<sup>48</sup>. A coordination body was set up. The Decree does not specifically refer to children.</p> <p>The amendment of the Act XXVI of 1998 on the Rights and Equal Opportunities of Persons with Disabilities came into force 24<sup>th</sup> of May 2013 by the Act LXII. Of 2013 changed the definition of the term disability, complying with the international standards</p>
<p><sup>43</sup> Hungary, 1257/2011 Government Decree on deinstitutionalization strategy and tasks on implementation for institutions providing care for disabled persons (1257/2011. (VII.21.) <i>Korm. határozata a fogyatékos személyek számára ápolást-gondozást nyújtó szociális intézményi férőhelyek kiváltásának stratégiájáról és a végrehajtásával kapcsolatos kormányzati feladatokról</i>), available at: <a href="http://fszk.hu/fszk/forrasok/jogszabalyi-kornyezet/Kormanyhatarozat-es-Strategia-a-fogyatekos-szemelyek-szamara-apolast-gondozast-nyujto-szocialis-intezmenyi-ferohelyek-kivaltasarol.pdf">http://fszk.hu/fszk/forrasok/jogszabalyi-kornyezet/Kormanyhatarozat-es-Strategia-a-fogyatekos-szemelyek-szamara-apolast-gondozast-nyujto-szocialis-intezmenyi-ferohelyek-kivaltasarol.pdf</a>.</p> <p><sup>44</sup> Hungary, 1257/2011 Government Decree on deinstitutionalization strategy and tasks on implementation for institutions providing care for disabled persons (1257/2011. (VII.21.) <i>Korm. határozata a fogyatékos személyek számára ápolást-gondozást nyújtó szociális intézményi férőhelyek kiváltásának stratégiájáról és a végrehajtásával kapcsolatos kormányzati feladatokról</i>), p. 6, available at: <a href="http://fszk.hu/fszk/forrasok/jogszabalyi-kornyezet/Kormanyhatarozat-es-Strategia-a-fogyatekos-szemelyek-szamara-apolast-gondozast-nyujto-szocialis-intezmenyi-ferohelyek-kivaltasarol.pdf">http://fszk.hu/fszk/forrasok/jogszabalyi-kornyezet/Kormanyhatarozat-es-Strategia-a-fogyatekos-szemelyek-szamara-apolast-gondozast-nyujto-szocialis-intezmenyi-ferohelyek-kivaltasarol.pdf</a>.</p> <p><sup>45</sup> Hungary, 1257/2011 Government Decree on deinstitutionalization strategy and tasks on implementation for institutions providing care for disabled persons (1257/2011. (VII.21.) <i>Korm. határozata a fogyatékos személyek számára ápolást-gondozást nyújtó szociális intézményi férőhelyek kiváltásának stratégiájáról és a végrehajtásával kapcsolatos kormányzati feladatokról</i>), p.6, available at: <a href="http://fszk.hu/fszk/forrasok/jogszabalyi-kornyezet/Kormanyhatarozat-es-Strategia-a-fogyatekos-szemelyek-szamara-apolast-gondozast-nyujto-szocialis-intezmenyi-ferohelyek-kivaltasarol.pdf">http://fszk.hu/fszk/forrasok/jogszabalyi-kornyezet/Kormanyhatarozat-es-Strategia-a-fogyatekos-szemelyek-szamara-apolast-gondozast-nyujto-szocialis-intezmenyi-ferohelyek-kivaltasarol.pdf</a>.</p> <p><sup>46</sup> Hungary, 1257/2011 Government Decree on deinstitutionalization strategy and tasks on implementation for institutions providing care for disabled persons (1257/2011. (VII.21.) <i>Korm. határozata a fogyatékos személyek számára ápolást-gondozást nyújtó szociális intézményi férőhelyek kiváltásának stratégiájáról és a végrehajtásával kapcsolatos kormányzati feladatokról</i>), p. 24, available at: <a href="http://fszk.hu/fszk/forrasok/jogszabalyi-kornyezet/Kormanyhatarozat-es-Strategia-a-fogyatekos-szemelyek-szamara-apolast-gondozast-nyujto-szocialis-intezmenyi-ferohelyek-kivaltasarol.pdf">http://fszk.hu/fszk/forrasok/jogszabalyi-kornyezet/Kormanyhatarozat-es-Strategia-a-fogyatekos-szemelyek-szamara-apolast-gondozast-nyujto-szocialis-intezmenyi-ferohelyek-kivaltasarol.pdf</a>.</p> <p><sup>47</sup> Hungary, 1257/2011 Government Decree on deinstitutionalization strategy and tasks on implementation for institutions providing care for disabled persons (1257/2011. (VII.21.) <i>Korm. határozata a fogyatékos személyek számára ápolást-gondozást nyújtó szociális intézményi férőhelyek kiváltásának stratégiájáról és a végrehajtásával kapcsolatos kormányzati feladatokról</i>), p. 41, available at: <a href="http://fszk.hu/fszk/forrasok/jogszabalyi-kornyezet/Kormanyhatarozat-es-Strategia-a-fogyatekos-szemelyek-szamara-apolast-gondozast-nyujto-szocialis-intezmenyi-ferohelyek-kivaltasarol.pdf">http://fszk.hu/fszk/forrasok/jogszabalyi-kornyezet/Kormanyhatarozat-es-Strategia-a-fogyatekos-szemelyek-szamara-apolast-gondozast-nyujto-szocialis-intezmenyi-ferohelyek-kivaltasarol.pdf</a>.</p> <p><sup>48</sup> Hungary, 1257/2011 Government Decree on deinstitutionalization strategy and tasks on implementation for institutions providing care for disabled persons (1257/2011. (VII.21.) <i>Korm. határozata a fogyatékos személyek számára ápolást-gondozást nyújtó szociális intézményi férőhelyek kiváltásának stratégiájáról és a végrehajtásával kapcsolatos kormányzati feladatokról</i>), p. 6, available at: <a href="http://fszk.hu/fszk/forrasok/jogszabalyi-kornyezet/Kormanyhatarozat-es-Strategia-a-fogyatekos-szemelyek-szamara-apolast-gondozast-nyujto-szocialis-intezmenyi-ferohelyek-kivaltasarol.pdf">http://fszk.hu/fszk/forrasok/jogszabalyi-kornyezet/Kormanyhatarozat-es-Strategia-a-fogyatekos-szemelyek-szamara-apolast-gondozast-nyujto-szocialis-intezmenyi-ferohelyek-kivaltasarol.pdf</a>.</p>	<p>the act also raised the disability allowance with 1000 HUF (2013 évi LXII. törvény a fogyatékos személyek jogairól és esélyegyenlőségük biztosításáról szóló 1998. évi XXVI. törvény módosításáról)</p>



		Number of persons	From which						
			0-17 years old	18-39 years old	40-59 years old	60-64 years old	65-69 years old	70-79 years old	80 or more years old
Living in an institution with 0 - 19 care places	person	206	1	117	31	2	0	2	6
	%		0,5	56,9	15,1	1,0	0,0	1,0	2,9
Living in an institution with 20 - 49 care places	person	402		155	62	21	18	19	24
	%			38,6	15,4	5,2	4,5	4,7	6,0
Living in an institution with 50 - 99 care places	person	1841	71	533	455	83	71	123	136
	%		3,9	29,0	24,7	4,5	3,9	6,7	7,4
Living in an institution with more than 100 care places	person	10756	455	3004	2849	480	377	452	405
	%		4,2	27,9	26,5	4,5	3,5	4,2	3,8
Total	person	13205	527	3809	3397	586	466	596	571
	%		4,0	28,8	25,7	4,4	3,5	4,5	4,3

#### 4. 3. Children in the context of migration

**Specific thematic areas: unaccompanied-separated children from third countries; children in undocumented – irregular migrant families; asylum seeking children; refugee children**

##### Policy developments

In Hungary there are two different categories of unaccompanied migrant children: asylum seekers and unaccompanied children who do not seek asylum. The latter group consists of irregular migrant children and children of unknown nationality and are cared by the mainstream child protection system while asylum seekers are treated differently and always placed to a special unit of a residential facility in Hungary. The care of unaccompanied minors who are not asylum seekers is the task of the Guardianship Office of the 5<sup>th</sup> District of Budapest.

During the refugee status determination procedure a case guardian is appointed at the request of the Office of Immigration and Nationality (*Bevándorlási és Állampolgársági Hivatal*) by the local guardianship office to represent the unaccompanied minor. Guardians are lawyers and they are only responsible for the legal representation of the child during the procedure.

##### Legislative developments

Responsible ministries: Ministry of Justice (*Közigazgatási és Igazságügyi Minisztérium*) and Ministry of Human Resources (*Emberi Erőforrások Minisztériuma*)

Implementation: Guardianship offices, child protection system, Office of Migration and Nationality (*Bevándorlási és Állampolgársági Hivatal*), Law Enforcement

Act I of 2007. about the inbound travel and residence of persons enjoying freedom of movement

Act II of 2007 of the inbound travel and residence of third-country nationals

**1698/2013. (X. 4.) Government Resolution** on Migration Strategy and the 7 years (2014-2020) Strategy of the European Union. The main designation of the strategy as well as respecting the

*feladatokról*), available at: <http://fszk.hu/fszk/forrasok/jogszabalyi-kornyezet/Kormanyhatározat-es-Strategia-a-fogyatekos-szemelyek-szamara-apolast-gondozast-nyujto-szocialis-intezmenyi-ferohelyek-kivaltasarol.pdf>.

<p>Unaccompanied children do not have guardians to represent their interests other than those that are related to the procedure.</p> <p>Legislation: The 290/2010. (XII. 21.) Governmental Decree (<i>A Kormány 290/2010. (XII. 21.) Korm. rendelete</i>)<sup>49</sup>: came into force on the 1<sup>st</sup> of May, 2011. According to the Decree asylum seeking unaccompanied minors have to be placed to the appointed children's home in Budapest Károlyi István Children's Centre (<i>Károlyi István Gyermekközpont</i>) instead of the previously appointed reception centre for them (Office of Immigration and Nationality's Reception centre in Bicske - <i>BÁH Bicskei Menekülteket Befogadó Állomás</i>). The children's home provide after-care until the age of 24.</p> <p>Minor refugees are entitled to the same care that is provided for Hungarian children.</p> <p>In 2009 the Hungarian Inter-church Aid (<i>Magyar Ökumenikus Segélyszervezet</i>) implemented a project financed by the European Integration Fund and the Ministry of Justice and Law Enforcement which aimed at the training of child protection experts in order to prepare them to better perform their tasks related to migrant children. 196 child care experts have been trained.<sup>50</sup></p> <p>The need for a proper age assessment test is still an unsolved issue.</p> <p>As an NGO report on the implementation of the UN CRC stated the rights of unaccompanied children for protection, education, reunification are often violated: „In the international context, according to the Migrant Integration Policy Index III's (MIPEX III) 2011 results, Hungary fares worst when compared with other EU member states on migrant children's education. The education situation of asylum-seeker, refugee and protected children is not satisfactory either. It is not uncommon that children under subsidiary protection, who have been residing in Hungary for several years, are placed in so-called preparatory classes for years.”<sup>51</sup></p> <p>„The Hungarian Helsinki Committee finds it alarming that</p>	<p>EU laws, requirements and guidelines in this field, and following the foreign affairs, national politics, economic and security interest of Hungary, the main aim of the strategy is to integrate into a complex document all circumstances, which have to be considered in the legislative procedures of migration as well as criteria of law implementation.</p> <p>In 2013 several government and ministerial Decrees were issued to comply with the related EU legislation,</p> <ul style="list-style-type: none"> <li>- 446/2013. (XI. 28.) Government Decree<sup>53</sup></li> <li>- 221/2013. (VI. 24.) Government Decree<sup>54</sup></li> <li>- 69/2013. (XII. 11.) Ministerial Decree<sup>55</sup></li> <li>- 33/2013. (VI. 28.) Ministerial Decree<sup>56</sup></li> </ul> <p>The minimum harmonization for national legislation is fulfilled with the Act LXXX of 2007 on Asylum<sup>57</sup> and implemented the following EU legislation</p> <ul style="list-style-type: none"> <li>- Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status. 446/2013. (XI. 28.) government decree</li> <li>- Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third-country nationals and stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted.</li> <li>- Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers.</li> <li>- Council Resolution of 20 June 1995 on minimum guarantees for asylum procedures [Official Journal C 274, 19.09.1996].</li> <li>- Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof.</li> <li>- In the past few years the following development has been made to Hungarian</li> </ul>
---	---

<sup>49</sup>Hungary, 290/2010. (XII. 21.) Government Decree on the harmonization of migration related decrees, acts (*A Kormány 290/2010. (XII. 21.) Korm. rendelete egyes migrációs tárgyú kormányrendeleteknek az egyes migrációs tárgyú törvények jogharmonizációs célú módosításáról szóló 2010. évi XXXV. törvénnyel összefüggő módosításáról*), Available at: [www.complex.hu/jr/gen/hjegy\\_doc.cgi?docid=A1000290.KOR](http://www.complex.hu/jr/gen/hjegy_doc.cgi?docid=A1000290.KOR).

<sup>50</sup> Hungary, Homepage of Hungarian Interchurch Aid (*Magyar Ökumenikus Segélyszervezet*), [http://csr.segelyszervezet.hu/index.php?option=com\\_content&view=article&id=658&Itemid=160&lang=hu](http://csr.segelyszervezet.hu/index.php?option=com_content&view=article&id=658&Itemid=160&lang=hu).

<sup>51</sup> Hungary, Family Child Youth Association (Ed.) (*Család, Gyermek, Ifjúság Egyesület*) (2013): Alternative – NGO- Report on the Implementation of the UN CRC in Hungary 2006-2012 (*Civil jelentés az ENSZ Gyermekjogi Egyezmény magyarországi végrehajtásáról 2006-2012*) p. 50, Budapest, available at: [www.csagyi.hu/en/researches-projects/topical/crc-alternative-report/item/761-alternative-ngo-report](http://www.csagyi.hu/en/researches-projects/topical/crc-alternative-report/item/761-alternative-ngo-report).

<p>in the five years following the adoption of the Act II of 07 on the process of family reunification, there has been not a single case of an unaccompanied minor - recognised as refugee or being under subsidiary protection - whose family members received residence permits with the aim of family reunification. This is a serious problem denying the right of several unaccompanied minors from exercising their right to live in their families, which would also assist in their integration in Hungary."<sup>52</sup></p>	<p>legislation on migration and asylum:</p> <ol style="list-style-type: none"> <li>1. 221/2013. (VI. 24.) government decree for the harmonization of Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment and the Directive 2011/95/eu of the european parliament and of the council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted</li> <li>2. 69/2013. (XII. 11.) ministerial decree for the harmonization of Directive 2011/98/EU on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State</li> <li>3. 33/2013. (VI. 28.) ministerial decree for the harmonization of Directive 2008/115/EC on common standards and procedures in Member States for returning illegally staying third country nationals and for also the Directive 2011/95/eu of the european parliament and of the council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for</li> </ol>
---	--

<sup>53</sup> Hungary, 446/2013. (XI. 28.) Government Decree on the amendment of certain government decrees on migration and asylum (A Kormány 446/2013. (XI. 28.) Korm. Rendelete az egyes migrációs, illetve menekültügyi tárgyú és más kormányrendeletek jogharmonizációs célú módosításáról), available at: [www.kozlonyok.hu/nkonline/MKPDF/hiteles/MK13198.pdf](http://www.kozlonyok.hu/nkonline/MKPDF/hiteles/MK13198.pdf), pp. 83163- 83179.

<sup>54</sup> Hungary, 221/2013 (VI. 24.) Government Decree on the amendment of certain government decrees on migration and asylum (221/2013. (VI. 24.) Korm. rendelet. Egyes migrációs, illetve menekültügyi tárgyú kormányrendeletek jogharmonizációs célú módosításáról.), available at: [www.kozlonyok.hu/nkonline/MKPDF/hiteles/MK13104.pdf](http://www.kozlonyok.hu/nkonline/MKPDF/hiteles/MK13104.pdf), pp. 55534-55546.

<sup>55</sup> Hungary, 69/2013. (XII. 11.) Ministerial Decree on the amendment of certain ministerial decrees on migration and asylum (69/2013. (XII. 11.) BM rendelet az egyes migrációs és menekültügyi tárgyú miniszteri rendeletek módosításáról), Magyar Közlöny, Vol. 206., pp.84302-84354.

<sup>56</sup> 33/2013. (VI. 28.) Ministerial Decree on the amendment of certain ministerial decrees on migration and asylum (33/2013. (VI. 28.) BM rendelet egyes migrációs, illetve menekültügyi tárgyú miniszteri rendeletek jogharmonizációs célú módosításáról), available at: [www.opten.hu/33-2013-vi-28-bm-rendelet-j229989.html](http://www.opten.hu/33-2013-vi-28-bm-rendelet-j229989.html).

<sup>57</sup> Hungary, Act LXXX of 2007 on the Right of Asylum (2007. évi LXXX. törvény a menedéjogról), Article 2 (f), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0700080.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0700080.TV).

<sup>52</sup> Hungary, Family Child Youth Association (Ed.) (Család, Gyermek, Ifjúság Egyesület) (2013): Alternative – NGO- Report on the Implementation of the UN CRC in Hungary 2006-2012 (Civil jelentés az ENSZ Gyermekjogi Egyezmény magyarországi végrehajtásáról 2006-2012) p. 50, Budapest, available at: [www.csagyi.hu/en/researches-projects/topical/crc-alternative-report/item/761-alternative-ngo-report](http://www.csagyi.hu/en/researches-projects/topical/crc-alternative-report/item/761-alternative-ngo-report).

	<p>subsidiary protection, and for the content of the protection granted article 36-37. The Directives is available at <a href="http://www.asylumineurope.org/resources">www.asylumineurope.org/resources</a></p>
<p><b>4. 4. Children in alternative care</b></p> <p><b>Specific thematic areas: Residential – institutional care; foster care; adoption (including international adoption)</b></p>	
Policy developments	Legislative developments
<p>Foster care is the explicit priority according to the Child Protection Act.<sup>58</sup>In accordance with the Europe-wide deinstitutionalization tendencies Hungary aims to provide family-like placement for every child under 12 years of age until 2017. In order to achieve this goal,a new new training course has been introduced for foster parents as well, as a new employment status was given to them to ensure their financial stability.</p> <p>A national campaign was held in 2013 in order to recruit new foster care-takers<sup>59</sup>.</p> <p>For the numbers of children in different types of alternative care (including children under 3 years of age), please see Section IV. 5. 1. of the present report)</p>	<p>Responsible ministries: Ministry of Human Resources (<i>Emberi Erőforrások Minisztériuma</i>)</p> <p>Implementation: Directorate of Social Affairs and Child Protection (<i>Szociális és Gyermekvédelmi Főigazgatóság</i>), Guardian's offices, <i>Local child welfare and family support services</i></p> <p>Act CXCVII of 2012 on social and child protection institutions placed under state authority (nationalisation, centralisation)<sup>60</sup>.</p> <p>Article78.(2)aa)of Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (<i>1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról</i>): t61</p> <p><b>Child Protection Act62 – gate keeping measure: children under 12 cannot be placed in children's homes only into foster families from January 2014.</b> Those who are already living in children's homes should be transferred to foster parents until 2017. The priority is to place every child between 0-3 years of age to foster families until 31. 12. 2014., children between 3-6 until 31.12.2015 and children between 6-12 until 31.12. 2016. The law does not apply to children with disabilities and children with severe illnesses.</p>

<sup>58</sup> Hungary, Act XXXI.of 1997. on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Article 7., available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>59</sup> Hungary, Campaign on foster care, see: [www.agotaalapitvany.hu/uj/hu/aktualis/hirek/492-agota-oroszagos-kampany-a-csaladba-fogadasokert](http://www.agotaalapitvany.hu/uj/hu/aktualis/hirek/492-agota-oroszagos-kampany-a-csaladba-fogadasokert).

<sup>60</sup> Hungary, Act CXCVII of 2012 on the nationalisation of certain specified social and child protection service providing institutions and on the amendment of certain acts, (*2012. évi CXCVII. törvény az egyes szakosított szociális és gyermekvédelmi szakellátási intézmények állami átvételéről és egyes törvények módosításáról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200192.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200192.TV).

<sup>61</sup> Hungary, Act XXXI.of 1997. on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Article 11., available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>62</sup> Hungary, Act XXXI.of 1997. on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Article 11., available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

	<p>Article 66/A. - 66/I. of Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (<i>1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról</i>): 63</p> <p><b>From 2014 every foster parent is employed/contracted by the foster parent's agencies, organisations and in principle is entitled to pension, social insurance, etc.</b></p> <p>Every foster parent (those who already have the authorization as well) should apply for a new foster parent's training course which is 500-600 hours long. (Before it was 30 hours for „traditional” foster parents and additional 300 for professional foster parents.)</p>
--	--

#### 4. 5. Children affected by custody disputes, including parental abduction

Policy developments	Legislative developments
<p>The Blue Line (<i>Kék Vonal</i>) - Child Crisis Foundation and the Belgian Child Focus, Centre for Missing and Sexually Exploited Children have implemented a project jointly, entitled „Prevention of Child Abduction” between 2009 and 2010. They developed a handbook for professionals who come into contact with affected families to help prevention and resolution, while also making recommendations how abduction could be prevented and solved more effectively<sup>64</sup>.</p>	<p>Responsible ministries: <i>Ministry of Public Administration and Justice (Közigazgatási és Igazságügyi Minisztérium)</i>, <i>Ministry of Interior (Belügyminisztérium)</i>, <i>Ministry of Human Resources (Emberi Erőforrások Minisztériuma)</i>,</p> <p>Implementation: <i>Office of Public Administration and Justice (Közigazgatási és Igazságügyi Hivatal)</i>, victim support services, child protection system, courts, law enforcement, border guards.</p> <p>The new Civil Code (which came into force on the 14<sup>th</sup> of March, 2014) has changed the rules of custody, especially if the Parties choose joint custody. In these cases the law does not govern anymore the visitation rights of the parents, which makes difficult to conceptualise abduction in these cases.<sup>65</sup></p> <p>The role of mediation grew significantly in court procedures, in child custody disputes <b>the Court in its ruling can oblige the Parties to undergo mediation procedure.</b><sup>66</sup></p>

<sup>63</sup> Hungary, Act XXXI. of 1997. on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Article 11., available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>64</sup> Hungary, Éva Kerpel (Blue Line Child Crisis Foundation) (2009): Prevention and Damage Control in case of international child abduction (*A gyermekek külföldre vitelének megelőzése és kárenyhítés*), project No. JLS/CJ/2007-1/07-30-CE-02225020059.

<sup>65</sup> Hungary, Act V of 2013 on the Civil Code (*2013. évi V. törvény a Polgári Törvénykönyvről*), Article 4:21 (4) available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300005.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300005.TV).

<sup>66</sup> Hungary, Act V of 2013 on the Civil Code (*2013. évi V. törvény a Polgári Törvénykönyvről*), Article 4:172, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300005.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300005.TV).

	<p>Women's rights organisations expressed criticism of a similar measure in the previous civil code<sup>67</sup> in 2009 (in an advocacy paper, prepared within a project funded by the Open Society Institute), arguing that the correlation of custody disputes with partnership violence is significant, and mediation may risk the safety of the – typically female – victims.<sup>68</sup></p> <p>According to the current Criminal Code (which came into force on the 1<sup>st</sup> of July, 2013), "changing the <b>custody status of a minor</b>" ("kiskorú elhelyezésének megváltoztatása"),<sup>69</sup> i.e. abducting a child, is punishable with up to one year of imprisonment (and up to three years of imprisonment if the offence was committed in a violent manner); and "barring visitation with a minor" ("kiskorúval való kapcsolattartás akadályozása")<sup>70</sup> is punishable with up to one year of imprisonment. According to a shadow report, submitted by the European Roma Rights Centre and the Hungarian Women's Lobby to the UN CEDAW Committee in 2013, "courts and child protection authorities – as the relevant legal norms – fail to recognise and take into account domestic violence in custody and visitation cases, thus forced visitation is a widespread practice in the cases of children with abusive parents (mostly fathers). Moreover, women who do not allow visitation with the abusive father face fines and, ultimately, prison sentences."<sup>71</sup></p>
--	--

#### 4. 6. Missing children

Policy developments	Legislative developments
<p>The 116-000: Missing Children Hotline was introduced in 2008 by Blue Line Child Crisis Foundation (<i>Kék-Vonal Gyermekkrízis Alapítvány</i>). It offers emotional, legal and administrative support for parents and children in connection with child disappearances. It can be called free of charge, 24/7, anonymously. The service is based upon the Guide for Hotline Operators identified by Missing Children Europe. The project is supported by the</p>	<p>No developments in the previous three years.</p> <p>Main legislation according to missing children:</p> <p>15/1998. (IV. 30.) Ministerial Decree Article 86</p>

<sup>67</sup> Hungary, Act IV of 1959 on the Civil Code (*1959. évi IV. törvény a Polgári Törvénykönyvről*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300005.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300005.TV).

<sup>68</sup> Hungary, PATENT Association of People Opposing Patriarchy (*PATENT- Patriarchátust Ellenzők Társasága*), NANE Women's Rights Organization (*NANE – Nők a Nőkért Együtt az Erőszak Ellen Egyesület*), (2009) 'Milyen érvek szólnak a mediáció alkalmazása ellen párkapcsolaton belüli erőszak esetén?', available at: [www.nokjoga.hu/sites/default/files/filefield/mediacio-parkapcsolati-eroszak-eseten\\_0.pdf](http://www.nokjoga.hu/sites/default/files/filefield/mediacio-parkapcsolati-eroszak-eseten_0.pdf).

<sup>69</sup> Hungary, Act C of 2012 on the Criminal Code (*2012. évi C. törvény a Büntető Törvénykönyvről*), Article 211, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200100.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200100.TV).

<sup>70</sup> Hungary, Act C of 2012 on the Criminal Code (*2012. évi C. törvény a Büntető Törvénykönyvről*), Article 210, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200100.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200100.TV).

<sup>71</sup> Hungary, Hungarian Women's Lobby and the European Roma Rights Centre (2013) 'Alternative report submitted to the UN CEDAW Committee for consideration in relation to the examination of the combined seventh and eighth periodic reports of Hungary', January 2013, p. 8, available at: [http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/HUN/INT\\_CEDAW\\_NGO\\_HUN\\_13260\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/HUN/INT_CEDAW_NGO_HUN_13260_E.pdf).

<p>European Union and co-financed by the Office of Public Administration and Justice.</p> <p>The Blue Line Foundation also operates a Child Helpline and Internet Safety Helpline (116-111).</p> <p>From 2010 they maintain a chatroom (Blue Line Chatroom - <i>Kék Vonal Chat</i>) for children seeking professional help and from 2012 they provide a safe forum for children to speak with each other (Peer Chatroom - <i>Kortárs Chat</i>).</p> <p>Blue Line Foundation also offers legal service for children, training for professionals, and supervision.</p> <p>Blue Line's goal is to draw attention to the danger of child disappearances. The Foundation is implementing a nationwide awareness-raising and support campaign between 2013 and 2015. The campaign includes dissemination of movies, posters, organization of public events such as International Missing Children's Day, etc.</p> <p>From 2011, the GAP Media Ltd. (<i>GAP Média Kft.</i>), in the framework of its missing children campaign called Night of Thousand Lanterns (<i>Ezer Lámpás Éjszakája</i>) displays pictures of missing children on milk boxes (<i>Alföldi Tej</i>); from 2012 on mineral water bottles as well (<i>Szentkirályi Ásványvíz</i>) and from 2013 on toast bread packages (<i>Backshop Kft.</i>). The public awareness raising event of Night of Thousand Lanterns has been organised every year on the International Missing Children's Day in 9 cities since 2011<sup>72</sup>. The organisers collaborate with the police.</p> <p>Data on missing children: According to the National Police Headquarter, in 2013 17,653 investigations were launched due to the disappearance of a minor.</p>	
---	--

#### 4. 7. Children at risk of - or living in - extreme poverty

Policy developments	Legislative developments
<p><b>National Social Inclusion Strategy</b> (<i>Nemzeti Társadalmi Felzárkózási Stratégia – Mélyszegénység, gyermekszegénység, romák – (2011–2020)</i>)<sup>73</sup>.</p> <p>According to the latest survey<sup>74</sup> on December 31 2010 out of every 1000 families an average 108 families were registered, where the development of the child is at risk</p>	<p>Responsible governmental bodies: Ministry of Human Resources (<i>Emberi Erőforrások Minisztériuma</i>); Department of Child Protection and Guardianship (<i>Gyermekvédelmi és Gyámügyi Főosztály</i>), Secretary of Health (<i>Egészségügyi Államtitkárság</i>) National Employment Service (<i>Nemzeti Foglalkoztatási Szolgálat</i>).</p>

<sup>72</sup>Hungary, homepage of Night of Thousand Lights (*Ezer Lámpás Éjszakája*), <http://ezerlampasejszakaja.hu/esemenyrol/>.

<sup>73</sup>Hungary, Ministry of Public Administration and Justice, State Secretariat for Social Inclusion (2011), National Social Inclusion Strategy – Extreme Poverty, Child Poverty, the Roma – (2012–2020) November 2011, (*Nemzeti Társadalmi Felzárkózási Stratégia – Mélyszegénység, gyermekszegénység, romák – (2011–2020), 2011. november*), official English translation is available at: <http://romagov.kormany.hu/download/5/58/20000/Strategy%20-%20HU%20-%20EN.PDF>.

<sup>74</sup> Hungary, National Rehabilitation and Social Office (*Nemzeti Rehabilitációs és Szociális Hivatal*) (2013) Social, child welfare and child protection service users 2012, Szociális Füzetek, Budapest, p. 9.

<p>due to environmental, behavioural, financial or health reasons. Most of the decisions on registering children as 'protected' ("védelembé vett") have been made at the most disadvantaged areas. 11% of all children are at risk according to the guardianship offices, most of them due to financial reasons. In the most deprived regions the rate of children registered as "at risk" is 2-3 times higher than in the other regions of the country.</p> <p>In the policy framework priority is given to children with Roma background, children living in the most disadvantaged regions, children from one-parent or large families (with more than 3 children), children whose parents have primary education and children from households with unemployed parents.<sup>75</sup></p>	<p>Actors involved in the implementation: child welfare and family support services, child protection signalling system, public education, and public employment services.</p> <p>From <b>2013 the Child Protection Act</b><sup>76</sup> includes modified definitions on "disadvantaged" ("hátrányos helyzetű") and "multiply disadvantaged" ("halmozottan hátrányos helyzetű") children.. Because of this change many children were reclassified from the category "multiply disadvantaged" to "disadvantaged", therefore the scope of services available to them narrowed down.</p> <p>Before September 2013, the definition of a <b>"disadvantaged child" referred to children who are entitled to regular child protection allowance.</b></p> <p>From September 2013<sup>77</sup>, the definition of a <b>"disadvantaged child"</b> refers to children:</p> <ul style="list-style-type: none"> <li>• who are entitled to regular child protection allowance; and meet additionally at least one of the following conditions:</li> <li>• whose parent/s or guardian of the child completed only primary school education;</li> <li>• of whose one parents or guardian is eligible for regular social benefit or support that substitutes active employment, or the parent/guardian has been registered within 16 months prior to applying for regular social benefit as "an active employment seeker for a 12 months period";</li> <li>• who are living in a segregated neighbourhood, or among substandard housing conditions.</li> </ul> <p>Before September 2013, the definition of a <b>"multiply disadvantaged child" referred to children:</b></p> <ul style="list-style-type: none"> <li>• who are entitled to regular child protection allowance and the parent/s or guardian of the child</li> </ul>
---	---

<sup>75</sup> Hungary, Ministry of Public Administration and Justice, State Secretariat for Social Inclusion (2011), National Social Inclusion Strategy – Extreme Poverty, Child Poverty, the Roma – (2012–2020) November 2011, (*Nemzeti Társadalmi Felzárkózási Stratégia – Mélyszegénység, gyermekszegénység, romák – (2011–2020), 2011. november*), official English translation is available at: <http://romagov.kormany.hu/download/5/58/20000/Strategy%20-%20HU%20-%20EN.PDF>.

<sup>76</sup> Hungary, Bill No. T/10047. on social and child protection acts in accordance with the Magyar simplification modification Programme (T/10047. számú törvényjavaslat a szociális és gyermekvédelmi tárgyú törvények Magyar Egyszerűsítési Programmal összefüggő módosításáról, valamint egyéb törvények módosításáról) February 2013, Article 42, p. 15, available at: [www.parlament.hu/irom39/10047/10047.pdf](http://www.parlament.hu/irom39/10047/10047.pdf).

<sup>77</sup> Hungary, Act XXVII of 2013 on social and child protection acts in accordance with the Magyar simplification modification Programme (2013. évi XXVII. törvény a szociális és gyermekvédelmi tárgyú törvények Magyar Egyszerűsítési Programmal összefüggő módosításáról, valamint egyéb törvények módosításáról), Article 45, available at: [www.complex.hu/kzldat/t1300027.htm/t1300027\\_0.htm](http://www.complex.hu/kzldat/t1300027.htm/t1300027_0.htm).



	<p>completed only primary school education; or</p> <ul style="list-style-type: none"> <li>• who are taken into long-term state care.</li> </ul> <p><b>From September 2013, the definition of a “multiply disadvantaged child” refers to children:</b></p> <ul style="list-style-type: none"> <li>• who are taken into long-term state care, or who are receiving after-state-care allowance; or who are entitled to regular child protection allowance; and meet additionally at least two of the following conditions:</li> <li>• whose parent/s or guardian of the child completed only primary school education;</li> <li>• of whom one of the parents or the guardian of the child is eligible for regular social benefit or support that substitutes active employment, or the parent/guardian has been registered within 16 months prior to applying for regular social benefit as “an active employment seeker for a 12 months period”;</li> <li>• who are living in a segregated neighbourhood, or among substandard housing conditions.</li> </ul>
--	---

#### 4. 8. Children belonging to minority ethnic groups, e.g. Roma

Policy developments	Legislative developments
<p>The National Social Inclusion Strategy (<i>Nemzeti Társadalmi Felzárkózási Stratégia – Mélyszegénység, gyermekszegénység, romák – (2011–2020)</i>)<sup>78</sup> is the Roma strategy required by EU. (For more information see: 3. Policy framework, question 3. 2.)</p>	<p>“Centralisation (nationalisation) of the elementary school system included the extension of compulsory school hours until 4 PM for children between 6 and 14, has impacted thousands of Roma children whose access to school services should have theoretically improved. The actual implementation of the measure, including impact on children from disadvantaged Roma families and on early school leaving, however, has not been evaluated yet.”<sup>79</sup></p> <p>(Note: the extension of compulsory school hours applies to all children, not only to Roma.)</p>

#### 4. 9. Children involved in judicial proceedings

Policy developments	Legislative developments
---------------------	--------------------------

<sup>78</sup>Hungary, Ministry of Public Administration and Justice, State Secretariat for Social Inclusion (2011), National Social Inclusion Strategy – Extreme Poverty, Child Poverty, the Roma – (2012–2020) November 2011, (*Nemzeti Társadalmi Felzárkózási Stratégia – Mélyszegénység, gyermekszegénység, romák – (2011–2020)*, 2011. november), official English translation is available at: <http://romagov.kormany.hu/download/5/58/20000/Strategy%20-%20HU%20-%20EN.PDF>.

<sup>79</sup> Hungary, Partners Hungary Foundation et al (2013) ‘Updated Civil Society Report on the Implementation of the National Roma Integration Strategy in 2012-2013 in Hungary’, published by the Decade Secretariat, available in English at: [www.romadecade.org/cms/upload/file/9717\\_file3\\_hu\\_updated-civil-society-monitoring-report.pdf](http://www.romadecade.org/cms/upload/file/9717_file3_hu_updated-civil-society-monitoring-report.pdf).

<p>The Minister of Justice announced<sup>80</sup> that the year 2012 was the year of child-friendly justice– in accordance with the EU's Agenda on the Rights of the Child.</p> <p>Child friendly hearing rooms were set up in every county<sup>81</sup>.</p>	<p>Responsible ministries: Ministry of Interior (<i>Belügyminisztérium</i>) and Ministry of Human Resources (<i>Emberi Erőforrások Minisztériuma</i>), <i>Ministry of Public Administration and Justice (Közigazgatási és Igazságügyi Minisztérium)</i></p> <p>Implementation: members of the child protection signalling system, child welfare services, guardianship offices, <i>Office of Public Administration and Justice (Közigazgatási és Igazságügyi Hivatal)</i>, victim support services, child protection institutions, juvenile correctional facilities and prisons, probation services, courts, law enforcement, border guards.</p> <p>The implementation has three parallel goals: to achieve child friendly justice, prevent victimisation/secondary victimization of children and to prevent and reduce juvenile delinquency.</p> <p>The Ministry of Public Administration and Justice dedicated 2012 to the Year of Child-Friendly Justice Administration. As part of this, a number of legislative amendments concerning judicial proceedings were made for the better protection of children.</p> <p>Hungary, Act LXII of 2012 on the Amendment of Certain Laws. Connected to the Implementation of Child-friendly Justice (<i>2012. évi LXII. Törvény a gyermekbarát igazságszolgáltatás megvalósulásához kapcsolódó egyes törvények módosításáról</i>).</p> <p>From 2013 (107. § and 454. § of Act C of 2012 on the Criminal Code (<i>2012. évi C. törvény a Büntető Törvénykönyvről</i>)) in the event of the commission of exceptionally grave crimes, the law permits the reduction of the minimum age of criminal responsibility from 14 to 12 years in limited circumstances. Perpetrators over the age of 12 years will not receive a punitive sentence but will be subjected to measures, and in cases involving gravely violent offences (e.g. homicide, grievous bodily harm, bodily harm resulting in death, assault, robbery, plunder), and it is a further condition that sanity and accountability must be provable. The court may order the perpetrator's education in a correctional facility in these cases. Education in a correctional facility will continue to remain the most</p>
---	---

<sup>80</sup> Hungary, Ministry for Public Administration and Justice (2011) '2012 a gyermekbarát igazságszolgáltatás éve lesz', available at: [www.fidesz.hu/hirek/2011-11-08/kim-2012-a-gyermekbarat-igazsagszolgáltatás-eve-lesz/](http://www.fidesz.hu/hirek/2011-11-08/kim-2012-a-gyermekbarat-igazsagszolgáltatás-eve-lesz/).

<sup>81</sup> Hungary, Government Decree No 32 of 2011 on *Child-Friendly Interview rooms in police investigation stations (32/2011. (XI. 18.) KIM rendelete rendőrség nyomozó hatóságainál létesítendő gyermekmehallgató szobák kialakításáról)*, available at: <http://jab.complex.hu/doc.php?docid=WKHU-QJ-XML-00000A1100032KIM>.

	<p>serious sanction that may be imposed on perpetrators younger than 14 years. Maturity and discretion capability should be examined in every case however methodological papers have not been developed.</p> <p>Act XIX of 1998. on the criminal procedure describes the participation of minors in court procedures. Children under the age of 14 can only be heard as witnesses when their statement cannot be replaced with any other evidence. A child under 18 can be accompanied by his/her legal guardian or carer. Children under the age of 14 cannot be confronted with the accused unless it does not intimidate the child. Polygraph test cannot be done on a child under the age of 18. If the minor is the victim, his/her statement cannot be replaced. In this case the hearing will take place either at the police or at the court. If the law enforcement authority propounds the minor to be heard in front of an investigative judge (<i>nyomozási bíró</i>), he/she will be heard alone (excluding publicity). In cases where the investigative judge has already processed the investigation, the child will not be involved as a witness again in the legal procedure.<sup>82</sup></p> <p>The new<sup>83</sup> Civil Code aims to enforce the children's right to express their will, e.g. adoption of a child older than 14 years cannot be concluded but with the consent of the child. (children under 14 years have to be heard, only, but their consent is not necessary for the decision, it should be taken into consideration only) The consent of the child over 14 is needed in custody cases and regrading life path/career decisions as well.<sup>84</sup></p> <p>Additionally, public administration procedures, too, will be more child-centred; the processing time of child protection procedures has been halved and the authorities are required to provide information suited to the child's level of maturity.<sup>85</sup>,</p>
--	--

<sup>82</sup> Hungary, Act XIX of 1998 on Criminal Proceedings (*1998. évi XIX törvény a büntető eljárásról*), Article 86,124 (3),181(4), 207.(4), 294, available at <http://net.jogtar.hu/jr/gen/getdoc2.cgi?docid=99800019.TV>

<sup>83</sup> Hungary, Gyurkó, Sz.(2011) 'Challenges in the judicial system – child friendly justice as seen by children' (*'Kihívások az igazságszolgáltatási rendszerben – gyermekbarát eljárás a gyermekek szemével'*) in: *Családi Jog* Vol 9. no 3.

<sup>84</sup> Hungary, Act 5 of 2013 on Civil Code (*2013. évi V. T. a Polgári Törvényköny*) article 4:120(2) available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300005.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300005.TV);

Hungary, Act 5 of 2013 on Civil Code (*2013. évi V. T. a Polgári Törvényköny*) article 4:148 available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300005.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300005.TV);

[4]Hungary, Act 5 of 2013 on Civil Code (*2013. évi V. T. a Polgári Törvényköny*) article 4:153(2) available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300005.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300005.TV).

<sup>85</sup>Hungary, Ministry of Public Administration and Justice (2013) 'Task force for child-friendly justice administration to continue its efforts', available at: [www.kormany.hu/en/ministry-of-public-administration-and-justice/news/task-force-to-be-set-up-to-implement-child-friendly-justice-administration](http://www.kormany.hu/en/ministry-of-public-administration-and-justice/news/task-force-to-be-set-up-to-implement-child-friendly-justice-administration).

	<p><i>Vulnerable groups</i></p> <p>As shown above. Children younger than 14 years of age are provided with special protective measures by the legislation.</p>
<b>4. 10. Female genital mutilation; forced marriages</b>	
Policy developments	Legislative developments
<p><i>Female genital mutilation</i></p> <p>The only research on this issue<sup>86</sup> estimated that „the number of migrant women affected by FGM in Hungary is between 170 and 350. The calculation is based on the data (disaggregated by sex and country of origin) provided by the Office of Immigration and Nationality (<i>Bevándorlási és Állampolgársági Hivatal</i>) from 2011 and WHO's FGM prevalence data by countries.</p> <p>According to an expert on refugee and migration issues: „There is no tradition of female genital mutilation in Hungary. Another reason why the issue is not well-known and the media do not give it that much attention is because few people live in Hungary who have been or are directly affected by it. There are no large migrant communities, and most immigrants come from countries where female genital mutilation is not practiced: from the neighbouring countries or China, for example. The number of refugees is not very high either, and a lot of people stay in Hungary only temporarily. It should also be mentioned, however, that among refugees arriving in Hungary the proportion of Somalis, and among them women, is relatively high: this is important because in Somalia more than 90% of women are affected by FGM.”<sup>87</sup></p> <p>The phenomenon of FGM among refugee communities was addressed by NGO initiatives, so far:</p> <ul style="list-style-type: none"> <li>the Hungarian Helsinki Commission (<i>Magyar Helsinki Bizottság</i>) organised a professional seminar for refugee experts on the issue of FGM in 2009, within the framework of a professional meeting and training course in Sarlópuszta (<i>Sarlópusztai menekültügyi tpvábtképzés és találkozó, 2009</i>), supported by the EU Refugee Fund and the Ministry of Justice and Law Enforcement (<i>Igazságügyi és Rendészeti Minisztérium</i>);</li> </ul>	<p><i>Female genital mutilation</i></p> <p>Female genital mutilation is not addressed specifically by the Hungarian legislation, and there is no information on any reported instances of female genital mutilation performed in Hungary. According to a brochure by the Hungarian Helsinki Committee,<sup>92</sup> female genital mutilation would be prosecuted in Hungary as a form of bodily harm causing serious life-threatening injuries or death (sanctioned with imprisonment, from two up to eight years),<sup>93</sup> or bodily harm causing permanent disability or serious health damage (sanctioned with imprisonment, from one up to five years).<sup>94</sup> According to the same source, arrangement of (preparation for) female genital mutilation by parents would not be considered as a crime itself, however, it would result in the suspension of the custody rights of the parents of the affected girl.</p> <p><i>Forced marriage / child marriage</i></p> <p>Forced marriage is not addressed specifically by the Hungarian criminal law; it may only be punishable under the general offence of ‘coercion’ (<i>kényszerítés</i>) (Art. 195).<sup>95</sup> Women's rights NGOs raised concerns during the public consultation on the draft Criminal Code in 2012 regarding the fact that the draft does not contain specific provisions on forced marriage.<sup>96</sup> The bill has not been modified.</p> <p>In Hungary, minors between 16 and 18 years of both sexes are allowed to marry, with the permission of the Guardianship Authority.<sup>97</sup> Married persons under 18 are considered to be major in the context of the Civil Code. <sup>98</sup> Marriages involving a minor (between 16 and 18 years of age) which were conducted without the permission of the Guardianship Authority are to be considered invalid, however, these marriages become automatically valid in a retroactive</p>

<sup>86</sup> Hungary, Kőszeghy, L. PhD (2012): ‘FGM prevalence in Hungary – estimation’, available at: <http://mona-alapitvany.hu/wp-content/uploads/2012/11/fgm-prevalence-in-hungary-estimation.pdf>.

<sup>87</sup> Hungary, MONA Foundation (2011) ‘A más kultúrák iránti nyitottságért dolgozunk, de ragaszkodunk az emberi jogi értékekhez’ (Interview with Gábor Gyulai, head of the refugee programme of the Hungarian Helsinki Committee), available in Hungarian at: <http://endfgmhungary.blogspot.hu/2011/03/mas-kulturak-iranti-nyitottsagert.html>, and in English at: [www.endfgm.eu/content/assets/Interview\\_Gabor\\_Gyulai\\_HHC\\_Eng.pdf](http://www.endfgm.eu/content/assets/Interview_Gabor_Gyulai_HHC_Eng.pdf).

- the MONA Foundation for the Women of Hungary (*MONA Magyarországi Női Alapítvány*) participated in a European campaign 'End FGM'<sup>88</sup> between 2010 and 2013: organised awareness raising events for the general public, and seminars for professionals (NGO representatives, health care assistants and social workers working with refugees).<sup>89</sup>

*Forced marriage / child marriage*

According to the National Social Inclusion Strategy (Extreme Poverty, Child Poverty, the Roma) for 2012–2020, "It is essential that health protection should form an integral part of the educational process already in elementary school in order to prevent disadvantaged Roma children most exposed to risks from becoming the victims of harmful phenomena with an impact on their physical and mental health ... To this end, we must also launch prevention and information programmes; it is important that children should be aware of victim protection services, the rights of young girls in marriage, etc."<sup>90</sup> - however, the Action Plan of the Strategy for 2012-2014<sup>91</sup> does not any specific provision aimed at

mode, 6 months after the affected spouse's 18th birthday, unless the validity of the marriage is contested by someone before this deadline.<sup>99</sup> According to the joint report of the Hungarian Women's Lobby (*Magyar Női Érdekvédelem Szövetsége*) and the European Roma Rights Centre, submitted to the IN CEDAW Committee: "In response to the recommendation of the CEDAW Committee about raising the age limit for marriage, the government has argued that it should happen only in the interest of the child that s/he is given permission to marry. Contrary to this claim, there is anecdotal evidence that pimps/traffickers withdraw minors from the framework of the child protection system through marriage.... A recent proposal ... aiming to simplify the process of giving permission to minors to marry does not only disregard the Committee's recommendation, but goes against it. According to the proposal, "the number of marriages in Hungary is continuously declining, thus it is a fundamental social interest to slow down or reverse this trend. To this end, it is still justified to provide the legal background for the marriage of minors." 100

<sup>92</sup> Hungary, Hungarian Helsinki Committee (2009) *A női nemiszerv-csonkítás – Összefoglaló* (Sarlópusztai menekültügyi továbbképzés és találkozó, 2009).

<sup>93</sup> Hungary, Act C of 2012 on the Criminal Code (*2012. évi C. törvény a Büntető Törvénykönyvről*), Article 164 (8), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200100.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200100.TV).

<sup>94</sup> Hungary, Act C of 2012 on the Criminal Code (*2012. évi C. törvény a Büntető Törvénykönyvről*), Article 164 (5), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200100.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200100.TV).

<sup>95</sup> Hungary, Act C of 2012 on the Criminal Code (*2012. évi C. törvény a Büntető Törvénykönyvről*), Article 195, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200100.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200100.TV).

<sup>96</sup> Hungary, PATENT Association of People Opposing Patriarchy (*PATENT- Patriarchátust Ellenzők Társasága*), NANE Women's Rights Organization (*NANE – Nők a Nőkért Együtt az Erőszak Ellen Egyesület*), MONA Foundation for the Women of Hungary (*MONA – Magyarországi Női Alapítvány*), Hungarian Women's Lobby (*Magyar Női Érdekvédelem Szövetsége*) (2012) 'Nőszervezetek észrevételei a Büntető Törvénykönyv tervezetének a nők elleni erőszak különböző formáit érintő részeinek vonatkozásában', available at: <http://nokjoga.hu/sites/default/files/filefield/2012-btk-javaslatmarc-9-nane-patent-mona-ne-benyujtva.pdf>.

<sup>97</sup> Hungary, Act V of 2013 on the Civil Code (*2013. évi V. törvény a Polgári Törvénykönyvről*), Article 4:9 (1)-(2), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300005.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300005.TV).

<sup>98</sup> Hungary, Act V of 2013 on the Civil Code (*2013. évi V. törvény a Polgári Törvénykönyvről*), Article 2:10 (1), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300005.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300005.TV).

<sup>88</sup> See at: [www.endfgm.eu/en/](http://www.endfgm.eu/en/)

<sup>89</sup> Hungary, see: <http://endfgmhungary.blogspot.hu/>

<sup>90</sup> Hungary, Ministry of Public Administration and Justice, State Secretariat for Social Inclusion (2011), National Social Inclusion Strategy – Extreme Poverty, Child Poverty, the Roma – (2012–2020) November 2011, p. 76. (*Nemzeti Társadalmi Felzárkózási Stratégia – Mélyszegénység, gyermekszegénység, romák – (2011–2020)*, 2011. november), official English translation is available at: <http://romagov.kormany.hu/download/5/58/20000/Strategy%20-%20HU%20-%20EN.PDF>.

<sup>91</sup> Hungary, Resolution No. 1430/2011. (XII. 13.) of the Government Regarding the National Social Inclusion Strategy and Governmental Action Plan for the Implementation Thereof in the Years 2012 to 2014 (*A Kormány 1430/2011. (XII. 13.) Korm. határozata A Nemzeti Társadalmi Felzárkózási Stratégiáról, valamint végrehajtásának a 2012–2014. évekre szóló kormányzati intézkedési tervéről*), official English translation is available: <http://romagov.kormany.hu/download/6/58/20000/Strategy%20Action%20Plan.PDF>

<sup>99</sup> Hungary, Act V of 2013 on the Civil Code (*2013. évi V. törvény a Polgári Törvénykönyvről*), Article 4:9 (4); 4:16 (1), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300005.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300005.TV)

targeting the phenomena of early (or possibly forced) marriages.	
<b>4. 11. Children whose parents are in prison/custody</b>	
Policy developments	Legislative developments
<p>„Mothers in prison can stay with their babies if the baby was born in prison. Since 2001, babies can stay until they are 6 months old, from 2012 – based on the recommendations of the ombudsman - they can stay until their 1st birthday at a designated, special prison created for mothers; for maximum 12 mothers at a time. (in the city of Kecskemét).”<sup>101</sup></p> <p>In the past 10 years 115 mothers and babies have lived here altogether (which is a very low number). Since there is no follow-up research there is no information on the efficiency of the programme.<sup>102</sup></p>	<p>Responsible ministries:  <i>Ministry of Public Administration and Justice (Közigazgatási és Igazságügyi Minisztérium)</i>, Ministry of Interior (<i>Belügyminisztérium</i>), Ministry of Human Resources (<i>Emberi Erőforrások Minisztériuma</i>),  Implementation: prisons, guardianship offices, child protection institutions.</p> <p>Act XIX of 1998. on the criminal procedure<sup>103</sup></p> <p>(4) Rights that are not regulated in this law, which concern health protection rights and rights that are to serve the development of the children in case of convicted pregnant women and convicted women with small children’s rights cannot be limited. Should birth happen while serving prison sentence and no circumstances exclude the separate accommodation, the child has to be accommodated with the mother during the first year.</p> <p>The mother and the child cannot be accommodated together if the mother does not take care of the child, a court has terminated custody rights of the mother with respect to all her children, criminal procedures have been undertaken against the mother because of harmful actions towards the child, due to the health condition of the mother, she is unable to perform the duty of the caretaking. In this latter case, should the mother be breastfeeding, the child can be accommodated on the same site as the mother.</p> <p>The other parent entitled to custody or visiting rights, as well as the guardian has to be granted weekly visiting rights as well as adequate information about the development of the child.</p> <p>If the mother is imprisoned for longer than one year, upon the decision of the court the child will be placed into his/her father’s care or within his/her family. If</p>

<sup>100</sup> Hungary, Hungarian Women’s Lobby and the European Roma Rights Centre (2013) ‘Alternative report submitted to the UN CEDAW Committee for consideration in relation to the examination of the combined seventh and eighth periodic reports of Hungary’, January 2013, p. 3, available at: [http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/HWLandERRC\\_Hungary\\_ForTheSession\\_Hungary\\_CEDAW54.pdf](http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/HWLandERRC_Hungary_ForTheSession_Hungary_CEDAW54.pdf)

<sup>101</sup> Hungary, Family Child Youth Association (Ed.) (*Család, Gyermek, Ifjúság Egyesület*) (2013): Alternative – NGO- Report on the Implementation of the UN CRC in Hungary 2006-2012 (*Civil jelentés az ENSZ Gyermekjogi Egyezmény magyarországi végrehajtásáról 2006-2012*), available at: [www.csagyvi.hu/en/researches-projects/topical/crc-alternative-report/item/761-alternative-ngo-report](http://www.csagyvi.hu/en/researches-projects/topical/crc-alternative-report/item/761-alternative-ngo-report).

<sup>102</sup> Hungary, Herczog, M. (2012) ‘Börtönben lévő szülők gyerekei- egy speciális gyerekcsoport, speciális szükségletekkel’. In: *Családi Jog* 2012/1. p. 1-6., also available at: [www.hvgorac.hu/sites/portal/default.aspx?page=journal&article=Csaladijog\\_2012\\_1.htm](http://www.hvgorac.hu/sites/portal/default.aspx?page=journal&article=Csaladijog_2012_1.htm).

<sup>103</sup> Hungary, Act XIX of 1998. on the criminal procedure (*1998. évi XIX törvény a büntetőeljárásról*), Article 591, 591/A, available at: <http://net.jogtar.hu/jr/gen/getdoc2.cgi?docid=99800019.TV>.

	<p>relatives are not able to provide care for the child, he/she temporarily will be placed in foster care until mother is released from prison.</p> <p><i>Vulnerable groups</i></p> <p>As see above, infants (children under 1 year of age) are treated with special attention in this context. Policy and legislation does not focus on other vulnerable groups of children particularly.</p>
--	--

#### 4. 12. Children who drop out of compulsory education and working children under the legal age for work

Policy developments	Legislative developments
<p>Responsible ministry: Ministry of Human Resources (<i>Emberi Erőforrások Minisztériuma</i>),</p> <p>Implementation: schools, other educational facilities, child welfare services, family support services, guardianship offices, alternative child protection care.</p> <p>According to the national statistics, in 2012 10.7% of girls and 12.2% of boys left school early. In technical vocational education, where most of the children are coming from more vulnerable situations (public care, Roma children, children with special educational needs) drop out rate is app. 30%. Children enrolled into these types of vocational schools are the ones with the lowest educational achievements and marks in the primary school. As the compulsory school age was decreased, the „problem” children can be let out from schools legally, without any obligations to keep them in the education system<sup>104</sup>. There is no information on working children under legal age, but there are registered unemployed in the age group 15-19 years of age (12.1%), and 15.5% employed in 2014 January-March, not providing more precise age, specific data, and the form of employment.<sup>105</sup></p> <p>Drop out rate is higher among children in alternative care, -- in 2011 25% of those living in alternative care finished secondary education, in 2010 48,7% of young people leaving care finished only primary school, 29,2% technical vocational school, and 17,5% secondary school of some kind. Even though there is no data, many girls in care are getting pregnant and dropping out of</p>	<p>The new Act on National Public Education (Act CXC of 2011. on National Public Education referred as “Act” (2011. évi CXC. törvény a nemzeti köznevelésről) brought relevant changes in compulsory education as it reduced the maximum age of compulsory education has been reduced from 18 to 16 years<sup>116</sup>.</p> <p>The same act offers different institutions and programs to students in order to be able to finish their studies, as elementary schools, secondary schools, the Public Education Bridge Programme, and developing educational programmes.<sup>117</sup> The Act prescribes to the directors of the schools to report to the competent Government Office and Guardianship Authority any case when there is a high risk of dropping out of the student of compulsory age from school. They together have to find a way to support and prevent the student from dropping out.<sup>118</sup></p>

<sup>104</sup> Hungary, Observatory centre for Educational Development (2013) ‘Korai iskolaelhagyás a magyarországi szakképzésben’ (Early school drop out from vocational training in Hungary), available at: [www.observatory.org.hu/wp-content/uploads/2013/09/ReferNet\\_2013\\_ESL\\_HU.pdf](http://www.observatory.org.hu/wp-content/uploads/2013/09/ReferNet_2013_ESL_HU.pdf).

<sup>105</sup> Hungary, Central Statistical Office (*Központi Statisztikai Hivatal*) ‘A munkanélküliek száma korcsoportonként, nemenként’ (Number of unemployed divided by age and gender), available at: [www.ksh.hu/docs/hun/xstadat/xstadat\\_evkozi/e\\_q1f010a.html](http://www.ksh.hu/docs/hun/xstadat/xstadat_evkozi/e_q1f010a.html).

<p>school.</p> <p>As until 2013 the compulsory school age was 18 years, there is hard to find data on drop out as at least in principle all children had to be enrolled to school even if they did not attend it.<sup>106</sup></p> <p>One of the main goals included in the National Reform Programme 2013 of Hungary<sup>107</sup> (<i>Nemzeti Reform Program 2013, Magyarország</i>) is to prevent early drop-outs from school. As part of the Europe 2020 objective „Hungary intends to reduce the early school leaving rate(in the 18-24 age group) to 10 per cent by 2020”<sup>108</sup>.The Reform Programme contains detailed implementation plan in order to achieve this goal however additional action plan has not been published yet.</p> <p>The priorities of the National Reform Programme 2013 according to early school leaving are:</p> <ul style="list-style-type: none"> <li>- improving the school success rate,</li> <li>- preventing early school leaving of disadvantaged children and pupils and multiple disadvantaged (including Roma) children through integrated education</li> </ul> <p>The complex package of measures is designed to promote the successful advancement of disadvantaged children and children with multiple disadvantages in school and to serve inclusive education, thereby improving the chances of the continuation of their studies and reducing the threat of early dropout. The attainment of this goal is served, on the one hand, by the skills development and integration programme promoting the successful advancement of disadvantaged children and children with multiple disadvantages in school, based on the pillars of pedagogical and methodological renewal and statutory anti-discrimination components. Additionally, targeted programmes and scholarships (<i>‘Útravaló, Provisions’</i> in official English translation)<sup>109</sup></p>	
--	--

<sup>116</sup> Hungary, Act CXC of 2011. on National Public Education (*2011. évi CXC. törvény a nemzeti köznevelésről*) Article 45.(3), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1100190.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100190.TV).

<sup>117</sup> Hungary, Act CXC of 2011. on National Public Education (*2011. évi CXC. törvény a nemzeti köznevelésről*) para. 45.(7), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1100190.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100190.TV).

<sup>118</sup> Hungary, Act CXC of 2011. on National Public Education (*2011. évi CXC. törvény a nemzeti köznevelésről*) Article 45.(6), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1100190.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100190.TV).

<sup>106</sup> Hungary, Herczog, M. (2013) ‘Szakellátásban élő gyerekek és a korai iskolaelhagyás’ (Children in public care and early school drop out), QUALL, available at: [http://oktataskesztes.tka.hu/pages/content/index.php?page\\_id=1145](http://oktataskesztes.tka.hu/pages/content/index.php?page_id=1145).

<sup>107</sup> Hungary, National Reform Programme 2013 of Hungary (*Nemzeti Reform Program, 2013 Magyarország*), available at: [http://ec.europa.eu/europe2020/pdf/nd/nrp2013\\_hungary\\_en.pdf](http://ec.europa.eu/europe2020/pdf/nd/nrp2013_hungary_en.pdf).

<sup>108</sup> Hungary, National Reform Programme 2013 of Hungary (*Nemzeti Reform Program, 2013 Magyarország*), p. 28.,available at: [http://ec.europa.eu/europe2020/pdf/nd/nrp2013\\_hungary\\_en.pdf](http://ec.europa.eu/europe2020/pdf/nd/nrp2013_hungary_en.pdf).

<sup>109</sup> Hungary, Ministry of Public Administration and Justice, State Secretariat for Social Inclusion (2011), National Social Inclusion Strategy – Extreme Poverty, Child Poverty, the Roma – (2012–2020) November 2011, (*Nemzeti Társadalmi*



(are being launched to help with a smooth transition to secondary education and to alleviate the financial burdens of the successful continuation of studies in higher education which many families cannot afford."<sup>110</sup>

Arany János Talent Fostering Programme (*Arany János Tehetséggondozó Program*) „offers aid for talented disadvantaged students. Its objective is to offer opportunities and talent fostering for those social groups whose members would not have access to institutions of higher education without such help. The objective of Arany János Talent Fostering Boarding Facility Programme for Disadvantaged Students is to offer the opportunity to learn a profession in demand for the multiply disadvantaged young people who, without participating in the programme, would most probably fail to acquire vocational qualification”.<sup>111</sup>

„Second Chance” (*Második Esély*)<sup>112</sup> programmes aim to prevent early school-leaving, with the purpose of helping young people with no secondary school qualifications who dropped out of the school system but are no longer required by law to attend school to obtain secondary educational qualifications.

Support for measures aimed at the reduction of early school leaving rates of multiple disadvantaged students. (SoROP 3.3.9: Tanoda and Second Chance type programmes: Submission: 08 October 2012 – 30 November 2012, decision: March 2013 Project close: 2nd half of 2015).<sup>113</sup>

„In 2013, with the use of EU funds, Tanoda programmes (*Tanoda program*) (alternative learning facilities programmes, offering tutoring services) will continue with the involvement of NGOs and church organizations. The objective of the Tanoda programmes is to contribute to the enhancement of the school performance of the target group and to improve their future labour market chances.”<sup>114</sup>

"Second Chance programmes" (*Második Esély programok*) „function as a corrective measure to remedy

*Felzárkózási Stratégia – Mélyszegénység, gyermekszegénység, romák – (2011–2020)*, 2011. november), p. 40. official English translation is available at: <http://romagov.kormany.hu/download/5/58/20000/Strategy%20-%20HU%20-%20EN.PDF>

<sup>110</sup>Hungary, National Reform Programme 2013 of Hungary (*Nemzeti Reform Program, 2013 Magyarország*), p. 166, available at: [http://ec.europa.eu/europe2020/pdf/nd/nrp2013\\_hungary\\_en.pdf](http://ec.europa.eu/europe2020/pdf/nd/nrp2013_hungary_en.pdf).

<sup>111</sup>Hungary, National Reform Programme 2013 of Hungary (*Nemzeti Reform Program, 2013 Magyarország*), p. 34, available at: [http://ec.europa.eu/europe2020/pdf/nd/nrp2013\\_hungary\\_en.pdf](http://ec.europa.eu/europe2020/pdf/nd/nrp2013_hungary_en.pdf).

<sup>112</sup> Hungary, National Reform Programme, 2013 (*Nemzeti Reform Program, 2013*), available at: [http://ec.europa.eu/europe2020/europe-2020-in-your-country/magyarorszag/national-reform-programme/index\\_en.htm](http://ec.europa.eu/europe2020/europe-2020-in-your-country/magyarorszag/national-reform-programme/index_en.htm), p. 34.

<sup>113</sup> Hungary, National Reform Programme, 2013 (*Nemzeti Reform Program, 2013*), available at: [http://ec.europa.eu/europe2020/europe-2020-in-your-country/magyarorszag/national-reform-programme/index\\_en.htm](http://ec.europa.eu/europe2020/europe-2020-in-your-country/magyarorszag/national-reform-programme/index_en.htm), p. 250.

<sup>114</sup>Hungary, National Reform Programme 2013 of Hungary (*Nemzeti Reform Program, 2013 Magyarország*), p. 34, available at: [http://ec.europa.eu/europe2020/pdf/nd/nrp2013\\_hungary\\_en.pdf](http://ec.europa.eu/europe2020/pdf/nd/nrp2013_hungary_en.pdf).

<p>early school-leaving. The purpose of these programmes is to help young people beyond the compulsory school attendance age, who dropped out of the school system without secondary qualifications, to obtain secondary qualifications and to reduce school failure and frustration through the introduction of new, personalised methods assisting learning. In response to the measures listed above, the conditions of education in disadvantaged regions will improve, which will have a positive impact on the school progress of disadvantaged children".<sup>115</sup></p> <p>The system of vocational education was expanded as well..</p>	
<p><b>4. 13. Please insert any other group of children that is not listed above</b></p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>Early childhood: New kindergarten places were set up (but still not enough places are available and the quality targets do not met with the EU quality targets<sup>119</sup>.</p>	<p><b>Early childhood:</b> From 2015<sup>120</sup> <b>kindergarten attendance will be obligatory for every children older than 3</b><sup>121</sup> according to the 8. § of the law on National Public Education (<i>2011.évi CXC törvény a nemzeti köznevelésről</i>).</p> <p>Children over 3 years of age have to attend kindergarten at least 4 hours a day, except if the notary on request of the parent in agreement with the head of kindergarten and health visitor gives permission not to attend kindergarten until 5 years of age. In case of private or church run kindergartens not the notary but the service provider is entitled to give permission for the postponement of enrollment and attendance,taking into account family circumstances or other special reasons..</p> <p>Some professionals has questioned the need or appropriateness of obliging all children to start kindergarten so early especially if the parents are at home or wish to provide other forms of care for their children<sup>122</sup>.</p>

<sup>115</sup>Hungary, National Reform Programme 2013 of Hungary (*Nemzeti Reform Program, 2013 Magyarország*), p. 34,available at: [http://ec.europa.eu/europe2020/pdf/nd/nrp2013\\_hungary\\_en.pdf](http://ec.europa.eu/europe2020/pdf/nd/nrp2013_hungary_en.pdf).

<sup>119</sup> European Commission (2011) Early Childhood Education and Care: Providing all children with the best start for the world of tomorrow, COM(2011)66., available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0066:FIN:EN:PDF>.

<sup>120</sup> Hungary, Act CXC of 2011. on National Public Education (*2011. évi CXC. törvény a nemzeti köznevelésről*) Article 45.(3), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1100190.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100190.TV).

<sup>121</sup> Hungary, Act CXC of 2011 on National Public Education (*2011. CXC. törvény a nemzeti köznevelésről*) para.8.(1) [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1100190.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100190.TV).

<sup>122</sup> Hungary, Network for freedom of education (*Hálózat a tanszabadságért (HAT)*): Letter to the Hungarian Parliament (*Levél a Magyar Országgyűlés tagjainak!*) Available at: [www.tanszabadsag.hu/pdf/HAT\\_levelek.pdf](http://www.tanszabadsag.hu/pdf/HAT_levelek.pdf).

There are several issues for consideration only partly tackled in the parliamentary debate of the legislation.<sup>123</sup>

While in principle there are enough places in the kindergartens on national level, the geographical distribution of places is not in accordance with the number of children of kindergarten age. There are arguments supporting to regulate compulsory attendance from 4 years only, and providing CCT type allowances to deprived families to enroll their children earlier. This was the proposal of the former minister of education as well.<sup>124</sup>

5. Are there any contradictions, conflicts or gaps between national legislation/policies on child protection and international / EU standards that have been pointed out by national human rights institutions, ombudspersons or civil society organizations?

Yes, there are contradictions, for instance in the case of the de-institutionalisation strategy of children with disability. According to the new legislation no child under the age of 12 can be placed into residential homes, and all children under 12 years of age, already living in children's homes have to be placed into foster families by 2017. There are, however, exceptions: children with disability and multiple sibling groups can stay in institutions.<sup>125</sup>

According to the Concluding Observations of the UN CRDP Committee:

#### Children with disabilities (art. 7)

1. The Committee takes note of the State party's expression of dedication to protect and promote the rights of children with disabilities. However, the Committee is concerned about the large number of children living in institutional settings and about the fact that many children with disabilities receive institutional rather than home care. It stresses the importance of allocating sufficient resources to enable children with disabilities to continue living with their families in their own communities.
2. The Committee calls upon the State party to undertake greater efforts to make available the necessary professional and financial resources, especially at the local level, to promote and expand community-based rehabilitation and other services in their respective local communities to children with disabilities and their families, in order to enable children with disabilities to live with their families, as recommended by the Committee on the Rights of the Child (CRC/C/HUN/CO/2).<sup>126</sup>

<sup>123</sup> Hungary, HVG (2014) 'Önmagával is vitatkozik a Fidesz a kötelező óvoda miatt' (FIDESZ is arguing with its own initiative on compulsory kindergarten attendance), available at: [http://hvg.hu/itthon/20140106\\_kotelezo\\_ovoda\\_2015](http://hvg.hu/itthon/20140106_kotelezo_ovoda_2015).

<sup>124</sup> Hungary, Családhaló (2011) 'Kötelező óvoda 4 éves kortól?' (Compulsory kindergarten from age 4?), available at: <http://csaladhalo.hu/cikk/hatter/kotelezo-ovoda-4-eves-kortol>.

<sup>125</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 78.(2). available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>126</sup> United Nations Committee on the Rights of the Child (2012) Concluding observations on the initial periodic report of Hungary, adopted by the Committee at its eighth session (17-28 September 2012), p3, available at: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fHUN%2fCO%2f1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fHUN%2fCO%2f1&Lang=en)

In the Alternative Report submitted to the UN CRC Committee in 2013, national human rights institutions and NGOs expressed their concerns regarding the conflicts, gaps and contradictions.<sup>127</sup>

According to reports of the Ombudsman, recommendations of the UN CRC Committee, and NGOs<sup>128</sup> In Hungary, prevention, early detection and proper intervention are the weakest and least developed area of child protection is.

#### *Gate-keeping*

According to the new modification of the Child Protection Act<sup>129</sup> no child should be placed under age 12 to institutions (children's homes, group homes) from 01. 01. 2014. There are three exceptions, in case of disability, long-term illness and for sibling groups, and there is no provision in the new legislation on the closing of any institution.

#### *Petty offences*

The Hungarian petty offences law includes a provision under which under the value of a misdemeanour, the punishment can be 30, in aggravated cases 45 days of detention for juveniles<sup>130</sup>.

#### *Juvenile justice*

The age of criminal responsibility **has been reduced from 14 to 12 in cases** of serious crimes (homicide, homicide committed in the heat of passion, bodily harm, robbery and plunder, "if the child can judge the consequences of his/her actions")<sup>131</sup>.

Diversion is not available<sup>132</sup>.

Signalling system (Members of the child protection signalling system: health care service providers (e.g.: health visitors, paediatricians, etc.), institutions providing personal care, institutions of public education, police, prosecution, court of law, probation services, organizations of victim assistance, rehabilitation services for victims, refugee centres, temporary accommodation of refugees, social organizations, churches, foundations, labour authority.)

According to the 17. § (1) and (2) of Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról),<sup>133</sup> The

<sup>127</sup> Hungary, Family, Child, Youth Association (*Család, Gyermek, Ifjúság Egyesület*) (2013), Alternative – NGO – report on the implementation of the UN CRC in Hungary 2006-2012, Budapest, available at: [www.csagyi.hu/en/researches-projects/topical/crc-alternative-report/item/761-alternative-ngo-report](http://www.csagyi.hu/en/researches-projects/topical/crc-alternative-report/item/761-alternative-ngo-report).

<sup>128</sup> Hungary, Information and assessment provided for the purposes of the present report by Dr. Mária Herczog, Ph.D. (member of the UN CRC Committee, Chair of Eurochild and Family Child Youth Association (*Család, Gyermek, Ifjúság Egyesület*)) during an interview on the 18<sup>th</sup> of March, 2014.

<sup>129</sup> Hungary, Act XXXI of 1997, on the protection of children and the administration of guardianship affairs (1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>130</sup> Hungary, Act II of 2012 about petty offences, procedure of petty offences, petty offences registration, (2012. évi II. Törvény a szabálysértésekről, szabálysértési eljárásról és a szabálysértési nyilvántartási rendszerről) Chapter 4 special provisions, 18. Regulations concerning juveniles and soldiers Article 27. (2), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200002.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200002.TV).

<sup>131</sup> Hungary, Act C of 2012 on the Criminal Code (2012. évi C. törvény a Büntető Törvénykönyvről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200100.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200100.TV).

<sup>132</sup> Hungary, Act C of 2012 on Criminal Code (2012. évi C. törvény a Büntető Törvénykönyvről), Article 16, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200100.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200100.TV).

signalling system is the basis of the Hungarian child protection system obliging all professionals, service providers and institutions to work together with the lead of the local child welfare services to enable preventive and early intervention provisions. The role of the child protection signalling system is to prevent the endangerment of the child. As an investigation of the Ombudsman<sup>134</sup> in 2010 pointed it out the members of the signalling system do not fulfil their obligations, do not make signals as a result of fear of the affected families. In addition the signalling system's efficiency depends on the personal relationships in and between the actors.

Based on the recommendation of the Ombudsman<sup>135</sup>, the legal framework was amended<sup>136</sup> and now prescribes the confidential data processing of the reporting person since as the Ombudsman in its report draws the attention to it, in some cases the abuse was not reported because of the fear of possible consequences.

### Education

Introduction of the compulsory kindergarten attendance from age 3<sup>137</sup>, targets early childhood education and care and ensures that caretakers are properly informed and supported just like the wider community on the aim of this new legislation. The aim in principle is to prepare disadvantaged children for school and to prevent developmental delays and compensate the disadvantages. The maximum age of compulsory education has been reduced from 18 to 16<sup>138</sup>.

"In a volume entitled Handbook on Tackling the Segregation of Roma Children in Nursery and in Primary School, the experts of the Chance for Children Foundation) identify various forms of discrimination and segregation affecting Roma children, in conflict with both the international, EU standards, but also with the Hungarian Social Inclusion Strategy.<sup>139</sup>

The representatives of the Ministry of Human Resources professed their views on the advantages on a special form of *de facto* segregating Roma children (within the framework of a so-called "Bridge Programme", see details below) in the public education, despite of the court rulings, international/EU standards, independent human rights experts and NGO opinions.<sup>140</sup>

(1) By performing complex educational, social, cultural, pedagogical tasks for developing the skills and the personality, the Public Education Bridge Programmes shall assist the students in joining secondary education or

<sup>133</sup> Hungary, Act XXXI of 1997, on the protection of children and the administration of guardianship affairs (1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>134</sup> Hungary, Office of the Commissioner for Fundamental Rights (Alapvető Jogok Biztosának Hivatala) (2010): ÁJOB Project Book – Child rights project (ÁJOB Projekt Füzetek – Gyermekjogi projekt) – 2010/1., Budapest, Országgyűlési Biztos Hivatala.

<sup>135</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No AJB-2227/2010, ÁJOB Projektfüzetek, 2010/1, Budapest, available at: [www.ajbh.hu/kozlemenyek-archiv/-/content/10180/38/a-jelzorendszeres-jelentes-visszhangjarol.jsessionid=D4D17CBFF56BB87132B628F207BA15BE](http://www.ajbh.hu/kozlemenyek-archiv/-/content/10180/38/a-jelzorendszeres-jelentes-visszhangjarol.jsessionid=D4D17CBFF56BB87132B628F207BA15BE).

<sup>136</sup> Hungary, Act LXXIX of 2009 on the amendment of Act XXXI of 1997 and other related acts (2009. évi LXXIX. törvény a gyermekek védelméről és a gyámügyi igazgatásról szóló 1997. évi XXXI. törvény, valamint egyes szociális tárgyú törvények módosításáról), Article 4, available at: [www.complex.hu/kzldat/t0900079.htm/t0900079.htm](http://www.complex.hu/kzldat/t0900079.htm/t0900079.htm);

Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 17, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>137</sup> Hungary, Act CXC of 2011 on National Public Education (2011. évi CXC törvény a nemzeti köznevelésről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1100190.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100190.TV).

<sup>138</sup> Hungary, Act CXC of 2011 on National Public Education (2011. évi CXC törvény a nemzeti köznevelésről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1100190.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100190.TV).

<sup>139</sup> Hungary, Kegye, A., Morteau, C. E. (2013) Handbook on tackling the segregation of Roma children in nursery and primary schools - From investigation to decision making, Budapest, CFCF, available at: [www.cfcf.hu/images/stories/pdf/Handbook\\_FINAL\\_PART%201\\_2013.11.05.pdf](http://www.cfcf.hu/images/stories/pdf/Handbook_FINAL_PART%201_2013.11.05.pdf).

<sup>141</sup> Hungary, Act CXC of 2011 on National Public Education (2011. évi CXC. törvény a nemzeti köznevelésről), Section 11, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1100190.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100190.TV)

Author

Deleted: ..

vocational training or the obtaining of knowledge necessary for getting employed and starting independent life.

(4) Within the framework of Public Education Bridge Programmes the activities, courses and programmes for the complex development of the students shall be organised evenly distributed over the morning and afternoon periods. The teachers participating in the implementation of educational activities adjusted to the individual capabilities of the students concerned shall be eligible for salary supplement in case not less than seventy per cent of their students involved in their educational activity in the school year concerned successfully pass a written secondary school entrance examination or, in case of the Bridge II programme, has advanced to the second year.

(5) Within the framework of the Public Education Bridge Programmes, classes may also be organised which prepare the students, who were unable to complete their primary school studies by the end of their compulsory education and have successfully completed less than six primary teaching years, for commencing vocational school training within the framework of the vocational qualification defined by the Government Decree on the National Register of Vocational Qualifications.

(6) The educational programmes of the Public Education Bridge Programmes shall be regulated in a decree by the minister responsible for education and such programmes shall include the group organisation principles, the system of development tools, and the framework regulations on the assessment / evaluation and supervision of the students and the pedagogical activity applied.

(7) Public Education Bridge Programmes may be organised in primary and secondary schools within the framework determined by the Government. The institutions participating in the programmes shall be appointed by the government office.<sup>141</sup>

#### *Migrant children*

According to the Migration Strategy and its 7 years long action plan<sup>142</sup> the gaps on legislation and policies affecting migrant children are the followings :

- lack of normative support
- lack of cooperation with civil society
- lack of reliable data

The strategy states that the situation of unaccompanied children was settled in 2011<sup>143</sup> when the 290/2010. (XII. 21.) Governmental Decree (*A Kormány 290/2010. (XII. 21.) Korm. rendelete*)<sup>144</sup> came into force. According to the Decree asylum seeking unaccompanied minors have to be placed to the appointed children's home in Budapest Károlyi István Children's Centre (*Károlyi István Gyermekközpont*) instead of the previously appointed reception centre for them (Office of Immigration and Nationality's Reception centre in Bicske - *BÁH Bicskei Menekülteket*

<sup>141</sup> Hungary, Act CXC of 2011 on National Public Education (*2011. évi CXC. törvény a nemzeti köznevelésről*), Section 11, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1100190.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100190.TV)

<sup>142</sup> Hungary, 1698/2013. (X. 4.) Government Resolution on Migration Strategy and the seven-year strategy planning document related to the European Union Asylum and Migration Fund for the years 2014-2020 (*Migrációs Stratégia és az azon alapuló, az Európai Unió által a 2014-2020. ciklusban létrehozásra kerülő Menekültügyi és Migrációs Alaphoz kapcsolódó hétéves stratégiai tervdokumentum*), Available at: <http://moszlap.hu/uploads/files/migrstrat0416.pdf>

<sup>143</sup> Hungary, 1698/2013.(X. 4.) Government Resolution on Migration Strategy and the seven-year strategy planning document related to the European Union Asylum and Migration Fund for the years 2014-2020 (*Migrációs Stratégia és az azon alapuló, az Európai Unió által a 2014-2020. ciklusban létrehozásra kerülő Menekültügyi és Migrációs Alaphoz kapcsolódó hétéves stratégiai tervdokumentum*), p. 60, Available at: <http://moszlap.hu/uploads/files/migrstrat0416.pdf>

<sup>144</sup> Hungary, 290/2010.(XII. 21.) Government Decree on the harmonization of migration related decrees, acts (*A Kormány 290/2010. (XII. 21.)Korm.rendelete egyes migrációs tárgyú kormányrendeleteknek az egyes migrációs tárgyú törvények jogharmonizációs célú módosításáról szóló 2010. évi XXXV. törvénnyel összefüggő módosításáról*), Available at: [www.complex.hu/jr/gen/hjegy\\_doc.cgi?docid=A1000290.KOR](http://www.complex.hu/jr/gen/hjegy_doc.cgi?docid=A1000290.KOR).

*Befogadó Állomás*). The Strategy suggests to improve the quality of services provided for migrant children placed in children's homes.<sup>145</sup>

The Strategy identifies<sup>146</sup> the need to provide support for children with migrant background after leaving child protection alternative care, and suggests to develop a system for financial and in-kind for them, but does not include any details on the plan. In terms of education the Strategy suggests<sup>147</sup> to design and develop remedial education programmes in kindergartens and primary schools for children with migrant background, without specifying timeframe.

6. To what extent are national legislative and policy developments **linked** to EU legislative and policy developments?

The child friendly justice initiative was implemented in 2012 as far as the child friendly hearing rooms are concerned<sup>148</sup>. The introduction of the hotline for missing children (Blue Line - *Kék Vonal*) was in accordance to the EU agenda.

The Strategies and action plans, as well as reform programmes have been prepared due to following EU legislative developments and requirements (See:3. **Policy framework, question 3. 2.**), e.g. the National Social Inclusion Strategy.<sup>149</sup>

7. Based on the above information please assess and explain if the national child protection policy and legislation is fragmented and if the child protection system is orientated towards **prevention** or **intervention**.

Please note: the main source of tables in this report is the Hungarian Central Statistical Office (the responsible body for data collection, data analysis –among the others– in the field of child protection). The Hungarian Central Statistical Office's official translation of tables were included since it is widely spread and used in Hungary and abroad however in some cases the terminology used by the Office is not appropriate.

In the table 5.3. "taken into child protection" means to place the child's on the child protection register.

<sup>145</sup>Hungary, 1698/2013.(X. 4.)Government Resolution on Migration Strategy and the seven-year strategy planning document related to the European Union Asylum and Migration Fund for the years 2014-2020 (*Migrációs Stratégia és az azon alapuló, az Európai Unió által a 2014-2020. ciklusban létrehozásra kerülő Menekültügyi és Migrációs Alaphoz kapcsolódó hétéves stratégiai tervdokumentum*), p. 90, Available at: <http://moszlap.hu/uploads/files/migrstrat0416.pdf>

<sup>146</sup>Hungary, 1698/2013.(X. 4.)Government Resolution on Migration Strategy and the seven-year strategy planning document related to the European Union Asylum and Migration Fund for the years 2014-2020 (*Migrációs Stratégia és az azon alapuló, az Európai Unió által a 2014-2020. ciklusban létrehozásra kerülő Menekültügyi és Migrációs Alaphoz kapcsolódó hétéves stratégiai tervdokumentum*), p. 81, Available at: <http://moszlap.hu/uploads/files/migrstrat0416.pdf>

<sup>147</sup>Hungary, 1698/2013.(X. 4.)Government Resolution on Migration Strategy and the seven-year strategy planning document related to the European Union Asylum and Migration Fund for the years 2014-2020 (*Migrációs Stratégia és az azon alapuló, az Európai Unió által a 2014-2020. ciklusban létrehozásra kerülő Menekültügyi és Migrációs Alaphoz kapcsolódó hétéves stratégiai tervdokumentum*), p. 75, Available at: <http://moszlap.hu/uploads/files/migrstrat0416.pdf>

<sup>148</sup> Hungary, Government Decree No. 32 of 2011 on Child-Friendly Interview rooms in police investigation stations (*32/2011. (XI. 18.) KIM rendelet a rendőrség nyomozó hatóságainál létesítendő gyermekmehhallgató szobák kialakításáról*).

<sup>149</sup> Hungary, Ministry of Public Administration and Justice, State Secretariat for Social Inclusion (2011), National Social Inclusion Strategy – Extreme Poverty, Child Poverty, the Roma – (2012–2020) November 2011, (*Nemzeti Társadalmi Felzárkózási Stratégia – Mélyszegénység, gyermekszegénység, romák – (2011–2020)*, 2011. november), official English translation is available at: <http://romagov.kormany.hu/download/5/58/20000/Strategy%20-%20HU%20-%20EN.PDF>.

Despite the fact that it is against the law (Article 7. (1) of Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) to separate children from their biological parents due to material/financial (in the statistics called "environmental") reasons poverty still one of the main reasons of placing the child on the protection register as the table (table no. 5.3.) below shows. None of the reasons listed there can justify alone the removal of the child from the family<sup>150</sup>, circumstances are always assessed carefully and after placing the child on the protection register the child welfare services work to prevent the separation. Unauthorised absence from school (more than 50 days) can also justify the removal of the child from home.

Related legislation: Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról):

Article 68 (1) If parent is not able or does not want to eliminate endangerment of the child through the optional use of basic provisions, however, it is presumable that, with assistance, development of the child within a family environment may be ensured, the notary of the local government shall take the child under protection. (2) Simultaneously with taking the child under protection, the notary of the local government shall appoint a family caregiver from the child welfare service for the child in order to continuously help the care and organize the provision of the child and support parental care (...). (5) Taking the child under protection shall not affect the right of the parent to supervision.

Article 77 (1) The guardianship office shall take the child into short-term foster care, if the child's development is endangered by his or her family environment, and such endangerment could not be eliminated by the services provided in the framework of basic provision or by taking the child under protection, or no positive outcome can be expected from such action, moreover, if appropriate nursing of the child within his or her family cannot be ensured.

Hungarian Central Statistical Office (Központi Statisztikai Hivatal)<sup>151</sup>

### 5.3. Minors taken into child protection registered during the year, 2012

Settlement population	Number of minors taken into child protection during the year for reasons of					
	missing more than 50 lessons from the school	environment, other	culpable behaviour of parents	culpable behaviour of child	committing a crime	committing an offense
– 499	201	195	260	78	23	8
500– 999	240	202	343	115	43	11
1 000– 1 999	590	317	626	230	59	52
2 000– 4 999	913	465	820	378	66	64
5 000– 9 999	429	213	496	169	81	17
10 000–19 999	441	170	399	249	128	57
20 000–49 999	371	250	316	179	80	75
50 000–99 999	143	97	120	102	24	49
100 000–	465	102	213	167	94	58
Budapest	339	94	248	145	39	37
<b>Total</b>	<b>4 132</b>	<b>2 105</b>	<b>3 841</b>	<b>1 812</b>	<b>637</b>	<b>428</b>

Hungarian Central Statistical Office (Központi Statisztikai Hivatal)<sup>152</sup>

<sup>150</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 7., available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>151</sup> Hungary, Hungarian Central Statistical Office (Központi Statisztikai Hivatal) (2013): Yearbook of Welfare and Statistics 2012 (Szociális Statisztikai Évkönyv 2012), Budapest, KSH, table 5.3.

<sup>152</sup> Hungary, Hungarian Central Statistical Office (Központi Statisztikai Hivatal) (2013): Yearbook of Welfare and Statistics 2012 (Szociális Statisztikai Évkönyv 2012), Budapest, KSH, table 5.19.



5.19. Minors and young adults placed in children's homes and with foster parents by duration of care, 2012							
Duration of care	In temporary placement	In short-term	In long-term	In after-care provision	In short-term care	Total	Of which: girls
		foster care					
<b>Children's home</b>							
30 days or less	139	75	3	25	7	249	119
31–60 days	150	107	7	24	1	289	160
61 days–1 year	471	1 171	57	204	20	1 923	760
Over 1 year–5 years	55	2 780	169	409	8	3 421	1 529
Over 5 years–10 years	1	1 031	108	310	–	1 450	651
Over 10 years–17 years	1	362	87	249	–	699	263
Over 17 years	–	5	2	87	–	94	38
<b>Total</b>	<b>817</b>	<b>5 531</b>	<b>433</b>	<b>1 308</b>	<b>36</b>	<b>8 125</b>	<b>3 520</b>
<b>Foster care</b>							
30 days or less	123	64	2	6	2	197	85
31–60 days	113	60	2	4	–	179	87
61 days–1 year	350	1 370	47	62	1	1 830	946
Over 1 year–5 years	39	4 633	212	233	–	5 117	2 551
Over 5 years–10 years	15	2 370	248	283	–	2 916	1 394
Over 10 years–17 years	9	1 301	240	551	–	2 101	987
Over 17 years	1	55	28	421	–	505	241
<b>Total</b>	<b>650</b>	<b>9 853</b>	<b>779</b>	<b>1 560</b>	<b>3</b>	<b>12 845</b>	<b>6 291</b>
<b>Exterior place of child protection service</b>							
30 days or less	–	–	–	2	–	2	1
31–60 days	–	–	–	18	–	18	8
61 days–1 year	–	–	–	84	–	84	35
Over 1 year–5 years	–	–	–	36	–	36	18
Over 5 years–10 years	–	–	–	25	–	25	14
Over 10 years–17 years	–	–	–	13	–	13	5
<b>Total</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>178</b>	<b>–</b>	<b>178</b>	<b>81</b>
<b>Together</b>							
30 days or less	262	139	5	31	9	446	204
31–60 days	263	167	9	30	1	470	248
61 days–1 year	821	2 541	104	284	21	3 771	1 714
Over 1 year–5 years	94	7 413	381	726	8	8 622	4 115
Over 5 years–10 years	16	3 401	356	629	–	4 402	2 063
Over 10 years–17 years	10	1 663	327	825	–	2 825	1 264
Over 17 years	1	60	30	521	–	612	284
<b>Total</b>	<b>1 467</b>	<b>15 384</b>	<b>1 212</b>	<b>3 046</b>	<b>39</b>	<b>21 148</b>	<b>9 892</b>

## II. Structures and Actors

### 1. Primary institutions and main service providers responsible for child protection.

Question	Yes	No	Comments
1. 1. Is there any institution/body (e.g. child protection agency, ministry, etc.) primarily responsible for child protection at the national level? If yes: Please provide the name under the comments box.	x		Ministry of Human Resources  (Responsible for Education, Culture, Healthcare, Social Affairs and Labour as well.) <sup>153</sup>
1. 2. Are there different structures sharing the primary responsibility (e. g. departments in the same or different ministries, different agencies etc.)? If yes: Please provide the name under the comments box and please also mention which body has the lead in coordinating child protection policies and actions.	x		State Secretariat for Social and Family Affairs (at Ministry of Human Resources) – policy making  Established by the Organizational and Operational Regulations of Ministry of Human Resources (4/2013. (I. 31.) EMMI Decree  Directorate of Social Affairs and Child Protection (at Ministry of Human Resources) – coordination of finances, action/implementation.  Established by (316/2012.(XI.13.) government decree on the establishment of the Directorate of Social Affairs and Child protection Principal Directorate ( <i>Szociális és Gyermekvédelmi Főigazgatóság</i> ) <sup>154</sup>
<p><b>Please provide in the table below a list of the national/regional/local bodies or authorities having certain responsibilities related to child protection.</b></p> <p><b>Please note:</b> For the <b>regional</b> and <b>local</b> levels please indicate only the <b>type of body</b>, do not list all different bodies at regional/local level in your country.</p>			

<sup>153</sup> Hungary, Funding Document of the Ministry of Human Resources, p. 2-3., available at: [www.kormany.hu/download/a/4c/e0000/EMMI%20alapito%20okirat.pdf](http://www.kormany.hu/download/a/4c/e0000/EMMI%20alapito%20okirat.pdf).

<sup>154</sup> Hungary, Government Decree 316/2012.(XI.13.) on the Directorate of Social Affairs and Child Protection (316/2012. (XI.13.) Korm. Rendelet a Szociális és Gyermekvédelmi Főigazgatóságról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200316.KOR..](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200316.KOR..)

Name of the body	Level (national/regional/local).	Area of responsibility and roles in the area of child protection (for example coordination, legislation, policy making, training, monitoring, financing, implementing )	Comments
State Secretariat for Social and Family Affairs ( <i>Szociális és Családügyért felelős Államtitkárság</i> ) <sup>155</sup> (at the Ministry of Human Resources)	national	policy making; providing child protection, care and social welfare services  Issues related to children with disabilities living in institutions fall within the competence of the State Secretariat for Social and Family Affairs. In cases of education and health issues of children with disabilities, the Ministry of Human Resources is the main authority as well.	
Directorate of Social Affairs and Child Protection ( <i>Szociális és Gyermekvédelmi Főigazgatóság</i> ) <sup>156</sup> (at the Ministry of Human Resources)	National	Coordination of finances and action/ implementation, monitoring, research; providing all forms of out-of-home child care, including the placement settings.	The directorate is a central registry and a central budgetary body, under the management of the Ministry of Human Resources.
National Institute of Family and Social Policy ( <i>Nemzeti Család- és Szociálpolitikai Intézet</i> ) <sup>157</sup> )	National	Training of professionals; research; coordinating/ implementing programmes for young adults (for example drug prevention, Eurodesk); monitoring and licensing carers	(background institution for the State Secretariat for Social and Family Affairs at the Ministry of Human Resources)
National Office for Rehabilitation and Social Affairs ( <i>Nemzeti Rehabilitációs és Szociális Hivatal</i> ) <sup>158</sup>	National	Registering care providers, carers and professionals; monitoring and licensing care providers / settings; financing day care of Sure Start Program and community-based,	(It is a central office directed by the Minister of Human Resources)

<sup>155</sup> Hungary, see at: [www.kormany.hu/en/ministry-of-human-resources/offices-of-the-ministers-of-state](http://www.kormany.hu/en/ministry-of-human-resources/offices-of-the-ministers-of-state).

<sup>156</sup> Hungary, Government Decree 316/2012.(XI.13.) on the Directorate of Social Affairs and Child Protection (316/2012. (XI.13.) *Korm. Rendelet a Szociális és Gyermekvédelmi Főigazgatóságról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200316.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200316.KOR); see at: [www.szgyf.gov.hu/](http://www.szgyf.gov.hu/) (in Hungarian).

<sup>157</sup> Hungary, Founding Charter of the National Institute of Family and Social Policy (*A Nemzeti Család- és Szociálpolitikai Intézet Alapító Okirata (a módosításokkal egységes szerkezetben)*), available at: [www.kozlonyok.hu/kozlonyok/Kozlonyok/12/PDF/2013/33.pdf](http://www.kozlonyok.hu/kozlonyok/Kozlonyok/12/PDF/2013/33.pdf), pp. 6027- 6030; see at: Homepage of the institute is available at [www.ncsszi.hu](http://www.ncsszi.hu) (in Hungarian).

<sup>158</sup> Hungary, 95/2012 Government Decree on the Definition of Powers and Responsibilities of the National Office for

		emergency and supporting services.	
Social and Guardianship Offices (Szociális és Gyámhivatal) 159 (at the Ministry of Human Resources)	Regional	Coordinates and monitors the municipal notaries and sub-regional guardianship offices.	Every county has an office.
Guardian's offices, Courts of guardians <sup>160</sup> (Gyámhatóság)	Local, sub-regional	Monitoring and authorizing child protection and child welfare service providers; acting in actual cases if separation of the child from his/her family is needed; informing clients about benefits / support services available; monitoring the signalling system	supervised by the notary of the local government and the guardian's office
Local child welfare and family support services <sup>161</sup> (Családsegítő és gyermekjóléti szolgálat)	Local	Social work / case work	run by local governments.
Members of the child protection signalling system <sup>162</sup>	Local, regional	Signalling all cases of child abuse, neglect or children at risk	Partner sectors in the signalling system: police, education -, health care-, social providers, public prosecutor's departments, courts, service providers for migrants, churches, NGOs. Operating the signalling system is a legal obligation.

Rehabilitation and Social Affairs and of the Policy Administration Services for Rehabilitation falling under the Professional Authority of the National Office, available at: [http://norsa.gov.hu/download/0/6d/80000/Government%20Decree%20No%2095\\_2012.pdf](http://norsa.gov.hu/download/0/6d/80000/Government%20Decree%20No%2095_2012.pdf); see at: <http://norsa.gov.hu>.

<sup>159</sup> Hungary, 15/1998 Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care (15/1998. (IV. 30.) NM rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM).

<sup>160</sup> Hungary, 331/2006.(XII.23.) Governmental Decree on the roles and responsibilities in child protection and guardianship affairs and on the authority and jurisdiction of guardianship offices (331/2006 (XII. 23) Korm. Rendelet a gyermekvédelmi és gyámügyi feladat- és hatáskörök ellátásáról, valamint a gyámhatóság szervezetéről és illetékességéről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0600331.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0600331.KOR).

<sup>161</sup> Hungary, Magyar Családsegítő és Gyermekjóléti Szolgálatok Országos Egyesülete (Hungarian Family Support and Child Welfare Services' Association), 'Jogszabályok' (Collection of legislation), available at: [www.macsgyoe.hu/jogszabalyok/](http://www.macsgyoe.hu/jogszabalyok/).

<sup>162</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 17. available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

Public education	Local	Member of the child protection signalling system	All children are eligible from 3-16
Ministry of Interior ( <i>Belügyminisztérium</i> ) <sup>163</sup>	National	Coordination of police.	Children involved in crimes, missing children, etc.
Ministry of Public Administration and Justice ( <i>Közigazgatási és Igazságügyi Minisztérium</i> ) <sup>164</sup>	National	Maintains juvenile prisons. Maintains juvenile correctional facilities in cooperation with the Human Resources Ministry.	Children involved in judicial proceedings.
Office of Public Administration and Justice ( <i>Közigazgatási és Igazságügyi Hivatal</i> ) <sup>165</sup> at Ministry of Public Administration and Justice ( <i>Közigazgatási és Igazságügyi Minisztérium</i> )	National	Provide probation and victim support services.	Every county and Budapest has one regional office.

Office of Immigration and Nationality  
(*Bevándorlási és Állampolgársági Hivatal*)<sup>166</sup>

National

Migration

1. 3. Please indicate if there were **in the past three years** any **important** changes concerning the child protection mandate/roles/responsibilities and explain what determined these changes (for example the responsibility for child protection being transferred from one Ministry to another Ministry or body or if the national agency in charge for child protection merged with another agency).

**167**Max 150 words

<sup>163</sup> Hungary, see at: [www.kormany.hu/en/ministry-of-interior/offices-of-the-ministers-of-state](http://www.kormany.hu/en/ministry-of-interior/offices-of-the-ministers-of-state).

<sup>164</sup> Hungary, see at: [www.kormany.hu/en/ministry-of-public-administration-and-justice](http://www.kormany.hu/en/ministry-of-public-administration-and-justice).

<sup>165</sup> Hungary, see at: <http://kih.gov.hu/> (available only in Hungarian)

<sup>166</sup> Hungary, see at: [www.bmbah.hu/jomla/index.php?lang=en](http://www.bmbah.hu/jomla/index.php?lang=en)

<sup>167</sup> Hungary, HVG (2011) *Egyházi működtetésűek lesznek a gyermekvédelmi otthonok Csongrádban* '(Child homes will be church-run in Csongrád county)', available at: [http://hvg.hu/itthon/20110427\\_egyhazak\\_gyermekvedelmi\\_otthonok\\_szakszol](http://hvg.hu/itthon/20110427_egyhazak_gyermekvedelmi_otthonok_szakszol).

According to a major reorganisation of **the public administration the local family support and child welfare services were nationalised and centralised from local government to state funded in 2011**. Later in 2013 the same happened to regional social and child protection services and all residential and group homes (Law 192 of the year 2012.<sup>168</sup>). The same process led to the establishment of the new head office in 2012, the **Directorate of Social Affairs and Child Protection**, under the Ministry of Human Resources<sup>169</sup>. The same procedure concerning the guardian's offices took place (349/2012. (XII. 12.) Government Order)<sup>170</sup> Previously belonging to the local authorities, **now to a new sub-regional administrative level**, re-introduced after decades recently, (*"járás"*). **The office has become an authority, making all the main decisions on all areas of operation** (deciding in child protection measures, family allowances, schooling supports, adoption) withdrawing the activities from local levels– **at the same time the notary's former child welfare responsibilities have decreased, lots of them are transferred to the guardian's office**<sup>171</sup>. The reasoning for centralisation was based on the need for reducing bureaucracy and for improving equality between local authorities, and also for alleviating the situation of local municipalities facing with debt and the scarcity of available sources.

Later in 2013 the same happened to regional social and child protection services and all residential and group homes (Act CXII of 2012).<sup>172</sup> The same process led to the establishment of the new head office in 2012, the Directorate of Social Affairs and Child Protection, under the Ministry of Human Resources.<sup>173</sup>

(See the tables under Section II, question 2. 1.)

The role of church run organizations is connected with the regulation of the distribution of financial resources since church run organizations are entitled to additional normative („general” normative support +57.9% in 2013 and +67.8% in 2014)<sup>174</sup> support from the State therefore local governments subcontract them to provide child protection care in order to save money but ensure the availability and quality of local services. For instance from 2011 Csongrád county outsourced the task to maintain child protection institutions and provide services to Diocese of Szeged-Csanád (*Szeged-Csanádi Egyházmegye*)<sup>175</sup>.

<sup>168</sup> Hungary, Act CXII of 2012 on taking some special social and child protection institutions under state authority (*2012. évi CXII. Törvény egyes szakosított szociális és gyermekvédelmi szakellátási intézmények állami átvételéről és egyes törvények módosításáról*) [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200192.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200192.TV).

<sup>169</sup> Hungary, Government Decree 316/2012.(XI.13.) on the Directorate of Social Affairs and Child Protection (*316/2012. (XI. 13.) Korm. Rendelet a Szociális és Gyermekvédelmi Főigazgatóságról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200316.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200316.KOR); Act XXXI of 1997. on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*) Article 122., available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>170</sup> Hungary, Government Decree 349/2012. (XII. 12.) on the detailed norms of taking some special social and child protection institutions under state authority (*349/2012. (XII. 12) Korm. Rendelet egyes szakosított szociális és gyermekvédelmi szakellátási intézmények állami átvételének részletes szabályairól és egyes kormányrendeletek módosításáról*) [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200349.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200349.KOR).

<sup>171</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*) Article 122., available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>172</sup> Hungary, Act CXII of 2012 on taking some special social and child protection institutions under state authority (*2012. évi CXII. Törvény egyes szakosított szociális és gyermekvédelmi szakellátási intézmények állami átvételéről és egyes törvények módosításáról*) [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200192.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200192.TV)

<sup>173</sup> Hungary, Government Decree 316/2012.(XI.13.) on the Directorate of Social Affairs and Child Protection (*316/2012. (XI. 13.) Korm. Rendelet a Szociális és Gyermekvédelmi Főigazgatóságról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200316.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200316.KOR)

<sup>174</sup> Hungary, Act CCXXX of 2013 on the Central Budget of Hungary for 2014. (*2013. évi CCXXX. Törvény Magyarország 2014. évi központi költségvetéséről*), available at: <http://emmiugyfelszolgalat.gov.hu/aktualitasok/intezkedesek-140101/aktualitasok-140107>.

<sup>175</sup> Hungary, General Assembly of Bács-Kiskun County (2011) Submission for the assembly on outsourcing certain tasks of the Regional Child Protection Methodological Service (*Előterjesztés. A Bács-Kiskun Megyei Önkormányzat Területi Gyermekvédelmi Szakszolgálatára és Gyermekotthonai egyes feladatainak ellátási szerződés útján történő biztosítása*), available at: [www.google.hu/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0CC8QFjAA&url=http%3A%2F%2Fwww.bacsiskun.hu%2Fmegyeionkormanyzat%2Felőterjesztesek%2F20110930%2Fen-14-](http://www.google.hu/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0CC8QFjAA&url=http%3A%2F%2Fwww.bacsiskun.hu%2Fmegyeionkormanyzat%2Felőterjesztesek%2F20110930%2Fen-14-)

The Directorate of Social Affairs and Child Protection (*Szociális és Gyermekvédelmi Főigazgatóság*) have contracted between 2010 and 2014 14 church organizations and 4 NGOs to provide different type of child protection (public care) provisions in the counties<sup>176</sup>:

- In Hajdú-Bihar and Szabolcs-Szatmár-Bereg counties child protection care is outsourced to 1-1 church organizations on a permanent basis;
- in Heves county a church run organization has temporary contract while
- in Pest county 8 church run organizations and 2 NGOs provide child protection care with temporary contract.
- In 3 different counties (Bács-Kiskun, Csongrád and Komárom-Esztergom) the same church run organization is contracted for the purpose of maintaining children's homes, after care homes and foster parent's network temporarily.
- In Bács-Kiskun, Békés and Vas counties the SOS children's villages is subcontracted on a permanent basis to provide out of home care, after care and to maintain foster parent's network.
- In Baranya, Somogy, Tolna, Veszprém counties another NGO has permanent contract to maintain specialized children's homes.
- In Borsod-Abaúj-Zemplén county child protection care (children's homes, after care, foster care) is outsourced temporarily to a church run organization
- while in Pest, Veszprém and Budapest the same church run organization has got permanent contract with the Directorate General of Social Affairs and Child Protection (*Szociális és Gyermekvédelmi Főigazgatóság*) to operate specialized children's homes, children's homes, after care homes and foster parent's networks.

According to the data provided by the National Office for Rehabilitation and Social Affairs (Nemzeti Rehabilitációs és Szociális Hivatal) for the purpose of the present report in 2013:<sup>177</sup>

- from 278 children's homes 13 were operated by church organizations and 3 by NGOs;
- from 752 group homes 127 were operated by church organizations and 18 by NGOs;
- and from 88 foster parents network 24 were operated by church organizations and 11 by NGOs.

A major change, placement of children into foster care and not into institutions (Hungary, Act XXXI of 1997 78. §) is shaping in the specialist child care system as indicated elsewhere. There are also legal changes in the process of the adoption<sup>178</sup>, making it easier and less bureaucratic, and allowing follow up, post adoptive services and supervision if needed.

1. 4. Please indicate, in the table below, the **major service providers** at national level in the area of child protection. Include family support services /measures (i.e. counselling, financial assistance) that are part of the overall social protection/welfare system for children in risk.

Service providers <i>(include the name)</i>	Type of services <i>(Include counselling, care)</i>	Target groups	Funding <i>(national budget, EU)</i>
--	--	---------------	---

20110930.doc&ei=ILyEU6pyzoGEB8\_OgdgM&usg=AFQjCNF9pRYRrFfb-lEckASxKcVyArRaRg&sig2=-wmacTBYFofKyzCqbdZWug.

<sup>176</sup> Hungary, Directorate General of Social Affairs and Child Protection (2014), Letter No. I-9195-1/2014 (dated 30 May 2014); in response to an information request for the purposes of the present report by the Hungarian Helsinki Committee (dated 16 May 2014).

<sup>177</sup> Hungary, National Office for Rehabilitation and Social Affairs (Nemzeti Rehabilitációs és Szociális Hivatal), (dated 5 June 2014); in response to an information request for the purposes of the present report by the Hungarian Helsinki Committee (dated 16 May 2014).

<sup>178</sup> Hungary, Act C of 2012 on the Criminal Code (*2012. évi C. törvény a Büntető Törvénykönyvről*) Article 16., available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200100.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200100.TV).

and the type of institution i.e. public authority, NGOs, religious institutions, private )	institutions, day care centres, financial assistance, legal advice, rehabilitation services for victims, education awareness –training activities, etc.)	(For example, children with disability, children in risk of or living in poverty, immigrant children, and children deprived from parental care, child victims of abuse or exploitation. When relevant, please indicate if third country nationals and irregular immigrants are entitled to such services)	funded, other)
<p><b>Local child welfare services</b> (public service provided by the local government) under the Human Resources Ministry Local child welfare services are part of the basic child welfare system, covering 97,7% of all settlements with their services<sup>179</sup>.</p> <p>Social welfare services and family support services are two different services although they often share an office at the local level and work in close collaboration.</p>	<p>Social work and case work. Supporting families, personal support for families and children at risk; receive and – if it is from the signalling system – handling complaints; legal, psychological, financial advice; conflict management, family therapy, relationship counselling; organizing free time activities for children; informing, counselling and supporting with social and mental problems; providing and supporting substitute care and helping adoption; keeping in touch with all institutions working with children</p> <p>They provide financial assistance for families in need after the authorisation of the guardianship offices.</p>	<p>Universal service at the local level.</p> <p>All children and their families living in the area are entitled but due to the shortage of resources of all kinds, only those at risk or need can use it.</p> <p>In order to use the services of local child welfare and family support services parents and children must have permanent address or an official habitual place of residence. Families without address can contact the guardianship office; and the office considers – taking into account the family’s living conditions - whether they are eligible for the services or not..</p> <p>There is no unified practice regarding these kind of situations among the guardianship offices. Due to this, undocumented immigrant families only occasionally have access to the services.</p>	<p>National budget (Local government)</p>
<p><b>Local family support services</b> (public service provided by the local government) under the Human Resources Ministry</p>	<p>Family support service provide:</p> <ul style="list-style-type: none"> <li>- Counselling concerning debt management</li> <li>- Financial and in kind support</li> <li>- Mediation and conflict management</li> <li>- Consultation</li> </ul>	<p>Universal service at the local level.</p> <p>All children and their families living in the area are entitled to the services.</p>	<p>National budget (Local government)</p>

<sup>179</sup>Hungary, Hungarian Central Statistical Office (2013): Yearbook of Welfare and Statistics (*Szociális Statisztikai Évkönyv*), Budapest: KSH, table 4.11.



Family support services are part of the basic social welfare system covering 93% of all settlements with their services <sup>180</sup> .	<ul style="list-style-type: none"> <li>- Information of other support services</li> <li>Their case management work include: <ul style="list-style-type: none"> <li>- social or mental case management</li> <li>- psychological case management</li> <li>- judicial case management</li> <li>- health case management</li> </ul> </li> </ul> (See the table below)		
--	---	--	--

Number of persons receiving case-management of family support services<sup>181</sup>:

**7.21. A családsegítő szolgálatoknál esetkezeléseken részt vettek száma az esetkezelések jellege szerint**  
**Number of persons receiving case-managements of family assistance service by the type of the case management**

Év, területi egység Year, region	Szociális, mentális	Pszichológiai	Jogi	Egészségügyi	Összesen <sup>a)</sup> Total <sup>a)</sup>
	esetkezelésben részesültek száma Number of persons receiving				
	social or mental case management	psychological case management	judicial case management	health case management	
2001	589 358	28 328	45 999	15 149	678 834
2002	666 197	33 716	49 644	14 769	763 326
2003	461 252	19 007	29 396	17 342	528 003
2004	524 318	20 913	27 924	11 942	585 097
2005	582 056	22 687	29 178	11 650	645 571
2006	752 686	23 036	29 549	8 917	814 188
2007	968 202	22 692	28 398	6 450	1 025 742
2008	984 178	21 965	29 143	8 724	1 044 010
2009	564 376	15 674	23 510	7 288	610 848
2010	555 736	16 111	23 392	8 258	603 497
2011	492 146	14 868	21 363	6 093	534 470

Guardianship Offices under the Ministry of Human Resources and under Social and Guardianship Offices	Responsible for child protection related administrative measures.	Children at risk.	National budget
--	---	-------------------	-----------------

<sup>180</sup> Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2012): Family support services 2000-2011 (*Családsegítő szolgálatok 2000–2011*), p. 1, Available at: [www.ksh.hu/docs/hun/xftp/idoszaki/pdf/csaladsegito.pdf](http://www.ksh.hu/docs/hun/xftp/idoszaki/pdf/csaladsegito.pdf)

<sup>181</sup> Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2012): Basic social services and day care (*Szociális alapszolgáltatások és nappali ellátások*), p. 127, table 4.21, Available at: [https://www.teir.hu/szoc\\_agazat/ksh\\_evkonyvek/a2011/pdf/szocvek\\_07\\_fejezet.pdf](https://www.teir.hu/szoc_agazat/ksh_evkonyvek/a2011/pdf/szocvek_07_fejezet.pdf)

<p>(County-level) <b>Regional Child Protection Methodological Services</b> (<i>Területi Gyermekvédelmi Szakszolgálat</i>) (public)</p> <p>Coordination body: Directorate of Social Affairs and Child Protection (<i>Szociális és Gyermekvédelmi Főigazgatóság</i>)</p> <p>Responsible Ministry: Ministry of Human Resources</p>	<p>Every county and Budapest has its own Regional Child Protection Methodological Services, the total number of services: 20.</p> <p>The 20 Regional Child Protection Methodological Services (<i>Területi Gyermekvédelmi Szakszolgálat</i>) are coordinated by the Directorate of Social Affairs and Child Protection (<i>Szociális és Gyermekvédelmi Főigazgatóság</i>) which is under the administration of Human Resources Ministry.</p> <p>Departments of Regional Child Protection Methodological Services (<i>Területi Gyermekvédelmi Szakszolgálat</i>) are the followings<sup>182</sup>:</p> <ul style="list-style-type: none"> <li>• Child protection expert Committee</li> <li>• Temporary children's home</li> <li>• Adoption services</li> <li>• Placement services</li> <li>• Information services and child protection/adoption register</li> <li>• Child protection guardians</li> <li>• Foster parent's network, recruitment and training</li> </ul> <p>Regional Child protection Services are only responsible providing temporary shelter for children (<i>befogadó otthon</i>) and foster families with emergency foster care services. The department of</p>	<p>Children deprived from parental care</p>	<p>National budget (Local government)</p>
---	---	---	---

<sup>182</sup> Hungary, Webpage of Budapest Capital Child Protection Agency, institutional organogram, available at: [www.tegyesz.hu/file/A%20FŐVÁROSI%20GYERMEKVÉDELMI%20SZAKSZOLGÁLAT%20SZERVEZETI%20STRUKTURÁJA.pdf](http://www.tegyesz.hu/file/A%20FŐVÁROSI%20GYERMEKVÉDELMI%20SZAKSZOLGÁLAT%20SZERVEZETI%20STRUKTURÁJA.pdf)

	<p>placement working within the Services is responsible for suggesting the placement in a children's home or foster family for the child if s/he remains in child public care following the temporary placement (See the proceeding below). In this case s/he is referred to another children's home or foster family. The children's homes providing longer-term placement are run by the regional (<i>megye</i>) and local municipalities, not by the Regional Child Protection Services. The municipality can subcontract the services to civil society organizations, church organisations.</p> <p>Procedure:</p> <p>In 30 days following the decision on temporary placement the guardianship office terminates the placement order, in case it is not needed and the reunification with the family is desirable. In case the situation has not been resolved, the decision on temporary or insitutional care can be issued. A placement conference is organized with the presence of the child, the family and their case worker (additionally the child rights representative and the the child protection guardian). During the conference the report from the child welfare services and the suggestion of the guardianship office are discussed and the county child protection agency proposes the decision on the placement based on the reports, the discussion and the need and interest of the child/family.</p> <p>(See more: 3. Referral</p>		
--	---	--	--

	<p>procedure(s) and investigation, Question 3. 1.)</p> <p>Regional Child Protection Methodological Services <b>provide out-of home care (among the other providers)</b>; they maintain temporary children's homes (<i>'ideiglenes hatályú'</i>), assess the 'best interest of the child' ; monitoring placements; decision on placement, operating foster care network; maintain children's homes and group homes, provides after-care; collaboration with the guardianship offices; supporting and arranging closed (secret) adoptions</p> <p>Guardianship offices are not operating within the Regional Child Protection Methodological Services.</p>		
<p>(Regional level)</p> <p>Institute for Education Services<sup>183</sup></p> <p><i>(Pedagógiai Szakszolgálati intézmények)</i></p> <p>(public)</p> <p>Responsible ministry: Ministry of Human Resources</p> <p>Coordination: Klebelsberg Institution Maintenance Centre</p> <p><i>(Klebelsberg Intézményfenntartó)</i></p>	<p>Counselling; out-of-school educational developing activities; psychological advice/therapy; speech therapy</p>	<p>children with challenging behaviour; children with settling difficulties; children with impediment in speech; children with learning difficulties; any parents who need parenting advices</p>	<p>National budget (Local government)</p>

<sup>183</sup> Hungary, Act CXC of 2011 on National Public Education (*2011. évi CXC. törvény a nemzeti köznevelésről*), Article 7., available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1100190.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100190.TV); Hungary, 15/2013. (II. 26.) Decree of the Ministry of Human Resources on the functioning of Institute for Services in Pedagogy (15/2013 EMMI rendelet a pedagógiai szakszolgálati intézmények működéséről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300015.EMM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300015.EMM).

<p>Központ)</p> <p>Altogether 20 centres (one in each of the 19 counties, one in the capital city Budapest)<sup>184</sup></p>			
<p>All educational institutions (schools, family day-care centres, nurseries, kindergartens)</p> <p>Responsible Ministry: Ministry of Human Resources</p> <p>Coordination: Klebelsberg Institution Maintenance Centre (Klebelsberg Intézményfenntartó Központ)</p> <p>All teachers are responsible and there is a professional with accountability for child and youth protection in every school.</p>	<p>Education; counselling; leisure time activities</p>	<p>All children between the age of 0 to 16 (until the compulsory school age)</p>	<p>National budget (Local government) and parents' s own contribution depending on their income, choice and services used</p>
<p>Health Visitation Service (<i>Védőnői Szakszolgálat</i>)<sup>185</sup> (public)</p> <p>Responsible Ministry: Ministry of Human Resources</p>	<p>Supporting and visiting pregnant women and families with infants and children under 6; health counselling; basic medical check-ups (also for schools)</p>	<p>Pre-natal care, all children under the age of 6 in their homes; school and youth health visitation services for children between the ages of 6-18.</p>	<p>National budget (Local government)</p>

<sup>184</sup> Hungary, 8/2014. (I. 30.) Decree of the Ministry of Human Resources on the amendment of the Decree of the Ministry of Human Resources 15/2013. (II. 26.) on the operation of the institutes of education services (*A pedagógiai szakszolgálati intézmények működéséről szóló 15/2013. (II. 26.) EMMI rendelet módosításáról*), available at: [www.kozlonyok.hu/nkonline/MKPDF/hiteles/MK14012.pdf](http://www.kozlonyok.hu/nkonline/MKPDF/hiteles/MK14012.pdf)

<sup>185</sup> Hungary, 49/2004 (V.21.) Decree of the Ministry of Health, Social and Family Affairs on the Health Visitation Services (*49/2004 (V.21.) ESzCsM Rendelet a területi védőnői ellátásról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0400049.ESC](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0400049.ESC).

<p>Early development centres (public)</p> <p>A type of Education Counsellors Service (<i>Pedagógiai Szakszolgálati intézmény</i>)</p> <p>Responsible Ministry: Ministry of Human Resources</p>	<p>Early childhood development services</p>	<p>Children between 0-6 years of age.</p>	<p>National budget (Local government)</p> <p>Co-financing from the parents.</p>
<p>Sure Start Houses (<i>Biztos Kezdet Házak</i>)<sup>186</sup></p> <p>Responsible Ministry: Ministry of Human Resources</p> <p>(public and NGOs or church run organizations contracted by the State)</p>	<p>Providing holistic early childhood development services in the most disadvantaged sub-regions.</p>	<p>Early childhood development, parenting skill development, community building.</p> <p>Target group: every child (0-5 years old) in the settlement where the House operates, but especially children with developmental delays.</p>	<p>National budget</p> <p>National Office for Rehabilitation and Social Affairs</p>
<p>Probation Service (<i>Pártfogó Felügyelői Szolgálat</i>)<sup>187</sup></p> <p>(public)</p> <p><i>Office of Public Administration and Justice</i> (<i>Közigazgatási és Igazságügyi Hivatal</i>)</p> <p><i>At Ministry of Public Administration and Justice</i> (<i>Közigazgatási és Igazságügyi</i>)</p>	<p>If the young offender is on probation or on suspended imprisonment she/he has a „probation officer” who is responsible for the child’s rehabilitation, provide consultation on a regular basis, make the individual development plan for the juvenile offender, supervise him/her, etc.</p>	<p>Target group: children and young adults (aged between 12/14-24) in conflict with the law</p>	<p>National budget</p>

<sup>186</sup> Hungary, 19/2013. (III.5) Decree of the Ministry of Human Resources on the “Sure Start Children’s Houses” (19/2013. (III.5) *EMMI rendelet a Biztos Kezdet Gyerekházakról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300019.EMM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300019.EMM)

<sup>187</sup> Hungary, 17/2003. (VI. 24.) Decree of the Ministry of Justice on the functioning of Probation Service (17/2003. (VI. 24.) IM rendelet a Pártfogó Felügyelői Szolgálat tevékenységéről, valamint ehhez kapcsolódóan egyes igazságügyi miniszteri rendeletek módosításáról), available at: <http://kih.gov.hu/documents/10179/324355/Pfr..docx>.

<i>Minisztérium)</i>			
Juvenile correctional facilities (public)  <i>Ministry of Public Administration and Justice (Közigazgatási és Igazságügyi Minisztérium) and Ministry of Human Resources (Emberi Erőforrások Minisztériuma)</i>	Closed residential facility, which provides rehabilitation and education for young offenders.	Juvenile offender between 12/14 and 18 years of age	National budget
Juvenile justice penitentiaries (public)  <i>Ministry of Public Administration and Justice (Közigazgatási és Igazságügyi Minisztérium)</i>	Juvenile prisons	Juvenile offenders between 14 and 18 years of age	National budget
<b>NGOs and other civic providers</b>			

SOS Children's Villages Hungary Foundation (SOS Gyermekfalvak Magyarországi Alapítványa) (NGO)	Providing family-like care, group homes, foster care, emergency placement; supporting families at risk to prevent the child's separation; advocating the rights of the child; operating foster carers' network	Children deprived from parental care; children and families at risk	Normative national budget support, donations, foundation funding, grants etc.
UNICEF Hungary (Unicef Magyar Bizottság)	Contribute to the promotion and protection of children's rights.	Children and their families.	Private donors.
Saint Ágota Child Protection Provider (Szent Ágota Gyermekvédelmi Szolgáltató) (church run institution)	Providing family-type care, group homes, foster care, operating foster care agency	Children deprived from parental care	Church funded; national budget, donations, grants, projects
Ágota Foundation (Ágota Alapítvány) (NGO)	Supporting children in care by organizing free time activities; supporting children and their families at risk; trainings for professionals; training foster parents;	Children deprived from parental care; children at risk; professionals	National budget; ; church funded; donations, grants
"Fészek" Child Protection Association (Fészek Egyesület) (NGO)	Providing group home for temporary placement; operating foster care services; training foster and substitute, adoptive parents  Substitute parents ( <i>helyettes szülő</i> ) are a type of foster parents. They provide only temporary care of children <sup>188</sup> .	Children in care; foster parents and substitute parents; professionals	Normative from national budget, donations, church fund, clients' own contributions, grants
"Ágacska" Foundation (Ágacska Alapítvány) (NGO)	Training professionals; preparing parents for adoption; counselling; therapy	Adopted children; children waiting for adoption; families waiting for/with adopted children	Grants, donations, client's own contribution

<sup>188</sup> Hungary, Act XXXI of 1997. on the protection of children and the administration of guardianship affairs (1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról) Article 49, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).



Blue Line Child Crisis Foundation ( <i>Kék-Vonal Gyermekkrízis Alapítvány</i> ) (NGO)	Operating a free helpline for children in crisis; awareness raising education programmes; training and supervising volunteers for the helpline	Children in crisis / emergency / at risk; child victims	EU funded, grants, donations, state, local authority support,
Family, Child, Youth Association ( <i>Család, Gyermek, Ifjúság Egyesület</i> ) (NGO)	Training professionals; research	professionals	Grants, donations, project funded, client's own contribution
Alfa Foetus Infant Children and Family Alliance ( <i>Alfa Magzat-, Csecsemő-, Gyermek- és Családvédelmi Szövetség</i> ); Bölcső Alapítvány ( <i>Bölcső Foundation</i> ); Together for life Association ( <i>Együtt az Életért Közhasznú Egyesület</i> ); Fészek Foundation for Adoption ( <i>Fészek az Örökbefogadókért és Örökbefogadottakért Alapítvány</i> ); Gólyahír Association ( <i>Gólyahír Egyesület</i> ); Várva Várt Foundation ( <i>Várva Várt Alapítvány</i> ); Hungarian Baptist Aid ( <i>Baptista Szeretetszolgálat</i> ).	These NGOs are entitled legally to provide services to pregnant women at risk of abandoning their children, but in practice arranging and supporting open adoptions	Biological parents, adoptive parents; children free for adoption	Donations, own contributions, grants
Menedék - Hungarian Association for Migrants ( <i>Menedék - Migránsokat Segítő Egyesület</i> ) <sup>189</sup>	social, informational, mental-health programmes promoting the social integration of refugees and migrants	Migrant families.	EU funded, grants, donations, state, local authority support,

<sup>189</sup> Hungary, see at: <http://menedek.hu/en>

Chance for Children Foundation ( <i>Esélyt a hátrányos helyzetű gyerekeknek</i> )	Fighting for equal rights in education for Romani and marginalized children, focusing on school desegregation, since it was founded in 2004.	Roma children.	EU funded, grants, donations,
Lane Changer Foundation ( <i>Váltó-sáv Alapítvány</i> )	Supporting the rehabilitation, reintegration of offenders including juvenile offenders, psycho-social assistance, providing educational/training programmes, etc.	Juvenile offenders.	EU funded, grants, donations, state, local authority support,

<p>Hungarian Red Cross (<i>Magyar Vöröskereszt</i>) Temporary home for families and children (NGO)</p> <p>S.O.S. Crisis Foundation (<i>SOS Krízis Alapítvány</i>) (NGO) - Borostyánvirág Foundation (<i>Borostyánvirág Alapítvány</i>) (NGO)</p> <p>Multi-purpose Sub-regional Partnership (<i>Szegedi Kistérség Többcélú Társulása Humán Szolgáltató Központ</i>) - Temporary home for families (Regional Government (<i>Önkormányzat</i>))</p> <p>Hungarian Inter-church Aid (<i>Magyar Ökumenikus Szeretetszolgálat</i>) Temporary home for families (NGO / Church run institution)</p> <p>Chance for Families Foundation (<i>Lehetőség Családoknak 2005 Alapítvány</i>) - Temporary home for families (NGO)</p> <p>Our Fate and Future Foundation, (<i>Sorsunk és Jövőnk Alapítvány</i>) Shelter-house (NGO)</p>	<p><b>Emergency shelters</b></p>	<p>Children and parent in danger of violence and abuse.</p>	<p>EU funded, grants, donations, state, local authority support</p>
--	----------------------------------	---	---

2. Civil society organizations active in the area of child protection. Please consider also including information on the role of religious institutions and groups active in the area of child protection.

Question	YES	NO	Comments
<p>2. 1. Is there a registry of civil society organizations operating in the child protection area?</p> <p>If yes: Briefly provide information on the legislative-regulatory framework and the responsible authority.</p>	x		<p>Registration must be done at the tribunal courts for all civil organizations, with the exception of religious organizations, they are under the exclusive jurisdiction of the Capital Tribunal Court.<sup>190</sup></p> <p><i>According to 369/2013. (X. 24.) Government Decree on social and registration and control of child protection service providers, institutions and networks (369/2013. (X. 24.) Korm. rendelet a szociális, gyermekjóléti és gyermekvédelmi szolgáltatók, intézmények és hálózatok hatósági nyilvántartásáról és ellenőrzéséről)</i>the National Office for Rehabilitation and Social Affairs run the registry of all child service providing organizations, non-profit, NGOs, religious as well.</p> <p>The National Office for Rehabilitation and Social Affairs operates under the Ministry of Human Resources .</p> <p>The registry includes every child welfare and child protection service providers, institutions. They collect data separately by the type of service providers (state, local government, NGO, church, etc.) The National Office for Rehabilitation and Social Affairs is also responsible for authorization of services, institutions.</p> <p>As the tables below show in October of 2013 <sup>191</sup></p> <ul style="list-style-type: none"> <li>- out of 278 children's homes 13 were operated by church organizations and 3 by NGOs (and 27 by county municipalities, 3 by „gestor” municipalities, 228 by the central authority, 4 by local governments); (Note: “gestor” municipality: the responsibility extends beyond one local government, one local government is assigned as a main contractor, but the others take on individual responsibilities as well.)</li> <li>- out of 752 group homes 127 were operated by church organizations and 18 by NGOs (and 50 by county municipalities, 2 by „gestor” municipalities, 555 by the central authority, 0 by</li> </ul>

<sup>190</sup> Hungary, Act CLXXV. of 2011, on Right of Association, Non-profit Status, and the Operation and Funding of Civil Society Organisations (2011. évi CLXXV. törvény az egyesülési jogról, a közhasznú jogállásról, valamint a civil szervezetek működéséről és támogatásáról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1100175.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100175.TV).

<sup>191</sup> Hungary, National Office for Rehabilitation and Social Affairs (*Nemzeti Rehabilitációs és Szociális Hivatal*), (dated 5 June 2014); in response to an information request for the purposes of the present report by the Hungarian Helsinki Committee (dated 16 May 2014).

			local governments);  - and out of 88 foster parents network 24 were operated by church organizations and 11 by NGOs (and 1 by county municipality, 1 by „gestor” municipality , 50 by the central authority, 1 by local governments).  While in 2012 only 7 children’s homes, 11 group homes and 13 foster parent’s networks were operated by church organizations ,
--	--	--	--

While in 2012 only 7 children’s homes, 11 group homes and 13 foster parent’s networks were operated by church organizations<sup>192</sup>,

Children’s homes by type of their operating body, 10. 2013 <sup>193</sup>							
Type of services	Church organizations	Budapest and county level governments	Multi-porpuse micro-regional associations (többcélú kistérségi társulás) and „gestor” authorized local municipalities (gesztor önkormányat)	Central, State-run	NGO-s	Local governments	Total
„General” Children’s homes	9	19	3	140	2	2	<b>175</b>
Particular children’s homes (Különleges gyermekotthon)	2	6	0	68	0	2	<b>78</b>
Specialized children’s homes (Speciális)	2	2	0	20	1	0	<b>25</b>

<sup>192</sup> Hungary, Central Statistical Office (Központi Statisztikai Hivatal) (dated 31 July 2013) in response to an information request by the Family Child Youth Association (dated 2 August 2013).

<sup>193</sup> Hungary, National Office for Rehabilitation and Social Affairs (Nemzeti Rehabilitációs és Szociális Hivatal), (dated 5 June 2014); in response to an information request for the purposes of the present report by the Hungarian Helsinki Committee (dated 16 May 2014).

gyermekotthon)							
Total	13	27	3	228	3	4	278

Group homes by type of their operating body, 10. 2013 <sup>194</sup>	Budapest and county Hungary, Central Statistical Office ( <i>Központi Statisztikai Hivatal</i> ) (dated 31 July 2013) in response to an information request by the Family Child Youth Association (dated 2 August 2013).level governments						
Type of services	Church organizations		Multi-porpuse micro-regional associations ( <i>többcélú kistérségi társulás</i> ) and „gestor” authorized local municipalities ( <i>gesztor önkormányat</i> )	Central, State-run	NGO-s	Local governments	Total
Particular group homes <i>(Különleges lakásotthon)</i>	0	14	0	138	0	0	152
„General” Group homes	123	31	2	409	18	0	583
Specialized group homes <i>(Speciális lakásotthon)</i>	4	5	0	8	0	0	17
Total	127	50	2	555	18	0	752

Foster parents' networks by type of their operating body,	Church organizations	Budapest and county level governments	Multi-porpuse micro-regional associations ( <i>többcélú kistérségi társulás</i> ) and „gestor” authorized local municipalities	Central, State-run	NGO-s	Local governments	Total

<sup>194</sup> Hungary, National Office for Rehabilitation and Social Affairs (*Nemzeti Rehabilitációs és Szociális Hivatal*), (dated 5 June 2014); in response to an information request for the purposes of the present report by the Hungarian Helsinki Committee (dated 16 May 2014).

10. 2013 <sup>195</sup>			(gesztor önkormányzat)				
Type of services							
Substitute and foster parents' network ( <i>Helyettes és nevelőszülői hálózat</i> )	5	0	0	7	0	0	12
Foster parents' network ( <i>Nevelőszülői hálózat</i> )	19	1	1	43	11	1	76
Total	24	1	1	50	11	1	88
2. 2. Is there a legal obligation for accrediting/licensing/registering the activity of the civil society organizations in the area of child protection?  If yes: Which is the responsible authority? How frequent is the reviewing?		x		<p>Governed by 369/2013. (X. 24.) Government Decree on social and registration and control of childprotection service providers, institutions and networks:</p> <p>The Decree entitles the Guardianship Office as the first-degree authority in the authorization procedure of the organizations in the field of child protection. Request for registration and accreditation can be filed electronically, but paper filing also possible to ease the procedure. Depending on the type of services, different kinds of documents have to be attached, requirement in all cases the proof of "zero" public debt, permissions from authorities (e.g. The National Public Health Authority, Fire Protection Authority) should be attached as well. The Guardianship Office examines the documentation and proceeds within 8 days.<sup>196</sup></p>			

<sup>195</sup> Hungary, National Office for Rehabilitation and Social Affairs (*Nemzeti Rehabilitációs és Szociális Hivatal*), (dated 5 June 2014); in response to an information request for the purposes of the present report by the Hungarian Helsinki Committee (dated 16 May 2014).

<sup>196</sup> Hungary, 369/2013. (X. 24.) Government Decree on social and registration and control of childprotection service providers, institutions and networks (369/2013. (X. 24.) Korm. rendelet a szociális, gyermekjóléti és gyermekvédelmi szolgáltatók, intézmények és hálózatok hatósági nyilvántartásáról és ellenőrzéséről) chapter 9-12, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300369.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300369.KOR).

		<p>National Office for Rehabilitation and Social Affairs is responsible for regular reviewing<sup>197</sup> of service providers. A supply contract must be agreed with the local, county authority or the state<sup>198</sup>.</p> <p>The review with regards to local child service providers should be implemented on a yearly basis, in other cases in every 2 years.<sup>199</sup></p> <p>In open adoption<sup>200</sup>cases the Ministry of Human Resources (<i>Emberi Erőforrások Minisztériuma</i>); Department of Child Protection and Guardianship (<i>Gyermekvédelmi és Gyámügyi Főosztály</i>) is the registration and review authority, and reviews take place once a year. (72/2014. (III. 13.) Government Decree on authorisation procedure and review of adoption service provider civil organizations (<i>Korm. rendelet örökbefogadást elősegítő magánszervezetek tevékenységéről és működésük engedélyezéséről szóló kormányrendelet</i>)</p>
<p>2. 3. Is there a legislative and regulatory framework providing standards and setting up criteria and requirements for accreditations?</p> <p>If yes: Please specify if standards are available particularly for civil society organizations that are active in the field of child protection, for example requirements regarding qualifications of personnel and vetting procedures.</p>	X	<p>The standards are partly set in the Child Protection Law<sup>201</sup> The law specifies the qualifications needed for the different jobs, the registration obligations (Articles 97-100), and other circumstances needed like a suitable property, number of personnel, obligation for data correction, training of personnel, the offices / bodies / authorities responsible for monitoring and the sanctions if an organization does not pass that.</p> <p>The same standards apply to all service providers (state, NGO, church run, etc.) and to all children's homes including those accommodating unaccompanied children.</p>

<sup>197</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*) Article 98., available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>198</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*) Article 97, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>199</sup> Hungary, 369/2013. (X. 24.) Government Decree on social and registration and control of childprotection service providers, institutions and networks (369/2013. (X. 24.) *Korm.rendelet a szociális, gyermekjóléti és gyermekvédelmi szolgáltatók, intézmények és hálózatok hatósági nyilvántartásáról és ellenőrzéséről*), Chapter 13, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300369.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300369.KOR).

<sup>200</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*) Article 69/C, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>201</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).



		<p>The role of accrediting training courses for professionals is performed by the the <i>National Institute of Family and Social Policy (Nemzeti Család- és Szociálpolitikai Intézet), Directorate of Professional Trainings and Exams (Szociális továbbképzési és szakvizsga Igazgatóság)</i><sup>202</sup>.</p> <p><i>The key provisions are included in 369/2013. (X. 24.) Government Decree on social and registration and control of child protection service providers, institutions and networks (369/2013. (X. 24.) Korm. rendelet a szociális, gyermekjóléti és gyermekvédelmi szolgáltatók, intézmények és hálózatok hatósági nyilvántartásáról és ellenőrzéséről). The special criteria for service providers are governed by the legislation of the related sectorial public administration.</i></p> <p>In the framework of the Social Renewal Programme the modernisation of social services, a professional protocol was elaborated for children's homes, (08/1 2009-0002) but has not been introduced yet<sup>203</sup>.</p> <p>The National Institute of Family and Social Policy (<i>Nemzeti Család- és Szociálpolitikai Intézet</i>) works under the Human Resources Ministry. It supports the work of two department in particular: the State Secretariat for Social and Family Affairs (<i>Szociális és Családügyért Felelős Államtitkárság</i>) and the State Secretariat for Sport and Youth (<i>Sportért és Ifjúságért Felelős Államtitkárság</i>).</p> <p>The Directorate of Professional Trainings and Exams and the Directorate of Education of the National Institute of Family and Social Policy is responsible for the human resources development in the social sector. The Directorate organises training courses for professionals working with children as well according to the 81/2004. (IX. 18.) Government Decree (81/2004. (IX. 18.) ESzCsM rendelet az egyes szociális szolgáltatásokat végzők képzéséről és vizsgakövetelményeiről).</p>
--	--	--

<sup>202</sup> Hungary, 9/2000 (VIII.4.) Decree of the Ministry of Social and Family Issues on the in-service training of professionals providing personal care and on the professional training program and exam (9/2000 (VIII.4.) SzCsM Rendelet a személyes gondoskodást végző személyek továbbképzéséről és a szociális szakvizsgáról), amended by 41/2012 Decree of the Ministry of Human Resources (41/2012 EMMI rendelet).

<sup>203</sup> Hungary, National Institute of Family and Social Policy (*Nemzeti Család- és Szociálpolitikai Intézet*) (2011): 'Protocol on the provision of children's homes' (*Gyermekotthoni ellátás protokollja*), TÁMOP 5.4.1.-08/1-2009-0002

Available at: <http://modernizacio.hu/old/download.php?id=502>.

		<p>In addition, the Educational Authority (<i>Oktatási Hivatal</i>) which works under the Human Resources Ministry (<i>Emberi Erőforrások Minisztériuma</i>) accredits trainings as well, for teachers, according to the Government Decree (277/1997. (XII. 22.) számú Kormányrendelet).<sup>204</sup></p> <p><i>Vetting procedure:</i></p> <p>Lack of criminal record has to be proven as well as the professional qualification by the candidate during the application procedure; psychological and general medical examinations are also parts of the procedure. It is a common practice to invite the candidates to an in-service test day when the candidate works under supervision and his/her performance is assessed.</p> <p>More details are not set by the legislation in relation to the vetting procedures which fact was criticised by the Commissioner for Fundamental Rights earlier.<sup>205</sup></p>
<p>2. 4. Are there cooperation agreements/partnerships between government and the civil society at national or local level?</p> <p>If yes: What is the prevalence of this practice?</p> <p>Please provide <b>indicative examples</b> and information regarding the main areas covered, type of services targeted, and financial aspects of such partnerships (i.e. if done in view of accessing EU funds).</p>	<p>x</p>	<p>There are several NGOs, church run organisations and others, depending on the need and willingness of the government and local authorities.</p> <p>Providing care settings: SOS Children's Villages (<i>SOS Gyermekfalvak</i>), "Fészek" Child Protection Association (<i>Fészek Egyesület</i>) etc.</p> <p>It is changing time to time, their proportion has not been dominant, however the higher reimbursement guaranteed to church run organisations motivated many local authorities and NGOs to cooperate with church run organisations. Church run organizations receive raised amount of normative support from the State (+ 67,8% in 2014<sup>206</sup>) than NGOs and local governments to provide the same services therefore the cooperation seems rational in order to access to the additional financial</p>

<sup>204</sup> Hungary, Government Decree (277/1997. (XII. 22.) számú Kormányrendelet).

<sup>205</sup> Hungary, Commissioner for Fundamental Right (2012) Report No.AJB 316/2011. (Az állampolgári jogok országgyűlési biztósának jelentése az AJB 316/2011. számú ügyben), p. 3, Available at: <https://www.ajbh.hu/documents/10180/107993/201100316.rtf/2d89b1c8-4fd2-4e72-9452-523796fe7cce;jsessionid=69FE65D119EE51064B15A58CAE42ECD7?version=1.0>.

<sup>206</sup> Hungary, Act CCXXX of 2013 on the Central Budget of Hungary for 2014. (2013. évi CCXXX. Törvény Magyarország 2014. évi központi költségvetéséről), available at: <http://emmiugyfelszolgalat.gov.hu/aktualitasok/intezkedesek-140101/aktualitasok-140107>.

			<p>resources.</p> <p>See the attached table above this section on the most significant NGOs and church run service providers.</p> <p>The Social Renewal Operational Programme (<i>Társadalmi Megújulás Operatív Program</i>), funded by EU Structural Funds, requires mandatory partnership between the NGOs operating the programme and relevant local / regional bodies for developing protocols of sustainability.</p> <p>(Please see also II. 2.2.)</p>
--	--	--	---

### 3. Inter-agency cooperation in the area of child protection.

Question	YES	NO	Comments
<p>3. 1. Is there <b>coordination between national, regional or local authorities</b> in developing and implementing policies and legislation in the area of child protection?</p> <p>If yes: How is this done? Please comment on the strengths and weaknesses.</p> <p>For example, is this cooperation –coordination regulated by the legislative framework? Does cooperation take place ad hoc, e.g. addressing specific issues and on specific thematic areas of interest or is it a key feature of the system?</p>	x		<p>Main rules of legislation/ codification are in Act CXXX. Of 2010 on legislation<sup>207</sup> and the Act CXXXI of 2010. On the social participation in legislative procedures<sup>208</sup></p> <p>According to the latter Act, there is an obligation for cooperation between national, regional and local authorities, in case of acts, governmental and ministerial decrees.<sup>209</sup></p> <p>According to Article 2 of Act CXXXI of 2010 on the public participation in the preparation of legislation on consultation with all actors of the society, with special attention paid on the opinion of the members of marginalised, disadvantaged groups of society for socio-economic reasons in the widest possible circle during the preparation of any legislation in a transparent way. According to the law, the compulsory cooperation is the open consultation procedure: the bill is published for at least 60 days on the website of the ministry concerned; each and every opinion has to be taken into account, excluding the anonym ones<sup>210</sup></p> <p>The other mechanism is the direct consultation: the government may initiate strategic co-operations with the key organizations of the sector, by requesting written opinions</p>

<sup>207</sup> Hungary, Act CXXX. Of 2010 on legislation (*2010. évi CXXX. Törvény a jogalkotásról*)

<sup>208</sup> Hungary, Act CXXXI of 2010 on the public participation in the preparation of legislation (*2010. évi CXXXI. Törvény a jogszabályok előkészítésében való társadalmi részvételről*), Available at: [www.complex.hu/jr/gen/hjegy\\_doc.cgi?docid=A1000131.TV](http://www.complex.hu/jr/gen/hjegy_doc.cgi?docid=A1000131.TV).

<sup>209</sup> Hungary, Act CXXXI of 2010. On the social participation in legislative procedures (*2010. évi CXXXI. Törvény a jogszabályok előkészítésében való társadalmi részvételről*) Article 5 (1), available at: [www.complex.hu/jr/gen/hjegy\\_doc.cgi?docid=A1000131.TV](http://www.complex.hu/jr/gen/hjegy_doc.cgi?docid=A1000131.TV).

<sup>210</sup> Hungary, Act CXXXI of 2010 on the public participation in the preparation of legislation (*2010. évi CXXXI. Törvény a jogszabályok előkészítésében való társadalmi részvételről*) Article 8-12, Available at: [www.complex.hu/jr/gen/hjegy\\_doc.cgi?docid=A1000131.TV](http://www.complex.hu/jr/gen/hjegy_doc.cgi?docid=A1000131.TV).

		<p>from these actors (the written opinions are published on the website of the codifying governmental institution).<sup>211</sup></p> <p>The Ministry of Human Resources (<i>Emberi Erőforrások Minisztériuma</i>) is responsible for child protection, although other ministries (interior, justice) are also attached and involved at certain areas. The National Institute of Family and Social Policy is the central agency in principle to work on policy and research and strengthening the co-operation at all levels, also conducting some EU funded programs, like the one on standards, protocols, or earlier on Sure Start (<i>Biztos Kezdet</i>) program. <i>The State Secretariat for Social and Family Affairs Szociális és Családügyért Felelős Államtitkárság</i> is responsible for the new strategies and policies while the Institute should back up the activities, based on research and data, information gathering. "The Institute gives a basis for the concepts of the government"<sup>212</sup>.</p> <p><i>The coordination of the functions between the different levels is described in the Act on Child Protection Law</i><sup>213</sup> (the current changes are directing towards centralisation and withdrawing, minimising the role and responsibility of local and regional levels by establishing the Directorate of Social and Child Protection in 2013<sup>214</sup>). The new Governmental Decree on the Directorate of Social Affairs and Child Protection doesn't provide with a protocol on coordination.</p> <p>In accordance with the law (Act XXXI of 1997, on the protection of children and the administration of guardianship affairs (there are administrative obligations concerning information service, data collection, conducting investigations, and providing with regular supervision services).</p>
<p>3. 2. Is there inter-agency cooperation <b>between the relevant actors</b> having responsibility in the area of child protection (including civil society organizations)?</p> <p>If yes: Please mention <b>how this</b></p>	x	<p>According to the 17. § (1) and (2) of Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (<i>1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról</i>)<sup>215</sup>, the signalling system is the basis of the Hungarian child protection system obliging all professionals, service providers and institutions to work together with the lead of the local child welfare services to</p>

<sup>211</sup> Hungary, Act CXXI of 2010 on the public participation in the preparation of legislation (2010. évi CXXI. Törvény a jogszabályok előkészítésében való társadalmi részvételről), Article :13-15 Available at: [www.complex.hu/jr/gen/hjegy\\_doc.cgi?docid=A1000131.TV](http://www.complex.hu/jr/gen/hjegy_doc.cgi?docid=A1000131.TV)

<sup>212</sup> Hungary, see: [www.ncsszi.gov.hu](http://www.ncsszi.gov.hu).

<sup>213</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>214</sup> Hungary, 316/2012.(XI.13.) Governmental Decree on the Directorate of Social Affairs and Child Protection (*316/2012. (XI. 13.) Korm. Rendelet a Szociális és Gyermekvédelmi Főigazgatásról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200316.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200316.KOR).

<sup>215</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Article 17. (1) and (2), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<p><b>is done</b> (for examples are there standing inter-agency committees or meetings).</p> <p>Which actor has a leading role?</p>		<p>enable preventive and early intervention provisions.</p> <p>The child protection signalling system is an inter-agency system aimed to refer all cases of suspected or actual child abuse, neglect and children at risk in general.</p> <p>Only health care service providers (e.g.: health visitors, paediatricians, etc.), institutions providing personal care, institutions of public education, police, prosecution, courts, probation services, victim support organisations, rehabilitation services for victims, refugee centres, temporary accommodation of refugees, NGOs, churches, labour authorities as members of the signalling system are specifically named by the relevant law,<sup>216</sup> all other interagency cooperation is occasional and not regulated by law.</p> <p>The child protection signaling system is developed and working at local level: local service providers have to work together, informing the local child welfare services and, if necessary, the police as well. Local child welfare services should receive all signals and coordinate all actions and interventions. The local service providers have to report to the local, sub-regional custodian offices.</p> <p>Guardianship offices are the coordinating agencies and local child welfare services play the leading role in implementation. Child welfare services co-ordinate the interventions according to the findings and the case conferences brought together in compliance with the needs in the given case. In principle child welfare services should receive all signals and initiate themselves coordinate all actions and interventions.</p> <p>The members of the signalling system, services, agencies and professionals are referring the cases of suspected or recognised risk, harm, abuse, neglect to the child welfare services in most instances verbally, by telephone or in person. It is often informal and not documented. In some instances there are written referrals of cases to the child welfare services.</p> <p>The intervention is done on the basis of case management.</p> <p>On the website of the National Association of Methodology Child Welfare Services (<i>Módszertani Gyermekjóléti Szolgálatok Országos Egyesülete</i>) there are publications, recommendations provided based on the so called</p>
---	--	---

<sup>216</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Article 17. (1) and (2), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

		<p>“Consensus conferences” on the methodology of working together with the members of the signaling system<sup>217</sup>.</p> <p>Apart from the signalling system there are cooperations between actors at the local and regional levels however the system of inter-agency cooperations is fragmented and not transparent since the list of cooperations at the local/regional levels and the protocols regulating them are currently missing or are too general (see below).</p> <p>The lack of protocols of implementation is one of the main gaps in the child welfare and child protection systems as the Commissioner for Fundamental rights stated in his report No AJB-2485/2012 in relation to cooperation of preventing juvenile delinquency .<sup>218</sup> The National Reform Programme 2013 identifies the need to develop protocols in order to prevent child abuse. <sup>219</sup></p> <p>Currently in the framework of an EU funded project: Social Renewal Operational Programme (Társadalmi Megújulás Operatív Program) (reference number: TÁMOP-5.4.1-12, 1. pillar: Regulation) the National Institute for Family and Social Policy (Nemzeti Család- és Szociálpolitikai Intézet) develops protocols and implementation plans with the involvement of external experts. The Institute developed 13 protocols for child protection system and 9 for the child welfare system between 2011-2012, to be implemented in the near future.<sup>220</sup></p> <p>Indicative example: protocol for family re-integration :<sup>221</sup></p> <ul style="list-style-type: none"> <li>- Actors: “the child, parents (guardians), child welfare services, regional child protection agencies, guardianship offices, children’s homes, foster parents, other professionals (school, health care, etc.)”</li> <li>- Cooperation : the child welfare services are in regular contact with the children’s home/foster parent. The children’s home/foster parent informs the guardianship offices about the relationship between the child and his/her biological parents in a regular basis. The child welfare services and the child protection institutions shares the individual care plan of the child and information starting from</li> </ul>
--	--	---

<sup>217</sup> Hungary, National Association of Methodology Child Welfare Services (*Módszertani Gyermekjóléti Szolgálatok Országos Egyesülete*), available at: [www.mogyesz.hu/index.php?option=com\\_content&view=section&layout=blog&id=3&Itemid=4](http://www.mogyesz.hu/index.php?option=com_content&view=section&layout=blog&id=3&Itemid=4).

<sup>218</sup> Hungary, Commissioner for Fundamental Right (2012) Report No. AJB-2485/2012, p. 29, available in Hungarian at: <https://www.ajbh.hu/documents/10180/108908/201202485.rt/f21ac08df-fe11-4cc2-baea-3d61caf24761.jsessionid=C48F0A88A5C9F9F3E31AC9A6A7E15605?version=1.0>

<sup>219</sup> Hungary, National Reform Programme, 2013 (*Nemzeti Reform Program, 2013*), p. 200, available at: [http://ec.europa.eu/europe2020/pdf/nd/nrp2013\\_hungary\\_en.pdf](http://ec.europa.eu/europe2020/pdf/nd/nrp2013_hungary_en.pdf)

<sup>220</sup> Hungary, National Institute for Family and Social Policy (*Nemzeti Család- és Szociálpolitikai Intézet*) available at: <http://modernizacio.hu/old/index.php?id=28>

<sup>221</sup> Hungary, National Institute for Family and Social Policy (Nemzeti Család- és Szociálpolitikai Intézet) (2011): Family re-integration (*Hazagondozás*), available at: [modernizacio.hu/old/data/9/16%20Hazagondozas%2023o.pdf](http://modernizacio.hu/old/data/9/16%20Hazagondozas%2023o.pdf)

		<p>the child's first contact with the social welfare system.</p> <p>- Indicators : planning (individual placement plan and individual care plan), cooperation between actors (number of contacts/year, number of care conferences, consultations), information for the guardianship offices (number of reports/child), review (number of reviews), termination of placement in alternative care (number of decisions), after care (number of contacts, consultations), after care support.</p>
<p>3. 3. What are the main challenges regarding effective cooperation and coordination? (</p>		
<p>There has been several investigations conducted by the Ombudsman on death or severe child abuse cases. In this regard, the recommendations for the Minister of Human Resources expressed the need for further strengthening of the co-operation, and co-ordination and training, integrated approach for professionals working with and for children and families. (AJB 8291/2012<sup>222</sup>, AJB 3039/2013<sup>223</sup>). The Child Protection Act<sup>224</sup> defines the different categories of "at risk" (5§11) and "severe" risk categories. (72§ 2) and the mandatory reporting, signalling obligation of the professionals, listed in the legislation. According to the most recent investigation of the Ombudsman<sup>225</sup>, "this case is highlighting that most probably due to the lack of proper human and financial resources, and the lack of shortcomings of training and vocational training as a root cause of the dysfunctional operation, it can jeopardies the right of the child to serve their best interest. "</p> <p>If a professional fails to recognise, report or intervene in cases of child neglect, abuse or maltreatment, he or she may be obliged to participate in a professional training course, in case the notary of the local municipality orders so. The municipality has to pay a max. fine of 200 000 HUF (approx. 650 EUR) in the case of malpractice of an employees.<sup>226</sup></p> <p><i>Coordination:</i> All sectors regarding to child protection / welfare have been centralized in the past years.<sup>227</sup>The coordination went under central authority which means reduction of responsibilities as well as roles and rights at the regional and local levels. The burden of bureaucracy increased.</p> <p>The directorates of regional child protection agencies, children's homes, etc. are appointed by the central authority (after open and official application procedures). The role of the church has been growing fast in the last 4 years, by now 35-40% of all the services are provided by the Catholic, Greek orthodox and to a lesser extent by Protestant church organisations.<sup>228</sup>.</p>		

<sup>222</sup> Hungary, Commissioner for Fundamental Right (2012) Report No. AJB 8291/2012, available in Hungarian at: [www.ajbh.hu/documents/10180/111959/201208291.pdf](http://www.ajbh.hu/documents/10180/111959/201208291.pdf).

<sup>223</sup> Hungary, Commissioner for Fundamental Right (2012) Report No. AJB 3039/2013, available in Hungarian at: [www.ajbh.hu/documents/10180/111959/201303039.pdf](http://www.ajbh.hu/documents/10180/111959/201303039.pdf).

<sup>224</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997.évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>225</sup> Hungary, Commissioner for Fundamental Rights (2013) 'Investigation of the Ombudsman on the child abuse case in Szigetszentmiklós No. ÁJB-7903/2013' (Szigetszentmiklói gyermekbántalmazás - az ombudsman vizsgálata) available in Hungarian at [www.ajbh.hu/-/szigetszentmiklós-gyermekbántalmazás-az-ombudsman-vizsgálata](http://www.ajbh.hu/-/szigetszentmiklós-gyermekbántalmazás-az-ombudsman-vizsgálata), and also at [www.mave/uploads/file/jelentes/207903\\_2013.pdf](http://www.mave/uploads/file/jelentes/207903_2013.pdf).

<sup>226</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997.évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 100/A, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>227</sup> Hungary, Act CXCI of 2012 on the taking over of certain specialized social and child protection service providers (2012. évi CXCI. törvény egyes szakosított szociális és gyermekvédelmi szakellátási intézmények állami átvételéről és egyes törvények módosításáról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200192.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200192.TV).

<sup>228</sup> Hungary, SzegedMa.hu (2014) 'ÁGOTA-konferencia az egyházi együttműködés jegyében + FOTÓK' (Conference of the ÁGOTA Foundation in terms of cooperation with the church), available at: <http://szegedma.hu/hir/szeged/2014/05/agota-konferencia-az-egyhazi-egyuttmukodes-jegyeben-fotok.html?npage=2>.

According to the Hungarian member of the UN CRC Committee, "There is no transparency, no information shared with the public, consultation on any issue related to the reform, on the on-going programs".<sup>229</sup>

Question	YES	NO	Comments
<p>3. 4. Are child protection authorities engaging in <b>transnational cooperation</b> in the area of child protection, for example with regards to missing children or parental abduction?</p>	x		<p>Yes. For example:</p> <p>Hungarian police cooperation with Interpol/ Europol (since 2004), SELEC (from 2011).</p> <p>The Ministry of Foreign Affairs participates in the initiative 'Good Humanitarian Donorship'<sup>230</sup>, which is an informal donor forum and network to facilitate collective advancement of good practices.</p> <p>On missing children, Blue Line (<i>Kék Vonal</i>) hotline has been the partner of Missing Children Europe, and Hungary set up the first hotline (116 000) for missing children within the EU<sup>231</sup>.</p> <p>Hungary accessed to the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction in 1986 and proclaimed it in its ministerial decree 14 of 1986<sup>232</sup>. The central authority in Hungary is the Ministry of Public Administration and Justice, International Private Law Department.</p> <p>Hungary, Act LXXX. Of 2005 proclaimed the Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption. (Concluded 29 May 1993). The central authority is the Ministry of Human Resources The State Secretariat for Social and Family Affairs <i>Szociális és Családügyért Felelős Államtitkárság</i>)</p> <p>With regards to asylum cases the Dublin Regulations are applicable from 1 January 2014. The proceeding Authority is the Office of Immigration and Nationality</p> <p>Hungary is state party in the following conventions and</p>

<sup>229</sup> Hungary, personal interview for the purposes of the present report with Maria Herczog, expert, researcher, member of the UN CRC Committee, conducted on the 3<sup>rd</sup> of March, 2014.

<sup>230</sup> Hungary, see: [www.goodhumanitarianandonorship.org/](http://www.goodhumanitarianandonorship.org/).

<sup>231</sup> Hungary, homepage of the Blue Line Child Crisis Foundation available at: [www.kek-vonal.hu/index.php/hu/eltunt-gyerekek-vonala](http://www.kek-vonal.hu/index.php/hu/eltunt-gyerekek-vonala).

<sup>232</sup> Hungary, Ministerial Decree 14 of 1986 on the proclamation of the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction (1986. évi 14. törvényerejű rendelet a Gyermekek Jogellenes Külföldre Vitelének Polgári Jogi Vonatkozásairól szóló, Hágában az 1980. évi október 25. napján kelt szerződés kihirdetéséről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=98600014.TVR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=98600014.TVR).



			<p>protocols:</p> <ul style="list-style-type: none"> <li>• Hague Convention on the Civil Aspects of International Child Abduction (signed on 7 Apr 1986, ratification: 11 Sep 1986.)<sup>233</sup></li> <li>• Hague Convention on protection of children and co-operation in respect of inter-country adoption (signed on 6 Apr 2005, ratification: 8 Jul 2005)<sup>234</sup></li> <li>• UN Convention on the Rights of the Child (signed on 7 Oct 1991, ratification: 22 Nov 1991)<sup>235</sup></li> <li>• UN Convention on the Rights of the Child, Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (signed on 11 Mar 2002, ratification 24 Feb 2010)<sup>236</sup></li> <li>• Council of Europe Convention on protection against child abuse, or Lanzarote Convention (signed on 29 Nov. 2010, not yet ratified)<sup>237</sup></li> <li>• UN Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations Convention against Transnational Organized Crime (signed on 13 Dec 2000, ratification: 22 Dec. 2006)<sup>238</sup></li> <li>• UN Convention on the Rights of Persons with Disabilities (signed on 30 Mar 2007, ratification: 20 Jul 2007)<sup>239</sup></li> <li>• Convention on Cybercrime (or Budapest Convention on Cybercrime), signed on 23 Nov 2001, ratification 4 Dec 2003)<sup>240</sup></li> </ul>
--	--	--	---

<sup>233</sup> Hague Convention on the Civil Aspects of International Child Abduction, State of signatures and ratifications, status as of: 20/3/2014, available at: [www.hcch.net/index\\_en.php?act=conventions.status&cid=24](http://www.hcch.net/index_en.php?act=conventions.status&cid=24).

<sup>234</sup> Hague Convention on protection of children and co-operation in respect of inter-country adoption, status as of: 20/3/2014, available at: [www.hcch.net/index\\_en.php?act=conventions.status&cid=69](http://www.hcch.net/index_en.php?act=conventions.status&cid=69).

<sup>235</sup> UN Convention on the Rights of the Child, State of signatures and ratifications, status as of: 20/3/2014, available at: <https://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&lang=en>.

<sup>236</sup> UN Convention on the Rights of the Child, Optional Protocol on the sale of children, child prostitution and child pornography, State of signatures and ratifications, status as of: 20/3/2014, available at: <https://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&lang=en>.

<sup>237</sup> Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, CETS No. 201.: State of signatures and ratifications, status as of: 20/3/2014, available at: <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=201&CM=1&DF=&CL=ENG>.

<sup>238</sup> UN Convention against Transnational Organized Crime, Protocol to prevent, suppress and punish trafficking in persons, especially women and children, State of signatures and ratifications, status as of: 20/3/2014, available at: [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12-a&chapter=18&lang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18&lang=en).

<sup>239</sup> UN Convention on the Rights of Persons with Disabilities, State of signatures and ratifications, status as of: 20/3/2014, available at: [www.un.org/disabilities/countries.asp?navid=12&pid=166](http://www.un.org/disabilities/countries.asp?navid=12&pid=166).

<sup>240</sup> Council of Europe Convention on Cybercrime, CETS No.: 185 Convention on Cybercrime, State of signatures and ratifications, status as of: 20/3/2014, available at: <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=185&CM=&DF=&CL=ENG>.

		<p><i>Inter-country adoption:</i> Hague Convention on protection of children and co-operation in respect of inter-country adoption of 1993 was ratified by Hungary in 2005.<sup>241</sup> The 'Central Authority' of the Department of Protection and Guardianship of Children at the Ministry of Human Resources<sup>242</sup> is responsible for keeping in touch with the international organizations arranging adoptions (the adopting parents do not contact the authority of the Department directly). These organizations help for the adopting parents along the whole process (travelling, staying, translating etc.). Countries accepted: USA, Sweden, Spain, Italy, France, Netherlands, Norway. Post-placement reports required after 6 months.<sup>243</sup></p> <p><i>Parental abduction:</i> Hague Convention on the Civil Aspects of International Child Abduction<sup>244</sup> and UN Convention on the Rights of the Child, Article 11<sup>245</sup> and the Hungarian Civil Code<sup>246</sup> are the directives in such cases.</p> <p>In cases of child abduction the Ministry of Public Administration and Justice (<i>Közigazgatási és Igazságügyi Minisztérium</i>)<sup>247</sup>, which serves as the 'Central Authority' in Hungary, is responsible for the coordination and co-operation at trans-national level, including the support provided to the parents.</p>
<p><b>a. If yes,</b> please briefly comment and include information on transnational agreements-protocols of cooperation as well as on the interaction between child protection authorities and other actors involved in transnational cooperation processes, for example law enforcement and judicial authorities, migration authorities. Are there any challenges relating to transnational cooperation?</p> <p>Please provide information on main relevant agreements – cooperation schemes in two of the following areas: missing children, parental abduction, inter-country adoption, migrant children (family tracing-family reunification – return)</p>		

<sup>241</sup> Hungary, Act LXXX of 2005 on the promulgation of the Hague Convention on protection of children and co-operation in respect of intercountry adoption (2005. évi LXXX. Törvény a gyermekeknek a nemzetközi örökbefogadások terén való védelméről és az ilyen ügyekben történő együttműködésről szóló, Hágában, 1993. május 29. napján kelt Egyezmény kihirdetéséről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0500080.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0500080.TV).

<sup>242</sup> Hungary, see: [www.kormany.hu/hu/gyik/tajekoztato-az-orokbefogadas-felteteleirrol](http://www.kormany.hu/hu/gyik/tajekoztato-az-orokbefogadas-felteteleirrol).

<sup>243</sup> Hungary, personal interview for the purposes of the present report with dr Zsuzsa Ágoston, senior officer at Central Authority' of the Department of Protection and Guardianship of Children at the Ministry of Human Resources, conducted on the 4<sup>th</sup> of March, 2014.

<sup>244</sup> Hague Convention on the Civil Aspects of International Child Abduction: available at: [www.hcch.net/index\\_en.php?act=conventions.status&cid=24](http://www.hcch.net/index_en.php?act=conventions.status&cid=24).

<sup>245</sup> UN Convention on the Rights of the Child: available at: [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-11&chapter=4&lang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&lang=en).

<sup>246</sup> Hungary, Act V of 2013. on the Civil Code (2013. évi V. törvény a Polgári Törvénykönyvről), Book 4., available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300005.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300005.TV).

<sup>247</sup> See: [www.hcch.net/index\\_en.php?act=states.details&sid=43](http://www.hcch.net/index_en.php?act=states.details&sid=43).

Relevant bilateral agreements (beyond the scopes of international conventions and EU legislation): <sup>248</sup>

- **Albania**: signed in 1960, Bilateral agreement on mutual assistance in civil, family and criminal matters, promulgated by Decree Law 25/1960<sup>249</sup>
- **Algeria** : signed in 1976, Bilateral agreement on mutual assistance in civil, family and criminal matters, promulgated by Decree Law 15/1985<sup>250</sup>
- **United States of America** : Declaration on the mutual assistance in maintenance obligations , 8001/2007 (IK 2.) Communication of the Ministry of Law Enforcement and Justice<sup>251</sup>
- **Belarus** : signed in 1958 with the Soviet Union, Bilateral agreement on mutual assistance in civil, family and criminal matters, promulgated by Decree Law 38/1958<sup>252</sup>
- **Bulgaria** : signed in 1966, Bilateral agreement on mutual assistance in civil, family and criminal matters, promulgated by Decree Law 6/1967 <sup>253</sup>
- **Cuba**: signed in 1982, Bilateral agreement on mutual assistance in civil, family and criminal matters, promulgated by Decree Law 4/1984 <sup>254</sup>
- **Democratic People's Republic of Korea** : signed in 1970, Bilateral agreement on mutual assistance in civil, family and criminal matters, promulgated by Decree Law 12/1971<sup>255</sup>
- **Egypt** : signed in 1996, Bilateral agreement on mutual assistance in civil and commercial matters, promulgated by Act CII of 1999 <sup>256</sup>
- **France** : signed in 1980, Bilateral agreement on mutual assistance in civil, family and criminal matters, the recognition and execution of decisions and extradition, promulgated by Decree Law 38/1958<sup>257</sup>

248 Hungary, see at: <http://igazsagugyiinformaciok.kormany.hu/magyarorszag-es-mas-allamok-viszonylataban-a-polgari-igazsagugyi-egyuttmukodes-teruleten-hatalyan-levo-unios-es-nemzetkozi-jogforrasok>

249 Hungary, Decree Law 25/1960 on the promulgation of the Bilateral agreement on mutual assistance in civil, family and criminal matters (1960. évi 25. törvényerejű rendelet a Magyar Népköztársaság és az Albán Népköztársaság között a polgári, családjogi és büntügyi jogsegély tárgyában Tiranában 1960. évi január hó 12. napján aláírt szerződés kihirdetéséről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=96000025.TVR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=96000025.TVR)

250 Hungary, Decree Law 15/1985 on the promulgation of the Bilateral agreement on mutual assistance in civil, family and criminal matters (1985. évi 15. törvényerejű rendelet a Magyar Népköztársaság és az Algériai Demokratikus és Népi Köztársaság között az Algírban az 1976. évi február hó 7. napján aláírt, a polgári, családjogi és büntügyi jogsegélyről szóló szerződés kihirdetéséről), available at [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=98500015.TVR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=98500015.TVR)

251 Hungary, Communication 8001/2007 of the Ministry of Law Enforcement and Justice on the Mutual assistance declaration on maintenance obligations with the United States of America (8001/2007. (IK 2.) IRM tájékoztató viszonzossági nyilatkozatról), available at: [www.kozlonyok.hu/kozlonyok/index.php?m=0&p=kozklrt&ev=2007&szam=2&k=14](http://www.kozlonyok.hu/kozlonyok/index.php?m=0&p=kozklrt&ev=2007&szam=2&k=14)

252 Hungary, Decree Law 38/1958 on the promulgation of the Bilateral agreement on mutual assistance in civil, family and criminal matters (1958. évi 38. törvényerejű rendelet a Magyar Népköztársaság és a Szovjet Szocialista Köztársaságok Szövetsége között a polgári, családjogi és büntügyi jogsegély tárgyában Moszkvában, 1958. évi július hó 15. napján aláírt szerződés kihirdetéséről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=95800038.TVR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=95800038.TVR)

253 Hungary, Decree Law 6/1967 on the promulgation of the Bilateral agreement on mutual assistance in civil, family and criminal matters (1967. évi 6. törvényerejű rendelet a Magyar Népköztársaság és a Bolgár Népköztársaság között a polgári, családjogi és büntügyi jogsegély tárgyában Szófiában, az 1966. évi május hó 16. napján aláírt szerződés kihirdetéséről), available at [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=96700006.TVR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=96700006.TVR)

254 Hungary, Decree Law 4/1984 on the promulgation of the Bilateral agreement on mutual assistance in civil, family and criminal matters (1984. évi 4. törvényerejű rendelet a Magyar Népköztársaság és a Kubai Köztársaság között a polgári, családjogi és büntügyi jogsegély tárgyában Havannában, az 1982. évi november hó 27. napján aláírt szerződés kihirdetéséről), available at : <http://jab.complex.hu/doc.php?docid=WKHU-QJ-XML-0000098400004TVR>

255 Hungary, Decree Law 12/1971 on the promulgation of the Bilateral agreement on mutual assistance in civil, family and criminal matters (1971. évi 12. törvényerejű rendelet a Magyar Népköztársaság és a Koreai Népi Demokratikus Köztársaság között a polgári, családjogi és büntügyi jogsegélyről szóló, Phenjanban az 1970. évi október hó 5. napján aláírt szerződés kihirdetéséről).

256 Hungary, Act CII of 1999 on the promulgation of the Bilateral agreement on mutual assistance in civil, and commercial matters (1999. évi CII. törvény a Magyar Köztársaság és az Egyiptomi Arab Köztársaság között a polgári és kereskedelmi jogsegélyről szóló, Kairóban, 1996. március 26. napján aláírt Egyezmény kihirdetéséről), available at : [www.complex.hu/kzldat/t9900102.htm/t9900102.htm](http://www.complex.hu/kzldat/t9900102.htm/t9900102.htm)

257 Hungary, Decree Law 3/1982 on the promulgation of the Bilateral agreement on mutual assistance in civil, family and criminal matters, the recognition and execution of decisions and extradition (Magyar Népköztársaság és a Francia Köztársaság között Budapesten, az 1980. évi július hó 31. napján aláírt, a polgári és a családjogi jogsegélyről, a határozatok

- **Poland:** signed in 1959, Bilateral agreement on mutual assistance in civil, family and criminal matters, promulgated by Decree Law 24/1981<sup>258</sup>
- **Moldova .** signed in 1958 with the Soviet Union, Bilateral agreement on mutual assistance in civil, family and criminal matters, promulgated by Decree Law 38/1958<sup>259</sup>
- **Mongolia:** signed in 1968, Bilateral agreement on mutual assistance in civil, family and criminal matters, promulgated by Decree Law 11/1969<sup>260</sup>
- **Russia:** signed in 1958 with the Soviet Union, Bilateral agreement on mutual assistance in civil, family and criminal matters, promulgated by Decree Law 38/1958<sup>261</sup>
- **Slovakia :** signed in 1989, Bilateral agreement with Czechoslovakia on mutual assistance in civil, family and criminal matters, promulgated by Act LXI Of 1991<sup>262</sup>
- **Tunesia:** signed 1982, Bilateral agreement on mutual assistance in civil, family and criminal matters, execution of judicial decisions and extradition, promulgated by Decree Law 2/1985<sup>263</sup>
- **Ukraine :** signed in 2001, Bilateral agreement on mutual assistance in civil matters, promulgated by Act XVI Of 2002<sup>264</sup>
- **Vietnam :** signed in 1985, Bilateral agreement on mutual assistance in civil, family and criminal matters, promulgated by the Decree Law 8/1986<sup>265</sup>

There would be need for further and more intense co-operation on child abduction.<sup>266</sup> As there are a growing number of families migrating or working abroad together with their children, a clear provision would be needed as

*elismeréséről és végrehajtásáról, valamint a büntügyi jogsegélyről és a kiadatásról szóló szerződés*), available at: <http://jab.complex.hu/doc.php?docid=WKHU-QJ-XML-000098200003TVR>

258 Hungary, Decree Law 24/1958 on the promulgation of the Bilateral agreement on mutual assistance in civil, family and criminal matters (1981. évi 24. törvényerejű rendelet a Magyar Népköztársaság és a Lengyel Népköztársaság között a polgári, családi és büntügyi jogsegély tárgyában Budapesten, az 1959. évi március hó 6. napján aláírt szerződés módosításáról és kiegészítéséről szóló, Varsóban, az 1980. évi szeptember hó 18. napján aláírt jegyzőkönyv kihirdetéséről), available at: [www.opten.hu/1981-evi-24-torvenyereju-rendelet-j2507.html](http://www.opten.hu/1981-evi-24-torvenyereju-rendelet-j2507.html)

259 Hungary, Decree Law 38/1958 on the promulgation of the Bilateral agreement with the Soviet Union on mutual assistance in civil, family and criminal matters (1958. évi 38. törvényerejű rendelet a Magyar Népköztársaság és a Szovjet Szocialista Köztársaságok Szövetsége között a polgári, családi és büntügyi jogsegély tárgyában Moszkvában, 1958. évi július hó 15. napján aláírt szerződés kihirdetéséről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=95800038.TVR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=95800038.TVR)

260 Hungary, Decree Law 11/1969 on the promulgation of the Bilateral agreement on mutual assistance in civil, family and criminal matters with Mongolia (1969. évi 11. törvényerejű rendelet a Magyar Népköztársaság és a Mongol Népköztársaság között a polgári, családi és büntügyi jogsegélyről szóló, Budapesten az 1968. évi november hó 22. napján aláírt szerződés kihirdetéséről), available at [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=96900011.TVR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=96900011.TVR)

261 Hungary, Decree Law 38/1958 on the promulgation of the Bilateral agreement with the Soviet Union on mutual assistance in civil, family and criminal matters (1958. évi 38. törvényerejű rendelet a Magyar Népköztársaság és a Szovjet Szocialista Köztársaságok Szövetsége között a polgári, családi és büntügyi jogsegély tárgyában Moszkvában, 1958. évi július hó 15. napján aláírt szerződés kihirdetéséről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=95800038.TVR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=95800038.TVR)

262 Hungary, Act LXI of 1991 on the promulgation of the Bilateral agreement with Czechoslovakia on mutual assistance in civil, family and criminal matters (1991. évi LXI. Törvény a Magyar Népköztársaság és a Csehszlovák Szocialista Köztársaság között a jogsegélyről, valamint a polgári jogi, családi és a büntetőügyekre vonatkozó jogi kapcsolatok szabályozásáról szólóan létrejött, Bratislavában, az 1989. évi március hó 28. napján aláírt szerződés kihirdetéséről), available at: [www.1000ev.hu/index.php?a=3&param=8821](http://www.1000ev.hu/index.php?a=3&param=8821)

263 Hungary, Decree Law 2/1985 on the promulgation of the Bilateral agreement on mutual assistance in civil, family and criminal matters, execution of judicial decisions and extradition (1985. évi 2. törvényerejű rendelet a Magyar Népköztársaság és a Tunéziai Köztársaság között Budapesten, az 1982. évi december hó 6. napján aláírt, a polgári és büntügyi jogsegély, a bírói határozatok elismerése és végrehajtása, valamint a kiadatásról szóló szerződés kihirdetéséről), available at : <http://jab.complex.hu/doc.php?docid=WKHU-QJ-XML-000098500002TVR>

264 Hungary, Act XVI of 2002 on the promulgation of the Bilateral agreement on mutual assistance in civil matters (2002. évi XVI. törvény a Magyar Köztársaság és Ukrajna között a polgári ügyekben történő kölcsönös jogsegélyről szóló, Budapesten, 2001. augusztus 2-án aláírt szerződés kihirdetéséről), available at: [www.1000ev.hu/index.php?a=3&param=10078](http://www.1000ev.hu/index.php?a=3&param=10078)

265 Hungary, Decree Law 86/1986 on the promulgation of the Bilateral agreement on mutual assistance in civil, family and criminal matters (1986. évi 8. törvényerejű rendelet a Magyar Népköztársaság és a Vietnami Szocialista Köztársaság között a polgári, a családi és a büntügyi jogsegély tárgyában Hanoiában 1985. évi január hó 18. napján aláírt szerződés kihirdetéséről), available at <http://jab.complex.hu/doc.php?docid=WKHU-QJ-XML-000098600008TVR>

<sup>266</sup> Hungary, Summary of the opinion of the legal practice analyst group on the procedure of returning children abducted to Hungary (A jogellenesen Magyarországra hozott gyermekek visszavitelével kapcsolatos eljárások vizsgálatára létrehozott

often the Hungarian authorities want proof on the well-being of children living abroad, considering the situation as risky, even in cases where families are well settled, but do not inform the authorities about their whereabouts.

**b. If no**, please mention if the need for child protection authorities to engage in transnational cooperation has been acknowledged by the actors involved in the national child protection system.

-

### III. Capacities

#### 1. Budget allocation and funding.

Question	YES	NO	Comments
1. 1. Is budget allocation on child protection incorporated into legislative and policy instruments?	X		<p>State budget allocation is incorporated into the legislation (see question 1.2.).</p> <p>EU funds are incorporated into policy documents and national action plans.<sup>267</sup></p> <p>There is no provision defining the percentage of the budget that local authorities should allocate to child protection/social policy.</p>
1. 2. Is the budget allocated to child protection (alternatively on children's rights or on social welfare) evident in the annual State budget? Is there a specific budget item allocated to this?	X		<p>Yes, the budget allocated to child protection together with social welfare is set out in the annual state budget (Act CCXXX of 2013)<sup>268</sup>, however not in a comprehensive way, as it is included under social expenditure and the different sectors' (health, social, education, justice) cannot be separately seen, same applies to some aspects like juvenile justice, addictions, etc. According to the same act, Annex1, Chapter IX., the government contributes to certain costs of the local authorities (e.g. social benefits, salary of educators). The same act regulates the spending of the responsible ministries in its Annex 1<sup>269</sup>.</p> <p>The support and finances for non-governmental agencies and services are regulated in a specific item as well as the budget of national coordinating bodies in the field of child protection (Act CCXXX of 2013).</p> <p>Local authorities have the legal obligation to provide social and child welfare services (Act CLXXXIX. Of 2011)<sup>270</sup>. Each local government has its own decree on its budget, and it includes the expenditures in the field of child protection as</p>

<sup>267</sup> Hungary, Ministry of Public Administration and Justice, State Secretariat for Social Inclusion (2011), National Social Inclusion Strategy – Extreme Poverty, Child Poverty, the Roma – (2012–2020) November 2011, (*Nemzeti Társadalmi Felzárkózási Stratégia – Mélyszegénység, gyermekszegénység, romák – (2011–2020)*, 2011. november), p. 105., official English translation is available at: <http://romagov.kormany.hu/download/5/58/20000/Strategy%20-%20HU%20-%20EN.PDF>.

<sup>268</sup> Hungary, Act CCXXX of 2013 on the central budget of 2014, (*2013. évi CCXXX. Törvény Magyarország 2014. évi központi költségvetéséről*), Annex 1., Chapters X, XIV, XX. available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300230.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300230.TV).

<sup>269</sup> Hungary, Act CCXXX of 2013 on the central budget of 2014, (*2013. évi CCXXX. Törvény Magyarország 2014. évi központi költségvetéséről*), Annex 1, Chapter IX., and Annex 8. available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300230.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300230.TV).

<sup>270</sup> Hungary, Act CLXXXIX. Of 2011 on the local governments of Hungary (*2011. évi CXXXIX. Törvény Magyarország helyi önkormányzatairól*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1100189.TV#ljb16param](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100189.TV#ljb16param).

			well. Another obligation is, according to 34/2014 (II.18.) Government Decree, <sup>271</sup> to pay specified sectorial wages for those working for social, child protection and child welfare services.
--	--	--	--

1. 3. What percentage of the total State budget was allocated to child protection in the last three years? If data is not available, please provide information on the budget allocated to social protection/social welfare in general.

Social protection/social welfare is allocated under different headings, including social welfare services, child and family support (maternity, parental leave, CCT, allowances etc.), public health (health visitation, paediatric care, early childhood education (home based family care, nursery, kindergarten, school, after school and out of school provisions, special education, school police, counselling etc.), preventive services, child protection intervention services, residential homes and foster care services, NGO and church run organisation's funding etc., law enforcement, juvenile justice including probation, detention and correction facilities, etc. As the items in the budget cannot be separated in many instances based on child welfare and child protection items, it is impossible to calculate the total expenditure and the way it is allocated. (In Hungary child protection has got a narrow and broader definition, the later covering all areas from prevention, rather meaning child welfare and protection than the English terminology of child protection.)

#### 2.7. Social protection benefits by functions in the EU member states, 2010 [percentage of total social pr

Country	Health care	Disability	Old-age	Widows	Family/children	Unemployment
EU-27	29,4	8,0	39,1	5,9	8,0	
Hungary	25,2	8,5	40,7	5,8	13,0	

Central Statistical Office: Yearbook of Welfare statistic (2013), table 2.7.

Question	YES	NO	Comments
1. 4. Is the existing budget and funding of child protection services/institutions considered sufficient and sustainable? (Please consider available studies, reports at national level conducted by public or private institutions, child protection organizations,		X	No research is available only anecdotal evidences besides the investigations of the Ombudsman on the lack of sufficient resources both in terms of human and financial resources, as well as the number of professionals working in the field. Reports point to the unmet needs of children in the public care system (chronic lack of psychologists, psychiatrists, specialised services, individual programs etc.) are the indicators. <sup>272</sup>  As the UN Committee on the Rights of the Child's latest Concluding Observation stated: „The Committee

<sup>271</sup> Hungary, 34/2014 (II.18.) Government Decree on state subsidies for extra wages in the social, child protection and child welfare sectors (34/2014 (II.18.) Kormány rendelet a szociális, gyermekjóléti és gyermekvédelmi ágazati pótlék kifizetéséhez kapcsolódó támogatásról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1400034.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1400034.KOR).

<sup>272</sup> Hungary, Partners Hungary Foundation et al. (2013) *Civil Society Report on the Implementation of the National Roma Integration Strategy and Decade Action Plan in 2012 in Hungary*, published by the Decade of Roma Inclusion Secretariat, Budapest, May 2013, available at: [http://romadecade.org/cms/upload/file/9270\\_file8\\_hu\\_civil-society-monitoring-report\\_en.pdf](http://romadecade.org/cms/upload/file/9270_file8_hu_civil-society-monitoring-report_en.pdf); Partners Hungary Foundation et al (2013) *Updated Civil Society Report on the Implementation of the National Roma Integration Strategy in 2012-2013 in Hungary*, published by the Decade Secretariat, available in English at: [www.romadecade.org/cms/upload/file/9717\\_file3\\_hu\\_updated-civil-society-monitoring-report.pdf](http://www.romadecade.org/cms/upload/file/9717_file3_hu_updated-civil-society-monitoring-report.pdf).

<p><i>civil society, human rights institutions, academic community and other sources such as the concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>		<p>recommends that the State party reassess the obligations placed on the counties and local authorities and support them with sufficient human and financial resources enabling them to establish and effective child protection system and adequate child welfare services."<sup>273</sup></p> <p>The Commissioner for Fundamental Right (Ombudsman) has stated in his various reports that the allocation of the resources are not sufficient:</p> <ul style="list-style-type: none"> <li>- The training of professionals working with children should be improved: Hungary, Commissioner for Fundamental Right (2012) Report No. AJB 2614/2012<sup>274</sup></li> <li>- Children with particular needs in alternative care do not get the needed help due to lack of care places and available staff: Hungary, Commissioner for Fundamental Right (2012) Report No. AJB-6163/2010<sup>275</sup></li> <li>- Lack of psychological support and child psychiatry services: Hungary, Commissioner for Fundamental Right (2012) Report No. AJB 1092/2011<sup>276</sup></li> <li>- Victim support services are not accessible and are overburdened: Hungary, Commissioner for Fundamental Right (2012) Report No. AJB-2617/2012<sup>277</sup></li> <li>- Large children's homes were divided into smaller units but still do not work in accordance with the laws: Hungary, Commissioner for Fundamental Right (2012) Report No. AJB 316/2011<sup>278</sup></li> <li>- The signalling system is dysfunctional: Hungary, Commissioner for Fundamental Right (2012) Report No. AJB-2227/2010<sup>279</sup></li> <li>- The juvenile prisons are under-resourced: Hungary, Commissioner for Fundamental Right (2012) Report No. AJB 2323/2012<sup>280</sup></li> </ul> <p>In addition, the Civil Society Monitoring Report on the Implementation of the National Roma Integration Strategy</p>
--	--	--

<sup>273</sup> UN Committee on the Rights of the Child: Concluding Observations, Hungary - CRC/C/HUN/CO/2 (27 January 2006), available at: [www.refworld.org/publisher/CRC/CONC/OBSERVATIONS/HUN/45377ed60,0.html](http://www.refworld.org/publisher/CRC/CONC/OBSERVATIONS/HUN/45377ed60,0.html).

<sup>274</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB 2614/2012, available in Hungarian at: <https://www.ajbh.hu/documents/10180/143994/201202614.rtf/fe174e9d-c605-4512-81ae-d240fef710a9>.

<sup>275</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB-6163/2010, available in Hungarian at: [www.ajbh.hu/documents/10180/105926/201006163.rtf/01c6a2f4-c712-425d-a9ee-4504fc7dea7c;jsessionid=4375CD96752C6984C9167F0F9409A4B0?version=1.0](http://www.ajbh.hu/documents/10180/105926/201006163.rtf/01c6a2f4-c712-425d-a9ee-4504fc7dea7c;jsessionid=4375CD96752C6984C9167F0F9409A4B0?version=1.0).

<sup>276</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB 1092/2011, available in Hungarian at: [http://archive-hu.com/hu/o/obh.hu/2012-05-08\\_1107\\_26/AJB\\_1092\\_2011](http://archive-hu.com/hu/o/obh.hu/2012-05-08_1107_26/AJB_1092_2011).

<sup>277</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB-2617/2012, available in Hungarian at: <https://www.ajbh.hu/documents/10180/143994/201202617.rtf/754c7fe5-f3d5-4e7a-8cf8-ee6fe96c67ed>.

<sup>278</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB 316/2011, available in Hungarian at: [www.ajbh.hu/documents/10180/107993/201103540.rtf/adb70231-12f2-4f12-b4bd-2eac8c4d22f9;jsessionid=7A75341689F276C7FD20B8EF811A6842?version=1.0](http://www.ajbh.hu/documents/10180/107993/201103540.rtf/adb70231-12f2-4f12-b4bd-2eac8c4d22f9;jsessionid=7A75341689F276C7FD20B8EF811A6842?version=1.0).

<sup>279</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB-2227/2010, available in Hungarian at: [www.ajbh.hu/kozlemanyek-archiv/-/content/10180/38/a-jelzorendszeres-jelentes-visszhangjarol;jsessionid=D4D17CBFF56BB87132B628F207BA15BE](http://www.ajbh.hu/kozlemanyek-archiv/-/content/10180/38/a-jelzorendszeres-jelentes-visszhangjarol;jsessionid=D4D17CBFF56BB87132B628F207BA15BE).

<sup>280</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB 2323/2012, available in Hungarian at: [www.ajbh.hu/documents/10180/143994/201204495.rtf/dee8b1a8-ae30-4078-8f4b-eea614dbcb21](http://www.ajbh.hu/documents/10180/143994/201204495.rtf/dee8b1a8-ae30-4078-8f4b-eea614dbcb21).



			and Decade Action Plan in 2012 in Hungary found that the local self-governments resource allocation do not reflect on the local needs <sup>281</sup> .
1. 5. Are EU funds playing a substantial role in the development of national child protection system and targeted policies? Please provide information on the child protection areas that use EU funds.		X	<p>EU funds play a relevant role, the National Reform Programme 2013 of Hungary (April 2013) includes detailed information on EU funded child protection provisions.<sup>282</sup></p> <p>In the frame of EU-funded Social Renewal Operational Programme<sup>283</sup> the following programmes give indicative example in the field of education:</p> <ul style="list-style-type: none"> <li>• support the creation of alternative daycare services; to establish daycare services (kindergarten, nursery/crèche) at companies/workplaces (SoROP 2.4.5)</li> <li>• Improving the rate of educational success of pupils with special educational needs (Development of the specialized services SoROP-3.4.2-11-B scheme)</li> <li>• Encouragement of voluntary participation of disadvantaged children in the organization of complex school exercise programmes (SoROP 3.3.15)</li> <li>• Support for measures aimed at the reduction of early school dropout rates of multiply disadvantaged students - Tanoda and Second Chance type programmes (SoROP 3.3.9.)</li> </ul> <p>Integrated regional programs for the improvement of the opportunities of children and their families for social inclusion; including:</p> <ul style="list-style-type: none"> <li>- Sure Start Children Centres,</li> <li>- 'settlement'-type initiatives in segregated areas,</li> <li>- leisure time and educational achievement services,</li> <li>- improving access to social and children welfare services (training of Roma social workers embedded in employment)</li> <li>- SoROP 5.3.1 B-1, SoROP 5.3.1 B-2</li> <li>- summer camps,</li> <li>- healthcare, medical screenings (National Infant and Child</li> </ul>

<sup>281</sup>Hungary, Partners Hungary Foundation et al. (2013) *Civil Society Report on the Implementation of the National Roma Integration Strategy and Decade Action Plan in 2012 in Hungary*, published by the Decade of Roma Inclusion Secretariat, Budapest, May 2013, available at: [http://romadecade.org/cms/upload/file/9270\\_file8\\_hu\\_civil-society-monitoring-report\\_en.pdf](http://romadecade.org/cms/upload/file/9270_file8_hu_civil-society-monitoring-report_en.pdf).

<sup>282</sup> Hungary, National Reform Programme 2013 (*Nemzeti Reform Program, 2013 Magyarország*), available at: [http://ec.europa.eu/europe2020/europe-2020-in-your-country/magyarorszag/national-reform-programme/index\\_en.htm](http://ec.europa.eu/europe2020/europe-2020-in-your-country/magyarorszag/national-reform-programme/index_en.htm).

<sup>283</sup>Hungary, National Reform Programme 2013 (*Nemzeti Reform Program, 2013 Magyarország*), available at: [http://ec.europa.eu/europe2020/europe-2020-in-your-country/magyarorszag/national-reform-programme/index\\_en.htm](http://ec.europa.eu/europe2020/europe-2020-in-your-country/magyarorszag/national-reform-programme/index_en.htm).

			<p>Health Care Programme) Overall, including developments in 2012, EU funds amounting to over 13,000,000,000 HUF (approx.42,000,000 EUR) is allocated for the relevant programmes.</p> <p>The new training course for foster parents has been developed in the framework of an EU funded project: Social Renewal Operational Programme (<i>Társadalmi Megújulás Operatív Program</i>), TÁMOP-5.4.10-12/1-2012-0001 called "Modernization of social trainings' system" by the National Institute for Family and Social Policy (<i>Nemzeti Család- és Szociálpolitikai Intézet</i>) and Vilmos Apor Catholic College (<i>Apor Vilmos Katolikus Főiskola</i>).</p>
<p>1. 6. Is corporate social responsibility developed at national level in relation to child protection services?</p> <p>If yes: Please provide information on major child protection national programmes and actions that are primarily funded by the private sector or by public-private schemes/ synergies.</p>	X		<p>National and international companies, e.g. the OTP Bank,<sup>284</sup> occasionally have CSR programs in relation to child protection (free meals for children's homes, gifts and events for Christmas, summer camps/leisure time activities for children in alternative care, financial support for their education, volunteer work in residential facilities, etc.).</p> <p>In 2006, a Governmental resolution came into force on corporate social responsibility (1025/2006. (III. 23.) (1025/2006. (III. 23.) <i>Korm. határozat a munkáltatók társadalmi felelősségének erősítéséről és ezt ösztönző intézkedésekről</i>)<sup>285</sup></p> <p>Since 2009 „CSR MarketPlace”<sup>286</sup> is held in every 2 year. The organizer is the Követ Association<sup>287</sup> (<i>Követ Egyesület</i>) which is a member of the international CSR Europe.</p> <p>National programmes are rarely funded by the private sector. Some indicative examples:</p> <ul style="list-style-type: none"> <li>- The GAP Media Ltd. (<i>GAP Média Kft.</i>) raises awareness on missing children with their national campaign called Night of Thousand Lanterns (<i>Ezer Lámpás Éjszakája</i>)<sup>288</sup>.</li> <li>- the UNICEF, the Nickelodeon TV channel (cartoons for children and teenagers) and the Blue Line Child Crisis Foundation (<i>Kék Vonal Gyermekkrízis Alapítvány</i>) campaigned together against bullying and on child rights issues on Facebook and on Nickelodeon TV channel.<sup>289</sup></li> </ul>
<p>1. 7. Has there been significant recent increase or decrease in the involvement of the private</p>	X		<p>The commercial sector is only involved in the field of child protection on the level of <i>ad hoc</i> CSR initiatives. (See above, in Secion 1.6)</p>

<sup>284</sup> Hungary, see: [www.otpbank.hu/csr/en/main](http://www.otpbank.hu/csr/en/main).

<sup>285</sup> Hungary, 1025/2006. (III. 23.) Governmental Resolution on promoting on the social responsibility of employers and on related encouraging measures (1025/2006. (III. 23.) *Korm. határozat a munkáltatók társadalmi felelősségének erősítéséről és ezt ösztönző intézkedésekről*) available at: <http://e-oktatás.barcsi.hu/extra/tudasbazis/f-jk/1025-2006-korm-hat.html>.

<sup>286</sup> Hungary, see: [www.csrpiac.hu/csr-marketplace-2013.html](http://www.csrpiac.hu/csr-marketplace-2013.html).

<sup>287</sup> Hungary, see: [www.kovet.hu/en](http://www.kovet.hu/en).

<sup>288</sup> Hungary, homepage of the Night of a thousand lanterns (*Ezer Lámpás Éjszakája*): <http://ezerlampasejszakaja.hu/>.

<sup>289</sup> Hungary, [nickelodeon.hu](http://nickelodeon.hu) (2013) 'A sikeresebb sztárokat is gúnyolták az iskolában' (Famous stars were also bullied at school once), available at: [www.nickelodeon.hu/hirek/a-legsikeresebb-sztorokat-is-gunoyoltak-az-iskolaban/7qif2b](http://www.nickelodeon.hu/hirek/a-legsikeresebb-sztorokat-is-gunoyoltak-az-iskolaban/7qif2b).

<p>sector in child protection?</p> <p>If yes: Please explain the changes and the reasons thereof.</p> <p>-----</p>			
<p>1. 8. Are there projects or programmes that receive governmental funding, but that outsource protection services for children? For example are civil society organizations contracted by the government/local authorities to provide services?</p> <p>If yes: Please provide information on the legal provisions regulating this and on the main services / groups of children that are covered. Provide information based on indicative examples.</p>	X		<p>-----</p> <p>Yes. Basic social, child welfare and child protection services can be outsourced from local government / state to NGOs and churches.</p> <p>The agreement between the government/local authority and the NGO/church/other provider has to be written in a provisional contract according to Act III. Of 1993., Chapter VI.<sup>290</sup> (the Act contains detailed provisions regarding the administrative issues as wells).</p> <p>Quality standards regarding professional, functional and administrative requirements are set in the Governmental Decree no 15/1998 (IV.20.)<sup>291</sup> and in the Decree of the Ministry of Health, Social and Family Affairs 29/ 2003 (V.20.)<sup>292</sup></p> <p>For an indicative example see Section II, question 1.3 (from 2011 Csongrád county outsourced the task to maintain child protection institutions and provide services to Diocese of Szeged-Csanád (<i>Szeged-Csanádi Egyházmegye</i>)).</p>
<p><b>2. Human resources, qualification requirements and training</b></p>			

<sup>290</sup> Hungary, Act III of 1993 on social administration and social care (1993. évi III. törvény a szociális igazgatásról és szociális ellátásokról) available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99300003.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99300003.TV).

<sup>291</sup> Hungary, 15/1998 (IV.30.) Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care (15/1998.(IV. 30.) NM rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM).

<sup>292</sup> Hungary, 29/2003. (V. 20.) Decree of the Ministry of Health, Social and Family Affairs on the professional and exam requirements of substitute parents, foster parents and families providing day care and on counselling and preparation training prior to adoption (29/2003 ESzCsM Rendelet a helyettes szülők, a nevelőszülők, a családi napközis működtetők képzésének szakmai és vizsgakövetelményeiről, valamint az örökbefogadás előtti tanácsadásról és felkészítő tanfolyamról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0300029.ESC](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0300029.ESC).

Question	YES	NO	Comments
2. 1. Is there an appropriate allocation of adequately trained professionals within the child protection system? Are the allocated human resources sufficient for fulfilling the tasks in the area of child protection at all levels? (Services, institutions etc.)?		X	The general education and training of professionals do not include specific information and knowledge on child protection issues. Vocational training programs offer specific courses on child protection related issues. Before the transition the child protection system was dominated by education experts, in accordance with the Soviet model and social work education has been (re)started only in 2006. Social workers and social pedagogues are still not facilitated with the needed knowledge and even more importantly field practice and methodology <sup>293</sup> .
Please consider: geographical distribution of available human resources, as well as distribution according to demands and needs across programmes and departments, and in planning/ implementation/monitoring/evaluation.			Concerning services and institutions, there are limited preventive services <sup>294</sup> in the most needy and deprived areas, just like specialised and targeted services (forensic experts, psychologists, psychiatrists, counsellors, etc.). See also at Section 2 / 2.1 of the present report, and see below the table below: 4.34)
<i>(Please consider available studies reports at national levels conducted by public or private institutions, child protection organizations, civil society, human rights institutions, academic community and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i>			Geographical distribution of health visitors: "The rate of 0-6 year-old children requiring special care was highest in the regions of Northern Hungary, Northern-Great Plains, and South-Transdanubia (all disadvantaged).50 While the number of families a health visitor was responsible for was highest in the regions of Northern-Great Plains and Northern Hungary, the number of unfilled positions (of health visitors) was also highest in these regions, as compared to the other regions." (Alternative CRC NGO report, 2013)

Geographical distribution and education of professionals working in child welfare services:

Main data on persons employed in child welfare service by region and county, 2012						
Region, county	Number of persons employed in child welfare service					Ratio of women, %
	total	with a higher qualification		with a secondary qualification		
		total	of which persons with relevant higher educational qualification, %	total	of which studies in higher education, %	
Budapest	418	377	94,7	41	9,8	64,8
Pest	362	342	92,7	20	50,0	79,6
<b>Central Hungary</b>	<b>780</b>	<b>719</b>	<b>93,7</b>	<b>61</b>	<b>29,9</b>	<b>72,2</b>
Fejér	130	126	92,1	5	40,0	66,9
Komárom-Esztergom	84	82	95,1	3	–	50,0

<sup>293</sup>Hungary, personal interview for the purposes of the present report with Maria Herczog, expert, researcher, member of the UN CRC Committee, conducted on the 3<sup>rd</sup> of March, 2014.

<sup>294</sup> Hungary, National Office for Rehabilitation and Social Affairs (*Nemzeti Rehabilitációs és Szociális Hivatal*) (2013) 'A szociális, gyermekjóléti és gyermekvédelmi szolgáltatások igénybevevői 2012', available at: [www.szocialisportal.hu/documents/10504/36116/Szoci%C3%A1lis+F%C3%BCzet+5.+kicsiny%C3%ADtett.pdf](http://www.szocialisportal.hu/documents/10504/36116/Szoci%C3%A1lis+F%C3%BCzet+5.+kicsiny%C3%ADtett.pdf).

Veszprém	116	111	96,4	5	–	72,4
<b>Central Transdanubia</b>	<b>330</b>	<b>319</b>	<b>94,5</b>	<b>13</b>	<b>13,3</b>	<b>63,1</b>
Győr-Moson-Sopron	98	94	94,7	4	–	84,7
Vas	72	70	94,	2	100,0	84,7
Zala	81	76	94,7	6	–	80,2
<b>Western Transdanubia</b>	<b>251</b>	<b>240</b>	<b>94,6</b>	<b>12</b>	<b>33,3</b>	<b>83,2</b>
Baranya	104	100	98,0	4	25,0	55,8
Somogy	103	97	88,7	6	16,7	66,0
Tolna	65	61	5,1	4	–	66,2
<b>Southern Transdanubia</b>	<b>72</b>	<b>258</b>	<b>93,9</b>	<b>14</b>	<b>13,9</b>	<b>62,6</b>
<b>Transdanubia</b>	<b>853</b>	<b>817</b>	<b>94,3</b>	<b>39</b>	<b>20,2</b>	<b>69,7</b>
Borsod-Abaúj-Zemplén	237	220	88,6	18	27,8	67,1
Heves	89	84	84,5	5	20,0	78,7
Nógrád	67	64	89,1	3	–	79,1
<b>Northern Hungary</b>	<b>393</b>	<b>368</b>	<b>87,4</b>	<b>26</b>	<b>15,9</b>	<b>74,9</b>
Hajdú-Bihar	187	181	96,1	6	–	66,8
Jász-Nagykun-Szolnok	139	125	88,8	13	46,2	85,6
Szabolcs-Szatmár-Bereg	232	220	95,5	13	7,7	73,7
<b>Northern Great Plain</b>	<b>558</b>	<b>526</b>	<b>93,5</b>	<b>32</b>	<b>17,9</b>	<b>75,4</b>
Bács-Kiskun	162	152	82,2	9	33,3	68,5
Békés	109	106	85,8	3	–	78,9
Csongrád	102	99	89,9	3	–	85,3
<b>Southern Great Plain</b>	<b>373</b>	<b>357</b>	<b>86,0</b>	<b>15</b>	<b>11,1</b>	<b>77,6</b>
<b>Great Plain and North</b>	<b>1 324</b>	<b>1 251</b>	<b>89,0</b>	<b>73</b>	<b>15,0</b>	<b>76,0</b>
<b>Country, total</b>	<b>2 957</b>	<b>2 787</b>	<b>92,1</b>	<b>173</b>	<b>5,3</b>	<b>72,1</b>

Hungarian Central Statistical Office (Központi Statisztikai Hivatal)<sup>295</sup>

2. 2. Is there a certification or licencing process compulsory for social workers and other professionals who work within child protection? If yes briefly describe the process.		X	<p>There are no special requirements/licensing. The full list of accepted diplomas and degrees is listed in the Annex of the Decree of the Ministry of Social and Family Affairs 9/2000 (VIII.4.).<sup>296</sup></p> <p>Personal carers always have to be trained, the level of training is specified at each jobs; the executives /managers must have professional exams; all services should have professional programmes. The training programmes are not public in each case (for instance the training programme of foster parents).</p> <p>There is a compulsory vocational training requirement on a 6 years period for the social, child welfare and child protection personnel <b>who are providing personal care</b>. Personal care providers are employees who directly work with</p>
--	--	---	--

<sup>295</sup> Hungarian Central Statistical Office (Központi Statisztikai Hivatal) (2013): Yearbook of Welfare and Stastics - 2012(Szociális Statisztikai Évkönyv- 2012), Budapest, KSH, table 4.34.

<sup>296</sup> Hungary, 9/2000 (VIII.4.) Decree of the Ministry of Social and Family Issues on the in-service training of professionals providing personal care and on the professional training program and exam (9/2000 (VIII.4.) SzCsMRendelet a személyes gondoskodást végző személyek továbbképzéséről és a szociális szakvizsgáról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0000009.SCM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0000009.SCM).

			<p>children/families. (Legislation: 9/2000. (VIII. 4.) SzCsM regulation<sup>297</sup>) In one period (6 years) the caretaker should earn 60 or 80 credit points (depending on the education background) from mandatory additional trainings. For example: For a 30 hours long training the participant get 30-50 credits, for an at least 3 days long study visit 10-20 credit can be earned.</p> <p>Similar requirements apply for teachers: in a 7 years period they should complete a 120 hours (1 hour means 45 minutes) of additional obligatory trainings. Legislation: 277/1997. (XII. 22.) Governmental resolution<sup>298</sup>.</p> <p>The National Judicial Council (<i>Országos Bírói Tanács</i>) organizes obligatory training courses for judges in every six month.</p> <p>In case of staff members, a 'no criminal record" certificate should be provided. However, there is no guarantee to exclude e.g. past sexual convicts whose criminal records are already cleared, since sexual crime offenders are not registered in Hungary</p> <p>Prospective staff member should provide with a medical certificate on their general health status (prooving e.g. the lack of infectious diseases), and psychological examination takes place as well; however, hidden or unrecognised mental health problems may be unrevealed.</p> <p>There is no general licencing procedure for social workers, psychologists.</p>
2. 3. Are there any selection criteria (for example qualification requirements) and vetting procedures for volunteers		X	<p>Act XXXI of 1997., para. 11/A<sup>299</sup> sets the criteria on who cannot work as a volunteer in child protection services. According to the 15/1998 Decree of the Ministry of Social Welfare<sup>300</sup> volunteers can work for e.g. alternative day-care centers: in this case <sup>301</sup> they have to be trained, supervised</p>

<sup>297</sup>Hungary, 9/2000 (VIII.4.) Decree of the Ministry of Social and Family Issues on the in-service training of professionals providing personal care and on the professional training program and exam (9/2000 (VIII.4.) SzCsMRendelet a személyes gondoskodást végző személyek továbbképzéséről és a szociális szakvizsgáról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0000009.SCM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0000009.SCM).

<sup>298</sup>Hungary, 277/1997.(XII. 22.) Government Decree on the in-service training of pedagogues, the professional training program and exam, and their allowances (277/1997.(XII. 22.)Korm. Rendelet a pedagógus-továbbképzésről, a pedagógus-szakvizsgáról, valamint a továbbképzésben részt vevők juttatásairól és kedvezményeiről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700277.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700277.KOR)

<sup>300</sup>Hungary, 15/1998 Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care(15/1998.(IV. 30.) NM rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM);

<sup>300</sup>Hungary, 15/1998 Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care(15/1998.(IV. 30.) NM rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM);

<sup>301</sup>Hungary, 15/1998 Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care(15/1998.(IV. 30.) NM rendelet a személyes gondoskodást

Author

Deleted: -

working with children in care?			<p>and professionally helped by a professional (educational degree is given in the same paragraph).<sup>302</sup> They can also work in after care (para.90.).</p> <p>According to the Child Protection Act,<sup>303</sup> sets the criteria on who cannot work as a volunteer in child protection services: if his /her criminal record is not clear, if his/her child custody is withdrawn by the court, or if his/her child(ren) is/are taken into care. According to the same act volunteers can only work on a contractual basis.<sup>304</sup> According to the Child Protection Act, psychological examination is not compulsory in the case of volunteers.</p> <p>Note: there is no guarantee to exclude e.g. past sexual convicts whose criminal records are already cleared, since sexual crime offenders are not registered in Hungary.</p>
<p>2. 4. Are child rights and <b>child protection topics</b> included in the curriculum of studies of professionals other than social workers and psychologists involved in child protection systems?</p> <p>(Please include information regarding law enforcement officials,- judges, prosecutors, lawyers, health and education personnel)</p>		X	<p>Child rights are not included in the curriculum of professional curriculum of those working with families and children, their information is incidental, including social workers and psychologists<sup>305</sup>.</p> <p>Information on child protection and its operation is included in some specialised courses, but not in general.</p> <p>Other professionals (police officers, health visitors, lawyers, prosecutors, judges) can attend professional training courses occasionally on these topics (e.g. on the system of child protection and child welfare services, recognition of the signs of child abuse and neglect, intervention, prevention of burn out, case management, conflict resolution) in the framework of EU funded projects or in the framework of projects funded by national sources, but not systematically.</p> <p>Even new obligations in these areas – like changes in the legislation, new obligations, etc. are not distributed.<sup>306</sup></p>

nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről) Article 51/C, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM);

<sup>302</sup>Hungary, 15/1998 Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care(15/1998.(IV. 30.) NM rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről), Article 90 available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM);

<sup>303</sup>Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 11/A and Article 15 (8), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>304</sup>Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 135/B (d), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>305</sup>Hungary, personal interview for the purposes of the present report with Maria Herczog, expert, researcher, member of the UN CRC Committee, conducted on the 3<sup>rd</sup> of March, 2014.

<sup>306</sup> Hungary, personal interview for the purposes of the present report with Maria Herczog, expert, researcher, member of the UN CRC Committee, conducted on the 3<sup>rd</sup> of March, 2014.

<p>2. 5. Is there regular training on issues related to the identification, referral and intervention for children in need of protection delivered to specialists involved in this area?</p> <p>If yes: Include information on the training of law enforcement officials (judges, persecutors, police), health and education personnel (doctors, nurses, teachers, school counsellors)</p> <p>Provide information on the mandatory nature of training, its frequency, funding, the responsible actors etc.</p> <p>Please mention explicitly if such programmes include information on recognising signs of abuse, dealing with such cases and referral mechanisms.</p>	<p>X</p>	<p>There have been some methodology papers (distributed, for different professionals, and regularly revised (these are available online, as well) but these are not known by all professionals and their distribution does not mean that they are acknowledged and used:</p> <ul style="list-style-type: none"> <li>• Methodological recommendation on prevention of child abuse' (<i>Gyermekbántalmazás Módszertani ajánlás</i>)<sup>307</sup> : The methodology letter includes the detailed description of different forms and symptoms of abuse and neglect, recognition and the possible interventions. It aimed to inform paediatricians, health visitors, social workers and teachers first of all.</li> <li>• 'Methodological guidance on cases of sexual abuse of children in care' (<i>Módszertani segédlet a gyermekvédelmi gondoskodásban élő gyermekekkel szembeni szexuális visszaélések eseteire: Felismerés és jelzés</i>)<sup>308</sup> is a practical guide especially for professionals working for child protection facilities/ services to recognize sexual abuse of children in care.</li> <li>• Handbook of the Methodological National Association of Child Welfare Services (<i>Módszertani Gyermekjóléti Szolgálatok Országos Egyesülete</i> ): Handbook for child welfare service providers on intervention regarding all forms of child maltreatment<sup>309</sup> is for child welfare service providers and professionals. The handbook contains information on the ways of recognition and the possible forms of intervention in cases of child abuse, neglect and maltreatmentand, and also on the tasks of the different professionals.</li> </ul> <p>The official list of accredited training courses for professionals is regularly updated on the homepage of <i>National Institute of Family and Social Policy</i>.<sup>310</sup></p> <p>As seen from the above mentioned registry of the National Institute of Family and Social Policy the training courses are provided by various actors: universities, colleges, NGOs, private companies, and state, municipality run institutions, independent</p>
--	----------	---

<sup>307</sup> Hungary, Dr. Kovács Zs., Dr. Scheiber, D, Dr. Herczog, M. (Eds.) (2011) *Gyermekbántalmazás Módszertani ajánlás*, available in Hungarian at: [www.ogyei.hu/upload/files/gyermekb\\_modszer\\_tani\\_ajanlas.pdf](http://www.ogyei.hu/upload/files/gyermekb_modszer_tani_ajanlas.pdf).

<sup>308</sup> Hungary, Kovács, Sz. (Ed.) (2012): *Módszertani segédlet a gyermekvédelmi gondoskodásban élő gyermekekkel szembeni szexuális visszaélések eseteire: Felismerés és jelzés*, Budapest, Budapest Főváros Önkormányzatának Módszertani Gyermekvédelmi Szakszolgálat, available at: [www.tegyesz.hu/file/Szakmai\\_informaciok/Kiadvanyok/modszertani\\_segedlet\\_2012.pdf](http://www.tegyesz.hu/file/Szakmai_informaciok/Kiadvanyok/modszertani_segedlet_2012.pdf).

<sup>309</sup> Hungary, Methodological National Association of Child Welfare Services (*Módszertani Gyermekjóléti Szolgálatok Országos Egyesülete*) (2006) Handbook for child welfare service providers on intervention in all forms of child maltreatment (*Kézikönyv a gyermekjóléti szolgálatást nyújtók számára a gyermekekkel szembeni rossz bánásmóddal kapcsolatos esetek ellátáshoz és kezeléséhez*), available at: [www.mogyesz.hu/index.php?option=com\\_rokdownloads&view=file&task=download&id=237:gyermekbantalmazas-megelzese-modszer\\_tani-fuezet](http://www.mogyesz.hu/index.php?option=com_rokdownloads&view=file&task=download&id=237:gyermekbantalmazas-megelzese-modszer_tani-fuezet)

<sup>310</sup> Hungary, see at: <http://ncsszi.hu/kepzes/orszagossocialis-szakmai-tovabbkepzesek/tovabbkepzesi-jegyzek>



		<p>experts.</p> <p>The trainings and vocational programs are partly funded by the state, partly (especially in the medical field) by corporations and partly by the professionals themselves, depending on the profession, employment, type of course.</p> <p>There are also free training courses, implemented within the framework of EU-funded projects.</p> <p>The legal obligations for professionals regarding training/education are provided in the 277/1997 (XII. 22.) Government Decree<sup>311</sup>; for professionals in health care these are set in the 63/2011 (XI.29.) Decree of the Ministry of National Resources<sup>312</sup>; for professionals in social care these are set in Act III of 1993<sup>313</sup>.</p> <p>The legal framework of the administration of these professional training courses is provided in the 150/2012 Government Decree.<sup>314</sup></p> <p>Responsible for accreditation: National Institute of Family and Social Policy<sup>315</sup>.</p> <p>It also provides certain trainings for social service providers (set in 81/2004. (IX. 18.) Decree of the Ministry of Health, Social and Family Affairs Regulation).</p> <p>Similar requirements apply for teachers: 277/1997. (XII. 22.) Governmental resolution<sup>316</sup> and the National Judicial Council (<i>Országos Bírói Tanács</i>) organizes obligatory training courses for judges in every six month.</p> <p>9/2000. (VIII. 4.) Decree of the Ministry of Social and Family Affairs<sup>317</sup>: There is an accreditation system, and professionals (social workers, case workers who provide personal care) are obliged to take part on certain number of courses, gathering</p>
--	--	--

<sup>311</sup> Hungary, 277/1997.(XII. 22.)Government Decree on the in-service training of teachers, the professional training program and exam, and their allowances (277/1997.(XII. 22.)Korm. Rendelet a pedagógus-továbbképzésről, a pedagógus-szakvizsgáról, valamint a továbbképzésben részt vevők juttatásairól és kedvezményeiről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700277.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700277.KOR).

<sup>312</sup> Hungary, 63/2011 (XI.29.) Decree of the Ministry of National Resources on the further training of professionals in public health care (63/2011 (XI.29.) NEFMI Rendelet az egészségügyi szakdolgozók továbbképzésének szabályairól), available at: [http://jogszabalykereso.mhk.hu/cgi\\_bin/njt\\_doc.cgi?docid=141916.574277](http://jogszabalykereso.mhk.hu/cgi_bin/njt_doc.cgi?docid=141916.574277).

<sup>313</sup> Hungary, Act III of 1993 on social administration and social care (1993. évi III. törvény a szociális igazgatásról és szociális ellátásokról), Article 92/D, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99300003.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99300003.TV).

<sup>314</sup> Hungary, 150/2012 Government Decree on the National Qualifications Register and on the procedure of amending the National Qualifications register Appendix 1 (150/2012. (VII. 6.)Korm. Rendelet az Országos Képzési Jegyzékről és az Országos Képzési Jegyzék módosításának eljárásrendjéről, 1. melléklet a 150/2012. (VII. 6.)Korm. Rendelethez), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200150.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200150.KOR).

<sup>315</sup> More information can be found on the webpage of the National Institute of Family and Social Policy, <http://ncsszi.hu>

<sup>316</sup> Hungary, 277/1997.(XII. 22.)Government Decree on the in-service training of pedagogues, the professional training program and exam, and their allowances (277/1997.(XII. 22.)Korm. Rendelet a pedagógus-továbbképzésről, a pedagógus-szakvizsgáról, valamint a továbbképzésben részt vevők juttatásairól és kedvezményeiről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700277.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700277.KOR).

<sup>317</sup> Hungary, 9/2000 (VIII.4.) Decree of the Ministry of Social and Family Issues on the in-service training of professionals providing personal care and on the professional training program and exam (9/2000 (VIII.4.) SzCsMRendelet a személyes gondoskodást végző személyek továbbképzéséről és a szociális szakvizsgáról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0000009.SCM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0000009.SCM).

		<p>credit points in every 6 years.</p> <p>318 They can choose from a wide pool of accredited courses without strict regulations. Child protection is not a compulsory module for any professionals. The duration of the courses vary from 20 to 60 hours, (averagy duration: 30 hours).</p> <p>The official list of accredited training courses for professionals is regularly updated on the homepage of <i>National Institute of Family and Social Policy</i>.<sup>319</sup> The <i>National Institute of Family and Social Policy</i> is in charge regarding the accreditation of the training courses targeting professionals in the field of social services as well.</p> <p>The training courses and vocational programs are partly funded by the state, partly (especially in the medical field) by corporations and partly by the professionals themselves, depending on the profession, employment, type of course. E.g. psychotherapists are covering the cost of their own training, social workers, teachers, judges, prosecutors, police forces are provided by state funded and organised courses. There are many variations, no universal, unified system.</p> <p>Responsible body for accreditation in the field of social services: National Institute of Family and Social Policy<sup>320</sup> (this institute also provides certain trainings for social service providers),</p> <p>According to 41/2012 (XI.28.) Decree of the Ministry of Human Resources<sup>321</sup> an in-service training programme can be asked for accreditation by any natural person or legal person or any organization without legal personality. Tertiary education programmes can only be organized by registered institutions.</p> <p>The decree also regulates the obligation for registry (and the details of the registry), and the accreditation and administration for all forms of the in-service trainings. The organizer of the training has to prepare a report until the last day of the given month when the training was held. The organiser has to provide the certificates of the participants and the evaluation sheets as well. At the end of each year the organizer has to prepare a report on the training courses that did not take place eventually.</p> <p>Responsible bodies for organising trainings:</p> <ul style="list-style-type: none"> <li>• For professionals in the field of social services: National Institute for Family and Social Policy,<sup>322</sup></li> </ul>
--	--	---

<sup>318</sup> Hungary, Act III of 1993 on social administration and social care (1993. évi III. törvény a szociális igazgatásról és szociális ellátásokról), Article 92/D, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99300003.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99300003.TV).

<sup>319</sup> Current list of the trainings is available at the homepage of *National Institute of Family and Social Policy*: <http://ncsszi.hu/kepzes/orszagos-szocialis-szakmai-tovabbkepzesek/tovabbkepzesi-jegyzek>.

<sup>320</sup> Hungary, see: <http://ncsszi.hu>

<sup>321</sup> Hungary, 41/2012 (XI.28.)Decree of the Ministry of Human Resources amending 9/2000 SzCsM Regulation (41/2012 (XI.28.)EMMI rendelet a személyes gondoskodást végző személyek továbbképzéséről és a szociális szakvizsgáról szóló 9/2000.(VIII. 4.) SZCSM rendelet és egyes kapcsolódó miniszteri rendeletek módosításáról)

<sup>322</sup> Hungary, see at: [ncsszi.hu](http://ncsszi.hu)

		<ul style="list-style-type: none"> <li>• for health care professionals: National Institute for Quality- and Organizational Development in Healthcare and Medicines (<i>Gyógyszerészeti és Egészségügyi Minőség- és Szervezetfejlesztési Intézet - GYEMSZI</i>),<sup>323</sup></li> <li>• for the public education professionals: Educational Authority (<i>Oktatási Hivatal</i>)<sup>324</sup></li> </ul>
2. 6. Are there joint training activities involving professionals and personnel from various actors in place?	X	<p>Training courses for mixed groups of professionals are available occasionally, including training courses on migrant children, Roma children or children in care.</p> <p>Family Child Youth Association (<i>Család, Gyermek, Ifjúság Egyesület</i>) accredited a training course on child abuse<sup>325</sup>, it is for mixed groups of professionals (health visitors, social workers, teachers, special education teachers, psychologists, police officers, judges, lawyers, etc.) on the concepts, forms and symptoms and effects of abuse, and on the role of professionals.</p>

<sup>323</sup> Hungary, see at: [gyemszi.hu](http://gyemszi.hu)

<sup>324</sup> Hungary, see at: [oktatas.hu](http://oktatas.hu)

<sup>325</sup> Hungary, see at: [www.csagyi.hu/en/trainings/child-abuse](http://www.csagyi.hu/en/trainings/child-abuse).

## IV. Care

### 1. Prevention measures and services

Question
<p>1. 1. Please provide an overview of the most important programmes delivered that aimed at promoting child protection issues and general prevention at the national level.</p>
<p>No specific programmes are available at the national level, promotion of child protection issues rarely happens. As prevention is divided between sectors (social welfare, child protection, health care, justice), there is no comprehensive, holistic vision and it is not acknowledged by most professionals that health visitation, early childhood education and care, awareness raising, parenting support etc. is part of the general prevention of child protection problems.<sup>326</sup></p>
<p>1. 2. Please provide information on awareness campaigns or other awareness activities on child protection issues targeting the general public or children in general? Please provide information on the <b>most recent and representative</b> awareness raising campaigns, including information on the target groups, the thematic areas covered, the actors involved, funding, the method of dissemination chosen and the impact of the campaign, if assessed.</p>
<p>There has not been any State run campaign on any related area, however the State provided 25 million HUF (app. 80 000 euro) <b>to promote adoption instead of abortion</b>, designating the Ágota Foundation (<i>Ágota Alapítvány</i>) to run it. Agota Foundation (<i>Ágota Alapítvány</i>) is an NGO. It is strongly connected (e.g. same director) with the Saint Ágota Child Protection Provider (<i>Szent Ágota Gyermekvédelmi Szolgáltató</i>) which is a church run organization providing child protection in Csongrád county, subcontracted by the State.</p> <p>In May 2011, the Ministry of National Resources, State secretariat for Social Affairs and Family Issues (<i>Nemzeti Erőforrások Minisztériuma, Szociális és Családügyiért Felelős Államtitkárság</i>) started an ad campaign to reduce the numbers of legal abortions (by promoting the option of adoption). The campaign was set to run for two months, and was based on a poster, showing the picture of a fetus with the words, "I understand it if you aren't ready for me, but rather put me up for adoption, let me live!"<sup>327</sup> The campaign was financed through the European Union's PROGRESS Fund aimed at mainstreaming gender equality. Members of the European Parliament warned the Commission that EU funds, aimed at supporting the implementation of the EU's social agenda, was being used to finance an anti-abortion campaign.<sup>328</sup> Justice Commissioner Viviane Reding expressed concern that the campaign was "not in line" with the European Social Agenda and asked the Hungarian government to stop it without delay.<sup>329</sup> The Commission contacted the Hungarian government to stop</p>

<sup>326</sup> Hungary, Lannert, J. Németh, Sz., Sinka, E. (2012) : Parenting Support in Europe, available at: [www.eurofound.europa.eu/pubdocs/2012/70/en/1/EF1270EN.pdf](http://www.eurofound.europa.eu/pubdocs/2012/70/en/1/EF1270EN.pdf),;

Lannert, J. Németh, Sz., Sinka, E. (2012): Parenting Support Hungary Final Report, Budapest, TÁRKI TUDOK, Budapest, 2012 Hungary, Lannert, J., Németh, Sz., Sinka, E.: Parenting Support Hungary Final Report TÁRKI TUDOK (*Szülőség támogatás Európában*), In: Molinuevo, D. (Eurofound) (2012): *Parenting Support in Europe*, available at: [www.eurofound.europa.eu/pubdocs/2012/70/en/1/EF1270EN.pdf](http://www.eurofound.europa.eu/pubdocs/2012/70/en/1/EF1270EN.pdf)

<sup>327</sup> Hungary, MTI (2011) 'A kormány tisztázná az abortuszellenes kampányt az Unióval', available at: <https://hirkozpont.magyarorszag.hu/hirek/kampany20110610.html/RatingWindow;jsessionid=E0A126EEA6D4A79D92063197386FCB44.portal21?struts.portlet.mode=view&struts.portlet.action=%2FratingPortlet%2FrenderDirect&action=e&windowstate=normal&struts.portlet.eventAction=true&mode=view>

<sup>328</sup> Hungary, MTI (2011) 'A kormány tisztázná az abortuszellenes kampányt az Unióval', available at: <https://hirkozpont.magyarorszag.hu/hirek/kampany20110610.html/RatingWindow;jsessionid=E0A126EEA6D4A79D92063197386FCB44.portal21?struts.portlet.mode=view&struts.portlet.action=%2FratingPortlet%2FrenderDirect&action=e&windowstate=normal&struts.portlet.eventAction=true&mode=view>

<sup>329</sup> EurActiv (2011) EU funds used for Hungarian anti-abortion campaign, available at: [www.euractiv.com/justice/reding-demands-return-eu-funds-hungarian-anti-abortion-campaign-news-505684](http://www.euractiv.com/justice/reding-demands-return-eu-funds-hungarian-anti-abortion-campaign-news-505684)

to anti-abortion campaign, and provided with information on the consequences of inappropriate use of EU funds.<sup>330</sup>

ESZTER Foundation(NGO) has launched an awareness raising campaign in 2013 on preventing violence, **targeting the general public on sexual abuse prevention and detection**.<sup>331</sup>They produced a film "Making life livable" (*"Élhetővé tenni az életet"*) introducing the audience into the work of the foundation on sexual abuse, aimed at inviting professionals also to become active partners in the campaign, e.g. by disseminating the campaign stickers and posters. The project was implemented within the framework of the Social Renewal Operative Programme. (*Társadalmi Megújulás Operatív Program, TAMOP-5.6.1*), funded by the EU Structural Funds.

The **Family Child Youth Association** (*Család, Gyermek, Ifjúság Egyesület*) (NGO) launched its campaign on de-institutionalisation, as part of the Eurochild "Opening Doors" campaign in 12 European countries. It is funded by Eurochild, Hope and Homes for Children England and OAK Foundation.<sup>332</sup> During the current stage of the "Opening Doors for Europe's Children - Strengthening families. Ending institutional care" (*Kulcs a jövőhöz – Adjunk esélyt minden gyereknek Európában*) the campaign's target audience at the national level is the national government, decision makers, stakeholders, the broader society - and at the European level, MEPs and representatives, policy- and decision makers. The campaign provides information on positive practices of de-institutionalisation, developed by NGOs across Europe, to support national governments in the transition process as well as call on the European Union to keep de-institutionalisation high on the political agenda and support progress at national level with various resources, e.g. funds and common guidelines. It aims to reach the widest possible audience to raise awareness on the damaging effects of institutionalisation of children and their rights to be brought up in their families, or at least in a family, or among community based arrangements. Dissemination techniques are on the one hand aiming the general public at international and national levels by providing information, newsletters and video spots with simple and short messages on institutional and community based care. The videos and newsletters are disseminated through social media<sup>333</sup> and national media, television and newspapers and websites of NGOs and professional organisations. On the other hand, the campaign addresses decision makers and politicians by advocacy and professional events. Within the framework of the campaign, a document entitled The Child Rights Manifesto<sup>334</sup> (*A gyermeki jogok kiáltványa*<sup>335</sup>) was disseminated among MPs and other representatives of political parties, calling them to sign the document.

In 2013 the government and the Ágota Foundation<sup>336</sup> (*Ágota Alapítvány*) (NGO) conducted a national awareness campaign in order to recruit new foster parents. It was funded through EU funding (TAMOP-5.4.10)<sup>337</sup> Campaign spots appeared in the national TVs, posters were put on the streets and free foster carer's training was offered for the new applicants. Very limited information was provided, nothing on the reasons why children need care, their backgrounds or on the importance of prevention. The campaign aimed to inform the general public, used easy to understand messages. According to the data from the Directorate of Social Affairs and Child Protection in 2013 the number of foster parents in state foster parent networks could recruit 300 new foster carers as a result of the campaign. As the campaign aimed to reach the general public it used mass media (national TVs, local TVs, posters on the street) for disseminating the messages.

<sup>330</sup> Reding, Viviane (2011) Answer given to Question no. E-005029/201123 by Mrs Reding on behalf of the Commission (08.07.2011), available at: [www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2011-005029&language=EN](http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2011-005029&language=EN)

<sup>331</sup> Hungary, see: <http://eszteralapitvany.hu/category/kampanyok>.

<sup>332</sup> See: [www.openingdoors.eu](http://www.openingdoors.eu)

<sup>333</sup> See at: [www.childrightsmanifesto.eu/call-on-candidates](http://www.childrightsmanifesto.eu/call-on-candidates)

<sup>334</sup> See at: [www.childrightsmanifesto.eu/manifesto](http://www.childrightsmanifesto.eu/manifesto)

<sup>335</sup> Hungary, Family Child Youth Association (*Család, Gyermek, Ifjúság Egyesület*): Child Rights Manifesto (*A gyermeki jogok kiáltványa*), Available at in Hungarian: [http://csagyi.hu/images/stories/hirek/cikkek/A\\_Gyermeki\\_Jogok\\_Kialtvanya.pdf](http://csagyi.hu/images/stories/hirek/cikkek/A_Gyermeki_Jogok_Kialtvanya.pdf)

<sup>336</sup> Hungary, see: [www.agotalapitvany.hu](http://www.agotalapitvany.hu).

<sup>337</sup> Hungary, see: <http://tamop5410.hu/>.

1. 3. Please provide information on interaction between the child protection system and the social welfare and social protection system in place. Is there an inherent coordination of measures and interventions? Are responsible authorities and service providers the same or different? (max.250 words)

According to the child protection legislation and the professional norms and directives there is a close connection and interaction between the social welfare and the child protection system. The legal framework is provided by the Act XXXI of 1997 on the protection of children and the administration of guardianship affairs.

The universal, local services are responsible for preventive actions and early intervention, by providing support to families with children in different ways.

The co-ordination should be guaranteed by the legal framework<sup>338</sup>, obliging them to work together, referring any suspicious case or evidence by all professionals to the local child welfare services. Child welfare services should organise if needed a case conference including all stakeholders to assess the case and find an optimum, joint programme of proceeding. However, the co-ordinated procedure is not working effectively, as documented by the Commissioner for Fundamental Rights.<sup>339</sup>

(municipalities), regional authorities (sub-regional Guardianship and Social Offices – *Járási Szociális és Gyámhivatal*) including nurseries, kindergartens, child welfare services, family support services, temporary children's homes, temporary homes for families, while most of the service providers in child protection (children's homes and foster parent's networks) are run either by the State (Directorate of Social Affairs and Child Protection (*Szociális és Gyermekvédelmi Főigazgatóság*) or the counties (Regional Child Protection Agencies, *Területi Gyermekvédelmi Szakszolgálat*) or NGOs, church run organisations contracted by the counties/State.

There has been a national assessment and documentation system introduced in 1998, based on the Looking After Children England system, called For the protection of our children ("*Gyermekeink védelmében*").<sup>340</sup> This includes a set of questionnaires (22 pieces) to assess all developmental areas of children and should be filled by all professionals according to their field of expertise. As the system has not been computerised still, the paper format does not allow proper co-operation and integrated vision, and follow up. The implementation handbook is providing a detailed orientation on how to use it and how to strengthen the co-operation between the different actors.

1. 4. When a child in need of care is identified, **who and how coordinates support to the family** and the child in order to ensure protection and **prevent** abuse and/ or placement of the child? (max.250 words)

The legal framework composed by the Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*). In its Article 17 the Act regulates the "signalling" system for identifying the need for care. The members of this system are: listed in 2.1

At the local level, basic child welfare services are responsible for prevention, early intervention and co-ordination.<sup>341</sup>, Guardianship offices handle the administrative measures at the subregional "district" level, municipalities organize basic social and child welfare services, while the state and the counties are responsible for the provision of alternative care of

<sup>338</sup>Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV) and the

Act CXC of 2011 on Public Education (*2011. évi CXC törvény a nemzeti köznevelésről*) available at [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1100190.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100190.TV)

<sup>339</sup> Hungary, Lux, Á. (ed.) (2010): *The children's rights Project of the Hungarian Parliamentary Commissioner for Civil Rights*, Budapest, ÁJOB projektfüzetek: Gyermekjogi Projekt, 2010/1, Budapest; AJB Projektfüzetek: A gyermekek testi-lelki egészsége – Gyermekjogi projekt, 2012/1, Budapest, Office of the Parliamentary Commissioner.

<sup>340</sup>Hungary, see: [www.szmm.gov.hu/main.php?folderID=16470](http://www.szmm.gov.hu/main.php?folderID=16470).

<sup>341</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Article 17, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

children.

Local child welfare services are responsible to recognise (together with the child protection signalling system member) and/or prevent abuse and out of home placement. See: Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról):

Article 68 (1) If parent is not able or does not want to eliminate endangering conditions of the child through the optional use of basic provisions, however, it is presumable that, with assistance, the development of the child within the family environment may be ensured, the notary of the local government shall take the child under protection. (2) Simultaneously with taking the child under protection, the notary of the local government shall appoint a family caregiver from the child welfare service for the child in order to continuously help the care and organize the provisions for the child and support parental care (...). (5) Taking the child under protection shall not affect the right of the parent to supervision.

As the tables below show, the number of children and families receiving services from child welfare offices are high but the staff employed is low. The number of child welfare providers declined in the previous years (from 1238 in 2006 to 686 in 2012) but the number of problems handled by them increased (from 689,322 to 756,392). The total number of professionals employed by child welfare services were 2,957 in 2012 (See See: Human resources, qualification requirements and training Question 2. 1. Table: Geographical distribution and education of professionals working in child welfare services,) and they managed 145,324 children's cases, which means their average caseload was around 50, but the geographical differences are huge, case workers in the most deprived areas have more families to work with.

Settlements too small to have their own service provide family case work with mobile teams, which is not effective as the Ombudsman found out: „In his report the Ombudsman pointed out that family carers (case workers of family support services, see also at Section V. 5.) working for a couple of hours per week and child welfare services (providing universal child welfare services at the local level. See more: Section II. 1.4.) operating an autonomous family carer unit of smaller villages were unable to perform their tasks to the full, and in most cases they were unable to manage crisis situations. There were few experts, and the special services of child welfare services were inaccessible. Temporary care of children was not solved because deputed parents and transitory homes were missing. In summary: children and their families, living in villages of varying sizes do not have access on an equal opportunity footing to child welfare services. This creates an adverse situation related to the enforcement of the basic rights of children to protect and care.”<sup>342</sup>

Central Statistical Office, data on 2012<sup>343</sup>

**Main data on child welfare services**

**Number of**

year	Child welfare service providers	Settlements running child welfare service	Settlements covered by child welfare services	Settlements supplied with child welfare services		Number of children receiving services	Num rece
				number	%		
2010	807	754	2 334	3 045	96,6	145 377	
2011	782	734	2 387	3 081	97,7	151 204	

<sup>342</sup> Hungary, Lux, Á. (edEd.) (2010): *The children's rights Project of the Hungarian Parliamentary Commissioner for Civil Rights*, Budapest; ÁJOB projektfüzetek: Gyermejjogi Projekt, 2010/1, Budapest;

AJB Projektfüzetek: A gyermekek testi-lelki egészsége – Gyermekjogi projekt, 2012/1, Budapest, Office of the Parliamentary Commissioner, p. 12.

<sup>343</sup> Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2013): *Yearbook of Welfare and Stastics - 2012*(*Szociális Statisztikai Évkönyv - 2012*), Budapest, KSH, table 4.12.

2012 686 639 2 514 3 128 99,2 145 324

82 314

Central Statistical Office, data on 2012<sup>344</sup>

**Problems managed by the child welfare service**

Type of problem	2010	2011	2012
Financial problems guide	204 029	201 272	180 081
Parenting problems	160 987	165 468	158 692
Behavioural and adaptation problems	54 294	63 971	57 556
Antisocial behaviour	96 144	104 571	94 348
Family conflict	76 370	71 854	68 256
Conduct of life (lifestyle)	120 963	122 188	111 800
Parental neglect	48 663	51 437	50 285
Abuse, domestic violence	14 286	13 318	13 802
Disability	10 967	9 435	8 989
Addiction	16 038	16 326	12 583
<b>Total</b>	<b>802 741</b>	<b>819 840</b>	<b>756 392</b>

**Number of children provided with child welfare services, by age-groups and regions, 2012<sup>345</sup>**

Region	Number of children aged				Total
	0–2 years	3–5 years	6–13 years	14–17 years	
<b>Central Hungary</b>	<b>2 809</b>	<b>4 274</b>	<b>12 938</b>	<b>14 566</b>	<b>34 587</b>
Central Transdanubia	1 122	1 731	4 994	5 422	13 269
Western Transdanubia	809	1 218	3 401	3 515	8 943
Southern Transdanubia	1 376	2 135	5 184	5 613	14 308
<b>Transdanubia</b>	<b>3 307</b>	<b>5 084</b>	<b>13 579</b>	<b>14 550</b>	<b>36 520</b>
Northern Hungary	1 980	3 146	9 639	10 400	25 165
Northern Great Plain	2 618	3 920	11 631	11 478	29 647
Southern Great Plain	1 743	2 621	7 757	7 284	19 405
<b>Great Plain and North</b>	<b>6 341</b>	<b>9 687</b>	<b>29 027</b>	<b>29 162</b>	<b>74 217</b>
<b>Country, total</b>	<b>12 457</b>	<b>19 045</b>	<b>55 544</b>	<b>58 278</b>	<b>145 324</b>

## 2. Identification and reporting procedures

<sup>344</sup>Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*)(2013): Yearbook of Welfare and Stastics - 2012 (*Szociális Statisztikai Évkönyv - 2012*), Budapest, KSH, table 4.16.

<sup>345</sup>Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*)(2013): Yearbook of Welfare and Stastics - 2012, (*Szociális Statisztikai Évkönyv - 2012*), Budapest, KSH, table 4.13.



Question	Yes	No	Comments
<p>2. 1. Is there an identification/ reporting obligation foreseen in the legislation?</p> <p>If yes, please provide the relevant provisions and indicate authorities and/or individuals that have identification/ reporting obligations.</p>	X		<p>The signalling system is the basis of the Hungarian child protection system obliging all professionals, service providers and institutions to work together with the lead of the local child welfare services to enable preventive and early intervention provisions. The role of the child protection signalling system is to prevent the endangerment of the child.</p> <p>The following institutions and persons are the part of the signalling system, they should notify the child welfare service in case of endangerment of the child:</p> <ul style="list-style-type: none"> <li>a) health care service providers (eg.: health visitors, pediatricians, etc.),</li> <li>b) institutions providing personal care,</li> <li>c) institutions of public education,</li> <li>d) police,</li> <li>e) prosecution,</li> <li>f) court of law,</li> <li>g) probation service.</li> <li>h) organizations of victim assistance and rehabilitation,</li> <li>h) rehabilitation services for victims,</li> <li>i) refugee centers, temporary accommodation of refugees,</li> <li>j) social organizations, churches, foundations,</li> <li>k) labour authority</li> </ul> <p>The professionals listed above should contact the local child welfare services. There is no timeframe, the related acts only set the responsibility and use the term "immediately" but no other obligation on timeframe. After the signal the social worker of the service starts to investigate the situation and notices the guardianship office and the police if needed.</p> <p>related acts:</p> <p>-Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997.évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 17, available at: <a href="http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV">http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV</a>.</p> <p>-32/2007 (OT 26) National Police Headquarter Decree on the applicable procedure in domestic violence cases and on the protection of minors (32/2007. (OT 26.) ORFK utasítása a családon belüli erőszak kezelésével és a kiskorúak</p>

			védelmével kapcsolatos rendőri feladatok végrehajtására)
<p><b>2. 2. Please describe reporting procedures for cases of abuse, exploitation or neglect against children in all available reporting mechanisms, including hotlines. Include the legislative and regulatory framework, actors involved, and timeframe.</b></p>			
<p>The professionals listed above should contact the local child welfare services if they suspect or assume child endangerment.<sup>346</sup> According to Article 5 of Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról):</p> <p>n) <i>endangerment</i>: conditions - as a result of certain behaviour, failure, or circumstances - blocking or hindering the child's physical, intellectual, emotional, and moral development,</p> <p>There is no timeframe provided in the legislation, only the responsibilities are set. After the signal the social worker of the child welfare service starts to investigate the situation and notice the guardianship office and the police if necessary. Guardianship offices have to be noticed in every endangerment case during the assessment phase, the police only if the child remains without supervision, or his or her physical, intellectual, emotional, and moral development is <b>severely</b> endangered by his or her family environment, and, as a result, <b>immediate placement</b> of the child is necessary. Judicial authorities' involvement is the next stage after the guardianship office examined the situation, after receiving the child welfare service's report.</p> <p>In an examination<sup>347</sup> of 5 health and higher education institutions, 2 medical expert organizations, 2 refugee centres, 7 police headquarters, 18 education institutions and approximately 360 child welfare services, 1100 health visitors, 100 care advisors gave information about the practice of signalling system. According to this information, the Ombudsman found that the signalling system does not work effectively.</p> <p>The total number of signals is low compared to the supposed prevalence of phenomenon of child endangerment. Besides the members of the signalling system citizens can also submit signals to the child welfare services, guardianship offices and to the police. The Ombudsman's conclusion was that the signalling system's actors do not fulfil their obligations, do not make signals as a result of fear of the affected families. And the signalling system's efficiency depends on the personal relationships in and between the actors of the signalling system.</p> <p>The legislative framework of the system based on is the Act XXXI of 1997 on the protection of children and the administration of guardianship affairs.<sup>348</sup> and 2/2007 (OT 26) National Police Headquarter Decree on the applicable procedure in domestic violence cases and on the protection of minors.<sup>349</sup></p> <p>Hotline: The National Crisis Management and Information Line Service (<i>Országos Kríziskezelő és Információs Telefonszolgálat - OKIT</i>)<sup>350</sup> is available for children to seek help and they can identify themselves, if they want to. The OKIT operates as an integrated part of the National Institute of Family and Social Policy that is a background institution of the Ministry of Human Resources. It supports victims in cases of violence (violence in relationships, child abuse, domestic violence by anybody within the household by any family members or relatives), human trade or prostitution.</p> <p>The telephone services can be reached in a 24/7 schedule, via a toll-free number.</p>			

<sup>346</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 17, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>347</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No AJB-2227/2010, ÁJOB Projektfüzetek, 2010/1, Budapest, available at: [www.ajbh.hu/kozlemenyek-archiv/-/content/10180/38/a-jelzorendszeres-jelentes-visszhangjarol.jsessionid=D4D17CBFF56BB87132B628F207BA15BE](http://www.ajbh.hu/kozlemenyek-archiv/-/content/10180/38/a-jelzorendszeres-jelentes-visszhangjarol.jsessionid=D4D17CBFF56BB87132B628F207BA15BE).

<sup>348</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 17, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>349</sup> 2/2007 (OT 26) National Police Headquarter Decree on the applicable procedure in domestic violence cases and on the protection of minors (32/2007. (OT 26.) ORFK utasítása a családon belüli erőszak kezelésével és a kiskorúak védelmével kapcsolatos rendőri feladatok végrehajtására).

<sup>350</sup> Hungary, see: [www.bantalmazas.hu/](http://www.bantalmazas.hu/).

The National Crisis Management and Information Line Service and other hotlines (see below at 2.4.) can be contacted not just by the victims (children) but by any citizens regarding cases of child abuse or child endangerment, in order to be provided with information or support. Reports can only be made at the authorities, e.g. via the National Police's hotline.

Question	Yes	No	Comments
2. 3. Is anonymity and confidentiality in the reporting procedure protected? Briefly comment/justify your answer.	X		<p>Anonymity is ensured by the law. The legal framework was amended<sup>351</sup> and now it prescribes confidential data processing regarding the reporting person.</p> <p>From 15.03.2014 the modification of the child protection act ordered confidentiality and anonymity for all professionals as well.<sup>352</sup> Until 15 March 2014 all lay persons reporting were protected and anonymity ensured at least in principle. Following an extreme series of child abuse cases in the same family<sup>353</sup>, a new provision was introduced also providing anonymity and confidentiality for the professionals signalling and/or reporting the case. Anonymity was not ensured for professionals by the previous version of the legislation.</p> <p>Anonymity is protected in the cases of non-professional citizens as well. (See Section IV, question 2.6).</p> <p>If an anonym signal was made by phone, in theory, it should be taken seriously and investigated. However, the signalling system in practice does not work properly, according to media sources, not even official (nont- anonymous) signals are investigated properly<sup>354</sup>.</p> <p>If the professional fails to report he/she can be obliged to take part in an additional training course and/or to pay to child protection administrative fine (<i>gyermekvédelmi igazgatási bírság</i>).<sup>355</sup> Forrás! Article 100/A of Act XXXI of 1997 on the protection of children and the administration of guardianship affairs includes the rules. The maximum amount of the fine is</p>

<sup>351</sup> Hungary, Act LXXIX of 2009 on the amendment of Act XXXI of 1997 and other related acts (2009. évi LXXIX. törvény a gyermekek védelméről és a gyámügyi igazgatásról szóló 1997. évi XXXI. törvény, valamint egyes szociális tárgyú törvények módosításáról), Article 4, available at: [www.complex.hu/kzldat/t0900079.htm/t0900079.htm](http://www.complex.hu/kzldat/t0900079.htm/t0900079.htm);

Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 17, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>352</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 17 (2a), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>353</sup> Hungary, Commissioner for Fundamental Rights (2014): Szigetszentmiklós: no real help has been provided [www.ajbh.hu/en/web/ajbh-en/-/szigetszentmiklos-no-real-help-has-been-provided-the-ombudsman-on-the-child-protection-service](http://www.ajbh.hu/en/web/ajbh-en/-/szigetszentmiklos-no-real-help-has-been-provided-the-ombudsman-on-the-child-protection-service).

<sup>354</sup> Hungary, Nők Lapja Online (2014) 'Mégis mit vár tőlem? Ha én bemegek egy ilyen putriba, örülök, ha élve kijövök!' (on domestic violence and system abuse during the possible legal processes), available at: [www.nlcafe.hu/ezvan/20140522/csaladon-beluli-eroszak-jelzorendszer-bantalmazas-/](http://www.nlcafe.hu/ezvan/20140522/csaladon-beluli-eroszak-jelzorendszer-bantalmazas-/), 'Mégis mit vár tőlem? Ha én bemegek egy ilyen putriba, örülök, ha élve kijövök!' [www.nlcafe.hu/ezvan/20140522/csaladon-beluli-eroszak-jelzorendszer-bantalmazas-/](http://www.nlcafe.hu/ezvan/20140522/csaladon-beluli-eroszak-jelzorendszer-bantalmazas-/)

<sup>355</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 100/A, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

		200.000 HUF and it can be imposed to: service providers, maintainers, directors of institutions and employees in case of child rights violations, if they breach the obligation to provide information to parents/children, if they hinder to contact with other authorities or child rights representatives, etc.
<p>2. 4. Do children have the right to report independently?</p> <p>If yes: Please provide information on the availability of child-friendly reporting procedures (to whom and how they can report child rights' violations and abuse) Is confidentiality of the child protected?</p>	X	<p>According to a report from 2012, children are not provided with enough information on their rights to report and are not facilitated to do so.<sup>356</sup> Those living in public care can turn to the Child Rights Representatives, although there are only 17 representatives.<sup>357</sup> The state-provided National Center for Patients', Clients' and Children's Rights and Documentation (<i>Országos Betegjogi, Ellátottjogi, Gyermekjogi és Dokumentációs Központ</i>) provides Child Rights Representative support to children in alternative care to enjoy their rights, facilitates the reporting procedure, helps the children to make a report in case of rights violation, represents the child's interest during placement procedures, requests child protection administrative fine (<i>gyermekvédelmi igazgatási bírság</i>) against professionals who violated the child's rights. They are accessible for children during visiting hours in children's home or by phone during working hours and after that as well. Currently there are 17 child rights representatives for the 19 counties and the capital city, Budapest, of Hungary.<sup>358</sup></p> <p>Child rights representatives are full time employees of the National Center for Patients', Clients' and Children's Rights and Documentation (<i>Országos Betegjogi, Ellátottjogi, Gyermekjogi és Dokumentációs Központ</i>). Educational and training requirements regarding the child rights representatives are set by the Government Decree no. 214/2012. on the the National Center for Patients', Clients' and Children's Rights and Documentation).<sup>359</sup></p> <p>The National Office for Rehabilitation and Social Affairs (<i>Nemzeti Rehabilitációs és Szociális Hivatal</i>) monitors the work of child rights representatives.</p> <p>In 2012, the Commissioner for Fundamental Rights launched a Facebook page<sup>360</sup> for children, connected to the Children's Rights webpage<sup>361</sup></p> <p>In 2012, the Ministry of Public Administration and Justice (<i>Közigazgatási és Igazságügyi Minisztérium</i>) launched a website<sup>362</sup> and a campaign aimed at raising awareness among children about their rights and access to justice.</p>

<sup>356</sup> Eurochild (2012): 'Speak Up! Giving a voice to European children in vulnerable situations', available at: [www.eurochild.org/fileadmin/Projects/SpeakUp/SpeakUpreportFINAL.pdf](http://www.eurochild.org/fileadmin/Projects/SpeakUp/SpeakUpreportFINAL.pdf).

<sup>357</sup> Hungary, see: [www.obdk.hu/gyermekjogi-kepviselok-elertesegei-2.html](http://www.obdk.hu/gyermekjogi-kepviselok-elertesegei-2.html).

<sup>358</sup> Hungary, see at: [www.obdk.hu/gyermekjogi-kepviselok-elertesegei-2.html](http://www.obdk.hu/gyermekjogi-kepviselok-elertesegei-2.html)

<sup>359</sup> Hungary, Government Decree no. 214/2012. on the the National Center for Patients', Clients' and Children's Rights and Documentation (VII. 30.) (214/2012. (VII. 30.) *Korm. Rendelet az Országos Betegjogi, Ellátottjogi, Gyermekjogi és Dokumentációs Központ*ról).

<sup>360</sup> Hungary, see: <https://www.facebook.com/Gyermekjogok>.

<sup>361</sup> Hungary, see <http://gyermekjogok.obh.hu/index.php>.

<sup>362</sup> Hungary, see: <http://gyermekbarat.kormany.hu/>.

			<p>The UNICEF Hungarian Committee implemented a research project entitled „The Convention on the Rights of the Child through the Eyes of Children” in 2012, with the participation of 2,800 children. The research found that, most of the children have a basic knowledge on their own legal status, however, according to their everyday experiences, children’s rights are not always guaranteed.<sup>363</sup></p> <p>Hotlines - Blue Line (<i>Kék Vonal</i>) (See more: 4. 6. Missing children) and) and the National Crisis Management and Information Line Service (<i>Országos Kríziskezelő és Információs Telefonszolgálat - OKIT</i>)<sup>364</sup> are available for children and adults to seek help and they can identify themselves, if they want to. The OKIT operates as an integrated part of the National Institute of Family and Social Policy that is a background institution of the Ministry of Human Resources. It supports victims in cases of violence (intimate partnership violence, child abuse, domestic violence by anybody within the household, i.e. by any family members or relatives), human trafficking, sexual exploitation).</p> <p>Hotlines - Blue Line (<i>Kék Vonal</i>) (See more: 4. 6. Missing children) and) and the National Crisis Management and Information Line Service (<i>Országos Kríziskezelő és Információs Telefonszolgálat - OKIT</i>)<sup>365</sup> are available for children and adults to seek help and they can identify themselves, if they want to. Everyone can call the hotline in case s/he notices risk situations and the operators will provide them information on where to turn to report (to the police, or to the guardianship offices).</p> <p>The NANE Women’s Rights Association (<i>NANE Nők a Nőkért Egyesület</i>) also operates a hotline for battered women and children<sup>366</sup>. The hotline is available 6 days a week between 18-22 pm. The operators are trained volunteers. There are other national and regional hotlines not focusing primarily on children and children in need for special protection.<sup>367</sup></p> <p>Formal reporting procedures are missing in practice, information for children in general is not provided and children with special needs, migrant, refugee children are not provided with special services.</p>
2. 5. Are children informed of their right to report and how they		X	It is regulated in Act XXXI of 1997 on the protection of children and the administration of guardianship affairs

<sup>363</sup> Hungary, UNICEF Hungarian Committee (2012) *Gyermekszemmel a gyermekjogi egyezmény. Gyermekjogok Magyarországon*, available at: <http://unicef.hu/-/gyermekszemmel-a-gyermekjogi-egyezmeny>.

<sup>364</sup> Hungary, see: [www.bantalmazas.hu/](http://www.bantalmazas.hu/).

<sup>365</sup> Hungary, see: [www.bantalmazas.hu/](http://www.bantalmazas.hu/).

<sup>366</sup> Hungary, webpage of NANE Women’s Rights Association (*NANE Nők a Nőkért Egyesület*): [www.nane.hu/english/](http://www.nane.hu/english/)

<sup>367</sup> Hungary: [www.dr.info.hu/drinfo/pid/0/segelyvonalList](http://www.dr.info.hu/drinfo/pid/0/segelyvonalList)

can do it? If yes, by whom and how?		(1997.évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 11/A <sup>368</sup> , and that would be the responsibility of the Children's Right Representative to inform children about their rights. According to a report from 20112, children are not informed about reporting options and hardly ever asked about the incidents, abuse, and neglect, even those mature enough to do so <sup>369</sup> . There is formal, legal requirement to ask children and taking their opinion into consideration in accordance with their age and maturity but neither child welfare and protection agencies, nor have courts or law enforcement staff been trained to encourage and support children to do so. <sup>370</sup>
-------------------------------------	--	---

2.6. What are the main challenges and/ or gaps relating to identification and reporting procedures underlined by relevant authorities and/ or child protection civil society organizations?

According to the sources cited above, child welfare services are under-resourced, the case loads are very high, the professionals, including those working in health, social and in the education sectors are not properly prepared to identify and report the cases and providing support to the families and children in need.

Based on the recommendation of the Ombudsman from 2010<sup>371</sup> the legal framework was amended<sup>372</sup> and now prescribes the confidential data processing of the reporting person since as the Ombudsman in its report draws the attention to it, in some cases the abuse was not reported because of the fear of possible consequences!

There is no agreement among professionals whether the new provision will make the system more effective. An online initiative<sup>373</sup> was launched by 3 professionals<sup>374</sup> in order to withdraw the modification of the Act. They state that the anonymity "makes our work more difficult, in many cases it jeopardize the intervention, it is against the fundamental values of the profession". The petition was signed by 100 professionals working in the child welfare and child protection field and it was sent to the Ministry of Human Resources (*Emberi Erőforrások Minisztériuma*).

In 2013 a serious child abuse case was revealed (See: 2.3 ) in the town of Szigetszentmiklós: four children had been abused by their parents for many years emotionally, physically and sexually. They have been known by the child welfare services since 2005, when they were put on the child protection register, two of their siblings had been institutionalised suffering from Down syndrome, another sibling died, but only in 2012 were they removed

<sup>368</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 11/A, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>369</sup> Eurobarometer (2009): 'The Rights of the Child Analytical Report, Flash Eurobarometer, no. 273' available at: [ec.europa.eu/public\\_opinion/flash/fl\\_273\\_en.pdf](http://ec.europa.eu/public_opinion/flash/fl_273_en.pdf).

<sup>370</sup> Eurochild (2012): 'Speak Up! Giving a voice to European children in vulnerable situations', available at: [www.eurochild.org/fileadmin/Projects/SpeakUp/SpeakUpreportFINAL.pdf](http://www.eurochild.org/fileadmin/Projects/SpeakUp/SpeakUpreportFINAL.pdf)

<sup>371</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB-2227/2010, ÁJOB Projektfüzetek, 2010/1, Budapest, available at: [www.ajbh.hu/kozlemenyek-archiv/-/content/10180/38/a-jelzorendszeres-jelentes-visszhangjarol.jsessionid=D4D17CBFF56BB87132B628F207BA15BE](http://www.ajbh.hu/kozlemenyek-archiv/-/content/10180/38/a-jelzorendszeres-jelentes-visszhangjarol.jsessionid=D4D17CBFF56BB87132B628F207BA15BE).

<sup>372</sup> Hungary, Act LXXIX of 2009 on the amendment of Act XXXI of 1997 and other related acts (2009. évi LXXIX. törvény a gyermekek védelméről és a gyámügyi igazgatásról szóló 1997. évi XXXI. törvény, valamint egyes szociális tárgyú törvények módosításáról), Article 4, available at: [www.complex.hu/kzldat/t0900079.htm/t0900079.htm](http://www.complex.hu/kzldat/t0900079.htm/t0900079.htm)), Article 4;

Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997.évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 17, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>373</sup> Hungary, Hungary, Family Child Youth Association (*Család, Gyermek, Ifjúság Egyesület*) (2014) 'A gyerekekkel szembeni rossz bánásmódról szóló jelzések zárt adatként való kezeléséről' (initiative against the confidential data processing), Budapest, available at: <http://csagyi.hu/hirek/item/991-a-gyerekekkel-szembeni-rossz-banasmodrol-szolo-jelzesek-zart-adatkent-valo-kezeleserol>

<sup>374</sup> Hungary, Révész, Magda, director of child welfare services, dr. Mária Herczog, member of the UÚNR CRC Committee, Ildikó Vadkerti, social worker, lecturer

from the family to a foster family, where they started to speak about their abuse, neglect, exploitation experiences<sup>375</sup>. The court procedure is still pending, the media has published the case widely, including the fact that according to the first investigation made by the local authorities no professional could have been accused with any malpractice or wrongdoing. The Ministry of Justice restarted the investigation and the Ombudsman also conducted one<sup>376</sup>. their reluctance of professionals to report it due to other reasons e.g. being afraid that will be get involved in long judicial procedures, being unprotected by the system in case that they will be targeted by the parents etc...

The Ombudsman in his report<sup>377</sup> stated "No real help to eliminate exposure has been provided - the specialists concerned have failed to realize in time that the child abuse victims of Szigetszentmiklós should be taken away from their family. Other than notifying each other, there has been no substantial cooperation between the actors of the child protection notification system."

### 3. Referral procedure(s) and investigation

3. 1. Please describe the referral mechanisms in place following reporting and identification procedures.

In the answer please include the legislative and regulatory framework, interagency protocols and guidelines, the actors involved and their role and responsibilities, as well as the applicable timeline.

Legal framework:

- Child Protection Act<sup>378</sup>
- Act Public Administration Procedure<sup>379</sup>
- Governmental Decree on the roles and responsibilities in child protection and guardianship affairs and on the authority and jurisdiction of guardianship offices <sup>380</sup>
- Governmental Decree on the guardianship offices and on the proceedings of child protection and guardianship cases<sup>381</sup>

Child welfare services, guardianship offices and the notary (*jegyző*) are responsible for the referral and investigation. (Note: the notaries are part of the local municipal administration.) .Law enforcement, courts,

<sup>375</sup> Hungary, Commissioner for Fundamental Rights (2013) Investigation of the Ombudsman on the child abuse case in Szigetszentmiklós No. ÁJB-7903/2013 (*Szigetszentmiklósi gyermekbántalmazás - az ombudsman vizsgálata*) available in Hungarian at [www.ajbh.hu/-/szigetszentmiklosi-gyermekbantalalmazas-az-ombudsman-vizsgalata](http://www.ajbh.hu/-/szigetszentmiklosi-gyermekbantalalmazas-az-ombudsman-vizsgalata) and also at [www.mave/uploads/file/jelentes/207903\\_2013.pdf](http://www.mave/uploads/file/jelentes/207903_2013.pdf).

<sup>376</sup> Hungary, Commissioner for Fundamental Rights (2013) Investigation of the Ombudsman on the child abuse case in Szigetszentmiklós No. ÁJB-7903/2013 (*Szigetszentmiklósi gyermekbántalmazás - az ombudsman vizsgálata*) available in Hungarian at [www.ajbh.hu/-/szigetszentmiklosi-gyermekbantalalmazas-az-ombudsman-vizsgalata](http://www.ajbh.hu/-/szigetszentmiklosi-gyermekbantalalmazas-az-ombudsman-vizsgalata) and also at [www.mave/uploads/file/jelentes/207903\\_2013.pdf](http://www.mave/uploads/file/jelentes/207903_2013.pdf).

<sup>377</sup> Hungary, Commissioner for Fundamental Rights (2013) Investigation of the Ombudsman on the child abuse case in Szigetszentmiklós No. ÁJB-7903/2013 (*Szigetszentmiklósi gyermekbántalmazás - az ombudsman vizsgálata*) available in Hungarian at [www.ajbh.hu/-/szigetszentmiklosi-gyermekbantalalmazas-az-ombudsman-vizsgalata](http://www.ajbh.hu/-/szigetszentmiklosi-gyermekbantalalmazas-az-ombudsman-vizsgalata) and also at [www.mave/uploads/file/jelentes/207903\\_2013.pdf](http://www.mave/uploads/file/jelentes/207903_2013.pdf).

<sup>378</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról*) available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>379</sup> Hungary, Act CXL of 2004 on Public Administration Procedure (*2004. évi CXL. Törvény a közigazgatási hatósági eljárás és szolgáltatás általános szabályairól*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0400140.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0400140.TV).

<sup>380</sup> Hungary, 331/2006. (XII.23.) Governmental Decree on the roles and responsibilities in child protection and guardianship affairs and on the authority and jurisdiction of guardianship offices (*XII. 23) Korm. Rendelet a gyermekvédelmi és gyámügyi feladat- és hatáskörök ellátásáról, valamint a gyámhatóság szervezetéről és illetékességéről*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0600331.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0600331.KOR).

<sup>381</sup> Hungary, 149/1997. (IX. 10.) Governmental Decree on the guardianship offices and on the proceedings of child protection and guardianship cases (*149/1997. (IX. 10.) Korm. Rendelet a gyámhatóságokról, valamint a gyermekvédelmi és gyámügyi eljárásról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700149.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700149.KOR).

prosecutors and others can also be involved depending on the case.

Procedure:

- Following the signal of the persons, organizations institutions prescribed by Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról*) Article 17<sup>382</sup> the guardianship office contacts the local child welfare services.
- The procedure is regulated by Governmental Decree on the guardianship offices and on the procedures of child protection and guardianship cases<sup>383</sup> and the Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról*) Articles 68-69.<sup>384</sup>
- Following the assessment the child welfare services suggest whether the child should be taken under protection. They have 15 days after the guardianship office's request to send their report and suggestion on the case. Based on this recommendation the notary decides if administrative measures should be taken or not. The notary of the local government plays a key role when the endangerment of a child is registered: the notary place him/her on protection register, appoint case worker, oblige the parents to cooperate with child welfare services.
- If administrative measures (placement of the child on the protection register) seems to be needed the child welfare services initiate and organise a case conference (within 15 days after the notary's decision) including the parents and the children in order to make an individual care plan and to make an agreement on cooperation between the parents and the service in accordance with the assessment and interventions made earlier. If the child is placed on the child protection register he/she stays with the family; and his/her parents (guardian etc.) are obliged to cooperate with the child welfare services.
- If the child is at a serious risk of harm she/he can be placed into temporary child protection care, immediately after the start of the investigation. The notary, the guardianship office, the court, the police, the prosecutor, and prisons can also initiate the process; as these actors are part of the child protection signalling system, they can interfere immediately, if they notice serious risk of harm.
- A hearing should be held with the parents and with witnesses. The temporary care is possible in kinship care, in temporary children's home, substitute care or in foster care.
- In 30 days following the decision on temporary placement the guardianship office terminates the placement order, in case it is not needed and the reunification with the family is desirable. In case, the situation has not been resolved, the decision on temporary, or institutional care can be decided. A placement conference is organized with the presence of the child, the family and their case worker (additionally the Children's Rights representative and the Child Protection --- guardian). During the conference the report from the child welfare services and the ionrecommenda of the guardianship office are discussed and the county child protection agency proposes the decision on the placement based on the reports, the discussion and the need and

<sup>382</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Article 17., available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>383</sup> Hungary, 149/1997. (IX. 10.) Governmental Decree on the guardianship offices and on the proceedings of child protection and guardianship cases (*149/1997. (IX. 10.) Korm. Rendelet a gyámhatóságokról, valamint a gyermekvédelmi és gyámügyi eljárásról*), Article 84-91 available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700149.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700149.KOR)

<sup>384</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Articles 68-69. available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).



interest of the child/family.

- During the investigation, a home environment study is implemented by the local child welfare service's case worker, hearings are held with the family members and with the authorities ordering the placement, the professionals who know the child (teachers, health visitors, etc.)
- In all actions taken the assessment and documentation has to be filled and all plans, decisions also documented, signed by the relevant stakeholders, including the parents and the children, following the needed information provided to them.

Question	Yes	No	Comments
3. 2. Are there applicable standards in the form of legal provisions, guidelines, protocols, interagency agreements or regulatory frameworks regarding investigation and assessment procedures following reporting and identification procedures?	X		<p>(For the available administrative measures, please see IV.3.5.)</p> <p>The local child welfare services have to visit the family, make an environment study, consult with the parents and the school and make a report with recommendation of next steps and send it to the guardianship office. An assessment and documentation package called "On the protection of our children" ("<i>Gyermekeink védelmében</i>" = LACH) and an implementation handbook<sup>385</sup> is available, providing guidelines and aspects for situation assessment.</p> <p>The "On the protection of our children" ("<i>Gyermekeink védelmében</i>") assessment and documentation system is the Hungarian adaptation of the LACH system (UK), adapted in Hungary in 1999 by child protection experts of the National Family and Child Protection Institution (<i>Nemzeti Család- és Gyermekvédelmi Intézet</i>). It is obligatory to use it.</p> <p>During the assessment (see also in IV.3.5) the following information should be included by the social worker in cooperation with other professionals who work with the child:</p> <p>Assessment of the environment;</p> <ul style="list-style-type: none"> <li>• Assessment of the family;</li> <li>• Assessment of the child;</li> <li>• Assessment of the development of the child during the intervention (health, learning, play, personality, behaviour, emotional development, independency/independency, etc.)</li> </ul> <p>The child and his/her parents (guardians) have the right to see the assessment documentation, and it should be signed by them.</p>

<sup>385</sup> Hungary, Herczog, M. (edEd.) (1999) „*Gyermekeink védelmében*” (On the protection of our children), Budapest, Országos Család- és Gyermekvédelmi Intézet, available at: [www.szmm.gov.hu/main.php?folderID=16470](http://www.szmm.gov.hu/main.php?folderID=16470)

<p>3. 3. Is the assessment carried out by a multidisciplinary team of professionals?</p>	<p>X</p>	<p>The procedure that in principle involves different professionals and authorities, and based on Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (<i>1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról</i>), and 149/1997. (IX. 10.) Governmental Decree on the guardianship offices and on the proceedings of child protection and guardianship cases (), see above 3.2.<sup>386</sup></p> <p>The legislation above recommends the involvement of multidisciplinary teams in the assessment.. The team is supposed to include professionals who can contribute to the given problem, representing organisations that been responsible previously for the care and support of the child (local service providers, schools, health care institutions, NGOs etc.) and, if necessary, the police.</p> <p>The standards members of the team are the experts working in the child welfare services (case managers. The team is set up on an <i>ad hoc</i> basis, according to the specific case.</p>
<p>3. 4. Are the criteria and the procedure of assessment foreseen in the legislative / regulatory framework?</p>	<p>X</p>	<p>In general in 15/1998. (IV. 30.) Ministerial Decree on the personal care provider child protection institutions and personelles, professional and operational tasks, (<i>15/1998. (IV.30) NM Rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről</i>)<sup>387</sup> Igoverns the criteria, as of</p> <ul style="list-style-type: none"> <li>a) assessment of the endangering conditions and their effect on the child</li> <li>b) the parental skills and practices of the parents or other persons in charge with the upbringing of the children</li> <li>c) The data related to the lifesituationlife situation of the family in question</li> <li>d) the services provided to the family,</li> <li>e) the readiness and and capacity for cooperation shown</li> </ul>

<sup>386</sup> Hungary, 15/1998. (IV. 30.) Ministerial Decree on the personal care provider child protection institutions and personelles, professional and operational tasks, (*15/1998. (IV.30) NM Rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről*) Available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700149.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700149.KOR).

<sup>387</sup> Hungary, 15/1998. (IV. 30.) Ministerial Decree on the personal care provider child protection institutions and personelles, professional and operational tasks, (*15/1998. (IV.30) NM Rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM).

		<p>by the child and the parents (guardians)</p> <p>f.)in case of a direct severe danger the Services only determines the presence of danger, and without assessing further, proceeds immediately.<sup>388</sup></p> <p>The case workers of the child welfare services assess the criteria in close collaboration with guardianship offices<sup>389</sup>.</p>
--	--	---

3. 5. Please provide information on who is responsible to investigate and assess the situation of the child and the family and **how this is done**. Please provide information and describe the role and responsibilities of judicial authorities in the reporting and referral procedure. *Please also include information about the timeframe (max. 350 words)*

The responsibility is divided within the child welfare services, guardianship offices and the notary.<sup>390</sup>

Judicial authorities are only involved in serious abuse cases, in most cases administrative measures are done only. The police investigations are often refused as there is no evidence or it is not considered as a crime rather as child welfare or protection case. There have been hearing rooms set up in all counties to enable a more child friendly investigation procedure<sup>391</sup>, however there has not been any specific training provided to the police officers, doctors, judges, prosecutors to learn child friendly language and methods<sup>392</sup>. According to the reports of the Commissioner for Fundamental Rights from 2012-2013<sup>393</sup> the national practices in the field of law enforcement and court procedures confront from several aspects with the principles of child friendly justice.

According to the **Child Protection Act**<sup>394</sup> the following **administrative measures** are available:

- Placing the child on **protection register**:The **notary** places the child on the protection register upon the suggestion of the **child welfare service**. The family is **obliged to cooperate** with the service provider and

<sup>388</sup> Hungary, 15/1998. (IV. 30.)Ministerial Decree on the personal care provider child protection institutions and personelles, professional and operational tasks, (15/1998. (IV.30) NM Rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről) Article 19, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM).

<sup>389</sup> 15/1998. (IV. 30.) Ministerial Decree on the personal care provider child protection institutions and personelles, professional and operational tasks, (15/1998. (IV.30) NM Rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről),

<sup>390</sup>15/1998. (IV. 30.)Ministerial Decree on the personal care provider child protection institutions and personelles, professional and operational tasks, (15/1998. (IV.30) NM Rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről available at [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM);and

Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról),available at [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV#lbj106param..](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV#lbj106param..)

<sup>391</sup> Hungary, Kormany.hu (2012) 'További lépések a gyermekbarát igazságszolgáltatás erősítéséért', available at: [www.kormany.hu/hu/kozigazgatasi-es-igazsagugyi-miniszterium/hirek/tovabbi-lepesek-a-gyermekbarat-igazsagszolgáltatases-erositesecert](http://www.kormany.hu/hu/kozigazgatasi-es-igazsagugyi-miniszterium/hirek/tovabbi-lepesek-a-gyermekbarat-igazsagszolgáltatases-erositesecert).

<sup>392</sup> Hungary, Baranya, R. (2011) 'Gyermekbarát is lehet az igazságszolgáltatás', *Magyar Hírlap* (July 7), available at: [www.magyarhirlap.hu/hatter/gyermekbarat\\_is\\_lehet\\_az\\_igazsagszolgáltatatas.html](http://www.magyarhirlap.hu/hatter/gyermekbarat_is_lehet_az_igazsagszolgáltatatas.html).

<sup>393</sup> Hungary, Commissioner for Fundamental Rights (2012) 'Gyermeki jogok a rendőri intézkedés során', A/B-1133/2012, available at: [www.obh.hu/allam/aktualis/hm/kozlemeny20120712.htm](http://www.obh.hu/allam/aktualis/hm/kozlemeny20120712.htm), Commissioner for Fundamental Rights (2013): Gyermekbarát igazságszolgáltatás – gyermekjogok az eljárásokban. In: Gyermekközpontú Igazságszolgáltatás – Gyermekjogi projekt – 2013/1, pp 48-64; Commissioner for Fundamental Rights (2013): A gyermekbarát igazságszolgáltatást érintő egyéb vizsgálatok. In: Gyermekközpontú Igazságszolgáltatás – Gyermekjogi projekt – 2013/1, pp 142-147

<sup>394</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 15 (4), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

the family carer.

- **Temporary placement** (emergency placement): If **parental** care for is temporarily not available for the child, or if the child is considered to **be at risk** in the family environment or, or in cases of behavioural problems of the child, the child may be placed to kinship care or to **alternative care** (children's home, foster parents) temporarily. The **Guardianship Office** is responsible for the supervision, but the placement is initiated by the notary, the police, the prosecution authority, the court or a correctional institute.
- **Short-term foster care**: The guardianship office orders to place the child in alternative care, because he/she is considered to be at risk in the family environment and her/his development is not ensured by the parents. The **parental rights are terminated** in this case.
- **Long-term foster care**: If the **parental rights are suspended** by court order the child should be placed in a children's home or with foster parents for a longer period of time.
- **Educational supervision**: Only possible in **specialised children's homes** by the decision of the home's director. If the child's health or psychological state directly threatening the others or her/his own safety and if this can only be resolvable by separation of the child, her/his **freedom can be restricted** up to 2 months.
- Assessment and decision on the child's disadvantaged and multiply disadvantaged situation.
- Decision on kinship care.
- Decision to provide after-care to the young adult.
- Moreover upon court decision children in conflict with the law can be placed to **correctional facilities** which considered as an administrative measure according to the Criminal Code, Article 108<sup>395</sup>

Child welfare services, guardianship offices and the notary are responsible for the referral procedure and investigation. Following the signal by individuals or by the organizations/institutions prescribed by the Child Protection Act<sup>396</sup> the guardianship office contacts the local child welfare services. The child welfare service's social worker assesses the situation. During the investigation a home environment study is conducted by the local child welfare service's case worker, hearings are held with the family members and with the authorities (guardianship offices) ordering the placement, with the professionals who know the child (teachers, health visitors, etc.) The assessment procedure should be documented, signed by the relevant stakeholders, including the parents and the children( who should be provided with the necessary information before signing the documents).

During the assessment the following conditions should be examined by the social worker in cooperation with other professionals who work with the child:

- home environment, problems within the family (health, mental health, housing conditions, etc.)
- the family: willingness to cooperate, connection between the child and parents,
- the child: habits, lifestyle, daily routine, special risks (drug abuse, behavioural problems, drop-out from school, truancy, etc.)
- the child's personal network and relationships

A care plan will be developed for the child, including the outcomes of the assessment, aimed at presenting the situation of the child and the planned interventions in order to improve this situation. Dimensions included: personal development (skills, competencies), education (school, culture, religion), health care and mental health care (list of needed interventions), connections (way and frequency of contact with the family members and others), leisure time activities.

Review is carried out in every six months by the child welfare services and guardianship offices. In

395 Hungary, Act C of 2012 (2012. évi C. törvény - a Büntető Törvénykönyvről), Article 108. (1), available at: [www.complex.hu/kzldat/t1200100.htm/t1200100\\_9.htm](http://www.complex.hu/kzldat/t1200100.htm/t1200100_9.htm)

396 Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 17., available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

principle, hearings should be held with the participation of family and the child, aimed at assessing the development of the child and the implementation of the individual care plan.

Several investigations<sup>397</sup> were conducted by the Ombudsman on fatalities and severe child abuse cases, concluding that there is a need to further strengthen the co-operation and the co-ordination among the relevant actors, and to improve the training of child protection/child welfare professionals, based on an integrated approach.

According to the most recent investigation of the Ombudsman on a high profile child abuse case:<sup>398</sup> “most probably the lack of proper human and financial resources, and the shortcomings of training and professional training are the root causes of the dysfunctional operation, that can jeopardise the right of the child to serve their best interest.”

Question	Yes	No	Comments
3. 6. Are the roles and responsibilities of the various actors and professionals involved in these procedures (including civil society organizations) clearly stated in the legislative and regulatory framework?	X		<p>The Child Protection Act<sup>399</sup> includes a clear framework, however in practice the cooperation between authorities is not effective.<sup>400</sup> The Act prescribes the members of the signalling system:</p> <ul style="list-style-type: none"> <li>a) health care service providers (e.g.: health visitors, paediatricians, etc.),</li> <li>b) institutions providing personal care,</li> <li>c) institutions of public education,</li> <li>d) police,</li> <li>e) prosecution authority,</li> <li>f) courts,</li> <li>g) probation service.</li> <li>h) organizations of victim assistance and rehabilitation,</li> <li>h) rehabilitation services for victims,</li> <li>i) refugee centres, temporary accommodation of refugees,</li> <li>j) NGOs, churches, foundations,</li> <li>k) labour authority</li> </ul>

<sup>397</sup> Hungary, Commissioner for Fundamental Right (2012) Report No. AJB 3039/2013, available in Hungarian at: [www.ajbh.hu/documents/10180/111959/201303039.pdf](http://www.ajbh.hu/documents/10180/111959/201303039.pdf); Commissioner for Fundamental Right (2012) Report No. AJB 8291/2012, available in Hungarian at: [www.ajbh.hu/documents/10180/111959/201208291.pdf](http://www.ajbh.hu/documents/10180/111959/201208291.pdf)

<sup>398</sup> Hungary, Commissioner for Fundamental Rights (2013) 'Investigation of the Ombudsman on the child abuse case in Szigetszentmiklós No. ÁJB-7903/2013' (*Szigetszentmiklósi gyermekbántalmazás - az ombudsman vizsgálata*) available in Hungarian at [www.ajbh.hu/-/szigetszentmiklosi-gyermekbantalmasas-az-ombudsman-vizsgalata](http://www.ajbh.hu/-/szigetszentmiklosi-gyermekbantalmasas-az-ombudsman-vizsgalata), and also at [www.mave/uploads/file/jelentes/207903\\_2013.pdf](http://www.mave/uploads/file/jelentes/207903_2013.pdf).

<sup>399</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Article 17, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>400</sup> Hungary, Gyurkó, Sz. (2011) Kihívások az igazságszolgáltatási rendszerben – gyermekbarát eljárás a gyermekek szemével, *Családi Jog* Vol 9. no 3.

			The cooperation is supervised by the guardianship office (see also Chapter II. 3.2.).
3. 7. Are there any inter-agency cooperation protocols and agreements in place in order to strengthen cooperation between actors with responsibility in the referral procedure and enhance the efficiency of their actions?		X	<p>Inter-agency agreements are rare, at the local levels cooperation is based on informal/personal (non-institutionalised) relationships in most of the cases.</p> <p>The social worker of the child welfare services in cooperation with other professionals who work with the child should carry out the assessment. The child and his/her parents (guardians) have the right to see the assessment documentation, and it should be signed by them.</p> <p>The mandatory assessment and documentation package and the implementation handbook provide the needed framework but it is not guaranteed that the implementation of these tools is substantial. The "On the protection of our children" ("Gyermekeink védelmében") assessment and documentation system is the Hungarian adaptation of the LACH system (UK), adapted in Hungary in 1999 by child protection experts of the National Family and Child Protection Institution (Nemzeti Család- és Gyermekvédelmi Intézet).<sup>401</sup> (see above at question 3.2..)</p>
3. 8. Is it likely that procedures will differ, depending on the migration – residential status of the child concerned? Please also consider potential divergences depending on main actors involved.	X		<p>The procedures can differ although the responsible guardianship office Guardianship Office of Budapest's V. district (V. kerületi Gyámhatóság) is the same in every case of unaccompanied children and they are placed into the same children's home (Károlyi István Children's Centre (Károlyi István Gyermekközpont))<sup>402</sup> in every case following the referral, regardless of the other conditions or needs.<sup>403</sup> With reference to Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 73,<sup>404</sup> in cases of children with foreign citizenship, after the temporary placement of the child the police is involved in the procedure, and the related country is contacted for legal aid if adoption is possible.</p> <p>The assigned Guardianship Office review the situation IN every 6 months. The Migration Authority is among the</p>

<sup>401</sup> Hungary, Herczog, M. (ed.) (1999) „Gyermekeink védelmében (On the protection of our children)”, Budapest, Országos Család- és Gyermekvédelmi Intézet, available at: [www.szmm.gov.hu/main.php?folderID=16470](http://www.szmm.gov.hu/main.php?folderID=16470).

<sup>402</sup> Hungary, 290/2010. (XII. 21.) Governmental Decree on the registration and monitoring of social welfare, child welfare and child protection services (369/2013. (X. 24.) Korm. rendelet a szociális, gyermekjóléti és gyermekvédelmi szolgáltatók, intézmények és hálózatok hatósági nyilvántartásáról és ellenőrzéséről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300369.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300369.KOR).

<sup>403</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB-733/2012, available at: [www.ajbh.hu/en/web/ajbh-en/reports-statements-studies](http://www.ajbh.hu/en/web/ajbh-en/reports-statements-studies).

<sup>404</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 73,, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

			members of the signalling system, obliged to report the suspect of abuse.
--	--	--	---

### 3. 9. What are the main challenges and gaps highlighted by relevant authorities, child protection and civil society organizations? Briefly describe

As one of the European Roma Rights Centre's report stated "widespread discriminatory attitudes and prejudices existing in Hungary can be assumed to affect also those persons working in the child protection system, which will also influence the removal of Romani children from their parent's care"<sup>405</sup>. The research included 7 focus group discussions with social workers and some of them blamed entirely the family for all their problems. „The effects of this position, that Roma themselves are primarily responsible for their children being under special protection or removed from their care, held by many of the social workers met with during the course of research, is obviously deleterious for Romani children"<sup>406</sup> the ERRC concluded. The researchers added: „Because the majority of child protection workers are non-Romani and may in fact hold the same impressions and prejudices that exist in wider Hungarian society, it was argued by some focus group members that child protection professionals, without doubt, tend to pay distinctive attention to Roma. This can be seen to play a role in the disproportionate number of Romani children in protective care"<sup>407</sup>. „Child welfare workers and placement co-ordinators in Hungary are not immune to the prevailing attitudes in the country and may conduct their work under the lens of stereotype and prejudice, whether they recognise this or not, which undoubtedly affects their interaction with Romani clients"<sup>408</sup>. The term of 'placement co-ordinators' refers to the members of the child protection expert committee team (See the question below, 4.1.).

The main challenges were highlighted in this report before, see:

As an investigation of the Ombudsman<sup>409</sup> in 2010 pointed it out the members of the signalling system do not fulfil their obligations, do not make signals as a result of fear of the affected families. In addition the signalling system's efficiency depends on the personal relationships among/between the actors.

According to the most recent investigation of the Ombudsman<sup>410</sup>, "this case is highlighting that most probably due to the lack of proper human and financial resources, and the lack of shortcomings of training and vocational training as a root cause of the dysfunctional operation, it can jeopardise the right of the child to be served according to his/her best interest. "

The Commissioner for Fundamental Right (Ombudsman) has stated in his various reports that the allocation of the resources are not sufficient:

- The training of professionals working with children should be improved;<sup>411</sup>
- Children with particular needs in alternative care do not get the needed help due to lack of care places and available staff,<sup>412</sup>

<sup>405</sup> European Roma Rights Centre (2007): *Dis-Interest of the child -Romani Children in the Hungarian Child Protection System*, p. 36., available at: [www.errc.org/cms/upload/media/02/8F/m0000028F.pdf](http://www.errc.org/cms/upload/media/02/8F/m0000028F.pdf).

<sup>406</sup> European Roma Rights Centre (2007): *Dis-Interest of the child -Romani Children in the Hungarian Child Protection System*, p. 45., available at: [www.errc.org/cms/upload/media/02/8F/m0000028F.pdf](http://www.errc.org/cms/upload/media/02/8F/m0000028F.pdf).

<sup>407</sup> European Roma Rights Centre (2007): *Dis-Interest of the child -Romani Children in the Hungarian Child Protection System*, p. 45., available at: [www.errc.org/cms/upload/media/02/8F/m0000028F.pdf](http://www.errc.org/cms/upload/media/02/8F/m0000028F.pdf).

<sup>408</sup> European Roma Rights Centre (2007): *Dis-Interest of the child - Romani Children in the Hungarian Child Protection System*, p. 57., available at: [www.errc.org/cms/upload/media/02/8F/m0000028F.pdf](http://www.errc.org/cms/upload/media/02/8F/m0000028F.pdf)

<sup>409</sup> Hungary, Office of the Commissioner for Fundamental Rights (*Alapvető Jogok Biztosának Hivatala*) (2010): *ÁJOB Project Book – Child rights project (ÁJOB Projekt Füzetek – Gyermekjogi projekt) – 2010/1.*, Budapest, Országgyűlési Biztos Hivatala.

<sup>410</sup> Hungary, Commissioner for Fundamental Rights (2013) 'Investigation of the Ombudsman on the child abuse case in Szigetszentmiklós No. ÁJB-7903/2013' (*Szigetszentmiklói gyermekbántalmazás - az ombudsman vizsgálata*) available in Hungarian at [www.ajbh.hu/-/szigetszentmiklosi-gyermekbantalmas-as-ombudsman-vizsgalata](http://www.ajbh.hu/-/szigetszentmiklosi-gyermekbantalmas-as-ombudsman-vizsgalata), and also at [www.mave/uploads/file/jelentes/207903\\_2013.pdf](http://www.mave/uploads/file/jelentes/207903_2013.pdf).

<sup>411</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB 2614/2012, available in Hungarian at: <https://www.ajbh.hu/documents/10180/143994/201202614.rtf/fe174e9d-c605-4512-81ae-d240fe710a9>.

- Lack of psychological support and child psychiatry services;<sup>413</sup>
- Victim support services are not accessible and are over-burdened;<sup>414</sup>
- Large children's home were divided into smaller units but still do not work in accordance with the laws;<sup>415</sup>
- The signalling system is dysfunctional;<sup>416</sup>
- The juvenile prisons are under-resourced.<sup>417</sup>

#### 4. Placement decisions – care orders

Question	Yes	No	Comments
4. 1. Following the investigation and assessment of the child's situation, who is responsible to decide upon issuing a care order/decision and the placement of the child in alternative care?			<p>Legislation: the Child Protection Act.<sup>418</sup></p> <p>According to the Child protection Act, child protection expert committees are consulted in all cases before the alternative placement of the child requested by the guardianship offices. The child protection expert teams intervene after the decision on the temporary placement of the child. Court decision is not needed for temporary placement since it is an administrative measure, issued by the guardianship offices, however, from the beginning of temporary placement, the parent's custody rights will be suspended and thus the court will be involved.</p> <p>According to the Child Protection Act<sup>419</sup> the members of the child protection expert committees are appointed by the Minister of the Human Resources Ministry for 5 years. The committees are standard teams with 3 permanent members: 1 paediatrician, 1 child psychologist, 1 social worker; if children with special needs are assessed, 2 additional members involved: 1 psychiatrist, 1 special educational teacher.<sup>420</sup></p>

<sup>412</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB-6163/2010, available in Hungarian at: [www.ajbh.hu/documents/10180/105926/201006163.rtf/01c6a2f4-c712-425d-a9ee-4504fc7dea7c?jsessionid=4375CD96752C6984C9167F0F9409A4B0?version=1.0](http://www.ajbh.hu/documents/10180/105926/201006163.rtf/01c6a2f4-c712-425d-a9ee-4504fc7dea7c?jsessionid=4375CD96752C6984C9167F0F9409A4B0?version=1.0).

<sup>413</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB 1092/2011, available in Hungarian at: [http://archive-hu.com/hu/o/obh.hu/2012-05-08\\_1107\\_26/AJB\\_1092\\_2011](http://archive-hu.com/hu/o/obh.hu/2012-05-08_1107_26/AJB_1092_2011).

<sup>414</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB-2617/2012, available in Hungarian at: <https://www.ajbh.hu/documents/10180/143994/201202617.rtf/754c7fe5-f3d5-4e7a-8cf8-ee6fe96c67ed>.

<sup>415</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB 316/2011, available in Hungarian at: [www.ajbh.hu/documents/10180/107993/201103540.rtf/adb70231-12f2-4f12-b4bd-2eac8c4d22f9?jsessionid=7A75341689F276C7FD20B8EF811A6842?version=1.0](http://www.ajbh.hu/documents/10180/107993/201103540.rtf/adb70231-12f2-4f12-b4bd-2eac8c4d22f9?jsessionid=7A75341689F276C7FD20B8EF811A6842?version=1.0).

<sup>416</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB-2227/2010, available in Hungarian at: [www.ajbh.hu/kozlemenyek-archiv/-/content/10180/38/a-jelzorendszeres-jelentes-visszhangjarol?jsessionid=D4D17CBFF56BB87132B628F207BA15BE](http://www.ajbh.hu/kozlemenyek-archiv/-/content/10180/38/a-jelzorendszeres-jelentes-visszhangjarol?jsessionid=D4D17CBFF56BB87132B628F207BA15BE).

<sup>417</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB 2323/2012, available in Hungarian at: [www.ajbh.hu/documents/10180/143994/201204495.rtf/dee8b1a8-ae30-4078-8f4b-eea614dbcb21](http://www.ajbh.hu/documents/10180/143994/201204495.rtf/dee8b1a8-ae30-4078-8f4b-eea614dbcb21).

<sup>418</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 101, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>419</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 82, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>420</sup> Hungary, 149/1997. (IX. 10.) Governmental Decree on the guardianship offices and on the proceedings of child protection and guardianship cases (149/1997. (IX. 10.) Korm. Rendelet a gyámhatóságokról, valamint a gyermekvédelmi és gyámügyi eljárásról), Article 82(2), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700149.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700149.KOR).



Child protection expert committees operate under the placement departments of the county-level child protection agencies, i.e. the **Regional Child Protection Methodological Services** (*Területi Gyermekvédelmi Szakszolgálat*), coordinated by the Directorate General of Social Affairs and Child Protection (*Szociális és Gyermekvédelmi Főigazgatóság*). Regional child protection expert committees report to the regional guardianship offices annually, by the 31<sup>st</sup> of January.<sup>421</sup>

Child Protection expert committees are responsible for the suggestion on the most suitable type of placement for the child, by conducting a complex personality assessment and by preparing an expert report and placement recommendation with respect to the child's needs and circumstances, taking into consideration the request of the guardianship office, developing an individual placement plan of the child upon the request of the guardianship office, and by selecting foster parents or children's homes for the children following a case conference where all the stakeholders, including preferably the child and the parents, other family members are present.

If, following the temporary placement, the guardianship office determines that the reasons for terminating parental supervision exist, the guardianship office shall, within 30 days, initiate a procedure against the parent for the termination of the right of the parent to supervise the child, and simultaneously:

- order the suspension of the right of the parent to supervise the child,
- order the re-establishment of the right of the absent parent to supervise the child, and calls the absent parent to exercise such right (if the child has been temporarily placed with the absent parent),
- appoint a relative or other person, with whom the child is temporarily placed, as the guardian of the child,
- appoint a guardian (legal guardian), if the child has been temporarily placed with foster parents, at a children's home, or other residential institution.<sup>422</sup>

The guardianship office shall terminate temporary placement, if

- the reasons for terminating parental supervision did not exist, and the child's development can be ensured in his or her former environment (if necessary, by taking the child under protection),
- the child is taken into short-term foster care,
- the court issued a final decision regarding the termination of parental supervision, and the alteration of the child's placement.<sup>423</sup>

The guardianship office shall take the child into long-term foster care,

- if the child has no parent to supervise him or her, due to the elimination of parent's right to supervision or for other reasons, provided that the upbringing of the child can not be ensured by a guardian
- if the parent submitted a declaration of consent with respect to the adoption of his or her child without knowing the prospective adoptive parent's identity, provided that the child cannot be placed temporarily with the prospective adopting parent.<sup>424</sup>

<sup>421</sup> Hungary, 15/1998 Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care (15/1998. (IV. 30.) NM rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről), Article 129/A, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM).

<sup>422</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 75 (1), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

<sup>423</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 76 (1), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

Simultaneously with taking the child into long-term foster care, the guardianship office shall place the child with foster parents or, if this is not possible, at a children's home, or at other residential institution and appoint a guardian (legal guardian).<sup>425</sup>

The guardianship office shall monitor the relationship between the child taken into short-term foster care and his or her parent, the cooperation of parent with the foster parent, children's home and other residential institution, and the changes in the behavior, way of living, and the conditions of the parent. If the parent abuses his or her right to maintain contact to the injury of the child or the person looking after the child, and parent endangers the physical, intellectual, emotional, and moral development of the child with his or her behavior the person looking after the child or the guardian (legal guardian) of the child may initiate limitation, suspension, or revocation of the right to maintain contact by the guardianship office or by the court. If the parent fails to cooperate with the foster parent or institution looking after his or her child, or fails to maintain contact with his or her child, or fails to change his or her behavior, way of living, conditions in order to terminate the short-term foster care of the child, the guardianship office shall initiate procedures to cease the parent's supervision right.<sup>426</sup>

From the beginning of temporary placement, the parenting rights of the parent shall be suspended.<sup>427</sup>

The guardianship office shall appoint a guardian for the child, if the guardianship office has placed the child temporarily with foster parents, at a children's home, or other residential institute, and instituted proceedings for the suspension of parental supervision, or if the guardianship office has taken the child into foster care.<sup>428</sup>

The following persons, if qualified for performing guardian's responsibilities, may be appointed as guardians:

- the foster parent or the head of the children's home where the child has been placed by the guardianship office;<sup>429</sup>
- if the persons specified above can not be appointed as guardians, the guardianship office shall appoint a guardian for the child selected by the district professional child protective service.<sup>430</sup>

The guardian's right and obligation is to represent the child in the issues affecting his or her person and property, if authorised to do so by the guardianship authorities.<sup>431</sup>

Question	Yes	No	Comments
----------	-----	----	----------

<sup>424</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article Article 80 (1), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

<sup>425</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 80 (2), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

<sup>426</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 78 (1)-(2)-(3), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

<sup>427</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 72 (4), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

<sup>428</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 84 (1), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

<sup>429</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 84 (2), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

<sup>430</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 84 (3), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

<sup>431</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 87 (1), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

<p>4. 2. Are there legislative and or regulatory provisions clearly stating the criteria that should be taken into consideration in the assessment of the situation and in the decision making process?</p> <p><i>Are there provisions specifying the criteria that should be considered when deciding to remove the child from its family? Is poverty or material deprivations considered to be a solid ground? Is the principle of the best interest of the child enshrined in the legislation/ Are the principles of necessity and appropriateness considered?</i></p>	<p>X</p>	<p>Separation, and placement of the family due to material deprivation, poverty, and financial constraints only, is prohibited according to the law.<sup>432</sup></p> <p>In principle the best interest of the child is the main priority. As there is no clear understanding of the best interest principle despite of the legal obligation, it is not considered in accordance with the CRC implementation<sup>433</sup>. Best interest of the child is determined at, Act No. XXXI of 1997 on the protection of children and the administration of guardianship affairs (<i>1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról</i>)<sup>434</sup></p> <p>According to the Act,) "the child shall be entitled to grow up in his or her own family environment ensuring his or her physical, intellectual, emotional, and moral development as well as his or her welfare."<sup>435</sup> And also the Act states, that the child may only be separated from his or her parents or other relatives in the child's own interest, in cases and with methods provided for by law. The child shall not be separated from his or her family exclusively on account of endangerment prevailing for material reasons.<sup>436</sup> The same Act defines the cases, when temporary placement is needed</p> <p>-if the child's development is endangered by his or her family environment, or even by the child him/herself and such endangerment could not be eliminated by the services provided in the framework of basic provision or by taking the child under protection, or no positive outcome can be expected from such action, moreover,</p> <p>-If appropriate nursing of the child within his or her family cannot be ensured.</p> <p>The defining tion of child endangerment according to law is the neglection, or maltreatment of the child, outrage against the child, endangering the child's life directly or severely harming the child's physical, mental, emotional or moral development.<sup>437</sup></p>
---	----------	---

<sup>432</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Article 7 (1), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>433</sup> UNICEF, Family, Child, Youth Association (2009), *Kézikönyv a Gyermekjogi Egyezmény alkalmazásához*, Budapest, Family, Child, Youth Association, pp. 25–33.

<sup>434</sup> Hungary, Act No. XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

<sup>435</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Article 6(1), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>436</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Article 7 (1), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>437</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Article 72 available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<p>4. 3. Are there provisions requiring that the views of the child should be taken into consideration in the decision making process?</p> <p>If yes: please specify if this is mandatory or left to the discretion of the responsible authorities, and if there are age related requirements</p>	X	<p>It is mandatory to take into consideration the views of the child but as according to the legislation in accordance with their maturity. The child can participate in the placement conference and give her/his opinion on the decision. There was no clear guidance on age, although most courts do not invite children to make a testimony under the age of 14, rather refer them to forensic psychologists. As this is not clarified clearly and there has not been so far any training provided to the professionals on using child friendly language and methods, it is mostly tokenism<sup>438</sup>. The new Civil Code promotes the children's right to express their will<sup>439</sup>, e.g. the adoption of a child older than 14 years cannot be concluded but with the consent of the child; while children under 14 years of age have to be heard (and their expressed views should be taken into consideration)<sup>440</sup></p> <p>Act No. XXXI of 1997 on the protection of children and the administration of guardianship affairs)<sup>441</sup></p> <p><b>Article 8</b> (1) The child shall be entitled to freely express his or her views as well as to be informed of his or her rights, the ways of exercising such rights, and to be heard, either directly or in any other way, in all matters affecting his or her person and property, the views of the child being given due weight in accordance with his or her age, health, and maturity.</p> <p>(2) The child shall be entitled to make complaints in all matters affecting the child toward the agencies defined in this act.</p> <p>(3) Upon infringement of his or her fundamental rights, the child shall be entitled to institute proceedings at any judicial or other administrative organizations provided for by law.</p> <p><b>Article 82</b> (1) Upon recommendation of the notary of the local government, the guardianship office shall, after listening to the views of the child as well as the parent of the child taken into short-term foster care, determine the foster place of the child temporarily placed, or taken into short-term or long-term foster care with the help of the professional opinion of the district</p>
---	---	--

<sup>438</sup> Hungary, Gyurkó, Sz.(2011) 'Challenges in the judicial system – child friendly justice as seen by children' (*Kihívások az igazságszolgáltatási rendszerben – gyermekbarát eljárás a gyermekek szemével*) in: *Családi Jog* Vol 9. no 3.

<sup>439</sup> Hungary, Gyurkó, Sz.(2011) 'Challenges in the judicial system – child friendly justice as seen by children' (*Kihívások az igazságszolgáltatási rendszerben – gyermekbarát eljárás a gyermekek szemével*) in: *Családi Jog* Vol 9. no 3.

<sup>440</sup> Hungary, Act 5 of 2013 on Civil Code (2013.évi V. Tv a Polgári Törvényköny) Article 4:120(2), 4:148, 4:153(2), available at [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300005.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300005.TV).

<sup>441</sup> Hungary, Act No. XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

		<p>professional child protective service.</p> <p>...(3) In order to ensure a permanent - family-like - environment for the child, simultaneously with taking the child into short-term or long-term foster care, or within 30 days of taking the child into short-term or long-term foster care at the latest, the district professional child protective service shall, taking the views of the child into consideration, develop an individual placement plan, which shall be submitted for approval to the guardianship office.</p>
<p>4. 4. Provide information on the legislative provisions and the procedure in place when parents themselves request the placement of the child. How and to whom can they submit such request? Does the child have a say in such procedures? Is there information on the prevalence of such cases?</p>		
<p>The The Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (<i>1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról</i>) regulated it in its article 70-71, but it was repealed as of the 15<sup>th</sup> of March 2014.<sup>442</sup></p> <p>The parents can submit the request to the guardianship offices or to the child welfare services and then the latter refer the case to the relevant authority which is the guardianship office.. According to the experiences, the parents are not provided with support and information – aimed at empowering them to take care of their children.<sup>443</sup> . The parents can submit their request to the child welfare services or to the guardianship office directly. In most instances they are requiring placement due to poverty, homelessness, or because of the behavioural problems of the child (truancy, substance use, violence)<sup>444</sup>.</p> <p>Related provisions in the Child Protection Act:</p> <p><b>Article 45</b></p> <p>(2) Short-term foster care of the child shall, upon the request or approval of the parents or other legal representatives of the child with parental responsibilities (hereinafter referred to as parents), be provided temporarily with full provision, if the parent fails to ensure the upbringing of the child in the family because of his or her health condition, problems of his or her way of living, justified absence, or other interference. Disabled children shall be offered provision adjusted to their special needs.</p> <p>(3) At the place of short-term foster care of the child, the homeless parent of the child may also be placed. A child under 14 years of age may only be separated from his or her parents in exceptionally justified cases. Parents shall participate in the care of their child in accordance with their work schedule.</p> <p><b>Article 51</b></p> <p>(1) Upon the request of the homeless parent, the child and his or her parent may together be placed in the temporary home of families, if without such placement, their accommodation would not be ensured and the child would have to be separated from his or her parent.</p> <p>(2) The temporary home of families shall</p> <ol style="list-style-type: none"> <li>a) ensure accommodation and necessary further provision of both the parent and the child,</li> <li>b) assist the parent in the full provision, care, and upbringing of the child,</li> <li>c) contribute to the elimination of the family's homelessness and stabilise their situation.</li> </ol> <p><b>Article 70</b></p> <p>(1) Upon request of both parents exercising parental supervision or parent exercising parental supervision</p>		

<sup>442</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Articles 70-71, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

<sup>443</sup> Hungary, Neményi, Eszter (2006): Miért nem szóltak előre? A lemondó szülők felkészítéséről, In Család, Gyermek Ifjúság Journal 2006/1, p. 8, available at: [http://csagy1.hu/images/stories/kiadvanyok/folyoirat/CsaGyI\\_2006\\_1.pdf](http://csagy1.hu/images/stories/kiadvanyok/folyoirat/CsaGyI_2006_1.pdf)

<sup>444</sup> Hungary, Hungarian Central Statistical Office (2013): Yearbook of Welfare and Stastics (*Szociális Statisztikai Évkönyv*), Budapest, KSH, table 5.3.

alone, by providing opportunity for the absent parent to express his or her views, the guardianship office may approve, that, due to health conditions or justified absence of the parent or for other family reasons, the child shall temporarily be taken in, nursed, and fostered by another family selected by the guardianship office for the necessary period of time, provided that such action is in the best interests of the child.

(2) For the time of fostering the child in another family, the right of the parent to supervision shall be suspended.

(3) Fostering the child in another family shall not affect parent's obligation of support.

(4) Upon filing the request, the guardianship office shall inform the parent on the consequences of his or her legal statement.

#### **Article 71**

(1) The guardianship office shall approve of the fostering of the child in another family, if the parent wanting to foster the child is, based upon his or her personality and conditions, qualified for nursing and upbringing the child, performing guardian's duties, moreover, the parent himself or herself undertakes to perform such duties.

(2) The guardianship office shall order the parent(s) wanting to foster the child to act as guardian(s).

(3) Fostering the child in another family shall be expected to last as long as the justifying reason exists. Fostering the child in another family shall be revised annually by the guardianship office based upon the information provided by the guardian.

(4) The parent shall be entitled to maintain contact as well as the right to make joint decisions in material issues affecting the future of the child. All disputes arising in connection with material issues affecting the future of the child, shall be settled by the guardianship office.

(5) In particularly justified cases, the guardianship office may entitle parent to manage the property of the child and to act as the legal representative of the child in the child's property issues.

(6) Fostering the child in another family shall be terminated, if it is required by the parents or the parent taking in the child. If the reason for fostering the child in another family still exist, the guardianship office shall, following the termination of fostering the child in another family, arrange other forms of child protection.

#### *Taking the child into long-term foster care*

**Article 80** (1) The guardianship office shall take the child into long-term foster care, if

a) due to the elimination of the parent's right to supervision or for other reasons, the child has no parent to supervise him or her, provided that the upbringing of the child can not be ensured by a guardian appointed in accordance with Articles 95-97 of the Family Law.

b) the parent submitted a declaration of consent with respect to the adoption of his or her child without knowing the adopting person or his or her identification data, provided that the child cannot be placed temporarily with the prospective adopting parent.

Data is not available of parents who are requesting the placement of their children.

In 2012 from 793 approved adoptions 307 happened after parental consent<sup>445</sup>.

<sup>445</sup> Hungary, Hungarian Central Statistical Office (2013): Yearbook of Welfare and Stastics (*Szociális Statisztikai Évkönyv*), Budapest, KSH, table 5.7.

## 5. Alternative care.

Types of alternative care existing in the country	Yes	No	Who is offering such services? (State, regional, local authorities, civil society, religious institutions)	Provide information on the target group (include the age and gender) and geographical coverage
Foster care	X		State, regional, NGO, church run services <sup>446</sup> 12 845 care places were available in 2012 (See the table no. 5.17. below)	Every child in alternative care is entitled to foster care. From 2014 children under age 12 should be only placed into foster care. Exceptions: larger sibling groups, children with disability. Age group: 0-24, boys and girls are accommodated together
Residential – institutional care, group homes	X		State, county, NGO, church run institutions <sup>447</sup> 8125 care places were available in 2012 (See the table no. 5.17. below)	Children older than 12, children with disabilities and ill children, sibling groups, troubled children (children with particular and special needs). Age group: 12-24; boys and girls are accommodated together
Other forms of family-based or family-like care placements	X		Temporary, substitute care <sup>448</sup> . local authorities, NGO church run <sup>449</sup> organisations	All children in need for local temporary care. Age group: 0-24; boys and girls are accommodated together, with

<sup>446</sup>Hungary, 15/1998. (IV. 30.)Ministerial Decree on the personal care provider child protection institutions and personelles, professional and operational tasks, (15/1998. (IV.30) NM Rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről) article 194-108 available at [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM);and

Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 43-59 available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

<sup>447</sup>Hungary, 15/1998. (IV. 30.)Ministerial Decree on the personal care provider child protection institutions and personelles, professional and operational tasks, (15/1998. (IV.30) NM Rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről) article 109-125 available at [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.N](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.N);

and Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 43-59 available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>448</sup>Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 43-59 available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>449</sup>Hungary, 15/1998. (IV. 30.)Ministerial Decree on the personal care provider child protection institutions and personelles, professional and operational tasks, (15/1998. (IV.30) NM Rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről) article 46-51 available at [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM);

and Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 43-59 available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

				the exceptions of emergency homes which are separated by gender.
Supervised independent living arrangements for children	X		Sstate, NGOs, church run institutions <sup>450</sup> 178+77care places were available in 2012 (See the table no. 5.17. below: exterior places)	Young adults in after care, aged between 18-24. Age group: 19-24; boys and girls can be accommodated together and separately as well.
Shelter for children	X		County Child Protection Offices <sup>451</sup> ( <i>Területi Gyermekvédelmi Szakszolgálat</i> ) 281 care places were available in 2012 (See the table no. 5.17. below: exterior places)	All children in need for temporary care and for the period of assessment and decision making for the permanent placement or reuniting them with their families Age group: 0-24; boys and girls are accommodated separately; available for maximum 30 days.
Specialised children's homes	X		Ministry of Human Resources <sup>452</sup> ( <i>Emberi Erőforrások Minisztérium</i> )	Children older than 12 with special needs. Age group: 12-19, gender: boys and girls are accommodated together
Infant homes	X		State, county	Children between 0-33 of age, boys and girls are accommodated together, including children with or without disabilities; many children over 3, remain in these institutions
Correction facilities	X		Ministry of Human Resources and Ministry of Interior ( <i>Emberi Erőforrások Minisztérium és Belügyminisztérium</i> )	Children in conflict with the law aged between 12-21. Boys and girls are accommodated separately

<sup>450</sup>Hungary, 15/1998. (IV. 30.) Ministerial Decree on the personal care provider child protection institutions and personnelles, professional and operational tasks, (15/1998. (IV.30) NM Rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről) article 92-93 available at [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM);

and Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 43-59 available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

<sup>451</sup>Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 43-59 available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

<sup>452</sup>Hungary, 15/1998. (IV. 30.) Ministerial Decree on the personal care provider child protection institutions and personnelles, professional and operational tasks, (15/1998. (IV.30) NM Rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről) article 126 available at [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM);

and Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 43-59 available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).



Temporary home for families	X		State, county <sup>453</sup>	Families with children in need of emergency care Age group: 0-18, gender: boys and girls are accommodated together
Temporary home for children	X		State, county <sup>454</sup> 3899 authorized care authorised care places were available in 2012 Number of homes by county: <b>Central Hungary</b> <b>82</b> Fejér 2 Komárom-Esztergom 4 Veszprém 6 <b>Central Transdanubia</b> <b>12</b> Győr-Moson-Sopron 4 Vas 1 Zala 2 <b>Western Transdanubia</b> <b>7</b> Baranya 10 Soogy 4 Tolna 3 <b>Southern Transdanubia</b> <b>17</b> <b>Transdanubia</b> <b>36</b> Borsod-Abaúj-Zemplén 6 Heves 2 Nógrád 3 <b>Northern Hungary</b> <b>11</b> Hajdú-Bihar 9 Jász-Nagykun-Szolnok 1 Szabolcs-Szatmár-Breg 9 <b>Northern Great Plain</b> <b>19</b> Bács-Kiskun 6 Békés 3 Csongrád 2 <b>Southern Great Plain</b> <b>11</b> <b>Great Plain and North</b> <b>41</b> <b>Country, total</b> <b>159</b> <b>Central Hungary</b>	Children in need of emergency care Age group: 0-24, boys and girls are accommodated separately
Children's home for unaccompanied children	X		State, county 478 authorised care places were available in 2012	Unaccompanied children Age group: 0-24, gender: boys and girls are accommodated together

<sup>453</sup>Hungary, 15/1998. (IV. 30.) Ministerial Decree on the personal care provider child protection institutions and personnelles, professional and operational tasks, (15/1998. (IV.30) NM Rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről) article 67-73 available at [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM);

and Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 43-59 available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>454</sup>Hungary, 15/1998. (IV. 30.) Ministerial Decree on the personal care provider child protection institutions and personnelles, professional and operational tasks, (15/1998. (IV.30) NM Rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről) article 162-66 available at [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM); and Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 43-59 available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

Number of homes by county:	
Region, county	number of temporary homes for children
Budapest	13
Pest	1
<b>Central Hungary</b>	<b>14</b>
Fejér	1
Komárom-Esztergom	1
Veszprém	–
<b>Central Transdanubia</b>	<b>2</b>
Győr-Moson-Sopron	3
Vas	–
Zala	–
<b>Western Transdanubia</b>	<b>3</b>
Baranya	1
Somogy	–
Tolna	–
<b>Southern Transdanubia</b>	<b>1</b>
<b>Transdanubi</b>	<b>6</b>
Borsod-Abaúj-Zemplén	2
Heves	2
Nógrád	1
<b>northern Hungary</b>	<b>5</b>
Hajdú-Bihar	1
Jász-Nagykun-Szolnok	1
Szabolcs-Szatmár-Bereg	2
<b>Northern Great Plain</b>	<b>4</b>
Bács-Kiskun	–
Békés	1
Csongrád	3
<b>Southern Great Plain</b>	<b>4</b>

			Great Plain and North	13	
			Country, total		
				33	

**5.17. Minors and young adults placed in children's homes and with foster parents by type of placement, 2012455**

(For the explanation of the terms used in the Hungarian child protection system please find our Annex at the end of this document)

Type of placement	In temporary placement	In short-term	In long-term	In after-care provision	In short-term care	Total	Of which: girls
		foster care					
General children's home	242	1 941	127	292	14	2 616	189
General group home	168	1 907	133	292	10	2 510	127
Primary school with student's home and children's home	2	52	8	25	–	87	32
Specialised children's home	2	358	25	–	–	385	147
Specialised group home		89	4	–	–	93	11
Particular children's home	147	697	86	135	1	1 066	451
Particular group home	9	457	47	111	–	624	237
After-care home	–	–	–	232	10	242	92
After-care group home	–	–	–	76	1	77	37
Exterior place	–	–	–	144	–	144	66
Shelter for children	247	30	3	1	–	281	131
<b>Children's homes, total</b>	<b>817</b>	<b>5 531</b>	<b>433</b>	<b>1 308</b>	<b>36</b>	<b>125 1</b>	<b>520</b>
Professional foster parents	83	1 406	84	210	–	783	884
Traditional foster parents	567	8 447	695	1 311	3	11 023	5 382
Foster care exterior place	–	–	–	39	–	39	25
<b>Foster care, total</b>	<b>650</b>	<b>9 853</b>	<b>779</b>	<b>1 560</b>	<b>3</b>	<b>12 845</b>	<b>291</b>
<b>Exterior place of child protection service</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>178</b>	<b>–</b>	<b>178</b>	<b>81</b>
<b>Total</b>	<b>1 467</b>	<b>15 384</b>	<b>1 212</b>	<b>3 046</b>	<b>39</b>	<b>148 21</b>	<b>892</b>

**4.35. Main data on temporary home for families and temporary home for children by region and county, 2012456**

Region, county	Temporary home for families						Temporary home for children					
	number of temporary home for families	number of authorized places	Number of enrolled children (31 December)	number of enrolled parents (31 December)	number of children receiving care (during the year)	number of employed, total	number of temporary home for children	number of authorized places	number of enrolled children (31 December)	number of enrolled parents (31 December)	number of children receiving care (during the year)	number of employed, total

<sup>455</sup>Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2013): Yearbook of Welfare and Stastics - 2012 (*Szociális Statisztikai Évkönyv - 2012*), Budapest, KSH, table 5.17.

<sup>456</sup>Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2013): Yearbook of Welfare and Stastics - 2012 (*Szociális Statisztikai Évkönyv - 2012*), Budapest, KSH, table 4.35.

Budapest	68	1 236	732	476	2 016	256	13	212	111	43	541	104
Pest	14	392	216	165	484	87	1	14	12	3	36	8
<b>Central Hungary</b>	<b>82</b>	<b>1 628</b>	<b>948</b>	<b>641</b>	<b>2 500</b>	<b>343</b>	<b>14</b>	<b>226</b>	<b>123</b>	<b>46</b>	<b>577</b>	<b>112</b>
Fejér	2	60	35	21	65	13	1	12	10	–	19	6
Komárom	–	–	–	–	–	–	–	–	–	–	–	–
Esztergom	4	113	55	40	211	29	1	12	5	–	34	5
Veszprém	6	209	127	77	340	43	–	–	–	–	–	–
<b>Central Transdanubia</b>	<b>12</b>	<b>382</b>	<b>217</b>	<b>138</b>	<b>616</b>	<b>85</b>	<b>2</b>	<b>24</b>	<b>15</b>	<b>–</b>	<b>53</b>	<b>11</b>
Győr-Moson-Sopron	4	132	207	103	350	35	3	36	31	–	67	22
Vas	1	40	22	20	42	8	–	–	–	–	–	–
Zala	2	80	50	35	120	20	–	–	–	–	–	–
<b>Western Transdanubia</b>	<b>7</b>	<b>252</b>	<b>279</b>	<b>158</b>	<b>512</b>	<b>63</b>	<b>3</b>	<b>36</b>	<b>31</b>	<b>–</b>	<b>67</b>	<b>22</b>
Baranya	10	194	118	80	211	66	1	12	14	2	63	7
Somogy	4	129	89	62	246	34	–	–	–	–	–	–
Tolna	3	53	33	20	75	18	–	–	–	–	–	–
<b>Southern Transdanubia</b>	<b>17</b>	<b>376</b>	<b>240</b>	<b>162</b>	<b>532</b>	<b>118</b>	<b>1</b>	<b>12</b>	<b>14</b>	<b>2</b>	<b>63</b>	<b>7</b>
Borsod-Abaúj-Zemplén	6	204	141	63	474	46	2	36	28	–	159	22
Heves	2	63	33	29	59	13	2	24	18	–	37	13
Nógrád	3	76	43	22	160	24	1	12	7	2	27	7
<b>Northern Hungary</b>	<b>11</b>	<b>343</b>	<b>217</b>	<b>114</b>	<b>693</b>	<b>83</b>	<b>5</b>	<b>72</b>	<b>53</b>	<b>2</b>	<b>223</b>	<b>42</b>
Hajdú-Bihar	9	302	174	120	316	62	1	9	8	–	33	5
Jász-Nagykun-Szolnok	1	40	12	28	104	8	1	12	14	4	33	7
Szatmár-Bereg	9	261	218	107	506	64	2	28	22	2	35	18
<b>Northern Great Plain</b>	<b>19</b>	<b>603</b>	<b>404</b>	<b>255</b>	<b>926</b>	<b>134</b>	<b>4</b>	<b>49</b>	<b>44</b>	<b>6</b>	<b>101</b>	<b>30</b>
Bács-Kiskun	6	178	107	76	278	40	–	–	–	–	–	–
Békés	3	79	45	23	112	16	1	12	8	–	22	4
Csongrád	2	58	24	23	71	13	3	47	24	10	79	20
<b>Southern Great Plain</b>	<b>11</b>	<b>315</b>	<b>176</b>	<b>122</b>	<b>461</b>	<b>69</b>	<b>4</b>	<b>59</b>	<b>32</b>	<b>10</b>	<b>101</b>	<b>24</b>
<b>Great Plain and North Country, total</b>	<b>41</b>	<b>1 261</b>	<b>797</b>	<b>491</b>	<b>2 080</b>	<b>286</b>	<b>13</b>	<b>180</b>	<b>129</b>	<b>18</b>	<b>425</b>	<b>96</b>
<b>total</b>	<b>159</b>	<b>3 899</b>	<b>2 481</b>	<b>1 590</b>	<b>6 240</b>	<b>895</b>	<b>33</b>	<b>478</b>	<b>312</b>	<b>66</b>	<b>185</b>	<b>248</b>

5. 1. Please provide information on the number of children in alternative care: include data, if available, for the last three years. Indicate, if the data provided, refers also to residential care for **unaccompanied** children or not.

The latest data available is from 2012. The new child protection statistics will be accessible by request from this summer from the Hungarian Central Statistical Office and in for the public in the end of the year.

#### Children in alternative care in the last three years<sup>457</sup>:

##### 5.9. Children under professional child protection provision

Year	Minors receiving professional child protection provision		Of which: those in short-term and long-term foster care		Within it: those placed with foster parents	
	number	Per thousand inhabitants of corresponding age	number	percentage, %	number	percentage, %
2010	17 792	9,9	16 779	94,3	10 467	58,8
2011	18 287	10,2	17 028	93,1	11 045	60,4
2012	18 464	10,5	17 001	92,1	11 339	61,4

#### Children in alternative care by type of placement in 2012<sup>458</sup>

##### 5.17. Minors and young adults placed in children's homes and with foster parents by type of placement, 2012

Type of placement	In temporary placement	In short-term	In long-term	In after-care provision	In short-term care	Total
		Foster care				
General children's home	242	1 941	127	292	14	2 616
General group home	168	1 907	133	292	10	2 510
Primary school with student's home and children's home	2	52	8	25	–	87
Specialised children's home	2	358	25	–	–	385
Specialised group home	–	89	4	–	–	93
Particular children's home	147	697	86	135	1	1 066
Particular group home	9	457	47	111	–	624
After-care home	–	–	–	232	10	242
After-care group home	–	–	–	76	1	77
Exterior place	–	–	–	144	–	144
Shelter for children	247	30	3	1	–	281
<b>Children's homes, total</b>	<b>817</b>	<b>5 531</b>	<b>433</b>	<b>1 308</b>	<b>36</b>	<b>8 125</b>
Professional foster parents	83	1 406	84	210	–	1 783
„Traditional” foster parents	567	8 447	695	1 311	3	11 023
Foster care exterior place	–	–	–	39	–	39
<b>Foster care, total</b>	<b>650</b>	<b>9 853</b>	<b>779</b>	<b>1 560</b>	<b>3</b>	<b>12 845</b>

<sup>457</sup> Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2013) Yearbook of Welfare and Stastics–2012 (*Szociális Statisztikai Évkönyv*), Budapest, KSH, table 5.9.

<sup>458</sup> Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2013): Yearbook of Welfare and Stastics - 2012 (*Szociális Statisztikai Évkönyv*), Budapest, KSH, table 51.7.

Exterior place of child protection service	-	-	-	178	-	178	81
<b>Total</b>	<b>1 467</b>	<b>15 384</b>	<b>1 212</b>	<b>3 046</b>	<b>39</b>	<b>21 148</b>	<b>892</b>

(Central Statistical Office, 2013)

#### Data disaggregated by age in 2012<sup>459</sup>:

##### 5.18. Number of minors and young adults placed in children's homes and with foster parents by age-group, 2012

Age group	In temporary placement	foster care		In after-care provision	In short-term care	Total	Of which: girls
		In short-term	In long-term				
<b>Children's home</b>							
0-3	163	286	20	-	12	481	210
4-5	18	161	10	-	-	189	81
6-9	63	564	27	-	8	662	290
10-11	38	546	34	-	4	622	266
12-14	172	1 351	96	-	7	1 626	696
15-17	363	2 617	246	1	3	3 230	1 439
Minors, total	817	5 525	433	1	34	6 810	2 982
Young adults	-	6	-	1307	2	1 315	538
<b>Total</b>	<b>817</b>	<b>5 531</b>	<b>433</b>	<b>1 308</b>	<b>36</b>	<b>8 125</b>	<b>3 520</b>
<b>Foster care</b>							
0-3	268	1 518	52	-	-	1 838	868
4-5	80	1 053	37	-	1	1 171	598
6-9	139	2 356	116	-	2	2 613	1 245
10-11	59	1 284	102	-	-	1 445	716
12-14	60	1 821	201	-	-	2 082	1 036
15-17	44	1 816	271	-	-	2 131	1 057
Minors, total	650	9 848	779	-	3	11 280	5 520
Young adults	-	5	-	1560	-	1 565	771
<b>Total</b>	<b>650</b>	<b>9 853</b>	<b>779</b>	<b>1 560</b>	<b>3</b>	<b>12 845</b>	<b>6 291</b>
<b>Exterior place of child protection service</b>							
Young adults	-	-	-	178	-	178	81
<b>Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>178</b>	<b>-</b>	<b>178</b>	<b>81</b>
<b>Together</b>							
0-3	431	1 804	72	-	12	2 319	1 078
4-5	98	1 214	47	-	1	1 360	679
6-9	202	2 920	143	-	10	3 275	1 535
10-11	97	1 830	136	-	4	2 067	982
12-14	232	3 172	297	-	7	3 708	1 732
15-17	407	4 433	517	1	3	5 361	2 496
Minors, total	1 467	15 373	1 212	1	37	18 090	8 502
Young adults	-	11	-	3 045	2,0	3 058	1 390
<b>Total</b>	<b>1 467</b>	<b>15 384</b>	<b>1 212</b>	<b>3 046</b>	<b>39</b>	<b>21 148</b>	<b>9 892</b>

#### Unaccompanied children:

Government Decree 290/2010 (XII. 21.) and Act XXXV of 2010:

According to the laws above unaccompanied minors seeking recognition as a refugee must be placed to the special unit of "Károlyi István" children's home since 01/05/2011. The official statistics include data on them. However the Ombudsman's investigation in 2012 (AJB-2731/2012.) highlighted the fact that from the 700 unaccompanied children entered to the country 480 children disappeared without a trace.

<sup>459</sup> Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2013): Yearbook of Welfare and Statistics-2012 (*Szociális Statisztikai Évkönyv*), Budapest, KSH, table 5.18.

Roma children are over-represented in the alternative care system according to the research results of the European Roma Rights Centre.<sup>460</sup>

Type of alternative care	Number of children in placement	Data disaggregated by age and gender	Average length of placement																											
Foster care	<p>2012: 12,845 (from whom 1,560 are older than 18.).</p> <p>2011: (from whom 1,608 are older than 18.).</p> <p>(Central Statistical Office, 2012)</p> <p>New placements between 01-09 2013: 3,474 children from whom 968 are younger than 3 and 2038 are under 12461.</p>	<p>2012: From 12,845: 6,291 are girls and 6,554 are boys.</p> <p>2011: From 12,638: 6,165 are girls and 6,473 are boys.</p> <p>For disaggregated data by age groups see the table above (table no. 5.18.)</p> <p>(Central Statistical Office, 2013)</p>	<p><b>5.19. Children and young adults placed with foster parents by duration of care, 2012 462</b></p> <table border="1"> <thead> <tr> <th>Duration of care</th> <th>Total</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>30 days or less</td> <td>197</td> <td>1,53</td> </tr> <tr> <td>31–60 days</td> <td>179</td> <td>1,39</td> </tr> <tr> <td>61 days–1 year</td> <td>1 830</td> <td>14,25</td> </tr> <tr> <td>Over 1 year–5 years</td> <td>5 117</td> <td>39,84</td> </tr> <tr> <td>Over 5 years–10 years</td> <td>2 916</td> <td>22,7</td> </tr> <tr> <td>Over 10 years–17 year</td> <td>2 101</td> <td>16,36</td> </tr> <tr> <td>Over 17 years</td> <td>505</td> <td>3,93</td> </tr> <tr> <td><b>Total</b></td> <td><b>12 845</b></td> <td><b>100</b></td> </tr> </tbody> </table>	Duration of care	Total	%	30 days or less	197	1,53	31–60 days	179	1,39	61 days–1 year	1 830	14,25	Over 1 year–5 years	5 117	39,84	Over 5 years–10 years	2 916	22,7	Over 10 years–17 year	2 101	16,36	Over 17 years	505	3,93	<b>Total</b>	<b>12 845</b>	<b>100</b>
Duration of care	Total	%																												
30 days or less	197	1,53																												
31–60 days	179	1,39																												
61 days–1 year	1 830	14,25																												
Over 1 year–5 years	5 117	39,84																												
Over 5 years–10 years	2 916	22,7																												
Over 10 years–17 year	2 101	16,36																												
Over 17 years	505	3,93																												
<b>Total</b>	<b>12 845</b>	<b>100</b>																												

<sup>460</sup> European Roma Rights Centre (2011) Life Sentence: Romani Children in the Hungarian Child Protection System, p. 23., available at: [www.errc.org/cms/upload/file/life-sentence-romani-children-in-state-care-in-hungary-20-june-2011.pdf](http://www.errc.org/cms/upload/file/life-sentence-romani-children-in-state-care-in-hungary-20-june-2011.pdf)

<sup>461</sup> Hungary, data requested from the Directorate of Social Affairs and Child Protection for the purposes of the present report.

<sup>462</sup> Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2013): Yearbook of welfare and statistics, 2011 (*Szociális Statisztikai Évkönyv*), Budapest, KSH, table 5.19.

<p>Residential – institutional care</p> <p>Includes the following type of institutions:</p> <p>General children's home</p> <p>Primary school with student's home and children's home</p> <p>Specialised children's home</p> <p>Particular children's home</p> <p>After-care home</p> <p>Shelter for children</p>	<p>2012: 8125 (from which whom 1308 are older than 18)463.</p> <p>(Central Statistical Office, 2013)</p> <p>2011: 8,254 (from whom 1,373 are older than 18).</p> <p>(Central Statistical Office, 2012)</p>	<p>2012: from 8,125 children 3,520 are girls.</p> <p>(Central Statistical Office, 2013)</p> <p>2011: from 8,254 children 3,647 are girls.</p> <p>(Central Statistical Office, 2012)</p> <p>For disaggregated data by age groups see the table above (table no. 5.18.)</p>	<p>(Central Statistical Office, 2013)</p> <p><b>5.19. Children and young adults placed in children's homes by duration of care, 2012</b></p> <p>464</p> <table border="1" data-bbox="703 483 991 1144"> <thead> <tr> <th>Duration of care</th> <th>Total</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>30 days or less</td> <td>249</td> <td>3,06</td> </tr> <tr> <td></td> <td></td> <td>3,56</td> </tr> <tr> <td>31–60 days</td> <td>289</td> <td></td> </tr> <tr> <td></td> <td></td> <td>23,66</td> </tr> <tr> <td>61 days–1 year</td> <td>1 923</td> <td></td> </tr> <tr> <td></td> <td></td> <td>42,1</td> </tr> <tr> <td>Over 1 year–5 years</td> <td>3 421</td> <td></td> </tr> <tr> <td></td> <td></td> <td>17,85</td> </tr> <tr> <td>Over 5 years–10 years</td> <td>1 450</td> <td></td> </tr> <tr> <td></td> <td></td> <td>8,6</td> </tr> <tr> <td>Over 10 years–17 year</td> <td>699</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1,16</td> </tr> <tr> <td>Over 17 years</td> <td>94</td> <td></td> </tr> <tr> <td><b>Total</b></td> <td><b>8 125</b></td> <td><b>~100</b></td> </tr> </tbody> </table> <p>According to the Directorate of Social Affairs and Child Protection in September 2013 316 children under 3 years of age lived in children's homes managed by the Directorate from who they assume 107 children can not be placed into foster families until the end of 2014, according to the deadline of</p>	Duration of care	Total	%	30 days or less	249	3,06			3,56	31–60 days	289				23,66	61 days–1 year	1 923				42,1	Over 1 year–5 years	3 421				17,85	Over 5 years–10 years	1 450				8,6	Over 10 years–17 year	699				1,16	Over 17 years	94		<b>Total</b>	<b>8 125</b>	<b>~100</b>
Duration of care	Total	%																																														
30 days or less	249	3,06																																														
		3,56																																														
31–60 days	289																																															
		23,66																																														
61 days–1 year	1 923																																															
		42,1																																														
Over 1 year–5 years	3 421																																															
		17,85																																														
Over 5 years–10 years	1 450																																															
		8,6																																														
Over 10 years–17 year	699																																															
		1,16																																														
Over 17 years	94																																															
<b>Total</b>	<b>8 125</b>	<b>~100</b>																																														

<sup>463</sup> Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2013): Yearbook of welfare and statistics, 2011 (*Szociális Statisztikai Évkönyv*), Budapest, KSH, table 5.17.

<sup>464</sup> Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2013): Yearbook of welfare and statistics, 2011 (*Szociális Statisztikai Évkönyv*), Budapest, KSH, table 5.19.



			the legislation. Out of the 316 children 77 is living with disabilities or severe illnesses <sup>465</sup> .																				
			<table border="1"> <tr> <td colspan="5">Total number of children in alternative child protection care by type of care (31.12.2013.)<sup>466</sup></td> </tr> <tr> <td></td> <td>Total</td> <td>placed in children's homes</td> <td>with foster parents</td> <td>in residential care</td> </tr> <tr> <td>Total</td> <td>1,8674</td> <td>6468</td> <td>11918</td> <td>288</td> </tr> <tr> <td>from which under 3 years of age</td> <td>1,826</td> <td>276</td> <td>1545</td> <td>5</td> </tr> </table>	Total number of children in alternative child protection care by type of care (31.12.2013.) <sup>466</sup>						Total	placed in children's homes	with foster parents	in residential care	Total	1,8674	6468	11918	288	from which under 3 years of age	1,826	276	1545	5
Total number of children in alternative child protection care by type of care (31.12.2013.) <sup>466</sup>																							
	Total	placed in children's homes	with foster parents	in residential care																			
Total	1,8674	6468	11918	288																			
from which under 3 years of age	1,826	276	1545	5																			
Other forms of family-based or family-like care placements Includes the following type of institutions: General group home Specialised group home Particular group home After-care group home	2012: 8,125 children living in children's homes and from them 3304 children were living in group homes (group homes are children's homes for up to 12 children) (Central Statistical Office, 2013)  2011: 8,254 children were living in children's homes and from them 3,457 children living in group homes (group homes are children's homes for up to 12 children) (Central	2012: From the 3,304 children in group homes 1,412 are girls. (Central Statistical Office, 2013)  2011: From the 3,457 children in group homes 1,499 are girls. (Central Statistical Office, 2012)  For disaggregated data by age groups see the table above (table no. 5.18.)	The table above includes data on children's homes and group homes together.																				

<sup>465</sup> Hungary, data requested from the Directorate General of Social Affairs and Child Protection (2013) by Family Child Youth Association.

<sup>466</sup> Hungary, Directorate General of Social Affairs and Child Protection (2014), Letter No. I-9195-1/2014 (dated 30 May 2014); in response to an information request for the purposes of the present report by the Hungarian Helsinki Committee (dated 16 May 2014).

	Statistical Office, 2012)		
Supervised independent living arrangements for children	2012: 322 (referred as "exterior place" in national statistics)  (Central Statistical Office, 2013)	2012: from 322 children 147 are girls  (Central Statistical Office, 2013)	No data available.
<b>Question</b>	<b>Yes</b>	<b>No</b>	<b>Comments</b>
5. 2. Is there data available on the number of children placed in alternative care that disappeared and/or went missing from residential care institutions?	X		<p>Yes, if the children's home director (the guardian of the child) reports to the police the disappearance of the child. (They are obliged to report, according to the Child Protection Act.<sup>467</sup> According to the law<sup>468</sup> the police has to start the search for the missing child immediately after the report has been done, and also the police has to notify the guardianship office "immediately". If the search is unsuccessful within 90 days, the child will be considered to be "disappeared", however, the search continues, and the police has to review the situation on an annual basis (calculated from the date of first report) to decide whether further steps should be taken.</p> <p>The table refers both to reporting cases and individuals. 3,421 children in 17, 396 cases went missing in 2012. Roma and migrant children go missing often, but it is a general issue, not exclusively connected with particular groups of children living in children's home.</p> <p>No study has been conducted on the issue till 2011, as the Minister of Human Resources stated,<sup>469</sup> when the Commissioner for Fundamental Rights (Ombudsman) implemented an investigation.<sup>470</sup> According to the report "children's homes often fail to report the cases or provide incomplete information on the starting date and duration of the absence."<sup>471</sup></p> <p>According to the above mentioned report of the Ombudsman it is partly due to lack of reliable data and consequently due to lack of research results<sup>472</sup> as well as due to the fact that there is no common definition of "missing children"<sup>473</sup>.</p>

<sup>467</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 17, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>468</sup> Hungary, Act LXXXVIII of 2013 on the on the system of the warrant registration and the search of persons, objects and their identification (2013. évi LXXXVIII. törvény a körözési nyilvántartási rendszerről és a személyek, dolgok felkutatásáról és azonosításáról) Article 20 (3), 21, 23, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300088.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300088.TV)

<sup>469</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB 1140/2012, p. 27, available in Hungarian at: <https://www.ajbh.hu/documents/10180/143994/201201140.rtf/7add4e8-1df1-4c31-a31f-ddb399d59d29>.

<sup>470</sup> Hungary, Commissioner for Fundamental Right (2012) Report No. AJB 1140/2012, available in Hungarian at: <https://www.ajbh.hu/documents/10180/143994/201201140.rtf/7add4e8-1df1-4c31-a31f-ddb399d59d29>.

<sup>471</sup> Hungary, Commissioner for Fundamental Right (2012) Report No. AJB 1140/2012, p. 8, available in Hungarian at: <https://www.ajbh.hu/documents/10180/143994/201201140.rtf/7add4e8-1df1-4c31-a31f-ddb399d59d29>.

<sup>472</sup> Hungary, Commissioner for Fundamental Right (2012) Report No. AJB 1140/2012, p. 8, available in Hungarian at: <https://www.ajbh.hu/documents/10180/143994/201201140.rtf/7add4e8-1df1-4c31-a31f-ddb399d59d29>.

		<p>The Blue Line Child Crisis Foundation (<i>Kék Vonal Gyermekkrízis Alapítvány</i>) and the Office of the Commissioner for Fundamental Rights (Ombudsman) organised a professional conference together on the topic of missing children in May 2014<sup>474</sup> with the participation of different experts from the Office of the Ombudsman, the police, child protection services, NGOs and the Ministry of Public Administration and Justice. The Ombudsman and the Blue Line Child Crisis Foundation signed a cooperation agreement regarding the issue of missing children.</p> <p>According to the police<sup>475</sup> children usually go back to their families or to their partner or they are on the run “in order to continue their previous life: drugs, or prostitution”. No research was made on the root causes and motivation of children who go missing.</p> <p>There is no data on the proportion of Roma children among missing children.</p> <p><i>Note:</i> It should be noted that, according to the Act on the Right of Informational Self-Determination and on Freedom of Information, ethnic data is considered to be special’ (<i>különleges adat</i>) in Hungary: 476 such data may be processed only when the ‘data subject’ has given his/her consent in writing, or when processing is necessary for the implementation of an international agreement, or if prescribed by law in connection with the enforcement of fundamental rights, or for reasons of national security or national defence, or law enforcement purposes for the prevention or prosecution of criminal activities, or when processing is necessary for the performance of a task carried out in the public interest.<sup>477</sup> While the law does not prohibit the collection and recording of ethnic data, state officials tend to misinterpret the regulations, thus the availability of official ethnic data – beyond census data, based on self-identification - is very limited. In the last couple of years several organisations, stakeholders and experts have voiced their concern about the misinterpretation of the prevailing data protection laws in Hungary and criticised the reluctance of the authorities to collect or record ethnic data or relevant information referring to ethnicity. In 2009, the Parliamentary Commissioner for Data Protection and the Minority Rights Ombudsman jointly expressed their support for the collection of ethnic data (within certain conditions). 478 A transnational report of the Open Society Institute, published in 2010, identified the lack of ethnic data (data disaggregated by ethnicity) as an obstacle to effective and transparent policy making in the field of Roma inclusion in Central and Eastern European countries, including Hungary.<sup>479</sup></p>
--	--	--

<sup>473</sup> Hungary, Commissioner for Fundamental Right (2012) Report No. AJB 1140/2012.p. 39, available in Hungarian at: <https://www.ajbh.hu/documents/10180/143994/201201140.rtf/7add4e8-1df1-4c31-a31f-ddb399d59d29>.

<sup>474</sup> Hungary, Blue Line Child Crisis Foundation (*Kék Vonal Gyermekkrízis Alapítvány*), programme of the conference ‘Szökik, mert áldozat? Áldozat, mert szökésben van?’ (Run away because he / she is a victim? Victim, because he / she ran away?), held on 27 May 2014, available at: [www.kek-vonal.hu/images/program\\_konferencia.pdf](http://www.kek-vonal.hu/images/program_konferencia.pdf).

<sup>475</sup> Hungary, Metropol (2013) ‘A gyermekotthonok lakói tűnnek el a leggyakrabban’ (*Most of the children disappear from children’s homes*), Budapest, available at: [www.metropol.hu/cikk/1040833-a-gyermekotthonok-lakoi-tunnek-el-a-leggyakrabban](http://www.metropol.hu/cikk/1040833-a-gyermekotthonok-lakoi-tunnek-el-a-leggyakrabban)

<sup>476</sup> Hungary, Act CXII of 2011 on on the Right of Informational Self-Determination and on Freedom of Information (2011. évi CXII. Törvény az információs önrendelkezési jogról és az információszabadságról), Article 3 (3)a.

<sup>477</sup> Hungary, Act CXII of 2011 on on the Right of Informational Self-Determination and on Freedom of Information (2011. évi CXII. Törvény az információs önrendelkezési jogról és az információszabadságról), Article 5 (2).

<sup>478</sup> Hungary, Kállai, Eernő, Jóri, András (2009), *Dr. Kállai Ernő a nemzeti és etnikai kisebbségi jogok országgyűlési biztosja és dr. Jóri András adatvédelmi biztos jelentése az etnikai adatok kezeléséről szóló vizsgálat megállapításairól*, Budapest: Országgyűlési Biztosok Hivatala available at: [http://abiweb.obh.hu/abi/index.php?menu=aktualis/ajanlasok&dok=20100204\\_ABI\\_1](http://abiweb.obh.hu/abi/index.php?menu=aktualis/ajanlasok&dok=20100204_ABI_1)

<sup>479</sup> OSI (2010), *No Data—No Progress. Country Findings Data Collection in Countries Participating in the Decade of Roma Inclusion, 2005–2015*, Budapest: Roma Initiatives – Open Society Institute, available

The Ombudsman's report on the case no. AJB-2731/2012480 gives information on missing irregular migrant children: in 2012, from the 700 irregular migrant children 480 children disappeared completely from the sight of the authorities.<sup>481</sup>

**5.24. Disappearances from the place of care, 2012482**

Denomination	Number of missing/disappearing children es					Number of cases of disappearance	Missing children committing crime
	once	twice	three times	four or more times	total		
<b>Type of placement</b>							
General children's home	433	133	89	463	1 118	7 319	89
General group home	235	152	102	470	959	5 439	99
Primary school with student's home and children's home	3	4	1	9	17	67	
Specialised children's home	86	38	22	85	231	1 761	30
Specialised group home	2	2	9	30	43	229	9
Particular children's home	158	12	13	38	221	541	15
Particular group home	39	14	15	47	115	358	11
After-care home	1	-	-	-	1	1	-
Shelter for children	177	101	85	178	541	1 681	45
<b>Children's homes, total</b>	<b>1 134</b>	<b>456</b>	<b>336</b>	<b>1 320</b>	<b>3 246</b>	<b>17 396</b>	<b>298</b>
<b>Foster care, total</b>	<b>67</b>	<b>27</b>	<b>33</b>	<b>48</b>	<b>175</b>	<b>532</b>	<b>7</b>
<b>Region</b>							
<b>Central Hungary</b>	<b>281</b>	<b>125</b>	<b>80</b>	<b>284</b>	<b>770</b>	<b>4 648</b>	<b>49</b>
Central Transdanubia	160	39	27	95	321	780	31
Western Transdanubia	72	35	22	68	197	945	22
Southern Transdanubia	147	55	47	153	402	3 529	85
<b>Transdanubia</b>	<b>379</b>	<b>129</b>	<b>96</b>	<b>316</b>	<b>920</b>	<b>5 254</b>	<b>138</b>
Northern Hungary	112	81	77	165	435	1 743	31
Northern Great Plain	175	103	75	484	837	4 631	58
Southern Great Plain	254	45	41	119	459	1 652	29
<b>Great Plain and North</b>	<b>541</b>	<b>229</b>	<b>193</b>	<b>768</b>	<b>1 731</b>	<b>8 026</b>	<b>118</b>
<b>Country, total</b>	<b>1 201</b>	<b>483</b>	<b>369</b>	<b>1 368</b>	<b>3 421</b>	<b>17 928</b>	<b>305</b>

5. 3. Is there data on the number of children leaving alternative care to be reintegrated in their family, be adopted, or benefit from  X

The official statistics collected by the Central Statistical Offices include this information. See the details below:

at: [www.edumigrom.eu/sites/default/files/field\\_attachment/news/node-17841/OSI\\_No-data-no-progress-country-reports\\_2010.pdf](http://www.edumigrom.eu/sites/default/files/field_attachment/news/node-17841/OSI_No-data-no-progress-country-reports_2010.pdf)

<sup>480</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB-2731/2012, available in Hungarian at: [www.ajbh.hu/documents/10180/143247/201202731.rtf/06c12e69-536a-4b7a-a09b-b3847334ee18](http://www.ajbh.hu/documents/10180/143247/201202731.rtf/06c12e69-536a-4b7a-a09b-b3847334ee18).

<sup>481</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB-2731/2012, p. 2., available in Hungarian at: [www.ajbh.hu/documents/10180/143247/201202731.rtf/06c12e69-536a-4b7a-a09b-b3847334ee18](http://www.ajbh.hu/documents/10180/143247/201202731.rtf/06c12e69-536a-4b7a-a09b-b3847334ee18).

<sup>482</sup> Hungary, Hungarian Central Statistical Office (2013): Yearbook of welfare and statistics, 2011 (*Szociális Statisztikai Évkönyv*), Budapest, KSH, table 5.24.

independent living arrangements?					
<b>5.21. Change in the number of minors and young adults in children's homes, 2012483</b>					
Reason for rise in number during the year	Children's		Reason for fall in number during the year	Children's	
	number	ratio, %		number	ratio, %
From parents or family	2 665	46,0	Returned to parents or relatives	1 281	21,6
From adoptive parents	18	0,3	Finally adopted	110	1,9
From short-term foster care	49	0,8	Reached age of majority	97	1,6
From other places	978	16,9	Taken into a family	1 059	17,9
			Died	11	0,2
			Other	259	4,4
<b>Taken into professional child protection, total</b>	<b>3 710</b>	<b>64,0</b>	<b>Professional child protection ceased, total</b>	<b>2817</b>	<b>47,5</b>
From other children's home	600	10,4	Transferred to other foster parents	599	10,1
From other foster parents	410	7,1	Transferred to other children's home	1 172	19,8
From shelter for children	422	7,3	Transferred to special children's home maintained by the Ministry	128	2,2
From other places	35	0,6	Placed to other places	329	5,6
<b>Type of placement changed, total</b>	<b>1 467</b>	<b>25,3</b>	<b>Type of placement changed, total</b>	<b>2 228</b>	<b>37,6</b>
<b>Admitted into short-term foster care</b>	<b>55</b>	<b>0,9</b>	<b>Short-term foster care ceased</b>	<b>110</b>	<b>1,9</b>
<b>Admitted into after-care provision</b>	<b>565</b>	<b>9,7</b>	<b>After-care provision ceased</b>	<b>771</b>	<b>13,0</b>
<b>Total</b>	<b>5 797</b>	<b>100,0</b>	<b>Total</b>	<b>5 926</b>	<b>100,0</b>
<b>5.22. Change in the number of minors and young adults placed with foster parents, 2012484</b>					
Reason for rise in number during the year	Children's		Reason for fall in number during the year	Children's	
	number	ratio, %		number	ratio, %
From parents or family	1 439	40,9	Returned to parents or relatives	493	14,9
From adoptive parents	5	0,1	Finally adopted	51	1,5
From short-term foster care	20	0,6	Reached age of majority	361	10,9
From other places	254	7,2	Died	494	15,0
			Other	5	0,2
			Taken into a family	69	2,1
<b>Taken into professional child protection, total</b>	<b>1 718</b>	<b>48,8</b>	<b>Professional child protection ceased, total</b>	<b>1 473</b>	<b>44,6</b>
From other children's home	367	10,4	Transferred to other foster parents	772	23,4
From other foster parents	677	19,2	Transferred to other children's home	420	12,7

<sup>483</sup> Hungary, Hungarian Central Statistical Office (2013): Yearbook of welfare and statistics, 2011 (*Szociális Statisztikai Évkönyv*), Budapest, KSH, table 5.21.

<sup>484</sup> Hungary, Hungarian Central Statistical Office (2013): Yearbook of welfare and statistics, 2011 (*Szociális Statisztikai Évkönyv*), Budapest, KSH, table 5.22.

From shelter for children	178	5,1	Transferred to special children's home maintained by the Ministry	8	0,2
From other places	109	3,1	Placed to other places	60	1,8
<b>Type of placement changed, total</b>	<b>1 331</b>	<b>37,8</b>	<b>Type of placement changed, total</b>	<b>1 260</b>	<b>38,2</b>
<b>Admitted into short-term foster care</b>	<b>2</b>	<b>0,1</b>	<b>Short-term foster care ceased</b>	<b>11</b>	<b>0,3</b>
<b>Admitted into after-care provision</b>	<b>466</b>	<b>13,2</b>	<b>After-care provision ceased</b>	<b>556</b>	<b>16,8</b>
<b>Total</b>	<b>3 517</b>	<b>100,0</b>	<b>Total</b>	<b>3 300</b>	<b>100,0</b>

5. 4. Is there a national registry of foster care families?	X		<p>- The National Office for Rehabilitation and Social Affairs (<i>Nemzeti Rehabilitációs és Szociális Intézet</i>) is gathering and managing the database.</p> <p>- Child Protection Act:<sup>485</sup> foster parents can take care up to 5 children and young adults at same time (or 6 together with their own children). The number is reduced if the child has special or particular needs. Exceptions can be made and one family can provide care for more children if it is in the best interest of the children, for example in case of siblings groups.</p>
How many children can be fostered in one family?			

5. 5. How and by whom foster families are **recruited, vetted and trained**? Provide information on the legal framework and responsible authorities, recruitment requirements, selection criteria, etc.

Following assessment and completing the preparatory training, all Hungarian adult citizens can become foster parents<sup>486</sup>, who are over 24 years of age and the age gap between the prospective parent and the child is not less than 18 years and not more than 45 years;<sup>487</sup> clean criminal record and full capacity are also requirements. (See below the detailed procedure of recruitment) Prospective foster parents should be physically and psychologically capable, and provide the children with a suitable home (e.g. separate rooms for the children by gender)<sup>488</sup>

The foster care agencies are recruiting and training foster carers. There are foster care agencies run by municipalities, church organisations, NGOs and, regional (regional child protection agencies, county guardianship offices) and local authorities (local municipalities).<sup>489</sup> NGOs and church organisations are subcontracted by the county and municipal authorities, local government to organize, coordinate, support and maintain the foster parent

<sup>485</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Article 54/A, 332, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>486</sup> See Annex of the present report for the definitions of terms.

<sup>487</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Article 54, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>488</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Article 54/A, 332, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>489</sup> Hungary, 29/2003. (V. 20.) Decree of the Ministry of Health, Social and Family Affairs on the professional and exam requirements of substitute parents, foster parents and families providing day care and on counselling and preparation training prior to adoption (*29/2003 ESzCsM Rendelet a helyettes szülők, a nevelőszülők, a családi napközit működtetők képzésének szakmai és vizsgakövetelményeiről, valamint az örökbefogadás előtti tanácsadással és felkészítő tanfolyamról*)

network. If the foster parents' network is run by the child protection agency, a separate department is responsible for this task within the agency. Foster care agencies review the foster parents performance in every 3 years.<sup>490</sup>

Process of the approval to foster carers:

- Application of prospective foster parents to one of the foster care agencies, organisations,
- Environment, home study, assessment of the applicant and their family by the agency
- Proof of lack of criminal record of the applicant and his/her adult relatives by the police,
- Medical, mental health check-up of the prospective foster parent,
- 60 hours of training => for "traditional" foster parents, - + 300 hours of in service training => for "professional" foster parents, until end of 2013, - new 500 hours training for everybody from 2014
- The foster parents are licenced,
- assessment of the placement of children into the new foster family
- regular visits for a few weeks (aimed to getting to know each other, the child and the family,
- Placement of the children into the foster family,
- The guardianship office approves the placement and the individual care plan of the child,
- 6 hours training/supervision in every half year compulsory

Until 2014 60 hours has been the minimum obligations for "traditional" foster carers and 300 hours in-service training for professionals following the 60 hours. Until 2014 the national curriculum has been the Hungarian adaptation of PRIDE (called FIKSZ in Hungarian) since 1997; introduced and adapted by the Family Child Youth Association. The 60 hours training included home visit and family assessment and 28 hours pre decision-making training and 32 hours of legal and practical information.

County Child Protection Agencies are responsible to organize trainings, as well as the National Family and Social Policy Institution and NGOs, church run institutions contracted by the State. The training modul is standardized and the curriculum is set by the legislation.<sup>491</sup>)

The foster care agencies are/should – and the foster parents as well - be involved into the referral and identification procedure of the child in need, in case the given child is/was in their care.

There is no universal funding scheme for the training of foster carers. There are training courses offered free of charge, supported by EU Structural Funds.<sup>492</sup> In some cases the NGOs and church run organisations cover (the majority of) the costs of the training courses from their own resources, and the prospective foster parents have to contribute with an amount ranging from 15,000 (50 EUR) to 70,000 (approx. 230 EUR)<sup>493</sup>. Foster care training courses are advertised for 150,000- 200,000 HUF (approx. 500-700 EUR) including the exam fee.<sup>494</sup>

5. 6. Are foster homes monitored once children are placed therein? If so, provide information on the applicable legislative provisions. How frequently are they monitored, how and by whom?

<sup>490</sup> Hungary, 513/2013 Government decree on questions of the employment status of fosterparents 513/2013. (XII. 29.) Korm. rendelet a nevelőszülői foglalkoztatási jogviszony és a helyettes szülői jogviszony egyes kérdéseiről)

<sup>491</sup> Hungary, 513/2013 Government decree on questions of the employment status of fosterparents 513/2013. (XII. 29.) Korm. Rendelet a nevelőszülői foglalkoztatási jogviszony és a helyettes szülői jogviszony egyes kérdéseiről).

<sup>492</sup> Hungary, see at: <http://tamop5410.hu/hir/48>

<sup>493</sup> Hungary, see at: [www.feszekegyesulet.hu/sites/feszekegyesulet.abclap.hu/files/nevelo\\_szul/jelentk\\_menete.pdf](http://www.feszekegyesulet.hu/sites/feszekegyesulet.abclap.hu/files/nevelo_szul/jelentk_menete.pdf)

<sup>494</sup> Hungary, see at: [www.pkg.hu/kepzesek-2/pedagogiai-szakmak/252-neveloszulo?gclid=CLPanrf8274CFQrjwgod06oAnQ](http://www.pkg.hu/kepzesek-2/pedagogiai-szakmak/252-neveloszulo?gclid=CLPanrf8274CFQrjwgod06oAnQ)

Foster care supervisors, counsellors with the child protection guardian regularly visit the foster families. Child protection guardian supervises 30 children and has to visit them under 6 years in every 2 weeks above 6 years monthly. The Child protection guardian has to report to the guardian office in every 6 month. <sup>495</sup>Counsellors in principle should support foster parents with consultation. In practice there are no protocols, professional standards. It depends on the personality, readiness and knowledge, skills of the supervisor how effective the supervision is. An official placement review is carried out in every half year during the first 2 years of placement and after in every year. Foster care supervisors are employed by the foster care agencies, their qualification requirements are regulated by 15/1998 Decree of the Ministry of Public Welfare. <sup>496</sup> According to this decree the requirement is a degree in some type of "social" fields such as: pedagogy, psychology, mental health, theology; or a higher education degree as a health visitor, teacher of religion, completed with the track 'child and youth counsellor'. Their role is to provide support to the foster parents and at the same time supervise the well-being of children placed into foster families. The child protection guardians are also providing supervision to represent the best interest of the child.

In 2014, Act CXCII of 2012 on the state takeover of specialized social and child protection provider institutions and amendment of related acts (**2012. évi CXCII. törvény egyes szakosított szociális és gyermekvédelmi szakellátási intézmények állami átvételéről és egyes törvények módosításáról**) modified the previous regulations and introduced a new guardianship position – „child protection guardian” (*gyermekvédelmi gyám*) – was introduced <sup>497</sup> to supervise better placements of all kinds and withdrawing most of the decision making rights from foster parents, like choosing school, applying for a passport, and permitting travels, medical examination, intervention, etc. <sup>498</sup> Their task is supervising the foster parents, assess the health status of the child, his/her physical, emotional and moral development. The child protection guardians are supervised by the guardianship offices. <sup>499</sup>

Question	Yes	No	Comments
5. 7. Are foster families reimbursed for taking care of children? By	X		The central budget is providing a set amount of allowances for foster parents based on the number of children taken care by them. <b>It depends on the service provider and local means how much supplementary budget is allocated</b> , if any, so foster care payment is

<sup>495</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 84-85 available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV);

<sup>496</sup> Hungary, 15/1998 Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care (15/1998. (IV. 30.) NM rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről), Part II, Chapter II.1, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM).

<sup>497</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 11(2), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV); 331/2006. (XII. 23.) Governmental Decree on the roles and responsibilities in child protection and guardianship affairs and on the authority and jurisdiction of guardianship offices (331/2006. (XII. 23.) Korm. rendelet a gyermekvédelmi és gyámügyi feladat- és hatáskörök ellátásáról, valamint a gyámhatóság szervezetéről és illetékességéről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0600331.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0600331.KOR).

<sup>498</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) Article 11, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV); 331/2006. (XII. 23.) Governmental Decree on the roles and responsibilities in child protection and guardianship affairs and on the authority and jurisdiction of guardianship offices (331/2006. (XII. 23.) Korm. rendelet a gyermekvédelmi és gyámügyi feladat- és hatáskörök ellátásáról, valamint a gyámhatóság szervezetéről és illetékességéről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0600331.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0600331.KOR).

<sup>499</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) Article 11, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV); 331/2006. (XII. 23.) Governmental Decree on the roles and responsibilities in child protection and guardianship affairs and on the authority and jurisdiction of guardianship offices (331/2006. (XII. 23.) Korm. rendelet a gyermekvédelmi és gyámügyi feladat- és hatáskörök ellátásáról, valamint a gyámhatóság szervezetéről és illetékességéről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0600331.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0600331.KOR).



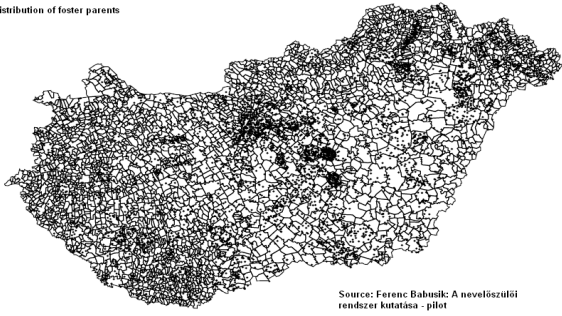
<p>whom?</p> <p>What is the applicable reimbursement rate?</p>		<p>set but there are other factors determining the sum. There are no special regulations on extra costs, e.g. glasses, extracurricular activities.<sup>500</sup></p> <p>From 01. 01. 2014 every foster parent is entitled to receive a basic allowance (<i>alapdíj</i>) which can not be less than the 30% of the minimum wage. Foster parents should receive this allowance on a monthly basis even if they do not provide care for any children during the given month. Besides the basic allowance foster parents receive additional allowances (<i>kiegészítő támogatás</i>), the amount depends on the number of children and their needs placed to the family. The additional allowance can not be less than 20% of the minimum wage per child and in addition the foster parent should get at least +5% of the minimum wage per every child with special or particular needs in her/his care.<sup>501</sup></p> <p>In 2013 the minimum allowance for a child/young adult was 15,000HUF/month (app. 50 EUR) and the minimum allowance paid to professional foster carers was 135,000 HUF/month (<b>app. 445 EUR</b>) equal as a teacher's average salary for example. The monthly care allowance was 34,200 HUF (~120 EUR) or 39,900 HUF (~140 EUR) if the child has particular needs or 42,750 HUF (~150 EUR) if the child has special needs. There is no allocation of money for specific costs, e.g. for special diet, therapy,</p> <p>Recent changes: A new special employment status was introduced for every foster parent (earlier 5,9% of them were employed as professional foster carers, other 30-40% have got other full time jobs, but app. 60% of foster carers had no employment, no pension, no insurance, etc.). <b>From 2014 the payment for foster parents is universally 30% of the minimum wage (~100 EUR), and they receive additional payment after every children in their care (20% or 25% of the minimum wage depending on the children's special needs).</b> This has led to a controversial situation, as everybody should be contracted based on the new scheme, however those, working, self-employed, on invalid or regular pension, etc. do not need or are not willing to be contracted on this basis. <b>On the other hand the amount paid is extremely low, it can reach the minimum wage in cases when foster parents are looking after of minimum 4 children.</b> This can easily lead to a contra-selection, mostly poor, desperate families applying and it is not serving the best interest of children in any way<sup>502</sup>.</p>
<p>5. 8. Are children placed in foster care homes geographically close to their biological families,</p>	<p>X</p>	<p><b>According to the legislation the distance between their care placement and the biological family should be less than 50 km<sup>503</sup>.</b></p> <p>There is no official information on whether this rule applies in practice in every case but there are problems in many instances, when children are</p>

<sup>500</sup> Hungary, personal interview for the purposes of the present report with Ágnes Tóth, NOFESZ, foster care trade union representative, conducted on the 26th of February, 2014.

<sup>501</sup> Hungary, 513/2013. (XII. 29.) Government Decree on the employment status of foster and substitute parents (513/2013. (XII. 29.) Korm. rendelet a nevelőszülői foglalkoztatási jogviszony és a helyettes szülői jogviszony egyes kérdéseiről), Article 4, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300513.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300513.KOR)

<sup>502</sup> Hungary, personal interview for the purposes of the present report with Ágnes Tóth, NOFESZ, foster care trade union representative, conducted on the 26th of February, 2014..

<sup>503</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) Article 96, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

<p>school, friends, and/or community?</p> <p>What is the geographical distribution of foster families / homes?</p>		<p>placed much farther, and there is no care option closer or it is not considered as desirable<sup>504</sup>.</p> <p>According to the research findings almost half of the foster parents reside in disadvantaged areas, in small settlements, in big cities it is very hard to find foster families or their housing conditions are not suitable.<sup>505)</sup></p> <p style="text-align: center;">Distribution of foster parents</p>  <p style="text-align: right; font-size: small;">Source: Ferenc Babusik: A nevelőszülői rendszer kutatása - pilot</p>
<p>5. 9. Is there a national registry of residential institutions for children?</p> <p>If yes, provide information regarding the existent number of residential institutions and their capacity (beds).</p>	X	<p>The National Office for Rehabilitation and Social Affairs (<i>Nemzeti Rehabilitációs és Szociális Hivatal</i>) maintain the database of child protection institutions with legal operating permits.</p> <p>537 institutions (children's homes, group homes)<sup>506</sup>.</p> <p>The information on capacity is not always included, data is not reliable.</p>
<p>5. 10. Are there accreditation and licensing procedures in place?</p> <p>If yes, provide information on the legislative framework, the responsible authority and procedure.</p>	X	<p>The county's Social and Guardianship Office (<i>Szociális és Gyámhivatal</i>) is the responsible authority.</p> <p>The National Office for Rehabilitation and Social Affairs (<i>Nemzeti Rehabilitációs és Szociális Hivatal</i>) maintain the database.</p> <p>The procedure is regulated by the following laws:</p> <ul style="list-style-type: none"> <li>• Child Protection Act;<sup>507</sup></li> <li>• 331/2006. (XII. 23.) Governmental Decree on the roles and responsibilities in child protection and guardianship affairs<sup>508</sup></li> <li>• 259/2002. (XII. 18.) Governmental Decree on the licencing of child welfare and child protection service provisions<sup>509</sup></li> </ul>

<sup>504</sup> Hungary, personal interview for the purposes of the present report with Ágnes Tóth, NOFESZ, foster care trade union representative, conducted on the 26th of February, 2014.

<sup>505</sup> Hungary, Babusik, F. (2009) A nevelőszülői rendszer kutatása – pilot. available at: [www.gyerekesely.hu/index.php?option=com\\_phocadownload&view=category&id=20%3Agyerekkel-kapcsolatos-hazai-szakmai-anyagok](http://www.gyerekesely.hu/index.php?option=com_phocadownload&view=category&id=20%3Agyerekkel-kapcsolatos-hazai-szakmai-anyagok)

<sup>506</sup> Hungary, see: <https://pubregiszter.nrszh.hu/LTeljesEngedelyesLista.aspx>

<sup>507</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) Article 52-53, 53/A, 57-59, 100 (2), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

<sup>508</sup> 331/2006. (XII. 23.) Governmental Decree on the roles and responsibilities in child protection and guardianship affairs and on the authority and jurisdiction of guardianship offices (331/2006. (XII. 23.) Korm. rendelet a gyermekvédelmi és gyámügyi feladat- és hatáskörök ellátásáról, valamint a gyámhatóság szervezetéről és illetékességéről), Article 13(b), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0600331.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0600331.KOR)

		<ul style="list-style-type: none"> <li>• 226/2006. (XI. 20.) Governmental Decree on the code system and national registry of social, child welfare and child protection service providers and institutions<sup>510</sup></li> <li>• 15/1998 Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services includes the detailed standards.<sup>511</sup></li> </ul> <p>The director of the residential facility should request the authorization and have to attach the necessary documentation. The Authority has to proceed within 30 days with assessing the documentation and eligibility. After the successful procedure, temporary (for 3 years) or permanent licence is issued. Requirements depend on the residential institution, but there are common elements regarding</p> <ul style="list-style-type: none"> <li>• the required qualification of the director and of the professional managers;</li> <li>• the legal situation;</li> <li>• the suitability of the property for the purpose of residential care,</li> <li>• the professional programme of the institution.<sup>512</sup></li> </ul> <p>The 15/1998 Decree of the Ministry of Public Welfare<sup>513</sup> regulates all providers in .Including church-funded and non-state institutions / providers, the procedure and criteria are quite similar. However church-funded and non-state providers have extra duties during the accreditation compared to other providers. According to 259/2002.(XII. 18.) Governmental Decree<sup>514</sup>: a contract of insurance on liability, a maintenance contract (<i>ellátási szerződés</i>), a zero public debt certificate of the institution should be provided; and in case of a church, a</p>
--	--	--

<sup>509</sup> Hungary, 259/2002. (XII. 18.) Governmental Decree on the licencing of child welfare and child protection service provisions, and on the entrepreneurship licence in the field of child welfare and childprotection (259/2002. (XII. 18.) Korm. rendelet a gyermekjóléti és gyermekvédelmi szolgáltató tevékenység engedélyezéséről, valamint a gyermekjóléti és gyermekvédelmi vállalkozói engedélyről), Article 3(2).

<sup>510</sup> Hungary, 226/2006. (XI. 20.) Governmental Decree on the code system and national registry of social, child welfare and child protection service providers and institutions, (226/2006. (XI. 20.) Korm. rendelet a szociális, gyermekjóléti és gyermekvédelmi szolgáltatók, intézmények ágazati azonosítójáról és országos nyilvántartásáról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0600226.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0600226.KOR).

<sup>511</sup> Hungary, 15/1998 Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care (15/1998. (IV. 30.) NM rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről), Articles 110, 124-126, 126/A., 127-129, Annexes 1, 2, 6, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM).

<sup>512</sup> Hungary, 259/2002. (XII. 18.) Governmental Decree on the licencing of child welfare and child protection service provisions, and on the entrepreneurship licence in the field of child welfare and childprotection (259/2002. (XII. 18.) Korm. rendelet a gyermekjóléti és gyermekvédelmi szolgáltató tevékenység engedélyezéséről, valamint a gyermekjóléti és gyermekvédelmi vállalkozói engedélyről), Article 4

<sup>513</sup> Hungary, 15/1998 Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care (15/1998. (IV. 30.) NM rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről), Article 1(3). available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM)

<sup>514</sup> Hungary, 259/2002.(XII. 18.)Governmental Decree on the licencing of child welfare and child protection service provisions, and on the entrepreneurship licence in the field of child welfare and childprotection (259/2002.(XII. 18.)Korm.rendelet a gyermekjóléti és gyermekvédelmi szolgáltató tevékenység engedélyezéséről, valamint a gyermekjóléti és gyermekvédelmi vállalkozói engedélyről), Article 3 (6). available at: [http://ohszk.hu/259\\_2002\\_\(XII\\_18\).pdf](http://ohszk.hu/259_2002_(XII_18).pdf).

		<p>certificate on the court registration as well.</p> <p>The regulation for church-funded and non-state foster care agencies is the same as by the church-funded and non-state care providers.</p>
<p>5. 11. Is there a legislative /regulatory framework regarding monitoring procedures of residential institutions? Briefly describe.</p>	X	<p>The Monitoring procedure is prescribed by the 369/2013. (X. 24.) Governmental Decree on the registration and monitoring procedures of child protection service providers, institutions and networks.(369/2013. (X. 24.) Korm. rendelet)a szociális, gyermekjóléti és gyermekvédelmi szolgáltatók, intézmények és hálózatok hatósági nyilvántartásáról és ellenőrzéséről)LÁBJEGYZETBE.</p> <p>The regular review is carried out in every year by the county's Social and Guardianship Office. In addition, (Nemzeti Rehabilitációs és Szociális Hivatal) the General Directorate of Social Affairs and Child Protection initiates and carries out the comprehensive monitoring at least in every 4 years in cooperation with experts from the National Child Protection Expert Register (Országos Gyermekvédelmi Szakértői Névjegyzék).</p> <p>They assess if the children's homes are operating in accordance with the legislation (personal and technical resources, number of children, size of the groups, care staff etc.) and the quality of services (food, clothing, health care educational, etc.). Furthermore, they examine the changes of placements and their explanations and if the child's preferences were taken into consideration during the decision making and they verify whether the biological families are encouraged to keep contact with their children or not.</p> <p>The monitoring includes: field visits, documentation and data monitoring, interviews<sup>515</sup>.</p>
<p>5. 12. Are there <b>national</b> applicable standards relating to the operational framework of such institutions (requirements or quality standards related to the personnel, the infrastructures, the living conditions and daily care of children)</p>	X	<p>The 15/1998 Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services includes the detailed standards.<sup>516</sup> The regulations of the decree govern all kind of providers, regardless if it is an NGO or a Church. For Children with special needs the law provides with the necessary support, and the institution has to provide special care<sup>517</sup></p> <p>Requirements set on the personnel, infrastructures, living conditions and daily care of children, depending on the type of institution it prescribes the minimum number of personnel. The legislation regulates the quality and quantity of the food served for children by age groups, the criteria regarding physical environment, the organised activities, etc.</p> <p>Requirements set on the personnel, infrastructures, living conditions and daily care of children. The basic standard rules for the various types of institutions cover the following areas: accommodation, nutrition, suitable</p>

<sup>515</sup>Hungary, personal interview for the purposes of the present report with Krisztina Gaspar, director of children's homes in Budapest, conducted on the 17th of March, 2014.

<sup>516</sup> Hungary, 15/1998 Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care (15/1998. (IV. 30.) NM rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről), Chapter 3, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM).

<sup>517</sup> Hungary, 15/1998 Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care (15/1998. (IV. 30.) NM rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről), Chapter 3, Article 81. available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM)

		care (taking into account the child's health, mental conditions, and age). If the child does not speak Hungarian, interpretation services should be provided for him/her. <sup>518</sup> These rules apply to all children and all institutions, regardless of the service provider (state, church or NGO). All other regulations depend on the type of institution.
--	--	--

5. 13. How is the residential care personnel recruited, vetted and trained?

The recruited personnel's profile should meet with the required qualifications, as prescribed by a ministerial decree.<sup>519</sup> Personnel in higher ranked positions should have an MA/university level degree in social sciences or other relevant fields, or they have to pass an official exam on social affairs issues, organized by the National Family and Socialpolitical Institution.<sup>520</sup>

In the cases of most of the positions, qualifications by the National Vocational Training Register (*Országos Képzési Jegyzék, OKJ*) are requested, but in certain positions (e.g. child protection counsellors, child protection guardians, tutors) relevant university or college degrees are requested.

There is no procedure for checking/reviewing the eligibility. The Commissioner for Fundamental Rights investigated a case in 2011, when a carer in one of the children's homes in Budapest took two girls with him to his own home regularly for nights and presumably sexually abused them. He could leave his position without any consequences and got employed by another children's home. Besides many other failures (e.g. the signalling system did not operate between the carers, the carer could take home the girls without anybody recognising it) the Ombudsman found that there is no mechanism for checking or reviewing of the eligibility of the staff members. A psychologist takes part in the job interviews but no other examinations are in place.<sup>521</sup> Proof of lack of criminal record is requested.

There is no formal requirement regarding the induction training for the staff, it varies place by place, mostly informal induction training is provided, depending on the local system, if any.

The in service training options varies, depending on the facility, geographical location, and local opportunities.

County	Personnel with required qualifications set by the legislation					Total	From which women
	Teacher	Social workers	other	with a secondary education degree	without a secondary education degree		
	personnel with tertiary education degree						
	Number						
Budapest	385	153	254	515	88	1 395	1 032

<sup>518</sup> Hungary, 15/1998 Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care (15/1998. (IV. 30.) NM rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről Article 75. available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM).

<sup>519</sup> Hungary, 15/1998 Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care (15/1998. (IV. 30.) NM rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről), Annex 2, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM).

<sup>520</sup> 9/2000(VIII.4.) Ministerial Decree on the vocal training of personal care givers and the official exam in social issues Article 2 (9/2000. (VIII. 4.) SzCsM rendelet

a személyes gondoskodást végző személyek továbbképzéséről és a szociális szakvizsgáról)

<sup>521</sup> Hungary, Commissioner for the Fundamental Rights (2011) Report No. AJB 316/2011, p.2., available in Hungarian at: [www.ajbh.hu/documents/10180/107993/201100316.rtf/2d89b1c8-4fd2-4e72-9452-523796fe7cce;jsessionid=69FE65D119EE51064B15A58CAE42ECD7?version=1.0](http://www.ajbh.hu/documents/10180/107993/201100316.rtf/2d89b1c8-4fd2-4e72-9452-523796fe7cce;jsessionid=69FE65D119EE51064B15A58CAE42ECD7?version=1.0).

Pest	82	12	42	86	42	263	216
<b>Central Hungary</b>	<b>467</b>	<b>165</b>	<b>296</b>	<b>601</b>	<b>130</b>	<b>1 658</b>	<b>1 248</b>
Fejér	77	12	30	87	59	265	216
Komárom-Esztergom	66	32	79	80	38	295	241
Veszprém	30	23	34	21	36	144	128
<b>Central Transdanubia</b>	<b>173</b>	<b>67</b>	<b>143</b>	<b>188</b>	<b>133</b>	<b>704</b>	<b>585</b>
Győr-Moson-Sopron	44	39	34	89	25	231	193
Vas	33	8	30	50	14	135	105
Zala	58	18	2	114	19	235	189
<b>Western Transdanubia</b>	<b>135</b>	<b>65</b>	<b>9</b>	<b>253</b>	<b>58</b>	<b>601</b>	<b>487</b>
Baranya	20	29	63	76	48	236	199
Somogy	94	17	59	142	44	357	238
Tolna	38	18	34	34	39	163	138
<b>Southern Transdanubia</b>	<b>152</b>	<b>64</b>	<b>156</b>	<b>252</b>	<b>131</b>	<b>756</b>	<b>575</b>
Borsod-Abaúj-Zemplén	148	20	28	197	38	431	253
Heves	47	11	12	61	35	166	131
Nógrád	30	13	12	43	21	119	103
<b>Northern Hungary</b>	<b>225</b>	<b>44</b>	<b>52</b>	<b>301</b>	<b>94</b>	<b>716</b>	<b>487</b>
Hajdú-Bihar	82	50	89	160	85	466	398
Jász-Nagykun-Szolnok	44	16	32	82	26	200	165
Szabolcs-Szatmár-Bereg	74	50	60	167	26	376	305
<b>Northern Great Plain</b>	<b>200</b>	<b>116</b>	<b>181</b>	<b>409</b>	<b>137</b>	<b>1 042</b>	<b>867</b>
Bács-Kiskun	76	5	51	41	34	207	145
Békés	21	2	4	58	3	88	73
Csongrád	48	7	55	50	9	169	137
<b>Southern Great Plain</b>	<b>145</b>	<b>14</b>	<b>110</b>	<b>149</b>	<b>46</b>	<b>464</b>	<b>355</b>
<b>Total</b>	<b>1 496</b>	<b>534</b>	<b>1 028</b>	<b>2 153</b>	<b>729</b>	<b>5 939</b>	<b>4 603</b>

Question	Yes	No	Comments
5. 14. Are children placed in alternative care allowed to lodge complaints against the personnel /foster parents and care workers and	X		According to research report from 2012, the number of complaints lodged by children are is very low <sup>522</sup> . <b>Child rights representatives are supposed to work in every county (there are 19 counties in Hungary) and in the capital city, Budapest.</b> <sup>523</sup> Their contact details are placed at a visible location in every children's home and they <b>have official visitation hours</b> in some

<sup>523</sup> Hungary, 214/2012. (VII. 30.) Governmental Decree on the National Center for Patients', Clients' and Children's Rights and Documentation (214/2012. (VII. 30.) Korm. rendelet az Országos Betegjogi, Ellátottjogi, Gyermekjogi és Dokumentációs Központtról), Articles 11-12, available at: <http://jab.complex.hu/doc.php?docid=WKHU-QJ-XML-00000A1200214KOR>.

<p>report abuse or violations of their rights?</p> <p>If yes: Briefly describe to whom and how.</p> <p>Are there independent, child-friendly procedures in place, which are accessible to children and ensure confidentiality and protection of the children lodging a complaint?</p>		<p>children's homes as well, where children can meet them and make complaints personally. 17 persons are employed nationally, that is very low number and they are facing many difficulties to ensure that children know about this opportunity and can use it properly. <b>On the other hand child rights representatives have very limited capacities (only 17 representatives work in the country<sup>524</sup>) and power the help and provide any type of remedy.<sup>525</sup> (Please see also IV. 5.15)</b></p> <p><b>Children could in principle submit their complaint confidentially to the director of the institute or to the county child protection agency<sup>526</sup></b>but it very seldom happens as the Eurochild found out in a research addressing the most vulnerable groups of children on their rights of participation).<sup>527</sup></p> <p>In addition, from the amendment of the Child Protection Act, came into force 1<sup>st</sup> of January 2014 a "child protection guardian" should be assigned for every child who lives in alternative care (in children's homes or with foster parents, when the parents' custody is withdrawn), whose responsibility is to ensure the rights of the child., and to help the child in making decisions, e.g. about further education.<sup>528</sup> Child protection guardians are not legal representatives of the child. (See above, in 5.6 also). Child protection guardians should regularly visit the children and they are supposed to be accessible by phone, email as well. A child protection guardian is a professional responsible for up to 30 children, whether they are in foster care or residential care, when the custodial rights of their parents are withdrawn.<sup>529</sup> The guardian should maintain regular contact with the children and be an active supporter in their lives. As this is a new provision, a specialised training program has been introduced and currently conducted to those in these positions<sup>530</sup>. The 150 long hours training course is organised by the National Institute of Family and Social Policy (<i>Nemzeti Család- és Szociálpolitikai Intézet</i>), in the framework of Social Renewal/ Renewal Operative Programme (Társadalom megújulás Program, TÁMOP), funded by the EU Structural Funds.</p>
---	--	--

<sup>524</sup> Hungary, see: [www.obdk.hu/gyermekjogi-kepviselok-elerhetosegei-2.html](http://www.obdk.hu/gyermekjogi-kepviselok-elerhetosegei-2.html)

<sup>525</sup> Hungary, personal interview for the purposes of the present report with Dr. Rita Herczeg, child protection representative in Budapest, conducted on the 7th of March, 2014.

<sup>526</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról*) Articles 35-37, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV);

331/2006. (XII. 23.) Governmental Decree on the roles and responsibilities in child protection and guardianship affairs and on the authority and jurisdiction of guardianship offices (*331/2006. (XII. 23.) Korm. rendelet a gyermekvédelmi és gyámügyi feladat- és hatáskörök ellátásáról, valamint a gyámhatóság szervezetéről és illetékességéről*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0600331.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0600331.KOR).

<sup>527</sup> Eurochild (2012): 'Speak Up! Giving a voice to European children in vulnerable situations' [www.eurochild.org/fileadmin/Projects/Speak%20Up/SpeakUpreportFINAL.pdf](http://www.eurochild.org/fileadmin/Projects/Speak%20Up/SpeakUpreportFINAL.pdf)

<sup>528</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról*) Article 11, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV); 331/2006. (XII. 23.) Governmental Decree on the roles and responsibilities in child protection and guardianship affairs and on the authority and jurisdiction of guardianship offices (*331/2006. (XII. 23.) Korm. rendelet a gyermekvédelmi és gyámügyi feladat- és hatáskörök ellátásáról, valamint a gyámhatóság szervezetéről és illetékességéről*),

<sup>529</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról*) Article, 84(6), as amended by the Act XXVII of 2013, Article 59, in force from January 1, 2014.

<sup>530</sup> Hungary, personal interview for the purposes of the present report Gábor Kuslits, Director of Budapest City Child Protection Agency, conducted on the 14th of March, 2014.

<p>5. 15. Are there legal provisions requiring the establishment of complaint procedures within alternative care institutions/facilities?</p> <p>If yes: How and by whom are children placed in alternative care informed about the available complaint mechanisms?</p>	X	<p>tThe Child Protection Act sets the establishment of complaint mechanism establishment of complaint mechanism is set by the Child Protection Act.<sup>531</sup> The Child and his/her child protection guardian can file complaint to the head of the institution and the complaint has to be investigated and conciliate with the institution's representative forum within 15 days. Also the ammedementamendment of this Act came into force on the 1<sup>st</sup> of January 2014 prescribes a special mechanism in case of detention of the child. The child or his/her childprotectionchild protection guardiananguardian can file a complaintcomplaint to the leader of the establishment, who has to transfer it to the competent Guardian office. Within 15 days the complain has to be investigated by the head of the institution.<sup>532</sup></p> <p>The children's homes personnel inform the children about their rights, obligations and complaint mechanism besides the child protection guardian of the child.</p>
<p>5. 16. Is there any assistance available to adolescents that leave alternative care institutions to live independently?</p> <p>Briefly describe who is responsible for such assistance?</p>	X	<p>According to the legislation, after the termination of short-term and long-term care, the guardianship office shall <b>order after-care at least for a period of one year, through which guardianship office shall promote the reintegration of the child or young adult into his or her family environment as well as the beginning of his or her individual life.</b><sup>533</sup>Every child is entitled to this assistance including (unaccompanied) migrant children.</p> <p>In practice there are some good examples but there is no system, standards, protocols and evaluation related to preparation and transition to adulthood.</p> <p>According to an academic report, "Young care leavers are getting financial and in-kind help, but are not prepared for living an independent life, having had hardly any chance to integrate and learn not to repeat parents' lives. The after care is paternalistic way of continuing the direct intervention and dependency-based care, both by providing care until age 24 in the former institutional settings or providing assistance for a year after leaving care. According to the limited research and knowledge on young people leaving care, it is clear that the care system is not preparing them for adulthood despite the lengthy periods many spend in care. Their level of education and social skill is very low,; their family ties weak if any. The secondary data available are not helpful in providing any reliable information about this."<sup>534</sup></p>

<sup>531</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) Articles 35-37, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV);

<sup>532</sup> Hungary, 331/2006. (XII. 23.) Governmental Decree on the roles and responsibilities in child protection and guardianship affairs and on the authority and jurisdiction of guardianship offices (331/2006. (XII. 23.) Korm. rendelet a gyermekvédelmi és gyámügyi feladat- és hatáskörök ellátásáról, valamint a gyámhatóság szervezetéről és illetékességéről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0600331.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0600331.KOR).

<sup>533</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) Article 53/A, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV);

331/2006. (XII. 23.) Governmental Decree on the roles and responsibilities in child protection and guardianship affairs and on the authority and jurisdiction of guardianship offices (331/2006. (XII. 23.) Korm. rendelet a gyermekvédelmi és gyámügyi feladat- és hatáskörök ellátásáról, valamint a gyámhatóság szervezetéről és illetékességéről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0600331.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0600331.KOR).

<sup>534</sup> Stein, M. and Munro, E.R. (ed.) (2008): Young people's transitions from care to adulthood, London, Jessica Kingsley Publishers, p. 88.



		Missing practices: preparation for independent living, involvement of young adults in decision making, insufficient information provision, provision of opportunities in further training and education, life skill development training, management of finances training, follow up services, peer support, preparation and support to the biological family. <sup>535</sup>
5. 17. What assistance is provided to families while the child is placed to alternative care in order to support the return of the child in the family? By whom? Who coordinates the assistance? Please briefly describe.		
<p>According to the legislation, families should be provided counselling and support services while their children are in care, to enhance the chances of family reunification. It is the obligation of the <b>local child welfare services</b>, and they should co-ordinate the activities and having contact with the social workers, experts at <b>child protection agencies</b>. The child welfare service's case worker should also be present or atleast asked when the placement review is taking place.<sup>536</sup>(5) The duty of child welfare services, in order to reunite the child to his or her family, is to</p> <p>a) provide family support - with the cooperation of the institute providing residential care or the regional child protection services - to establish or improve the conditions of upbringing of the child within the family, and re-establish the relationship between the parents and the child.</p> <p>b) provide after-care services- with the cooperation of the institute providing residential care or the regional child protection services -to re-integrate the child within his or her family.</p> <p>Individual care plan is developed for the child, family care plans are not developed but a cooperation agreement has to be signed. According to the Child Protection Act,<sup>537</sup> the child welfare services develop individual care plan for the child; the children's home, foster parent should provide provision to the children in accordance with the individual care plan and while the child is in public care, the caretaking agency, institution has implement the plan.</p> <p>According to the Child Protection Act)<sup>538</sup></p> <p>(4) During the implementation of the individual placement plan and the performance of duties, the caregiver, guardian (legal guardian) of the child as well as the parent of the child taken into short-term foster care shall cooperate with the local government. 5) The guardianship office shall, as a result of the annual review of taking the child in care, make a decision about maintaining or modifying the individual placement plan.</p> <p>See also: question 4. 3.)</p> <p>In practice most of the child welfare services do not have the capacity to support those families, whose children are not at home anymore as they have to focus on the most serious and urgent cases locally. The placements and foster care agencies also employ case workers to have an on-going contact with the biological families but as they are severely under-resourced, case-loads extremely high and geographically also challenges, this is not a</p>		

<sup>535</sup> Hungary, Rácz, A. (2012) (Gyermekvédelemben nevelkedettek társadalmi integrációs esélyei, Gyermek és Ifjúságvédelmi Tanulmányok), Debrecen, Rubeus Egyesület, available at: [oszk.oszk.hu/storage/00/00/50/14/dd/1/24426\\_gyermek\\_es\\_ifjusagvedelmi\\_tanulmanyok\\_elso\\_kotet.pdf](http://oszk.oszk.hu/storage/00/00/50/14/dd/1/24426_gyermek_es_ifjusagvedelmi_tanulmanyok_elso_kotet.pdf)

<sup>536</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) Articles 2, 6-7, 9, 12-13, 39 available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV);

<sup>537</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) Article 40, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>538</sup> Hungary, Act No. XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 82. available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

widespread activity, rather focusing on the most favourable cases, where families are having regular contact or there is a good chance for family reunification <sup>539</sup> .			
5. 18. Is any assistance provided to children and families upon return of the child in the family? Briefly describe. Who is responsible for such assistance?  Is there any monitoring and follow-up of the case?  Who is coordinating assistance and support?	X		<p>The social workers of the child welfare services provide family consultation before reintegration. The process should follow the advices of the guardianship office that included in the individual care plan of the child.</p> <p><b>The family carer of the child welfare services</b> facilitate the biological parents to maintain contact with their child during she/he is in alternative care and they help the families to ensure the needed resources in all means for the reintegration.<sup>540</sup></p> <p>In practice, biological families are often left out from the work, the child welfare services stop to work with them after the separation. No monitoring or follow-up available after reintegration. Before reunification in many instances there is not enough capacity to support properly families and the follow-up work, longer-term supervision, service provision is not possible due to the lack of resources and capacities. Many children are readmitted to the care system, as a consequence of not well-maintained procedures at all stages or as they do not get follow-up support<sup>541</sup>.</p> <p>According to the Child Protection Act<sup>542</sup>:</p> <p>(5) The duty of child welfare services, in order to reunite the child previously deprived of his or her family, is to a) provide family support - with the cooperation of the institute providing residential care or the regional child protection services - to establish or improve the conditions of upbringing the child within the family, and re-establish the relation between the parents and the child., b) provide after-care services - with the cooperation of the institute providing residential care or the regional child protection services - to re-integrate the child within his or her family.</p>
	X		Placement of children in public care has to be reviewed in every 6 month in the cases of children under the age of 3 and in all other cases every year following the placement, in order to assess the opportunities of family reunification or a stable, permanent long-term
5. 19. Are decisions of placement in alternative care reviewed? If yes,	.		

<sup>539</sup> Hungary, personal interview for the purposes of the present report with Magda Revesz, psychologist, director of FIOKA child welfare services ([www.onkentes.hu/szervezetek/fioka-gyermek-es-ifjusagjoleti-koezpont](http://www.onkentes.hu/szervezetek/fioka-gyermek-es-ifjusagjoleti-koezpont)), conducted on the 6th of March, 2014.

<sup>540</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Article 34, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>541</sup> Hungary, personal interview for the purposes of the present report with Magda Revesz, psychologist, director of FIOKA child welfare services ([www.onkentes.hu/szervezetek/fioka-gyermek-es-ifjusagjoleti-koezpont](http://www.onkentes.hu/szervezetek/fioka-gyermek-es-ifjusagjoleti-koezpont)), conducted on the 6th of March, 2014.

<sup>542</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról*) Article 39, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<p>provide the applicable legislative provisions. How frequently is this done? By whom? Are the children's views taken into consideration?</p>			<p>placement of children in alternative care, or preferably adoption, if necessary - according to the Child Protection Act.<sup>543</sup> The placement decision should be reviewed by the Guardianship office in the half year after during the 20 years of the placement in alternative care and it examines the said this in every year according to the provisions of Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) the Regional Child Protection Methodological Services to determine whether there is a realistic possibility for adoption; if so, the office initiates the adoption eligibility review.</p> <p>Please provide the answer.</p> <p>Include reference to the legal provisions and precise information on the procedure/ structures and their roles)</p>
			<p>NOTE:</p> <p>This question on challenges and gaps, which is listed under each section/thematic area addressed, by mistake and carelessness was omitted in the version of the guidelines send to FRANET.</p> <p>FRA would appreciate if you could be so kind and address this question on challenges gaps etcetc. in relation to alternative care.</p>

<sup>543</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról), Article 80/A, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

**What are the main challenges encountered and gaps at the policy and legislative level in relation to alternative care? Please consider available studies reports at national levels conducted by public or private institutions, child protection organizations, civil society, human rights institutions, academic community and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.**

Excerpts from the latest concluding observations of the United Nations Committee on the Rights of the Child<sup>544</sup>:

„30. The Committee is concerned about the high rate of children placed in alternative care, often for financial reasons, many of them for a long period of time, including very young children and children with disabilities. It notes with regret that about half of these children are not in foster families but in institutions. The Committee is particularly worried about the considerable overrepresentation of Roma children among children in institutions. The Committee is also very concerned that not enough efforts are made to return children to their families as soon as possible.

31. The Committee is concerned by reports about the extremely low quality of many institutions and by the fact that children previously in state care subsequently are overrepresented among the homeless.

32. The Committee recommends that the State party provide adequate family support in order to prevent separation and promote family based assistance in foster care as a form of alternative care. The Committee furthermore suggests that institutionalization be used only as a measure of last resort, taking into account the best interests of the child. In this regard the State party should provide maximum support possible for the work of child representatives and child protection officers with a view to prevent and reduce placements in institutions. The Committee recommends that the State party ensure proper resource allocation, functioning and monitoring of the care institutions and foster care as well as a periodic review of placement in conformity with article 25 of the Convention.

33. The Committee recommends that the State party undertake further preventive efforts to address root causes of poverty and to avoid that poor socio-economic conditions result in the separation of children from their parents. During placement in institutions, children should be assisted in maintaining contact with their families with a view towards achieving reintegration. The quality of institutions needs to be improved, staff should be offered additional training, psychosocial assistance should be provided for the children and the education provided should seek to prepare children for an independent life in adulthood. The children affected should be directly consulted throughout the period of institutional placement.”

*Deinstitutionalization*

<sup>544</sup> UN Committee on the Rights of the Child, Concluding Observations: Hungary, CRC/C/HUN/CO/2 (27 January 2006), p. 7, available at: [www2.ohchr.org/english/bodies/crc/docs/co/CRC\\_C\\_HUN\\_CO\\_2.pdf](http://www2.ohchr.org/english/bodies/crc/docs/co/CRC_C_HUN_CO_2.pdf)

	<p>According to the new modification of the Child Protection Act<sup>545</sup> no child should be placed under age 12 to institutions (children's homes, group homes) from 01. 01. 2014. However there are three exceptions, in case of disability, long-term illness and for sibling groups, and there is no provision in the new legislation on closing of any institutions.</p> <p>Only 62% of children between 0-12 years of age who entered the child protection care system in 2013 were placed in foster families during their temporary care period, although among those, taken into long-term out of home care this ratio was 79%.<sup>546</sup></p> <p>54% of siblings that were taken into care have been placed into foster families together in 2013.</p> <p><i>Foster parents:</i></p> <p>„The lack of foster parents accommodating children with special needs is a big problem. The fact that foster parents get no training on how to welcome and care for children in temporary protection, how to prepare children for adoption, or how to handle children with complex behavioural problems (prostitution, criminalisation, serious problems of self-assessment, trauma) violates children's right to quality care.”<sup>547</sup></p> <p><i>Children with special needs in children's homes:</i></p> <p>„The specialised homes [Specialised homes provide care for children with socialisation, behavioural problems, children with substance abuse problems and children with severe psychotic or neurotic symptoms<sup>548</sup>] managed by the Ministry of Human Resources are closed institutions where children deemed by experts as highly problematic and older than 12 (or in special cases 10) years of age can be placed for not more than 2 years. In practice there are children who spend longer time in these institutions and</p>
--	---

<sup>545</sup> Hungary, Act XXXI of 1997, on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>546</sup> Hungary, Directorate General of Social Affairs and Child Protection (2014), Letter No. I-9195-1/2014 (dated 30 May 2014); in response to an information request for the purposes of the present report by the Hungarian Helsinki Committee (dated 16 May 2014).

<sup>547</sup> Hungary, Family, Child, Youth Association (*Család, Gyermek, Ifjúság Egyesület*) (2013), Alternative – NGO – report on the implementation of the UN CRC in Hungary 2006-2012, Budapest, p. 32. available at: [www.csagy.hu/en/researches-projects/topical/crc-alternative-report/item/761-alternative-ngo-report](http://www.csagy.hu/en/researches-projects/topical/crc-alternative-report/item/761-alternative-ngo-report)

<sup>548</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Article 53, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

			<p>return to the "normal" residential facilities without being provided with therapeutic care or programs."<sup>549</sup></p> <p>Children with particular needs in alternative care do not get the needed help due to lack of care capacities, as the Commissioner for Fundamental Right stated found in a 2010 report<sup>550</sup>.</p> <p><i>Review</i></p> <p>„The decision to place children in alternative care should be based upon an assessment and a placement meeting to ensure that the most appropriate care and support is provided. However, due to lack of resources, decisions to remove children from their families are rarely based on an accurate assessment of needs. Children are usually placed in the most convenient vacant placements, rather than those in line with their needs."<sup>551</sup></p>
Question	Yes	No	Comments
5. 20. Is there a legal framework regarding adoption? Briefly describe the core elements and responsible authorities. Is private adoption permitted in your country?			<p>Key regulation are provisions are set found in Civil Code:<sup>552</sup> adoption is based on the consent of the parent, or legal guardian and the adoptive parents.</p> <p>The Act prescribes the eligibility conditions of the future adoptive parents, as age- cannot be younger than 25 year old, the age difference between child and parent must be minimum 16 years, maximum 45. Single persons can also adopt. The prospective adoptive parent has to be examined by a psychologist and a physician to determine if his or her mental and physical condition will make him / her able to take care of the child (e.g. he / she is not having mental or physical disability that constraints him/her in taking care of the child, is not an alcohol / drug addict, is not suffering from severe psychosis, or any other condition that prevents him/her of taking care or endangers the child's development).</p> <p>Persons whose child custody rights are ceased by a</p>

<sup>549</sup> Forrás: Hungary, Family, Child, Youth Association (*Család, Gyermek, Ifjúság Egyesület*) (2013), Alternative – NGO – report on the implementation of the UN CRC in Hungary 2006-2012, Budapest, p. 34. available at: [www.csagyi.hu/en/researches-projects/topical/crc-alternative-report/item/761-alternative-ngo-report](http://www.csagyi.hu/en/researches-projects/topical/crc-alternative-report/item/761-alternative-ngo-report)

<sup>550</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB-6163/2010, available in Hungarian at: [www.ajbh.hu/documents/10180/105926/201006163.rtf/01c6a2f4-c712-425d-a9ee-4504fc7dea7c?sessionid=4375CD96752C6984C9167F0F9409A4B0?version=1.0](http://www.ajbh.hu/documents/10180/105926/201006163.rtf/01c6a2f4-c712-425d-a9ee-4504fc7dea7c?sessionid=4375CD96752C6984C9167F0F9409A4B0?version=1.0).

<sup>551</sup> SOS Children's Villages International (2013): A snapshot of alternative care arrangements in Hungary, Based on SOS Children's Villages' assessment of a state's implementation of the UN Guidelines for the Alternative Care of Children, p. 6, available at: [www.sos-childrensvillages.org/getmedia/52cf3be7-2e8b-4004-a93c-e8bda34338d2/HUNGARY-FINAL-to-upload.pdf](http://www.sos-childrensvillages.org/getmedia/52cf3be7-2e8b-4004-a93c-e8bda34338d2/HUNGARY-FINAL-to-upload.pdf)

<sup>552</sup> Hungary, Act V of 2013 on Civil Code (*2013.évi V. törvény a Polgári Törvénykönyvről*), Article 119-145.

		<p>court decision are not eligible to adopt.</p> <p>The financial background and housing conditions of the prospective adoptive parents are also examined.<sup>553</sup></p> <p>The child's eligibility for adoption is determined by the guardian's office. The Act on Child Protection includes the following conditions:<sup>554</sup></p> <ul style="list-style-type: none"> <li>- if the parents (or both parents') child custody right is ceased by the court;</li> <li>- if the parent (or both parents) have died;</li> <li>- if the parents are unknown;</li> <li>- if the parent have made a consenting statement without knowing the identity of the prospective adoptive parent, and the child is older than six weeks;</li> <li>- if the parent has consented to the child's adoption by a person whose identity is known</li> <li>- if the decision of the court on the child's eligibility for adoption has come into force.</li> </ul> <p>Single persons can also adopt, although married couples have an advantage as adoption is a family-substitute institution (<i>családpótló intézmény</i>). The Civil Code states that once a single person has adopted a child, the adopter's (later) partner cannot adopt him/her as well, even not in the civil union of registered partners. Therefore same-sex couples cannot adopt children in Hungary as they cannot get married.</p> <p><b>According to the Civil Code</b><sup>555</sup> parental consent is not needed for the adoption of the child</p> <ul style="list-style-type: none"> <li>• If the parent's custody rights have been terminated by a binding court decision</li> <li>• <i>if the parent's</i> legal capacity is revoked due to other reason than age</li> <li>• <i>if the parents</i> is unknown or cannot be located and the efforts in finding the person were unsuccessful</li> <li>• <i>if the parent leaves the child</i> in a hospital's designated area, without returning within six</li> </ul>
--	--	---

<sup>553</sup> Hungary, the Government's informatory on adoption, available at: [www.kormany.hu/hu/gyik/tajekoztato-az-orokbefogadas-felteteleirrol](http://www.kormany.hu/hu/gyik/tajekoztato-az-orokbefogadas-felteteleirrol).

<sup>554</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról*) Article 79(7), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>555</sup> Hungary, Act V of 2013. on the Civil Code (*2013. évi V. törvény a Polgári Törvénykönyvről*), Article 4:127, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300005.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300005.TV).

			<p>weeks</p> <p><i>Timeline:</i></p> <p>Firstly, the child protection services contact the candidate within 15 days of application about the procedure and the date of their aptitude test (physical, psychological, environmental studies). Within 60 days after the application the child protection service notifies the candidate of the result of the examinations. If the candidate does not qualify, he/she cannot apply again within a year. If the candidate is considered to be eligible, the eligibility assessment is valid for 2 years and can be prolonged with one more year.<sup>556</sup></p> <p>The usual time from application to adoption is 3-5 years.</p> <p>The Child Protection Act also sets up the rules of the training and preparation of prospective adoptive parents, and the rules of open and secret adoptions.</p> <ul style="list-style-type: none"> <li>• The central authority is the guardianship office that authorizes and supervises adoption.</li> <li>• The ChildProtection Act and the In the The Act XXXI of 1997 on the protection of children and the administration of guardianship affairsChild Protection Act<sup>557</sup> (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) in article 62-66 and In the 149/1997 (IX. 10.) Governmental Decree on the guardianship offices and on the proceedings of child protection and guardianship cases (149/1997. (IX. 10.) Korm. Rendelet a gyámhatóságokról, valamint a gyermekvédelmi és gyámügyi eljárásról), sets up the detailed proceduraleeng rules of adoption.<sup>558</sup></li> </ul> <p>The key actors are the local child protection services, by:</p> <ul style="list-style-type: none"> <li>• preparing prepare the adoption procedure after the admittinmg decision of the guardianship office</li> </ul>
--	--	--	---

<sup>556</sup> Hungary, 149/1997. (IX. 10.) Governmental Decree on the guardianship offices and on the proceedings of child protection and guardianship cases (149/1997. (IX. 10.) Korm. Rendelet a gyámhatóságokról, valamint a gyermekvédelmi és gyámügyi eljárásról), Article 36 to 64, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700149.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700149.KOR)

<sup>559</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) Article 62, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)<sup>560</sup> Act V of 2013. on the Civil Code (2013. évi V. törvény a Polgári Törvénykönyvről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300005.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300005.TV)

<sup>559</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) Article 62, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)<sup>560</sup> Act V of 2013. on the Civil Code (2013. évi V. törvény a Polgári Törvénykönyvről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300005.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300005.TV)

Author	
Deleted:	<input type="text" value="... [1]"/>
Author	
Deleted:	<input type="text" value=""/>
Author	
Deleted:	<input type="text" value=""/>



			<ul style="list-style-type: none"> <li>• they keeping records of the cases and the children for adoption</li> <li>• and also the follow-up.<sup>559</sup></li> </ul> <p>Private adoption is not permitted, the new Civil Code changed the provisions on open adoption, it can be concluded only if the local childprotection services or an eligible adoption facilitating organizationNGO is involved, cannot be concluded directly between the Parties. 560</p>
Question	Yes	No	Comments
5. 21. Are all adoption cases recorded in single files and do they feed into a national data base?	X		<p>The county-level child protection agencies and the Guardianship offices collect the data and there is a data bank in the Ministry of Human Resources, Department of Child Protection and Gurardianship, National Databank on Adoption in compliance with the Hague Convention on inter-country adoption.<sup>561</sup></p> <p>Only to the adoption facilitating organizations have access to the files (in case the guardianship office allows access in its decision, in order to facilitate the adoption of a child)r the prospective adoptive parents with regards to the child they intend to adopt (if written agreement was concluded).<sup>562</sup></p> <p>Children can have access to he files from the age of 14.<sup>563</sup></p>
5. 22. Are there pre- and post-adoption services, training and preparation of families and children available?	X		<p>The county <b>child protection agencies and organisations</b> are responsible for the mandatory training of adoptive parents, a minimum of 21 hours. The course includes modules on legal issues, child development, parenting skills, psychological support, etc. Child protection agencies are responsible for</p>

<sup>559</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) Article 62, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)<sup>560</sup> Act V of 2013. on the Civil Code (2013. évi V. törvény a Polgári Törvénykönyvről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300005.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300005.TV)

<sup>560</sup> Act V of 2013. on the Civil Code (2013. évi V. törvény a Polgári Törvénykönyvről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300005.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300005.TV)

<sup>561</sup> Hungary, 235/1997 Government decree on the personal data process of the guardianship offices, local child protection services, child welfare providers and personal care givers (235/1997. (XII. 17.) Korm. Rendelet a gyámhatóságok, a területi gyermekvédelmi szakszolgálatok, a gyermekjóléti szolgálatok és a személyes gondoskodást nyújtó szervek és személyek által kezelt személyes adatokról), article 9.A, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700235.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700235.KOR)

<sup>562</sup> Hungary, 235/1997 Government decree on the personal data processing of guardianship offices, local child protection services and personal care givers Article A,B,C,D (235/1997. (XII. 17.) Korm. rendelet a gyámhatóságok, a területi gyermekvédelmi szakszolgálatok, a gyermekjóléti szolgálatok és a személyes gondoskodást nyújtó szervek és személyek által kezelt személyes adatokról) available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700235.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700235.KOR)

<sup>563</sup> Hungary, Act V of 2013 on the Civil Code (2013. évi V. törvény a Polgári Törvénykönyvről), 4:135, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300005.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300005.TV)

Author

Deleted: .

		<p>monitoring, the Human Resources Ministry coordinates the system.<sup>564</sup></p> <p>The post adoptive services have not been regulated so far, in the new legislation (Act V of 2013. Book No. 4, Chapter XII., 4:131. §) (<i>Polgári Törvénykönyv</i>),<sup>565</sup> it is guaranteed just like the follow up services for adoptive parents.</p> <p>According to information provided by a childprotection expert, in many cases crises is occurring due to the lack of support provided to children and adoptive parents.<sup>566</sup></p> <p>Until now there was no monitoring and follow-up in adoption cases. Tasks related to follow-up regarding adoption are listed in the Child Protection Act:<sup>567</sup></p> <ul style="list-style-type: none"> <li>• the regional child protection methodological service, following the decision of the guardianship office, monitors the adoption in the following 5 years maximum from when the decision came into force,</li> <li>• the first review should be scheduled after 2 months after the legal adoption, then – unless the adoptive parents were not relatives of the adopted child – in every year</li> <li>• the service monitors the integration of the adopted child into the new environment, and can provide personal counselling on the upbringing of the child in the adoptive family.</li> <li>• the service has to report to the guardianship office that permitted the adoption.</li> <li>• the regional child protection methodological service can organize workshops / club events for adoptive parents.</li> </ul> <p>In the legislation both pre- and post- adoption counselling services are provided.<sup>568</sup> article 62. (3) a) of Act XXXI of 1997 on the protection of children and the administration of Guardianship. Also see comment 397.</p>
--	--	---

<sup>564</sup> Hungary, 29/2003. (V. 20.) Decree of the Ministry of Health, Social Affairs and Family on foster parents, family daycare operators vocational training's requirements and examines and the adoptive parents preadoption counseling and preparational training (29/2003. (V. 20.) ESzCsM rendelet a helyettes szülők, a nevelőszülők, a családi napközit működtetők képzésének szakmai és vizsgakövetelményeiről, valamint az örökbefogadás előtti tanácsadásról és felkészítő tanfolyamról) Article 13, 14, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0300029.ESC](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0300029.ESC)

<sup>565</sup> Hungary, Act V of 2013. on the Civil Code (2013. évi V. törvény a Polgári Törvénykönyvről), Article 4:131, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300005.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300005.TV).

<sup>566</sup> Hungary, personal interview for the purposes of the present report with Dr. Anna Bárti, psychologist, Vadaskert Child Psychiatric Hospital, conducted on the 5th of March, 2014.

<sup>567</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) Article 62/C, 62/D, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>568</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) Article 62 (30) a), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<p>5. 23. Is there a regulatory framework on inter-country adoption?</p> <p>If yes, please provide the main elements of the framework, for example, are do the same procedures as for domestic adoptions apply? How are inter-country adoptions monitored? Is the country party to the Hague convention on inter-country adoption of 1993?</p>	X	<p>The Hague Adoption Convention was promulgated by Act LXXX of 2005.<sup>569</sup></p> <p>Only those children can be adopted internationally whose chances for national adoption is not possible and it has to be documented in the Adoption Databank, maintained by the Ministry of Human Resources. Children older than 8 years of age and children with disabilities, severe illnesses are considered to be available for international.</p> <p>Adoptive parents from abroad are not allowed to contact directly the Hungarian authorities, child protection agencies but their accredited national organization can represent them during the official procedure. These organizations are conducting the environment home study, assessment of the family and send it to Hungary, to the Adoption Databank, maintained by the Ministry of Human Resources, Child Protection and Guardianship. In the Adoption Databank applications are registered and forward it to the county guardianship authorities, once the planned adoption is on its way.</p> <p>Before the actual adoption, prospective adoptive parents have to stay in Hungary for around for 40-45 days in order to ensure the process and to get to know the children and take care of them in a supervised manner (at least for 1 month). This only applies to international adoption.</p> <p>After 2 months and 1 year following the adoption, the foreign agency has to send a report to the Hungarian authorities on the well-being and integration of the child<sup>570</sup>.</p> <p>From Hungary citizens from the following countries adopt children: USA, France, Netherlands, Norway, Italy, Spain, Sweden.<sup>571</sup></p> <p>According to the Act LXXX of 2005,<sup>572</sup> every country has to accredit the agencies facilitating the procedure in Hungary through the Central Authority. The Central</p>
--	---	--

<sup>569</sup> Hungary, Act LXXX of 2005 on the promulgation of the Hague Convention on protection of children and co-operation in respect of intercountry adoption (2005. évi LXXX. Törvény a gyermekeknek a nemzetközi örökbefogadások terén való védelméről és az ilyen ügyekben történő együttműködésről szóló, Hágában, 1993. május 29. napján kelt Egyezmény kihirdetéséről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0500080.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0500080.TV)

<sup>570</sup> Hungary, Ministry of Human Resources, Department of Child Protection and Guardianship Issues (*Emberi Erőforrások Minisztériuma, Gyermekvédelmi és Gyámügyi Főosztály*) (2013) Tájékoztató az örökbefogadás feltételeiről, available at [www.kormany.hu/hu/gyik/tajekoztato-az-orokbefogadas-felteteleirrol](http://www.kormany.hu/hu/gyik/tajekoztato-az-orokbefogadas-felteteleirrol).

<sup>571</sup> Hungary, Ministry of Human Resources, Department of Child Protection and Guardianship Issues (*Emberi Erőforrások Minisztériuma, Gyermekvédelmi és Gyámügyi Főosztály*) (2013) Tájékoztató az örökbefogadás feltételeiről, available at [www.kormany.hu/hu/gyik/tajekoztato-az-orokbefogadas-felteteleirrol](http://www.kormany.hu/hu/gyik/tajekoztato-az-orokbefogadas-felteteleirrol).

<sup>572</sup> Hungary, Act LXXX of 2005 on the promulgation of the Hague Convention on protection of children and co-operation in respect of intercountry adoption (2005. évi LXXX. Törvény a gyermekeknek a nemzetközi örökbefogadások terén való védelméről és az ilyen ügyekben történő együttműködésről szóló, Hágában, 1993. május 29. napján kelt Egyezmény kihirdetéséről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0500080.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0500080.TV)

		<p>Authority does not have direct contact with the prospective adoptive parents only through the agencies.</p> <p>The presence of the agencies are essential to support and facilitate the transition period, when the adoptive parents are spending time in Hungary to meet and learn each other with the child to be adopted.</p> <p>Between 2008-11 the Central Authority limited the number of children to 15 per country even over 8 years of age. Under the age of 8 years only children with disabilities or with severe behavioral problems could be adopted, or in case of a group of more than 3 siblings. Since mid-2012, t healthy children between 5 and 7 years of age are also eligible for inter-country adoption.</p> <p>The prospective adoptive parents should spend a minimum of 1 month with the child in an apartment/house in Hungary (the accomodation costs are to covered by the prospective adoptive parents), wher child protection professionals of the agency can observe the conditions and provide with support if needed. Prospective adoptive parents can apply for the adoption only after 1 month period of co-habitation with the child.</p> <p>26 months later a follow-up report should be sent by the mediating agency to the Central Authority.<sup>573</sup></p>
--	--	--

5. 24. What are the main challenges encountered and gaps at the policy and legislative level in relation to adoption? Please consider available studies reports at national levels conducted by public or private institutions, child protection organizations, civil society, human rights institutions, academic community and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.

No comprehensive public reports are available on any aspect of adoption. Open adoptions are rare in comparison with secret adoptions which practice questioned by professionals. One of the reasons is the legal provision only allowing open adoption in case NGOs accredited to facilitate adoptions are involved. In case the County Child Protection Agencies are managing the preparation and adoption only secret adoption is legally possible.<sup>574</sup>

According to the new Civil Code, children found public newborn incubators (available in front of several public hospitals) can be adopted without the written consent of the parent, only 6 weeks waiting period has to be applied.<sup>575</sup>

The practice of „baby boxes”, documented and discussed in the recent research on „Child Abandonment and its Prevention in Europe”,<sup>576</sup> was already criticised by the UN CRC Committee in it sconclusion observation regarding the Czech Republic: „49. The Committee is seriously concerned about the State party’s so-called ‘Baby Box’ programme, which is in violation of, inter alia, articles 6, 7, 8, 9 and 19 of the Convention. 50. The Committee strongly urges the State party to undertake all measures necessary to end the “Baby Box” programme as soon as possible and expeditiously strengthen and promote alternatives, taking into full account the duty to fully comply with all provisions of the Convention. Furthermore, the Committee urges the State party to increase its efforts to address

<sup>573</sup> Hungary, see at: [www.kormany.hu/download/6/0e/c0000/Tájékoztató%20az%20örökbefogadás%20feltételeiről.docx](http://www.kormany.hu/download/6/0e/c0000/Tájékoztató%20az%20örökbefogadás%20feltételeiről.docx)

<sup>574</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) Article 62. § (1)-(4) and 69/A. § (1) o

<sup>575</sup> Hungary, Act V. Of 2013 on Civil Code (2013. évi törvény a polgári törvénykönyvről) Article 4:127.e,

<sup>576</sup> See at: [www.crin.org/docs/MANUAL%20OF%20GOOD%20PRACTICE.pdf](http://www.crin.org/docs/MANUAL%20OF%20GOOD%20PRACTICE.pdf)

the root causes which lead to the abandonment of infants, including the provision of family planning as well as adequate counseling and social support for unplanned pregnancies and the prevention of risk pregnancies.<sup>577</sup>

**Views of parents who wait for adoption – 2011/578**

Child's age between	Health condition of the child	Willingness for adoption of prospective adoptive parents
0-3	Completely healthy	443
0-3	Has minor health problems	367
3-6	Completely healthy	133
3-6	Has minor health problems	109
6-10	Completely healthy	19
6-10	Has minor health problems	9
10-18	Completely healthy	5
10-18	Has minor health problems	1

An NGO research<sup>579</sup> “indicates that Roma children are less likely to be adopted than non-Roma children”. In Hungary adoptive parents can declare the characteristics of children they want to adopt and can request or refuse to adopt Roma, disabled, sick or older children.

Data is not available on the average duration of waiting of the parents.<sup>580</sup>

<sup>577</sup> UN CRC Committee, Concluding Observations for the Czech Republic [www.crin.org/resources/infodetail.asp?id=25257](http://www.crin.org/resources/infodetail.asp?id=25257)

<sup>578</sup> Hungary, Source: presentation of Zoltán Dudás, former Division Director of the Department for Child Protection, Social Affairs and Labour Ministry; presented at the professional meeting „The Family Protection Services and the importance of cooperation between the family protection services and the other professionals working in the field of foetus protection and family protection („A Családvédelmi Szolgálat és a magzatvédelemben, családvédelemben érintett társszakmák együttműködésének fontossága”), on the 17th of May, 2012, Budapest, on the premises of the Office of the Chief Medical Officer of State (*Országos Tisztifőorvosi Hivatal*)

<sup>579</sup> European Roma Rights Centre (2007) Dis-Interest of the Child: Romani Children in the Hungarian Child Protection System, p. 17, available at: [www.rrrc.org/cms/upload/media/02/8F/m0000028F.pdf](http://www.rrrc.org/cms/upload/media/02/8F/m0000028F.pdf)

<sup>580</sup> Hungary, personal interview for the purposes of the present report with Zsuzsa Bogár, Ágacska Foundation ([www.agacska.hu](http://www.agacska.hu)), conducted on the 28<sup>th</sup> of February, 2014.

## V. Accountability

1. Are there accountability mechanisms in place regarding the functioning of the child protection system?

Is there any independent monitoring or reporting mechanisms on the performance of the child protection system?

What is the role of child's ombudspersons, child commissioners or other independent national human rights institutions in monitoring child protection?

The Public Welfare Ministry Decree 15/1998 (IV. 30)<sup>581</sup> sets the operational and legal frameworks and tasks of child welfare and child protection services.

The Directorate of Social Affairs and Child Protection as a professional body is licencing and monitoring the services and takes part in the authority monitoring regularly; also it gives expert reports if asked to. As the maintainer of certain institutions the Directorate collects and inspects data on finances and spending, and forwards the data to the Ministry of Human Resources (in accordance with the needs for data). It also collects, analyses and publicizes data and proposals on the service providers and on the provision system.

The legal obligation for data collection is set in 288/2009 (XII. 15.) Government Decree on the National Statistical Data Collection Programme<sup>582</sup>. According to this decree, data is kept and processed at the Central Statistical Office (*Központi Statisztikai Hivatal, KSH*).

Government Decree of 331/2006. (XII. 23.)<sup>583</sup> Article 13-14 applies to the local / sub-regional social- and guardian's office that monitor the local child protection authorities in regular intervals. According to Article 20 of the same regulation, the Minister has the legal obligation to monitor the local / sub-regional social- and guardian's offices.

Accountability mechanisms are also given in the Child Protection Act<sup>584</sup>. If an authority/ body/ care provider fails to act, it would be investigated. In case of administrative failure it would be obliged to pay administrative fine according to §100/A; in case of failure of a professional it would also be a disciplinary action. In the signalling system if a professional misses to take a signal in case of child neglect, abuse or maltreatment, the professional has to face a disciplinary action according to the same law.

The Office of Commissioner for Fundamental Rights (Ombudsman) is the only independent monitoring / reporting body; the Commissioner conducts inquiries on individual cases and conducts general investigations on certain topics, including often on child protection related matters. It can only make recommendations and these are not binding. The Ombudsman's Office runs a child rights homepage) that has a child friendly version and children can also submit their opinion, complaints.

<sup>581</sup> Hungary, 15/1998 (IV. 30) Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care (15/1998. (IV. 30.) NM rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM)

<sup>582</sup> Hungary, 288/2009 (XII.15.) Government Decree on the National Statistical Data Collection Programme (288/2009 (XII. 15.) Korm. Rendelet az Országos Statisztikai Adatgyűjtési Program adatgyűjtéséről és adatátvételeiről), available at: [www.complex.hu/jr/gen/hjegy\\_doc.cgi?docid=A0900288.KOR](http://www.complex.hu/jr/gen/hjegy_doc.cgi?docid=A0900288.KOR).

<sup>583</sup> Hungary, 331/2006.(XII.23.) Governmental Decree on the roles and responsibilities in child protection and guardianship affairs and on the authority and jurisdiction of guardianship offices (331/2006 (XII. 23) Korm. Rendelet a gyermekvédelmi és gyámügyi feladat- és hatáskörök ellátásáról, valamint a gyámhatóság szervezetéről és illetékességéről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0600331.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0600331.KOR)

<sup>584</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) Article 11, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)

The state-provided National Centre for Patients', Clients' and Children's Rights and Documentation (*Országos Betegjogi, Ellátottjogi, Gyermekjogi és Dokumentációs Központ*) is a possibility for legal remedy for children in care or minor patients.<sup>585</sup> Only 17 Child Rights Representatives work in the country which number is low to provide adequate representation. However the Ombudsman had doubts about the legal frame and functioning of the advocates of the Centre in April 2013<sup>586</sup>. The report of the Ombudsman suggests that the complaint mechanisms should be clarify the competences of the National Centre for Patients', Clients' and Children's Rights and Documentation, harmonise rules of direct access and complaint mechanisms, while ensuring that complaints are processed not under the right to petition but as an administrative procedure subject to judicial review.; the child rights representatives' office hours should be publicised, and the complainant's rights and interests should always be prioritised. The report also mentions that, according to some complaints, there were counties in Hungary where child rights representatives' services were temporarily inaccessible in 2011.

2. How is the implementation of national action plans and strategies or other policy actions on child protection monitored? Briefly describe the established procedures and mention the actors involved and their roles.

*National Reform Programme (2013)*<sup>587</sup>

Areas concerned: preventing and combating early school dropout, follow-up on the National Infant and Child Health Care Programme (2005) (*Nemzeti Csecsemő és Gyermek egészségügyi Program*). The monitoring of implementation is under the responsibility of the Ministry of Human Resources. From 2014 a governmental report is prepared on the implementation of the action plan in May every year, while the National Social Inclusion Strategy has to be reviewed every second year.<sup>588</sup>

*National Social Inclusion Strategy – Extreme poverty, child poverty, the Roma (2011–2020)*<sup>589</sup>: The system of goals and indicators of the social inclusion strategy, as far as the main objectives are concerned to the plans identified in the Europe 2020 strategy, and the main indicators likewise reflect the indicators of the EU numerical targets. The additional main indicators ensure the follow-up of interventions and measures in accordance with the priorities of the strategy and the specific features of the problems. (Methodology of data collection and list of indicators in the document linked.) The State Secretariat for Social Inclusion (at the Ministry of Human Resources) is the responsible body.

*National Action Plan on Child and Youth Safety (2010-2019)*<sup>590</sup> Specific objectives and indicators can be found in the document linked pp18-24. Coordinator: National Institution of Child Health.

Let it be better for children (*Legyen jobb a gyerekeknek*) 25 years anti-child poverty strategy approved by the Parliament in 2007.<sup>591</sup> There is a yearly monitoring and evaluation obligation, before 2010 a group of

<sup>585</sup> Hungary, see: [www.obdk.hu](http://www.obdk.hu)

<sup>586</sup> Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB-5863/2012, available at: [www.ajbh.hu/documents/10180/111959/201205863.doc](http://www.ajbh.hu/documents/10180/111959/201205863.doc).

<sup>587</sup> Hungary, National Reform Programme, 2013 (*Nemzeti Reform Program, 2013*), available at: [http://ec.europa.eu/europe2020/pdf/nd/nrp2013\\_hungary\\_en.pdf](http://ec.europa.eu/europe2020/pdf/nd/nrp2013_hungary_en.pdf).

<sup>588</sup> Hungary, Governmental Resolution No. 1430/2011. (XII. 13.) on the National Social Inclusion Strategy and Governmental Action Plan for the Implementation Thereof in the Years 2012 to 2014. (*A Kormány 1430/2011. (XII. 13.) Korm. határozata A Nemzeti Társadalmi Felzárkózási Stratégiáról, valamint végrehajtásának a 2012–2014. évekre szóló kormányzati intézkedési tervéről*), official English translation is available at: <http://romagov.kormany.hu/download/a/58/20000/Strategy%20Action%20Plan.pdf>.

<sup>589</sup> Hungary, Ministry of Public Administration and Justice, State Secretariat for Social Inclusion (2011), National Social Inclusion Strategy – Extreme Poverty, Child Poverty, the Roma – (2012–2020) November 2011, (*Nemzeti Társadalmi Felzárkózási Stratégia – Mélyszegénység, gyermekszegénység, romák – (2011–2020)*, 2011. november), official English translation is available at: <http://romagov.kormany.hu/download/5/58/20000/Strategy%20-%20HU%20-%20EN.PDF>  
<http://romagov.kormany.hu/hungarian-national-social-inclusion-strategy-deep-poverty-child-poverty-and-the-roma>.

<sup>590</sup> Hungary, National Action Plan on Child and Youth Safety, 2010–2019 (*Nemzeti Gyermek- és Ifjúságbiztonsági Akcióterv, 2010-2019*), available at: [www.childsafetyeurope.org/europe/info/hungary/hungary-planning-document-en.pdf](http://www.childsafetyeurope.org/europe/info/hungary/hungary-planning-document-en.pdf).

independent experts and NGO representatives responsible for this work. The composition of the monitoring body has been changed and mostly ministry representatives, representatives of churches and NGOs are participating.			
Question	YES	NO	Comments
<p>3. Is there a child rights assessment foreseen development and implementation of relevant legislation?</p> <p>Please note that child rights' assessment stands for the measurement of the impact of proposed or adopted legislation on children as a group. It is usually done at the parliamentary or ministerial level</p>		x	<p>There is no comprehensive / broad assessment, but there are initiatives; for example the Office of the Commissioner of Fundamental Rights and the UNICEF Hungarian National Committee has just signed (25. Feb. 2014.) a treaty on their cooperation to monitor / enforce children's rights in Hungary.</p> <p>The Hungarian Government is going to report to the UN Committee on the Rights of the Child in September 2014, their national report is available<sup>592</sup>.</p> <p>There is no child rights assessment, as child rights are not a priority, it is not considered as a framework despite of the State obligations and commitments, legal obligations.<sup>593</sup></p>
<p>4. Are policy and legislative reforms and developments informed by research data and evidence? Is analysis of relevant child protection issues made available to the policy makers and stakeholders?</p> <p>If yes: <i>To what extent? Is there a legislative or regulatory framework in place or a related established practice?</i></p>	x		<p>There is very limited research available and despite of the efforts made to inform and consult policy makers, stakeholders, they do not respond and it is not known if the research and project outcomes are taken into consideration as there is no feedback, no public debate, and no open discussion.<sup>594</sup></p> <p>Children under 12 years of age cannot be placed to children's homes from January, 2014.<sup>595</sup></p> <p>The gate-keeping measure regarding children under 12 was introduced in accordance with the EU developments and recommendations derived from EU research results.<sup>596</sup></p> <p>There has not been any research implemented at the national level in Hungary to prepare the current reform, de-institutionalisation (placement of children into foster care). Empirical research results are sporadic in the</p>

<sup>591</sup> Hungary, Parliamentary Resolution 47/2007. (V. 31.) on the Making things better for our Children 2007-2032 National Strategy (47/2007. (V. 31.) OGY határozat a "Legyen jobb a gyermekeknek!" Nemzeti Stratégiáról, 2007-2032), available at: [www.complex.hu/kzldat/o07h0047.htm/o07h0047.htm](http://www.complex.hu/kzldat/o07h0047.htm/o07h0047.htm).

<sup>592</sup> Hungary, Family, Child, Youth Association (Család, Gyermek, Ifjúság Egyesület) (2013), Alternative – NGO – report on the implementation of the UN CRC in Hungary 2006-2012, available at: [www.csagyi.hu/en/researches-projects/topical/crc-alternative-report/item/761-alternative-ngo-report](http://www.csagyi.hu/en/researches-projects/topical/crc-alternative-report/item/761-alternative-ngo-report).

<sup>593</sup> Hungary, personal interview for the purposes of the present report with Maria Herczog, expert, researcher, member of the UN CRC Committee, conducted on the 3<sup>rd</sup> of March, 2014.

<sup>594</sup> Hungary, personal interview for the purposes of the present report with Maria Herczog, expert, researcher, member of the UN CRC Committee, conducted on the 3 of March, 2014.

<sup>595</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) Article. 7., available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV);

<sup>596</sup> European Expert Group on the Transition from Institutional to Community-based Care (2012): Common European Guidelines on the Transition from Institutional to Community-based Care, available at: [deinstitutionalisationguide.eu](http://deinstitutionalisationguide.eu);

United Nations (2009): *Guidelines for the Alternative Care of Children*, available at: [www.iss-ssi.org/2009/index.php?id=25](http://www.iss-ssi.org/2009/index.php?id=25).



			fields of child welfare and child protection. There is no legislative or regulatory framework in place or any established practice in this regard.
5. Are there quality standards for child protection <b>services</b> set in the legislation (including prevention programmes)? e.g. number of cases per case workers, requirements regarding infrastructures of residential care and number of personnel, performance and fiscal accountability mechanisms. Please describe.			
<p>Yes; the quality standards are set in the Governmental Decree no 15/1998 (IV.20.)<sup>597</sup>and in the Decree of the Ministry of Health, Social and Family Affairs 29/ 2003 (V.20.).<sup>598</sup></p> <p><i>According to</i> the Governmental Decree no 15/1998 (IV.20.)<sup>599</sup><b>all care settings must have</b> a “property that is appropriate for children and youngsters”. All care institutions that consist of more groups (12 to 40 children) should have a common space for sport, a visitor’s and a counselling room and a separate room for the carer; same rules apply for group homes (12 children).</p> <p>The regulations also set criteria about the number of children per setting (§124), the number of professional carers and other professionals needed both in day care centres and in group homes, institutes etc. The same standards apply to every type of service providers (run by the state, by NGOs or by a church). Migrant and unaccompanied children are placed to children’s homes together with other children, the same criteria applies for all institutions. The same standards apply to every type of service providers. Personal carers always have to be trained, the level of training is specified at each jobs; the executives /managers must have professional exams; all services should have professional programmes. The training programmes are not public in each case (for instance the training programme of foster parents).</p> <p>Sure Start Houses (<i>Biztos Kezdet Ház</i>)<sup>600</sup> are the adaptations of the UK Sure Start programme providing holistic early childhood development services for children. These institutions are operated in the most deprived sub-regions providing services for children under 5 together with their parents.<sup>601</sup>: Training standards for personnel: at least 1 person (‘manager’) with university/collage degree, others with secondary qualification / min.1year experience in the Sure Start Programme. Property requirements are also set (number of rooms, toilets for children, bathroom with washing capacity, kitchen, books, ).</p> <p><i>According to</i> the Decree of the Ministry of Health, Social and Family Affairs 29/2003 (V.20.)<sup>602</sup> foster parents, substitute parents, and families providing day care have to do and pass the trainings specified in the</p>			

<sup>597</sup>Hungary, 15/1998 (IV.30.)Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care (15/1998.(IV. 30.) NM rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM).

<sup>598</sup> Hungary, 29/2003. (V. 20.) Decree of the Ministry of Health, Social and Family Affairs on the professional and exam requirements of substitute parents, foster parents and families providing day care and on counselling and preparation training prior to adoption (29/2003 ESzCsM Rendelet a helyettes szülők, a nevelőszülők, a családi napközit működtetők képzésének szakmai és vizsgakövetelményeiről, valamint az örökbefogadás előtti tanácsadásról és felkészítő tanfolyamról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0300029.ESC](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0300029.ESC).

<sup>599</sup>Hungary, 15/1998 (IV.30.)Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care (15/1998.(IV. 30.) NM rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM).

<sup>600</sup> Hungary, see: [www.biztoskezdet.eu](http://www.biztoskezdet.eu).

<sup>601</sup> Hungary, 19/2013. (III.5) Decree of the Ministry of Human Resources on the “Sure Start Children’s Houses” (19/2013. (III.5) EMMI Rendelet a Biztos Kezdet Gyerekházakról).

<sup>602</sup> Hungary, 29/2003. (V. 20.) Decree of the Ministry of Health, Social and Family Affairs on the professional and exam requirements of substitute parents, foster parents and families providing day care and on counselling and preparation training prior to adoption (29/2003 ESzCsM Rendelet a helyettes szülők, a nevelőszülők, a családi napközit működtetők képzésének szakmai és vizsgakövetelményeiről, valamint az örökbefogadás előtti tanácsadásról és felkészítő tanfolyamról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0300029.ESC](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0300029.ESC).

regulation. Adopting parents have to take part on counselling before the training. The regulation details the syllabus of the trainings of both groups.<sup>603</sup>

In contrast with the legal obligations the real performance of child welfare, child protection and family supporting services is very rarely / incidentally monitored and/or assessed. It is the effect of the lack of capacities and resources at both the authorities and the service providers. Family case workers' case loads are heavy, they have to manage a population of 40,000 people in practice; while, according to the law, the legal criteria is a population of 5,000 per family case worker at the family support services.. For family case workers at the child welfare services the standard is 45 children or 25 families per social worker; 1 case worker for population between 2,000 and 5,000 and 1 more for every 5000 inhabitants;<sup>604</sup> in children's homes there has to be one educator for 8 children.<sup>605</sup>

Family case workers' case loads are heavier than the obligation set out by the legislation which fact jeopardizes the quality of support provided by the services and leads to rapid burn-out of case workers as many reports stated<sup>606</sup>. While in 2000 75.6 contacts have been made per thousand of inhabitants this ratio in 2011 is 185.9/1000 inhabitants which means 244.5% growth compared to 2000<sup>607</sup>. Contacts are more frequent, the cases are more serious, one case worker has to deal with more clients but the legislation has not been changed in accordance to the new trends. In 2012 654 family support services operated, 280.8 thousand people used their services in 856.9 thousand cases.<sup>608</sup>

Question	YES	NO	Comments
6. Is consultation with children and families foreseen and/or taking place in the process of evaluation of services and measures and in the development of child protection policies and legislation?  If yes: At what level is this done? Provide indicative examples.		x	Consultation with children and families are not regulated.  In accordance with the Child Protection Act <sup>609</sup> they have to be consulted, but there are no details on the process neither in the law nor in any follow-up policy or regulation.

<sup>603</sup> Hungary, 29/2003. (V. 20.) Decree of the Ministry of Health, Social and Family Affairs on the professional and exam requirements of substitute parents, foster parents and families providing day care and on counselling and preparation training prior to adoption (29/2003 ESzCsM Rendelet a helyettes szülők, a nevelőszülők, a családi napközti működtetők képzésének szakmai és vizsgakövetelményeiről, valamint az örökbefogadás előtti tanácsadásról és felkészítő tanfolyamról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0300029.ESC](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0300029.ESC).

<sup>604</sup> Hungary, 1/2000 (I.7.) Decree of the Ministry of Social and Family Affairs on the professional requirements and functioning of social services providing personal care (1/2000. (I. 7.) SzCsM rendelet a személyes gondoskodást nyújtó szociális intézmények szakmai feladatairól és működésük feltételeiről), Annex 2., Article I. 3., available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0000001.SCM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0000001.SCM)

<sup>605</sup> Hungary, 15/1998 (IV. 30) Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care (15/1998. (IV. 30.) NM rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről), Annex I., Chapt. I., Article I. 1 a-d, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM).

<sup>606</sup> Hungary, Hungarian Central Statistical Office (Központi Statisztikai Hivatal) (2012): Family support services [www.ksh.hu/docs/hun/xftp/idoszaki/pdf/csaladsegito.pdf](http://www.ksh.hu/docs/hun/xftp/idoszaki/pdf/csaladsegito.pdf)

<sup>607</sup> Hungary, Hungarian Central Statistical Office (Központi Statisztikai Hivatal) (2012): Family support services 2000-2011 (Családsegítő szolgálatok 2000-2011), p. 19, Available in Hungarian at: [www.ksh.hu/docs/hun/xftp/idoszaki/pdf/csaladsegito.pdf](http://www.ksh.hu/docs/hun/xftp/idoszaki/pdf/csaladsegito.pdf)

<sup>608</sup> Hungary, Hungarian Central Statistical Office (Központi Statisztikai Hivatal) (2014): Social benefits, social security in the counties (Szociális ellátások, szociális védelmi helyzetkép a megyékben), page 8, Available in Hungarian at: [www.ksh.hu/docs/hun/xftp/idoszaki/regioik/debrecenmiskolcsozocialis.pdf](http://www.ksh.hu/docs/hun/xftp/idoszaki/regioik/debrecenmiskolcsozocialis.pdf)

<sup>609</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) Article 11, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

7. Is the responsibility for data collection on child protection determined in the legislative framework?	x		<p>The Child Protection Act<sup>610</sup> sets forth the obligation to all service providers and care settings to collect data for the National Statistical Data Collection Programme.</p> <p>The Act III of 1993 on social administration and social care<sup>611</sup> sets forth the obligation for all service providers to collect data on the clients to monitor the financing of the system. Governmental Decree no. 226/2006 (XI. 20.)<sup>612</sup> includes that this must be done at the electronic system. The responsible body is the National Office for Rehabilitation and Social Affairs.</p>
8. Is there a single authority responsible for monitoring data collection at national level?  If yes: <i>Is there a national database (a joint database for monitoring and tracking children) for collecting data in the child protection area at the national, regional or local level?</i>	x		<p>Data collection is done under the National Statistical Data Collection Programme for Eurostat and also for the Central Statistical Office.</p> <p>The National Office for Rehabilitation and Social Affairs provides information system including a database of service providers, users, financial benefits and in-kind benefits. There is a public registry and a registry for providers.<sup>613</sup></p>
9. Are there in place common indicators to monitor the performance of the child protection system?	x		<p>For example: number of children entering and leaving care; average amount of years spent in care divided by age, sex, disability or chronic disease; number of children returning to the family of origin after care; number of clients / cases at the family support services. No quality indicators or outcome, performance indicators are used and there are no analyses of the available data from this respect.<sup>614</sup></p>
10. Please list the indicators used to monitor accountability of child protection system. What kinds of data are collected, how and by whom?			
<p><i>Indicators:</i></p> <ul style="list-style-type: none"> <li>- Number of children in alternative care</li> <li>- Annual number of new entries to child protection care</li> <li>- Number of family re-integration</li> <li>- Number of young adults in after-care</li> <li>- Competencies of children who grew up in the care system</li> <li>- Duration of the placements</li> <li>- Number of children with special needs in care</li> <li>- Educational outcomes of children in care (drop-out, over-aged children, changing schools, number of</li> </ul>			

<sup>610</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról) Article 137, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV);

<sup>611</sup> Hungary, Act III of 1993 on social administration and social care (1993. évi III. törvény a szociális igazgatásról és szociális ellátásokról), Article 20/C, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99300003.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99300003.TV)

<sup>612</sup> Hungary, 226/2006. (XI. 20.) Governmental Decree on the code system and national registry of social, child welfare and child protection service providers and institutions, (226/2006. (XI. 20.) Korm. rendelet a szociális, gyermekjóléti és gyermekvédelmi szolgáltatók, intézmények ágazati azonosítójáról és országos nyilvántartásáról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0600226.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0600226.KOR).

<sup>613</sup> Hungary, see: <http://nrszh.kormany.hu/kozponti-szocialis-info-rendszerek>.

<sup>614</sup> Hungary, personal interview for the purposes of the present report with Maria Herczog, expert, researcher, member of the UN CRC Committee, conducted on the 3<sup>rd</sup> of March, 2014.

children successfully finishing primary school, high school, entries to higher education, etc.)

- Employment opportunities: how children's qualifications meet the current labour market requirements
- Ratio of children and professional employees
- Contact with the family of origin: number of children who maintain regular contact, quality and frequency of the contact, forms of contact, extensiveness of the network of contacts, number of formal and informal relationships, etc.

The reports of the authorities (about infrastructure, training of personnel) also provide information.

*Legal obligation:* The Child Protection Act<sup>615</sup> sets forth the obligation to all service providers and care settings to collect data for the National Statistical Data Collection Programme. According to the *Act III of 1993 on social administration and social care*,<sup>616</sup> all service providers are obliged to collect data on their clients. According to the Governmental Decree no. 226 /2006 (XI. 20.) on the code system and national registry of social, child welfare and child protection service providers and institutions<sup>617</sup> this must be managed via an electronic system.<sup>618</sup> The responsible body is the National Office for Rehabilitation and Social Affairs.

The Central Statistical Office collects all data: for example children in care, entering and leaving care, years spent in care, all these divided by age, sex, disability or chronic disease and by region, clients at the family support services and child welfare services. Related to child protection it collects data on child population, families, basic child welfare services, child protection institutions, juvenile justice, etc. The legal obligation for data collection is set in 288/2009 (XII. 15.) Government Decree on the National Statistical Data Collection Programme<sup>619</sup>. According to this, data is kept and processed at the Central Statistical Office (*Központi Statisztikai Hivatal, KSH*). Purpose of the child protection statistical domain of the Central Statistical Office's Population and Social Protection Statistics Department.: "The six data collections (OSAP questionnaires No. 1203, 1208, 1209, 1210, 1775 and 1511) present broad scope of the fields stipulated by Act XXXI of 1997 on the protection of children and the administration of guardianship affairs: basic welfare provisions, child protection, the activity of guardianship authorities and the penitentiary institutions."<sup>620</sup>

The Directorate of Social Affairs and Child Protection collects data on the financing, the use of resources, personnel and EU or state funded project related to the care system.

The National Office for Rehabilitation and Social Affairs provides information system including a database of service providers, users, financial benefits and benefits in kind. There is a public registry and a registry for providers.

In the framework of TAMOP (Social Renewal Operational Programme - *Társadalmi Megújulás Operatív Program*) 5.4.2.08 on the development of IT services the National Office for Rehabilitation and Social Affairs (in 2012) introduced online service users registration system besides the social register. In the social register

<sup>615</sup> Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), Article 137, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

<sup>616</sup> Hungary, Act III of 1993 on social administration and social care (*1993. évi III. törvény a szociális igazgatásról és szociális ellátásokról*), Article 20/C, available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99300003.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99300003.TV)

<sup>617</sup> Hungary, 226/2006. (XI. 20.) Governmental Decree on the code system and national registry of social, child welfare and child protection service providers and institutions, (*226/2006. (XI. 20.) Korm. rendelet a szociális, gyermekjóléti és gyermekvédelmi szolgáltatók, intézmények ágazati azonosítójáról és országos nyilvántartásáról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0600226.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0600226.KOR).

<sup>618</sup> Hungary, 226/2006. (XI. 20.) Governmental Decree on the code system and national registry of social, child welfare and child protection service providers and institutions, (*226/2006. (XI. 20.) Korm. rendelet a szociális, gyermekjóléti és gyermekvédelmi szolgáltatók, intézmények ágazati azonosítójáról és országos nyilvántartásáról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0600226.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0600226.KOR).

<sup>619</sup> Hungary, 288/2009 (XII.15.) Government Decree on the National Statistical Data Collection Programme (*288/2009 (XII. 15.) Korm. Rendelet az Országos Statisztikai Adatgyűjtési Program adatgyűjtéseiről és adatátvételeiről*), available at: [www.complex.hu/jr/gen/hjegy\\_doc.cgi?docid=A0900288.KOR](http://www.complex.hu/jr/gen/hjegy_doc.cgi?docid=A0900288.KOR).

<sup>620</sup> Hungary, Central Statistical Office (*Központi Statisztikai Hivatal*): 'Metainformation / statistical domains: Child protection', Available at: [www.ksh.hu/apps/meta.objektum?p\\_lang=EN&p\\_menu\\_id=110&p\\_ot\\_id=100&p\\_obj\\_id=FSG&p\\_session\\_id=34609989](http://www.ksh.hu/apps/meta.objektum?p_lang=EN&p_menu_id=110&p_ot_id=100&p_obj_id=FSG&p_session_id=34609989).

the authorized service providers are included, in the service users registration system they collect detailed data on<sup>621</sup>:

- number of service users/services every day
- demographical data on service users
- duration of care , frequency of service use

According to the Office 82-83%<sup>622</sup> of all service providers in the field of child welfare and child protection send data every day through the online service users registration system. This provides opportunity to monitor the system.

Question	YES	NO	Comments
11. Does the government outsource data collection or research?  Provide indicative examples and the prevalence of this practice.	x		<p>The Central Statistical Office collects all statistical data.</p> <p>In some instances research institutes, universities, or other experts are requested to gather data on certain issues or as part of international projects, obligations. E.g. TARKI<sup>623</sup> on child well-being based on SILK data.</p> <p>The <i>National Institute of Family and Social Policy maintains the registry on professionals and conducts research itself as well; the Directorate of Social Affairs and Child Protection also has research projects.</i></p> <p>The Police, the Chief Prosecutor's Office and courts also collect data on child and family related issues.<sup>624</sup></p> <p>The National Institute of Child Health and the National Public Health Institute collect data and conduct research on different aspects of child, family health, and public health issues, related to child protection as well.<sup>625</sup></p>
12. Are there any gaps in the data collection system related to child protection in your country, which have been identified by relevant child protection authorities/institutions, civil society organizations or other institutions active in the child protection field? <i>Is there a systematic and consistent collection of data related to child protection at national, regional or local level?</i>  Please mention if efforts are made in order to address these gaps.			
However data is collected systematically as it is a legal obligation; there is still a lack of data on vulnerable groups of children and their families, e.g. on children in prostitution, child victims of trafficking, migrant,			

<sup>621</sup> Hungary, National Office for Rehabilitation and Social Affairs (*Nemzeti Rehabilitációs Hivatal*) (2013): Service users of social, child welfare and child protection services 2012 (*A szociális, gyermekjóléti és gyermekvédelmi szolgáltatások igénybevevői 2012*), Available at: [www.szocialisportal.hu/documents/10504/36116/Szocialis+Fuzet+5.+kicsinyitett.pdf](http://www.szocialisportal.hu/documents/10504/36116/Szocialis+Fuzet+5.+kicsinyitett.pdf).

<sup>622</sup> Hungary, National Office for Rehabilitation and Social Affairs (*Nemzeti Rehabilitációs Hivatal*) (2013): Service users of social, child welfare and child protection services 2012 (*A szociális, gyermekjóléti és gyermekvédelmi szolgáltatások igénybevevői 2012*), p. 24, Available at: [www.szocialisportal.hu/documents/10504/36116/Szocialis+Fuzet+5.+kicsinyitett.pdf](http://www.szocialisportal.hu/documents/10504/36116/Szocialis+Fuzet+5.+kicsinyitett.pdf).

<sup>623</sup> Hungary, homepage of TARKI (*TÁRKI*) is available at: [www.tarki.hu/en/index.html](http://www.tarki.hu/en/index.html).

<sup>624</sup> Hungary, homepage of the Ministry of Interior, Department of Statistics and Coordination (*Belügyminisztérium, Koordinációs és Statisztikai Osztály*), available at: <http://crimestat.b-m.hu>;

homepage of the National Institute of Criminology (*Országos Kriminológiai Intézet*), available at: [www.okri.hu](http://www.okri.hu).

<sup>625</sup> Hungary, homepage of the National Institute of Child Health (*Országos Gyermekegészségügyi Intézet*), available at: [www.ogyei.hu](http://www.ogyei.hu); homepage of the National Public Health and Medical Officer Service (*Allami Népegészségügyi és Tisztiorvosi Szolgálat*), available at: [www.antsz.hu](http://www.antsz.hu).

refugee children, Roma and other minority children and their welfare and protection.

Data collection on foster parents is incidental; information on their qualification level in public education, their habitual places of residence (although there were some studies that showed, many foster parents live in deprived rural areas) and their motivations are not known.<sup>626</sup>

Latest Concluded observations of the UN CRC Committee on the issue<sup>627</sup> regarding data collection:

15. The Committee considers that the availability of statistical data is essential in order to identify and combat direct and indirect discrimination as well as devise and implement targeted positive action programmes and subsequent measures for monitoring progress achieved. In this respect, it again notes with concern that the Data Protection Act impedes the compilation of disaggregated statistics, especially with regard to most vulnerable groups of children, such as minority children; in particular Roma, disabled children, asylum-seeking children and children in conflict with the law.

16. The Committee recommends that the State party thoroughly examine the existing laws and regulations that impede the collection of disaggregated data, with reference to the opinion of the European Commission against Racial Discrimination that the collection and publication of data broken down according to ethnic origin can be done in full respect of human rights provided that certain requirements are met. In addition, it recommends the State party to significantly improve the collection of data relevant for the implementation of the Convention via a comprehensive and well-coordinated system in order to assess the progress made and to devise and implement the necessary positive action programmes.

---

<sup>626</sup>Hungary, Family, Child, Youth Association (*Család, Gyermek, Ifjúság Egyesület*) (2013), *Alternative – NGO – report on the implementation of the UN CRC in Hungary 2006-2012*, available at: [www.csagyi.hu/en/researches-projects/topical/crc-alternative-report/item/761-alternative-ngo-report](http://www.csagyi.hu/en/researches-projects/topical/crc-alternative-report/item/761-alternative-ngo-report).

<sup>627</sup>UN Committee on the Rights of the Child (CRC), 'UN Committee on the Rights of the Child: Concluding Observations, Hungary, 17 March 2006, CRC/C/HUN/CO/2', available at: [www.refworld.org/docid/45377ed60.html](http://www.refworld.org/docid/45377ed60.html).

## References

Council of Europe Convention on Cybercrime, CETS No.: 185

Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, CETS No.: 201.

EurActiv (2011) EU funds used for Hungarian anti-abortion campaign, available at: [www.euractiv.com/justice/leding-demands-return-eu-funds-hungarian-anti-abortion-campaign-news-505684](http://www.euractiv.com/justice/leding-demands-return-eu-funds-hungarian-anti-abortion-campaign-news-505684)

Eurobarometer (2009): The Rights of the Child Analytical Report, Flash Eurobarometer, no. 273, available at: [ec.europa.eu/public\\_opinion/flash/fl\\_273\\_en.pdf](http://ec.europa.eu/public_opinion/flash/fl_273_en.pdf)

Eurochild (2012): Speak Up! Giving a voice to European children in vulnerable situations, available at: [www.eurochild.org/fileadmin/Projects/Speak%20Up/SpeakUpreportFINAL.pdf](http://www.eurochild.org/fileadmin/Projects/Speak%20Up/SpeakUpreportFINAL.pdf)

European Commission (17.2.2011): Early Childhood Education and Care: Providing all children with the best start for the world of tomorrow, COM(2011)66., available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0066:FIN:EN:PDF>

European Expert Group on the Transition from Institutional to Community-based Care (2012): Common European Guidelines on the Transition from Institutional to Community-based Care, available at: [deinstitutionalisationguide.eu](http://deinstitutionalisationguide.eu)

European Roma Rights Centre (2007): Dis-Interest of the Child: Romani Children in the Hungarian Child Protection System, [www.errc.org/cms/upload/media/02/8F/m0000028F.pdf](http://www.errc.org/cms/upload/media/02/8F/m0000028F.pdf)

European Roma Rights Centre (2011): 'Roma gyermekek a Magyar gyermekvédelmi rendszerben', Life sentence: Romani children in institutional care, available at: [www.errc.org/cms/upload/file/life-sentence-20-june-2011.pdf](http://www.errc.org/cms/upload/file/life-sentence-20-june-2011.pdf)

European Union, Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:315:0057:0073:EN:PDF>; Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European Protection Order, available at: [http://ec.europa.eu/justice/criminal/files/directive\\_2011\\_99\\_on\\_epo\\_en.pdf](http://ec.europa.eu/justice/criminal/files/directive_2011_99_on_epo_en.pdf).

Hague Convention on protection of children and co-operation in respect of inter-country adoption

Hague Convention on the Civil Aspects of International Child Abduction

Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2012): Family support services 2000-2011 (*Családsegítő szolgálatok 2000–2011*), p. 1, Available at: [www.ksh.hu/docs/hun/xftp/idoszaki/pdf/csaladsegito.pdf](http://www.ksh.hu/docs/hun/xftp/idoszaki/pdf/csaladsegito.pdf)

Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2012): Basic social services and day care (*Szociális alapszolgáltatások és nappali ellátások*), p. 127, table 4.21, Available at: [https://www.teir.hu/szoc\\_agazat/ksh\\_evkonyvek/a2011/pdf/szocevk\\_07\\_fejezet.pdf](https://www.teir.hu/szoc_agazat/ksh_evkonyvek/a2011/pdf/szocevk_07_fejezet.pdf)

Hungary, (369/2013. (X. 24.) Governmental Decree on the registration and monitoring of social welfare, child welfare and child protection services (369/2013. (X. 24.) Korm. Rendelet a szociális, gyermekjóléti és gyermekvédelmi szolgáltatók, intézmények és hálózatok hatósági nyilvántartásáról és ellenőrzéséről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300369.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300369.KOR)

Hungary, "Let it be better for Children" 2007-2032 ("Legyen jobb a gyermekeknek" Nemzeti Stratégia 2007-2032), available at: <http://misc.meh.hu/letoltheto/LegyenJobbAGyerekeknek.pdf>

Hungary, 1/2000 (I.7.) Decree of the Ministry of Social and Family Affairs on the professional requirements and functioning of social services providing personal care (1/2000. (I. 7.) SzCsM rendelet a személyes gondoskodást nyújtó szociális intézmények szakmai feladatairól és működésük feltételeiről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0000001.SCM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0000001.SCM)

Hungary, 1025/2006. (III. 23.) Governmental Resolution on promoting on the social responsibility of employers and on related encouraging measures (1025/2006. (III. 23.) Korm. Határozat a munkáltatók társadalmi felelősségének erősítéséről és ezt ösztönző intézkedésekről) available at: <http://e-oktatas.barcsi.hu/extra/tudasbazis/f-jk/1025-2006-korm-hat.html>

Hungary, 1257/2011 Government Decree on deinstitutionalization strategy and tasks on implementation for institutions providing care for disabled persons (1257/2011. (VII.21.) Korm. határozata a fogyatékos személyek számára ápolást-gondozást nyújtó szociális intézményi férőhelyek kiváltásának stratégiájáról és a végrehajtásával kapcsolatos kormányzati feladatokról), available at: <http://fszk.hu/fszk/forrasok/jogszabalyi-kornyezet/Kormanyhatározat-es-Strategia-a-fogyatekos-szemelyek-szamara-apolast-gondozast-nyujto-szocialis-intezmenyi-ferohelyek-kivaltasarol.pdf>.

Hungary, 1257/2011 Governmental Decree on deinstitutionalization strategy and tasks on implementation for institutions providing care for disabled persons (1257/2011. (VII.21.) Korm. határozata a fogyatékos személyek számára ápolást-gondozást nyújtó szociális intézményi férőhelyek kiváltásának stratégiájáról és a végrehajtásával kapcsolatos kormányzati feladatokról) available at: <http://fszk.hu/fszk/forrasok/jogszabalyi-kornyezet/Kormanyhatározat-es-Strategia-a-fogyatekos-szemelyek-szamara-apolast-gondozast-nyujto-szocialis-intezmenyi-ferohelyek-kivaltasarol.pdf>

Hungary, 1430/2011. (XII. 13.) Governmental Resolution on the National Social Inclusion Strategy and Governmental Action Plan for the Implementation Thereof in the Years 2012 to 2014. (A Kormány 1430/2011. (XII. 13.) Korm. határozata A Nemzeti Társadalmi Felzárkózási Stratégiáról, valamint végrehajtásának a 2012–2014. évekre szóló kormányzati feladatokról), official English translation is available at: <http://romagov.kormany.hu/download/a/58/20000/Strategy%20Action%20Plan.pdf>

Hungary, 149/1997. (IX. 10.) Governmental Decree on the guardianship offices and on the proceedings of child protection and guardianship cases (149/1997. (IX. 10.) Korm. Rendelet a gyámhatóságokról, valamint a gyermekvédelmi és gyámügyi eljárásról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700149.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700149.KOR)

Hungary, 15/1998 Decree of the Ministry of Public Welfare on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care (15/1998. (IV. 30.) NM rendelet a személyes gondoskodást nyújtó gyermekjóléti, gyermekvédelmi intézmények, valamint személyek szakmai feladatairól és működésük feltételeiről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99800015.NM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800015.NM)

Hungary, 15/2013. (II. 26.) Decree of the Ministry of Human Resources on the functioning of Institute for Services in Pedagogy (15/2013 EMMI rendelet a pedagógiai szakszolgálati intézmények működéséről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300015.EMM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300015.EMM).

Hungary, 150/2012 Governmental Decree on the National Qualifications Register and on the procedure of amending the National Qualifications register Appendix 1 (150/2012. (VII. 6.) Korm. Rendelet az Országos Képzési Jegyzékről és az Országos Képzési Jegyzék módosításának eljárásrendjéről, 1. melléklet a 150/2012. (VII. 6.) Korm. Rendelethez), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200150.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200150.KOR)

Hungary, 1698/2013.(X. 4.)Government Resolutionon Migration Strategy and the seven-year strategy planning document related to the European Union Asylum and Migration Fund for the years 2014-2020 (Migrációs Stratégia és az azon alapuló, az Európai Unió által a 2014-2020. ciklusban létrehozásra kerülő Menekültügyi és



*Migrációs Alaphoz kapcsolódó hétéves stratégiai tervdokumentum*), p. 60, Available at: <http://moszlap.hu/uploads/files/migrstrat0416.pdf>

Hungary, 17/2003. (VI. 24.) Decree of the Ministry of Justice on the functioning of Probation Service (17/2003. (VI. 24.) *IM rendelet a Pártfogó Felügyelői Szolgálat tevékenységéről, valamint ehhez kapcsolódóan egyes igazságügyminiszteri rendeletek módosításáról*), available at: <http://kih.gov.hu/documents/10179/324355/Pfr..docx>.

Hungary, 177/2012. (VII. 26.) Governmental Decree About the establishment of the Office of Administration and Justice (177/2012. (VII. 26.) *Korm. rendelet a Közigazgatási és Igazságügyi Hivatalról*), available at: <http://net.jogtar.hu/jr/gen/getdoc2.cgi?dbnum=1&docid=A1200177.KOR>.

Hungary, 19/2013. (III.5) Decree of the Ministry of Human Resources on the "Sure Start Children's Houses" (19/2013. (III.5) *EMMI rendelet a Biztos Kezdet Gyerekházakról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300019.EMM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300019.EMM)

Hungary, 19/2013. (III.5) Decree of the Ministry of Human Resources on the "Sure Start Children's Houses" (19/2013. (III.5) *EMMI rendelet a Biztos Kezdet Gyerekházakról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300019.EMM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300019.EMM)

Hungary, 214/2012. (VII. 30.) Governmental Decree on the National Center for Patients' Rights and Documentation (214/2012. (VII. 30.) *Korm. Rendelet az Országos Betegjogi, Ellátottjogi, Gyermekjogi és Dokumentációs Központról*), available at: <http://jab.complex.hu/doc.php?docid=WKHU-QJ-XML-0000A1200214KOR>

Hungary, 221/2013 (VI. 24.) Government Decree on the amendment of certain government decrees on migration and asylum (221/2013. (VI. 24.) *Korm. rendelet. Egyes migrációs, illetve menekültügyi tárgyú kormányrendeletek jogharmonizációs célú módosításáról.*), available at: [www.kozlonyok.hu/nkonline/MKPDF/hiteles/MK13104.pdf](http://www.kozlonyok.hu/nkonline/MKPDF/hiteles/MK13104.pdf), pp. 55534-55546.

Hungary, 226/2006. (XI. 20.) Governmental Decree on the code system and national registry of social, child welfare and child protection service providers and institutions, (226/2006. (XI. 20.) *Korm. rendelet a szociális, gyermekjóléti és gyermekvédelmi szolgáltatók, intézmények ágazati azonosítójáról és országos nyilvántartásáról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0600226.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0600226.KOR)

Hungary, 235/1997 (XII.17) Governmental Decree on handling personal data by the guardianship offices, county child protection agencies, child welfare services, organisations providing personal care and persons (235/1997. (XII. 17.) *Korm. rendelet a gyámhatóságok, a területi gyermekvédelmi szakszolgálatok, a gyermekjóléti szolgálatok és a személyes gondoskodást nyújtó szervek és személyek által kezelt személyes adatokról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700235.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700235.KOR)

Hungary, 235/1997 Government decree on the personal data processing of guardianship offices, local child protection services and personal care givers (235/1997. (XII. 17.) *Korm. rendelet a gyámhatóságok, a területi gyermekvédelmi szakszolgálatok, a gyermekjóléti szolgálatok és a személyes gondoskodást nyújtó szervek és személyek által kezelt személyes adatokról*) available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700235.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700235.KOR)

<sup>1</sup>Hungary, 259/2002. (XII. 18.) Governmental Decree on the licencing of child welfare and child protection service provisions, and on the entrepreneurship licence in the field of child welfare and childprotection (259/2002. (XII. 18.) *Korm. rendelet a gyermekjóléti és gyermekvédelmi szolgáltató tevékenység engedélyezéséről, valamint a gyermekjóléti és gyermekvédelmi vállalkozói engedélyről*).

Hungary, 277/1997. (XII. 22.) Governmental Decree on the in-service training of teachers, the professional training program and exam, and their allowances (277/1997. (XII. 22.) *Korm. Rendelet a pedagógus-továbbképzésről, a pedagógus-szakvizsgáról, valamint a továbbképzésben részt vevők juttatásairól és kedvezményeiről* ), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700277.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700277.KOR)

Hungary, 288/2009 (XII.15.) Government Decree on the National Statistical Data Collection Programme (288/2009 (XII. 15.) Korm. Rendelet az Országos Statisztikai Adatgyűjtési Program adatgyűjtéseiről és adatátvételeiről), available at: [www.complex.hu/jr/gen/hjegy\\_doc.cgi?docid=A0900288.KOR](http://www.complex.hu/jr/gen/hjegy_doc.cgi?docid=A0900288.KOR).

Hungary, 29/2003. (V. 20.) Decree of the Ministry of Health, Social and Family Affairs regulation on the professional and exam requirements of substitute parents, foster parents and families providing day care and on counselling and preparation training prior to adoption (29/2003 ESzCsM Rendelet a helyettes szülők, a nevelőszülők, a családi napközit működtetők képzésének szakmai és vizsgakövetelményeiről, valamint az örökbefogadás előtti tanácsadásról és felkészítő tanfolyamról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0300029.ESC](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0300029.ESC)

Hungary, 290/2010.(XII. 21.) Government Decree on the harmonization of migration related decrees, acts (A Kormány 290/2010. (XII. 21.)Korm.rendelete egyes migrációs tárgyú kormányrendeleteknek az egyes migrációs tárgyú törvények jogharmonizációs célú módosításáról szóló 2010. évi XXXV. törvénnyel összefüggő módosításáról), Available at: [www.complex.hu/jr/gen/hjegy\\_doc.cgi?docid=A1000290.KOR](http://www.complex.hu/jr/gen/hjegy_doc.cgi?docid=A1000290.KOR).

Hungary, 316/2012.(XI.13.) Governmental Decree on the Directorate of Social Affairs and Child Protection (316/2012. (XI. 13.) Korm. Rendelet a Szociális és Gyermekvédelmi Főigazgatóságról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200316.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200316.KOR)

Hungary, 32/ 2011 (XI. 18.) Governmental Decree on Child-Friendly Interview rooms in police investigation stations (32/2011. (XI. 18.) KIM rendelet a rendőrség nyomozó hatóságainál létesítendő gyermekmeghallgató szobák kialakításáról), available at: <http://jab.complex.hu/doc.php?docid=WKHU-QJ-XML-00000A1100032KIM>

Hungary, 331/2006. (XII. 23.) Governmental Decree on the roles and responsibilities in child protection and guardianship affairs and on the authority and jurisdiction of guardianship offices (331/2006. (XII. 23.) Korm. rendelet a gyermekvédelmi és gyámügyi feladat- és hatáskörök ellátásáról, valamint a gyámhatóság szervezetéről és illetékességéről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0600331.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0600331.KOR).

Hungary, 331/2006. (XII.23.) Governmental Decree on the roles and responsibilities in child protection and guardianship affairs and on the authority and jurisdiction of guardianship offices (331/2006 (XII. 23) Korm. Rendelet a gyermekvédelmi és gyámügyi feladat- és hatáskörök ellátásáról, valamint a gyámhatóság szervezetéről és illetékességéről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0600331.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0600331.KOR)

Hungary, 34/2014 (II.18.) Government Decree on state subsidies for extra wages in the social, child protection and child welfare sectors (34/2014 (II.18.) Kormány rendelet a szociális, gyermekjóléti és gyermekvédelmi ágazati pótlék kifizetéséhez kapcsolódó támogatásról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1400034.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1400034.KOR).

Hungary, 349/2012. (XII. 12.) Governmental Decree on the detailed norms of taking some special social and child protection institutions under state authority (349/2012. (XII. 12) Korm. Rendelet egyes szakosított szociális és gyermekvédelmi szakellátási intézmények állami átvételének részletes szabályairól és egyes kormányrendeletek módosításáról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200349.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200349.KOR)

Hungary, 41/2012 (XI.28.) Decree of the Ministry of Human Resources amending 9/2000 SzCsM Regulation (41/2012 (XI.28.) EMMI rendelet a személyes gondoskodást végző személyek továbbképzéséről és a szociális szakvizsgáról szóló 9/2000. (VIII. 4.) SZCSM rendelet és egyes kapcsolódó miniszteri rendeletek módosításáról)

Hungary, 446/2013. (XI. 28.) Government Decree on the amendment of certain government decrees on migration and asylum (A Kormány 446/2013. (XI. 28.) Korm. Rendelete az egyes migrációs, illetve menekültügyi tárgyú és más kormányrendeletek jogharmonizációs célú módosításáról), available at: [www.kozlonyok.hu/nkonline/MKPDF/hiteles/MK13198.pdf](http://www.kozlonyok.hu/nkonline/MKPDF/hiteles/MK13198.pdf), pp. 83163- 83179.

Hungary, 47/2007. (V. 31.) Parliamentary Resolution on the Making things better for our Children 2007-2032 National Strategy (47/2007. (V. 31.) OGY határozat Legyen jobb a gyermekeknek! Nemzeti Stratégiáról, 2007-2032), available at: [www.complex.hu/kzldat/o07h0047.htm/o07h0047.htm](http://www.complex.hu/kzldat/o07h0047.htm/o07h0047.htm)

Hungary, 49/2004 (V.21.) Decree of the Ministry of Health, Social and Family Affairs on the Health Visitation Services (49/2004 (V.21.) ESzCsM Rendelet a területi védőnői ellátásról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0400049.ESC](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0400049.ESC).

Hungary, 513/2013. (XII. 29.) Government Decree on the employment status of foster and substitute parents (513/2013. (XII. 29.) Korm. rendelet a nevelőszülői foglalkoztatási jogviszony és a helyettes szülői jogviszony egyes kérdéseiről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300513.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300513.KOR)

Hungary, 63/2011 (XI.29.) Decree of the Ministry of National Resources on the further training of professionals in public health care (63/2011 (XI.29.) NEFMI Rendelet az egészségügyi szakdolgozók továbbképzésének szabályairól), available at: [http://jogszabalykereso.mhk.hu/cgi\\_bin/njt\\_doc.cgi?docid=141916.574277](http://jogszabalykereso.mhk.hu/cgi_bin/njt_doc.cgi?docid=141916.574277).

Hungary, 69/2013. (XII. 11.) Ministerial Decree on the amendment of certain ministerial decrees on migration and asylum (69/2013. (XII. 11.) BM rendelet az egyes migrációs és menekültügyi tárgyú miniszteri rendeletek módosításáról), Magyar Közlöny, Vol. 206., pp.84302-84354.

Hungary, 8/2014. (I. 30.) Decree of the Ministry of Human Resources on the amendment of the Decree of the Ministry of Human Resources 15/2013. (II. 26.) on the operation of the institutes of education services (A pedagógiai szakszolgálati intézmények működéséről szóló 15/2013. (II. 26.) EMMI rendelet módosításáról), available at: [www.kozlonyok.hu/nkonline/MKPDF/hiteles/MK14012.pdf](http://www.kozlonyok.hu/nkonline/MKPDF/hiteles/MK14012.pdf)

Hungary, 9/2000 (VIII.4.) Decree of the Ministry of Social and Family Affairs on the in-service training of professionals providing personal care and on the professional training program and exam (9/2000 (VIII.4.) SzCsM Rendelet a személyes gondoskodást végző személyek továbbképzéséről és a szociális szakvizsgáról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0000009.SCM](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0000009.SCM)

Hungary, Act C of 2012 on the Criminal Code (2012. évi C. törvény a Büntető Törvénykönyvről) [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200100.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200100.TV)

Hungary, Act CCXI of 2011 on the Protection of Families (2011. évi CCXI. törvény a családok védelméről), available at: [www.complex.hu/kzldat/t1100211.htm/t1100211.htm](http://www.complex.hu/kzldat/t1100211.htm/t1100211.htm)

Hungary, Act CCXXX of 2013 on the central budget of 2014, (2013. évi CCXXX. Törvény Magyarország 2014. évi központi költségvetéséről), Annex 1, Chapter IX., and Annex 8. available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300230.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300230.TV).

Hungary, Act CII of 1999 on the promulgation of the Bilateral agreement on mutual assistance in civil, and commercial matters (1999. évi CII. törvény a Magyar Köztársaság és az Egyiptomi Arab Köztársaság között a polgári és kereskedelmi jogsegélyről szóló, Kairóban, 1996. március 26. napján aláírt Egyezmény kihirdetéséről), available at : [www.complex.hu/kzldat/t9900102.htm/t9900102.htm](http://www.complex.hu/kzldat/t9900102.htm/t9900102.htm)

Hungary, Act CLXI of 2009 on the promulgation of the Optional Protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. (2009. évi CLXI törvény a gyermekek eladásáról, a gyermekprostitúcióról és a gyermekpornográfiáról szóló, a Gyermek jogairól szóló egyezményhez fűzött Fakultatív Jegyzőkönyv megerősítéséről és kihirdetéséről) available at: [www.complex.hu/jr/gen/hjegy\\_doc.cgi?docid=A0900161.TV](http://www.complex.hu/jr/gen/hjegy_doc.cgi?docid=A0900161.TV) of 2009

Hungary, Act CLXXV of 2011 on the right of association, on the public benefit status, and on the operation and funding of civil society organisations (2011. évi CLXXV. törvény az egyesülési jogról, a közhasznú jogállásról, valamint a civil szervezetek működéséről és támogatásáról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1100175.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100175.TV)

Hungary, Act CLXXXIX. Of 2011 on the local governments of Hungary (2011. évi CLXXXIX. Törvény Magyarország helyi önkormányzatairól), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1100189.TV#bj16param](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100189.TV#bj16param).

Hungary, Act CXC of 2011 on National Public Education (2011. évi CXC. törvény a nemzeti köznevelésről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1100190.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100190.TV)

Hungary, Act CXCI of 2012 on taking over Certain Specialized Social and Child Protection Service Providers (2012. évi CXCI. törvény az egyes szakosított szociális és gyermekvédelmi szakellátási intézmények állami átvételéről és egyes törvények módosításáról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200192.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200192.TV)

Hungary, Act CXL of 2004 on Public Administration Procedure (2004. évi CXL. Törvény a közigazgatási hatósági eljárás és szolgáltatás általános szabályairól), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0400140.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0400140.TV)

Hungary, Act CXXI of 2010 on the public participation in the preparation of legislation (2010. évi CXXI. Törvény a jogszabályok előkészítésében való társadalmi részvételről), Available at: [www.complex.hu/jr/gen/hjegy\\_doc.cgi?docid=A1000131.TV](http://www.complex.hu/jr/gen/hjegy_doc.cgi?docid=A1000131.TV).

Hungary, Act CXXX. Of 2010 on legislation (2010. évi CXXX. Törvény a jogalkotásról)

Hungary, Act CXXXV of 2005 on the support of victims of criminal offences and the rules of state remedies (2005. CXXXV. törvény a bűncselekmények áldozatainak segítéséről és az állami kárenyhítésről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0500135.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0500135.TV).

Hungary, Act I of 2007 on the inbound travel and residence of persons enjoying freedom of movement (2007. évi I. törvény a szabad mozgás és tartózkodás jogával rendelkező személyek beutazásáról és tartózkodásáról), available at: [www.complex.hu/jr/gen/hjegy\\_doc.cgi?docid=A0700001.TV](http://www.complex.hu/jr/gen/hjegy_doc.cgi?docid=A0700001.TV)

Hungary, Act II of 2007 on the inbound travel and residence of third-country nationals (2007. évi II. törvény a harmadik országbeli állampolgárok beutazásáról és tartózkodásáról), available at: [www.complex.hu/jr/gen/hjegy\\_doc.cgi?docid=A0700002.TV](http://www.complex.hu/jr/gen/hjegy_doc.cgi?docid=A0700002.TV)

Hungary, Act II of 2012 on petty offences, procedure of petty offences, petty offences registration (2012. évi II. Törvény a szabálysértésekről, szabálysértési eljárásról és a szabálysértési nyilvántartási rendszerről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200002.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200002.TV)

Hungary, Act III of 1993 on social administration and social care (1993. évi III. törvény a szociális igazgatásról és szociális ellátásokról) available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99300003.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99300003.TV)

Hungary, Act IV of 1952 on Marriage, Family and Guardianship (1954. évi IV. Törvény a házasságról, a családról és a gyámságról), available at: <http://net.jogtar.hu/jr/gen/getdoc2.cgi?docid=95200004.TV>

Hungary, Act IV of 1959 on the Civil Code (1959. évi IV. törvény a Polgári Törvénykönyvről).

Hungary, Act LXI of 1991 on the promulgation of the Bilateral agreement with Czechoslovakia on mutual assistance in civil, family and criminal matters (1991. évi LXI. Törvény a Magyar Népköztársaság és a Csehszlovák Szocialista Köztársaság között a jogsegélyről, valamint a polgári jogi, családjogi és a büntetőügyekre vonatkozó jogi kapcsolatok szabályozásáról szólóan létrejött, Bratislavában, az 1989. évi március hó 28. napján aláírt szerződés kihirdetéséről), available at: [www.1000ev.hu/index.php?a=3&param=8821](http://www.1000ev.hu/index.php?a=3&param=8821)

Hungary, Act LXIV of 1991 on the ratification of the UN Convention on the rights of the child (1991. évi LXIV. Törvény a Gyermek jogairól szóló, New Yorkban, 1989. november 20-án kelt Egyezmény kihirdetéséről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99100064.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99100064.TV)

Hungary, Act LXXIX of 2009 on the amendment of Act XXXI of 1997 and other related acts (2009. évi LXXIX. Törvény a gyermekek védelméről és a gyámügyi igazgatásról szóló 1997. évi XXXI. törvény, valamint egyes szociális tárgyú törvények módosításáról), available at: [www.complex.hu/kzldat/t0900079.htm/t0900079.htm](http://www.complex.hu/kzldat/t0900079.htm/t0900079.htm)

Hungary, Act LXXX of 2005 on the promulgation of the Hague Convention on protection of children and co-operation in respect of intercountry adoption (2005. évi LXXX. Törvény a gyermekeknek a nemzetközi örökbefogadások terén való védelméről és az ilyen ügyekben történő együttműködésről szóló, Hágában, 1993. május 29. napján kelt Egyezmény kihirdetéséről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0500080.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0500080.TV)

Hungary, Act LXXX of 2007 on the Right of Asylum (2007. évi LXXX. törvény a menedéjogról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A0700080.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A0700080.TV).

Hungary, Act LXXXVIII of 2013 on the on the system of the warrant registration and the search of persons, objects and their identification (2013. évi LXXXVIII. törvény a körözési nyilvántartási rendszerről és a személyek, dolgok felkutatásáról és azonosításáról) available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300088.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300088.TV)

Hungary, Act V of 2013 on the Civil Code (2013. évi V. törvény a Polgári Törvénykönyvről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1300005.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1300005.TV)

Hungary, Act XIX of 1998. on the Criminal Procedures (1998. évi XIX törvény a büntetőeljárásról), available at: <http://net.jogtar.hu/jr/gen/getdoc2.cgi?docid=99800019.TV>.

Hungary, Act XVI of 2002 on the promulgation of the Bilateral agreement on mutual assistance in civil matters (2002. évi XVI. törvény a Magyar Köztársaság és Ukrajna között a polgári ügyekben történő kölcsönös jogsegélyről szóló, Budapesten, 2001. augusztus 2-án aláírt szerződés kihirdetéséről), available at: [www.1000ev.hu/index.php?a=3&param=10078](http://www.1000ev.hu/index.php?a=3&param=10078)

Hungary, Act XXVII of 2013 on social and child protection acts in accordance with the Magyary simplification modification Programme (2013. évi XXVII. törvény a szociális és gyermekvédelmi tárgyú törvények Magyary Egyszerűsítési Programmal összefüggő módosításáról, valamint egyéb törvények módosításáról), available at: [www.complex.hu/kzldat/t1300027.htm/t1300027\\_0.htm](http://www.complex.hu/kzldat/t1300027.htm/t1300027_0.htm)

Hungary, Act XXXI of 1997 on the protection of children and the administration of guardianship affairs (1997. évi XXXI. Törvény a gyermekek védelméről és a gyámügyi igazgatásról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV).

Hungary, Act XXXV of 2010 on the amendment of the Criminal Code (2010. évi XXXV. törvény a Büntető Törvénykönyvről szóló 1978. évi IV. törvény módosításáról), available at: [www.complex.hu/kzldat/t1000035.htm/t1000035.htm](http://www.complex.hu/kzldat/t1000035.htm/t1000035.htm)

Hungary, Act. LXII of 2012 on the Amendment of Certain Laws Connected to the Implementation of Child-friendly Justice Norms (2012. évi LXII. Törvény a gyermekbarát igazságszolgáltatás megvalósulásához kapcsolódó egyes törvények módosításáról), available at: [www.complex.hu/kzldat/t1200062.htm/t1200062.htm](http://www.complex.hu/kzldat/t1200062.htm/t1200062.htm)

Hungary, Babusik, F. (2009): *A nevelőszülői rendszer kutatása – pilot*. Available at: [www.gyerekesely.hu/index.php?option=com\\_phocadownload&view=category&id=20%3Agyerekekkel-kapcsolatos-hazai-szakmai-anyagok](http://www.gyerekesely.hu/index.php?option=com_phocadownload&view=category&id=20%3Agyerekekkel-kapcsolatos-hazai-szakmai-anyagok)

Hungary, Barabás, T. (2010): 'Initial Experiences of mediation in criminal justice', OKRI Review 2., Budapest, OKRI, pp. 6–8, also available at: [www.okri.hu/images/stories/OKRIReview/okri%20review\\_2010\\_2.pdf](http://www.okri.hu/images/stories/OKRIReview/okri%20review_2010_2.pdf)

Hungary, Baranya, R. (2011) 'Gyermekbarát is lehet az igazságszolgáltatás,' in: *Magyar Hírlap* (07.07.2011), available at: [www.magyarhirlap.hu/hatter/gyermekbarat\\_is\\_lehet\\_az\\_igazsagszolgalattas.html](http://www.magyarhirlap.hu/hatter/gyermekbarat_is_lehet_az_igazsagszolgalattas.html) (08.10.2011)

Hungary, Bill No. T/10047. on social and child protection acts in accordance with the Magyary simplification modification Programme (T/10047. számú törvényjavaslat a szociális és gyermekvédelmi tárgyú törvények Magyary Egyszerűsítési Programmal összefüggő módosításáról, valamint egyéb törvények módosításáról) February 2013, available at: [www.parlament.hu/irom39/10047/10047.pdf](http://www.parlament.hu/irom39/10047/10047.pdf), Section 42, p. 15.

Hungary, Central Statistical Office (*Központi Statisztikai Hivatal*): 'A munkanélküliek száma korcsoportonként, nemenként' (Number of unemployed divided by age and gender), available at: [www.ksh.hu/docs/hun/xstadat/xstadat\\_evkozi/e\\_qf010a.html](http://www.ksh.hu/docs/hun/xstadat/xstadat_evkozi/e_qf010a.html).

Hungary, Central Statistical Office (*Központi Statisztikai Hivatal*): 'Metainformation / statistical domains: Child protection', Available at: [www.ksh.hu/apps/meta.objektum?p\\_lang=EN&p\\_menu\\_id=110&p\\_ot\\_id=100&p\\_obj\\_id=FSG&p\\_session\\_id=34609989](http://www.ksh.hu/apps/meta.objektum?p_lang=EN&p_menu_id=110&p_ot_id=100&p_obj_id=FSG&p_session_id=34609989).

Hungary, Child Protection Directorate of the Ministry (2004): Methodological letter [www.szmm.gov.hu/download.php?ctag=download&docID=292](http://www.szmm.gov.hu/download.php?ctag=download&docID=292)

Hungary, Commissioner for Fundamental Right (2012) Report No. AJB-6163/2010, available at: [www.ajbh.hu/documents/10180/105926/201006163.rtf/01c6a2f4-c712-425d-a9ee-4504fc7dea7c;jsessionid=4375CD96752C6984C9167F0F9409A4B0?version=1.0](http://www.ajbh.hu/documents/10180/105926/201006163.rtf/01c6a2f4-c712-425d-a9ee-4504fc7dea7c;jsessionid=4375CD96752C6984C9167F0F9409A4B0?version=1.0)

Hungary, Commissioner for Fundamental Right (2012) Report No. AJB 3039/2013, available in Hungarian at: [www.ajbh.hu/documents/10180/111959/201303039.pdf](http://www.ajbh.hu/documents/10180/111959/201303039.pdf); Commissioner for Fundamental Right (2012) Report No. AJB 8291/2012, available in Hungarian at: [www.ajbh.hu/documents/10180/111959/201208291.pdf](http://www.ajbh.hu/documents/10180/111959/201208291.pdf)

Hungary, Commissioner for Fundamental Right (2012) Report No. AJB 1140/2012, available in Hungarian at: <https://www.ajbh.hu/documents/10180/143994/2012011140.rtf/7add4e8-1df1-4c31-a31f-dbb399d59d29>.

Hungary, Commissioner for Fundamental Right (2012) Report No. AJB 316/2011. (Az állampolgári jogok országgyűlési biztosának jelentése az AJB 316/2011. számú ügyben), p. 3, Available at: <https://www.ajbh.hu/documents/10180/107993/201100316.rtf/2d89b1c8-4fd2-4e72-9452-523796fe7cce;jsessionid=69FE65D119EE51064B15A58CAE42ECD7?version=1.0>.

Hungary, Commissioner for Fundamental Rights (2010) AJOB Project Book – Child rights project (*ÁJOB projektfüzetek: Gyermekjogi Projekt*), 2010/1, Budapest, Országgyűlési Biztos Hivatala

Hungary, Commissioner for Fundamental Rights (2012) 'Gyermeki jogok a rendíri intézkedés során', AJB-1133/2012, available at: [www.obh.hu/allam/aktualis/htm/kozlemeny20120712.htm](http://www.obh.hu/allam/aktualis/htm/kozlemeny20120712.htm), Commissioner for Fundamental Rights (2013): Gyermekbarát igazságszolgáltatás – gyermekjogok az eljárásokban. In: Gyermekközpontú Igazságszolgáltatás – Gyermekjogi projekt – 2013/1, pp 48-64; Commissioner for Fundamental Rights (2013): A gyermekbarát igazságszolgáltatást érintő egyéb vizsgálatok. In: Gyermekközpontú Igazságszolgáltatás – Gyermekjogi projekt – 2013/1, pp 142-147

Hungary, Commissioner for Fundamental Rights (2012) AJB Projektfüzetek: A gyermekek testi-lelki egészsége – Gyermekjogi projekt, 2012/1, Budapest, available at: <http://gyermekjogok.ajbh.hu/>

Hungary, Commissioner for Fundamental Rights (2012) Report No AJB-2227/2010, ÁJOB Projektfüzetek, 2010/1, Budapest, available at: [www.ajbh.hu/kozlemenyek-archiv/-/content/10180/38/a-jelzorendszeres-jelentes-visszhangjarol;jsessionid=D4D17CBFF56BB87132B628F207BA15BE](http://www.ajbh.hu/kozlemenyek-archiv/-/content/10180/38/a-jelzorendszeres-jelentes-visszhangjarol;jsessionid=D4D17CBFF56BB87132B628F207BA15BE)

Hungary, Commissioner for Fundamental Rights (2012) Report No AJB 1092/2011, available at: [http://archive-hu.com/hu/o/obh.hu/2012-05-08\\_1107\\_26/AJB\\_1092\\_2011](http://archive-hu.com/hu/o/obh.hu/2012-05-08_1107_26/AJB_1092_2011)

Hungary, Commissioner for Fundamental Rights (2012) Report No AJB 316/2011, available at: [www.ajbh.hu/documents/10180/107993/201103540.rtf/adb70231-12f2-4f12-b4bd-2eac8c4d22f9;jsessionid=7A75341689F276C7FD20B8EF811A6842?version=1.0](http://www.ajbh.hu/documents/10180/107993/201103540.rtf/adb70231-12f2-4f12-b4bd-2eac8c4d22f9;jsessionid=7A75341689F276C7FD20B8EF811A6842?version=1.0)

Hungary, Commissioner for Fundamental Rights (2012) Report No AJB-1133/2012 (*Gyermeki jogok a rendőri intézkedés során*) available at: [www.obh.hu/allam/aktualis/htm/kozlemeny20120712.htm](http://www.obh.hu/allam/aktualis/htm/kozlemeny20120712.htm).

Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB 2614/2012, available at: [www.ajbh.hu/documents/10180/143994/201202614.rtf/fe174e9d-c605-4512-81ae-d240fef710a9](http://www.ajbh.hu/documents/10180/143994/201202614.rtf/fe174e9d-c605-4512-81ae-d240fef710a9)

Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB-2617/2012, available at: [www.ajbh.hu/documents/10180/143994/201202617.rtf/754c7fe5-f3d5-4e7a-8cf8-ee6fe96c67ed](http://www.ajbh.hu/documents/10180/143994/201202617.rtf/754c7fe5-f3d5-4e7a-8cf8-ee6fe96c67ed)

Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB-733/2012, available at: [www.ajbh.hu/en/web/ajbh-en/reports-statements-studies](http://www.ajbh.hu/en/web/ajbh-en/reports-statements-studies)

Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB-2731/2012, available at: [www.ajbh.hu/en/web/ajbh-en/reports-statements-studies](http://www.ajbh.hu/en/web/ajbh-en/reports-statements-studies)

Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB 2323/2012, available at: [www.ajbh.hu/documents/10180/143994/201204495.rtf/dee8b1a8-ae30-4078-8f4b-eea614dbcb21](http://www.ajbh.hu/documents/10180/143994/201204495.rtf/dee8b1a8-ae30-4078-8f4b-eea614dbcb21)

Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB 2614/2012, available at: [www.ajbh.hu/en/web/ajbh-en/reports-statements-studies](http://www.ajbh.hu/en/web/ajbh-en/reports-statements-studies)

Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB-5863/2012 (Related case AJB-1059/2012), available at: [www.ajbh.hu/documents/10180/111959/201205863.doc](http://www.ajbh.hu/documents/10180/111959/201205863.doc)

Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB 8291/2012, available at: [www.ajbh.hu/documents/10180/111959/201208291.pdf](http://www.ajbh.hu/documents/10180/111959/201208291.pdf)

Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB-2731/2012, available in Hungarian at: [www.ajbh.hu/documents/10180/143247/201202731.rtf/06c12e69-536a-4b7a-a09b-b3847334ee18](http://www.ajbh.hu/documents/10180/143247/201202731.rtf/06c12e69-536a-4b7a-a09b-b3847334ee18).

Hungary, Commissioner for Fundamental Rights (2012) Report No. AJB-6163/2010, available in Hungarian at: [www.ajbh.hu/documents/10180/105926/201006163.rtf/01c6a2f4-c712-425d-a9ee-4504fc7dea7c;jsessionid=4375CD96752C6984C9167F0F9409A4B0?version=1.0](http://www.ajbh.hu/documents/10180/105926/201006163.rtf/01c6a2f4-c712-425d-a9ee-4504fc7dea7c;jsessionid=4375CD96752C6984C9167F0F9409A4B0?version=1.0).

Hungary, Commissioner for Fundamental Rights (2013) 'Investigation of the Ombudsman on the child abuse case in Szigetszentmiklós No. ÁJB-7903/2013' (*Szigetszentmiklósi gyermekbántalmazás - az ombudsman vizsgálata*) available in Hungarian at [www.ajbh.hu/-/szigetszentmiklosi-gyermekbantalalmazas-az-ombudsman-vizsgalata](http://www.ajbh.hu/-/szigetszentmiklosi-gyermekbantalalmazas-az-ombudsman-vizsgalata), and also at [www.mave/uploads/file/jelentes/207903\\_2013.pdf](http://www.mave/uploads/file/jelentes/207903_2013.pdf).

Hungary, Commissioner for Fundamental Rights (2013) Investigation of the Ombudsman on the child abuse case in Szigetszentmiklós No. ÁJB-7903/2013 (*Szigetszentmiklósi gyermekbántalmazás - az ombudsman vizsgálata*) available in Hungarian at [www.ajbh.hu/-/szigetszentmiklosi-gyermekbantalalmazas-az-ombudsman-vizsgalata](http://www.ajbh.hu/-/szigetszentmiklosi-gyermekbantalalmazas-az-ombudsman-vizsgalata) and also at [www.mave/uploads/file/jelentes/207903\\_2013.pdf](http://www.mave/uploads/file/jelentes/207903_2013.pdf)

Hungary, Commissioner for Fundamental Rights (2013) Report No. AJB 3039/2013, available at: [www.ajbh.hu/documents/10180/111959/201303039.pdf](http://www.ajbh.hu/documents/10180/111959/201303039.pdf)

Hungary, Commissioner for Fundamental Rights (2014): Szigetszentmiklós: no real help has been provided [www.ajbh.hu/en/web/ajbh-en/-/szigetszentmiklos-no-real-help-has-been-provided-the-ombudsman-on-the-child-protection-service](http://www.ajbh.hu/en/web/ajbh-en/-/szigetszentmiklos-no-real-help-has-been-provided-the-ombudsman-on-the-child-protection-service)

Hungary, Commissioner for the Fundamental Rights (2011) Report No. AJB 316/2011, p.2., available in Hungarian at: [www.ajbh.hu/documents/10180/107993/201100316.rtf/2d89b1c8-4fd2-4e72-9452-523796fe7cce;jsessionid=69FE65D119EE51064B15A58CAE42ECD7?version=1.0](http://www.ajbh.hu/documents/10180/107993/201100316.rtf/2d89b1c8-4fd2-4e72-9452-523796fe7cce;jsessionid=69FE65D119EE51064B15A58CAE42ECD7?version=1.0).

Hungary, Communication 8001/2007 of the Ministry of Law Enforcement and Justice on the Mutual assistance declaration on maintenance obligations with the United States of America (8001/2007. (*IK 2.) IRM tájékoztató viszonzási nyilatkozatról*), available at: [www.kozlonyok.hu/kozlonyok/index.php?m=0&p=kozklart&ev=2007&szam=2&k=14](http://www.kozlonyok.hu/kozlonyok/index.php?m=0&p=kozklart&ev=2007&szam=2&k=14)

Hungary, Családhaló (2011) 'Kötelező óvoda 4 éves kortól?' (Compulsory kindergarten from age 4?), available at: <http://csaladhalo.hu/cikk/hatter/kotelezo-ovoda-4-eves-kortol>.

Hungary, Decree Law 11/1969 on the promulgation of the Bilateral agreement on mutual assistance in civil, family and criminal matters with Mongolia (1969. évi 11. törvényerejű rendelet a Magyar Népköztársaság és a Mongol Népköztársaság között a polgári, családjogi és büntügyi jogsegélyről szóló, Budapesten az 1968. évi november hó 22. napján aláírt szerződés kihirdetéséről), available at [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=96900011.TVR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=96900011.TVR)

Hungary, Decree Law 12/1971 on the promulgation of the Bilateral agreement on mutual assistance in civil, family and criminal matters (1971. évi 12. törvényerejű rendelet a Magyar Népköztársaság és a Koreai Népi Demokratikus Köztársaság között a polgári, családjogi és büntügyi jogsegélyről szóló, Phenjanban az 1970. évi október hó 5. napján aláírt szerződés kihirdetéséről).

Hungary, Decree Law 15/1985 on the promulgation of the Bilateral agreement on mutual assistance in civil, family and criminal matters (1985. évi 15. törvényerejű rendelet a Magyar Népköztársaság és az Algériai Demokratikus és Népi Köztársaság között az Algírban az 1976. évi február hó 7. napján aláírt, a polgári, családjogi és büntügyi jogsegélyről szóló szerződés kihirdetéséről), available at [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=98500015.TVR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=98500015.TVR)

Hungary, Decree Law 2/1985 on the promulgation of the Bilateral agreement on mutual assistance in civil, family and criminal matters, execution of judicial decisions and extradition (1985. évi 2. törvényerejű rendelet a Magyar Népköztársaság és a Tunéziai Köztársaság között Budapesten, az 1982. évi december hó 6. napján aláírt, a polgári és büntügyi jogsegély, a bírói határozatok elismerése és végrehajtása, valamint a kiadatásról szóló szerződés kihirdetéséről), available at : <http://jab.complex.hu/doc.php?docid=WKHU-QJ-XML-000098500002TVR>

Hungary, Decree Law 24/1958 on the promulgation of the Bilateral agreement on mutual assistance in civil, family and criminal matters (1981. évi 24. törvényerejű rendelet a Magyar Népköztársaság és a Lengyel Népköztársaság között a polgári, családjogi és büntügyi jogsegély tárgyában Budapesten, az 1959. évi március hó 6. napján aláírt szerződés módosításáról és kiegészítéséről szóló, Varsóban, az 1980. évi szeptember hó 18. napján aláírt jegyzőkönyv kihirdetéséről), available at: [www.opten.hu/1981-evi-24-torvenyereju-rendelet-j2507.html](http://www.opten.hu/1981-evi-24-torvenyereju-rendelet-j2507.html)

Hungary, Decree Law 25/1960 on the promulgation of the Bilateral agreement on mutual assistance in civil, family and criminal matters (1960. évi 25. törvényerejű rendelet a Magyar Népköztársaság és az Albán Népköztársaság között a polgári, családjogi és büntügyi jogsegély tárgyában Tiranában 1960. évi január hó 12. napján aláírt szerződés kihirdetéséről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=96000025.TVR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=96000025.TVR)

Hungary, Decree Law 3/1982 on the promulgation of the Bilateral agreement on mutual assistance in civil, family and criminal matters, the recognition and execution of decisions and extradition (Magyar Népköztársaság és a Francia Köztársaság között Budapesten, az 1980. évi július hó 31. napján aláírt, a polgári és a családjogi jogsegélyről, a határozatok elismeréséről és végrehajtásáról, valamint a büntügyi jogsegélyről és a kiadatásról szóló szerződés), available at: <http://jab.complex.hu/doc.php?docid=WKHU-QJ-XML-000098200003TVR>

Hungary, Decree Law 38/1958 on the promulgation of the Bilateral agreement with the Soviet Union on mutual assistance in civil, family and criminal matters (1958. évi 38. törvényerejű rendelet a Magyar Népköztársaság és a Szovjet Szocialista Köztársaságok Szövetsége között a polgári, családjogi és büntügyi jogsegély tárgyában Moszkvában, 1958. évi július hó 15. napján aláírt szerződés kihirdetéséről), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=95800038.TVR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=95800038.TVR)

Hungary, Decree Law 4/1984 on the promulgation of the Bilateral agreement on bilateral agreement on mutual assistance in civil, family and criminal matters (1984. évi 4. törvényerejű rendelet a Magyar Népköztársaság és a Kubai Köztársaság között a polgári, családjogi és büntügyi jogsegély tárgyában Havannában, az 1982. évi november hó 27. napján aláírt szerződés kihirdetéséről), available at : <http://jab.complex.hu/doc.php?docid=WKHU-QJ-XML-000098400004TVR>

Hungary, Decree Law 6/1967 on the promulgation of the Bilateral agreement on mutual assistance in civil, family and criminal matters (1967. évi 6. törvényerejű rendelet a Magyar Népköztársaság és a Bolgár Népköztársaság



között a polgári, családi és bűnügyi jogsegély tárgyában Szófiában, az 1966. évi május hó 16. napján aláírt szerződés kihirdetéséről), available at [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=96700006.TVR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=96700006.TVR)

Hungary, Decree Law 86/1986 on the promulgation of the Bilateral agreement on mutual assistance in civil, family and criminal matters (1986. évi 8. törvényerejű rendelet a Magyar Népköztársaság és a Vietnami Szocialista Köztársaság között a polgári, a családi és a bűnügyi jogsegély tárgyában Hanoiban 1985. évi január hó 18. napján aláírt szerződés kihirdetéséről), available at <http://jab.complex.hu/doc.php?docid=WKHU-QJ-XML-000098600008TVR>

Hungary, Directorate General of Social Affairs and Child Protection (2014), Letter No. I-9195-1/2014 (dated 30 May 2014); in response to an information request for the purposes of the present report by the Hungarian Helsinki Committee (dated 16 May 2014).

Hungary, Dr. Kovács Zs., Dr. Scheiber, D, Dr. Herczog, M. (ed.) (2011): *Gyermekbántalmazás Módszertani ajánlás*, available in Hungarian: [www.ogyei.hu/upload/files/gyermekb\\_modszertani\\_ajanlas.pdf](http://www.ogyei.hu/upload/files/gyermekb_modszertani_ajanlas.pdf)

Hungary, Family, Child, Youth Association (*Család, Gyermek, Ifjúság Egyesület*) (2009), Kézikönyv a Gyermekjogi Egyezmény alkalmazásához, Budapest, Family, Child, Youth Association (*Család, Gyermek, Ifjúság Egyesület*)

Hungary, Family, Child, Youth Association (*Család, Gyermek, Ifjúság Egyesület*) (2013), Alternative – NGO – report on the implementation of the UN CRC in Hungary 2006-2012, available at: [www.csagyi.hu/en/researches-projects/topical/crc-alternative-report/item/761-alternative-ngo-report](http://www.csagyi.hu/en/researches-projects/topical/crc-alternative-report/item/761-alternative-ngo-report)

Hungary, Founding Charter of the National Institute of Family and Social Policy (*A Nemzeti Család- és Szociálpolitikai Intézet Alapító Okirata (a módosításokkal egységes szerkezetben)*), available at: [www.kozlonyok.hu/kozlonyok/Kozlonyok/12/PDF/2013/33.pdf](http://www.kozlonyok.hu/kozlonyok/Kozlonyok/12/PDF/2013/33.pdf), pp. 6027- 6030; see at: Homepage of the institute is available at [www.ncsszi.hu](http://www.ncsszi.hu) (in Hungarian).

Hungary, Fundamental Law of Hungary (Magyarország Alaptörvénye), available at: [www.parlament.hu/angol/alk\\_angol.htm](http://www.parlament.hu/angol/alk_angol.htm)

Hungary, General Assembly of Bács-Kiskun County (2011) Submission for the assembly on outsourcing certain tasks of the Regional Child Protection Methodological Service (*Előterjesztés. A Bács-Kiskun Megyei Önkormányzat Területi Gyermekvédelmi Szakszolgálatára és Gyermekotthonai egyes feladatainak ellátási szerződés újraindításának biztosítása*), available at: [www.google.hu/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0CC8QFjAA&url=http%3A%2F%2Fwww.bacsiskun.hu%2Fmegyeionkormanyzat%2Felőterjesztések%2F20110930%2Fen-14-20110930.doc&ei=ILyEU6pyzoGEB8\\_OgdgM&usq=AFQjCNF9pRyRrFfb-IEckASxKcVyArRaRg&sig2=-wmacTBYFofKyzCqbdZWug](http://www.google.hu/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0CC8QFjAA&url=http%3A%2F%2Fwww.bacsiskun.hu%2Fmegyeionkormanyzat%2Felőterjesztések%2F20110930%2Fen-14-20110930.doc&ei=ILyEU6pyzoGEB8_OgdgM&usq=AFQjCNF9pRyRrFfb-IEckASxKcVyArRaRg&sig2=-wmacTBYFofKyzCqbdZWug)

Hungary, Government Decree 316/2012.(XI.13.) on the Directorate of Social Affairs and Child Protection (*316/2012. (XI. 13.) Korm. Rendelet a Szociális és Gyermekvédelmi Főigazgatóságról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=A1200316.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200316.KOR); ; see at: [www.szgyf.gov.hu/](http://www.szgyf.gov.hu/) (in Hungarian).

Hungary, Gyurkó, Sz.(2011) 'Challenges in the judicial system – child friendly justice as seen by children' ('Kihívások az igazságszolgáltatási rendszerben – gyermekbarát eljárás a gyermekek szemével') in: *Családi Jog* Vol 9. no 3.

Hungary, Gyurkó, Sz.(2011): Challenges in the judicial system – child friendly justice as seen by children' ('Kihívások az igazságszolgáltatási rendszerben – gyermekbarát eljárás a gyermekek szemével') in: *Családi Jog* Vol 9. no 3.

Hungary, Herczog, M. (2001): The development and state of specialized foster care system in Hungary, Written consultation paper, UNICEF Technical meeting on specialised Fostering, 19-20 March 2001, Belgrade

Hungary, Herczog, M. (2011): Country Report on child abuse and neglect in Hungary

Hungary, Herczog, M. (2012) 'Börtönben lévő szülők gyerekei- egy speciális gyerekcsoport, speciális szükségletekkel'. In: *Családi Jog* 2012/1. p. 1-6., also available at: [www.hvgorac.hu/sites/portal/default.aspx?page=journal&article=Csaladjog\\_2012\\_1.htm](http://www.hvgorac.hu/sites/portal/default.aspx?page=journal&article=Csaladjog_2012_1.htm).

Hungary, Herczog, M. (2013) 'Szakellátásban élő gyerekek és a korai iskolaelhagyás' (Children in public care and early school drop out), QUALL, available at: [http://oktataskesztes.tka.hu/pages/content/index.php?page\\_id=1145](http://oktataskesztes.tka.hu/pages/content/index.php?page_id=1145).

Hungary, Herczog, M. (ed.) (1999) „Gyermekeink védelmében”, Budapest, Országos Család- és Gyermekvédelmi Intézet, available at: [www.szmm.gov.hu/main.php?folderID=16470](http://www.szmm.gov.hu/main.php?folderID=16470)

Hungary, Herczog, M. (ed.) (1999):“On the protection of our children” Handbook on how to use the child welfare and child protection assessment and documentation (*Gyermekeink védelmében. Kézikönyv a gyermekjóléti és gyermekvédelmi ellátásban részesülők gondozását- nevelését segítő adatlapok használatához*), Budapest, Országos Család- és Gyermekvédelmi Intézet, ISBN 9630384027

Hungary, Herczog, M., 'Ideology and the changing role of foster family care in Hungary' in: McKenzie, B. (ed.) (1994): Current perspectives on foster family care for children and youth. London and Philadelphia, Jessica Kinglsey Publishers.

Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2012): Yearbook of welfare statistics – 2011 (*Szociális statisztikai évkönyv- 2011*), Budapest, KSH

Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2013): Yearbook of welfare statistics – 2012 (*Szociális statisztikai évkönyv- 2012*), Budapest, KSH

Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) online database: STADAT 1.1 – Population, vital event (1941-), Budapest, KSH, available at: [www.ksh.hu/docs/hun/xstadat/xstadat\\_eves/i\\_wnt001b.html](http://www.ksh.hu/docs/hun/xstadat/xstadat_eves/i_wnt001b.html)

Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2012): Family support services 2000-2011 (*Családsegítő szolgálatok 2000-2011*), p. 19, Available in Hungarian at: [www.ksh.hu/docs/hun/xftp/idoszaki/pdf/csaladsegito.pdf](http://www.ksh.hu/docs/hun/xftp/idoszaki/pdf/csaladsegito.pdf)

Hungary, Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) (2014): Social benefits, social security in the counties (*Szociális ellátások, szociális védelmi helyzetkép a megyékben*), page 8, Available in Hungarian at: [www.ksh.hu/docs/hun/xftp/idoszaki/regio/debrecenmiskolcsozocialis.pdf](http://www.ksh.hu/docs/hun/xftp/idoszaki/regio/debrecenmiskolcsozocialis.pdf)

Hungary, Hungarian Women's Lobby and the European Roma Rights Centre (2013) Alternative report submitted to the UN CEDAW Committee for consideration in relation to the examination of the combined seventh and eighth periodic reports of Hungary, January 2013, available at: [http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/HUN/INT\\_CEDAW\\_NGO\\_HUN\\_13260\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/HUN/INT_CEDAW_NGO_HUN_13260_E.pdf)

Hungary, HVG (2014) 'Önmagával is vitatkozik a Fidesz a kötelező óvoda miatt' (FIDESZ is arguing with its own initiative on compulsory kindergarten attendance), available at: [http://hvg.hu/itthon/20140106\\_kotelezo\\_ovoda\\_2015](http://hvg.hu/itthon/20140106_kotelezo_ovoda_2015).

Hungary, Kegye, A. and Morteau, C. E. (Ed. Farkas, L., Chance for Children Foundation) (*Esélyt a hátrányos Helyzetű Gyereknek Alapítvány*) (2013): Handbook on tackling the segregation of Roma children in nursery and primary schools - From investigation to decision making, available at: [www.cfcf.hu/images/stories/pdf/Handbook\\_FINAL\\_PART%201\\_2013.11.05.pdf](http://www.cfcf.hu/images/stories/pdf/Handbook_FINAL_PART%201_2013.11.05.pdf)

Hungary, Kegye, A., Morteau, C. E. (2013)*Handbook on tackling the segregation of Roma children in nursery and primary schools - From investigation to decision making*, Budapest, CFCF, available at: [www.cfcf.hu/images/stories/pdf/Handbook\\_FINAL\\_PART%201\\_2013.11.05.pdf](http://www.cfcf.hu/images/stories/pdf/Handbook_FINAL_PART%201_2013.11.05.pdf).

Hungary, Kerpel, Éva (Kék Vonal Child Crisis Foundation) (2009): Prevention and Damage Control in case of international child abduction (*A gyermekek külföldre vitelének megelőzése és kárenyhítés*), JLS/CJ/2007-1/07-30-CE-02225020059

Hungary, Kiszeghy, L. PhD (2012): FGM prevalence in Hungary – estimation, available at: <http://mona-alapitvany.hu/wp-content/uploads/2012/11/fgm-prevalence-in-hungary-estimation.pdf>

Hungary, Kovács, Sz. (Ed.) (2012): *Módszertani segédlet a gyermekvédelmi gondoskodásban élő gyermekekkel szembeni szexuális visszaélések eseteire: Felismerés és jelzés*, Budapest, Budapest Főváros Önkormányzatának Módszertani Gyermekvédelmi Szakszolgálat, available at: [www.tegyesz.hu/file/Szakmai\\_informaciok/Kiadvanyok/modszertani\\_segedlet\\_2012.pdf](http://www.tegyesz.hu/file/Szakmai_informaciok/Kiadvanyok/modszertani_segedlet_2012.pdf).

Hungary, Kovács, Sz. ed. (2012): *Módszertani segédlet a gyermekvédelmi gondoskodásban élő gyermekekkel szembeni szexuális visszaélések eseteire: Felismerés és jelzés*, Budapest, Budapest Főváros Önkormányzatának Módszertani Gyermekvédelmi Szakszolgálat, available at: [www.tegyesz.hu/file/Szakmai\\_informaciok/Kiadvanyok/modszertani\\_segedlet\\_2012.pdf](http://www.tegyesz.hu/file/Szakmai_informaciok/Kiadvanyok/modszertani_segedlet_2012.pdf)

Hungary, Lannert, J., Németh, Sz., Sinka, E.: Parenting Support Hungary Final Report TÁRKI TUDOK (Szülőség támogatás Európában), In: Molinuevo, D. (Eurofound) (2012): Parenting Support in Europe, available at: [www.eurofound.europa.eu/pubdocs/2012/70/en/1/EF1270EN.pdf](http://www.eurofound.europa.eu/pubdocs/2012/70/en/1/EF1270EN.pdf)

Hungary, Lux, Á. (ed.) (2010): The children's rights Project of the Hungarian Parliamentary Commissioner for Civil Rights, Budapest, Office of the Parliamentary Commissioner

Hungary, Magyar Családsegítő és Gyermekjóléti Szolgálatok Országos Egyesülete (Hungarian Family Support and Child Welfare Services' Association), *Jogszabályok* (Collection of legislation), available at: [www.macsgyoe.hu/jogszabalyok/](http://www.macsgyoe.hu/jogszabalyok/).

Hungary, Making things better for our children 2007-2032 National Strategy (*Legyen jobb a gyermekeknek!*) *Nemzeti Stratégia 2007-2032*, available at: [www.gyerekesely.hu/index.php?option=com\\_content&view=article&id=7&Itemid=89](http://www.gyerekesely.hu/index.php?option=com_content&view=article&id=7&Itemid=89)

Hungary, Methodological National Association of Child Welfare Services (*Módszertani Gyermekjóléti Szolgálatok Országos Egyesülete*) (2006) Handbook for child welfare service providers on intervention in all forms of child maltreatment (*Kézikönyv a gyermekjóléti szolgáltatást nyújtók számára a gyermekekkel szembeni rossz bánásmóddal kapcsolatos esetek ellátáshoz és kezeléséhez*), available at: [www.mogyesz.hu/index.php?option=com\\_rokdownloads&view=file&task=download&id=237:gyermekbantalmazas-megelzese-modszertani-fuezet](http://www.mogyesz.hu/index.php?option=com_rokdownloads&view=file&task=download&id=237:gyermekbantalmazas-megelzese-modszertani-fuezet)

Hungary, Ministerial Decree 14 of 1986 on the proclamation of the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction (*1986. évi 14. törvényerejű rendelet a Gyermekek Jogellenes Külföldre Vitelének Polgári Jogi Vonatkozásairól szóló, Hágában az 1980. évi október 25. napján kelt szerződés kihirdetéséről*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=98600014.TVR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=98600014.TVR).

Hungary, Ministry of Public Administration and Justice (2013) 'Task force for child-friendly justice administration to continue its efforts', available at: [www.kormany.hu/en/ministry-of-public-administration-and-justice/news/task-force-to-be-set-up-to-implement-child-friendly-justice-administration](http://www.kormany.hu/en/ministry-of-public-administration-and-justice/news/task-force-to-be-set-up-to-implement-child-friendly-justice-administration).

Hungary, Ministry of Public Administration and Justice, State Secretariat for Social Inclusion (2011), National Social Inclusion Strategy – Extreme Poverty, Child Poverty, the Roma – (2012–2020) November 2011, (*Nemzeti Társadalmi Felzárkózási Stratégia – Mélyszegénység, gyermekszegénység, romák – (2011–2020)*, 2011. november), official English translation is available at: <http://romagov.kormany.hu/download/5/58/20000/Strategy%20-%20HU%20-%20EN.PDF>

Hungary, Ministry of Public Administration and Justice, State Secretariat for Social Inclusion (2011), National Social Inclusion Strategy – Extreme Poverty, Child Poverty, the Roma – (2012–2020) November 2011, (*Nemzeti Társadalmi Felzárkózási Stratégia – Mélyszegénység, gyermekszegénység, romák – (2011–2020)*, 2011.

november), p. 105., official English translation is available at: <http://romagov.kormany.hu/download/5/58/20000/Strategy%20-%20HU%20-%20EN.PDF>.

Hungary, National Association of Methodology Child Welfare Services (*Módszertani Gyermekjóléti Szolgálatok Országos Egyesülete*), available at: [www.mogyesz.hu/index.php?option=com\\_content&view=section&layout=blog&id=3&Itemid=4](http://www.mogyesz.hu/index.php?option=com_content&view=section&layout=blog&id=3&Itemid=4).

Hungary, National Child Care Institute (*Országos Gyermekegészségügyi Intézet*) 2009: Child Safety Europe – Hungary – Planning document (*Nemzeti Gyermek- és Ifjúságbiztonsági Akcióterv, 2010-2019*), available at: [www.childsafetyeurope.org/europe/info/hungary/hungary-planning-document-en.pdf](http://www.childsafetyeurope.org/europe/info/hungary/hungary-planning-document-en.pdf). ISBN 978-963-06-7523-9

Hungary, National Disability Programme 2007-2013 (*Országos Fogymotékosügyi Program 2007-2013*), available at: [www.szmm.gov.hu/main.php?folderID=1295](http://www.szmm.gov.hu/main.php?folderID=1295)

Hungary, National Office for Rehabilitation and Social Affairs (*Nemzeti Rehabilitációs és Szociális Hivatal*) (2013): *A szociális, gyermekjóléti és gyermekvédelmi szolgáltatások igénybevevői 2012*, available in Hungarian: [www.szocialisportal.hu/documents/10504/36116/Szoci%C3%A1lis+F%C3%BCzet+5.+kicsiny%C3%ADtett.pdf](http://www.szocialisportal.hu/documents/10504/36116/Szoci%C3%A1lis+F%C3%BCzet+5.+kicsiny%C3%ADtett.pdf)

Hungary, National Office for Rehabilitation and Social Affairs (*Nemzeti Rehabilitációs Hivatal*) (2013): Service users of social, child welfare and child protection services 2012 (*A szociális, gyermekjóléti és gyermekvédelmi szolgáltatások igénybevevői 2012*), Available at: [www.szocialisportal.hu/documents/10504/36116/Szociális+Füzet+5.+kicsinyített.pdf](http://www.szocialisportal.hu/documents/10504/36116/Szociális+Füzet+5.+kicsinyített.pdf).

Hungary, National Reform Programme 2013 (*Nemzeti Reform Program, 2013 Magyarország*), available at: [http://ec.europa.eu/europe2020/europe-2020-in-your-country/magyarorszag/national-reform-programme/index\\_en.htm](http://ec.europa.eu/europe2020/europe-2020-in-your-country/magyarorszag/national-reform-programme/index_en.htm)

Hungary, National Institute of Family and Social Policy (*Nemzeti Család- és Szociálpolitikai Intézet*) (2011): 'Protocol on the provision of children's homes' (*Gyermekotthoni ellátás protokollja*), TÁMOP 5.4.1.-08/1-2009-0002

Hungary, Neményi, Eszter (2006): Miért nem szóltak előre? A lemondó szülők felkészítéséről, In *Család, Gyermek Ifjúság Journal* 2006/1, p. 8, available at: [http://csagyi.hu/images/stories/kiadvanyok/folyoirat/CsaGyl\\_2006\\_1.pdf](http://csagyi.hu/images/stories/kiadvanyok/folyoirat/CsaGyl_2006_1.pdf)

Hungary, Nickelodeon.hu (2013) 'A sikerebb sztárokat is gúnyolták az iskolában' (Famous starts were also bullied at school once), available at: [www.nickelodeon.hu/hirek/a-legsikerebb-sztarokat-is-gunyoltak-az-iskolaban/7qif2b](http://www.nickelodeon.hu/hirek/a-legsikerebb-sztarokat-is-gunyoltak-az-iskolaban/7qif2b).

Hungary, Observatory centre for Educational Development (2013) 'Korai iskolaelhagyás a magyarországi szakképzésben' (Early school drop out from vocational training in Hungary), available at: [www.observatory.org.hu/wp-content/uploads/2013/09/ReferNet\\_2013\\_ESL\\_HU.pdf](http://www.observatory.org.hu/wp-content/uploads/2013/09/ReferNet_2013_ESL_HU.pdf).

Hungary, Office of the Chief Prosecutor (*Főügyészség*) (2011): J/6851 Report of the: (*J/6851 A legfőbb ügyész országgyűlési beszámolója*), Budapest, table 11, available at: [www.mklu.hu/pdf/ogy\\_besz/ogy\\_beszamolo\\_2011.pdf](http://www.mklu.hu/pdf/ogy_besz/ogy_beszamolo_2011.pdf)

Hungary, Papházi, T. (ed.): Gyermekvédelmi statisztikai tájékoztató, 2009, available at: <http://ncsszi.hu/kutatasi-archivum/12/news>

Hungary, Partners Hungary Foundation et al (2013) Updated Civil Society Report on the Implementation of the National Roma Integration Strategy in 2012-2013 in Hungary, published by the Decade Secretariat, available in English at: [www.romadecade.org/cms/upload/file/9717\\_file3\\_hu\\_updated-civil-society-monitoring-report.pdf](http://www.romadecade.org/cms/upload/file/9717_file3_hu_updated-civil-society-monitoring-report.pdf).

Hungary, Partners Hungary Foundation et al. (2013) Civil Society Report on the Implementation of the National Roma Integration Strategy and Decade Action Plan in 2012 in Hungary, published by the Decade of Roma Inclusion Secretariat, Budapest, May 2013, available at: [http://romadecade.org/cms/upload/file/9270\\_file8\\_hu\\_civil-society-monitoring-report\\_en.pdf](http://romadecade.org/cms/upload/file/9270_file8_hu_civil-society-monitoring-report_en.pdf)

Hungary, PATENT Association of People Opposing Patriarchy (PATENT- Patriarchátust Ellenzők Társasága), NANE Women's Rights Organization (NANE – Nők a Nőkért Együtt az Erőszak Ellen Egyesület), (2009) Milyen érvek szólnak a mediáció alkalmazása ellen párkapcsolaton belüli erőszak esetén?, available at: [www.nokjoga.hu/sites/default/files/filefield/mediacio-parkapcsolati-eroszak-eseten\\_0.pdf](http://www.nokjoga.hu/sites/default/files/filefield/mediacio-parkapcsolati-eroszak-eseten_0.pdf)

Hungary, PATENT Association of People Opposing Patriarchy (PATENT- Patriarchátust Ellenzők Társasága), NANE Women's Rights Organization (NANE – Nők a Nőkért Együtt az Erőszak Ellen Egyesület), MONA Foundation for the Women of Hungary (MONA – Magyarországi Női Alapítvány), Hungarian Women's Lobby (Magyar Női Érdekvédelem Szövetsége) (2012) Niszervezetek észrevételei a Büntető Törvénykönyv tervezetének a nők elleni erőszak különböző formáit érintő részeinek vonatkozásában), available at: <http://nokjoga.hu/sites/default/files/filefield/2012-btk-javaslatmarc-9-nane-patent-mona-ne-benyujtva.pdf>

Hungary, Pehr, E. and Herczog, M. (ed.) (2011) Handbook of child protection (A gyermekvédelem nagy kézikönyve), Budapest, Complex Kiadó

Hungary, Rácz, A. (2012) *Gyermekvédelemben nevelkedettek társadalmi integrációs esélyei*, in: *Gyermek és Ifjúságvédelmi Tanulmányok*, Vol. 1., Debrecen, available in Hungarian at: [http://oszkdk.oszk.hu/storage/00/00/50/14/dd/1/24426\\_gyermek\\_es\\_ifjusagvedelmi\\_tanulmanyok\\_elso\\_kotet.pdf](http://oszkdk.oszk.hu/storage/00/00/50/14/dd/1/24426_gyermek_es_ifjusagvedelmi_tanulmanyok_elso_kotet.pdf)

Hungary, Resolution No. 1430/2011. (XII. 13.) of the Government Regarding the National Social Inclusion Strategy and Governmental Action Plan for the Implementation thereof in the Years 2012 to 2014 (A Kormány 1430/2011. (XII. 13.) Korm. határozata a Nemzeti Társadalmi Felzárkózási Stratégiáról, valamint végrehajtásának a 2012–2014. évekre szóló kormányzati intézkedési tervéről), official English translation is available: <http://romagov.kormany.hu/download/6/58/20000/Strategy%20Action%20Plan.PDF>

Hungary, Strategy 2011-2014 of „De-Institutionalising social institutions for disabled persons” (Kiváltás. A fogyatékos személyek ellátásának jövője), available at: [www.szocialisportal.hu/documents/10504/36116/Szoci%C3%A1lis+fejleszt%C3%BCzet++Kiv%C3%A1lt%C3%A1s.pdf](http://www.szocialisportal.hu/documents/10504/36116/Szoci%C3%A1lis+fejleszt%C3%BCzet++Kiv%C3%A1lt%C3%A1s.pdf)

Hungary, SzegedMa.hu (2014) 'ÁGOTA-konferencia az egyházi együttműködés jegyében + FOTÓK' (Conference of the ÁGOTA Foundation in terms of cooperation with the church), available at: <http://szegedma.hu/hir/szeged/2014/05/agota-konferencia-az-egyhazi-egyuttmukodes-jegyeben-fotok.html?nggpage=2>.

Hungary, UNICEF Hungarian Committee (2012) Gyermekszemmel a gyermekjogi egyezmény. Gyermekjogok Magyarországon, available at: <http://unicef.hu/-/gyermekszemmel-a-gyermekjogi-egyezmény>

Hungary, Ministry of Public Administration and Justice, State Secretariat for Social Inclusion (2011), National Social Inclusion Strategy – Extreme Poverty, Child Poverty, the Roma – (2012–2020) November 2011, p. 76. (Nemzeti Társadalmi Felzárkózási Stratégia – Mélyszegénység, gyermekszegénység, romák – (2011–2020), 2011. november), official English translation is available at: <http://romagov.kormany.hu/download/5/58/20000/Strategy%20-%20HU%20-%20EN.PDF>.

Hungary, Act C of 2012 (2012. évi C. törvény - a Büntető Törvénykönyvről), available at: [www.complex.hu/kzldat/t1200100.htm/t1200100\\_9.htm](http://www.complex.hu/kzldat/t1200100.htm/t1200100_9.htm)

Hungary, 149/1997. (IX. 10.) Governmental Decree on the guardianship offices and on the proceedings of child protection and guardianship cases (149/1997. (IX. 10.) Korm. Rendelet a gyámhatóságokról, valamint a gyermekvédelmi és gyámügyi eljárásról), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700149.KOR](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700149.KOR)

Hungary, 1698/2013. (X. 4.) Government Resolution on Migration Strategy and the seven-year strategy planning document related to the European Union Asylum and Migration Fund for the years 2014-2020 (Migrációs Stratégia és az azon alapuló, az Európai Unió által a 2014-2020. ciklusban létrehozásra kerülő Menekültügyi és Migrációs Alaphoz kapcsolódó hétéves stratégiai tervdokumentum), Available at: <http://moszlap.hu/uploads/files/migrstrat0416.pdf>

SOS Children's Villages International (2013): A snapshot of alternative care arrangements in Hungary, Based on SOS Children's Villages' assessment of a state's implementation of the UN Guidelines for the Alternative Care of Children, p. 6, available at: [www.sos-childrensvillages.org/getmedia/52cf3be7-2e8b-4004-a93c-e8bda34338d2/HUNGARY-FINAL-to-upload.pdf](http://www.sos-childrensvillages.org/getmedia/52cf3be7-2e8b-4004-a93c-e8bda34338d2/HUNGARY-FINAL-to-upload.pdf)

Stein, M. and Munro, E. R. (eds.) (2008): *Young people's transitions from care to adulthood*, London, Jessica Kingsley Publishers

UN (2009) *Guidelines for the Alternative Care of Children*, available at: [ww.iss-ssi.org/2009/index.php?id=25](http://ww.iss-ssi.org/2009/index.php?id=25)

UN (2009): *Guidelines for the Alternative Care of Children*, available at: [ww.iss-ssi.org/2009/index.php?id=25](http://ww.iss-ssi.org/2009/index.php?id=25).

UN Committee on the Rights of the Child, Concluding Observations: Hungary, CRC/C/HUN/CO/2 (27 January 2006), p. 7, available at: [www2.ohchr.org/english/bodies/crc/docs/co/CRC\\_C\\_HUN\\_CO\\_2.pdf](http://www2.ohchr.org/english/bodies/crc/docs/co/CRC_C_HUN_CO_2.pdf)

UN Convention against Transnational Organized Crime, Protocol to prevent, suppress and punish trafficking in persons, especially women and children

UN Convention against Transnational Organized Crime, Protocol to prevent, suppress and punish trafficking in persons, especially women and children, State of signatures and ratifications, status as of: 20/3/2014, available at: [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtmsg\\_no=XVIII-12-a&chapter=18&lang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtmsg_no=XVIII-12-a&chapter=18&lang=en).

UN Convention on the Rights of Persons with Disabilities

UN Convention on the Rights of Persons with Disabilities, State of signatures and ratifications, status as of: 20/3/2014, available at: [www.un.org/disabilities/countries.asp?navid=12&pid=166](http://www.un.org/disabilities/countries.asp?navid=12&pid=166).

UN Convention on the Rights of the Child

UN Convention on the Rights of the Child, Optional Protocol on the sale of children, child prostitution and child pornography

UN Convention on the Rights of the Child, Optional Protocol on the sale of children, child prostitution and child pornography, State of signatures and ratifications, status as of: 20/3/2014, available at: <https://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&lang=en>.

UN Convention on the Rights of the Child, State of signatures and ratifications, status as of: 20/3/2014, available at: <https://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&lang=en>.

UN CRC (2006) Concluding Observations: Hungary, CRC/C/HUN/CO/2 (27 January 2006), available at: [www2.ohchr.org/english/bodies/crc/docs/co/CRC\\_C\\_HUN\\_CO\\_2.pdf](http://www2.ohchr.org/english/bodies/crc/docs/co/CRC_C_HUN_CO_2.pdf)

UN CRC (2012) Concluding observations on the initial periodic report of Hungary, adopted by the Committee at its eighth session (17-28 September 2012), p3., available at: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fHUN%2fCO%2f1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fHUN%2fCO%2f1&Lang=en)

UN CRC Committee, Concluding Observations for the Czech Republic [www.crin.org/resources/infodetail.asp?id=25257](http://www.crin.org/resources/infodetail.asp?id=25257)

UNICEF (2010): *Adapting a Systems Approach to Child Protection: Key Concepts and Considerations*, [www.unicef.org/protection/files/Adapting\\_Systems\\_Child\\_Protection\\_Jan\\_\\_2010.pdf](http://www.unicef.org/protection/files/Adapting_Systems_Child_Protection_Jan__2010.pdf).

University of Nottingham, UK (2012): *Child abandonment and its Prevention in Europe*, [www.crin.org/docs/MANUAL%20OF%20GOOD%20PRACTICE.pdf](http://www.crin.org/docs/MANUAL%20OF%20GOOD%20PRACTICE.pdf)

## Consultations

### NGOs

- Family Child Youth Association (Dr. Mária Herczog, Eva Flora Varga, Ágnes Kúmóves, Kata Schneider)
- Hungarian SOS Children's villages (Viktória Szotyori-Nagy, Léna Szilvásy)
- Ágacska Foundation (Zsuzsa Bogár)

### State organizations

- Ministry of Human Resources (Dr. Csilla Lantai)
- Directorate of Social Affairs and Child Protection (Mónika Mohácsi, Dr. Erzsébet Gulyásné Kovács)
- Budapest Capitol Child Protection Agency (Gábor Kuslits)
- Child welfare services (Magda Révész)
- National Central Statistical Office (Eszter Németh)
- National Institute for Child Health (Dr. Zsuzsa Kovács)

### Other organizations

- Foster Parent's Trade Union
- Office of Commissioner for Fundamental Rights (Ágnes Lux)
- Hungarian Association of Health Visitors (Ágnes Csordás)

### Experts

- Trainer of foster parents, Center for Child Welfare and Family Support, Kecskemét (Katalin Tóth)
- Child Protection expert (László Molnár)
- Judges (Dr. András Vaskuti, Dr. Vera Dénes)
- Lawyer, mediator (Dr. Virág Vajna)
- Senior officer at Central Authority of the Department of Protection and Guardianship of Children at the Ministry of Human Resources (Dr. Zsuzsanna Ágoston)
- Psychologist, Vadaskert Child Psychiatric Hospital (Dr. Anna Bátki)
- Social worker, brought up in the care system at different placements (Piroska Dobó)
- Director of children's homes in Budapest (Krisztina Gáspár)
- Child protection representative in Budapest (Dr. Rita Herczeg)

## Annex – Terms and definitions

1. Care types – as listed in the Child Protection Act <sup>628</sup>			
	Type	Term in original language (Hungarian)	Definiton
A	<b>Home-based care provision</b> (Article 53)	<i>Othont nyújtó ellátás</i>	Article 53  (1) for the child temporarily placed or taken into short-term or long-term foster care  (6) home-like provision shall be ensured by a) foster parent, if this is not possible, b) children's home, or c) other residential institute with the assistance of the professional child protective service.
B	<b>After-care provision</b> (Article 53/A)	<i>Utógondozói ellátás</i>	Article 53/A  (2) after-care provision shall be ensured by foster parent, children's home, after-care home or external housing capacity
C	<b>Foster parents</b> (Article 54) Before the 1st of January, 2014) <b>traditional“ foster parent</b> <b>professional foster parent</b>  (From the 1st of January 2014 integrated to one category: foster parents)  <b>specialized professional foster parent</b> <b>particular professional foster parent</b> <b>substitute parent</b> (Article 66/O) Between 2014 and 2017 every foster parent will have to	<i>Nevelőszülők</i>  <i>hagyományos“ nevelőszülő</i> <i>hivatásos nevelőszülő</i>  <i>speciális hivatásos nevelőszülő</i> <i>különleges hivatásos nevelőszülő</i> <i>helyettes szülő</i>	Article 54  (1) The foster parent may be a capable person of legal age and with a clean record, who has successfully participated in a training specified in separate legal regulation and based upon his or her personality and conditions, is qualified to ensure the child's balanced development as well as to assist the child to return to his or her family.  (3) .A specialized professional foster parent is a professional foster parent who meets the qualification requirements and is competent for ensuring the balanced development of the child with integrating, behavioural, or learning difficulties, or addicted to drugs, alcohol, etc., or requiring special care due to other circumstances as well as to assist such child in returning to his or her family.  (4) A particular professional foster parent is a professional foster parent who is competent for ensuring the balanced development of children with chronic illness, disabled children and children under 3 years of age.

<sup>628</sup> Hungary, Act XXXI of 1997, on the protection of children and the administration of guardianship affairs (*1997. évi XXXI. törvény a gyermekek védelméről és a gyámügyi igazgatásról*), available at: [http://net.jogtar.hu/jr/gen/hjegy\\_doc.cgi?docid=99700031.TV](http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99700031.TV)



	complete a <b>500 hours long</b> training course; the category of "traditional" foster parents will be abolished..		<p>48(1) The short-term care of the child may be arranged for weekly or longer periods, in particular with substitute parents selected by the notary of the local government, in temporary home of children or temporary home of families with the consent of the parents in emergencies.</p> <p>As in Hungary a new form of foster care has been introduced to attract more families to apply, two types of foster care were introduced. The "traditional" foster parents are getting some service fee and the coverage of the cost of the children, and had to attend a 60 hours training, <b>while "professional" foster parents have been employed by the child protection agencies or NGOs provided with salary, health and pension coverage, and were obliged to take part in a 300 hours in-service training as well.</b> More children and children with special need could have been placed into "professional" families and a family member besides the carer could be employed part-time as well.</p>
D	<p><b>Children's home</b> (Article 57)</p> <p><b>specialized children's home</b> (Article 58)</p> <p><b>group home</b> (Article 59)</p>	<p><i>gyermekotthon</i></p> <p><i>speciális gyermekotthon</i></p> <p><i>lakóotthon</i></p>	<p>Article 57</p> <p>(1) The children's home shall ensure home-like provision for the child temporary placed or taken into short-term or long-term foster care.</p> <p>Article 58</p> <p>(1) The specialized children's home shall provide nursing, socializing, re-socializing, habilitation and rehabilitation for the child temporarily placed or taken into short-term or long-term foster care, or suffering from permanent illness or disabilities, or integrating, behavioural, or learning difficulties, or addicted to drugs, alcohol, etc., or requiring special care because of his or her age.</p> <p>Article 59</p> <p>(1) Children's home: 12-48 children</p> <p>(2) The group home is a children's home offering home-like provision for maximum of 12 children in an individual apartment or family house, in a family environment.</p>
E	<p><b>Fostering the child in another family</b> (Article 70)</p> <p>~ kinship care</p>	<i>családbafogadás</i>	<p>Article 70</p> <p>(1) Upon request of both parents exercising parental supervision or parent supervising parental supervision alone, by providing opportunity for the absent parent to express his or her views, the guardianship office may approve, that, due to health conditions or justified absence of parent or for other family</p>

			reasons, the child shall temporarily be taken in, nursed, and fostered by another family selected by the guardianship office for the necessary period of time, provided that such action is in the best interest of the child.
F	<p><b>Temporary placement</b> (Article 72) run by local municipalities ~ emergency care</p> <p><b>temporary home for children</b> (Article 50)</p> <p><b>temporary home for families</b> (Article 51)</p> <p><b>crisis center</b></p>	<p><i>Ideiglenes hatályú elhelyezés</i></p> <p><i>gyermekek átmeneti otthona</i></p> <p><i>családok átmeneti otthona</i></p> <p><i>krízisközpont</i></p>	<p>Article 72</p> <p>(1) If child remains without supervision, or his or her physical, intellectual, emotional, and moral development is severely endangered by his or her family environment, and, as a result, immediate placement of the child is necessary, the notary of the local government, the guardianship office as well as the court, police, prosecution, headquarters of the law enforcement institute (hereinafter referred to as assigning agency) shall temporarily, within the framework of professional provision, ensure placement of the child.</p> <p>Article 50</p> <p>(1) The temporary home of children shall provide care for the child living in his or her family, however, staying temporarily without provision and supervision, or would stay lacking such provision and supervision without such placement, as well as for the child whose provision is endangered due to difficulties arising from the way of living of the family.</p> <p>(2) The temporary home of children shall, in cooperation with the child welfare service, provide assistance in returning the child to his or her family.</p> <p>Article 51</p> <p>(1) Upon the request of the homeless parent, the child and his or her parent may together be placed in the temporary home of families, if without such placement, their accommodation would not be ensured and the child would have to be separated from his or her parent.</p> <p>(2) The temporary home of families shall</p> <p>a) ensure accommodation and necessary further provision of both parent and child,</p> <p>b) assist parent in the full provision, care, and upbringing of the child,</p> <p>c) contribute to the elimination of the family's</p>

			homelessness and stabilize their situation. 4) maintain crisis centres (5) Crisis center receives victims of domestic violence
H	<p><b>Temporary foster care</b> (Article 77)</p> <p><b>Long-term foster care</b> (Article 80)</p> <p>From 2014, these categories are merged.</p>	<p><i>átmeneti nevelésbe vétel</i></p> <p><i>tartós nevelésbe vétel</i></p>	<p>Article 77</p> <p>(1) The guardianship office shall take the child into short-term foster care, if the child's development is endangered by his or her family environment, and such endangerment could not be eliminated by the services provided in the framework of basic provision or by taking the child under protection, or no positive outcome can be expected from such action, moreover, if appropriate nursing of the child within his or her family can not be ensured.</p> <p>Simultaneously with taking the child into short-term foster care, the guardianship office shall arrange placement of the child with foster parents, or, if this is not feasible, at a children's home or other residential institute and appoint a guardian (legal guardian).</p> <p>Article 80</p> <p>(1) The guardianship office shall take the child into long-term foster care, if</p> <p>a) due to the elimination of parent's right to supervision or for other reasons, the child has no parent to supervise him or her, provided that the upbringing of the child can not be ensured by a guardian</p> <p>b) the parent submitted a declaration of consent with respect to the adoption of his or her child without knowing the adopting person or his or her identification data, provided that the child can not be placed temporarily with the would-be adopting parent.</p>
I	<p><b>Guardianship</b> (Article 84)</p>	<p><i>gyámság</i></p>	<p>Article 84</p> <p>(1) The guardianship office shall appoint a guardian for the child, if</p> <p>a) guardianship office has placed the child temporarily with foster parents, at a children's home, or other residential institute, and instituted proceedings for the suspension of parental supervision.</p> <p>b) guardianship office has taken the child into short-term or long-term foster care.</p> <p>(2) The following persons, if qualified for performing guardian's responsibilities, may be</p>

			appointed as guardians a) foster parent, b) head of the children's home, where the child has been placed by the guardianship office.
--	--	--	---

## 2. Terms used by national statistics by the Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*)

	Term in original language (Hungarian)	Definition
<b>Children's home</b>	<i>gyermekotthon</i>	The children's home shall ensure home-like provision for children temporarily placed or taken into short-term or long-term foster care.  There are 9 different types of children's homes listed below.
<b>General children's home</b>	<i>általános gyermekotthon</i>	Residential placement for children and young adults in alternative care. (for minimum 12 and maximum 48 children)
<b>Group home</b>	<i>lakásotthon</i>	Home-like, family type provision for children. (for up to 12 children) with staff working in 3 shifts, (4-5 persons)
<b>Specialised children's home</b>	<i>speciális gyermekotthon</i>	Residential care for children with mental disabilities or dissocial symptoms or for children who are suffering from psycho-active drug addiction.  (institution for up to 48 children; groups with maximum 8 children)
<b>Boarding school for primary school aged children</b>	<i>általános iskola diákotthonnal és gyermekotthonnal</i>	Boarding school for primary school aged children in practice operated as a children's home
<b>After-care home</b>	<i>utógondozói otthon</i>	Residential care service /accommodation for young adults aged between 18 and 25 years provided in children's homes. Or independently as a group home  (Young adults are eligible for this service if they reached the age of majority during their placement in alternative care and they are unable to provide for themselves or if they are waiting for admission into a social residential facility. .  Students are eligible for the service up to 24 years of age and students of higher education are eligible for the service up to 25 years of age. In other cases the age limit is 21 years of age in general and 22 if the young adult has special or particular needs.)
<b>Particular children's home</b>	<i>különleges gyermekotthon</i>	Residential care for children under the age of 3, where many children are staying until up to the age of 6 or in some cases

		even longer, based on the notion that it provides permanency or they are disabled waiting for a specialised placement . Particular children's homes also provide care for chronically ill children and children with disabilities, they can stay until they reach the age of majority. without age limit.
<b>Specialised group home</b>	<i>speciális lakásotthon</i>	Home-like, family type, group-home provision for children with mental or dissocial symptoms or for children suffering from psycho-active drug addiction. (up to 12 children)
<b>After-care group home</b>	<i>utógondozói lakásotthon</i>	Home-like, family type provision for young adults (18-24) (up to 12 young people)  (Young adults are eligible for this service if they reached the age of majority during their placement in alternative care and they are unable to provide for themselves or if they are waiting for admission into a social residential facility.  Students are eligible for the service up to 24 years of age and students of higher education are eligible for the service up to 25 years of age. In other cases the age limit is 21 years of age in general and 22 if the young adult has special or particular needs.)
<b>Particular group home</b>	<i>különleges lakásotthon</i>	Home-like, family type provision for children under the age of 3 or for chronically ill or for children with disabilities. (for maximum 12 children)

<b>3. Other types of care</b>		
	<b>Term in original language (Hungarian)</b>	<b>Definition</b>
<b>SOS children's villages</b>	<i>SOS gyermekfalvak</i>	Provides care for approx. 300 children and young adults (in 6 different locations of the country).
<b>Substitute care</b>	<i>helyettes szülő</i>	Local services, provided upon the request of parents on a temporary basis, for maximum 30 days, in crisis situations
<b>Infant homes</b>	<i>csecsemőotthonok</i>	Residential homes, run by county-level until recently run by county municipalities, recently nationalised, for orphans and abandoned children up to 3 years of age, referred by other reasons to state care
<b>Respite care</b>	<i>otthon nyújtott időszakos ellátás</i>	Part-time care for children with disabilities, living in their own families, provided by only one NGO in Hungary.