

# COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW

Hungary - 2022

*THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR Protocol of 2014 P029 to the Forced Labour Convention*

## REPORTING

### Fulfilment of Government's reporting obligations

p29 Fulfilment of Government's reporting obligations

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## OBSERVATIONS BY THE SOCIAL PARTNERS

### Employers' organizations

83. Have employers and or or workers organizations been consulted in the development and implementation of adopted measures? [6.1]

No

### Workers' organizations

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No

## EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL

### Ratification

p29 Ratification status

## Ratification intention

61. If you have ratified Convention No. 29 but not the 2014 Protocol to Convention No. 29, what are the prospects for ratification of the Protocol?

No information

## Existence of a policy and or plan of action for the suppression of forced or compulsory labour

63. Is there a national policy and plan of action aimed at realizing the principle of effective and sustained suppression of all forms of forced or compulsory labour through prevention, victim protection and access to remedies? [1.1]

Yes

65. Please also indicate the manner in which employers' and workers' organizations have been consulted. [1.3]

N/A

68. Is there a national policy and plan of action setting out measures and specific action for combatting trafficking in persons for the purposes of forced or compulsory labour? [1.5]

Yes

69. Please describe these measures. [1.5]

Forced labour and other forms of modern slavery, such as sexual exploitation are addressed in the Strategy as a whole. It is important to note that a recent amendment to the Criminal Code of Hungary also merged human trafficking and forced labour into a single legal concept (with different aggravating factors). The action plans of the Strategy set out several targeted measures to combat forced labour, either victimization in a foreign country after accepting a deceptive working opportunity or domestic slavery in the countryside. First and foremost, it is important to raise awareness of the vulnerable social groups to avoid the dangers and on the other hand, the Strategy seeks to improve the capacities for the early identification and assistance of the victims.

70. Does the Government collect and analyse statistical data and other information on the nature and extent of forced or compulsory labour? [1.6]

Yes

71. Please describe these data. [1.6.1]

Concerning human trafficking there are two channels of data collection in Hungary. The Ministry of Justice operates a web-based system for the identification and referral of victims (in Hungarian commonly abbreviated as "EKAT System"). Pursuant to Government Decree No. 354/2012. (XII.13.) on the identification order of victims of trafficking in human beings the signalling system members are required to fill in the identification data form on this platform, thus notifying

	<p>the victim support service. Based on the data stored in EKAT System, there was about 70 percent of exploitation related to prostitution of the total of 524 identified victims between 2019–2021, while trafficking for the purpose of labour exploitation accounted for the remaining 30 percent. Another data source connected to law enforcement is the Unified System of Criminal Statistics of Investigative Authorities and of Public Prosecution (in Hungarian commonly abbreviated as “ENyÜBS”). All main stages of the criminal proceedings (e.g. opening of an investigation, indictment) are recorded here; these data also confirm that sexual exploitation continues to be the most common form of human trafficking, however, the statistics in recent years have showed a rise of labour exploitation, in particular domestic slavery among all victims.</p>
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## Measures taken or envisaged for systematic and coordinated action

<p>64. Please describe the measures envisaged, the established objectives and the authorities responsible for the implementation, coordination and assessment of these measures. Please provide any relevant URL(s) [1.2]</p>	<p>The National Anti-Trafficking Strategy for 2020–2023 adopted by Government Decision No. 1046/2020 (<a href="https://thb.kormany.hu/download/d/f2/c2/000/National%20Strategy%20Against%20Trafficking%20in%20Human%20Beings%202020-2023.pdf">https://thb.kormany.hu/download/d/f2/c2/000/National%20Strategy%20Against%20Trafficking%20in%20Human%20Beings%202020-2023.pdf</a>) in February 2020 laid down the framework for the fight against human trafficking, including forced labour in Hungary. The Strategy is based on the four pillars of the “4P” paradigm: prevention activities, protection of victims, prosecution of perpetrators and partnership. It sets out the main priorities and areas of intervention for a longer period, while the detailed measures (responsible bodies, means and indicators of implementation, funding, deadline) are included in two-year action plans. Government Decision No. 1228/2022 (<a href="https://thb.kormany.hu/download/e/04/f2/000/Anti-Trafficking%20Action%20Plan%202022-2023.pdf">https://thb.kormany.hu/download/e/04/f2/000/Anti-Trafficking%20Action%20Plan%202022-2023.pdf</a>) adopting the new Action Plan for 2022–2023 was published in April 2022. The Ministry of Interior (Mol) is responsible for coordinating the action against human trafficking in Hungary. This role includes the drafting of the Strategy and subsequently, the assessment of the implementation. In 2008, the Mol set up the National Coordination Mechanism, consisting of the ministries and other state bodies (e.g. Police, prosecution service, judiciary) involved in the fight against human trafficking, while the NGO Roundtable brings together the non-governmental organizations dealing with prevention and victim support. The Strategy and the related action plans were prepared in close cooperation (bilateral communication, roundtable discussions) with all members of the two consultation forums.</p>
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## Measures taken or envisaged to prevent forms of forced labour

<p>74. Have measures been taken or are measures envisaged for the prevention of all forms of forced or compulsory labour? [2.1]</p>	<p>Yes</p>
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75. If so, please indicate the type of measures, [2.2]	a) Information, education and awareness raising targeting especially people in vulnerable situation and employers
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## Measures taken or envisaged to protect victims of forced labour

76. Have measures been taken or are measures envisaged for the identification, release, protection, recovery and rehabilitation of victims of all forms of forced or compulsory labour? [3.1]	Yes
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77. If so, please indicate the type of measures [3.2]	a) Training of relevant actors for identification of forced labour practices,b) Legal protection of victims,c) Material assistance for victims,d) Medical and psychological assistance for victims,e) Measures for the rehabilitation and social and professional reintegration of victims
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## Measures taken or envisaged to facilitate access to remedies

78. Have measures been taken or are measures envisaged to provide victims of all forms of forced or compulsory labour with access to remedies? [4.1]	Yes
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79. If so, please indicate the type of measures, [4.2]	a) Information and counselling for victims regarding their rights,b) Free legal assistance,c) Cost-free proceedings,e) Access to remedies and compensation
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## Cooperation with other Member States, international / regional organizations or NGOs

81. Does the Government cooperate with other member States, international and regional organizations, or non-governmental organizations to achieve the effective and sustained suppression of forced or compulsory labour? [5.1]	Yes
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82. Please briefly describe the modalities of this cooperation. [5.2]	Cooperation with the European Commission aims to implement the New EU Strategy on Combatting Trafficking in Human Beings 2021–2025 and the Common Anti-Trafficking Plan to address the risks of trafficking in human beings and support potential victims among those fleeing the war in Ukraine. The implementation of a comprehensive Anti-Trafficking Programme with Switzerland under the Swiss Contribution for 2023–2025 will start shortly. The National Bureau of Investigation has a day-to-day cooperation with EUROPOL and regularly takes parts in joint investigation teams (JITs) with the law enforcement authorities of other EU Member States. The Ministry of Interior, other relevant ministries as well as the National Police Headquarters continuously work together with civil society organizations
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and international organizations (especially IOM, UNHCR) in the framework of the National Coordination Mechanism and specific project.

## Promotional activities

90. Please provide URL(s) to any new information on efforts made to respect, to promote and to realize the principle of effective and sustained suppression of forced or compulsory labour through prevention, victim protection and access to remedies. [14]

We kindly recommend visiting the governmental microsite of the fight against human trafficking at <https://thb.kormany.hu/> for more information.

## Special initiatives or Progress

85. Please describe any significant changes which have taken place since your last report (for example, changes in the legislative and institutional framework, launching of major programmes, new data, changes in the number of persons in forced labour who have been identified, released and protected, penalties imposed on perpetrators). [7]

The Victim Support Act introduced the so-called opt-out system in cases of intentional violent crimes against a person (e.g. human trafficking according to the Hungarian criminal law). This system is in force from 1 January 2021 and is based on direct contact between victims and victim support organizations. The principle under which the system operates is that the victim – as soon as possible – receives information from the police concerning the victim support services, the fact that he/she may be entitled to support services, and that in case of his/her consent, information on his/ her identity data and contact details will be forwarded to the victim support service for the purposes of direct contact. The victim support service shall arrange for the victim to be contacted and provided with information within two working days of receipt of the data. In order to include as many victims as possible in the state victim support system, Hungary has extended the scope of the direct access rules to crimes against sexual freedom and certain crimes against property. As regards specific services, the legislation was also amended in 2021: - State compensation may now be provided – without financial threshold – to victims of violent crimes against the person, such as trafficking in human beings, thus assistance is free of charge and available regardless of income and wealth; - the previous 3-month deadline for claiming compensation has been extended to 1 year, and a preliminary calculation for proving the damage may be submitted to the authority, deciding the case; - the time limit for applying for immediate financial assistance has also been extended: it is now possible to apply within 8 days of the date of the crime rather than 3 days. The comprehensive law amendment of 2020 including the Criminal Code, the Act on Minor Offences, as well as the Child Protection Act was detailed in the previous questionnaire. Since then, some minor legislative improvements were made to Gov. Decree 354/2012: - removal of the legal restriction on the upper limit of care in the sheltered accommodations; - extension of the list of the signs of victimization in order to take better account of the specific situation of victims of domestic slavery – Annex 1 of the Decree - development of a detailed victim referral protocol (flowchart, [https://thb.kormany.hu/download/9/c1/e2000/victim%20referral%20protocol\\_EN.pdf](https://thb.kormany.hu/download/9/c1/e2000/victim%20referral%20protocol_EN.pdf)) – Annex 2 of the

	Decree Key areas of progress in the field of victim support included the purchase of rescue cars for the sheltered accommodation and the continuous expansion of the network of Victim Support Centres operated by the Ministry of Justice.
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90. Please provide URL(s) to any new information on efforts made to respect, to promote and to realize the principle of effective and sustained suppression of forced or compulsory labour through prevention, victim protection and access to remedies. [14]	We kindly recommend visiting the governmental microsite of the fight against human trafficking at <a href="https://thb.kormany.hu/">https://thb.kormany.hu/</a> for more information.
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## CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL

### According to the Government and the social partners

86. What are the main obstacles encountered by your country with regard to realizing the principle of effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]	a) Lack of awareness,b) Lack of information and data,d) Social and economic circumstances
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## TECHNICAL COOPERATION NEEDS

### Request

87. Does your Government think that it should establish technical cooperation activities with the ILO or pursue those that already exist for the prevention and effective suppression of forced or compulsory labour, victim protection and access to remedies? [9.1]	No
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