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2022 Country Report on Human Rights Practices: Hungary

EXECUTIVE SUMMARY

According to its constitution, Hungary is a multiparty parliamentary democracy. The unicameral National Assembly (parliament) exercises legislative authority. For the past three years, however, Hungary has been operating under consecutive states of emergency that allow the government to pass laws by edict, bypassing parliament, which elects the president (the head of state) every five years. The president appoints a prime minister from the majority party or coalition in parliament following national elections every four years. In parliamentary elections on April 3, the Fidesz-Christian Democratic People's Party alliance led by Fidesz party leader Viktor Orban won a two-thirds majority in parliament. The Organization for Security and Cooperation in Europe election observation mission found that the elections "were well-administered and professionally managed but marred by the absence of a level playing field" and concluded that a "pervasive overlap between the ruling coalition and the government blurred the line between the state and party." Orban has been prime minister since 2010.

The National Police Headquarters, under the direction of the minister of interior, is responsible for maintaining order nationwide. The Counterterrorism Center is responsible for protecting the president and the prime minister and for preventing, uncovering, and detecting terrorist acts; it is directly subordinate to the minister of interior. The Hungarian Defense Forces are subordinate to the Ministry of Defense and are responsible for external security as well as aspects of domestic security and disaster response. Since 2015, under a declared state of emergency prompted by mass migration, defense forces may assist law enforcement forces in border protection and handling mass migration situations. In September the migration-related state of emergency was renewed for an additional six months. A constitutional amendment from May introducing a state of emergency due to Russia's war against neighboring Ukraine granted the government the power to rule by decree through November, which was later extended until May 31, 2023. Civilian authorities maintained effective control over the security forces. There were no reports that members of the security forces committed systematic abuses, although there were credible reports that security forces assigned to the southern border abused migrants attempting to enter the country.

Significant human rights issues included credible reports of: actions that aimed to interfere with or diminish the independence of the judiciary; serious restrictions on freedom of expression and media, including censorship and content restrictions at the public service media broadcaster; political intimidation of and legal restrictions on civil society organizations, as well as criminal and financial penalties for migration-related work of nongovernmental organizations; exposure of asylum seekers to risk of refoulement; corrupt use of state power to grant privileges to certain economic actors; and threats of violence and harassment by extremists targeting Roma and lesbian, gay, bisexual, transgender, queer, and intersex persons.

While the government took some steps to identify, investigate, prosecute, and punish officials who committed human rights abuses, action against high-level, politically connected corruption was limited.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings. There are no special bodies to investigate security force abuses. Authorities investigated and prosecuted alleged killings by members of the security forces in the same manner as alleged killings by civilians.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

The constitution and law prohibit such practices, but there were reports that inhuman and degrading treatment and abuse sometimes occurred. Nongovernmental organizations (NGOs) noted that the investigation of cases of mistreatment was often inefficient, the success rate of holding officials accountable for alleged mistreatment through indictments and prosecutions was low, and in some cases law enforcement officials (such as police officers and penitentiary staff) who were sentenced to suspended imprisonment for committing criminal offenses involving the mistreatment of detainees were permitted to continue working.

Prison and Detention Center Conditions

Official statistics and NGOs reported a decrease in prison overcrowding, while physical conditions in the prison system varied. There were occasional reports of prisoner-on-prisoner violence. In August police reported that a detainee died in a Budapest prison as a result of assault, and police interrogated two of his fellow inmates as suspects.

Administration: NGOs reported that authorities occasionally failed to investigate credible allegations of mistreatment and that the investigation of cases of mistreatment (when undertaken) was often inefficient. For instance, in 2021 the European Court of Human Rights (ECHR) ruled that the state violated the human rights of an individual when the prosecutor's office did not investigate his abuse by the police with due diligence. The case concerned a Budapest man, then age 23, accused by police of using his cell phone while driving in 2016. The police acted threateningly against him and insulted him on the way to the 10th District police station.

There was no separate ombudsperson for prisons, but the ombudsperson's office handled complaints of police misconduct and mistreatment that did not reach the level of a criminal offense. The lack of a thorough and effective domestic investigation into claims of mistreatment and violation of the prohibition of torture was established in at least two judgments by the ECHR in 2020 and 2021. According to NGO statistics, between 2016 and 2020, 3 to 5 percent of the investigations launched annually due to alleged ill-treatment in official proceedings resulted in an indictment, while reports on "violence against an official person" resulted in indictment in 60.9 to 71.3 percent of the procedures in the same period. NGOs noted deficiencies in relation to detainees' access to independent and adequate medical examination, the presence of police officers at medical examinations, and lack of recording devices in police vehicles and police detention facilities.

Since the start of the COVID-19 pandemic, prison visitations by relatives, friends, and family members were completely banned from April 5, 2020, until June 30, 2021, and then from November 8, 2021, until May 1, 2022. NGOs noted that keeping contact with family members became increasingly difficult during the ban due to stricter rules for in-person meetings and receipt of letters and packages. Following the lifting of the ban on visitations in May, authorities allowed inmates one visit per month by up to two persons for up to 60 minutes. The use of plexiglass was compulsory without the possibility of physical contact. Inmates were allowed to talk via Skype once a month for 60 minutes, or twice if they were unable to meet with families in person.

Independent Monitoring: Authorities allowed the Council of Europe's Committee for the Prevention of Torture and the UN Subcommittee on the Prevention of Torture to conduct periodic and ad hoc visits to prisons and detention centers for both the country's citizens and foreign nationals. As of November, the national preventive mechanism under the Optional Protocol to the UN Convention against Torture undertook six visits to the country (two to prisons, one to a correctional facility, and three to social institutions).

There has been no independent NGO monitoring of police detention centers and prisons since 2017, when authorities terminated monitoring agreements with NGOs.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed these requirements.

Arrest Procedures and Treatment of Detainees

Police are obligated to take into "short-term arrest" individuals apprehended while committing a crime or subject to an arrest warrant. Police may take individuals suspected of a crime or a petty offense into short-term arrest if they are unable or unwilling to identify themselves or are unaccompanied minors suspected of having run away. Short-term arrests generally last up to eight hours but may last up to 12 hours in exceptional cases. Police may hold persons under "detention for the purposes of public safety" for 24 hours. Persons who abscond from probation may be detained for up to 72 hours. Police, a prosecutor, or a judge may order detention of suspects for 72 hours if there is a well-founded suspicion of an offense punishable by imprisonment. A pretrial detention motion must be filed with a court prior to the lapse of the 72-hour period. A defendant may appeal a pretrial detention order.

Police must inform suspects of the charges against them at the beginning of their first interrogation, which must occur within 24 hours of detention. Authorities generally respected this right.

There is a functioning bail system. Representation by defense counsel is mandatory in the investigative phase if suspects face a charge punishable by more than five years' imprisonment; their personal liberty is already restricted; they are deaf, blind, unable to speak, or have a mental disability; they are unfamiliar with the Hungarian language or the language of the procedure; they are unable to defend themselves in person for any reason; they are juveniles; or they are indigent and request appointment of a defense counsel. The court, prosecution, or the investigating authority (police) may also order a defense counsel in certain cases. Local bar chambers assign legal counsel to defendants who lack legal representation.

Police must inform suspects of their right to counsel before questioning them. The law requires that police or the prosecutor suspend interrogation and wait for up to two hours for an attorney to arrive if the suspect invokes this right. Some attorneys reported the right to an effective defense was violated in several cases. For example, in some instances detainees and their defense counsels were required to meet where security cameras could monitor them. If bar chamber-appointed attorneys refuse the case or do not respond within one hour of appointment, authorities assign the defense counsel. The law permits short-term detainees to notify relatives or others of their detention within eight hours unless the notification would jeopardize the investigation. Investigative authorities must notify relatives of a detainee's short-term detention and its location within eight hours.

Pretrial Detention: An investigatory judge may order pretrial detention where there is a risk a detainee may flee, commit a new offense, or hinder an investigation. Cases involving pretrial detention take priority over other expedited hearings. A detainee may appeal pretrial detention.

When the criminal offense is punishable by life in prison, the law does not limit the duration of pretrial detention. The presence of defense counsel at hearings related to pretrial detention is not mandatory. The ECHR found the country to be in breach of the European Convention on Human Rights due to the excessive length of pretrial detention in several decisions.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary. Some experts and legal scholars expressed concern regarding what they considered systemic threats to the country's judicial independence.

The European Commission's 2022 *Rule of Law Report* reported that the National Judicial Council continued to face challenges in counterbalancing the powers of the National Office for the Judiciary (OBH) president, the position responsible for the central administration of the court system elected by parliament for a nine-year term, in terms of court management and the appointment of judges and court executives. The commission's report for 2020 noted the National Judicial Council faced a series of structural limitations that prevented it from exercising effective oversight of the OBH president's actions. The 2022 report noted that the OBH president, Gyorgy Barna Senyei, regularly attended Council meetings and generally responded to requests, but stakeholders believed the president retained the power to overrule Council opinions and used that power in sensitive cases. No legislative steps were taken to address structural problems. The OBH president repeatedly retained the power to fill vacancies in higher courts without a call for applications and without the National Judicial Council's approval as required by law.

The law permits the OBH president to transfer administrative judges outside the judiciary to administrative bodies, such as government offices, the State Audit Office, or the Public Prosecutor's

Office. As of January 2021, this was extended to all judges, including those adjudicating civil and criminal cases, and for an indefinite period. Independent NGOs warned that this type of transfer raised serious concerns because the transferred judges received a significantly higher remuneration in administrative roles and subsequently could be reinstated to judicial service as presidents of chambers without the otherwise required application procedure. Moreover, watchdogs cautioned that transferring judges outside the judiciary could blur the boundaries between courts and public administration and potentially threatened the right to a fair trial.

Independent press obtained leaked investigative files of a high-profile corruption case in January revealing that Gyorgy Schadl, the former president of the National Order of Judicial Officers, was in contact with the president of the Budapest-Capital Regional Court to remove a judge he felt was interfering with his illegitimate operations. The Regional Court president told Schadl he could not fire the judge but could “make her life uncomfortable and withdraw her mandate as team leader if justified.” The Regional Court investigated the case but found no violations; the results of an OBH investigation into the matter were classified.

An omnibus law established a department hearing administrative cases of first and second instance (mostly politically sensitive cases would fall in this category) within the Budapest Regional Court of Appeal from March 1 to relieve the Curia (Supreme Court equivalent) of the burden of second instance cases. Qualified judges could request their transfer and automatic appointment by the OBH President only between January 1 and January 10 with remaining positions posted on January 15. Observers noted that the short window of time to apply during a holiday period and the avoidance of the usual appointment process could allow the OBH President to staff the new department with government-friendly judges.

British newspaper *The Observer* reported in August that the president of the Budapest Court of Appeal appointed Helga Mariann Kovacs, the wife of Curia president Andras Zs. Varga, to a position granting her access to politically sensitive cases and the power to make decisions on case allocation, even though she received only half of the votes of the other candidate. Observers noted that the chamber now consisted solely of members loyal to the government. The Curia later issued a statement saying the Curia president had no role in the evaluation of court of appeal applications and family relations were not examined during assessment.

The law allows Constitutional Court judges (who are not required to have served as a courtroom judge) to be appointed as members of the Curia, circumventing the otherwise obligatory application procedure. Applying this law in July 2020, at least six of eight newly appointed Curia judges lacked previous court experience, including Andras Varga, a former Constitutional Court judge. The European Commission’s *2022 Rule of Law Report* noted the government had failed to address concerns highlighted in the 2021 report that the appointment to the top judicial post without the involvement of a judicial oversight body (such as the National Judicial Council) did not meet European standards. The Curia president is an ex officio member of the National Judicial Council, and Varga had a strained relationship with the organization. On January 5, Varga proposed a Council statement condemning opposition parties’ plans to adopt a new constitution without a two-thirds majority, but members unanimously voted against it with some members noting that this would be a political statement, which went against the principle of judicial independence. After the National Judicial Council adopted on March 22 a new Code of Ethics granting judges a wider set of freedoms to express their opinions, Varga challenged it before the Constitutional Court, deeming it unconstitutional since it contained no references to Fundamental Law. In response, several NGOs filed a brief to the Constitutional Court in support of the National Judicial Council. Observers noted that since the Code of Ethics is not

legislation, the Constitutional Court did not have the authority to address the Curia president's motion. Varga claimed this would mean service courts deciding in disciplinary cases against judges could ignore the Code of Ethics.

Analysts asserted that rhetoric by court executives or leaders and key figures in the judicial administration was intended to discourage judges from exercising their right to free expression. Government-aligned media engaged in a smear campaign against National Judicial Council spokesperson Csaba Vasvari, who provided comments to *The Observer* critical of the appointment of the Curia president's wife. Media reports called Vasvari a "judge of terror" for his alleged role in the crackdown on participants of the 2006 antigovernment protests. After Vasvari and the National Judicial Council member in charge of international relations met with Western diplomatic representatives to Hungary in October, government-controlled and government-friendly media launched a coordinated smear campaign against the two judges and called for their resignation.

Since July 2020 the law allows a procedure called "complaint for the unification of jurisprudence" to be initiated in the Curia, granting its president the power to appoint judges to panels conducting unification procedures, in the adjudication of individual cases, and in shaping the mandatory interpretation of the law. Legal watchdogs say this provision allows the Curia president to convene a panel of handpicked judges for the purpose of establishing or overturning legal precedent to suit the political interests of a political party. Parliament amended the uniformity procedure rules after the 2021 opinion of the Venice Commission combining the uniformity procedure and the uniformity complaint procedure, but the new legislation in force since January 1 did not fully address the Venice Commission's concerns, since the Curia still can make uniformity decisions of principle with the aim to further develop the interpretation of the law, and the initiation of such procedures remained in the hands of administrative court presidents instead of professional leaders. Some observers have criticized the current Curia president, appointed in 2021 to a nine-year term, as a loyalist of the ruling Fidesz Party.

Parliament adopted new legislation in November to address corruption concerns raised by the European Commission. According to the new law, if the prosecution service terminates a corruption investigation, individuals can submit a motion for revision, based on which the court can decide if the investigation needs to continue or if the individual can submit a motion for prosecution. Watchdogs assessed the legislation would be ineffective in investigating and prosecuting corruption cases.

Trial Procedures

The constitution and law provide for the right to a fair public trial, and the judiciary generally enforced this right.

Some observers and legal experts asserted that the country's system for assigning defense attorneys (available at no cost for indigent defendants under conditions set out in law) and the low compensation provided to those attorneys could hinder criminal defendants' access to adequate legal representation and, consequently, to a fair trial (see section 1.d.).

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Individuals or organizations may seek civil remedies for human rights violations through domestic courts. Individuals or organizations that have exhausted domestic legal remedies regarding violations of the European Convention on Human Rights allegedly committed by the state may appeal to the ECHR for redress.

In March the Council of Europe Committee of Ministers adopted an interim resolution on the case of former Supreme Court President Andras Baka, who was removed from his post in 2011 by targeted legislation for publicly criticizing actions that threatened judicial independence. The ECHR ruled in 2016 that his removal violated Baka's right to a fair procedure and created a chilling effect among judges. The interim resolution stated that parliament did not adopt adequate measures to prevent the impeachment of a high court justice without judicial review and authorities did not submit an action plan for addressing outstanding issues.

Property Seizure and Restitution

By the end of the Holocaust, some 565,000 Hungarian Jews had been murdered, thus rendering significant property issues. The government has laws and mechanisms in place, but the government did not make significant progress on the resolution of remaining Holocaust-era claims, including for foreign citizens.

The government has not agreed with the World Jewish Restitution Organization on a roadmap for negotiations on resolving Jewish heirless property restitution and compensation.

More information on property restitution and Holocaust issues can be found in the Department of State's *Justice for Uncompensated Survivors Today (JUST) Act* Report to Congress, released in 2020, and on the Department's website at <https://www.state.gov/reports/just-act-report-to-congress/>.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibit such actions, but there were reports that the government used advanced spyware (Pegasus) to surveil or compromise the privacy of journalists, lawyers, businesspersons, and politicians.

In July 2021 an international team of investigative journalists, including a domestic media outlet, reported that spyware manufactured by a foreign cybersecurity firm, NSO Group (Pegasus), was used to surveil investigative journalists and media owners as well as lawyers and politicians. In January the Hungarian Civil Liberties Union initiated lawsuits on behalf of six clients, including journalists and civil activists, in Hungarian and Israeli courts, as well as the European Commission and the ECHR. The lawsuit alleged that the government's use of the high-tech spyware constituted illegal secret surveillance and violated fundamental rights. Also in January, the National Authority for Data Protection and Freedom of Information concluded that the government violated no laws when it used the spyware as its use met the legal criteria. In June the Prosecutor's Office terminated the probe into the case by stating that no authorized collection of secret information or unauthorized use of a covert device took place. There is no requirement for the Counterterrorism Center, or in certain cases the national intelligence services, to obtain prior judicial authorization for surveillance in national security cases that involve terrorism. In such cases, the justice minister may permit covert intelligence action for 90 days, with the possibility of extension. Such intelligence collection may involve secret house searches, surveillance with recording devices, opening letters and parcels, and checking and recording electronic or computerized communications without the consent or knowledge of the persons under investigation. A decision to approve a covert intelligence action is not subject to appeal.

The country's criminal procedure code establishes a regime for covert policing and intelligence gathering. The law gives prosecutors unrestricted access to information obtained through covert investigations.

Legal experts noted that the country's national security laws made it relatively easy for the justice minister to authorize surveillance activities against private citizens not suspected of criminal activity. The ECHR noted in a 2016 ruling that under the loose regulations on secret information gathering, virtually anyone could be put under surveillance, with the authorization of the order "taking place entirely within the realm of the executive" and without "an assessment of strict necessity or effective remedial measures." The government took no action throughout the year to address this issue.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution provides for freedom of expression, including for the press and other media, who were active and expressed a wide range of views. There were some formal restrictions on content related to "hate speech" and lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) topics (see section 6). The government targeted the mobile phones of several investigative journalists with foreign spyware (see section 1.f.).

The Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) Election Observation Mission Final Report from July noted that "the pervasive bias in the news and current affairs programs of the majority of broadcasters, combined with extensive government advertising campaigns, provided the ruling party with an undue advantage." It also noted that extensive government advertisement campaigns, paid from the state budget, reinforced the main campaign messages of the Fidesz Party, further blurring the lines between the state and the party, and providing Fidesz with an undue advantage, contrary to OSCE standards.

In March 2020, as part of the government's legislative package declaring a state of emergency due to the COVID-19 pandemic, parliament amended the criminal code to increase the penalty for spreading a "falsehood" or "distorted truth" ("scaremongering") that could obstruct or prevent successful protection under a special legal order to imprisonment of up to five years (see section 3 for more on the state of emergency).

The European Commission's 2022 *Rule of Law Report* asserted that access to public information was hindered under the "state of emergency" legislation, which allowed authorities to delay access to public data by up to 90 days. On January 27, the Supreme Court ruled that the government could not bar journalists from reporting from within hospitals during the pandemic, and individual hospital directors had the authority to decide about press access requests. A few days later the government passed a decree that bypassed the ruling, determining that only the government's operational board in charge of managing the pandemic could decide on press accreditation and access.

Freedom of Expression: Criminal law provides that any person who incites hatred against any national, ethnic, racial, religious, or certain other designated groups of the population may be prosecuted and convicted of a felony punishable by imprisonment for up to three years. The constitution includes hate speech provisions to "protect the dignity of the Hungarian nation or of any national, ethnic, racial, or religious community." The law prohibits the public denial of, expression of doubt regarding, or minimization of the Holocaust, genocide, and other crimes of the National

Socialist (Nazi) and communist regimes; such crimes are punishable by up to three years in prison. The law also prohibits, as a misdemeanor, the wearing, exhibiting, or promoting of the swastika, the logo of the Nazi SS, the symbols of the Arrow Cross, the hammer and sickle, or the five-pointed red star, in a way that harms human dignity or the memory of the victims of dictatorships. The media law also prohibits media content intended to incite hatred or violence against specific minority or majority communities and their members. The law includes the provision that media content must not have the potential to instigate an act of terrorism.

A 2018 law that imposes a 25 percent tax on civil entities that aid or promote immigration remained in force. Several NGOs criticized the law, noting that it penalizes the public expression of opinions that are different from that of the government (see section 5). According to press reports, no entity had paid any tax during the year under the law, and no known tax office investigation or audit had been conducted to that effect.

Independent media were active and expressed a wide variety of views, with some legislative restriction on LGBTQI+ content (see section 6).

The *2022 Media Pluralism Monitor* continued to rate transparency of media ownership as high risk. The *2022 Rule of Law Report* noted that the establishment of the Central European Press and Media Foundation (KESMA) media conglomerate in November 2018 had a significant negative impact in the market for daily regional newspapers and radio, as well as on the distribution and printing market. Therefore, the *2022 Media Pluralism Monitor* continued to rate media concentration and state advertising in the country as high risk. The ODIHR Election Observation Mission Final Report from July noted that the distribution of government advertising funds to media outlets mainly benefitted outlets supporting the government, at times becoming their main source of revenue. Some journalists continued to face difficulties when accessing members of government and events and press conferences of government and government-linked entities, thus depriving them of free and fair access to public officials to ask them challenging questions. Parliamentary press regulations restricted the movement and work of journalists in parliament to a small cordoned off area. Since November 2021, the area surrounding the office of the prime minister where reporters could access cabinet members was closed.

The National Media and Info-Communications Authority (NMHH), subordinate to parliament, is the central state administrative body for regulating media. The authority of the NMHH includes overseeing the operation of broadcast and media markets as well as “contributing to the execution of the government’s policy in the areas of frequency management and telecommunications.” The NMHH president, who is nominated by the prime minister, serves as the chair of the five-member Media Council, the decision-making body of the NMHH that supervises broadcast, cable, online, and print media content and spectrum management. The *2022 Media Pluralism Monitor* registered as high risk the independence and effectiveness of the NMHH.

The Media Council consisted exclusively of persons named by the governing parties. Some experts criticized the Media Council’s radio-frequency-awarding practices for allegedly penalizing radio stations that were critical of the government. The case of the Media Council’s 2020 refusal to renew the broadcasting license of independent radio station Klubradio based on its alleged failure to comply with certain administrative obligations remained pending at the European Court of Justice. In its July referral to the court, the European Commission argued that the refusal was “disproportionate” and “non-transparent.” In April, the Media Council refused to renew the license of independent radio station Tilos Radio due to alleged “technical violations.” Tilos Radio vowed to resubmit its application,

and if rejected, to continue broadcasting online as Klubradio did. Tilos Radio's license expired on September 3 but the radio won it back in the subsequent application process.

The state news agency, MTI, which offers its services free of charge, is mandated by law to provide balanced, objective, nonpartisan coverage. Media watchdogs and independent outlets criticized the state media for concealing facts and opinions unfavorable to the government. There were also concerns as to public service media's editorial independence and its role in amplifying disinformation by third parties. Following Russia's full-scale invasion of Ukraine in February, a security expert from a progovernmental institute complimented Russian forces on M1 public television channel for advancing "calmly and professionally" and another expert said Russia was acting because Russian President Vladimir Putin wanted a "neutral" and "pro-Ukrainian" government in Kyiv. In March, human rights organization Hungarian Civil Liberties Union and think tank Political Capital filed a joint complaint with the European Commission, asserting that the public service media broadcaster used Russian propaganda as a source despite EU measures against *Russia Today* and *Sputnik*. In April, without investigation, the Media Council rejected all complaints that public media was broadcasting Russian propaganda.

Violence and Harassment: There were no reports of violence against journalists or of physical harassment. Nevertheless, government officials and government-aligned media portrayed journalists asking challenging questions as "political actors" spreading "fake news" in service of the political opposition. The government has long portrayed Hungarian-American businessman/philanthropist George Soros as the mastermind behind numerous purported plots against the country, claiming certain media outlets were under his influence. The anti-Soros campaign has antisemitic overtones, as the prime minister and others link Soros and the purported plots to "shadowy globalist forces," a common antisemitic trope. For instance, in his annual State of the Nation speech on February 12, the prime minister said protecting the country from the "rule of law Jihad of Brussels" and the "agents of George Soros" who pushed the liberal agenda of global networks and institutions was at stake in the elections.

In June, dozens of diplomatic cables released in response to a freedom of information lawsuit showed how Hungarian embassies throughout Europe monitored the activities of independent Hungarian journalists and journalism students on study and training trips abroad.

In November government-close *Magyar Nemzet* reported that the National Tax Authority was conducting an investigation into a company owned by Zoltan Varga, owner of Central Media Group that runs, among others, independent political online news site *24.hu* and popular women's magazines. The investigation was launched following allegations that the businessman caused harm to the EU budget by selling a company partly created with European funds at a price below market. Varga told *Politico* in December that the accusations against him were false and based on illegally obtained data and argued that the legal case represented a new form of intimidation.

Censorship or Content Restrictions for Members of the Press and Other Media, including Online Media: The law provides content regulations and standards for journalistic rights, ethics, and norms that are applicable to all media, including news portals and online publications. It prohibits inciting hatred against nations; communities; ethnic, linguistic, or other minorities; majority groups; and churches or religious groups. It provides for maintaining the confidentiality of sources with respect to procedures conducted by courts or government authorities.

The law mandates that public service media providers pursue balanced, accurate, detailed, objective, and responsible news and information services. These requirements were often disregarded. Leaked emails and recordings reported in March showed reporters were given orders on how to report on issues such as migration, the EU, and the opposition, and described an established system of censorship and external approval of editorial content. During the 2022 election campaign, public media news broadcasts portrayed the opposition parties in a negative light or ignored them. United opposition prime ministerial candidate Peter Marki-Zay was given a total of five minutes of live airtime during the run-up to the election while clips of speeches by Prime Minister Orban were regularly televised.

The Media Council may impose monetary fines for violations of content regulations, including on media services that violate prohibitions on inciting hatred or violating human dignity or regulations governing the protection of minors. The Council may impose fines of up to 200 million forints (\$500,000), depending on the nature of the infringement, type of media service, and audience size. It may also suspend the right to broadcast for up to one week. Defendants may appeal Media Council decisions but must appeal separately to prevent the implementation of fines while the parties litigate the substantive appeal.

In June the Budapest Court of Appeals ruled that independent commercial TV station RTL Klub did not violate the law by the daytime airing of a public service advertisement featuring LGBTQI+ representative families, overturning the February decision of the Media Council.

Libel/Slander Laws: Journalists reporting on an event may be judged criminally responsible for making or reporting false statements. Both individuals and media outlets may be sued for libel for their published statements or for publicizing libelous statements made by others. Plaintiffs may litigate in both civil and criminal courts. According to a freedom of information request published in February, government-aligned media lost 54 libel lawsuits and independent media lost five lawsuits in 2021.

In July the Constitutional Court confirmed the Curia's ruling that identified misconduct from the public media when it failed to check facts behind false statements made by the Youth Christian Democratic Alliance against Menedek – Hungarian Association for Migrants in 2018. The public broadcasting service argued that as a media outlet it was not obliged to provide objective news production and verify facts behind stories. Opposition politicians and government-critical private individuals sued government-aligned media outlets in several cases. Courts tended to pass verdicts that protected private individuals from libel or slander by government-affiliated media and their reporters. Public media channel M1, government-aligned news site *888.hu*, and government-aligned media publisher Mediaworks lost a lawsuit by joint opposition prime ministerial candidate Peter Marki-Zay over their claim that the politician wanted to “downsize” the health system in the countryside.

Internet Freedom

The government did not restrict or disrupt access to the internet and generally did not censor online content. There were no reports the government monitored private online communications without appropriate legal authority. Experts pointed out, however, that formal approvals of secret surveillance activities against citizens were relatively easy to obtain (see section 1.f.).

In cooperation with internet service providers, the NMHH maintained a nonpublic database to store and cooperate in the implementation of court rulings and tax authority resolutions to block websites that violate the law, including content-related legislation.

Restrictions on Academic Freedom and Cultural Events

In 2021 the government set up several “public interest asset management foundations” and transferred billions of dollars of state assets to oversee the management of public universities, also allowing holders of public office to sit on the board of trustees of such foundations (see section 4). According to experts, this university model change increased the threat of political influence on academic issues and decreased the autonomy of universities. Transparency watchdogs noted that the law transferred powers from the university leaderships to the foundation boards, including decisions on the universities’ budgets, operational rules, and annual reports, and the boards also had a say in the appointment of rectors.

b. Freedoms of Peaceful Assembly and Association

The constitution and law provide for the freedom of peaceful assembly, and the government generally respected this right. The constitution and law provide for freedom of association, and the government generally respected this right, with some exceptions.

Freedom of Peaceful Assembly

The constitution includes a provision on the protection of privacy, which stipulates that freedom of expression and the exercise of the right to assembly shall not harm others’ private and family life and their homes, potentially restricting protests in public spaces near politicians’ homes and protests in other public spaces that have apartments nearby. The law also permits the government to regulate public demonstrations, including holding organizers liable for damages caused by their events, and to ban protests in advance. Under the law authorities may ban or dissolve gatherings that unnecessarily and disproportionately harm the “dignity of the Hungarian nation or of any national, ethnic, or religious community.” The law also criminalizes the nonviolent disturbance or impediment of a demonstration.

The criminal code provides that harassment of “official persons” (including members of parliament, judges, and prosecutors) when they are not performing public duties is a crime punishable by up to three years’ imprisonment.

In February the government issued a decree that effectively banned teachers’ strikes (see also section 7.) Since then, hundreds of teachers took part in “civil disobedience,” and more than a dozen teachers were dismissed from their jobs for their participation effective immediately as of December. On December 7, the Constitutional Court upheld the limitations on teachers’ right to strike.

In August police fined participants protesting against a change to the small business tax code, allegedly for obstructing traffic by walking too slowly in a crosswalk.

Freedom of Association

A 2021 law mandated the State Audit Office (SAO) to annually report on NGOs that had an annual budget greater than 20 million forints (\$66,000) and were “capable of influencing public life.” Sports, religious, and national minority organizations were exempted (see section 5).

A 2011 law on religion deregistered more than 300 religious groups and organizations that had previously held incorporated church status; most were required to reapply for registration. The government has not approved any applications for incorporated church status since it amended the law in 2012, but it approved many applications for a lesser status of religious organizations. In 2019 an

amendment to the law entered into force creating four different statuses for religious organizations. Observers noted that while the amendment provides a simpler procedure for religious entities to gain an intermediate-level status, it only restores some of the rights those religious groups could exercise before 2011.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these related rights.

e. Protection of Refugees

The government cooperated with and provided the Office of the UN High Commissioner for Refugees (UNHCR) access to refugees and asylum seekers, apart from those held in detention under the aliens policing procedure.

Access to Asylum: The law provides for asylum and establishes a procedure for asylum seekers outside the country to apply for it. International and domestic organizations, however, stated that the legal framework undermined the effective access to territory and asylum for those fleeing wars and persecution.

Since June 2020, asylum seekers must first make a declaration of intent stating their wish to apply for asylum at a Hungarian embassy outside the EU – limited to Serbia and Ukraine – and be issued a special entry permit to Hungary for the purpose of applying for international protection. The country's asylum authority has 60 days to examine the statement of intent and make a proposal to the embassy whether to issue the asylum seeker the special single-entry travel permit to enter Hungary. If the permit is issued, the asylum seeker must travel on their own to Hungary within 30 days of issuance and, upon arrival, immediately identify themselves to the border guards who present them to the asylum authority within 24 hours. Those not granted the special single-entry permit at one of the embassies in advance may not request asylum in the country. During this process, the asylum seeker is not entitled to accommodation or any support services and is not entitled to or given any legal protection.

Based on information acquired by the Hungarian Helsinki Committee through freedom of information requests there were 21 asylum applications between January and June. In July 2021, the European Commission referred the country to the European Court of Justice (ECJ) for unlawfully restricting access to asylum procedures.

As a matter of policy, all third country nationals who do not have the right to remain in the country (e.g., through a valid visa or residence permit), regardless of where they are located, are “escorted” by authorities, including the police, to the other side of the fence along the border with Serbia. In December 2020 the ECJ declared this practice, known as pushbacks, to be in violation of EU law. The practice continued, regardless.

In December 2021, the Constitutional Court, in reaction to this binding ECJ ruling, stated that the government had the right to “apply its own measures” related to migrants and asylum seekers under

certain circumstances.

In September the government extended by another six months the “crisis situation due to mass migration,” which authorizes police to automatically remove (pushback) any third country national intercepted for unlawfully entering or staying in the country. The government first introduced the “crisis situation due to mass migration” in certain counties near the Serbian border in 2015 in response to the Mediterranean migration crisis, and broadened it to the whole country in 2016, also authorizing the armed forces to assist police at the borders to prevent entry of migrants and asylum seekers. There is an ongoing infringement procedure launched by the European Commission in 2020 for widely exempting the application of EU public procurement rules related to migration during the “crisis situation.” Infringement procedures are legal actions intended to take action against an EU country that fails to implement or comply with EU law and may involve financial penalties.

Refoulement: Based on information gathered from the national police website there were 143,843 pushback measures implemented and 97,634 cases of prevented entry between January and November. In October 2021, the ECHR issued a judgement in the first case involving a pushback. The court ruled that pushbacks carried out by the country under a domestic regulation were in breach of the prohibition of collective expulsions.

Abuse of Migrants and Refugees: Testimonies from patients and corroborating medical data from Medecins Sans Frontieres (MSF) from August indicated use of violence, allegedly committed by Hungarian authorities, against persons crossing the border between Serbia and Hungary. Beatings with belts and batons, kicking, punching, various forms of humiliation, use of pepper spray and teargas were reported to be common deterrence practices, prior to pushbacks and denial of assistance.

Domestic human rights NGOs reported that their attorneys had difficulties in maintaining contact with foreigners kept in aliens policing or asylum detention facilities.

Freedom of Movement: The asylum provisions prescribed the automatic “placement of the applicant in a closed facility” for four weeks following the registration of their asylum request, without any remedy to challenge the placement. After four weeks, the applicant may either be placed in an open facility or in detention, with a legal remedy available against a detention decision. There were no reports of the legal remedy being exercised, however. The law permits the detention of rejected asylum seekers under an aliens policing procedure for a maximum of 12 months, or for eight months under asylum detention in certain cases of pending asylum applications. The detention of individuals accused of immigration offenses generally took place in designated immigration detention centers.

Access to Basic Services: The National Directorate-General for Aliens Policing (the asylum authority) has 60 days to make a proposal to the Hungarian embassy in Belgrade or Kyiv on whether to grant an asylum seeker a single-entry permit. During this time, the asylum seeker is not entitled to accommodation or any support services and is not entitled to any legal protection.

The law limits benefits and assistance to persons given international protection on the grounds they should not have more advantages than citizens. Authorities do not provide housing allowances, educational allowances, or monthly cash allowances to asylum seekers, refugees, or beneficiaries of subsidiary protection. Asylum seekers have the right to work after nine months have passed since they began the asylum procedure, but a work permit, which is good for a year and may be renewed, must be requested on their behalf by an employer, and can only be obtained from the local

employment office. Asylum seekers can only apply for jobs that are not taken by citizens or nationals from the European Economic Area. The government did grant temporary benefits and assistance to Afghan individuals airlifted by the Hungarian forces in August 2021, and individuals remaining in Hungary have received temporary benefits and residence cards.

In November 2021, the ECJ ruled that the legislation that criminalized assistance to asylum seekers infringed on EU law. The government did not comply with the ruling as of December.

Durable Solutions: Refugees are allowed to naturalize, but according to civil society organizations, the applications of refugees and stateless persons were approved at a lower rate than those of other naturalization seekers. There were no reported cases of onward refugee resettlement from the country to other states.

Temporary Protection: The law provides for a specific temporary protected status for situations of mass influx. Under the law all forms of international protection (refugee status, subsidiary protection, tolerated stay, stateless status, etc.) are temporary by nature, with periodic review of the entitlement to protection.

Following Russia's full-scale invasion of Ukraine in February, the government issued a decree granting temporary protection to Ukrainian citizens and persons who were living in Ukraine as recognized refugees and their family members. The status provided residency rights, access to housing, social welfare assistance, medical care, legal guardianship and safe care for unaccompanied children under 18, access to education for children under 18, and access to jobs (with some restrictions).

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government in periodic elections held by secret ballot and based on universal suffrage.

Elections and Political Participation

Recent Elections: National elections were held on April 3 under a single-round national system to elect 199 members of parliament. With 70 percent turnout, the elections resulted in the ruling parties gaining a fourth consecutive two-thirds supermajority in parliament, receiving 54 percent of party-list votes while winning 87 of the country's 106 single-member districts, decided by a first-past-the-post system.

A mission representing the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) observed the national elections. In its final report on the elections, the mission stated the elections "were well administered and professionally managed but marred by the absence of a level playing field" and concluded that a "pervasive overlap between the ruling coalition and the government" blurred the line between state and party.

The ODIHR election observation mission report highlighted that "contrary to international good practice, the legislation allows up to a 20 percent deviation from the average number of voters per single-mandate constituency and contrary to national legislation, the parliament did not revise the boundaries of constituencies that exceeded the established deviation limit following the 2018 elections. The unequal voter distribution amongst the constituencies, with up to a 33 percent

deviation, challenges the principle of equality of the vote.” No review of constituency boundaries was performed during the year.

The OSCE report noted that “despite repeated ODIHR recommendations, [Hungarian law] does not allow for observation of the election process by citizen observers, contrary to OSCE commitments and international standards.”

The president of the republic is elected by a vote of parliament. Running against one nominee put forward by the opposition parties, Katalin Novak – a former leader of the ruling party – was elected president with the support of over two-thirds of the members of parliament on March 10 and entered office May 10 for a five-year term.

Political Parties and Political Participation: The ODIHR report on the 2022 elections noted several problems with media influence that “significantly limited” campaign opportunities for groups other than the ruling parties, with “extensive government advertising campaigns and biased news coverage in the public and many private media” resulting in a “pervasive campaign platform for the ruling party.” The fact that the “government Facebook page also contained campaign messages” further contributed to the “blurring of the line between state and party,” the report concluded. The report also noted that recent amendments to the Campaign Finance Act “did not address longstanding recommendations by ODIHR and the Council of Europe’s Group of States against Corruption, including those related to caps on individual donations, campaign finance disclosure and reporting, and third-party campaigning.”

As in previous elections since 2014, citizens living abroad but having permanent residency in the country were required to appear in person at embassies or consulates to vote, while citizens residing abroad could vote by mail, but only for party lists. ODIHR election observers noted that the practice of applying different procedures to register and vote depending on whether a person had a permanent address in the country “challenged the principle of equal suffrage.”

A December 2020 modification of the electoral law, stipulating that any party wishing to put forward a national party list must nominate candidates in at least 71 (up from the previous 27) of the 106 individual parliamentary constituencies, raised additional obstacles in the cooperation of opposition parties seeking to challenge the ruling coalition in the 2022 parliamentary election.

Following repeated extensions of the state of emergency enacted due to the outbreak of COVID-19, which granted the government uninterrupted state of emergency powers from March 2020 through June 2022, parliament on May 24 amended the country’s constitution, allowing the cabinet to declare a state of emergency under which it can rule by decree if a state of war, armed conflict, or humanitarian disaster exists in a neighboring country. The state of emergency due to Russia’s full-scale invasion of Ukraine was declared on the same day and was extended until May 31, 2023.

Participation of Women and Members of Minority Groups: No laws limit participation of women and members of marginalized groups including persons with disabilities, LGBTQI+ individuals, and Romani persons, or other historically marginalized communities in the political process. No data were collected on individuals’ sexual orientation or ethnicity. Representation of women in public life remained very low. The ODIHR report on the 2022 elections noted that fewer “than 20 percent of all candidates were women, significantly limiting the opportunity for strengthening the low representation of women in national politics.” As of December, women constituted 14 percent of members of parliament, a figure that has remained relatively constant throughout past and present

administrations. As of December, the 15-member cabinet included one woman, and 12 percent of subcabinet-level government state secretaries were women.

The electoral system provides 13 recognized national minorities the possibility of registering for a separate minority voting process in parliamentary elections, by which they vote on the minority candidate list instead of the party list. While 12 national minorities registered candidate lists in the 2022 elections, only one – the German minority – obtained enough votes to win a minority seat in parliament. Despite representing the country's largest minority group, the National Roma Self Government was unable to put forward a minority list for the election due to internal disagreements. The 11 national minorities that put forward lists for the elections but did not win a seat were represented in parliament by nonvoting spokespersons whose area of interest for engagement was limited to discussing minority matters. Due to privacy laws regarding ethnicity, no official statistics were available on the number of members of a minority who were in parliament or the cabinet. Four members of parliament – three opposition members and one governing party member – have publicly identified themselves as Roma.

Section 4. Corruption and Lack of Transparency in Government

While the law provides criminal penalties for corruption by public officials, and there were numerous reports of government corruption during the year, few such cases were filed or prosecuted during the year. The European Commission and NGOs contended that the government did not implement or apply these laws effectively, and that officials and those with close government connections often engaged in corrupt practices with impunity.

In its July 13 *Rule of Law Report*, the European Commission found deficiencies in the country's anticorruption policies and noted that the government did not sufficiently address clientelism, nepotism, and favoritism, noting specifically that although "some new high-level corruption cases were opened, the lack of a robust track record of investigations of corruption allegations concerning high-level officials and their immediate circle remains a serious concern." The report also stressed that, similar to the previous year's report, "deficient independent oversight mechanisms and close interconnections between politics and certain national businesses are conducive to corruption." The report noted a lack of transparency in political party financing, asset disclosure, and lobbying.

Transparency watchdogs noted that the transfer of billions of dollars of state assets in April 2021 to 32 "public interest asset management foundations" charged with managing universities remained a matter of concern.

Anti-corruption NGOs also criticized a concession tender's result announced by the government on May 6 that awarded the operation, management, and maintenance of the country's motorway network for 35 years to a consortium composed of private equity funds owned by government-allied businessmen. Transparency International Hungary said the 35-year concession violated EU rules and would eliminate competition for an excessively long time, denying any future governments a say in the construction and operation of motorways. On August 4 the European Commission stated in a letter sent to a member of the European Parliament that it was investigating the concession contract to determine if it violated EU law.

Corruption: Anticorruption NGOs alleged government corruption and favoritism in the distribution of government and EU funds. In a study from March, the Corruption Research Center Budapest found that in the 2011-2021 period more than 20 percent of the EU-funded public contracts were won by 42

companies owned by 12 entrepreneurs closely affiliated with the government. The report also found that in 2020, a year which was particularly difficult for many businesses because of the COVID-19 pandemic, this small group of entrepreneurs won almost one-third of the EU-funded public tenders.

In its 2021 annual report released on June 8, the European Anti-Fraud Office (OLAF) found 26 cases of potential fraud in the country associated with EU development funds received between 2017 and 2021. OLAF recommended that the government repay 0.7 percent of the funds it received during the 2017-21 period, three times the EU average. Observers noted that OLAF's limited resources allowed it to review only a fraction of the tens of thousands of EU cases in which EU funds were disbursed to member states.

On April 5, President of the European Commission Ursula von der Leyen announced that the European Commission launched the budget conditionality mechanism against Hungary due to corruption concerns related to the country's use of EU funds. In its letter sent to the government on April 27, the European Commission reportedly mentioned systemic irregularities in the government's allocation of EU funds, including a €44 million (\$47 million) public lighting project implemented by a firm co-owned by Prime Minister Orban's son-in-law. On September 18, the European Commission recommended to suspend €7.5 billion (\$8 billion) in funding to Hungary over concerns about democratic backsliding and the possible mismanagement of EU money. In October and November, Hungary passed a series of laws to address the European Commission concerns including setting up a new Integrity Authority, a new remedy process in corruption cases, and new rules for asset declarations. On November 30, the Commission assessed Hungary had not made sufficient progress in implementing the 17 remedial measures agreed during the negotiations, and it maintained its recommended suspension of €7.5 billion (\$8 billion) of funding from the 2021-2027 EU budget. On December 12, the European Council approved the European Commission recommendation to withhold the funds, but reduced the amount withheld to €6.3 billion (\$6.7 billion). Hungary agreed to implement a series of anti-corruption and rule of law reforms to unlock access to those funds and to €5.8 billion (\$6.2 billion) in EU Recovery and Resilience funds.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Domestic and international human rights groups operated with some government restrictions affecting their funding. Government officials were generally uncooperative and unresponsive to their views.

In 2021, the government adopted legislation that mandated the SAO to report annually on NGOs that had an annual budget of more than 20 million forints (\$66,000) and were "capable of influencing public life." Sports, religious, and national minority organizations were exempted. In May civil society groups reported that the SAO began auditing privately funded NGOs, requesting information about their internal rules and accounting and management practices.

Independent NGOs were often labelled as "political" and "agents" not serving national interests. In February, government-aligned media published secret recordings of interviews which were aimed at discrediting civil society and independent media. The recordings sought to give credibility to the government's allegations that foreign powers and agents were working against national interests.

After the "child protection" referendum on April 3, the National Election Commission fined some of the organizations that called for voters to submit invalid ballots (see section 6). The implementation of the

ECJ ruling on criminalization of activities assisting asylum seekers remained pending (see section 2.e.).

In June the government blocked the adoption of a European Economic Area joint declaration due to its ongoing dispute with Norway on the distribution of Norway Grants funds. Hungary lost out on the \$255 million it was due to receive in the fund's 2014-2021 cycle when it rejected the distribution of \$12 million earmarked to NGOs. The 2022 *Rule of Law Report* noted that almost 40 percent of civil society's resources came from public funding, which, according to stakeholders, was politically biased against independent organizations.

Government Human Rights Bodies: The constitution and law establish a unified system for the office of the commissioner for fundamental rights (ombudsperson). The ombudsperson has two deputies, one responsible for the rights of national minorities and one for the interests of "future generations" (environmental protection). The ombudsperson is nominated by the president and elected by a two-thirds majority of parliament. The ombudsperson is solely accountable to parliament and has the authority to initiate proceedings to defend the rights of citizens from abuse by authorities and entities providing public services. The constitution provides that the ombudsperson may request that the Constitutional Court review laws. Ombudsperson recommendations are not binding, however. The ombudsperson is also responsible for collecting electronically submitted reports of public benefit, e.g., whistleblower reports on public corruption, and operates the national preventive mechanism against torture.

In May following a probationary period, the Global Alliance of National Human Rights Institutions downgraded the ombudsperson to observer status without the right to vote as a consequence of failing to demonstrate independence and adequately address issues in human rights, press freedom, and judiciary, or to refer these issues to the Constitutional Court. As of January 2021, the ombudsperson took over the tasks and functions of the abolished Equal Treatment Authority, a public administrative body to ensure compliance with principles of equal treatment and nondiscrimination.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: Although there is no crime defined as rape, there are two equivalent crimes, sexual coercion and sexual violence. Rape of a person, as defined through the equivalent crimes, regardless of gender, including spousal rape, is illegal. These crimes include the exploitation of a person who is unable to express her or his will. Penalties for sexual coercion and sexual violence range from one year in prison to 15 years in aggravated cases.

The criminal code includes "violence within partnership" (domestic violence) as a separate category of offense. Regulations extend prison sentences for assault ("light bodily harm") to three years, while grievous bodily harm, violation of personal freedom, or coercion may be punishable by one to five years in prison, if committed against domestic persons.

By law police called to a scene of domestic violence may issue an emergency restraining order valid for three days in lieu of immediately filing charges, while courts may issue up to 60-day "preventive restraining orders" in civil cases, without the option to extend.

Women's rights groups argued that prevention, survivor protection, and prosecution efforts by the state in domestic violence cases were not sufficient.

In February local media reported that a woman, age 23, from Kecskemet was physically assaulted, stabbed, and blinded by her partner. She was later moved to a shelter and the prosecutors charged the man with attempted homicide.

Sexual Harassment: By law harassment of a sexual nature constitutes a violation of the equal treatment principle but is not a crime.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Contraceptives were available but were not covered by the state health-care system, which limited access of marginalized groups living in poverty, including Romani women. Sterilization for family planning reasons was limited to persons who were older than 40 or already had three biological children.

Private clinics were barred by law from performing assisted reproductive/fertility treatments starting June 30. Out of the three remaining private clinics, one was taken over by the state and two closed down in the absence of a license. Eight other institutes had already been purchased by the state in 2019. The government's stated reason was to increase the country's fertility rate. The state-subsidized assisted reproductive treatments (artificial insemination and in vitro fertilization) were primarily tailored to support heterosexual married couples who experienced difficulty conceiving naturally. LGBTQI+ NGOs characterized access to assisted reproductive technologies as discriminatory against same-sex couples, as women in a same-sex relationship were not allowed to take part in IVF treatments.

The government operated state-funded shelters and a hotline for survivors of crime, including sexual violence against women, but these did not provide specialized assistance and sexual and reproductive health services for survivors.

Discrimination: The law provides for the same legal status and rights for women as for men. There is no mandate for equal pay for equal work. Women's rights groups criticized the lack of a comprehensive national strategy and public action plan for the promotion of equality between women and men.

Systemic Racial or Ethnic Violence and Discrimination

The law prohibits discrimination based on ethnicity and criminalizes offensive behavior and real or perceived threats towards members of racial, ethnic, or other groups. The office of the ombudsperson is responsible for monitoring discrimination. Hate crime is a separate type of crime. There were no public records on hate crime statistics, and NGOs reported authorities were reluctant to classify incidents as hate crimes.

Roma was the country's largest ethnic minority group. According to the most recent census in 2011, approximately 315,000 persons (3 percent of the population) identified themselves as Roma. A University of Debrecen study published in 2018, however, estimated there were 876,000 Roma in the country, or approximately 9 percent of the population. There were approximately 1,300 de facto segregated settlements in the country where Roma constituted the majority of the population and Roma civil society groups reported that school segregation of Roma children remained a problem, despite legal prohibitions against it. Local media reported in January that the European Commission

withdrew more than 1.7 billion forints (\$5.4 million) from the local municipality of Nyiregyhaza in a Roma social reintegration project. The municipality obtained the EU funding in 2017 to eliminate the segregation of approximately 200 local Roma residents living in the outskirts of the city. The European Commission found that instead, Nyiregyhaza's local municipality used the EU funding to relocate the Roma families to another poor suburb, which contravened the project's goals and EU values.

In March 15 local NGOs submitted a request to the European Commission to investigate a potential conflict of interest regarding the exclusive role of the Hungarian Charity Service of Malta in the distribution of funds for Roma integration, since the leader of the organization was also the prime ministerial commissioner in charge of the government's Roma inclusion strategy.

In July it was reported that according to a ruling by the ECHR, the government violated the human rights of a Roma man when he was taken into police custody in 2014. The man testified police applied handcuffs very tightly, and that he was subsequently repeatedly struck, sprayed with tear gas, and racially insulted. The man filed a report to the authorities, but the case against the police officer was dropped. The ECHR ruled in favor of the plaintiff, ordering the state to pay €19,500 (\$20,865) in nonpecuniary damages.

In October the Hungarian Soccer Association suspended for four games the Dutch coach of the local Zalaegerszeg soccer team, Ricardo Moniz, for protesting against racist behavior by fans of the opponent, who made monkey noises directed at his players during a match.

The law establishes cultural autonomy for nationalities (replacing the term "minorities") and recognizes the right to foster and enrich historic traditions, language, culture, and educational rights. The National Roma Minority Self-Government failed to select a candidate who would have represented the Roma community as the nationality spokesperson without voting rights in parliament (see also section 3).

Children

Birth Registration: An individual acquires citizenship from a parent who is a citizen. Births were registered immediately. NGOs asserted the law provides only partial safeguards against statelessness at birth because all children of foreign parents born in the country are registered on birth certificates as being of unknown nationality. In addition, NGOs claimed that children born to stateless parents or to noncitizen parents who may not pass on their nationality to their children were in some cases born, and remained, stateless.

Education: Although the law provides for free and compulsory education between ages three and 16 and prohibits school segregation, NGOs reported the segregation of Romani children in schools and their frequent misdiagnosis as having a mental disability. The European Commission opened an infringement procedure in 2016 due to concerns regarding the disproportionate overrepresentation of Romani children in segregated schools for children with intellectual disabilities as well as a considerable degree of segregated education in mainstream schools. In 2021, the European Commission launched an infringement procedure against the country because "its national legislation does not fully comply with EU rules prohibiting discrimination on the grounds of racial or ethnic origin."

NGOs also assessed that school segregation and lowering the mandatory school age from 18 to 16 in 2011 contributed to high dropout rates. According to the study by the Economic Institute of the Eotvos Lorand Research Network titled *Indicators of Public Education 2021*, the average early dropout rate

increased from 10.8 to 12.1 percent between 2010 and 2020. The dropout rates in Nograd, Borsod-Abaúj-Zemplén, and Baranya, the counties with the largest concentration of Roma, were 30, 20, and 20 percent respectively, compared with 2.5 percent in the capital.

Child Abuse: Efforts to combat child abuse included a “child protection signaling system” to detect and prevent the endangerment of children; law enforcement and judicial measures; restraining orders; shelters for mothers and their children; and removal of children from homes deemed unsafe. The law provides that failure of a parent to “cooperate” with doctors, district nurses, teachers, or family supporters in the signaling system automatically constituted gross endangerment, even without any other signs of negligence or endangerment.

In May local media reported that a man, age 46, in Aszod killed his visiting children, ages 14 and 16, in their sleep. According to reports, the divorced father repeatedly threatened his family with death. Women’s rights groups criticized rules that allowed joint custody for a parent with a history of violence and abuse.

Child, Early, and Forced Marriage: The legal minimum age of marriage is 18. The Social and Guardianship Office may authorize marriages of persons between ages 16 and 18. The guardianship authorities consider whether a girl is pregnant in making their determination. Data were limited regarding the prevalence of child marriage in the country, including in the Roma community.

Sexual Exploitation of Children: The law prohibits child pornography. The statute of limitations does not apply to sexual crimes against children. The government generally enforced the law. The minimum age for consensual sex is 12, provided the older partner is 18 or younger. Persons older than 18 who engage in sexual relations with a minor between ages 12 and 14 may be punished by one to five years’ imprisonment. By law, statutory rape is a felony punishable by five to 10 years’ imprisonment if the survivor is younger than 12. The law prohibits the criminal prosecution of minors exploited in commercial sex. Procuring minors for commercial sex and exploitation of children in commercial sex is punishable by two to eight years’ imprisonment.

Institutionalized Children: In 2020, the UN Committee on the Rights of the Child expressed concern regarding the high number of children living in institutional settings, including 300 children younger than age three. According to UNICEF Hungary, approximately 23,000 children were living in state care institutions. Pro-Roma NGOs noted that institutionalized children living in state care were especially vulnerable to human trafficking for commercial sexual exploitation and criticized the lack of special assistance for child victims of trafficking. Experts also noted the high rate of institutionalization of children with disabilities, who often faced segregation from society and were put at risk of mistreatment and abuse.

Antisemitism

According to the 2011 census, 10,965 persons identified their religion as Judaism. According to estimates from the World Jewish Congress, the Jewish population numbered between 35,000 and 120,000 persons. A survey released in November 2021 showed 42 percent of citizens held antisemitic views, third highest in the EU.

In August Prime Minister Orban said in a speech delivered in Romania that “we are willing to mix with one another, but we do not want to become mixed race,” which prompted reactions from Jewish leaders and groups. The President of the Federation of Hungarian Jewish Communities (Mazsihisz) noted that the speech undermined the security of the Jewish community, and Chief Rabbi of the

Unified Hungarian Jewish Congregation Slomo Koves said it was “an expressly unfortunate use of words to speak about races and mixing of races.” Following the speech, posters appeared in Budapest with the logo of Mazsihisz and the text, “There are only two races: Jewish and Goyim.” Mazsihisz said it had nothing to do with the posters and would file a complaint.

In August far-right party *Mi Hazank* (Our Homeland) unveiled a bust of Regent Miklos Horthy, who had aligned his government with the Nazi party in the late 1930s, in the parliamentary office of its Member of Parliament and Deputy Speaker Dora Duro. At the unveiling, Duro praised the 24-year Horthy era as an “economic, cultural, and educational success story” and added, “what he did for Hungarians is more important than, say, how he related to the Jews.” The opposition party Democratic Coalition stated that “Nazis don’t have a place in Parliament,” and Mazsihisz stated that “there is no place for a statue of a man whose reign deprived hundreds of thousands of people of their basic human rights, who was responsible for the tragic deaths of hundreds of thousands of people, and who steered our country into one of the greatest disasters in its history.”

Despite a police ban, in February extreme-right and neo-Nazi groups commemorated the break-out attempt by Hungarian and German troops on February 11, 1945, during the Soviet Red Army’s siege of Budapest. Also in February, a torchlight memorial ceremony was held in Budapest with the participation of supporters of *Mi Hazank* honoring former governor Miklos Horthy. The “House of Fates” museum project, meant to record the history of the Holocaust in the country, remained stalled due to concerns by international and domestic Holocaust scholars that its concept, which focuses primarily on Hungarians who helped to hide Jews during the Holocaust, would whitewash the role of WWII-era Hungarian leaders and citizens in the Holocaust deaths of hundreds of thousands of Hungarian Jews.

In April approximately 25 graves were vandalized in the Jewish cemetery in Budakeszi, with many of the tombstones missing or damaged. The Pest county police investigated the case, and Mazsihisz organized the restoration work with local volunteers.

In May four young men were recorded Nazi saluting, screaming “Heil Hitler,” throwing garbage, and urinating on the Dohany Street Synagogue in Budapest.

In August some fans sang about “Jewish crime” following the MTK football club’s match against the football club of Szeged. Also in August, a swastika was painted on the wall of a synagogue in Budapest and the abbreviation SS and monogram AH – presumably referring to Adolf Hitler – were drawn in the elevator of the building. Police arrested a man, age 48, from Budapest who confessed to the crime. The Minister of Justice condemned the attack against the synagogue.

Trafficking in Persons

See the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: No laws criminalize consensual same-sex sexual conduct between adults. There are no laws, such as on immorality or loitering, that were disproportionately applied to LGBTQI+ persons.

Violence against LGBTQI+ persons: The state did not perpetrate or tolerate violence against LGBTQI+ persons or those reporting such abuse and did prosecute and punish those complicit in abuses by

state or nonstate actors. In March, the Pest Central District Court sentenced a man to one year and eight months in prison, suspended for two years, for verbally insulting and physically abusing a lesbian couple walking hand-in-hand in Budapest in July 2021. LGBTQI+ organization Hatter reported that 18 individuals turned to its legal aid service, stating they were victims of hate crimes in 2021, compared with 10 persons in 2020.

Discrimination: The law prohibits discrimination based on sexual orientation. In addition, the law prohibits certain forms of hate speech and prescribes increased punishment for violence against members of the LGBTQI+ community. The civil court procedure allows for the awarding of pecuniary and nonpecuniary damages. The Constitutional Court also offers possibilities to challenge allegedly discriminatory legislation.

Availability of Legal Gender Recognition: The law prohibits transgender or intersex individuals from changing their assigned sex/gender at birth on legal and identification documents and there is therefore no mechanism for legal gender recognition.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: LGBTQI+ organization Hatter reported that in research conducted in 2021 almost one of every 10 LGBTQI+ persons reported to have gone through some form of “conversion therapy.”

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: The April 3 “child protection” referendum initiated by the government following the adoption of a law banning the “promotion” or “portrayal” of LGBTQI+ issues resulted in an “invalid” outcome on all four questions. Voters were asked for their views on limiting teaching about LGBTQI+ topics in schools. In the referendum campaign LGBTQI+ groups called for voters to submit invalid ballots as a sign of protest. The proportion of valid votes varied from 47 to 48 percent (below the 50 percent validity threshold), although among valid ballots, voters supported the government’s view in the 92-96 percent range. The ODIHR Election Observation Final Report noted that “the legal effect of the April 3 referendum was unclear, as the law which is the legislative basis of the issues put to the referendum was already in force, at odds with international good practice.”

In April the National Election Commission imposed a fine of 176,000 forints (\$500) each on 16 NGOs and an additional fine of 3 million forints (\$8,600) each on Amnesty International Hungary and Hatter Society for encouraging voters to invalidate their ballots in the referendum. The NGOs appealed the decisions. In three out of five cases, the Curia ruled in favor of the 16 NGOs that were fined by the Election Commission, but the court upheld two fines that concerned Amnesty International Hungary and Hatter Society.

In July the European Commission referred the country to the European Court of Justice over the “child protection” law, arguing that restricting access to LGBTQI+ content for minors and imposing a disclaimer on a children’s book with LGBTQI+ content was discriminatory and violated human dignity and freedom of expression.

In February the Budapest Regional Court of Appeal ruled that government-aligned newspaper *Magyar Nemzet* did not violate the good name of the Labrisz Lesbian Association, which published the children’s book *Fairytales Belong to Everyone*, by labelling the association a pedophile organization. In November, the Curia upheld this decision, arguing that sanctioning the newspaper would be an unnecessary and disproportionate restriction of freedom of speech.

In March the Curia found that bookstore chain Lira Csoport was unlawfully fined for selling the Hungarian translation of the book *What a Family!* depicting the daily life of a child with same-sex parents.

Persons with Disabilities

The constitution and the law prohibit discrimination against persons with physical, sensory, intellectual, communicational, and psychosocial disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services. In general, the government enforced the law effectively. The constitution provides that a court may deprive persons with disabilities who are under guardianship of the right to vote in its adjudication of the individual's limited mental capacity.

There were no data available on the percentage of public buildings accessible to persons with disabilities. Based on estimates by Habitat for Humanity, approximately 5 percent of the population lived with disabilities, half of which were physical. Habitat for Humanity stated that approximately 40,000 persons lived in larger institutions in 2020 with capacity over 50 persons, one-quarter of whom had intellectual disabilities.

In its findings published in March, the UN Committee on the Rights of Persons with Disabilities expressed concern that persons with disabilities did not have a mechanism to make decisions out of autonomy because of their disabilities. The Committee also stressed the importance of providing state support to persons with disabilities to live independently and equally with others in the community, regardless of the type of impairment they had.

In a final decision in April, the Budapest Court of Appeals ruled that the state violated the human dignity, right to privacy, and right to equal treatment of persons with severe and multiple disabilities and of their caretakers by failing to provide them with adequate care.

In August the National Alliance of Associations for the Disabled stated that the rise in energy prices threatened the security of 600,000 disabled persons and their families as well as the operation of the institutions that provided for them. It added that many devices used by the disabled consumed significant amounts of energy, including ventilators, lifting devices, stimulators, and smart devices.

Most children with disabilities were excluded from mainstream education and were either homeschooled or provided education in institutions.

Other Societal Violence or Discrimination

The prime minister, other government leaders, and government-aligned media regularly used language in defense of "Christian Europe" that many viewed as anti-Muslim, particularly toward Muslim migrants and refugees. In a March 1 campaign speech, Deputy Prime Minister Zsolt Semjen drew a distinction between Muslim migrants from the Middle East and refugees from Ukraine, asserting that the former were part of an EU plot to destroy nation states, while the latter could integrate into the country. A study by political research institute Policy Solutions indicated that 55 percent of respondents would feel "very bad" or "bad" if they had a Muslim neighbor. Muslim organizations did not collect data regarding anti-Muslim hatred but reported that verbal insults were frequent and claimed that the majority of the population regarded Muslims with suspicion.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The labor code provides for the right of workers to form and join independent unions without previous authorization and conduct their activities without interference, although unions alleged requirements for trade union registration were excessive. The labor code prohibits any worker conduct that may jeopardize the employer's reputation or legitimate economic and organizational interests and explicitly provides for the possibility of restricting the workers' personal rights in this regard, including their right to express an opinion during or outside of working hours. Except for law enforcement and military personnel, prison guards, border guards, health-care workers, and firefighters, workers have the right to strike. In other spheres of the public sector, including education or government services, "minimum service" must be maintained. The law permits military and police unions to seek resolution of grievances in court. The law provides for collective bargaining, however there are excessive requirements in respect to trade unions' representativity or minimum number of members required to bargain collectively. The law prohibits antiunion discrimination and provides for reinstatement of workers fired for union activity.

Workers performing activities that authorities determine to be essential to the public interest, such as schools, public transport, telecommunications, water, and power, may not strike unless an agreement has been reached on provision of "sufficient services" or "minimum services" during a strike. Courts determine the definition of sufficient services. National trade unions opposed the law on the basis that the courts lacked the expertise to rule on minimum service levels and generally refused to rule on such cases, effectively inhibiting the right to strike. The government passed legislation in 2020 that seriously undermined health-care workers' right to strike, as it prescribed that trade unions and the government conclude an agreement for each strike trade unions would plan to stage. This law continues to be in force. The government also prohibited an announced strike by air traffic controllers in July 2021. Numerous trade unions decided to escalate the matter to the International Labor Organization (ILO) and sent a petition to the government requesting that it negotiate with air traffic controllers. In February, the government passed a decree ordering that children in schools be supervised if teachers go on strike. Teachers' unions claimed the decree made it impossible for them to go on strike and therefore challenged its legality. The Budapest Capital Court rejected the challenge, and teachers' unions vowed to turn to the ECHR in case the Constitutional Court rejected their appeal.

The government effectively enforced laws providing for freedom of association and collective bargaining in the business sphere, whereas in the public sphere legislation limited exercising of the right to strike. Penalties for violations were generally commensurate with those under other laws involving denials of civil rights. Penalties were sometimes applied against violators. In the public sector, administrative and judicial procedures to determine adequate services were sometimes subject to lengthy delays and appeals.

Authorities and employers generally respected freedom of association and the right to collective bargaining. Trade unions alleged that national prosecutors restricted trade union activities. In some cases, unions reported antiunion dismissals and union busting by employers. There were also reports of unilateral termination of collective agreements, which employers in some cases attributed to financial difficulties resulting from the COVID-19 pandemic. Unions continued to report that the government attempted to influence their independent operation.

While the law provides for reinstatement of workers fired for union activity, court proceedings on unfair dismissal cases sometimes took more than a year to complete, and authorities did not always enforce court decisions. The ILO in June noted with concern the significant compliance gaps in law and

practice regarding the protection against antiunion discrimination, the scope of collective bargaining permitted under the law, and interference in free and voluntary collective bargaining.

b. Prohibition of Forced or Compulsory Labor

While the law prohibits and criminalizes all forms of forced or compulsory labor, the government failed to enforce it effectively and forced labor occurred.

Groups vulnerable to forced labor included those in extreme poverty, undereducated young adults, Roma, and homeless men and women. Men and women were subjected to forced labor mainly in the form of domestic servitude and agricultural work. Forced child labor occurred (see section 7.c.).

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The constitution prohibits all the worst forms of child labor. The law prohibits children younger than 16 from working, with the exception that children ages 15 or 16 may work under certain circumstances as temporary workers during school vacations or may be employed to perform in cultural, artistic, sports, or advertising activities with parental consent. Children may not work night shifts or overtime or perform hard physical labor. The government performed spot checks and effectively enforced applicable laws; penalties were commensurate with those for analogous serious crimes. Penalties were regularly applied against violators.

Through the end of 2021, the Employment Supervisory Authority reported nine cases of labor performed by nine children younger than 15. The employment authority also reported six cases involving six children ages 15 and 16 who were employed without the consent of their parents or legal guardians during the school year, and five cases involving six children between ages 16 and 18 who were employed without the consent of their parents or legal representatives. The employment authority noted that child labor cases decreased in age groups above 15 years as a result of increased inspections over the last year.

d. Discrimination with Respect to Employment and Occupation

The constitution and laws prohibit discrimination based on race, sex (including pregnancy), gender, disability, language, sexual orientation and gender identity, infection with HIV or other communicable diseases, or social status. The labor code provides for the principle of equal treatment. The government failed to enforce these regulations effectively. Penalties were less than commensurate with those under laws related to civil rights and were sometimes applied against violators.

Observers asserted that discrimination in employment and occupation occurred with respect to Roma, women, persons with disabilities, and LGBTQI+ persons. According to NGOs, there was economic discrimination against women in the workplace, particularly against job seekers older than 50 and those who were pregnant or had returned from maternity leave. The country does not mandate equal pay for equal work (see section 6, Women). According to the World Economic Forum's 2021 Global Gender Gap Report, the gender gap in estimated earned income widened by 4.6 percentage points over a one-year period. Women were paid 16.2 percent less in average gross salary than men in 2021, according to statistics by Trenkwalder recruitment and human resources company. A government decree requires companies with more than 25 employees to reserve 5 percent of their work positions for persons with physical or mental disabilities. While the decree provides for monetary fines for

noncompliance, many employers generally paid the fines rather than employ persons with disabilities. The National Tax and Customs Authority issued “rehabilitation cards” to persons with disabilities, which granted tax benefits for employers employing such individuals (see section 6, Persons with Disabilities).

e. Acceptable Conditions of Work

Wage and Hour Laws: During the year the national minimum wage was below the poverty level. The law sets the official workday at eight hours, although it may vary depending on industry. A 48-hour rest period is required during any seven-day work period. The regular workweek is 40 hours with premium pay for overtime. The labor code limits overtime to 400 hours per year. The code also provides for 10 paid annual national holidays. Overtime is calculated based on a three-year period, i.e., employees have a right to overtime pay only if, during a three-year period, they have worked an average of more than 40 hours per week. Observers noted the provision could allow employers to avoid paying overtime for work in one year by requiring employees to work less than full time during both or one of the two other years if it lowered their average workweek during the entire three-year period to 40 hours or less.

During the COVID-19 pandemic, the government passed regulations allowing employers and employees not to apply the prescriptions of the labor code in contracts and work schedules. Trade unions claimed the regulations were unconstitutional because they enabled employers to force disadvantageous contracts upon employees and undermined their legal protections. As trade unions have no right of appeal to the Constitutional Court, they appealed to opposition parties to request constitutional review and in May 2020 filed a complaint with the ILO. Following the ILO recommendation in 2021 to engage in dialogue with workers’ and employers’ organizations to limit the impact of such measures and fully use collective bargaining, the government eliminated the decree on June 8. However, limitation of teachers’ and air traffic controllers’ right to strike remained in force.

Occupational Safety and Health: Occupational safety and health (OSH) standards are appropriate in the main industries and OSH experts actively identify unsafe conditions in addition to responding to complaints. In March 2020 the government rewrote established occupational safety and health standards to include pandemic protection measures. The government shut down several economic sectors during the pandemic, including tourism, catering, and cultural activities. Workers continued to have the right to remove themselves from situations that endangered their health or safety without jeopardy to their employment, and authorities effectively protected employees in such situations.

According to the Labor Protection Directorate of the Ministry of Technology and Industry, 21,591 injuries and 84 fatalities occurred at workplaces in 2021, a slight increase in injuries and 30 percent increase in fatalities from 2020. Most injuries occurred in the processing, manufacturing, transport and warehousing, health and social care, education, and construction sectors. Most deaths occurred in the processing, manufacturing, transport and warehousing, retail, and construction sectors. In-depth inspections were announced, whereas other inspections based on an annual plan, reports of irregularities, spot checks or follow-up inspections were unannounced. Measures taken against violators included penalties, suspensions, bans, and prescriptions to eliminate irregularities.

According to the Labor and Employment Supervision Directorate of the Ministry of Technology and Industry, which is responsible for enforcing the labor code, in 2021, 69 percent of the inspected businesses violated labor regulations, slightly down from 2020 despite an 8.8 percent increase in the number of inspections. Violations included illegal employment (21 percent) or reporting full-time workers as part-time employees (25 percent), which were typical in construction, agriculture, and

catering; faulty recording of working hours (31 percent); violations related to wages, which include not paying the full amount of wages or overtime, or not paying the minimum wage (12 percent); and other offenses (9 percent), which included delays in paying the last month's wage and providing necessary documents for terminated employees and violating annual leave regulations. Illegal employment was typical in construction, agriculture, and catering, whereas other violations were not linked to any specific sector. The Labor and Employment Supervision Directorate noted that while the number of inspections decreased during the pandemic as spot checks were limited and numerous businesses suspended their activities, in 2021 it increased again, approaching the levels of previous years.

Wage, Hour, and OSH Enforcement: The government effectively enforced wage, hour, and OSH laws, and penalties for violations were commensurate with those for other similar violations, such as fraud or negligence. Penalties were regularly applied against violators.

The Labor and Employment Supervision Directorate of the Ministry of Technology and Industry is responsible for the enforcement of wage, hour, and occupational safety laws. The number of inspectors was sufficient to enforce compliance. According to the Ministry of Industry and Technology Labor Protection Directorate, the number of inspectors corresponded to that in other industrial market economies. The inspectors had the authority to make unannounced inspections and initiate sanctions. Labor inspectors regularly provide consultations to employers and employees on safety and health standards. Labor laws also apply to foreign workers with work permits.

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