

**Questionnaire for Member States on the
2023 report on the application of the EU Charter of Fundamental Rights**

Answers of Hungary

17 July 2023

1. Which judicial and non-judicial remedies are available in your Member State (Member States that have updated the relevant pages of the European e-Justice portal, may refer to the information available at European e-Justice Portal - Legal systems - EU and national (europa.eu)):

a. In criminal, civil and administrative cases;

i) Criminal cases

According to Article XXVIII (7) of the Fundamental Law of Hungary¹, everyone shall have the right to seek legal remedy against any court, authority or other administrative decision which violates his or her rights or legitimate interests. The Act XC of 2017 on the Code of Criminal Procedure (hereinafter CPC)² provides the right to legal remedy at all stages of the procedure, including non-judicial remedies (these are legal remedies during the investigation) and judicial remedies. The judicial remedies have two types: ordinary legal remedy (against non-final decision) and extraordinary legal remedy (against a final and binding conclusive decision).

1. Legal remedies during the investigation (Chapter LVIII of the CPC; Section 369-374)

Legal remedies during the investigation are as follows:

- a) complaint against a decision (Section 369-371),
- b) complaint against casting suspicion (Section 372),
- c) complaints filed in the mediation procedure (section 373),
- d) revision (Section 374).

2. Ordinary legal remedies during the judicial proceeding

According to Section 579 (1) of the CPC, appeals against a conclusive decision passed by a court of first instance may be submitted to a court of second instance. A full appeal against a judgment of a court of first instance may be filed by the accused, the prosecution service and the defence counsel [Section 581 (1) a-c) points], an heir of the accused with regard to any provision granting a civil claim, by the spouse or cohabitant of the accused if compulsory psychiatric treatment is ordered, a civil party with regard to any provision on the merits of his civil claim, a party with a pecuniary interest with regard to a provision affecting him [Section 581 (1) d-g) points]. An appeal may be filed against the full sentence, a part of the sentence or only against the penalty.

¹ See here <https://njt.hu/jogszabaly/en/2011-4301-02-00> for the official English translation of the Fundamental Law.

² See here <https://njt.hu/jogszabaly/en/2017-90-00-00> for the official English translation of the Act on the Code of Criminal Procedure in its version in force on 1 March 2022.

The detailed provisions are as follows: Chapter LXXXI of the CPC (Section 579-588).

The second instance court conducts the appeal according to the following rules: Chapter LXXXIII of the CPC (Section 596-603). According to Section 604 (1) of the CPC, in situations specified in this Act, a court of second instance shall

- a) uphold a judgment of a court of first instance,
- b) amend a judgment of a court of first instance, or
- c) set aside a judgment of a court of first instance, and
- ca) terminate the proceeding, or
- cb) instruct the court of first instance to conduct a new proceeding.

The detailed provisions are as follows: Chapter LXXXIV of the CPC (Section 604-614).

According to Section 616 of the CPC, an appeal against a judgment passed by a court of second instance may be submitted by

- a) the accused,
- b) the prosecution service,
- c) the defence counsel,
- d) the spouse or cohabitant of the accused if compulsory psychiatric treatment is ordered.

The content and limitations of the right of the appeal are contained Section 615 of the CPC.

According to the CPC, the decision of the second instance court may be appealed to the third instance court according to the following rules: Chapter LXXXVI of the CPC (Section 617-619). The third instance court, during the administering an appeal, acts on the basis of Section 620-622 of the CPC. The third instance court shall uphold a second instance judgment if an appeal is groundless and there is no other reason to set aside the judgment, and if it is not necessary to amend the judgment, or doing so is not possible due to the prohibition of reformatio in peius, the limits of the scope of revision, or the provisions laid down in section 605 (2) [Section 623 of the CPC]. In addition, it is also possible to amending the second instance judgment (Section 624) and setting aside the second instance judgment (Section 625).

Ordinary legal remedy is also an appeal filed against a setting aside order by the court of second or third instance. The rules of which can be read in Section 626-631 of the CPC.

3. Extraordinary legal remedies

Part Nineteen of the CPC (Section 637-675) contains the provisions of the extraordinary legal remedies, which are as follows:

- a) retrial (Section 637-647),
- b) review (Section 648-664),
- c) constitutional complaints (Section 665),
- d) legal remedy submitted on the ground of legality (Section 666-669),
- e) uniformity of jurisprudence (Section 670),
- f) simplified review (Section 671-675).

Part Twenty of the CPC contains the provisions for each specific procedures (Section 676-836), where the legal remedies are indicated separately for the specific of the procedure. Their common characteristic is that they don't correct the unlawfully underlying case, but, in view of a new circumstance, correct the decision after its conclusion.

Detailed information on the rights and obligations of those involved in criminal proceedings (*'what happens when a person is suspected of or accused of a crime which is dealt with by a trial in court. For information on minor offences like road traffic offences - which are usually dealt with by a fixed penalty like a fine – go to Factsheet 5. If you are the victim of a crime, you can find full information about your rights here.'*) is available at the following link:

https://e-justice.europa.eu/169/EN/defendants_criminal_proceedings?HUNGARY&init=true&member=1

In case of proceedings for infractions, Act II of 2012 on infractions, infraction procedure and the infraction records system³ regulates the types, conditions and details of legal remedies against decisions.

ii) Civil cases

Civil litigation is the means of enforcing rights in court to settle disputes over personal and property matters. In general, Hungarian legislation - in line with EU and international requirements - ensures the right to legal redress. This objective is served by the so-called ordinary legal remedy, under the provisions of Act CXXX of 2016 on the Code of Civil Procedure (hereinafter: the the Code of Civil Procedure)⁴, which – apart from narrow exceptions defined by law – generally provides for the right of appeal, i.e. the right to exercise legal remedies, against the judgment of the court of first instance [Chapter XXVII of the Code of Civil Procedure].

Hungarian law also provides for the possibility of extraordinary legal remedies, the specific feature of which is that they can be used against final decisions and can only be used in exceptional cases specified by law. Such extraordinary remedies are

- the **retrial procedure** the purpose of which is to review the final judgment on the basis of facts or evidence or of a final decision of a court or other authority which has not been adjudicated on by the court in the proceedings [Chapter XXVIII of the Code of Civil Procedure], and
- a **review** may be sought against a final judgment or a final order on the merits of the case on the grounds of an infringement of the law or a difference of law on a point of law from a published decision of the Curia [Chapter XXIX of the Code of Civil Procedure] institution.

Information on the basic rules on how to bring a case and on the rights and obligations of the parties is available at the following link:

https://e-justice.europa.eu/34/EN/how_to_bring_a_case_to_court?HUNGARY&init=true&member=1

iii) Administrative cases

³ See here <https://njt.hu/jogszabaly/en/2012-2-00-00> for the official English translation of the Act in its version in force on 3 December 2022.

⁴ See here <https://njt.hu/jogszabaly/en/2016-130-00-00> for the official English translation of the Act in its version in force on 1 April 2020.

Act I of 2017 on the Code of Administrative Procedure (hereinafter referred to as the Code of Administrative Court Procedure)⁵ creates the possibility, as a general rule, for the lawfulness of an act of an administrative organ regulated under administrative law, which aims to change or results in a change in the legal situation of the legal entity concerned, or the failure to act (hereinafter collectively referred to as "administrative act"), to be the subject of an administrative dispute. [Section 4 (1) of the Code of Administrative Court Procedure] In this context, as in European case law, there is no closed list, the court may decide on a case-by-case basis whether or not a given matter may in fact be the subject of an administrative dispute.

In an administrative dispute, the court may be requested in an administrative litigious procedure to

- legality review of administrative decisions,
- determine whether there has been a failure to act on the side of the administrative body and decide on a dispute concerning the failure to act by an administrative body,
- decide on a dispute concerning an administrative contract or a public service relationship, or
- award compensation for damages suffered in connection with such a relationship, or
- establish facts arising from the public service relationship.

In the legal remedy system of Act CL of 2016 on the Code of General Administrative Procedure (hereinafter: Code of General Administrative Procedure)⁶, the primary form of legal remedy in administrative matters is the administrative litigious procedure, in accordance with the principle of the rule of law⁷ [Section 114 Code of General Administrative Procedure], but in certain cases, primarily in the case of local level matters, an appeal⁸ is also allowed [Section 116 (1) and (2) Code of General Administrative Procedure], where expressly permitted by sectoral law.

b. in cases of discrimination;

At the highest level of the hierarchy of legal sources, Hungary guarantees the basic principle of the right to a legal remedy in the Fundamental Law of Hungary (hereinafter: Fundamental Law).

According to Article XXVIII of the Fundamental Law „*Everyone shall have the right to seek legal remedy against any court, authority or other administrative decision which violates his or her rights or legitimate interests*”.

Regarding the regulation of equal treatment, Act CXI of 2011 on the Commissioner for Fundamental Rights⁹ must be highlighted, which declares that „*Anyone may turn to the Commissioner for Fundamental Rights if, in his/her judgment, the activity or omission of*

- a) *an administrative organ,*
- b) *a local government,*
- c) *a nationality self-government,*

⁵ See here <https://njt.hu/jogszabaly/en/2017-1-00-00> for the official English translation of the Act in its version in force on 1 January 2018.

⁶ See here <https://njt.hu/jogszabaly/en/2016-150-00-00> for the official English translation of the Act in its version in force on 1 November 2022.

⁷ https://magyarorszag.hu/szuf_ugyleiras?id=d619b72b-3a03-4f97-8125-2827cd0772dd&n=kozigazgatasi_per_meginditasa_iranti_keresetlevel_%25E2%2580%2593_digitalis_magyar_oroszag_ugynokseg_zrt.

⁸ https://magyarorszag.hu/szuf_ugyleiras?id=526249f6-50ff-48ce-8966-e0d0a6abc616&n=fellebbezes_kozigazgatasi_hatosagi_ugyben

⁹ See the text of the Act here in Hungarian <https://njt.hu/jogszabaly/2011-111-00-00>.

- d) a public body with mandatory membership,
 - e) the Hungarian Defence Forces,
 - f) a law-enforcement organ,
 - g) any other organ while acting in its public administration competence,
 - h) an investigation authority or an investigation organ of the Prosecution Service,
 - i) a notary public,
 - j)
 - k) an independent bailiff, or
 - l) an organ performing public services
- (hereinafter referred to together as “authority”) infringes a fundamental right of the person submitting the petition or presents an imminent danger thereto (hereinafter referred to together as “impropriety”), provided that this person has exhausted the available administrative legal remedies, not including the administrative court action, or that no legal remedy is available to him/her”.

In Hungary, the Directorate-General for Equal Treatment of the Office of the Commissioner for Fundamental Rights is the state organ that monitors the implementation of the requirement of equal treatment, and is the institution safeguarding human dignity Hungary. It provides legal remedies to complainants who have been discriminated against, i.e. who have suffered discrimination. As a general rule, the procedure can be initiated by the aggrieved party or his/her authorised representative or, in the case of discrimination against a minor, by his/her statutory representative (parent). Non-governmental organisations and interest representation organisations may also request an investigation into a breach of the requirement of equal treatment under the conditions laid down by law.¹⁰

c. in the field of consumer legislation;

In the field of consumer protection legislation, both judicial redress and alternative dispute resolution are available through the free, quick and simple conciliation procedure. In addition, there is a judicial remedy against a decision taken in a consumer protection procedure.

Consumers can lodge an individual consumer complaint directly with the undertaking, with the competent conciliation body or in civil proceedings. Consumers can contact the authority responsible for consumer protection if they have experienced a consumer protection infringement by a company and have tried to settle their dispute with the company in advance.¹¹

d. in the field of employment legislation;

The scope of labor-related claims is defined in Act I of 2012 on the Labour Code¹². According to the law, employees and employers may pursue their claims arising from the employment relationship or out of the Act; trade unions and works councils may pursue their claims arising out of the Act, collective agreements or works agreements before court.¹³

e. Provisions of the Act CXXXIX of 2013 on the Hungarian National Bank (MNB Act)¹⁴

¹⁰ <https://www.ajbh.hu/ebff>

¹¹ https://fogyasztovedelem.kormany.hu/#/fogyasztovedelmi_hatosag

¹² See the text of the Act here in Hungarian <https://njt.hu/jogszabaly/2012-1-00-00>.

¹³ https://magyarorszag.hu/szuf_ugyleiras?id=38468193-f1b1-43e1-813f-b581c267d7b3

¹⁴ See the text of the Act in Hungarian here <https://njt.hu/jogszabaly/2013-139-00-00>.

The Act includes a possibility for a legal remedy procedure against the binding decision of the Financial Arbitration Board (PBT): which is binding on the financial institutions up to 1 million forints even without a statement of submission.

The MNB Act also regulates the PBT procedure similar to the litigation procedure following an order for payment: the PBT decision may be contested within fifteen days of receipt, as a result of a statement of opposition submitted in due time, the procedure shall become a litigation.

f. in other fields, including as regards non-judicial remedies.

In this regard, the procedure of the **Constitutional Court** also should be emphasized. The Section 26 of the Act CLI of 2011 on the Constitutional Court (hereinafter: Act CLI of 2011)¹⁵ states, that *“Pursuant to Article 24(2)(c) of the Fundamental Law a person or organization affected by a specific case may submit a constitutional complaint to the Constitutional Court if, in consequence of the application of legislation that was found contrary to the Fundamental Law*

a) their rights guaranteed in the Fundamental Law were violated, and
b) the possibilities of seeking redress have already been exhausted or there is no legal remedy available”.

Moreover, Section 27 of Act CLI of 2011 stipulates, that *“Pursuant to Article 24(2)(d) of the Fundamental Law, a person or organization affected by a specific case may submit a constitutional complaint to the Constitutional Court against a judicial decision that was contrary to the Fundamental Law if the decision on the merits of the case or the decision adopted in conclusion of the court proceedings:*

a) violates the petitioners rights guaranteed by the Fundamental Law or curtails their powers under the Fundamental Law, and
b) the petitioners possibilities of seeking redress have already been exhausted or there is no legal remedy available”.

In administrative proceedings, the right to legal remedy is also guaranteed within the framework of enforcement proceedings, which, depending on whether they are carried out by the tax authority, are governed by Act CLIII of 2017 on enforcement proceedings to be carried out by the tax authority (hereinafter: Avt.)¹⁶ or, if carried out by the authority in charge, by the rules of Act LIII of 1994 on judicial enforcement (hereinafter: the Judicial Enforcement Act)¹⁷.

In the case of enforcement by a tax authority, the debtor, the applicant for enforcement, the authority requesting enforcement, and the person whose right or legitimate interest is affected by the enforcement may lodge an enforcement objection against an unlawful measure or failure to take a measure by the tax authority or the independent judicial enforcement officer with the tax authority of first instance that has carried out the enforcement, within 15 days of becoming aware of the measure or failure to take the measure in question, which shall be adjudicated by the superior tax authority. [Sections 24 (1) and 26 (2) of the Avt]

If, in an enforcement procedure under the Code of General Administrative Procedure, the Judicial Enforcement Act is applicable pursuant to Section 131 (1) of the Code of General

¹⁵ See the text of the Act in Hungarian here <https://njt.hu/jogszabaly/2011-151-00-00>.

¹⁶ See the text of the Act in Hungarian here <https://njt.hu/jogszabaly/2017-153-00-00>.

¹⁷ See the text of the Act in Hungarian here <https://njt.hu/jogszabaly/1994-53-00-00>.

Administrative Procedure, the provisions of the Judicial Enforcement Act on objections to enforcement shall apply as a remedy.

It can be mentioned as a special forum for the enforcement of rights that in the case of a violation of fundamental rights, it is possible to turn to the Commissioner for Fundamental Rights in order to remedy an impropriety with regard to the activity of an authority. In the case of a violation of data protection rights, it is the Authority for Data Protection and Freedom of Information that will proceed.

In enforcement procedures: The party or another person of concern whose right or lawful interest is prejudiced by any action of the bailiff that constitutes a significant violation of the rules of enforcement, or by his failure to take action may file a demurrer of enforcement with the court responsible for enforcement.¹⁸

The specific rules of initiating enforcement actions are governed by the Code of Civil Procedure. According to the relevant provisions enforcement action means

- an action brought for the termination or limitation of an enforcement procedure,
- an action of replevin,
- an action brought for acquiescing to seizure,
- an action brought for the recovery of claims, or
- an action brought for permission to participate in an enforcement procedure

Detailed information on judicial enforcement is available at the following link:

https://e-justice.europa.eu/52/EN/how_to_enforce_a_court_decision?HUNGARY&init=true

As a special remedy, under the rules laid down in the Code of Administrative Court Procedure, the administrative court may be requested to impose a fine for non-compliance [Section 152 of the Code of Administrative Court Procedure] the purpose of which is to enforce the public administrative body to conduct a new procedure or to carry out a failed administrative act resulting from a legally binding court decision.

Court mediation is a conflict management method that aims to resolve a dispute and the underlying conflict by reaching an agreement acceptable to all parties involved in the dispute before the court. Detailed information on mediation can be found at the link below:

https://e-justice.europa.eu/64/EN/mediation_in_eu_countries?HUNGARY&init=true&member=1

Upon a person's death, their estate shall pass as a whole to his or her heir. The purpose of probate proceedings is to certify the transfer of the estate on the death of a person. In Hungary, the probate procedure falls under the jurisdiction of the notaries. Detailed information on the probate procedure can be found at the link below:

<https://e-justice.europa.eu/166/EN/succession?HUNGARY&init=true&member=1>

¹⁸ <https://mbvk.hu/informaciok/gyik/>
<https://mbvk.hu/en/information/faq/>
<https://mbvk.hu/en/gyik-content/for-what-reason-and-when-can-i-file-a-demurrer-of-enforcement/>

The **order for payment procedure** falls within the competence of notaries; it is a rapid and efficient method for the recovery of pecuniary claims. In Hungary, the European order for payment procedure also falls within the competence of notaries. Detailed information on the order for payment procedure and on the European order for payment procedure can be found at the link below:

https://e-justice.europa.eu/41/EN/european_payment_order?HUNGARY&init=true&member=1

The **preliminary procedure to preserve and secure evidence** is a non-contentious procedure that may be initiated before a court or a notary. By way of this procedure the parties may obtain evidence before initiating a lawsuit in order to resolve their dispute, which – in case it goes to court – may be used directly at the trial accelerating the outcome, or may promote an out-of-court settlement.¹⁹

The **designation of a forensic expert** may be requested from the notary if special expertise is required to judge or establish facts or other circumstances of primary importance for the applicant. The designation of a forensic expert can also serve to prevent future disputes and prepare for litigation.²⁰

2. Does your Member State provide information on the available remedies, and the steps to be taken during a judicial process / when accessing non-judicial remedies:

a. To parties of criminal proceedings

The CPC already stipulates among the general rules on the exercise of rights by persons participating in criminal proceedings the right to information. According to Section 74 of the CPC, that unless otherwise provided in that Act, the court, the prosecution service, or the investigating authority shall inform and advise the person participating in the criminal proceeding of his rights and obligations before the procedural act affecting that person. In the course of communicating with the person participating in the criminal proceeding, the court, the prosecution service, or the investigating authority shall strive to ensure that the person participating in the criminal proceeding understands the information provided to him and he is understood. To achieve the goal specified in paragraph (2), the court, the prosecution service, or the investigating authority shall, when communicating,

- a) use simple and commonly understood language,
- b) take into account the condition and personal characteristics of the person participating in the criminal proceeding, and
- c) verify that the person participating in the criminal proceeding understood the information provided to him orally, and explain the information if necessary.

In addition to the general rules, the CPC also establishes the right to information based on the other provisions [for example regarding the defendant: Section 39 (1) i) point, regarding the defence counsel: Section 42, regarding the aggrieved party: Section 51 (1) f) point, regarding the party with a pecuniary interest: Section 57 (2) e) point, etc.]. In addition, the CPC also stipulates the obligation to provide information for authorities.

¹⁹ <https://mokk.hu/elozetes-bizonyitas/>

²⁰ <https://mokk.hu/igazsagugyi-szakerto-kirendelese/>

Information about the legal remedies is a mandatory element of the decisions [Section 363 (3), Section 451 (4)].

b. To parties of civil proceedings

In civil and administrative litigious procedures, under the rules established by the Code of Civil Procedure and the Code of Administrative Court Procedure, within its scope of information obligation, the court shall provide any party acting without a legal representative with the necessary information on his procedural rights and obligations, and the possibility for a supporter to participate in the action, if justified, and the possibility of allowing representation by a patron lawyer [Section 111 of the Code of Civil Procedure; Section 2 (7) of the Code of Administrative Court Procedure]. In their decisions, the courts shall also provide information on the remedies available [Sections 346 (3) and 349 of the Code of Civil Procedure; Section 84 (2) of the Code of Administrative Court Procedure].²¹

Hungary also provides general information about the available remedies on an electronically accessible website, and the courts themselves provide information to clients in person through the court helpline service, where they can get personalised help to enforce their rights.²²

c. To parties of administrative proceedings

Among the basic principles, the Code of General Administrative Procedure makes it mandatory for the authority as a general rule to aid any participants in the procedure are aware of their rights and obligations and shall promote the exercise of parties' rights [Section 5 (2) of the Code of General Administrative Procedure]. In addition, many provisions of the Code of General Administrative Procedure require additional individual/case-by-case information obligations. For instance, the ex officio procedure shall commence on the day of conducting the first procedural act; the authority shall notify the known party of such commencement. The notification shall include, inter alia, the information on the rights and obligations of parties [Section 104 (3) and (4) of the Code of General Administrative Procedure]. The decision of the authority shall contain information regarding the option of recourse to legal remedy [Section 81 (1) of the Code of General Administrative Procedure].

In the **procedure of the consumer protection authority**, the consumer protection authority shall in any case provide information to the acting council on the possibilities of legal remedies in accordance with the provisions of the Code of General Administrative Procedure.

On information obligations regarding the available remedies to be provided in relation to **administrative court proceedings**, see point b.

Hungary also provides general information about the available remedies on an electronically accessible website, and the courts themselves provide information to clients in person through the court helpline service, where they can get personalised help to enforce their rights.²³

d. Persons accessing non-judicial remedies.

²¹ <https://birosag.hu/ugyfeleknek/birosagi-eljarasok/polgari-eljaras/gyakran-ismetelt-kerdesek/2018-januar-1-tol-indult-ugyek/fellebbezes-es-egyeb-perorvoslatok>

²² <https://birosag.hu/ugyfeleknek/birosagi-iranytu#section-640>

²³ <https://birosag.hu/ugyfeleknek/birosagi-iranytu#section-640>

In accordance with the relevant Act CXXV of 2003 on equal treatment and the promotion of equal opportunities (hereinafter: Act CXXV of 2003)²⁴, the **Commissioner for Fundamental Rights** shall:

- inform the public and the National Assembly regularly on the situation concerning the implementation of the principle of equal treatment;
- in carrying out its tasks, cooperate with non-governmental and representative organisations, and the state organs concerned;
- shall provide continuous information and assistance for all persons concerned to take action against violations of the principle of equal treatment. [Act CXXV of 2003, Section 14 Paragraph 1 Points e), f) and g)]

Furthermore, with a view to keeping the public informed, the Commissioner for Fundamental Rights shall also publish its reports, proposals, and detailed information concerning its operations on its website regularly. [Act CXXV of 2003, Section 14 Paragraph 2]

In the area of **consumer protection** it also should be highlighted, that in any conciliation procedure, the conciliation board shall provide information on the legal remedies available in accordance with the provisions of Act CLV of 1997 on Consumer Protection (hereinafter: Act CLV of 1997)²⁵.

In civil non-contentious proceedings, the courts/notaries will provide information in their decision on the remedies available [Sections 346 (3) and 349 of the Code of Civil Procedure also applicable according to Section 1 (1) of Act XLV of 2008 on particular non-contentious notarial procedures, Section 1 (1) of Act CXVIII of 2017 on the rules applicable to judicial civil non-contentious proceedings and certain judicial non-contentious proceedings].

Please provide more information, including examples of good practice you consider effective.

In Hungary, information on the court proceedings referred to in points (a) to (c) can be found mainly on **birosag.hu**, the website of the National Office for the Judiciary. As regards non-contentious proceedings, the Hungarian Chamber of Civil Law Notaries provides detailed information for customers on the **mokk.hu**, the Hungarian Association of Judicial Officers on the **mbvk.hu** and the Supervisory Authority for Regulated Activities on the **sztfh.hu** website. In relation to public administrative authority procedures and legal remedies, the website **<https://akr.kormany.hu/>** operated by the Ministry of Justice contains numerous informative resolutions.

In addition, a web application is available, which can be customised by the customer and provides a uniformly accessible opportunity for the identified customer to complete the declarations, procedural actions and other obligations required for electronic administration and to use the electronic administration services. This service shall be provided by the service provider designated by law on the basis of the provisions of Act CCXXII of 2015 on the general rules on electronic administration and trust services (hereinafter: Electronic Administration Act)²⁶.

²⁴See here <https://njt.hu/jogszabaly/en/2003-125-00-00> for the official English translation of the Act in its version in force on 1 March 2021.

²⁵ See the full text of the Act in Hungarian here <https://njt.hu/jogszabaly/1997-155-00-00>.

²⁶ See here <https://njt.hu/jogszabaly/en/2015-222-00-00> for the official English translation of the Act in its version in force on 1 February 2021.

The service provider designated by law shall provide information in electronic form, including information on e-government services, in the context of the Personalised Administration Interface (SZÜF) service on the **magyarorszag.hu** website, within the scope of the electronic administration services that it is required to provide. The portal provides access to the services of central, regional and local public administrations. The case descriptions provide information in plain language on the steps to be taken, deadlines, legal references and forms to be used. The platform also provides the electronic forms needed for online case management, including in relation to court proceedings.²⁷

3. Does your Member State use digital tools to facilitate access to justice?

Yes

If yes, please provide more information on the tools available and your experience on their relevance. Please provide examples of good practice you consider effective.

According to the Electronic Administration Act, the electronic administration organs in Hungary include the court, the Commissioner for Fundamental Rights, the prosecution service, the notary and the bailiff, as well as the state administration organ, the local government, and any other legal entity authorised by law or a government decree to exercise administrative authority powers. Natural persons are not, as a general rule, obliged to use electronic administration, but may communicate electronically with courts and other public authorities within the framework laid down by law. Individuals have electronic access to general information on procedures, and the forms required for the procedures are available both on paper and electronically through a single, personalised administration interface (SZÜF) or, if provided by the electronic administration organ, in accordance with the information published by the electronic administration organ.

https://e-justice.europa.eu/280/EN/online_processing_of_cases_and_ecommunication_with_courts?HUNGARY&init=true&member=1

Consequently, according to Section 120 (1) of the CPC, the attendance of a person obliged or authorised under this Act to attend a procedural act may also be ensured by using a telecommunication device. The detailed provisions can be found in Section 120-126/B of the CPC. We also draw attention to Section 126/A and 126/B which ensure simplified telecommunication attendance. In view of these, in the case of certain conditions, attendance can also be ensured by smartphones used by everyone.

The CPC also places great emphasis on the use of IT opportunities in the field of communication. The rules of which are contained in Chapter XXVII (Section 148-162; communication by electronic means).

The provisions on the use of communication by electronic means in the course of a civil procedure are laid down in Chapter XLVI of the Code of Civil Procedure.

²⁷

<https://nisz.hu/hu/sz%C3%BCf-%E2%80%93-szem%C3%A9lyre-szabott-%C3%BCgyint%C3%A9z%C3%A9si-fel%C3%BClet>

With the implementation of a nationwide remote hearing system, remote hearing is now available in all divisions in Hungarian courts.

Also, in the consumer protection authority procedure, consumers can submit a request to the authority via the client gate described above. In addition, in conciliation procedures, from 1 January 2024, online hearings will become the primary means of resolving consumer disputes between parties.

Electronic case management services provided to clients

- The Client Access System (ÜIR) allows clients to access their digital court case files remotely, online, free of charge, at any time.
- at the registry offices of the courts, the Registry File Access System (LIR) allows clients to view any court e-file at the court registry offices using the IT tool located there.

Clients can access the Court Electronic and Information System (BETFR) through the electronic case management portal (<https://e-ugyintezes.birosag.hu/>), where

- a procedure duration calculator,
- SMS and e-mail service for each procedural step,
- access to the case file of each court case,
- electronic filing of complaints,
- online submission of applications for a certificate of "no bankruptcy and liquidation" status of economic entities are ensured

The Court Payment Portal (<https://fizetes.birosag.hu/belepes?ReturnUrl=%2f>) provides a service for the electronic payment of fees in court cases

4. Which of the following measures are available in your Member State to remove language/ cultural/ physical/ financial/ other barriers for people accessing remedies:

a. Interpretation and translation services

The rules on interpretation and translation applicable in judicial and in administrative proceedings are laid down in the relevant procedural acts.

According to Section 8 of the CPC, criminal proceedings shall be conducted in the Hungarian language. Members of a national minority living in Hungary and recognised by an Act may use their national minority mother tongue in criminal proceedings. A person shall not suffer any disadvantage because he or she does not understand the Hungarian language. Everybody shall be entitled to use his or her mother tongue in a criminal proceeding. A hearing-impaired or deaf-blind person shall be entitled to use sign language in a criminal proceeding. This Section is supplemented by Section 78 with additional rules. In the case of an appointed interpreter, the state is obliged to provide an interpreter, the costs of which is not charged to the person who does not understand the Hungarian language.

The court shall assign an interpreter, sign language interpreter or translator, if doing so is necessary to enforce the rights of the party to the proceedings to use his/her mother tongue,

regional or national minority language. In court proceedings, every person shall be entitled to orally use his mother tongue, or in cases provided for by international conventions, his mother tongue, regional or national minority language. In court proceedings, the members of every national minority living in Hungary and recognised by the Act on the rights of national minorities shall be entitled to use their national minority language in accordance with the international convention concerning the use of the regional or minority language. The Code of Civil Procedure also provides for the following, hearing-impaired and deaf-blind persons shall be entitled to use sign language or another special communications system specified in an Act and known by the person concerned. At their request, hearing- and speech-impaired persons may submit written statements in place of an interview. [Sections 61-64 and 113 of the Code of Civil Procedure; Section 16 (4) of the Code of Administrative Court Procedure].

In **administrative proceedings**, if the case administrator is not familiar with the foreign language used by the party or another participant in the procedure, an interpreter shall be engaged. [Section 73 of the Code of General Administrative Procedure]

Furthermore, a party who is not familiar with the Hungarian language may request the authority to adjudicate his application prepared in his mother tongue or in an intermediary language provided that he advances and bears the costs of translation and interpretation. The proceeding authority shall bear the costs of translation and interpretation incurred if the authority commences, *ex officio*, a procedure involving an immediate procedural measure during the stay in Hungary of a foreign natural person party who is not familiar with the Hungarian language, or a natural person party otherwise turns to the Hungarian authority for interim relief. [Section 21 (1)-(2) and 127 (1)-(2) of the Code of General Administrative Procedure]

In administrative proceedings where the party or another participant in the procedure is hearing-impaired then he shall, at his request, be heard using the services of a sign language interpreter, otherwise the hearing-impaired person present may, instead of being interviewed, also make a statement in writing. Where the party or another participant in the procedure is deaf-blind then he shall, at his request, be interviewed using the services of a sign language interpreter. If the party or another participant in the procedure who is present is speech-impaired then he may, at his request, make a statement in writing instead of being interviewed. [Section 29 of the Code of General Administrative Procedure]

In the course of performing his/her tasks specified in Act CXXV of 2003 on equal treatment and the promotion of equal opportunities, the Commissioner for Fundamental Rights shall proceed within the framework of an administrative authority proceeding. [Section 39/M of Act CXI of 2011 on the Commissioner for Fundamental Rights]

Minors are also entitled to enhanced protection in administrative litigious procedures. Accordingly, for example, in order to handle the case as fast as and to clarify the facts, the court may order the taking of evidence *ex officio* if an infringement jeopardising the interests of a minor or a person entitled to disability allowance is invoked [Section 78 (5) of the Code of Administrative Court Procedure]. In addition, such protection is also provided in connection with the hearing of the minor: a party of minor age having not reached the age of fourteen, whose appearance is necessary, shall be summoned through his legal representative with the notice that the legal representative is obliged to ensure that the minor appears at the hearing. The court shall inform the legal representative of having summoned the minor party having reached the age of fourteen to the hearing, even if the legal representative has been also summoned to the hearing. [Section 59 (3) of the Code of Administrative Court Procedure]

b. Measures to facilitate access by persons with disabilities, such as measures relating to accessibility of court houses and other resources for people with disabilities

Providing wheelchair access in court buildings is part of the drive to simplify access to courts. Accessibility must be implemented in the renovation of buildings and the construction of new court buildings and client centres to facilitate physical access. Accessibility of existing buildings is implemented through EU financial support and in parallel with construction works. Where full accessibility is not possible, bridging solutions for persons with reduced mobility is implemented: relocation of courtroom furniture, provision of an in-building accompanying person, cooperation with partner services.

In Hungary, all court buildings in the capital and in 13 counties are provided with wheelchair access; in 7 counties, accessibility is still partial. All the buildings that are not yet provided with wheelchair access are in the process of being renovated and will be fully accessible.

Electronic administration makes it easier for people with reduced mobility to manage their cases from home. The use of remote hearing devices, the holding of hearings on the spot, and the use of a hearing by a delegated judge also avoid the need to appear in person.

Persons with reduced mobility can be represented by their interest organisations as proxies in court cases related to their disability.

In 2013-2018, judges and court staff received sensitisation training, organised centrally or locally, on the appropriate treatment needed to assist clients with reduced mobility.

In the course of performing his/her tasks specified in Act CXXV of 2003 on equal treatment and the promotion of equal opportunities, the Commissioner for Fundamental Rights shall proceed within the framework of an administrative authority proceeding. [Section 39/M of Act CXI of 2011 on the Commissioner for Fundamental Rights]

In administrative proceedings, minors, adults having no or partially limited legal capacity to act and persons with disabilities shall be entitled to increased protection therefore they shall be guaranteed equal access. [Section 29 (1) d) of Act CL of 2016 on the Code of General Administrative Procedure]

c. Legal aid

Legal aid is the state's way of helping those who would otherwise be unable to enforce their rights because of their disadvantaged position, their lack of knowledge of the law or the complexity of the case. Legal aid is available in criminal, civil and administrative litigation and non-litigation proceedings, as well as in administrative proceedings before public authorities, within the framework laid down by law.²⁸

According to Section 75 of the CPC, legal aid may be granted to the defendant or the natural person aggrieved party, party with a pecuniary interest or other interested party to facilitate the exercise of his rights, provided that he is unable to cover criminal costs, in whole or in part, due

²⁸ <https://igazsagugyiinformaciok.kormany.hu/jogi-segitsegnyujtas>

to his income and financial situation. In particularly justified cases, legal aid may be granted to an aggrieved party, a party with a pecuniary interest, or an other interested party, even if it is an entity other than a natural person if it is prevented from exercising its rights specified in this Act due to its financial situation, taking into account, in particular, the form of the company, its profit orientation, the financial situation of its members, and the capacity of its members to cover the necessary costs. Regardless of their income or financial situation, legal aid shall be granted to

- a) a natural person aggrieved party enforcing a civil claim,
- b) a defendant, an aggrieved party, a party with a pecuniary interest, and an other interested party in a case specified by law. Further provisions can be read in Section 76-77.

Furthermore, according to Section 44 Point c) of the CPC, the participation of a defence counsel in a criminal proceeding shall be mandatory if the defendant or the person reasonably suspected of having committed a criminal offence is hearing-impaired, deaf-blind, blind, speech-impaired, unable to communicate or seriously impaired in his communication for any other reason, or has a mental disorder, regardless of his capacity to be held liable for his acts.

If the participation of a defence counsel in a criminal proceeding is mandatory and the defendant or the person reasonably suspected of having committed a criminal offence does not have a defence counsel, the court, prosecution service, or investigating authority shall appoint a defence counsel in accordance with Section 46 (4) of the CPC. The main rules regarding the officially appointed defence counsel, can be found in Section 46-49 of the CPC.

In general courts also ensure that Courts ensure that during office hours, but at least once a week, applications and motions made orally by clients without legal representation or defence are recorded or the necessary standardised forms are completed, free of charge.

d. Arrangements to refer vulnerable victims, such as victims of domestic or gender-based violence, to support services

With the system of special treatment, the CPC ensures that the court, prosecution service and the investigating authority demonstrate behaviour that specifically promotes the enforcement of the rights of the person concerned, and act with increased attention, protection and prudence. The acting authorities decide on the establishment of special treatment on the basis of an individual assessment. In a separate chapter (Chapter XIV; Section 81-96), the CPC lays down the provisions for persons requiring special treatment.

The system of special treatment is flexible with number of possible measures within the CPC. The aim of which is to ensure that the individual circumstances of the participating persons don't obstruct the exercise of procedural rights.

It should be noted that the following persons shall qualify as persons requiring special treatment even without a specific decision

- a) persons who have not attained the age of eighteen years,
- b) disabled persons as defined by the Act on the rights of and ensuring equal opportunities for disabled persons, as well as persons who might qualify as such persons,
- c) aggrieved parties of criminal offences against the freedom of sexual life and sexual morality.

The Victim Support Service provides assistance to persons who have been victimised directly (as a victim) or indirectly (e.g. through a witness or family member) by a crime or offence

against property, in order to solve emotional, psychological, financial and other problems related to the crime suffered, on the basis of Act CXXXV of 2005 on assistance to victims of crime and state compensation (hereinafter: Assistance to Victims Act)²⁹. The victim support service shall arrange for the bodies, institutions and authorities getting in contact with crime victims to become familiar with, and properly enforce, victims' rights. To this end, the victim support service shall compile a Guide with essential information for crime victims. It shall deliver the Guide to all bodies, institutions and authorities getting in contact with crime victims in its area of jurisdiction. [Section 41 of the Assistance to Victims Act]

During performance of its tasks, the victim support service shall cooperate and have contacts with the victim protection network maintained by the Police, investigating authorities, prosecutor's offices, courts, the Office of Immigration and Nationality, the consular service, local authorities and local minority self-government bodies, health institutions, youth protection organizations, child welfare and child protection institutions providing personal care, family assistance agencies, basic and specialized social service providers and social institutions, institutions of public education, the civil guard, non-governmental organizations and churches. [Section 43 (1) of the Assistance to Victims Act]

The child protection signaling system is a system of cooperation between child welfare services, health and education institutions and various authorities. Its aim is to promote the upbringing of children in their families and prevention and elimination of endangerment of children. The operation of child protection signaling system is a state and municipal responsibility.³⁰

Under Government Decree No 354/2012 (XII. 13.) on the procedure for the identification of victims of trafficking in human beings (hereinafter: Government Decree 354/2012)³¹, the organs responsible for the identification of victims of trafficking in human beings are, among others,

- health care providers,
- public education institutions,
- the police,
- the labour authority,
- the aliens' registration authority,
- the asylum authority,
- the victim support service,
- the probation service and
- the legal aid service, or
- voluntary organisations, in the course of their procedures,

if they have reason to believe that a person is a victim of trafficking of human beings, they shall immediately inform the competent victim support service, following the procedures laid down by law. Once identified, the possibility of accommodation in a protected shelter may be used during the recovery of the person identified as a victim of trafficking.

Act LXXII of 2009 on restraining orders in cases of violence among relatives (hereinafter: Act LXXII of 2009)³² regulates the institution of preventive restraint, which temporarily restricts

²⁹ See here for the full text of the Act in Hungarian <https://njt.hu/jogszabaly/2005-135-00-00>.

³⁰ https://www.parlament.hu/documents/10181/1202209/Infojegyzet_2017_27_gyermekvedelmi+jelzorendszer.pdf/104dd04a-dca3-47bc-944e-bfb07067676f

³¹ See here for the full text of the Decree in Hungarian here <https://njt.hu/jogszabaly/2012-354-20-22>.

³² See here for the full text of the Act in Hungarian <https://njt.hu/jogszabaly/2009-72-00-00>.

the abuser's freedom of residence, the right to choose his/her place of residence, parental custody and the right to maintain contact with his/her child. All this is intended to tackle the phenomenon of domestic violence before a more serious situation occurs such as a crime with often irreparable consequences. Accordingly, tasks related to the prevention of violence between relatives are carried out within the framework of their basic activities, *inter alia*, by

- health service providers (e.g. general practitioners, paediatricians),
- family support services,
- child welfare services,
- public education institutions,
- guardianship authorities,
- police,
- courts, victim support services, and
- refugee reception centres.

If they detect a risk of violence between relatives the institutions and persons listed in Act LXXII of 2009 are obliged to report it to the organ responsible for family protection coordination. Institutions other than those listed in the Act may also make such reports. [Sections 2 (1)-(3) of Act LXXII of 2009]

e. Fast-track proceedings available for certain vulnerable parties, such as in cases involving sexual violence or children

According to Section 79 (1) b) point of the CPC, the criminal proceeding shall be conducted as a matter of priority if an aggrieved party or a defendant involved in the proceeding has not attained the age of eighteen years.

The administrative time limit in a proceeding shall be seventy-five days, but if the vulnerable interests of a minor party so require, the Authority shall decide as a matter of priority, and in any event within forty-five days. [Section 14 (4)-(5) of Act CXXV of 2003 on equal treatment and the promotion of equal opportunities]

f. Other measures

Please provide more information on the measures available and your experience on their relevance. For instance, please provide examples of good practice you consider effective.

See below each point.

5. Which measures has your Member State taken to ensure the justice system's responsiveness to the needs of vulnerable and marginalised groups? Please provide examples of good practice you consider effective.

See above under point (4) subpoint d.

With regard to Hungarian courts, the National Office for the Judiciary has been organizing responsibility trainings related to groups with special needs such as children, juvenile, elderly, disabled people, victims of domestic violence, relationship violence of human trafficking and smuggling for years. These trainings are lead specialist psychologists and involve case work and situational exercises. The maximum number of participants is 15 in one session. According to the feedback given by the participants, judges can utilize the skill they acquire so effectively, that these trainings have become part of the annual training programme since 2021.

Besides the special responsivity trainings there are responsivity exercises in training related to the questioning or hearing as witness of persons with special needs.

Since 2021 932 judges, 601 assistant judges and 102 judicial trainees have participated in the trainings mentioned above.

6. Does your Member State have in place arrangements to facilitate access to justice by children? Please provide examples of good practice you consider effective.

The Government of Hungary declared 2012 the Year of Child-friendly Justice. As part of this programme, child-friendly hearing rooms were established at several courts. These ensure that children are heard in both civil and criminal cases in a friendly environment, as cautiously as possible, in accordance with their age and level of development and intellectual capacity.

In legal proceedings involving children, courts shall ensure that the child has the right to be heard. During the procedure, the court shall hear both parents, except for irremovable obstacles. In justified cases or if requested so by the child, either directly or with involving an expert, the child shall be heard as well. For a child older than fourteen, the consent of the child shall be required for any decision on parental custody and placement regarding him, unless the child's choice endangers his development. [Section. 4:171 (4) of Act V of 2013 on the Civil Code (hereinafter: Civil Code)] The interview of the minor shall be conducted in a suitable atmosphere and in a manner that is understandable for him/her, taking his age and level of maturity into account. [Sections 473 (3) of the Code of Civil Procedure]

The central webpage of courts has detailed information for minors on their rights in civil cases which they are involved most commonly (custody, parental supervision, parental contact, child support). on their right in the proceedings, and on their rights and obligations should they become victims of crime or if they are involved in criminal or administrative offence proceedings as defendants, witnesses, or victims. The information provided also includes the option of mediation in civil and criminal cases (<http://birosag.hu/birosagokrol/gyermekkozpontu-igazsagszolgalatas/valaszolunk-kerdeseidre>).

The National Office for the Judiciary also established special rooms for the hearing of minors on courts where the conditions were met. These premises provide an environment and equipment which helps to relieve stress and inhibitions associated with the hearing. These rooms allow that minors may be heard separated from the other parties of the proceedings, with the help of a psychologist if it is necessary. Minors under the age of 14 are heard as witnesses or interested parties within these premises.

In connection with family law cases, the National Office for the Judiciary developed forms with which the courts inform minors – in a manner appropriate to the maturity of the minor – on their right to voice their opinion in cases related to them in.

According to the Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice the National Office for the Judiciary has established the Cabinet for Children's Rights, which contributes to the development of related regulations and practices within the competence of the President of the NOJ.

7. Does the justice system provide the possibility for stakeholders to bring cases on behalf or in support of victims? If yes, in which areas of law is this possible? Please provide examples of good practice you consider effective.

In Hungarian law, the scope of enforceable claims is defined by the Civil Code and the sectoral substantive legislation, including the cases in which an interest representation body is entitled to initiate proceedings on behalf of victims or in support of them. Examples include representative actions for the protection of the collective interests of consumers, which may be initiated by qualified entities meeting the conditions set out in Act CLV of 1997 on consumer protection. On the basis of a request by the qualified entity concerned, the entity may be designated as the qualified entity entitled to bring a specific domestic representative action on a case-by-case basis. [Sections 38 Paragraphs (1) and (2) of Act CLV of 1997]

In addition, an employees' representative organisation may proceed as an agent in **labour law actions** related to its members. [Section 514 Paragraph (3) of the Code of Civil Procedure]

In cases related to equal treatment Act CXXV of 2003 stipulates, that the Commissioner for Fundamental Rights may bring actions, by exercising its right to enforce claims in the public interest, in defence of the rights of aggrieved persons and groups. [Section 14 Paragraph (1) Point b) of Act CXXV of 2003]

Section 18 of Act CXXV of 2003 also states, that in proceedings instituted for violation of the principle of equal treatment and in particular in actions for the enforcement of personality rights, labour law actions, or actions concerning public service relationships, a non-governmental and representative organisation or the Authority may act as representative on the basis of an authorisation granted by the aggrieved party, unless otherwise provided in an Act. A non-governmental and representative organisation shall provide proof of its right to represent by submitting, as an original document or in a certified copy, its articles of association or deed of foundation and an authorisation granted by the represented party in writing, provided that the organisation may be required to provide such proof pursuant to the Act on the general rules on electronic administration and trust services.

For violation of the principle of equal treatment, an action for the enforcement of personality rights, a labour law action, or an action concerning public service relationships may be brought in court by

- a) a prosecutor,
 - b) the Authority,
 - c) a non-governmental and representative organisation,
- if a violation of the principle of equal treatment, or the direct threat of it was based on a characteristic specified in section 8 that constitutes an essential trait of an individual's personality, and the violation or the direct threat of it affects a larger but undefinable group of persons. [Section 20 Paragraph (1) of Act CXXV of 2003]

Furthermore, in the area of consumer protection, the domestic transposition of the relevant EU Directive (Directive (EU) 2020/1828 of the European Parliament and of the Council of 25 November 2020 on representative actions for the protection of consumers' collective interests and repealing Directive 2009/22/EC) provides for the right of representative actions against infringing businesses for the benefit of the organisations representing consumers' collective interests from 25 June 2023. The court may also order businesses to remedy the consumer's

breach of rights, e.g. to pay compensation, repair or price reductions, so that the consumers concerned do not have to bring a separate action to enforce their rights.

8. Which challenges or points of development have been identified in your Member State regarding effective legal protection?

Ensuring effective legal protection is not a one-time task but a continuous requirement affecting the entire process of legislation. The Commissioner for Fundamental Rights has conducted several inquiries in the recent years in the framework of law criticism from a constitutionality perspective.

9. Is there any significant, recent case-law from your Member States on ensuring effective legal protection, which you would like to mention?

Szeged Regional Court of Appeal Pf.20392/2022/4.

The content of the decision in principle: The reason for the fast-track nature of actions for retraction is that the person should be able obtain effective legal protection as soon as possible. To this end, only evidence that is available at the hearing or is offered no later than the closing the case initiation process can be admitted. The party presenting the evidence also has to make it probable that the evidence offered is suitable and likely to be effective.

Curia Kfv.45107/2021/5.

The content of the decision in principle: The first instance court infringes its obligation to provide effective legal protection [Act I of 2017 on the Code of Administrative Litigation Article 2 section (1)] if within its substantive conduct of the proceedings it finds that the application is incomplete or contradictory and does not even try to eliminate those with the tools of the substantive conduct of the proceedings. If the administrative act cannot be changed, the court of first instance – in accord with the Act I of 2017 on the Code of Administrative Litigation Article 2 section (1) d) –annuls the unlawful administrative act.

10. Are there any significant, recent decisions by equality bodies or other non-judicial remedies on ensuring effective legal protection, which you would like to mention?

Please see below some recent decisions of the Commissioner for Fundamental Rights as the Hungarian equality body.

1. The first floor office of a notary public was not barrier-free for a petitioner with motor impairment and using a wheelchair. This is why the notary public provided his services to this applicant in the ground floor entrance hall of the building, for which he charged an increased fee equal to that of an on-site visit. In the procedure concluded with a settlement, the notary public apologised to the petitioner and returned the extra fee that he had charged for the proceedings conducted outside the office.
https://www.ajbh.hu/documents/10180/4041334/EBF_AJBH_284_2021_fogyat%C3%A9kos%C3%A1g_szolg%C3%A1ltat%C3%A1s.pdf/193dc990-b45f-2c4e-c070-d27ddd4?version=1.0&t=1658149930293

2. The petitioner with a grave vision impairment complained that the new online train schedule searching platform of the rail passenger transport company and its electronic platform for

purchasing the railway tickets cannot be used with screen readers. This procedure also ended in a settlement, according to which, as was reported by the petitioner, the website could be used with a screen reader at the end of December 2021 and an information material for the use of the website was also prepared for visually impaired passengers.
https://www.ajbh.hu/documents/10180/4041334/EBF_AJBH_216_2021_fogyat%C3%A9kos%C3%A1g_egy%C3%A9b.pdf/18dae519-44e3-5b57-2173-ec18d456c217?version=1.0&t=1658150245165

3. The applicant with motor impairment and using a wheelchair complained that she had not been able to board the scheduled bus with her child because the bus stopped very far from the pavement and the ramp was not working. The applicant asked for the driver's help with boarding the vehicle but the latter refused to help. As part of the settlement, the bus company apologised to the applicant and undertook an obligation to ensure the barrier-free use of its vehicles and it also promised that its employees would participate in the training session held by a staff member of the Office of the Commissioner for Fundamental Rights.
https://www.ajbh.hu/documents/10180/7305081/EBF_AJBH_106_2022_fogyat%C3%A9kos%C3%A1g_k%C3%B6zszolg%C3%A1ltat%C3%A1s.pdf/86cdbc8e-f5de-2699-e1ec-ff32ad21ab64?version=1.0&t=1669980702776

4. In his ex officio proceedings, the Commissioner for Fundamental Rights examined whether family doctor's services for adults were equally available for persons with disabilities in cities with county rights. At the end of 2021, the Ombudsman launched ex officio proceedings against ten cities with county rights on this subject. The procedures were closed in 2022 and it could be concluded in the case of all the municipalities under investigation that, although to a different extent, the family doctor's offices do not fully comply with the statutory requirements of complex barrier-free accessibility. Thus, at many places, equal access to family doctor's services was not fully ensured to persons with disabilities even more than ten years after the respective deadline had expired. In all cases, the Commissioner gave a warning to the municipality and ordered the termination of the infringement with an appropriate deadline, i.e. he obliged the municipality to ensure full accessibility to adult family doctor's services to the persons with disabilities in compliance with the respective laws and to certify the fulfilment of this obligation with a document issued by a rehabilitation engineer. The Commissioner launched similar cases in 2023 as well.
https://www.ajbh.hu/documents/10180/7305081/EBF_AJBH_110_2022_fogyatekoss%C3%A1g_k%C3%B6zszolg%C3%A1ltat%C3%A1s.pdf/31fbd3b8-0d2c-b7c4-2a53-d6a2d21e20f1?version=1.0&t=1676547412898