January 2026

European Social Charter (revised)

European Committee of Social Rights

Conclusions 2025

HUNGARY

This text may be subject to editorial revision.

The function of the European Committee of Social Rights is to rule on the conformity of the situation in States with the European Social Charter. In respect of national reports, it adopts “conclusions”; in respect of collective complaints, it adopts decisions.

A presentation of this treaty as well as statements of interpretation formulated by the Committee appear in the General Introduction to the Conclusions.[1]

The European Social Charter (revised) was ratified by Hungary on 20 April 2009. The time limit for submitting the 20th report on the application of this treaty to the Council of Europe was 31 December 2024 and Hungary submitted it on 20 December 2024. On 9 July 2025, a letter was addressed to the Government requesting supplementary information regarding Articles 2§1, 3§1, 3§3, 6§2, 6§4 and 20. The Government submitted its reply on 26 August 2025.

The present chapter on Hungary concerns 9 situations and contains:

– 0 conclusions of conformity: Articles

– 9 conclusions of non-conformity: Articles 2§1, 3§1, 3§2, 3§3, 5, 6§1, 6§2, 6§4, 20

The next report from Hungary will be due on 31 December 2026.

[1] *The conclusions as well as state reports can be consulted on the Council of Europe's Internet site (www.coe.int/socialcharter).*

Article 2 - Right to just conditions of work

Paragraph 1 - Reasonable working time

The Committee takes note of the information contained in the report submitted by Hungary and in the comments by EUROMIL.

The Committee recalls that for the purposes of the present report, States were asked to reply to targeted questions for Article 2§1 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

In its previous conclusion (Conclusions 2022), the Committee held that the situation in Hungary was not in conformity with Article 2§1 of the Charter on the ground that daily working time could go up to 24 hours and weekly working time could go up to 72 hours. The assessment of the Committee will therefore concern the information provided by the Government in response to the targeted questions, including the previous conclusion of non-conformity as related to targeted questions.

Measures to ensure reasonable working hours

In its previous conclusion (Conclusions 2022), the Committee held that the situation in Hungary was not in conformity with Article 2§1 of the Charter on the ground that daily working time could go up to 24 hours and weekly working time could go up up to 72 hours. In the targeted question, the Committee asked for information on occupations, if any, where weekly working hours can exceed 60 hours or more, by law, collective agreements or other means, including information on the exact number of weekly hours that persons in these occupations can work; as well as information on any safeguards which exist in order to protect the health and safety of the worker, where workers work more than 60 hours.

The report states that, pursuant to Section 92(2) of Act I of 2012 of the Labour Code, based on an agreement between the parties, daily working time in full-time jobs may be increased to not more than 12 hours for workers in standby jobs or relatives of the employer or the owner. Thus, weekly working hours can attain 60 hours per week in these cases. Such workers are typically employed in the field of personal and property security, such as night guards, receptionists. The rules relating to work schedules shall be laid down by the employer, and the worker shall be informed. According to the work schedule, the daily working time of workers shall not exceed 24 hours and weekly working time – 72 hours, if so agreed by the parties in writing.

The Committee notes that workers performing specific functions in certain sectors and in exceptional circumstances may be allowed to exceed 16 daily working hours limit or 60 weekly working hours limit during short periods. However, certain safeguards must exist (Conclusions 2025, Statement of Interpretation on Article 2§1 on maximum working time).

The Committee further notes that weekly working time can attain 72 hours for workers in standby jobs or for relatives of the employer or the owner, and such jobs usually include workers in the field of personal and property security, such as night guards, receptionists. It does not appear that 72 weekly hours are allowed in specific sectors, for specific work and in exceptional circumstances only. The Committee therefore considers that the situation in Hungary is not in conformity with Article 2§1 of the Charter on the ground that the maximum weekly working time may exceed 60 hours for workers in standby jobs or for workers who are relatives of the employer or the owner.

The report provides some sector-specific rules. In the healthcare sector, combined duration of normal working time, on-call medical care and additional work undertaken voluntarily in the case of the application of a working time frame, on average, may not exceed 60 hours per week or, if the health worker is also on call, 72 hours per week.

The Committee considers that weekly working time of 72 hours could only be allowed in exceptional circumstances but it does not appear to be the case in Hungary. The Committee therefore considers that the situation in Hungary is not in conformity with Article 2§1 of the Charter on the ground that the maximum weekly working time may exceed 60 hours for healthcare workers.

For the military, general daily duty time is eight hours per day. In case of rotating duty, 12 or 24 hours of duty may be scheduled.

In its comments, EUROMIL states that the actual working time conditions for military personnel have deteriorated significantly. Since July 2024, working time is regulated by the Government's decree and not by a parliamentary act. This decree removed previously existing protections and introduced vague or unenforceable standards. There is now no defined maximum number of working hours per week.

The Committee notes that the lack of defined maximum number of weekly working hours can lead to unreasonably long hours and the safeguards in such cases do not seem to exist. The Committee therefore considers that the situation in Hungary is not in conformity with Article 2§1 of the Charter on the ground that there is no legally defined limit to maximum weekly working time in the military.

For professional staff of law enforcement bodies, the average weekly hours may exceed 40, but not 48.

In public education, working more than 60 hours a week is not possible. The total working time is 40 hours a week.

Working hours of maritime workers

In the targeted question, the Committee asked for information on the weekly working hours of maritime workers.

The report states that the question regarding weekly working hours of maritime workers is not applicable to Hungary.

The Committee notes that Hungary ratified ILO Maritime Labour Convention. The Committee notes that, in order to be in conformity with the Charter, maritime workers may be permitted to work a maximum of 14 hours in any individual 24-hour period and 72 hours in any individual seven-day period. The maximum reference period allowed is one year. Adequate rest periods have to be provided. Records of maritime workers' working hours shall be maintained by employers to allow supervision by the competent authorities of the working time limits (Conclusions 2025, Statement of Interpretation on Article 2§1 on working time of maritime workers).

Law and practice regarding on-call periods

In the targeted question, the Committee asked for information on how inactive on-call periods are treated in terms of work or rest time on law and practice.

In reply, the report states that the restrictive provisions on on-call and standby time are as follows. The duration of on-call duty may not exceed 24 hours, including the duration of scheduled daily working time and overtime on the first day of on-call duty. The duration of standby duty may not exceed 168 hours a month, which shall be taken as the average in the event that banking of working time is used. In addition, the worker may be ordered to standby not more than four times a month if it covers the weekly rest day.

The report states that the employer shall be entitled to designate the place where the worker is required to be on-call, other than that, the worker shall choose the place where they are to remain so as to be able to report for work without delay when so instructed by the employer (standby).

In response to a request for additional information, the report states that in cases of on-call or standby duty not involving actual performance of work, the worker is entitled to a wage supplement of 20% of the base wage for the duration of standby duty and 40% of the base wage for the duration of on-call duty.

The Committee notes that, with regard to inactive parts of on-call period during which no work is carried out and where the worker stays at home or is otherwise away from the employer‘s premises, under no circumstances should such periods be regarded as rest periods in their entirety. However, there are two situations that need to be addressed. Firstly, the situation involves a worker who is on-call away from the employer‘s premises (at home or at another designated place by the employer) and who is under an obligation to be immediately available or available at very short notice and on a recurring basis to the employer, and where there are serious consequences in cases of the failure to respond. Such on-call periods, including where no actual work is performed (inactive on-call), must be classified as working time in their entirety and remunerated accordingly in order to be in conformity with the Charter. Secondly, the situation involves a worker who is away from the employer‘s premises (at home or at another place designated by the employer) and who has a certain degree of freedom to manage their free time and is allowed time to respond to work tasks (i.e. they do not have to report for work immediately or at a very short notice or on a recurring basis). In these circumstances, the inactive on-call periods amount neither to full-fledged working time nor to genuine rest periods. In such cases the situation may be considered as being in conformity with the Charter if the worker receives a reasonable compensation. The Committee will assess the reasonableness of the nature and level of such compensation on a case-by-case basis and will take into account circumstances such as the nature of the worker‘s duties, the degree of the restriction imposed on the worker and other relevant factors (Conclusions 2025, Statement of Interpretation on Article 2§1 on on-call periods).

The report provides sector-specific rules. In the healthcare sector, as a general rule, the provision of another day of rest or a rest period of at least the same duration as the healthcare on-call duty performed on the calendar day in question shall compensate for healthcare on-call duty performed on a weekly rest day or on a public holiday in accordance with the working time schedule applicable to the healthcare worker. For Government officials, working time includes so-called extraordinary working time and on-call duty, which is an obligation imposed on the Government official’s rest time. Special rules apply to the compensation of exceptional working time and on-call time. In case of full-time work, 200 hours per calendar year may be ordered as extraordinary working time. Such time shall be rewarded with time off equivalent to the duration of such work. For staff in public education, the employer may determine the place of availability, otherwise the worker determines their place of residence during the period of on-call duty in such a way that they are immediately available upon the employer’s instructions. The duration of on-call duty may not exceed 24 hours, except in case of a school trip lasting several days or in the case of an escort for language learning abroad, in which the duration of the normal or special working time scheduled for the day on which the on-call duty commences shall be included.

The report states that for professional staff of law enforcement bodies, according to the Act No. XLII of 2015 governing the legal status of the professional staff of law enforcement bodies, the superior officer may oblige a member of the professional staff to be available for duty outside duty hours in the interest of the service and in a fit state for duty at an accessible place – outside the duty station – from which they may be called upon at any time for duty. During this standby duty, the member of the professional staff shall take their rest, unless actually required to work. Standby duty allowance shall be paid as compensation for time not spent on duty.

In response to a request for additional information, the report states that standby duty allowance per hour for a member of the professional staff amounts to 0.25% of the law enforcement salary base and 1% in case of enhanced standby duty. The standby allowance is paid for the period during which the work is actually carried out.

The Committee notes that inactive periods of on-call time for professional staff of law enforcement bodies are assimilated to rest periods and the allowances are paid only for the period during which the work is actually carried out. The Committee considers that the situation in Hungary is not in conformity with Article 2§1 of the Charter on the ground that inactive on-call periods during which no effective work is undertaken are considered as rest periods in respect of the professional staff of law enforcement bodies.

Conclusion

The Committee concludes that the situation in Hungary is not in conformity with Article 2§1 of the Charter on the grounds that:

- the maximum weekly working time may exceed 60 hours for healthcare workers and for workers in standby jobs or for workers who are relatives of the employer or the owner;
- there is no legally defined limit to maximum weekly working time in the military;
- inactive on-call periods during which no effective work is undertaken are considered as rest periods in respect of the professional staff of law enforcement bodies.

Article 3 - Right to safe and healthy working conditions

Paragraph 1 - Safety and health regulations

The Committee takes note of the information contained in the report submitted by Hungary.

The Committee recalls that in the context of the present monitoring cycle, States were asked to reply to targeted questions for Article 3§1 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

The assessment of the Committee will therefore concern the information provided by the Government in response to the targeted questions.

The Committee asked for information on the content and implementation of national policies on psychosocial or new and emerging risks, including in relation to: (i) the gig or platform economy; (ii) telework; (iii) jobs requiring intense attention or high performance; (iv) jobs related to stress or traumatic situations at work; (v) jobs affected by climate change risks.

General policies concerning psychosocial or new and emerging risks

The Committee recalls that new technology, organisational constraints and psychological demands favour the development of psychosocial factors of risk, leading to work-related stress, aggression, violence and harassment. With regard to Article 3§1 of the Charter, the Committee takes account of stress, aggression, violence and harassment at work when examining whether policies are regularly evaluated or reviewed in the light of emerging risks. The States parties have a duty to carry out activities in terms of research, knowledge and communication relating to psychosocial risks (Statement of Interpretation on Article 3§1 of the Charter, Conclusions 2013 and 2017).

The report provides an overview of the National Occupational Safety and Health Policy for 2016-2022 (described in Conclusion 2021), which included targets related to addressing psychosocial and emerging risks that were implemented during this period. It notes that sector-specific information materials have been developed under the following objectives: to reduce absences from work as a result of psychosocial risks; to encourage and support the elaboration of new methods of ergonomics; and to reduce occupational risks affecting workers working in atypical employment and workers from vulnerable groups (e.g. young and aging workers, women, people with changed working capacity, casual workers, public sector workers and teleworkers).

Furthermore, the report notes that the new National Occupational Safety and Health Policy for 2024-2027 encompasses the following objectives aimed at addressing new and emerging risks and psychosocial risks: tackling demographic change; better protecting the groups of workers most affected by pandemics; reducing occupational risks of cancer and cardiovascular diseases; promoting the identification, prevention and reduction of psychosocial risks, including through teleworking; and increasing protection against carcinogenic, mutagenic and reprotoxic substances.

In its reply to a request for additional information, the Government also refers to a guidance document on the assessment and management of psychosocial risks, available on the website of the Department of Occupational Safety and Health of the Ministry of National Economy. Further, it refers to the conclusions of a 2022 study on health and safety challenges associated with the rising average age of the workforce, which include the identification and management of new risks factors threatening health and safety.

The gig or platform economy

The report refers to the rules concerning teleworking (including where work is performed using information technology and computing equipment) contained in Act XCIII on Labour Safety, which was amended in 2008 (described below). In response to a request for additional

information, the report states that, while the National Policy on Occupational Safety and Health (2024-2027) places particular emphasis on psychological and new or emerging risks in the context of digital transition, it does not contain specific occupational and health objectives directed explicitly at the gig and platform economy. It also refers to the guidance document of the Department of Occupational Safety and Health on the assessment and management of psychosocial risks (mentioned above) which is applicable in the context of the gig and platform economy.

The Committee takes note of the 2022 study on occupational safety and health aspects of atypical forms of employment, which found, *inter alia*, that most employers are not aware that the use of atypical forms of employment may pose additional occupational health and safety risks and that most companies do not approach occupational safety and health in a systematic manner. Moreover, it was found that the incidence of serious occupational accidents is 2.7 to 3.6 times higher in atypical employment relationships than in conventional forms of employment.

The Committee takes note of this information. However, it observes that the Government has not provided adequate information in relation to the issues raised in the targeted question. Therefore, the Committee concludes that the situation in Hungary is not in conformity with Article 3§1 of the Charter on the ground that it has not been established that there are national policies on psychosocial or new and emerging risks in the gig or platform economy.

Telework

The report refers to Section 86/A of the Act XCIII on Labour Safety of 1993 (amended in 2008), which provides that the employer shall conduct a risk assessment in relation to the equipment for teleworking, to ascertain whether it is safe from the perspective of occupational safety and health. The employer has a duty to inform the worker of the facilities available for consultation and representation of interests with respect to safety at work, the names of the persons in charge of these duties, as well as information on how they can be reached.

The report also states that Section 86/B of the Act XCIII on Labour Safety outlines the rules that apply when teleworking is performed using information technology and computing equipment. According to this provision, the employer shall inform the worker in writing of the rules relating to working conditions to ensure compliance with occupational safety and health requirements. The place of work is chosen by the worker, taking into account the level of compliance with those requirements, and the employer shall be entitled to remotely monitor compliance with occupational safety regulations via computing equipment, unless there is an agreement to the contrary.

In addition, the report provides information on the rules on teleworking that are applicable to the workers of the National Tax and Customs Administration.

The Committee refers to its statement of interpretation concerning telework (see Conclusion under Article 3§3) which provides, *inter alia*, that States Parties must take measures to ensure that employers comply with their obligations to ensure safe and healthy working conditions for their teleworkers, including providing information and training to teleworkers on ergonomics, the prevention of psychosocial risks (e.g. isolation, stress, cyberbullying, work-life balance, including digital disconnect and electronic monitoring) and the reporting process.

Jobs requiring intense attention or high performance

The report notes that Article 54(1) of the Act XCIII on Labour Safety imposes an obligation on the employer to take into account the human factor in the design of the workplace, the choice of work equipment and procedures, in particular with regard to reducing the duration of and the harmful effects of monotonous, fixed-pace work, the organisation of working time, and the avoidance of psychosocial risks related to work. Psychosocial risk is defined as the totality of effects (conflicts, work organisation, work schedules, insecurity of employment status, etc.)

which may result in stress, accidents at work or psychosomatic disorders (Section 87, subsection 1/H of the Act XCIII on Labour Safety).

Furthermore, Article 54(1) requires the employer to conduct a risk assessment to ascertain and evaluate the qualitative and quantitative aspects of risks that jeopardise the health and safety of workers, with particular regard to the applied work equipment, dangerous substances and dangerous mixtures, the potential strain on the workers and the design and arrangement of the workplace. The employer must conduct the risk assessment, and define preventive measures, at least every three years, taking into account the provisions of the NM Decree No. 33/1998 (VI.24) on the medical examination and opinion on the medical fitness for work, occupational and personal hygiene.

Jobs related to stress or traumatic situations at work

The report notes that one of the objectives of the National Occupational Safety and Health Policy for 2024-2027 is to promote the identification, prevention and reduction of psychosocial risks. The aim of this objective is to assess, manage and prevent stress in the workplace, by means of methodological assessment and reassessment, as well as interventions aimed at reducing stress, with a view to safeguarding the mental health of workers. The Policy notes that there is a need for the widest possible use of methods related to the management of work-related protocols to help restore/maintain the health of workers with mental health problems or those at risk. It stresses the importance of encouraging workers and employers to learn and use effective coping strategies.

Furthermore, the report refers to the rules under Article 54(1) of the Act XCIII on Labour Safety described above. The report also outlines the legal provisions relevant for occupational health and safety and addressing psychosocial risks in specific sectors, namely, social care workers, staff of the National Tax and Customs Administration, and professional staff in law enforcement agencies.

The Committee also takes note of the information provided by the Government in its reply to a request for additional information, concerning a methodological guide for occupational health services, entitled “Workplace Stress Monitor.” This guide can assist in tracking changes in stress-related risks at the workplace and may serve as a basis for the prevention of work-related stress and the development of strategies for the management of stress risk in the workplace.

Jobs affected by climate change risks

The report refers to a study on the definition and analysis of future potential damage to health (diseases) affecting workers directly or indirectly as a consequence of climate change, which was completed under the National Occupational Safety and Health Policy for 2016-2022. In response to a request for additional information, the report refers to another study completed in 2022 under the same Policy. This study provides an overview of national regulations related to workplace heat stress (indoor and outdoor) and cold working environments, with particular attention to extreme weather conditions. It was concluded that there is a need to modernise the relevant legislation at both the EU and national levels, and that enhanced cooperation between the occupational health and safety and public health sectors is required to address the impact of climate change on the world of work. As a result of the studies, Hungary has reviewed the legal provisions concerning climatic factors and, as concerns outdoor workspaces, the relevant requirements have been aligned with the national heat alert system.

The report also notes that Section 33 of the Act XCIII on Labour Safety obliges employers to ensure the quality of air in the workplace, free from pollutants, and that the temperature is appropriate. In case it is technically unfeasible to provide the required air quality, the employer shall take organisational measures and provide personal safety equipment and/or protective drinks for the purpose of protecting the health of workers.

Furthermore, Section 7 of Decree No. 3/2002 (II.8) of the Ministry of Social Affairs, Family and Health on the minimum level of occupational safety and health requirements at workplaces contains additional rules related, *inter alia*, to the regulation of temperature in the workplace, protection from exposure to solar and heat radiation and pollution from heaters, as well as the requirement to provide protective clothing and hourly rest periods in workplaces classified as hot or cold. The decree also limits the working hours and the intensity of work in jobs with exposure to heat.

The Committee recalls its case law under Article 3 in relation to the protection against dangerous agents and substances (including asbestos and ionizing radiation), and air pollution (see Conclusions XIV-2 (1998), Statement of interpretation on Article 3). Further, the Committee notes the United Nations General Assembly Resolution A/RES/76/300 (28 July 2022) "The human right to a clean, healthy and sustainable environment".

The Committee notes that climate change has had an increasing impact on the safety and health of workers across all affected sectors, with a particular impact on workers from vulnerable groups such as migrant workers, women, older people, persons with disabilities, persons with pre-existing health conditions and youth. As noted by the United Nations Committee on Economic, Social and Cultural Rights, rapid environmental changes, caused by climate change, increase risks to working conditions and exacerbate existing ones (General comment No. 27 (2025) on economic, social and cultural rights and the environmental dimension of sustainable development, UN Doc E/C.12/GC/27, §51). Hazards related to climate change include, but are not limited to, excessive heat, ultraviolet radiation, extreme weather events (such as heatwaves), indoor and outdoor workplace pollution, vector-borne diseases and exposure to chemicals. These phenomena can have a serious effect on both the physical and mental health of workers. (Ensuring safety and health at work in a changing climate, Geneva: International Labour Office, 2024).

States should take measures to identify and assess climate change risks and adopt preventive and protective measures. These risks and impacts should be addressed through appropriate policies, regulations, and collective agreements. Particular attention should be paid to vulnerable workers, such as migrant workers, persons involved in informal work, young and older workers, women, persons with disabilities and persons with pre-existing health conditions. States must effectively monitor the application of standards addressing climate-related safety and health risks, including through appropriate supervisory mechanisms, and should undertake these efforts in close consultation with employers' and workers' organisations.

Risk assessment and prevention/protection plans should include measures aimed at mitigating the effects of climate change on the safety and physical and mental health of workers (for example, provision of personal protective equipment, appropriate clothing, sun protection, hydration, ventilation, as well as the introduction of reduced or flexible working hours and the provision of mental health support and other support services, where appropriate).

The Committee further stresses the importance of providing guidance and training to employers and workers, as well as implementing awareness-raising activities, collection of data and carrying out of research concerning the impact of climate change.

Conclusion

The Committee concludes that the situation in Hungary is not in conformity with Article 3§1 of the Charter on the ground that it has not been established that there are national policies on psychosocial or new and emerging risks concerning the gig or platform economy.

Article 3 - Right to safe and healthy working conditions

Paragraph 2 - Safety and health regulations

The Committee takes note of the information contained in the report submitted by Hungary.

The Committee recalls that, for the purposes of the present report, States were asked to reply to targeted questions for Article 3§2 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

In its previous conclusion, the Committee held that the situation in Hungary was not in conformity with Article 3§2 of the Charter on the ground that domestic workers and self-employed workers were not covered by occupational health and safety regulations (Conclusions 2021). The assessment of the Committee will therefore concern the information provided by the Government in response to the targeted questions, including the previous conclusion of non-conformity as part of the targeted questions.

The right to disconnect

In a targeted question, the Committee asked for information on the measures taken to ensure that employers put in place arrangements to limit or discourage work outside normal working hours, including the right to disconnect; and on how the right not to be penalised or discriminated against for refusing to undertake work outside normal working hours is ensured.

The report notes that Hungary does not have any regulations on the right to disconnect. However, it refers to the regulations concerning working time, including overtime and rest periods. In addition, the report refers to specific overtime rules applicable to various sectors, namely healthcare, the armed forces, public education, law enforcement, and the National Tax and Customs Administration. As a rule, workers in these sectors have the right to refuse work beyond the overtime limits defined in the relevant regulations.

The Committee recalls that, consistent with States Parties' obligations under Article 3§2, in order to protect the physical and mental health of persons teleworking or working remotely and to ensure the right of every worker to a safe and healthy working environment, it is necessary to fully enable the right of workers to refuse to perform work outside their normal working hours (other than work considered to be overtime and fully recognised accordingly) or while on holiday or on other forms of leave (sometimes referred to as the "right to disconnect") (Statement of interpretation on Article 3§2, Conclusions 2021).

The Committee concludes that the situation in Hungary is not in conformity with Article 3§2 of the Charter on the ground that workers do not have the right to disconnect.

Personal scope of the regulations

In a targeted question, the Committee asked for information on the measures taken to ensure that self-employed workers, teleworkers and domestic workers are protected by occupational health and safety regulations; and on whether temporary workers, interim workers and workers on fixed-term contracts enjoy the same standard of protection under health and safety regulations as workers on contracts with indefinite duration.

Self-employed workers

The report does not provide the requested information. The Committee recalls that, under Article 3§2 of the Charter, all workers, including the self-employed, must be covered by occupational health and safety regulations, since employed and self-employed workers are normally exposed to the same risks (Conclusions 2003, Romania). Therefore, the Committee reiterates its previous conclusion that the situation in Hungary is not in conformity with Article 3§2 of the Charter on the ground that self-employed workers are not covered by occupational health and safety regulations.

Teleworkers

The report notes that teleworkers are protected by occupational health and safety regulations. Specifically, Act XCIII of 1993 on Labour Safety contains provisions on risk assessment, employers' obligations to provide appropriate information and training, supervision and monitoring, and consultation with employers' and workers' organisations.

Domestic workers

The report does not provide the requested information. Therefore, the Committee reiterates its previous conclusion that the situation in Hungary is not in conformity with Article 3§2 of the Charter on the ground that domestic workers are not covered by occupational health and safety regulations.

Temporary workers

The report refers to the provisions in the Labour Code stating that temporary agency workers are protected by occupational health and safety regulations.

Conclusion

The Committee concludes that the situation in Hungary is not in conformity with Article 3§2 of the Charter on the grounds that:

- workers do not have the right to disconnect;
- self-employed workers are not protected by occupational health and safety regulations;
- domestic workers are not protected by occupational health and safety regulations.

Article 3 - Right to safe and healthy working conditions

Paragraph 3 - Enforcement of safety and health regulations

The Committee takes note of the information contained in the report submitted by Hungary.

The Committee recalls that in the context of the present monitoring cycle, States were asked to reply to targeted questions for Article 3§3 of the Revised Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

The Committee asked for information on measures taken to ensure the supervision of the implementation of health and safety regulations concerning vulnerable categories of workers such as: (i) domestic workers; (ii) digital platform workers; (iii) teleworkers; (iv) posted workers; (v) workers employed through subcontracting; (vi) the self-employed; (vii) workers exposed to environmental-related risks such as climate change and pollution.

The assessment of the Committee will therefore concern the information provided by the Government in response to the targeted questions.

Domestic workers; digital platform workers; posted workers; self-employed workers

In response to a request for additional information regarding the above-listed categories of workers, the report states that the occupational safety and health authority's inspection mandate applies in cases of organised work. It further states that according to point 9 of Section 87 of Act XCIII of 1993 on Labour Safety (Occupational Safety and Health), the following categories do not fall under the scope of "organised work": (i) domestic workers; (ii) workers operating via digital platforms; (iii) posted workers; (iv) self-employed persons (in their case, the inspection authority has competence solely with respect to the protection of persons present within the sphere of activity).

The Committee notes that the occupational safety and health authority's inspection mandate does not apply to work performed by the above-mentioned categories of workers. Therefore, it considers that the situation is not in conformity with Article 3§3 of the Charter on the ground that measures have not been taken to ensure the supervision of the implementation of health and safety regulations in respect to the said categories.

Teleworkers

The report notes that under Section 86/C (4) of the Act XCIII of 1993 on Labour Safety, the employer or its representative shall routinely inspect work conditions at the place of teleworking and ensure that they comply with the requirements, and the workers have knowledge of and observe the provisions pertaining to them. Moreover, employers or their representatives shall be entitled to enter and remain on the premises where teleworking is performed for the purpose of conducting a risk assessment, investigating accidents and checking working conditions (Section 86/C (5) of the Act XCIII of 1993 on Labour Safety). The workers' representative for occupational safety may enter the premises where teleworking is performed upon the worker's consent.

The report further states that the regulatory inspection referred to in Section 81(4) of the Act XCIII of 1993 on Labour Safety may not cause unreasonable hardship to the worker or to any other person also using the teleworking premises. The occupational safety and health administration shall notify the employer and the worker at least three working days in advance regarding the inspection. The employer shall obtain the worker's consent for admission to the designated place of teleworking for this purpose before the commencement of the inspection.

The Committee notes that, under Article 3 of the Charter, teleworkers, who regularly work outside of the employer's premises by using information and communications technology, enjoy equal rights and the same level of protection in terms of health and safety as workers working at the employer's premises.

States Parties must take measures to ensure that employers comply with their obligations to ensure safe and healthy working conditions for their teleworkers, such as: (i) assessing the risks associated with the teleworker's work environment; (ii) providing or ensuring access to ergonomically appropriate equipment and protective equipment; (iii) providing information and training to teleworkers on ergonomics, safe use of equipment, physical risks (e.g. musculoskeletal disorders, eye strain) and prevention of psychosocial risks (e.g. isolation, stress, cyberbullying, work-life balance, including digital disconnect, and electronic monitoring); (iv) maintaining clear documentation and records; (v) providing appropriate support through human resources or health and safety officers/services; and (vi) ensuring that teleworkers can effectively report occupational accidents or health and safety issues encountered during teleworking. States Parties must also take measures to ensure that teleworkers comply with the guidelines and regulations on health and safety and co-operate with employers and labour inspectorate or other enforcement bodies in this sense.

The labour inspectorate or other enforcement bodies must be entitled to effectively monitor and ensure compliance with health and safety obligations by employers and teleworkers. This requires to: (i) conduct regular and systematic supervision, including remote audits; (ii) review employers' risk assessments and training documentation; (iii) verify the appropriateness and effectiveness of preventive measures taken by employers; (iv) have adequate resources, legal authority, and clearly defined powers to issue corrective instructions and impose proportionate and dissuasive sanctions in cases of non-compliance.

Workers employed through subcontracting

In response to a request for additional information, the report states that the occupational safety and health authority's inspection mandate is applicable to organised work. Workers of subcontractors are considered to be engaged in organised work. However, during the process of data collection, no distinction is made between employers who are subcontractors and those who are not.

Workers exposed to environment-related risks such as climate change and pollution

The report provides information on the measures taken by the authorities to supervise the implementation of health and safety regulations for workers exposed to the adverse effects of climate change. It notes that the Department of Occupational Safety and Health Management of the Ministry of National Economy has been conducting a nationwide occupational safety and health target study for several years, with a view to preventing the adverse effects of the workplace climate on workers. The national target inspection was carried out by government officials from the regional government offices of the capital and county, who are responsible for inspecting occupational safety and health authorities.

The report notes that these inspections were predominantly carried out in workplaces where workers were exposed to elevated heat stress or adverse weather conditions (heat, direct sunlight). It states that in 2022, 255 employers were monitored in the framework of the national target inspection, which affected 6,505 workers. 116 employers (45.49%) and 1,646 workers (25.30%) were affected by irregularities.

The report further indicates that the reports sent by the government agencies demonstrate that, overall, the majority of employers monitored during the target inspection complied with the most important health and safety requirements during the heat alert period (provision of protective clothing and rest periods) and that workers were aware of the main effects of heat and the preventive measures to be taken. It is also stated that government agency officials acting as labour safety authorities provided information to employers, workers and labour safety representatives during the target inspections, with a view to preventing heat-related problems (e.g. sunstroke, heat stroke).

The Committee recalls that States must effectively monitor the application of standards addressing climate-related safety and health risks, including through appropriate supervisory

mechanisms, and should undertake these efforts in close consultation with employers' and workers' organisations.

Risk assessment and prevention/protection plans should include measures aimed at mitigating the effects of climate change on the safety and physical and mental health of workers (for example, provision of personal protective equipment, appropriate clothing, sun protection, hydration, ventilation, as well as the introduction of reduced or flexible working hours and the provision of mental health support and other support services, where appropriate). The Committee further stresses the importance of providing guidance and training to employers and workers, as well as implementing awareness-raising activities, collection of data and carrying out of research concerning the impact of climate change.

Conclusion

The Committee concludes that the situation in Hungary is not in conformity with Article 3§3 of the Charter on the ground that measures have not been taken to ensure the supervision of the implementation of health and safety regulations concerning the following categories of workers:

- domestic workers;
- digital platform workers;
- posted workers;
- self-employed workers.

Article 5 - Right to organise

The Committee takes note of the information contained in the report submitted by Hungary, as well as the comments submitted by the European Organisation of Military Associations and Trade Unions (EUROMIL).

The Committee recalls that in the context of the present monitoring cycle, States were asked to reply to the targeted questions for Article 5 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

The assessment of the Committee will therefore concern the information provided in the report in response to the targeted questions.

Positive freedom of association of workers

In its targeted question a), the Committee asked for information on measures that have been taken to encourage or strengthen the positive freedom of association of workers, particularly in sectors which traditionally have a low rate of unionisation or in new sectors (e.g., the gig economy).

In response, the report indicates that the Hungarian Labour Code guarantees for workers and employers the right to establish and join (and not to join) organisations for the protection of their economic and social interests without discrimination.

To enhance social dialogue and collective bargaining, Act LXXIV of 2009 on Sectoral Dialogue provides the legal framework for Sectoral Dialogue Committees, which facilitate negotiations between employers and workers at the sectoral level and broaden the opportunities for employers and workers to assert their professional interest. These committees play a key role in supporting the conclusion of collective agreements aimed at improving working conditions and ensuring stability in industrial relations. They provide an incentive and opportunity for continuous consultation between the social partners present in the sector, as well as the conclusion of sectoral collective agreements. If an agreement is reached in a Sectoral Dialogue Committee, it may be extended to the entire sector by ministerial decision, thereby increasing coverage and ensuring that negotiated conditions apply broadly. Sectoral agreements have been concluded in industries such as construction, tourism and hospitality and electricity.

At the national level, the National Economic and Social Council (NGTT) is the main consultative forum for social dialogue, bringing together employer and worker organisations, chambers of commerce, civil society organisations, and other stakeholders. Employers participate in the NGTT through their designated representatives.

The report also provides information on the Permanent Consultative Forum of the Government and the Competitive Sector which was set up in 2012 as a tripartite macro-level interest reconciliation forum. It was established following an agreement between the most important national worker interest representatives (trade union confederations), the most important employer interest representatives and the Government.

The Committee recalls that it has previously considered that workers employed in emerging arrangements, such as the gig economy or platform economy, who are incorrectly classified as self-employed, do not have access to the applicable labour and social protection rights and that as a result of misclassification, such persons cannot enjoy the rights and the protection they are entitled to as workers (for instance, Conclusions 2022, Article 4§1, Albania).

The Committee notes from outside sources (Makó, Csaba & Miklos, Illessy & Nosratabadi, Saeed (2020) Emerging Platform Work in Europe (Hungary in Cross-country Comparison), European Journal of Workplace Innovation) that in Hungarian Labour Law, platform workers or workers in the gig economy are considered as independent contractors, who are self-employed workers (freelancers) whose work relationships are covered by the Civil Code. The

Civil Code does not provide any employment protection in the context of such service contacts, contrary to the Labour Code provisions governing employment relationships. According to these sources, platform work is not considered as a separate employment field and is not subject of a specific policy focus on the part of the public authorities.

The Committee also notes that collective rights, trade union rights, especially the right to conclude collective agreements, are not ensured outside the scope of the Labour Code. In the Hungarian labour market, collective agreements exist almost exclusively at workplace level. If workers do not have worker status, they cannot be covered by a collective agreement. The Committee also notes that Act LXXIV of 2009 on Sectoral Dialogue regulates the role of Sector Dialogue Committees to facilitate collective bargaining, policy discussions, and labour-related consultations within specific industries, but the Act only covers interest representation of workers. The Committee is not provided with any information to conclude that platform workers, domestic workers or self-employed individuals have the right to be represented in sectoral dialogue committees.

The Committee considers that the report does not provide information on any specific measure taken to strengthen the positive freedom of association in sectors with a low unionisation rate such as the gig economy, platform work, domestic work or the self-employed.

The Committee therefore concludes that no measures have been taken to encourage or strengthen the positive freedom of association of workers, particularly in sectors which traditionally have a low rate of unionisation or in new sectors.

Legal criteria for determining the recognition of employers' organisations for the purposes of social dialogue and collective bargaining

In reply to the Committee's request for information concerning the legal criteria for determining the recognition of employers' organisations for the purposes of social dialogue and collective bargaining (targeted question b)), the report indicates that the Act on Sectoral Dialogue determines in what form employer representatives can participate in sectoral dialogue committees. According to this act, employer's representation whose members employ at least 5% of the sector's workforce or whose member organisations have at least forty employers in the relevant sector can participate in the social dialogue at the sectoral level.

With regard to the participation of the employer side in the NGTT, the report indicates that according to the Act on Sectoral Dialogue, the Council consists of the following parties: a) the presidents of the national employer interest representatives and interest representation associations; b) the presidents of the national economic chambers, and c) the representatives of civil organisations. The employer organisation may participate in the activities of the Council if it has member organisations active in at least two branches of the national economy and at least six sub-sectors, if its member organisations have territorial organisations operating in at least ten counties, and if its member organisations consist of at least one thousand employers or enterprises, or if its member organisations employ at least 100 000 people.

Legal criteria for determining the recognition and representativeness of trade unions in social dialogue and collective bargaining

In a targeted question, the Committee requested information on the legal criteria for determining the recognition and representativeness of trade unions in social dialogue and collective bargaining. It particularly requested information on the status and prerogatives of minority trade unions; and the existence of alternative representation structures at company level, such as elected worker representatives (targeted question c)).

In reply, the report states that there is no specific provisions either the Labour Code or in the Act on Sectoral Dialogue concerning the status and rights of trade unions with smaller membership or on alternative representation structures. The report refers to Article 230 of the Labour Code which, with a view to protecting the social and economic interests of workers

and to maintaining peace in labour relations, governs the relations between trade unions, work councils and employers, and their interest representation organisations. The provision shall therefore guarantee the workers' participation in determining working conditions.

According to the report, the Labour Code provides for the participation rights for the cooperation of the employer and the workers, and for the participation of workers in the employer's decisions. To this end, in addition to a works representative and a works council, it provides for the possibility to set up a works council at the level of group of companies.

The report underlines that the ability to enter into a collective agreement depends on the extend of trade union membership, since the Labour Code requires a trade union to have at least 10% membership at the workplace to negotiate a collective agreement. Section 276(8) of the Labour Code grants consultation rights to a trade union that reaches 10% membership after a collective agreement is concluded. Trade unions meeting the criteria can also propose amendments to existing collective agreements and participate in negotiations. However, in the absence of a trade union which can enter into a collective agreement, a company agreement can also be concluded.

The report provides information on the legal criteria for worker membership to Sectoral Dialogue Committees. Act LXXIV of 2009 defines the conditions for the participation of worker representatives in sectoral dialogue committees: they should represent at least ten workers in a given sector or 1% of sector workers and have obtained at least 5% of votes in the last works council elections. Sectoral interest representation organisations must have been in operation at least two years before they can participate.

The report provides information on the legal criteria for employee/employer representation in the NGTT. Trade unions, trade union confederations, interest representation organisations and associations of employers can participate in the activities of the NGTT. Under the domestic law, the interest representation organisation must be a civil association under the Civil Code, must aim to promote and protect worker interests and must have a membership with trade unions or confederations; a trade union confederation qualifies to participate in the activities of the NGTT if it has active members in at least four branches of the economy and twelve sub-sectors; has territorial organisations in at least eight countries; has member organisations which consist of at least one hundred and fifty employers with an independent workplace organisation. Interest representatives of workers and employers can form coalitions to meet participation criteria.

The report provides explanations on the rules regarding trade union representativeness for civil servants. The law ensures that for public worker labour relations, mandatory consultations must take place with interest representatives that meet legal requirements. Moreover, the National Labour Council of Public-Sector Employees (KOMT) which is a national-level forum dealing with labour relations, wage policies, and employment issues specific to public workers serves as the central platform for reconciliation of interests between employers and workers in the public sector.

In the public sector, according to the report, the domestic law ensures that trade unions representing public workers meet specific thresholds of membership at territorial, sectoral and national levels to engage in formal consultations and represent the interests of civil servants in labour-related matters. In the public sector, a trade union is considered as representative at the county or settlement level if it represents at least 10% of civil servants in the region or it represents 10% of public workers in the sector at the territorial level. A trade union is considered as representative at the sectoral level if it represents 10% of civil servants in the specific sector. A national trade union confederation is considered representative if it has at least three representative trade unions as members, and those unions together represent at least 5% of public workers. The report specifies that representativeness is assessed every six years.

According to the report, the regulations with regard to trade unions and interest representation for government officials are primarily set out in Act CXCIX of 2011 on Civil Servants and Act CXXV of 2018 on Government Administration, which establish the rights of government officials to unionise and protect them against discrimination due to union activities. According to the provisions referred to in the report, Government officials can establish and join trade unions in public administration. It is illegal to dismiss or discriminate against a government official for trade union activities.

The right of the police and armed forces to organise

In a targeted question, the Committee requested information on whether and to what extent members of the police and armed forces are guaranteed the right to organise (targeted question d)).

The report states that interest representation organisations operating in connection with the legal status of professional members of the Hungarian Defence Forces may be formed and operate in accordance with specific rules laid down by Government decree.

The Committee notes, on the basis of EUROMIL's comments that the 12th Amendment to the Fundamental Law, adopted on 12 December 2023, introduced a constitutional prohibition preventing the establishment and operation of trade unions in connection with the legal status of professional members of the Hungarian Defence Forces. The Committee also notes, however, that the constitutional amendment allows, instead, other forms of interest representation organisations to be created and to operate under specific rules set out in a Government Decree. Following the constitutional amendment, the interest representation organisations were therefore allowed to continue to operate as professional associations.

Concerning the right of professional law enforcement personnel to organise, the report indicates that law enforcement personnel have the right to form and join interest-representing organisations to protect their economic and social interests. These organisations can operate freely, but any activity that disrupts law enforcement operations or undermines public trust is prohibited, including strikes. Law enforcement staff cannot join organisations whose activities conflict with law enforcement duties.

Conclusion

The Committee concludes that the situation is not in conformity with Article 5 of the Charter on the ground that no measures have been taken to encourage or strengthen the positive freedom of association of workers, particularly in sectors which traditionally have a low rate of unionisation or in new sectors.

Article 6 - Right to bargain collectively

Paragraph 1 - Joint consultation

The Committee takes note of the information contained in the report submitted by Hungary.

The Committee recalls that for the purpose of the present report, States were asked to reply to the targeted questions for Article 6§1 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

In its previous conclusion (Conclusions 2022), the Committee deferred its decision pending an up-dated description of the situation in law and in practice with regard to joint consultation between workers and employers at national, regional and sectoral levels in the private as well as the public sector, including the civil service, on all questions of mutual interest.

The assessment of the Committee will therefore concern the information provided in the report in response to the targeted questions.

Measures taken to promote joint consultation

In a targeted question, the Committee asked as to what measures are taken by the Government to promote joint consultation.

The report states that the Government provides support in the form of budgetary allocations for the operation of several national interest reconciliation forums, such as the National Public Service Multi Stakeholder Council and the Permanent Consultative Forum of the Private Sector and the Government (VKF). Negotiations taking place within the VKF format have led to the creation in 2023 of a new standing committee, referred to as the Ad-hoc Committee, with the purpose of consulting with the Government and social partners on changes to employment legislation, labour market programs, employment support within non-labour market initiatives, strategic documents in the field of employment, and documents submitted for consultation as related to the country's EU membership.

The report provides further information about the minimum wage setting mechanism, which involves tripartite consultations. In October 2024, Government Decree 308/2024 (X. 24.) introduced detailed rules for consulting on the mandatory minimum wage and guaranteed minimum wage, as well as amendments to certain government regulations transposing Directive (EU) 2022/2041 on adequate minimum wages. The decree also legally formalizes the organization and functioning of the VKF and sets the rules for minimum wage consultations.

Issues of mutual interest that have been the subject of joint consultations and agreements adopted

In a targeted question, the Committee asked as to what issues of mutual interest have been the subject of joint consultation during the past five years, what agreements have been adopted as a result of such discussions and how these agreements have been implemented.

The Committee recalls that it has previously deferred its conclusion under Article 6§1 pending receipt of comprehensive information on joint consultation processes in Hungary, in view of submissions from third parties alleging major deficiencies in this respect (Conclusions 2022, Hungary). The Committee notes that the report does not sufficiently address those concerns, other than stating that Decree 308/2024 provides a legal basis for the operation of the VKF.

The Committee notes that the 2024 European Semester Country Report indicated that, despite some improvement, social dialogue in Hungary remained weak and fragmented in the absence of a legal framework for a tripartite forum made up of the government, trade unions and employers' associations. The 2023 Country Report noted that new legislation introduced in January 2023, without any social dialogue, increased employers' ability to dismiss teachers participating in civil disobedience to protest working conditions, among other examples of

initiatives restrictive of workers' rights. While Eurofound observed that the Ad-hoc Committee mentioned above enjoyed social partner support at the time of its inception, no further action from it was reported subsequently (Hungary: Developments in working life 2023).

The Committee reiterates that joint consultation should also take place in the public sector including the civil service (Conclusions III (1973), Denmark, Germany, Norway, Sweden and Centrale Générale des services publics, CGSP v. Belgium, Complaint No. 25/2004, Decision on the merits of 9 May 2005, §41). It recalls that within the meaning of Article 6§1, joint consultation is consultation between workers and employers or the organisations that represent them (Conclusions I (1969), Statement of Interpretation on Article 6§1). Joint consultation must cover all matters of mutual interest, and particularly: productivity, efficiency, other occupational issues (working conditions, vocational training, etc.), economic problems and social matters (social insurance, social welfare, etc.) (Conclusions I (1969), Statement of Interpretation on Article 6§1 and Conclusions V (1977), Ireland).

In light of the above, the Committee concludes that the situation in Hungary is not in conformity with Article 6§1 of the Charter on the ground that it has not been established that the measures taken to promote joint consultation between workers and employers are sufficient.

Joint consultation on the digital transition and the green transition

In a targeted question, the Committee asked if there has been any joint consultation on matters related to (i) the digital transition, or (ii) the green transition.

Digital transition

The report states that, on 19 July 2022, the members of the VKF consulted on the Framework Agreement on Digitalisation, which was concluded by the European social partners.

Green transition

The Committee notes from outside sources the relatively low level of participation of trade unions in the development and implementation of just transition strategies and plans underway in Hungary (Eurofound (2023), Supporting regions in the just transition: Role of social partners and T. Bors, T. Meszmann (2024), Energy for a Just and Green Recovery Deal: The Role of Industrial Relations in the Energy Sector for a Resilient Europe – National Country Report: Hungary).

The Committee concludes that it has not been established that joint consultations have been held on matters related to the green transition.

Conclusion

The Committee concludes that the situation in Hungary is not in conformity with Article 6§1 of the Charter on the ground that it has not been established that

- joint consultations have been sufficiently promoted;
- joint consultations have been held on matters related to the green transition.

Article 6 - Right to bargain collectively

Paragraph 2 - Negotiation procedures

The Committee takes note of the information contained in the report submitted by Hungary and of the comments submitted by the European Organisation of Military Associations and Trade Unions (EUROMIL).

The Committee recalls that, for the purposes of the present report, States were asked to reply to targeted questions for Article 6§2 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

In its previous conclusion, the Committee found that the situation in Hungary was not in conformity with Article 6§2 of the Charter on the ground that the promotion of collective bargaining was not sufficient (Conclusions 2022). The assessment of the Committee will therefore concern the information provided in the report in response to the targeted questions asked, including the previous conclusion of non-conformity as part of the targeted questions.

Coordination of collective bargaining

In a targeted question, the Committee asked for information on how collective bargaining was coordinated between and across different bargaining levels. Specifically, the question sought details on factors such as *erga omnes* clauses and other mechanisms for the extension of collective agreements, as well as to the favourability principle and the extent to which local or workplace agreements could derogate from legislation or collective agreements concluded at a higher level.

Regarding *erga omnes* clauses and other extension mechanisms, the report states that the extension of collective agreements is governed by the Act on Sectoral Dialogue Committees. The relevant line minister, upon the joint request from the parties, may extend the scope of a collective agreement to employers within a sector based on their primary activity. The extension is contingent upon employers who are members of the signatory employer organisations employing a majority of the sector’s workforce and the participation of at least one representative trade union. If an employer is not bound by a collective agreement for the sector of his principal activity, but it carries out a secondary activity in the sector covered by a collective agreement, then its scope may be extended to its workers. A collective agreement may not be extended if it contradicts legal provisions or is less favourable to workers than a broader sectoral agreement unless the broader agreement explicitly allows such derogation. The relevant line minister has the authority to issue and revoke such extensions, and legal challenges may be brought in administrative proceedings, although courts cannot overturn ministerial decisions.

Regarding the favourability principle, the report states that the Labour Code allows collective agreements to deviate from statutory provisions only for the benefit of the worker and if not expressly prohibited. Collective agreements may deviate from the provisions of the Labour Code unless they concern the protection of core rights such as industrial relations, works councils, or fundamental trade union rights. A collective agreement may only deviate from a broader agreement if it benefits workers unless the latter explicitly permits other derogations. Related provisions must be compared in order to assess whether a deviation is favourable to workers.

Regarding derogations, the report states that the Labour Code expands the role of private regulation and limits state intervention. Collective agreements may derogate from legislation to the benefit or detriment of workers, except where legal provisions primarily protect workers and prohibit derogation. The relationship between legislation and collective agreements is specified in the "Derogating provisions" at the end of each chapter of the Labour Code. Local or workplace collective agreements may deviate from broader agreements only if the latter allow such deviations or if they contain more favourable provisions for workers.

The Committee notes that the favourability principle establishes a hierarchy between different legal norms and between collective agreements at different levels. Accordingly, it is generally understood to mean that collective agreements may not weaken the protections afforded under the law and that lower-level collective bargaining may only improve the terms agreed in higher-level collective agreements. The purpose of the favourability principle is to ensure a minimum floor of rights for workers.

The Committee considers the favourability principle a key aspect of a well-functioning collective bargaining system within the meaning of Article 6§2 of the Charter, alongside other features present in the legislation and practice of States Parties, such as the use of *erga omnes* clauses and extension mechanisms. These features are typically found in comprehensive sectoral bargaining systems with high coverage, usually associated with stronger labour protections.

The Committee notes that some States Parties provide for the possibility of deviations from higher-level collective agreements through what may be termed opt-out, hardship, or derogation clauses. The Committee applies strict scrutiny to such clauses, based on the requirements set out in Article G of the Charter. As a matter of principle, the Committee considers that their use should be narrowly defined, voluntarily agreed, and that core rights must be always protected. In any event, derogations must not become a vehicle for systematically weakening labour protections.

The Committee refers to the observation of the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) to the effect that legal provisions, such as those found in the Hungarian Labour Code, providing for a general possibility to derogate from the protective provisions of labour legislation by means of collective bargaining would be contrary to the purpose of promoting free and voluntary collective bargaining established in Article 4 of the Convention (International Labour Organization. (2025). Direct Request (CEACR) – adopted 2024, published 113rd ILC session (2025). Right to Organise and Collective Bargaining Convention, 1949 (No. 98) – Hungary (Ratification: 1957). NORMLEX.). For its part, Eurofound notes that these provisions have doubtlessly strengthened the influence of employers in the context of the system of industrial relations in Hungary (Eurofound (2024), *Working Life Country Profile: Hungary*). Having regard to the information before it, the Committee concludes that the situation in Hungary is not in conformity with Article 6§2 of the Charter on the ground that collective agreements are permitted to derogate systematically from the labour protections established by law.

Promotion of collective bargaining

In a targeted question, the Committee asked for information on the obstacles hindering collective bargaining at all levels and in all sectors of the economy (e. g. decentralisation of collective bargaining). The Committee also asked for information on the measures taken or planned to address those obstacles, their timeline, and the outcomes expected or achieved in terms of those measures.

The report notes that organisations involved in domestic social dialogue vary in their characteristics depending on whether they operate at the enterprise, medium, or macro level. Their functioning is largely determined by their financial capacity, which relies on membership fees, tenders, and other forms of support. A significant obstacle to collective bargaining is the steady decline in union membership, which has reduced the representativeness and capacity of social partners. While trade unions with at least 10% membership density can engage in collective bargaining, the fact that the agreements apply to all workers—both members and non-members—does not incentivise higher union density, a phenomenon referred to by trade unions as the 'free rider syndrome.'

The report notes further that there is a need for support with strengthening the capacity of social partners, to enable them to regain representativeness and participate more effectively in policymaking. The report emphasises that such support should be flexible and adapted to

the specific needs of the stakeholders at both enterprise and national levels. The report notes that a programme was launched in the second quarter of 2024 to enhance the capacity of social dialogue organisations and foster cooperation. The programme includes wage subsidies to increase staffing for advocacy activities, financial support for training, and assistance with organising training sessions for workers and social partners, including study trips abroad. Its aim is to increase the number of collective agreements by enabling workers and employers to participate more effectively in policymaking.

The Committee notes that the CEACR has recently expressed a range of concerns in relation to the implementation of Convention no. 98 in Hungary. Notably, these refer to the possibility to derogate from the protective provisions of labour legislation by means of collective bargaining, the possibility that non-union actors have to conclude works agreements even in the presence of a trade union in the bargaining unit concerned, the application in practice of the provisions on the extension of collective agreements resulting in a decline in sectoral bargaining, the restrictions on the material scope of collective bargaining in publicly owned entities, as well as in regard of public education teachers (International Labour Organization. (2025). Observation (CEACR) and Direct Request (CEACR) – adopted 2024, published 113rd ILC session (2025). Right to Organise and Collective Bargaining Convention, 1949 (No. 98) – Hungary (Ratification: 1957). NORMLEX.).

Furthermore, according to the most recently available data, the collective bargaining coverage rate in Hungary is 21.8% (OECD/AIAS ICTWSS database 2019). Collective agreements are concluded almost exclusively at the enterprise level, with only three sectoral collective agreements in place, namely electricity, construction and tourism/hospitality (Eurofound. (2024). *Working life in Hungary*).

The Committee notes that high and stable collective bargaining coverage is typically associated with collective bargaining systems based on multi-employer, mainly sectoral, agreements (OECD, 2025, *Membership of unions and employers' organisations, and bargaining coverage: Standing, but losing ground*, OECD Policy Brief, among others). However, collective bargaining in Hungary mainly takes place at enterprise-level, sectoral bargaining is very limited, and bargaining coverage is relatively low and declining. The Committee further notes that some of these developments may be attributed to restrictive legislative interventions, such as adopting clauses in the Labour Code that allow derogations from legal labour protections, restricting the use of extension mechanisms at the sectoral level, or restricting the scope of collective bargaining available in the public sector. The Committee therefore concludes that the situation in Hungary is not in conformity with Article 6§2 of the Charter on the ground that the promotion of collective bargaining is not sufficient.

EUROMIL submits, in its comments, that military personnel are denied collective bargaining rights. The Committee refers to its corresponding assessment under Article 5 of the Charter on this matter.

Self-employed workers

In a targeted question, the Committee asked for information on the measures taken or planned to guarantee the right of self-employed workers, particularly those who are economically dependent or in a similar situation to workers, to bargain collectively.

In response to a request for additional information, the report states that the right to conclude collective agreements does not extend to economically dependent self-employed persons or to self-employed workers in general.

The Committee recalls that rapid and fundamental changes in the world of work have led to a proliferation of contractual arrangements designed to avoid the formation of employment relationships and to shift risk onto the labour provider. As a result, an increasing number of workers who are de facto dependent on one or more labour engagers fall outside the traditional definition of a worker (*Irish Congress of Trade Unions (ICTU) v. Ireland*, Complaint

No. 123/2016, decision on the merits of 12 September 2018, §37). In establishing the type of collective bargaining protected by the Charter, it is not sufficient to rely solely on distinctions between workers and the self-employed; the decisive criterion is whether an imbalance of power exists between providers and engagers of labour. Where providers of labour have no substantial influence on the content of contractual conditions, they must be given the possibility of improving that imbalance through collective bargaining (*ICTU v. Ireland*, §38).

The Committee concludes that the situation in Hungary is not in conformity with Article 6§2 of the Charter on the ground that the right to collective bargaining in respect of self-employed workers, particularly those who are economically dependent or in a similar situation to workers, has not been sufficiently promoted.

Conclusion

The Committee concludes that the situation in Hungary is not in conformity with Article 6§2 of the Charter on the grounds that:

- collective agreements are permitted to derogate systematically from the labour protections established by law;
- the promotion of collective bargaining is not sufficient;
- the right to collective bargaining in respect of self-employed workers, particularly those who are economically dependent or in a similar situation to workers, has not been sufficiently promoted.

Article 6 - Right to bargain collectively

Paragraph 4 - Collective action

The Committee takes note of the information contained in the report submitted by Hungary and in the comments by the European Trade Confederation (ETUC) and the European Organisation of Military Associations and Trade Unions (EUROMIL).

The Committee recalls that for the purposes of the present report, States Parties were asked to reply to targeted questions for Article 6§4 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

In its previous conclusion (Conclusions 2022), the Committee held that the situation in Hungary was not in conformity with Article 6§4 of the Charter on the ground that in the civil service, the criteria used to define civil servants who are denied the right to strike go beyond the limits set by Article G of the Charter, and that the police are denied the right to strike. The assessment of the Committee will therefore concern the information provided by the Government in response to the targeted questions, including the previous conclusion of non-conformity as related to the targeted questions.

Prohibition of the right to strike

In its targeted questions, the Committee asked States Parties to indicate the sectors where the right to strike is prohibited, as well as to provide details on the relevant rules and their application in practice, including the relevant case law.

The report states that the right to collective bargaining and the right to strike is guaranteed under Article XVII of the Hungary's Fundamental Law. Pursuant to Article 3§2 of Act VII of 1989 on Strikes, strikes in the judiciary, the Hungarian Defence Force, law enforcement, law enforcement agencies and civil national security services are not permitted. Furthermore, tax and customs officers of the National Tax and Customs Administration are denied the right to strike.

As regards the right of civil servants to strike, the Committee recognises that, under Article G of the Revised Charter, the right to strike of certain categories of civil servants may be restricted, including members of the police and armed forces, judges and senior civil servants (European Organisation of Military Associations (EUROMIL) v. Ireland, Complaint No. 112/2014, decision on the merits of 12 September 2017, §113, citing Conclusions I (1969), Statement of Interpretation on Article 6§4). Restrictions to the right to strike of certain categories of civil servants, for example those whose duties and functions, given their nature or level of responsibility are directly affecting the rights and freedoms of others, national security or public interest may serve a legitimate purpose in the meaning of Article G (Confederation of Independent Trade Unions in Bulgaria (CITUB), Confederation of Labour "*Podkrepa*" and European Trade Union Confederation (CES) v. Bulgaria, Complaint No. 32/2005, decision on the merits of 16 October 2006, §45). However, the imposition of an absolute prohibition of strikes to categories of public servants, such as police officers, prison officers, firefighters or civil security personnel, is incompatible with Article 6§4, since such an absolute prohibition is by definition disproportionate where an identification of the essential services that should be provided would be a less restrictive alternative (Matica Hrvatskih Sindikata v. Croatia, Complaint No. 116/2015, decision on the merits of 21 March 2018, §114; see also Conclusions XVII-1 (2006), Czech Republic).

Having regard to the nature of the tasks carried out by judges and prosecutors who exercise the authority of the State and the potential disruption that any industrial action may cause to the functioning of the rule of law, the Committee considers that the imposition of an absolute prohibition on the right to strike may be justified, provided such prohibition complies with the requirements of Article G, and provided the members of the judiciary and prosecutors are have other means through which they can effectively negotiate the terms and conditions of employment, including remuneration.

The report does not provide any justifications for the prohibition on the right to strike for personnel of the civil national security services and tax or customs officers at the National Tax and Customs Administration.

Therefore, the Committee considers that the situation is not in conformity with Article 6§4 of the Charter on the ground that the prohibition on the right to strike for personnel of the civil national security services, tax and customs officers goes beyond the limits set by Article G of the Charter.

The report further states that, under Article 24§2 of Act XLII of 2015 on the Service Relationship of the Professional Staff of Law Enforcement Bodies Performing Law Enforcement Functions, interest representation bodies are prohibited from organising strikes or obstructing the lawful and proper functioning of law enforcement bodies, as well as from preventing professional staff members from fulfilling their duty to carry out orders and measures.

A prohibition on the right to strike for police officers can be considered in conformity with Article 6§4 only if there are compelling reasons justifying it, in the specific national context in question (European Confederation of Police (EuroCOP) v. Ireland, Complaint No. 83/2012, decision on the admissibility and merits of 2 December 2013, §211). While the imposition of restrictions as to the mode and form of such strike action can be in conformity to the Charter (European Confederation of Police (EuroCOP) v. Ireland, Complaint No. 83/2012, decision on the admissibility and merits of 2 December 2013, §211), where such restrictions are so excessive as to render the right to strike ineffective, such restrictions will be considered to have gone beyond those permitted by Article G of the Charter (for example, where police may exercise the right to strike, but only on the condition that certain tasks and activities continue to be performed during the strike period, including the prevention, detection and documentation of criminal offences; arrests; regulation and control of road traffic; protection of people and property; border control and; prevention and handling of incidents at borders) (Conclusions 2022, North Macedonia).

The Committee recalls that it previously concluded that the situation in Hungary is not in conformity with Article 6§4 of the Charter on the grounds that the police are denied the right to strike (Conclusions 2022). The situation appears not to have changed since. Therefore the Committee holds that the situation is not in conformity with Article 6§4 of the Charter on the ground that the police are denied the right to strike.

In its response to the additional questions, the report states that the restriction of the right to strike in relation to the armed forces is necessary due to the nature of their employment. Members of the Defence Forces perform tasks aimed at protecting the lives and physical integrity of others, as well as the territorial integrity of Hungary; therefore, there is a compelling public interest in restricting the right to strike of soldiers. The Government holds that allowing the exercise of the right to strike would hinder the performance of these tasks, and thus the fulfilment of the essential duties of the armed forces, which could result in harm to the physical integrity or life of others, or to the territorial integrity of Hungary. According to Section 45 (8) of the Fundamental Law of Hungary: "*No trade union may be set up and operated in relation to the legal status of the professional members of the Hungarian Armed Forces. Other interest-representative organizations operating in relation to the legal status of the professional members of the Hungarian Armed Forces may be established and may operate according to specific rules laid down by the relevant government decree.*" Under the Fundamental Law of Hungary, Act CLXXV of 2011 on the Freedom of Association, Non-profit Status and the Operation and Support of Civil Organizations (Civil Act), as well as Act V of 2013 on the Civil Code, the Defence Interest Representation Organization ("*Honvéd Érdekképviseleti Szervezet*") operates as the "*other*" interest-representative organization defined in the Fundamental Law, with the aim of representing the interests of soldiers and other persons employed within the defence sector, providing moral and financial support to its members.

The right to strike of members of the armed forces may be subject to restrictions under the conditions of Article G of the Charter, if the restriction is established by law, and is necessary in a democratic society for the protection of the rights and freedoms of others or for the protection of public interest, national security, public health or morals. This includes a requirement that the restriction is proportionate to the aim pursued. The margin of appreciation accorded to States in terms of the right to strike of the armed forces is greater than that afforded to States Parties in respect of the police (European Organisation of Military Associations (EUROMIL) v. Ireland, Complaint No. 112/2014, decision on the merits of 12 September 2017, § 114-116).

Having regard to the special nature of the tasks carried out by members of the armed forces, the fact that they operate under a system of military discipline, and the potential that any industrial action disrupting operations could threaten national security, the Committee considers that the imposition of an absolute prohibition on the right to strike may be justified under Article G, provided the members of the armed forces are have other means through which they can effectively negotiate the terms and conditions of employment, including remuneration (European Organisation of Military Associations (EUROMIL) v. Ireland, Complaint No. 112/2014, decision on the merits of 12 September 2017, §117; Confederazione Generale Italiana del Lavoro (CGIL) v. Italy, Complaint No. 140/2016, decision on the merits of 22 January 2019, §152; European Organisation of Military Associations (EUROMIL) v. Portugal, Complaint No. 199/2021, decision on the merits of 11 September 2024, §100).

Therefore, the Committee holds that the situation is not in conformity with Article 6§4 of the Charter on the ground that members of the armed forces are denied the right to strike and it has not been established that are other means by which members of the armed forces can effectively negotiate the terms and conditions of employment, including remuneration.

Restrictions on the right to strike and a minimum service requirement

In its targeted questions, the Committee asked States Parties to indicate the sectors where the right to strike is restricted and where there is a requirement of a minimum service to be upheld, as well as to provide the details on the relevant rules and their application in practice, including the relevant case law.

The report states that under Article 4§2 of the Strike Act, for employers engaged in activities that substantially impact the public, in particular in the field of public transport, telecommunications, and utilities such as electricity, water, gas and other energy services, a strike may be conducted in a manner that does not disrupt the provision of adequate services. Article 4§3 of the Strike Act further specifies that the scope and conditions of these services may be determined by law. In the absence of a statutory provision, the scope and conditions of these adequate services shall be agreed upon during the pre-strike consultations. In such cases, the strike may proceed if an agreement is reached by the parties. If no agreement is reached, the strike can continue only if a court issues a final decision establishing the extent and conditions of the services to be maintained.

The report further states that in the case it is established that an activity significantly impacts the population, the required minimum service will be defined by sector-specific legislation.

The right to strike may be exercised by workers public health care service providers subject to specific rules agreed between the Government and the relevant trade unions.

In the public education sector the requirement of a minimum service is prescribed under Act V of 2022 on Regulatory Issues Related to the End of the Emergency with the aim of ensuring the right of children to healthy development and education. These minimum service conditions include the provision of childcare in the original institution between 7 a.m. and 5 p.m, for children of compulsory school age normally 50% of lessons must be maintained, except in the case of school-leavers, for whom 100% of lessons should be maintained and 100% of lessons for pupils with special educational needs, integration, learning and behavioural difficulties,

The Committee notes that the minimum service requirement in the public education sector to ensure 50% of lessons for children of compulsory school age and 100% of lessons in the case of school-leavers is excessive and constitutes a disproportionate restriction on the right to strike.

Therefore, the Committee, considers that the situation is not in conformity with Article 6§4 of the Charter on the ground that the minimum service requirements in the public education sector are excessive.

Prohibition of the strike by seeking injunctive or other relief

In its targeted questions, the Committee asked to be informed whether it is possible to prohibit a strike by obtaining an injunction or another form of relief from the courts or another competent authority (an administrative or arbitration) and if the answer is affirmative, to provide information on the scope and number of decisions in the past 12 months.

The Committee notes that the report provides no information in this respect save that the general rules regarding the right to strike apply to the public education sector.

Conclusion

The Committee concludes that the situation in Hungary is not in conformity with Article 6§4 of the Charter even taking into account the possibility of subjecting the right to collective action to restrictions under Article G, the grounds that:

- police are denied the right to strike;
- the armed forces are denied the right to strike, and it has not been established that are other means by which members of the armed forces can effectively negotiate the terms and conditions of employment, including remuneration;
- tax and customs officers and workers of the civil national security services are denied the right to strike;
- the minimum service required during a strike in the public education sector is excessive.

Article 20 - Right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex

The Committee takes note of the information contained in the report submitted by Hungary as well as the information provided to the supplementary questions asked by the Committee.

The Committee recalls that in the context of the present monitoring cycle, States were asked to reply to the targeted questions for Article 20 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

The assessment of the Committee will therefore concern the information provided in the report in response to the targeted questions.

Women's participation in the labour market and measures to tackle gender segregation

In its targeted question the Committee asked the report to provide information on the measures taken to promote greater participation of women in the labour market and to reduce gender segregation (horizontal and vertical) as well as information/statistical data showing the impact of such measures and the progress achieved in terms of tackling gender segregation and improving women's participation in a wider range of jobs and occupations.

Under Article 20 States Parties should actively promote equal opportunities for women in employment, by taking targeted measures to close the gender gap in labour market participation and employment. They must take practical steps to promote equal opportunities by removing *de facto* inequalities that affect women's and men's chances. The elimination of potentially discriminatory provisions must therefore be accompanied by action to promote quality employment for women.

States must take measures that address structural barriers and promote substantive equality in the labour market. Moreover, the States should demonstrate a measurable progress in reducing the gender gap in employment.

In its assessment of national situations, the Committee examines the evolution of female employment rates as well as the gender employment gap and considers whether there has been a measurable progress in reducing this gap. The Committee notes, that according to Eurostat in 2025 the female employment rate in the EU 27 stood at 71.3%, up from 70% in 2023, compared to 81% and 80.3% for males, respectively, revealing a gender employment gap of around 10%.

The report refers to the employment rate of women aged 15-64 that has risen from 54.3% in 2010 to 70.6% in 2023, while the female unemployment rate has dropped from 9.9% to 4.2% during the same period. Additionally, the employment rate of women aged 25-49 with young children under three years old has increased by 11.7%, reaching 78.3% in 2023. This progress is largely attributed to efforts to break down barriers that prevent women, especially mothers, from re-entering the labour market.

According to European Institute of Gender Equality (EIGE) with 57.3 points out of 100, Hungary ranks 26th in the EU on the Gender Equality Index. Its score is 12.9 points below the score for the EU as a whole. According to EIGE in Hungary 25% of women are employed in education, human health and social work activities, whilst the EU average is 30%.

The Committee notes that according to the report, the Government has implemented various policies to support women balancing work and family responsibilities. These include tax exemptions for mothers with four or more children, for mothers who have children before the age of 30, student loan reductions for parents, and early retirement options for women with 40 years of contributions. Additionally, in 2021, the Government increased the infant care allowance to 100% of gross wages, ensuring that mothers receive a higher benefit than their previous net income for the first six months of childcare.

According to the report, in line with EU Directive 2019/1158, Hungary has implemented measures to support work-life balance. Mothers can decide to return to work six months after childbirth while receiving childcare allowance or stay at home longer. Additionally, the law grants fathers ten working days of paternity leave within two months of childbirth or adoption. The law further introduced flexible working conditions for parents of children under eight and caregivers, allowing requests for remote work, part-time work, or teleworking. (Article 8 (Subsections (3) - (4) of Section 61 of Act I of 2012 on the Labour Code). Family protection is promoted by the law, which provides extra paid leave for both parents annually, and also the opportunity that both parents are entitled to unpaid leave for the purpose of child-care if they intend to and paid paternity leave for fathers after childbirth.

The Committee notes from Eurostat that the gender employment gap stood at 9.3% in 2023 and 8.5% in 2025, slightly above the EU average of 7.2%.

Considering the above, the Committee finds that the situation in Hungary is in conformity with Article 20 of the Charter on this point.

Effective parity in decision-making positions in the public and private sectors

In its targeted question, the Committee asked the national report to provide information on measures designed to promote an effective parity in the representation of women and men in decision-making positions in both the public and private sectors; the implementation of those measures; progress achieved in terms of ensuring effective parity in the representation of women and men in decision-making positions in both the public and private sectors.

Article 20 of the Revised European Social Charter guarantees the right to equal opportunities in career advancement and representation in decision-making positions across both public and private sectors. To comply with Article 20, States Parties are expected to adopt targeted measures aimed at achieving gender parity in decision-making roles. These measures may include legislative quotas or parity laws mandating balanced representation in public bodies, electoral lists or public administration.

The Committee underlines that the effectiveness of measures taken to promote parity in decision-making positions depends on their actual impact in closing the gender gap in leadership roles. While training programmes for public administration executives and private sector stakeholders are valuable tools for raising awareness, their success depends on whether they lead to tangible changes in recruitment, promotion, and workplace policies. States must demonstrate measurable progress in achieving gender equality by providing statistical data on the proportion of women in decision-making positions.

In its assessment of national situations, the Committee examines the percentage of women in decision-making positions in parliaments and ministries and considers whether a measurable progress has been made in increasing their share. The Committee notes from EIGE that 32.5% of the members of Parliaments were women in the EU27 in 2023 and 32.8% in 2025.

According to the report, the Mathias Corvinus Collegium Women's Public Leadership Programme, in Hungary aims to nurture talented young women who have ambition to become public leaders, want to do something for their communities and are committed to improving the future of their communities. This programme focuses on skills development and practical experience.

According to data provided in the report, in the public sector, the proportion of female managers is particularly high at 66.1%, according to the Hungarian Central Statistical Office data for the period of January-May 2024. This ratio is 31.7% on average in the for-profit sector and 55.4% in the non-profit sector.

The Committee notes from EIGE that Hungary had no women in ministerial positions in 2025 and only 6.1% in 2023. The share of women in parliament remains significantly below the EU

average (15.6% in 2025 compared to 32.8% in the EU). Similarly, female representation in regional assemblies and local municipalities is 15%, whereas the EU average stands at 31%.

The Committee considers that no measurable progress has been made promoting representation of women in the parliament and in ministries. Therefore, the situation is not in conformity with the Charter.

Women's representation in management boards of publicly listed companies and public institutions

In its targeted question the Committee asked the national report to provide statistical data on the proportion of women on management boards of the largest publicly listed companies and on management positions in public institutions.

The Committee considers that Article 20 of the Charter imposes positive obligations on States to tackle vertical segregation in the labour market, by means of, inter alia, promoting the advancement of women in management boards in companies. Measures designed to promote equal opportunities for women and men in the labour market must include promoting an effective parity in the representation of women and men in decision-making positions in both the public and private sectors (Conclusions 2016, Article 20, Portugal). The States must demonstrate a measurable progress achieved in this area.

In its assessment of national situations, the Committee examines the percentage of women on boards and in executive positions of the largest publicly listed companies and considers whether a measurable progress has been made in increasing their share. The Committee notes from EIGE the percentage of women on boards of large publicly listed companies amounted to 33.2% in 2023 and 35.1% in 2025 in the EU 27. As regards the percentage of female executives, it stood at 22.2% in 2023 and 23.7% in 2025.

The Committee observes that the Gender Equality Index score has improved but remains consistently and considerably lower than the EU average. The country's progress in gender equality has been slower than other countries, and considering the statistics, the gap between Hungary and the EU average has widened over time.

According to EIGE women made up 10.9% of board members in the largest publicly listed companies in 2023 and 11.3% in 2025, significantly below the EU averages. There are no mandatory national gender quotas for listed companies in Hungary. The share of female executives in the largest listed companies also remains low at 18.3% in 2025. The Committee considers that there has not been a measurable progress in promoting women's representation on management boards.

Conclusion

The Committee concludes that the situation in Hungary is not in conformity with Article 20 of the Charter on the grounds that:

- no measurable progress has been made in promoting representation of women in decision-making positions;
- insufficient measurable progress has been made in promoting the representation of women on boards of the largest publicly listed companies.