

The Hungarian Child Guarantee National Action Plan: concerns raised about its feasibility

**Reflection by Eurochild member, Híntalovon Child
Rights Foundation / ECPAT Hungary**



Eurochild
Putting children at
the heart of Europe

The Hungarian Child Guarantee National Action Plan: concerns raised about its feasibility

In 2023 the NGOs working in the field of child protection and children's rights were eagerly anticipating the Hungarian Child Guarantee Action Plan with great hopes, as it was to be the fundamental child rights document for the Hungarian legal system, and civil organizations was to be assigned tasks in its implementation. Unfortunately, the document resembles more of a report in terms of content and style rather than an action plan. Instead of a clear and accountable consideration of strategic goals, necessary tools, and steps, there is a greater emphasis on presenting past results.

In this way, there are concerns about the implementation and feasibility of the provisions in the Action Plan while welcoming the strategies and programs listed in it. According to our assessment, further strategic planning is needed to ensure its proper implementation.

Based on our expertise, we have identify some of the key topics and issues that are absent in the document:

1) No adequate protection of children's rights

According to the Concluding Observations of the Child Rights Committee, Hungary does not make sufficient efforts to raise awareness about children's rights, and this issue is not addressed by the Action Plan. While the national curriculum mentions children's rights as part of the general education of upper grade students, this is often neglected. Additionally, there is a lack of proper methodological support to ensure that the consideration of children's rights is thorough and beneficial to children.

The Action Plan refers to the establishment of the institution of child rights representatives for the effective representation of children's rights. While this is commendable, we believe that a total of 22 child rights representatives cannot effectively represent the rights of children, given the important and irreplaceable tasks prescribed by law. This is all the more preoccupying when considering that in 2000, 18,103 minors were in institutional care, with a rate of 8.7 per thousand of the same age group, while in 2022, 21,175 minors lived in institutional care, with a rate of 12.4 per thousand for the same age group. For children in alternative care, child rights representatives (alongside guardians) are the primary safeguards to prevent child rights violations. The increasing number and proportion of children in alternative care would justify a reconsideration of this legal institution for the future.

2) Explicit child rights violations, like the existence of child marriage, are not targeted in the Action Plan

We find it particularly concerning that the Action Plan does not aim to abolish the institution of child marriage, while statistics show that more than 300 children are affected annually, often covering human trafficking, concealing other forms of exploitation, or legalizing domestic violence. Both the European Union and the latest Concluding Observations of the Child Rights Committee are explicitly urging Hungary to abolish this legal institution.

3) Meaningful ways of child participation are not promoted in the Action Plan

The Action Plan leaves unanswered the question of what measures Hungary plans to develop to support children in expressing their opinions. Another open question is what steps Hungary plans to take to promote children's participation in families, communities, and the student advocacy forums? An important issue regarding participation is that the practices mentioned by name are not universally applicable. For example, the work of the National Student Council only extends to questions related to public education.

4) Human resource related problems remained unanswered in the Action Plan

The Action Plan enshrines the provisions of UNCRC that every child has the right to grow up in their own family. In cases where a child cannot be raised in their own family, it must be ensured that they grow up preferably in a family environment and maintain their previous family relationships. According to data from the Central Statistical Office (KSH), in 2021, 21,041 children were raised in alternative care, of whom only 14,866 lived with foster parents - the others lived in institutional care. In 2021, 923 infants lived in infants' homes and it is not precisely known how many newborns were left for months in hospital newborn wards.

Hungarian NGOs have repeatedly drawn attention to the legal obligation that, by December 31, 2016, every child under 12 removed from their family should have been placed with foster parents. Unfortunately, Hungary failed to meet this requirement so far. Even among the 2,420 children under 3 years old living in institutional care, 306 were still residing in children's homes.

The lack of well-trained professionals in the child protection system is not targeted in the Action Plan at all. However in 2020, over 10% (394 positions) of approved positions in children's homes and foster homes remained unfilled; in the case of institutions providing specialized care, this ratio is even higher: out of 644 positions, 164, or every 4th position, remained vacant. The shortage of professionals is further complicated by the fact that out of the 5,706 foster parents working in the country, only 14 can provide care for children with special needs.

In our experience, institutions providing specialized care have a low efficiency in assisting children with reintegration into their homes, primarily due to overworked professionals.

5) Hungarian children's mental health

The Action Plan makes an important statement about the significance of mental health education and emphasizes the preventive role of those involved in public education, beyond helping professions. As stated in the Action Plan, the best opportunity for preventing adolescent suicide lies in addressing general mental health literacy and specific practical skills as widely as possible, ideally involving public education, helping professions, and informal support networks. Furthermore, in our opinion, it is essential to highlight the network of school psychologists, which can play a key role in prevention and identification of mental health issues putting children at risk. Additionally, incorporating mental health education into the school curriculum and integrating it into school practices is crucial.

In this regard, the Action Plan should focus on step-by-step reduction of the parameters that currently hinder adequate attention to children's mental health e.g. in Hungary, school psychologists are

entitled to work with a caseload of over 600 children, social workers with over 800 children, and school nurses with over 200 children. According to current data, at least 6500 students do not have access to school psychological services, and even where services exist, they are overwhelmed and can only address a small percentage of cases.

6) The following issues and topics are completely omitted from the Action Plan, despite representing long-standing, unresolved problems or acute challenges at structural and systemic level:

- Review of the international adoption practices (every 10th Hungarian child declared eligible for adoption is placed with adoptive parents abroad),
- Insufficient number of child psychiatric facilities,
- Geographically unequal distribution of child addiction treatment, and a service framework that does not align with needs,
- The unique situation of children struggling with complex trauma due to abuse and adverse childhood experiences (ACE),
- Unresolved healthcare and educational integration for Ukrainian refugee children residing in Hungary,
- Wellbeing of children in state care,
- General condition of buildings housing child protection and family support facilities, as well as institutions providing transitional and crisis care (lack of maintenance, inadequate infrastructure).

In recent years, child protection has become a political issue in Hungary, primarily in demographic and political-ideological contexts. In the current political agenda of the Hungarian Government, child protection is framed as protecting children from LGBT propaganda and harmful gender ideologies. The primary objective of the state's family policy is to support the birth of more children in middle-class families. Family support systems primarily serve this purpose or function as measures to stimulate the economy instead of improving social inclusion.

The Action Plan was developed with significant delays, beyond the mandatory deadline, and leaves a considerable sense of inadequacy. This is mainly because it cannot be considered a genuine planning document; needs and issues were not thoroughly assessed, responsibility areas were not defined, and assignments to the governmental institutions based on competencies, authorities, and responsibility levels were not made. Additionally, specifics needed for implementation, such as deadlines and monitoring mechanisms, are lacking.

In its current form, the Action Plan fulfills the goals and tasks outlined in European Union regulation, but only for serious constraints.

This article is drawn from the Hıntalovon Child Rights Foundation/ECPAT Hungary's publication "[Comments on the National Action Plan on Guarantees of Children's Rights](#)", submitted to the Hungarian government following the release of the National Action Plan.