

DRUG POLICY AND HEALTH IN HUNGARY

A Profile Prepared by the Drug Law and Health Policy Resource Network

25 April 2002

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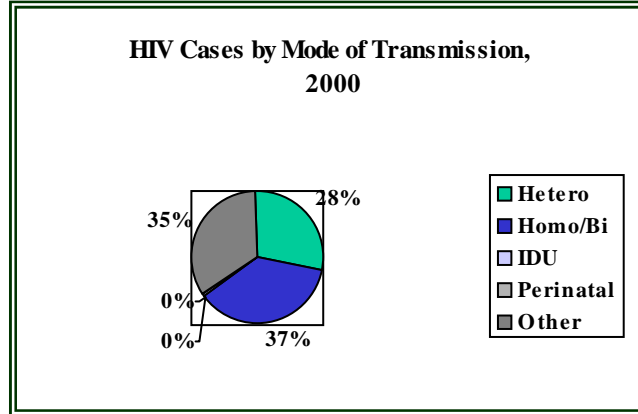
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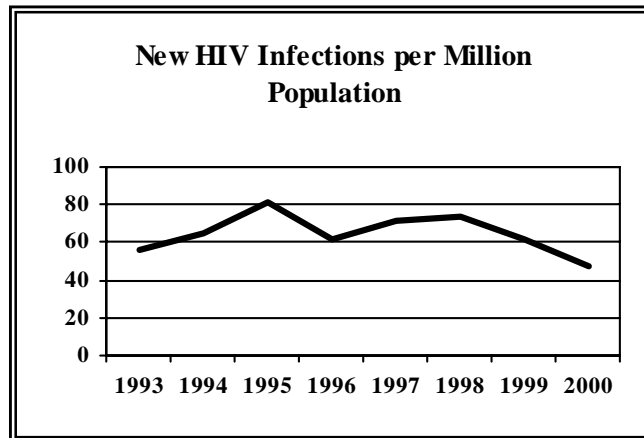
Summary

I. HIV/AIDS

Although the prevalence of HIV/AIDS is low in Hungary, Hungarian officials continue to report that their domestic drug problem is increasing, particularly among teens and those in their twenties. There are 10,000 people dependent on heroin in Hungary and synthetic drugs are also widely abused. Budapest has a particularly high drug usage rate. (4)(21)



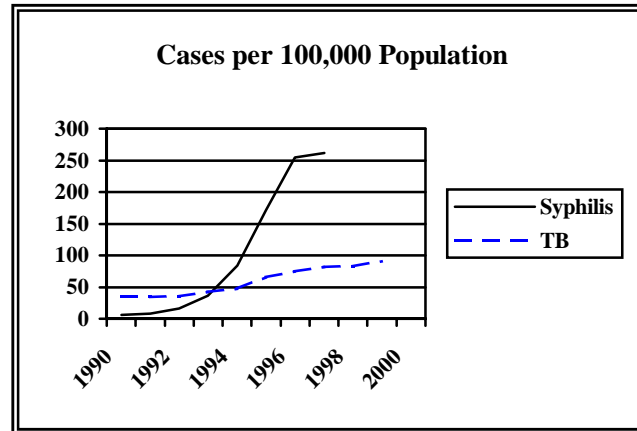
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II. OTHER INFECTIOUS DISEASES

While trend data is generally not available, there have been an increasing number of Hepatitis C infections, especially among young injecting drug users. (20)



Source: (11)

III. INJECTION DRUG USE

Drug Use Trends. Drug use is increasing, particularly among teen and individuals in their twenties. (4)

Risk Behavior. No information was available.

Social Attitudes. Although criminality among drug users is low, they are considered to be potentially dangerous and, hence, criminal. Drugs are being made responsible for a series of social problems such as crime, unemployment, and the poor general health of the population. (8)(21)

IV. LAW AND LAW ENFORCEMENT PRACTICES

Drug use is treated as a criminal matter. Users are subject to arrest and imprisonment. Drug legislation passed in the 1990's made drug law enforcement more stringent. Drug dependant people may be exempt from criminal prosecution on drug possession if they can document that they have had treatment for their addiction lasting at least 6 months. (4)(7)(16)

Law on the Books

- 1999 drug law makes drug use illegal with criminal penalties. IDUs in treatment may be exempt from criminal prosecution
- Drug dealers face possible life imprisonment

The judiciary is independent

- Those accused of a crime have the right to an attorney
- The accused have the right to a fair trial
- There is legal recourse for being falsely charged and detained for crime.
- Pretrial detention with a judges warrant is initially limited to one year but may be extended indefinitely by motion of Prosecutor and order of judge.
- There is no Bail system.
- Prosecutors may issue search warrants.

Detoxification for drug users is available in psychiatric units of hospitals but after third attempt IDU is reported to police.

Actual practice

Casual users have greater criminal liability than addicts.

Legal definitions in code make distinction between user and dealer unclear.

Accused have access to attorneys throughout criminal proceedings

Police may hold suspects up to 72 hour before filing charges.

Security detentions lasting up to 24 hours are permitted which are not considered criminal detention and not covered by criminal code.

There are continued reports of police abuse.

Average length of pretrial detention in 1996 was 3-6months with 10% lasting from 8-12 months.

Detainees rarely exercise their right to compensation because of complicated legal processes.

V. PUBLIC HEALTH INTERVENTIONS

Harm Reduction Programs Generally. The Hungarian government has adopted a National Drug Strategy, which includes harm reduction. Efforts include dissemination of better and more information regarding the dangers of drug use. Teachers are trained to identify and counsel students using drugs. (20)

Drug Treatment. Programs at the grassroots level have been instituted which have established drug help centers. Services provided include drug ambulances, legal aid services, therapeutic communities, counseling, treatment, and rehabilitation. (4)(18)(21)

VI. ECONOMIC AND SOCIAL INDICATORS

The Transparency Corruption Perceptions Index (CPI) ranks countries in terms of the degree to which corruption is perceived to exist among public officials and politicians. In 2001, Hungary was ranked 31 out of 91 countries, with a score of 5.3 on a scale of 10. (13)

The Human Development Index value is a composite index measuring average achievement in three basic dimensions of human development, including a long and

healthy life, knowledge and a decent standard of living. In 1999, Hungary ranked 47 out of 174 countries measured. (12)

The GINI Index measures the extent to which the distribution of income (or in some cases consumption expenditures) among individuals or households within an economy deviates from a perfectly equal distribution. The GINI Index of zero equals perfect equality, while an Index of 100 implies perfect inequality. The GINI Index for the most recent reported year for Hungary was 24.4 in 1998. (3)

Unemployment refers to the share of the labor force without work but available for and seeking employment. Definitions of labor force and unemployment differ by country. Hungary's unemployment rate saw a slight increase from 8.7% in 1997 to 9.4% in 2000. (12)(14)

The Gross Domestic Product (GDP) is the total of all economic activity in one country, regardless of who owns the productive assets. There has been a significant increase in the GDP in the Hungary during the past decade. In 1990, the GDP was \$33,056 million (US) increasing to \$48,436 million (US) in 1999. The estimated average annual growth of the economy was 5.5% in 2000. (14)

DRUG POLICY AND HEALTH IN HUNGARY

A Profile Prepared by the Drug Law and Health Policy Resource Network

Full Report

I. INTRODUCTION

The Drug Law and Health Policy Resource Network is an international research collaboration designed to improve data collection and policy analysis on drug policy and health in the countries of Eastern Europe and the Former Soviet Union. The information in this report was gathered by the staff at Temple University's Beasley School of Law and the University of Connecticut Health Sciences Center. It will be augmented by further research in 2002 by network collaborators in the study region.

This report presents available information in six domains: HIV/AIDS, other infectious diseases, injection drug use, law and law enforcement practices, public health interventions and economic and social indicators. It concludes that Hungary is in the early stages of a serious HIV epidemic driven primarily by injection drug use. With sufficient external support and dramatic internal changes in drug policy and law enforcement practice, a public health effort against HIV and other blood-borne diseases could be successful.

II. HIV/AIDS

Accurate and complete data on HIV in Hungary are not available. The data presented here are from a variety of sources and may not entirely agree. These data generally do not represent HIV incidence, and depend heavily upon patterns of HIV testing and reporting that remain very incomplete in the most severely affected countries. HIV infection is defined as an individual with HIV infection confirmed by a laboratory according to country definitions and requirements. AIDS cases are reported according to a uniform AIDS case definition originally published in 1982 and revised in 1985, 1987 and for adults and adolescents (>age13) in 1993. The 1993 European AIDS surveillance case definition differs from that used in the United States in that it does not include CD4 lymphocyte criteria.

Overall Data. Data from the European Centre for the Epidemiological Monitoring of AIDS indicates that the annual rate of reported newly diagnosed HIV infections is the lowest it has been since reporting began in 1993. The rate as of 2000 is 4.7 per million. The estimated prevalence of HIV/AIDS among adults and children is believed to be 2,500 (1,800 – 3,200) cases at the end of 1999. Of the cumulative reported cases of HIV from 1993 - 2000, 45% were transmitted through injection drug use. At the end of 1999, 71% of registered cases of HIV were male. (7)(9)

Data from the European Centre for the Epidemiological Monitoring of AIDS (9)

Year	Reported AIDS cases		Reported New HIV infections		Homo/bi Contact #		Injection Drug Use #		Heterosexual Contact #		Perinatal Transmission #	
	#	Rate/ Million	#	Rate/ Million	HIV	AIDS	HIV	AIDS	HIV	AIDS	HIV	AIDS
1993	32	3.1	56	5.4	-	-	-	-	-	-	-	-
1994	23	2.2	65	6.3	-	-	-	-	-	-	-	-
1995	31	3.0	81	7.9	-	-	-	-	-	-	-	-
1996	46	4.5	62	6.1	27	36	0	0	11	4	1	0
1997	31	3.1	71	7.0	22	22	0	0	21	7	1	0
1998	3	3.6	74	7.3	36	24	1	0	21	9	0	0
1999	37	3.7	62	6.2	26	25	0	1	12	3	0	1
2000	27	2.7	47	4.7	17	19	1	0	14	5	0	0

Data From the Hungarian Government: Hungarian Ministry of Health (10)

	1998	1999
Number of registered new cases of HIV positives	74	62
Number of new cases of AIDS	36	37
Number of deaths due to AIDS	20	11

Additional Demographics. The adult (age 15-49) prevalence rate of HIV/AIDS was 0.05 per 100,000 population at the end of 1999. The estimated prevalence rate of HIV/AIDS in young people (age 15-24) was 0.01-0.02 for females and 0.07-0.10 for males per 100,000 population. The prevalence of HIV/AIDS in children (age <14) was 2,100 cases. HIV prevalence surveys and routine diagnostic testing among pregnant women revealed a rate of 0.0 HIV positive per 10,000 population. (9)

The total AIDS cases diagnosed in 2000 per 1 million population, adjusted for reporting delays, as of December 31, 2000 was 2.7 cases. AIDS cases diagnosed in 2000 per 1 million population, adjusted for reporting delays as of December 31, 2000, transmitted through homo/bisexual contact (19 cases), injection drug use (0 cases) and heterosexual contact (5 cases). The total HIV infections newly diagnosed per 1 million population, cases reported in 2000, was 5 cases. HIV infections newly diagnosed per million population, cases reported in 2000, in homo/bisexual men (17 cases), injection drug users (2 cases) and heterosexuals (14 cases). (9)

Stigma and Social Attitudes Towards HIV/AIDS. No information was available.

III. OTHER INFECTIOUS DISEASES

The spread of HIV is related in important ways to the incidence of other infectious diseases. Use of contaminated injection equipment exposes users to the risk of HIV as well as Hepatitis B and C. Incarceration in many countries in this region is a risk factor for tuberculosis. Sexually transmitted diseases may increase the likelihood of HIV transmission during sex.

Summary of Situation. Rates of syphilis have remained lower than 4 per 100,000 since 1994. The rates of TB have declined from 1995 to 2000. Data regarding Hepatitis are unavailable. (11)

Year	TB		Syphilis	Hepatitis A	Hepatitis B	Hepatitis C
	#	Rate/100,000	Rate/100,000	#	#	#
1993				-	-	-
1994				-	-	-
1995	4,339	42.9		-	-	-
1996	4,278	42.6		-	-	-
1997	4,240	42.4		-	-	-
1998	3,489	35.1	-	1,226	-	82
1999	3,532	35.1	-	980	-	-
2000	-	-	-	-	-	-

Data from: WHO Europe Communicable Disease, WHO Regional Office for Europe, 1999 – 2001. (11)

In two studies conducted by the National AIDS Laboratory among samples of 333 and 351 drug users, the prevalence of Hepatitis B infection was 2.5% and 0.6%, respectively. The rates of Hepatitis C infection were 15.4% and 9.6%, respectively. (20)

IV. INJECTION DRUG USE

This section reports available information about drug use levels, trends and risk behaviors, as well as social attitudes about drug use and information about the problem of drug overdose. Drug treatment and other interventions to reduce the morbidity and mortality of drug use are discussed in Section V, below. Data about drug use come primarily from unofficial sources, including more or less rigorous rapid assessments, consultant reports and the news media.

Trends in Drug Use. The International Narcotics Control Report stated:

Through the first 11 months of 2000, overall drug seizures went up sharply

in Hungary, owing largely to a handful of large confiscations scattered throughout the year. The Hungarian Customs Service noted the steep increase in heroin, marijuana, hashish, and opium seizures. Slight to moderate decreases were observed in coca leaf (tourist confiscations), ecstasy, and LSD seizures, but the volume of these decreases was dwarfed by the other increases as noted. (4)

Hungarian officials continue to report the increasing seriousness of their domestic drug problem, particularly among teens and those in their twenties who have benefited from the country's strong, if unequal, economic performance. There are 10,000 heroin addicts in Hungary and synthetic drugs are also widely abused. In response to this growing problem, the National Drug Strategy, adopted in December 5, 2000 plans to expand prevention programs modeled after a 1995 US pilot project in Hungary to train teachers to identify and counsel students using drugs. The strategy also plans to broaden law enforcement efforts begun in 1998 to attack the drug supply network. To achieve these goals, the Government of Hungary will use public information campaigns and other methods to deliver better, more complete information about the dangers of drug use to the public. In addition, national drug treatment capabilities will be expanded and lifestyles that are more productive will be highlighted as a way of limiting exposure to and a desire to experiment with psychotropic drugs. (4)

Government officials continue to participate in international law enforcement training efforts, particularly through the ILEA and the bilateral program coordinated by the US Embassy in Budapest. The US has been supportive of Hungarian legislative efforts to stiffen criminal penalties for drug offenses and will continue to support the Government of Hungary through training at ILEA and ad hoc initiatives. (4)

Risk Behavior. No information was available.

Drug Traffic. The International Narcotics Report stated:

Hungary is an important transit country for illegal narcotics from Southwest Asia to Western Europe. Hungary receives synthetic drugs and marijuana from the Netherlands and heroin through the Balkan Route. After increasing dramatically in the early 1990s, drug seizures have remained relatively stable over the past few years. In 2000, however, there was an increase in seizures, possibly linked to improvements in Hungarian border control. Domestic consumption of illegal narcotics, particularly heroin and ecstasy, continued to present a problem. The Government of Hungary passed strict anti-drug legislation in late 1998 that went into effect in early 1999, which introduced stiff penalties for using and/or selling narcotics. The government has also campaigned to eliminate corruption among government officials, especially those in the political or judicial

sphere, and a national anticorruption strategy is in the process of being formulated. However, there is scant evidence of success in this field. Drug traffickers may be punished with life imprisonment. Civil rights activists have been critical of the government, arguing that the new laws unfairly punish users. (4)

Although Hungary continued to be used as a major transit country for illegal narcotics smuggled from Southwest Asia through the Balkans, some disruption of traditional routes occurred as a result of instability in the Former Republic of Yugoslavia. The Hungarian government assesses that foreign groups primarily control transit and sale of narcotics in Hungary, particularly groups from Albania, Turkey, and Nigeria. Many of these groups have been resident in Hungary for several years. Ethnic Turks are continuing a trend toward increasingly more sophisticated means of transporting drugs through Hungary, including the use of German-licensed vehicles that are not as closely scrutinized by border guards. (4)

Hungarian and Austrian border authorities continue joint cross-border anti-narcotics investigation efforts begun in 1998. Eastern Hungary has seen initial steps towards joint border control efforts with Romanian and Ukrainian counterparts encouraged by the US Embassy, while updated detection equipment provided by the European Union at high-incident border posts will continue to help bring down incident rates in these areas. On December 5, the Hungarian Parliament passed a bill creating an Anti-Mafia Center that will provide needed data-sharing and investigative cooperation between Hungarian law enforcement bodies with legislative powers and the secret services. (4)

Social Attitudes Towards Drug Users. Although criminality among drug users is low, they are considered to be potentially dangerous and, hence, criminal. (8)

Drug Overdoses. There are no available data.

V. LAWS AND LAW ENFORCEMENT PRACTICES

A. Drug Law

This section describes what is known about both the drug-related laws on the books and the way these laws are enforced. The section covers syringe access, drug possession, drug treatment, drug trafficking and the handling of drug arrestees and prisoners within the criminal justice system. It also lists the international drug-related instruments to which the country is signatory.

According to the International Narcotics Control Report, anticrime legislation was passed into law on March 1, 1999. The legislation stiffens Hungary's criminal code, extends life imprisonment for drug trafficking, allows confiscation of property, creates new criminal provisions for production of chemical precursors and increases penalties for

drug-related crimes. All drug consumers, including casual users, are subject to criminal penalties, although addicts may be exempted from prosecution. Civil rights leaders claim that the new provisions, among the toughest in Europe, will unfairly punish casual users, while exempting addicts. (4)

Syringe Access /Needle Exchange - Law. Needles and syringes are available in pharmacies on prescription. (8)

Syringe Access/Needle Exchange - Practices. No information was available.

Drug Possession - Law. The government passed strict anti-drug legislation in late 1998, which went into effect in early 1999. All drug consumers, including casual users, are subject to criminal penalties; however, drug dependant people may be exempt from criminal prosecution if they can document they have had a minimum of 6 months of treatment for their drug dependency. (4)(7)(16)

Drug Possession - Practices. There has been criticism of the legal definition in the criminal code regarding small and large quantities of narcotic drugs which some claim fails to enable law enforcement agencies from being able to distinguish between users and dealers. (17)

Drug Treatment - Law. No information was available.

Drug Treatment – Practices. Detoxification is generally possible in the psychiatric units of hospitals, after the third attempt, the user is reported to the police authorities. In 1986, the Hungarian government established a committee dealing with drugs. In 1987 – 1988, four outpatient drug centers (two for young people) were established and in 1990, two rehabilitation facilities started work, albeit under difficult circumstances with hardly any personnel. (8)

Compulsory Treatment - Law. No information was available.

Compulsory Treatment – Practices. No information was available.

Drug Trafficking - Law. The new anti-drug legislation includes strict penalties for the sale of illegal narcotics as well as new criminal provisions for the production of chemical precursors; it allows for the confiscation of property. This legislation imposes life-imprisonment for drug trafficking. Sentences upon conviction are lighter for drug dependant persons than for other non-drug dependant people. (4)(7)(16)

Drug Trafficking - Practices. No information was available.

Drug Treatment Regulation - Law. No information was available.

Drug Treatment Regulation - Practices. As part of the goals outlined in the National Drug Strategy, national drug treatment capabilities will be expanded and

lifestyles that are more productive will be highlighted as a way of limiting exposure to and a desire to experiment with psychotropic drugs. Funding for the National Drug Strategy (56 million US Dollars) is spread over three years. (4)

Criminal Justice System - Law. Under the Hungarian Constitution of 1989, as amended, Chapter XII Fundamental Rights and Duties, Article 54: Everyone has the inherent right to life and to human dignity, of which no one can be arbitrarily deprived. Under Article 55 (1): No one shall be deprived of his freedom except on the grounds and in accordance with the procedure provided for by statute. (2): Anyone suspected of having committed a criminal offense and having been arrested shall promptly be either released or brought before a judge. The judge is required to hear the person brought before him and shall promptly decide in a ruling provided with a written reasoning on his/her release or arrest. Under Article 57 (a): Everyone is equal before the law and, in the determination of any criminal charge against him/her or in the litigation of his/her rights and duties, everyone is entitled to a fair and public hearing by an independent and impartial court established by statute. (b) No one shall be considered guilty until his/her criminal responsibility has been established by the final judgment of a court. (c) Everyone subject to criminal proceedings is entitled to defend himself at all stages of the proceedings. Counsel for the defense shall not be held responsible for opinions expressed in the course of the defense. (d) No one shall be declared guilty and subjected to punishment for an act, which did not constitute a criminal offense under Hungarian law at the time it was committed. (e) Everyone is entitled to seek a legal remedy, as provided for by the law, against decisions of the court, the public administration or other authorities, which infringe his rights or justified interests. (6)

The US Department of State Hungarian Report on Human Rights Practices for 1997 states:

Pretrial detention, based on a warrant issued by a judge, is initially limited to 1 year while criminal investigations are in progress. This period may be extended indefinitely on the prosecutor's motion provided that the judge concurs. The lack of a bail system gives tremendous leeway to the judge. The law provides for compensation when a detainee is released for lack of evidence. (5)

The constitution provides for an independent judiciary. Under the constitution, the courts are responsible for the administration of justice, with the Supreme Court exercising control over the operations and judicature of all the courts. The Constitutional Court is charged with reviewing the constitutionality of laws and statutes brought before it. No judge or member of the Supreme or Constitutional Court may belong to a political party or engage in political activity. The law provides for a fair trial. There is no jury system; hence judges are the final arbiters. (5)

The law provides that the prosecutor's office may issue search warrants. Police must carry out house searches in the presence of two witnesses and

must prepare a written inventory of items removed from the premises. Wiretapping, which may be done for national security reasons and for legitimate criminal investigations, requires a court's permission. (5)

Criminal Justice System - Practices. The US Department of State's Hungarian Report on Human Rights Practices for 1997 states:

The government expanded the legal provisions for the right to a fair trial. The police and Interior Ministry are working to change the police's authoritarian image, and human rights organizations report that police are generally more cooperative with outside monitoring of police behavior. The police must inform suspects upon arrest of the charges against them and may hold them for a maximum of 72 hours before filing charges. The law requires that all suspects be allowed access to counsel prior to questioning and throughout all subsequent proceedings. The authorities must provide counsel for juveniles, the indigent, and the mentally disabled. There is no bail system; however, depending upon the nature of the crime, courts may release detainees upon their own recognizance. The Police Act permits police to hold suspects in public security detention in cases where the suspect has no identity papers; where blood or urine tests must be performed to determine blood alcohol content; or if the suspect continues to commit a misdemeanor offense in spite of prior warning. Suspects may be held in public security detention for up to 24 hours. Such detainees are not always informed of the charges against them because such periods of 'short' detention are not defined as 'criminal detention' and so are not considered to be covered by the Criminal Code. (5)

The US Department of State Hungarian Report on Human Rights Practices for 1997 further states:

There continues to be credible reports of police abuses, although their frequency has declined compared with previous years. The authorities do not always ensure due process in all cases. Prosecutors and judges may impose what amounts to unlimited pretrial detention. Police on occasion enter private residences to check foreigners' identification without warrants. Although senior levels of the Interior Ministry and the National Police addressed problems in specific cases, police continued to use excessive force against suspects. Police harassed and abused both Roma and foreign nationals. There are no reports of political or other extrajudicial killings nor reports of politically motivated disappearances. No known incidents of torture occurred. Police abuses continued, including harassment, use of excessive force, and beatings of suspects. A total of 164 police officers were accused of physical abuse in 1995, a three-fold increase over 1994. Police frequently harass residents, charging questionable fines for erroneous traffic violations to earn petty cash. It was noted that this was not surprising given their poor working conditions and low salaries.

Although prisons are overcrowded, conditions meet minimum international standards. The police do not always allow access to counsel, particularly for minor crimes. (5)

In 1996 the average length of pretrial detention was 3 to 6 months, although nearly 10% of detainees were held for periods ranging from 8 to 12 months. Foreigners are usually held until their trial since they are considered likely to flee the country. Detainees rarely exercise their right to compensation while detained because they must undertake a complicated legal procedure to pursue their claims. (5)

The government respects the constitutional provision for an independent judiciary which provides citizens with a fair, although sometimes slow, process. Counsel is appointed for indigent clients, but public defenders are poorly paid and do not give indigent defendants priority; lawyers often meet such clients for the first time at trial. The police generally appear to observe the law regarding house searches. (5)

Status of International Drug Conventions.

Hungary is a party to the following drug agreements:

- 1961 UN Convention as amended by the 1972 Protocol
- 1971 UN Convention on Psychotropic Drugs
- 1988 UN Drug Control Convention
- Extradition Treaty and Mutual Legal Assistance Treaty are in force between Hungary and the United States
- Bilateral Data-Sharing Agreement with the United States was signed in January, 2000
- UN Convention Against Transnational Organized Crime and its accompanying Protocols was signed in December, 2000 (4)

B. Public Health and Human Rights Law

This section describes what is known about public health and human rights law on the books, as well as the way these laws are enforced. The section covers the rights to health care, privacy, reportability and anti-discrimination generally and for HIV/AIDS patients. It also lists the international human rights instruments to which the country is a signatory.

Right to Health Care/HIV Treatment - Law. The Hungarian Constitution provides under Article 70/D that everyone living in Hungary has the right to the highest possible level of physical and mental health. International Conventions guaranteeing the right to healthcare remain unsigned. (6)

Right to Health Care/HIV Treatment – Practices. While there is no information available with regard to HIV treatment, the Hungarian Penal Code, Section

282/A states that drug addicted individuals who have committed certain crimes and who can document that they have received continuous treatment for their drug addiction for a minimum of 6 months will not receive a sentence for that crime. (16)

Reportability of HIV, AIDS, HCV, HBV – Law and Practice. No information was available.

HIV Testing Provisions – Law and Practice. HIV testing is mandatory in blood donors. A national HIV reporting system exists since 1985. By the end of 1999, a total of 832 HIV cases were reported, with stable annual numbers in the 1990s. Among 207 cases reported in 1997 – 1999, only one was attributed to IDU; 40% were homosexuals; 26% were heterosexuals; and 30% were reported with undetermined transmission mode. HIV sentinel surveillance was started among pregnant women in 1996. Altogether, 4,710 women were tested in the capital and 4 counties. For the surveillance, an unlinked anonymous method was used. During the 6-week period, no positive was found. HIV prevalence is <1 per 100,000 in blood donations. (12)

Testing is required for all blood, organ, and sperm donors. HIV positive patients must notify partners as well as return to a clinic for quarterly treatment. Prisoners are automatically tested for HIV, if found positive, they are segregated. There are no records thus far of drug using prisoners. (3)(8)

Anti-Discrimination – Law. Under the Hungarian Constitution of 1989, as amended, Chapter XII, Fundamental Rights and Duties, Article 70/A, the Republic of Hungary shall ensure the human rights and civil rights for all persons on its territory without any kind of discrimination, such as on the basis of race, color, gender, language, religion, political or other opinion, national or social origins, financial situation, birth or on any other grounds whatsoever. Any kind of such discrimination shall be strictly penalized by the law. (6)

Anti-Discrimination - Practices. The US Department of State Hungarian Report on Human Rights Practices for 1997 states:

Discrimination still exists in practice. Spousal abuse is believed to be common, but the vast majority of such abuse is not reported and the victims who step forward often receive little help from authorities. While there is no overt discrimination against women, the number of women in middle or upper managerial positions in business and government is low. Women are heavily represented in the judiciary and in the medical and teaching professions. (5)

Although the Hungarian Government does not mandate accessibility to buildings or government services to individuals with disabilities, a decree was passed requiring all companies with more than 20 employees to reserve 5% of their jobs for the physically or mentally disabled. Those who do not comply are subject to fines. (5)

Privacy Generally and HIV in Particular – Law Under the Hungarian Constitution of 1989, as amended, Chapter XII, Crimes Against the Person, Title II, Crimes Against Freedom and Human Dignity, Section 177 Violation of Privacy states (1) The person who reveals a private secret learned by him as a result of his occupation or public mandate without good reason, commits a misdemeanor, and shall be punishable with a fine. (2) The punishment shall be imprisonment of up to one year, labor in the public interest, or fine, if the crime causes considerable injury of interest. (6)

Privacy Generally and HIV in Particular – Practices. No information was available.

Criminal Penalties for Exposing/Transmitting HIV Law and Practices. No information was available.

Criminalization of Prostitution – Law. While it is a crime to promote prostitution, prostitution itself was decriminalized in 1993.

In the Hungarian Constitution, under Title II Crimes against Sexual Morals, section 205 states that (1) the person who makes available a building or another place for prostitution to another person, commits a felony and shall be punishable with imprisonment of up to three years. (2) The person who maintains, heads a brothel, or makes available financial means to the functioning thereof, commits a felony and shall be punishable with imprisonment of up to five years. (3) The punishment shall be imprisonment from two years to eight years, if any person who has not yet completed his eighteenth year engages in prostitution in the brothel. (4) The person who persuades another person to engage in prostitution shall be punishable in accordance with subsection (1). (6)

Section 206 of the constitution states that “The person who lives wholly or in part on the earnings of a person engaging in prostitution, commits a felony, and shall be punishable with imprisonment of up to three years. Banishment may also take place as a supplementary punishment.” (6)

Section 207 states (1) The person who solicits another person for sexual intercourse or fornication for somebody else in order to make profit, commits a felony, and shall be punishable with imprisonment of up to three years. (2) The punishment shall be imprisonment from one year to five years, if the pandering is business-like. (3) The punishment shall be imprisonment from two years to eight years, if the pandering is committed (a) to the injury of a relative of the perpetrator or of a person under his education, supervision or care or who has not yet completed his eighteenth year of age, (b) with deceit, violence or direct menace against life or limbs. (4) The person who agrees on the perpetration of pandering defined in subsection (2) commits a felony and shall be punishable with imprisonment of up to three years. (6)

Criminalization of Prostitution – Practices. No information was available.

Criminalization of Homosexuality – Law and Practices. Common law relationships between homosexuals was recognized under a law adopted in May, 1996 by the Hungarian Parliament. (17)

Status of International Human Rights Conventions

- International Covenant on Economic, Social & Cultural (ICESCR).
Signed: January 17, 1994
- International Covenant on Civil & Political Rights (ICCPR)
Signed: January 17, 1994
- ICCPR Optional protocol 1 (CCPR-OP1)
Assession: September 7, 1988
- ICCPR Optional protocol 2 (CCPR-OP2)
Assession February 24, 1994
- International Convention on the Elimination of all Forms of Racial Discrimination (CERD)
Signed: May 1, 1967
- Convention on the Elimination of Discrimination Against Women (CEDAW)
Signed: December 22, 1980
- Convention on the Elimination of Discrimination Against Women Optional Protocol (CEDAW)
Signed: December 22, 1980
- Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
Signed: April 15, 1987
- Convention on the Rights of the Child (CRC)
Signed: October 8, 1991

(2)

VIII. PUBLIC HEALTH INTERVENTIONS

This section provides information on interventions to reduce HIV transmission and other health problems among drug users, the availability of drug treatment and HIV prevention programs.

A. Interventions to Reduce Disease and Other Injuries Associated with Drug Use

Summary of Government Position and Activities. The Hungarian Government has adopted a National Drug Strategy, which includes training teachers to counsel students, harm reduction and law enforcement efforts. (4)

Needle Exchange Programs. The Hungarian Government has adopted a National Drug Strategy, which includes harm reduction and law enforcement efforts. A special committee was established as part of this Strategy to ‘iron out’ political conflicts in implementing this Strategy. As part of this program, teachers are trained to identify and counsel students using drugs. Public information campaigns and other methods of

delivering better, more complete information about the dangers of drug use is an integral part of the strategy. (4)

B. Drug Treatment Programs/Availability.

As part of the goals outlined in the National Drug Strategy, national drug treatment capabilities will be expanded and lifestyles that are more productive will be highlighted as a way of limiting exposure to and a desire to experiment with psychotropic drugs. Funding for the National Drug Strategy (56 million US Dollars) is spread over three years. The Hungarian Civil Liberties Association offers free legal advice for psychiatric patients, drug addicts, and people infected with HIV. As a result of grassroots efforts, some drug help centers have been established which offer drug ambulances, legal aid services, therapeutic communities, and telephone services. These receive little or no government funding. Private screening centers do not abide by the mandatory filing of information of individuals who have HIV/AIDS; they are used by individuals because they remain anonymous and it is a fully voluntary venture. Furthermore, drug ambulances provide its heroin-dependent clients with a methadon maintenance treatment contrary to legal regulations. (4)(18)(21)

Over the past decade, the number of sex workers has increased steadily creating a large at-risk population who receive few benefits. A program has been initiated which operates mainly in Southern Hungary along truck routes and other areas where these workers congregate. The program provides individual counseling and referral services and works closely with the Ministry of Health and the South Hungarian Harm Reduction Union (SHHRU) to offer needle/syringe exchange and harm reduction information. A second program also geared to harm reduction services about 250 clients per month. (19)

In June of 2000, the Hungarian government adopted the first National Strategy to Combat the Drug Problem. Its primary goal is harm reduction and it focuses on treatment and rehabilitation. It offers assistance to individuals and families who are struggling with drug problems. (20)

Substitution Therapies. No information was available.

C. Public Health Measures to Prevent HIV and Other Significant diseases Government Efforts/Attitudes. No information was available.

Programmatic Details. No information was available.

IX. SOCIOPOLITICAL ENVIRONMENT

A variety of data and data indices are commonly used to characterize social, political and economic factors in a country. The following are several of these for Hungary.

Perceived corruption in government is measured by the Transparency Corruption Perception Index (CPI), which ranks countries in terms of the degree to which corruption is perceived to exist among public officials and politicians. The most recent measure was taken in 2001:

- Country Rank: 31/91
 - 2001 CPI Score: 5.3
 - Surveys Used: 10
 - Standard Deviation: 0.8
 - High-Low Range: 4.0 – 6.2
- (13)

The GINI Index measures the extent to which the distribution of income (or in some cases consumption expenditures) among individuals or households within an economy deviates from a perfectly equal distribution. A Lorenz curve plots the cumulative percentages of total income received against the cumulative number of recipients, starting with the poorest individual or household. The GINI Index measures the area between the Lorenz curve and the hypothetical line of absolute equality, expressed as a percentage of the maximum area under the line. Thus, a GINI Index of zero equals perfect equality while an index of 100 implies perfect inequality.

- GINI Index, 1998: 24.4
- (3)

The Human Development Index is a composite index measuring average achievement in three basic dimensions of human development, including, a long and healthy life, knowledge and a decent standard of living.

- Human Development Index Rank (HDI), 1999: 47/174
- (12)

Unemployment rates refer to the share of the labor force without work but available for and seeking employment. Definitions of labor force and unemployment differ by country.

- Unemployment rate (1997): 8.7%
 - Unemployment rate (2000): 9.4%
- (12)
(14)

Standard & Poor's Insurer Financial Enhancement Rating is a current opinion of the creditworthiness of an insurer with respect to insurance policies or other financial obligations that are predominantly used as credit enhancement and/or financial guarantees. The ratings range from 'CC', which is defined as "currently highly-vulnerable" to a rating of 'AAA', which is defined as an "extremely strong" capacity to meet its financial commitments.

Hungary has a long and short-term currency rating of A+ and A-1. The long and short-term foreign currency ratings are comparable.

Local Currency:

Long-Term rating: **A+**
 Outlook: **Stable**
 Short-Term Rating: **A-1**
Foreign Currency:
 Long-Term rating: **A-**
 Outlook: **Stable**
 Short-Term Rating: **A-2** (15)

The Social Indicators of Poverty represent the health status of individuals in different socioeconomic groups within countries for the last survey year:

- Infant Mortality Rate:
 Poorest Quintile: N/A
 Richest Quintile: N/A
- Child Immunization Rate:
 Poorest Quintile: N/A
 Richest Quintile: N/A
- Prevalence of Child Malnutrition:
 Poorest Quintile: N/A
 Richest Quintile: N/A
- Low Mother's Body Mass Index:
 Poorest Quintile: N/A
 Richest Quintile: N/A
- Total Fertility Rate:
 Poorest Quintile: N/A
 Richest Quintile: N/A

The National Poverty Line is the measurement of the percentage of the population below the defined income level of poverty. In Hungary, 30.9% of the population has an income below the poverty line.

Population Below the Poverty Line (BPL), 1993 (est.) : 8.6% (14)

The Gross Domestic Product (GDP) is the total of all economic activity in one country, regardless of who owns the productive assets. The GPD per capita is the total output divided by the population. This value is then adjusted to convert to a common currency, which adjusts for national variations in the process paid for goods and services. There has been an average annual real growth rate in GDP in the economy of 5.5%. (14)

Gross Domestic Product per Capita (PPP US\$): \$11,200 (2000 est.) (14)

Gross Domestic Product - Average Annual Growth:

1980-1990: unavailable
 1990-1999: unavailable
 2000 (est.): 5.5% (14)

Gross Domestic Product in millions (US\$):

1990: \$ 33,056

1999: \$ 48,436

(3)

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