

Legal questionnaire completed by Szecskay Attorneys At Law • September 2025

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Is this jurisdiction a European Union (EU) Member State or otherwise subject to EU laws/regulations (such as an overseas territory or department of an EU Member State)?

Yes

1. What laws and regulations contain legal definitions of the following terms or corresponding terms in your local jurisdiction (links to existing U.S. legal definitions are included, where relevant, as background for comparison – please include definitions of any corresponding terms in your jurisdiction):

a. **child or minor (18 U.S.C. 2256(1), <https://www.law.cornell.edu/uscode/text/18/2256>)**

Act V of 2013 on the Civil Code, (hereinafter referred to as “Hungarian Civil Code”)

A minor is a person under the age of eighteen years. (Section 2:10. of the Hungarian Civil Code)

Hungarian law distinguishes between minors under 14 years of age and those between the ages of 14 and 18

Section 2:13 of the Hungarian Civil Code states that minors under the age of fourteen years have no capacity to act, meaning that all decisions are made on their behalf by their legal representative.

Section 2:11 of the Hungarian Civil Code states that minors shall have limited capacity to act if they have attained the age of fourteen years and do not lack the capacity to act. Such a person can make certain decisions independently which do not require much consideration (e.g., concluding contracts of minor significance that fall within the scope of satisfying everyday needs (shopping at a market or store, shoe repair, etc.)), while other decisions require the consent of the legal guardian.

Other laws usually either refer to the definition of the Hungarian Civil Code or define “child” the same way as the Hungarian Civil Code defines “minors”.

b. **child sexual exploitation (Missing Children’s Assistance Act of 2023, Section 2, (a)(1)(9), <https://www.congress.gov/118/bills/s2051/BILLS-118s2051es.pdf>)**



Act C of 2012 on the Criminal Code (hereinafter referred to as “**Hungarian Criminal Code**”)

“Child sexual exploitation” is regulated under several legal provisions in the Hungarian Criminal Code; however, the term “child sexual exploitation” is not explicitly used. The following criminal offences could be properly considered to be child sexual exploitation: human trafficking and forced labor, pandering, procuring for prostitution or sexual act and exploitation of child prostitution and indecent exposure. These offences are set out in more detail below.

- Human Trafficking and Forced Labor (Section 192 of the Hungarian Criminal Code)

Section 192 Subsection (1)

Any person who:

a) sells, purchases, exchanges, transfers, receives another person as consideration; or

b) transports, harbors, shelters or recruits another person for the purposes referred to in Paragraph a), including transfer of control over such person;

is guilty of a felony punishable by imprisonment between one to five years.

Section 192 Subsection (2)

Any person who, with a view to gaining systematic advantage,

a) induces another person to perform work or engage in any activity similar to work, to perform a service or engage in any unlawful act by deception, or by taking advantage of a situation in caring for, or exercising custody or supervision over, or providing medical treatment, to the victim, or by abusing a recognized position of trust, authority or influence over the victim, or

b) coercing another person to perform work or engage in any activity similar to work, to perform a service or engage in any unlawful act by force or by threat of force;

is guilty of a felony punishable by imprisonment between two to eight years.

Section 192 Subsection (3)

Any person who recruits, transfers, receives, sells, purchases, exchanges another person, transfers, receives another person as consideration, obtains for another, transports, harbors, shelters or recruits another person for the purposes specified in Subsection (2) is guilty of a felony punishable by imprisonment between two to eight years.

Section 192 Subsection (4)

The person who commits the criminal act described in Subsection (2) or (3) for the purpose of sexual activities or illegal use of human body is guilty of a felony punishable by imprisonment between five to ten years.

Section 192 Subsection (5)

The punishment for the criminal act described in Subsection (2) or (3) shall be imprisonment between five to ten years, or between five to fifteen years for the criminal act described in Subsection (4), if committed:

a) against a person under the age of eighteen years;

b) by tormenting the victim;

- c) by a public official, acting in an official capacity; or
- d) against more than one person.

Section 192 Subsection (6)

The punishment for the criminal act described in Subsection (2) or (3) shall be imprisonment between five to fifteen years, or between five to twenty years or life imprisonment for the criminal act described in Subsection (4), if committed:

- a) against a person under the age of twelve years; or
- b) results in risk to life or in particularly great damage.

Section 192 Subsection (8)

Any person who:

- a) uses or utilizes the work or activity similar to work, service or any unlawful act of a victim of trafficking in human beings and forced labor described in Subsection (2) is punishable by imprisonment not exceeding three years,
- b) commits the criminal act described in Paragraph a) through sexual activities or for the purpose of illegal use of human body is punishable by imprisonment between one to five years.

- Pandering (Section 200 of the Hungarian Criminal Code)

Section 200 Subsection (1)

Any person who solicits a person for sexual activities for another person for financial gain is guilty of a felony punishable by imprisonment not exceeding three years.

Section 200 Subsection (2)

Any person who offers or solicits a person under the age of eighteen years for prostitution shall be punishable by imprisonment between one to five years for pandering.

- Procuring for Prostitution or sexual Act (Section 201 of the Hungarian Criminal Code)

Section 201 Subsection (1)

Any person who:

- a) persuades another person to engage in prostitution;
- b) makes available a building or another place for another person to engage in prostitution;

is guilty of a felony punishable by imprisonment not exceeding three years.

Section 201 Subsection (2)

Any person who commits the criminal offense defined in Subsection (1) by prostituting a person under the age of eighteen years, or conspired in the prostitution of a person under the age of eighteen years shall be punishable by imprisonment between two to eight years.

A sexual act includes intercourse and any seriously indecent act that is suitable for, or aimed at, arousing, maintaining, or satisfying sexual desire. The compensation may be of a financial or personal nature. Therefore, even the promise of a better grade may



constitute this crime. It is irrelevant who provides the compensation—it may be a third party as well.

- Exploitation of Child Prostitution (Section 203 of the Hungarian Criminal Code)

Section 203 Subsection (1)

Any person who endeavors to profit from the exploitation of the prostitution of a person under the age of eighteen years is guilty of a felony punishable by imprisonment between two to eight years.

Section 203 Subsection (2)

Any person who gives money or any other form of remuneration for sexual activities with a person under the age of eighteen years is punishable by imprisonment between two to eight years.

Section 203 Subsection (3)

Any person who is supported partly or wholly by profiting from the exploitation of the prostitution of a person under the age of eighteen years is punishable by imprisonment between two to eight years.

Section 203 Subsection (4)

Any person who maintains or operates a brothel, or provides material assistance for the operation of a brothel where the exploitation of the prostitution of a person under the age of eighteen years takes place is punishable by imprisonment between two to eight years.

- Indecent Exposure (Section 205 of the Hungarian Criminal Code)

Section 205 Subsection (1)

Any person who exposes him/herself before another person in an indecent way for arousing or for the satisfaction of his/her sexual desire is guilty of a misdemeanor punishable by imprisonment not exceeding two years.

Section 205 Subsection (2)

Any person over the age of eighteen years who exposes him/herself before another person under the age of fourteen years in an indecent way for arousing or for the satisfaction of his/her sexual desire is guilty of a felony punishable by imprisonment not exceeding three years, insofar as the act did not result in a more serious criminal offense.

- c. **sexually explicit conduct (18 U.S.C. 2256(2),**
<https://www.law.cornell.edu/uscode/text/18/2256>)

Section 459. Subsection (1) point 27 of the [Hungarian Criminal Code](#)

Hungarian law does not use the term “sexually explicit conduct”; instead, the term “sexual act” is used.

Section 459. Subsection (1) point 27 of the Hungarian Criminal Code provides:

Sexual act shall mean sexual intercourse and any gravely indecent and obscene act primarily for sexual purposes, intended to stimulate or satisfy sexual desire.

d. child sexual abuse (18 U.S.C. 2243(a), <https://www.law.cornell.edu/uscode/text/18/2243>)

Hungarian law recognizes various forms of sexual abuse. These include sexual coercion, sexual exploitation (abuse), and sexual violence (rape), all of which are punishable more severely if committed against a child. These offences are set out in more detail below.

- Sexual Exploitation (Section 196 of the [Hungarian Criminal Code](#))

Section 196 Subsection (1)

Any person who forces another person to perform or tolerate sexual activities is guilty of a felony punishable by imprisonment between one to five years.

Section 196 Subsection (2)

Sexual violence shall also include, and the penalty shall be imprisonment between five to ten years if the perpetrator commits a sexual act upon a person under the age of twelve years, or forces such person to perform a sexual act.

Section 196 Subsection (3)

The penalty shall be imprisonment between five to ten years if the criminal act described in Subsection (1) is committed:

- a) against a person under the age of eighteen years;
- b) by a family member or against a person who is in the care, custody or supervision of or receives medical treatment from, such family member, or if abuse is made of a recognized position of trust, authority or influence over the victim; or
- c) by more than one person on the same occasion, in full knowledge of each other's acts.

Section 196 Subsection (4)

The penalty shall be imprisonment between five to twenty years if:

- a) the criminal offense defined in Subsection (2) is committed
 - aa) in the manner defined in Subsection (1),
 - ab) against a victim provided for in Paragraph b) of Subsection (3), or
 - ac) in the manner defined in Paragraph c) of Subsection (3);
- or
- b) the provisions of Paragraph b) or c) of Subsection (3) also apply to the criminal offense defined in Paragraph a) of Subsection (3).

- Sexual Violence (Section 197 of the Hungarian Criminal Code)

Section 197 Subsection (1)

Sexual violence is a felony punishable by imprisonment between two to eight years if committed:

- a) by force or threat against the life or bodily integrity of the victim;
- b) by exploiting a person who is incapable of self-defense or unable to express



his will, for the purpose of sexual acts.

Section 197 Subsection (2)

Sexual violence shall also include, and the penalty shall be imprisonment between five to ten years if the perpetrator commits a sexual act upon a person under the age of twelve years, or forces such person to perform a sexual act.

- Sexual Abuse (Section 198 of the Hungarian Criminal Code)

Section 198 Subsection (1)

Any person over the age of eighteen years who engages in sexual activities with a person under the age of fourteen years, or persuades such person to engage in sexual activities with another person is guilty of a felony punishable by imprisonment between one to five years.

Section 198 Subsection (2)

Any person over the age of eighteen years who attempts to persuade a person under the age of fourteen years to engage in sexual activities with him or with another person is punishable by imprisonment not exceeding three years.

Section 198 Subsection (3)

If the aggrieved party is a relative or a person raised by or under the supervision, care or medical treatment of the perpetrator, or the perpetrator commits sexual abuse by abusing any other power or influence over the aggrieved party, the punishment shall be imprisonment for

- a) two to eight years in the case specified in paragraph (1),
- b) one to five years in the case specified in paragraph (2).

Section 198 Subsection (4)

A person who has attained the age of eighteen years who engages in a sexual act with a person who has attained the age of fourteen years but has not attained the age of eighteen years by abusing his or her power or influence over that person shall be punished by imprisonment for up to three years.

- e. **child pornography or child sexual abuse material (CSAM) (18 U.S.C. 2256(8), <https://www.law.cornell.edu/uscode/text/18/2256>)**

Section 204, Section 204/A. of the [Hungarian Criminal Code](#)

Hungarian law uses the term “pornographic recording”, which means a depiction of one or more other persons in a way that depicts sexuality in a grossly indecent manner for the purpose of arousing sexual desire, including the realistic depiction of one or more nonexistent persons.

The related crime is called “child pornography.” This is set out in more detail below.

Section 204 Subsection (1)

Any person who:

- a) obtains or have in his possession pornographic images of a person under the age



- of eighteen years is guilty of a felony punishable by imprisonment between one to five years,
- b) offers, supplies or makes available pornographic images of a person under the age of eighteen years is guilty of a felony punishable by imprisonment between two to eight years,
 - c) produces, distributes, deals with or makes pornographic images of a person under the age of eighteen years available to the general public is guilty of a felony punishable by imprisonment between five to ten years.

The punishment is even more severe if the crime is committed against a person under the age of twelve years or against a person who is in the care, custody or supervision of, or receives medical treatment from, the perpetrator, or if abuse is made of a recognized position of trust, authority or influence over the victim, or by taking advantage of the victim's position of vulnerability; or by a public official, acting in such official capacity or with a recording of inhuman treatment or violence; or by a habitual recidivist.

Section 204 Subsection (4)

Any person who:

- a) provides material assistance for the criminal act defined in Paragraph c) of Subsection (1) is guilty of a felony punishable by imprisonment between one to five years;
- b) is engaged in preparations for the commission of the crime defined in Paragraph c) of Subsection (1) is guilty of a felony punishable by imprisonment not exceeding three years.

Section 204 Subsection (5)

Any person who:

- a) obtains or have in his possession pornographic images of a person over the age of fourteen years and under the age of eighteen years is guilty of a felony punishable by imprisonment not exceeding three years;
- b) produces pornographic images of a person over the age of fourteen years and under the age of eighteen years is guilty of a felony punishable by imprisonment between one to five years if neither of the circumstances defined in Paragraphs b)-e) of Subsection (2) apply.

Section 204 Subsection (6)

Any person who persuades a person or persons under the age of eighteen years to participate in a pornographic recording is guilty of a felony punishable by imprisonment between one to five years.

Section 204 Subsection (7)

Any person who persuades a person or persons over the age of fourteen years and under the age of eighteen years to participate in a pornographic recording is guilty of a felony punishable by imprisonment not exceeding three years, if neither of the circumstances defined in Paragraphs b)-e) of Subsection (2) apply.

Section 204 Subsection (8)

For the purposes of this section a pornographic recording means a depiction of one or more other persons in a way that depicts sexuality in a grossly indecent manner for the



purpose of arousing sexual desire, including the realistic depiction of one or more nonexistent persons.

Hungarian law also defines “pornographic show”, which means an act or performance depicting the sexuality of one or more other persons in a grossly indecent manner for the purpose of arousing sexual desire.

Section 204/A. Subsection (1)

A person who

- a) attends a pornographic show in which one or more persons who have not attained the age of eighteen years participate is guilty of a felony and shall be punished by imprisonment for two to eight years,
- b) makes one or more persons who have not attained the age of eighteen years participate in a pornographic show or organises such a show

Section 204/A Subsection (2)

The punishment is imprisonment from five to ten years in the case referred to in point a) of paragraph (1), and imprisonment from five to fifteen years in the case referred to in point b) of paragraph (1), if the criminal offence defined therein is committed:

- a) against a person who has not attained the age of twelve years,
- b) against a person raised by or under the supervision, care or medical treatment of the perpetrator, or by abusing any other power or influence over the aggrieved party,
- c) by an official person, using that official capacity,
- d) with a show depicting tormenting or using violence, or
- e) as a special recidivist.

Section 204/A Subsection (3)

The punishment shall be imprisonment for five to fifteen years in the case specified in paragraph (1) a) or five to twenty years in the case specified in paragraph (1) b) if the criminal offence specified therein is committed with a show depicting the tormenting of, or the use of violence against, a person who has not attained the age of twelve years.

Section 204/A Subsection (4)

A person who

- a) provides material means for the criminal offence specified in paragraph (1) b) is guilty of a felony and shall be punished by imprisonment for one to five years,
- b) commits preparation for the criminal offence specified in paragraph (1) b) is guilty of a felony and shall be punished by imprisonment for up to three years.

Section 204/A Subsection (5)

A person who invites one or more persons who have not attained the age of eighteen years to participate in a pornographic show is guilty of a felony and shall be punished by imprisonment from one to five years.

Section 204/A Subsection (6)

A person who invited one or more persons who have attained the age of fourteen years but have not attained the age of eighteen years to participate in a pornographic show is guilty of a felony and shall be punished by imprisonment for up to three years, provided



that no circumstance specified in paragraph (2) b) to e) applies.

- f. **computer-generated images or videos of child pornography or CSAM (created by artificial intelligence or morphed) (18 U.S.C. 2256(8) & (9), <https://www.law.cornell.edu/uscode/text/18/2256>)**

Section 204/A. of the [Hungarian Criminal Code](#)

The above cited legal definition of pornographic recording includes the phrase “including the realistic depiction of one or more nonexistent persons”, which covers images and videos created using artificial intelligence.

For completeness, Section 204 Subsection (8) states that: For the purposes of this section a pornographic recording means a depiction of one or more other persons in a way that depicts sexuality in a grossly indecent manner for the purpose of arousing sexual desire, including the realistic depiction of one or more nonexistent persons.

- g. **enticement or grooming (encouraging, persuading, or coercing a child to engage in sexual activity or to create child pornography or CSAM) (18 U.S.C. 2422(b), <https://www.law.cornell.edu/uscode/text/18/2422>)**

Section 200 of the [Hungarian Criminal Code](#)

The crime of pandering, cited above, constitutes the act of enticement or grooming.

Section 200 Subsection (1)

Any person who solicits a person for sexual activities for another person for financial gain.

Section 200 Subsection (2)

Any person who offers or solicits a person under the age of eighteen years for prostitution.

- h. **legal age of consent for sexual activity – are there laws and regulations, if so, what ages are specified?**

Section 198 of the [Hungarian Criminal Code](#)

The legal age of consent for sexual activity is not defined explicitly, but can be inferred from the wording of the legislation, i.e. from the criminalized activities.

A person who has reached the age of 14 may consent to sexual activity with a person who has reached the age of 18. Persons who have reached the age of 12 but not 14 may only consent to sexual activity with persons who have not reached the age of 18.

Section 198 of the Hungarian Criminal Code sets out the relevant legislation.

Section 198 Subsection (1)

Any person over the age of eighteen years who engages in sexual activities with a person under the age of fourteen years, or persuades such person to engage in sexual activities



with another person is guilty of a felony punishable by imprisonment between one to five years.

Section 198 Subsection (2)

Any person over the age of eighteen years who attempts to persuade a person under the age of fourteen years to engage in sexual activities with him or with another person is punishable by imprisonment not exceeding three years.

Section 198 Subsection (3)

If the aggrieved party is a relative or a person raised by or under the supervision, care or medical treatment of the perpetrator, or the perpetrator commits sexual abuse by abusing any other power or influence over the aggrieved party, the punishment shall be imprisonment for

- a) two to eight years in the case specified in paragraph (1),
- b) one to five years in the case specified in paragraph (2).

Section 198 Subsection (4)

A person who has attained the age of eighteen years who engages in a sexual act with a person who has attained the age of fourteen years but has not attained the age of eighteen years by abusing his or her power or influence over that person shall be punished by imprisonment for up to three years.

- i. **Sextortion (extorting money or sexual favors from a child by threatening to share sexually explicit, child pornography or CSAM images of the child) (Missing Children's Assistance Act of 2023, Section 2, (a)(1)(8), <https://www.congress.gov/118/bills/s2051/BILLS-118s2051es.pdf>)**

Section 367 of the [Hungarian Criminal Code](#)

The Hungarian legal system does not specifically define or use the term "sextortion", nor it is a special case of extortion.

According to section 367 of the Hungarian Criminal Code any person who by force or by threat of force compels another person - in the pursuit of unlawful financial gain - to do, not to do, or to endure something, thereby causing a financial loss, is guilty of a felony punishable by imprisonment between one to five years.

- Act V of 2013 on the Civil Code (<https://njt.hu/jogszabaly/en/2013-5-00-00>)
- Act C of 2012 on the Criminal Code (<https://njt.hu/jogszabaly/en/2012-100-00-00>)

2. **Please explain any legal or regulatory requirement or recommendation for Online Platforms to undertake any of the following activities on their systems to protect children online from sexual exploitation:**

- a. **review, screen, moderate, or detect content to identify child pornography or CSAM content**

There is no legal or regulatory requirement for Online Platforms based on national Hungarian law to review, screen, moderate, or detect content to identify child pornography or CSAM

content.

However, Online Platforms are considered to be intermediary service providers according to section 7 subsection (2) of Act CVIII of 2001 on Electronic Commerce and on Information Society Services (hereinafter referred to as “**Electronic Commerce and Information Society Services Act**”). The Electronic Commerce and Information Society Services Act directly refers to Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (hereinafter referred to as “**DSA Regulation**”).

According to Article 6 Paragraph 1 of the DSA Regulation, where an information society service is provided that consists of the storage of information provided by a recipient of the service, the service provider shall not be liable for the information stored at the request of a recipient of the service, on condition that the provider:

- (a) does not have actual knowledge of illegal activity or illegal content and, as regards claims for damages, is not aware of facts or circumstances from which the illegal activity or illegal content is apparent; or
 - (b) upon obtaining such knowledge or awareness, acts expeditiously to remove or to disable access to the illegal content.
2. Paragraph 1 shall not apply where the recipient of the service is acting under the authority or the control of the provider.
 3. Paragraph 1 shall not apply with respect to the liability under consumer protection law of online platforms that allow consumers to conclude distance contracts with traders, where such an online platform presents the specific item of information or otherwise enables the specific transaction at issue in a way that would lead an average consumer to believe that the information, or the product or service that is the object of the transaction, is provided either by the online platform itself or by a recipient of the service who is acting under its authority or control.
 4. This Article shall not affect the possibility for a judicial or administrative authority, in accordance with a Member State's legal system, to require the service provider to terminate or prevent an infringement.

In addition, according to section 13/B subsection (1) of the Electronic Commerce and Information Society Services any application supplier who provides services featuring encrypted communication shall retain metadata provided for in Subsection (2) which is recorded, or processed, in connection with transmissions, communications executed through such application for a period of one year from the date of origin of the data in question.

Lastly, while not a review obligation per se, electronic communications service providers of access, and providers of browsing and caching services shall be entitled to render electronic information containing images of child pornography contained in the list maintained by the International Criminal Police Organization (INTERPOL) inaccessible. (Section 159/D of Act C of 2003 on Electronic Communications, hereinafter referred to as “**Electronic Communications Act**”)

b. review, screen, moderate, or detect content to identify enticement, grooming, or sextortion of a child

There is no legal or regulatory requirement for Online Platforms based on national Hungarian



law to review, screen, moderate, or detect content to identify enticement, grooming, or sextortion of a child. The further information outlined at (part a) above is applicable here.

- c. **report child pornography, CSAM, enticement, grooming, or sextortion that they become aware of or are notified about on their systems to a law enforcement or government agency or nongovernmental organization**

There is no Hungary specific legal or regulatory requirement for Online Platforms to report child pornography, CSAM, enticement, grooming or sextortion that they become aware of or are notified about on their systems to a law enforcement or government agency or nongovernmental organization. The DSA Regulation (as referred to in part 2(a) above) applies accordingly.

- d. **remove or take down any child pornography, CSAM, enticement, grooming, or sextortion that they identify, become aware of, or are notified about**

According to section 3 subsection (1) of the Act CIV of 2023 on Certain Rules of Internet Intermediary Services (hereinafter referred to as “**Certain Rules of Internet Intermediary Services Act**”) if the intermediary service provider becomes aware, based on an order under Article 9 of the Regulation, or if a hosting service provider established in Hungary becomes aware under Article 16 of the Regulation, that illegal content is accessible through its service, it is obliged to remove that content or disable access to it without undue delay.

- e. **review content by human moderators to screen or moderate for child pornography or CSAM**

Online Platforms are not obliged to review content by human moderators to screen or moderate for child pornography or CSAM. However, according to section 149/B of the Electronic Communications Act, the National Media and Infocommunications Authority shall maintain an online information and assistance service in the interest of promoting safe use of the internet, in pursuing an objective in the public interest, such as the protection of minors, raising awareness, help to mitigate online content depicting violence, hate and other forms of potential abuses, acting within a capacity other than a public authority, within the framework of tasks carried out in the public interest. On <https://nmhh.hu/internet hotline/> such websites can be reported.

- f. **remove child pornography, CSAM, enticement, grooming, or sextortion from their systems when notified of its presence by a victim, nongovernmental organization, law enforcement, or government agency**

According to section 3 subsection (1) of Certain Rules of Internet Intermediary Services Act if the intermediary service provider becomes aware, based on an order under Article 9 of the Regulation, or if a hosting service provider established in Hungary becomes aware under Article 16 of the Regulation, that illegal content is accessible through its service, it is obliged to remove that content or disable access to it without undue delay.

In case the Online Platform does not act accordingly to the above mentioned the court may *order* the entity subject to removal obligation to remove the electronic data. According to section 337 of the [Act XC of 2017](#) on the Code of Criminal Procedure (hereinafter referred to



as “**Criminal Procedure Code**”) in criminal proceedings brought for unlawful drug trafficking, inciting substance abuse, aiding in the manufacture or production of narcotic drugs, criminal offenses with drug precursors, illegal possession of mind altering substances, child pornography, offenses against the State, acts of terrorism, terrorist financing or incitement to war, the court shall issue an order to temporarily block access to all electronic data relating to any of the criminal offenses referred to in this Subsection if:

- a) the entity subject to removal obligation failed to perform the obligation to temporarily remove the electronic data;
- b) a request to a foreign authority for legal assistance concerning the temporary removal of electronic data did not bring any result within thirty days after the request was issued by the court;
- c) identifying the entity subject to removal obligation is not possible or would entail unreasonable difficulties; or
- d) no result can be expected from sending a request to a foreign authority for legal assistance concerning the temporary removal of electronic data, or sending such a request would entail unreasonable difficulties. (Section 337 Subsection (4) of the Criminal Procedure Code).

According to section 61/B of the [Act CXII of 2011](#) on the right to informational self-determination and on the freedom of information, the National Media and Infocommunications Authority shall block access to electronic data temporarily in the central database of decisions on disabling access to electronic data and, at the same time, it shall notify the electronic communications service providers concerned about the court decision by electronic means, and the service providers notified shall temporarily block access to the electronic data within one working day of receipt of the notice. If an electronic communications service provider fails to comply with that obligation, National Media and Infocommunications Authority shall inform the court accordingly without delay.

- g. **use any specific technology to detect, remove, block, or take down any child pornography, CSAM, enticement, grooming, or sextortion, including:**
 - i. **“Hashing technology”** (<https://www.thorn.org/blog/hashing-detect-child-sex-abuse-imagery/>). **Many Online Platforms hash and tag images and videos of child pornography or CSAM and then use hashing technology to scan content on their systems to detect the distribution of child pornography or CSAM online so it can be removed.**

There is no legal or regulatory requirement that Online Platforms must use hashing technology, artificial intelligence or machine learning to detect or remove the distribution of child pornography or CSAM online.

- ii. **Artificial intelligence or machine learning tools to detect the presence of child pornography, CSAM, enticement, grooming, or sextortion.**

There is no legal or regulatory requirement that Online Platforms must use hashing technology, artificial intelligence or machine learning to detect the presence of child pornography, CSAM, enticement, grooming, or sextortion.

- h. **if the applicable laws or regulations require some, but not all, Online Platforms to perform any of the above activities, describe how the differing requirements apply. For example,**

are differences based on the number of online users, types of services offered, etc.?

N/A

3. Are Online Platforms legally required or recommended to implement any method to verify the age of a user before allowing access to an online platform?

Section 16/A on the [Act CLV of 1997 on Consumer Protection](#) states that certain products may not be sold to persons under the age of 18. This prohibition also applies to sexual products. In order to comply with this restriction, retailers—including online retailers—must reliably verify the age of the purchaser.

4. Are Online Platforms legally required or recommended to implement any method to obtain parental consent before a child uses the services of such Online Platforms?

No, Online Platforms are not legally required or recommended to implement any method to obtain parental consent before a child uses the services of an Online Platform. As of July 1, 2014, internet service providers are required to make child protection filtering software available for download and use on their websites.

5. Are there legal remedies for children who have been victimized by online child sexual exploitation? This may include children who are victimized by the distribution of child pornography or CSAM imagery in which they are depicted, or children victimized by enticement, grooming or sextortion. If such legal remedies exist, do they include:

a. The ability to stop the publication of the pornography or CSAM imagery by the Online Platform?

Users may request the removal of content from a given service provider, but the Online Platform may decide not to comply with this request.

b. An obligation on the part of the Online Platform to take active steps to remove the pornography or other imagery from their servers?

The Online Platform may, at its own discretion, decide not to publish a given recording. According to Section 338 of the [Criminal Procedure Code](#), the prosecutor's office or the investigating authority may, prior to ordering the temporary restriction of access to electronic data, request the voluntary removal of the electronic data. However, the service provider is not obligated to comply with this request.

c. An ability to get an injunction or other court order against the Online Platform to stop them from publishing the pornography or imagery?

Section 336 of the [Criminal Procedure Code](#) states that the Online Platform has one working day from the court's request to temporarily remove the data specified by the court. If the Online Platform fails to comply, the court will contact the National Media and Infocommunications Authority to carry out the temporary restriction of access to the data.

d. A protective order or other court order that prohibits the person who posts the



pornography or imagery from doing so in the future on the same or other Online Platform?

The court can issue an order that prohibits the person who posts the pornography or imagery from doing so in the future on the same or other Online Platform.

Section 2:51 of the [Hungarian Civil Code](#)

A person whose personality rights have been violated shall have the right to demand within the term of limitation - based on the infringement - as appropriate by reference to the circumstances of the case:

- a) a court ruling establishing that there has been an infringement of rights;
 - b) to have the infringement discontinued and the perpetrator restrained from further infringement;
 - c) that the perpetrator make appropriate restitution and that the perpetrator make an appropriate public disclosure for restitution at his own expense;
 - d) the termination of the injurious situation and the restoration of the previous state, and to have the effects of the infringement nullified or deprived of their unlawful nature;
 - e) that the perpetrator or his successor surrender the financial advantage acquired by the infringement according to the principle of unjust enrichment.
- e. the ability to seek financial damages or any sort of monetary recovery from an offender who has shared the child's image or video, either in a civil or a criminal proceeding?**

Section 2:52 Subsection (1) of the [Hungarian Civil Code](#) stipulates that any person whose rights relating to personality had been violated shall be entitled to restitution for any non-material violation suffered.

- f. the ability to seek any other forms of victim compensation/recovery/services provided for under the law and/or by a government-funded source?**

The state provides multiple forms of support to victims. According to Section 4 of [Act CXXXV of 2005](#) on Supporting Victims of Criminal Offences and State Compensation, the State shall provide services for the victim following the assessment of his needs and in alignment with them. Services provided under this Act shall be the following:

- a) facilitating interest assertion;
- b) immediate financial assistance;
- c) certification of victim status;
- d) witness counselling;
- e) provision of protected shelter.

As part of facilitating interest assertion, the victim support service shall assist the victim, in alignment with his needs and to the extent necessary, in asserting his fundamental rights and in accessing healthcare, health insurance and social benefits as well as other State supports; to this end it shall offer, in particular:

- a) information;
- b) legal advice;
- c) emotional support;
- d) interpretation and translation assistance; and
- e) other assistance



to remedy the harm.

As immediate financial assistance, the victim support service shall cover the expenses of the victim relating to housing, clothing, alimentation and travel as well as extraordinary medical and funeral expenses, provided that the victim is unable to pay these expenses due to the criminal offence or the infraction against property.

Where any authority or another organ makes accessing benefits, service or support provided by it conditional upon the person claiming the benefits, service or support being a victim falling within the scope of this Act or if doing so is necessary for any other reason, the victim support service shall issue, ex officio or at the request of the victim, an official certificate to certify victim status.

For appropriate information, a witness summoned to a court trial may have recourse to a court witness counsellor. A court witness counsellor is a case administrator of the court who provides the witness with information as set out in the Criminal Procedure Code with a view to facilitating the provision of testimony and the required appearance before the court. Witness counselling shall not include the provision of information relating to the particular case and shall not involve influencing the witness.

The State shall, as necessary, provide a protected shelter for a person identified as victim of trafficking in human beings who holds Hungarian nationality or enjoys the right of free movement and residence, regardless of whether a criminal proceeding was instituted for a criminal offence referred to in section 1 (1) or section 2. Protected shelter means a facility which receives a person identified as victim of trafficking in human beings and provides the care specified by law for him.

The victim shall be eligible for the services without means testing and free of charge.

g. notification to a victim when an offender is arrested for distributing child pornography or CSAM in which the child is depicted?

The victim may be informed not only of the perpetrator's arrest, but also of the following (pursuant to Section 51 subsection (5) of the [Criminal Procedure Code](#)):

- the release or escape of the detained accused,
- the conditional or final release, or escape, of the convicted person sentenced to imprisonment,
- the interruption of the execution of imprisonment,
- the release or escape of the person sentenced to detention,
- the interruption of the execution of detention,
- the release or escape of a person undergoing pre-trial compulsory psychiatric treatment,
- the release, unauthorized leave, or placement on adaptive leave of a person under compulsory psychiatric treatment, and
- and, in the case of juvenile correctional education, the temporary or final release of the minor, unauthorized leave from the correctional institution, or the interruption of correctional education.

6. "Safety by Design" is defined as tools or processes that are built into an Online Platform to

protect children by making it easier for the relevant Online Platform to detect or prevent the distribution of child pornography or CSAM.

a. Are Online Platforms legally required to incorporate “Safety by Design” into their systems?

Yes, under the applicable European Union and Hungarian legal framework, Online Platforms are subject to a clear legal obligation to incorporate the principle of “Safety by Design” into their systems. Article 28 of the DSA Regulation stipulates that Online Platforms accessible to minors must take appropriate and proportionate measures to ensure a high level of privacy, safety, and protection for child users. Such measures include, among others, content moderation, age verification, default safety settings, and the prohibition of profiling and targeted advertising towards minors.

The Hungarian legal system enforces these obligations with particular stringency in relation to video-sharing platform providers. The definitions of “video-sharing platform service” and “video-sharing platform provider” are set out in Sections 71a and 71b of Article 203 of Act CLXXXV of 2010 on Media Services and on the Mass Media (hereinafter referred to as **“Media Services and on the Mass Media Act”**). A video-sharing platform service is understood to mean a service provided electronically, on a regular and commercial basis, whose principal purpose or a dissociable section thereof is to make user-generated videos or programs available to the general public for the purpose of informing, entertaining, or educating. While the provider has no editorial responsibility for the content itself, it does organize the service — particularly the display, tagging, and algorithmic sequencing of the content.

The Hungarian legal framework imposes specific obligations on video-sharing platform providers to protect minors, including the following:

- Ensuring content access restrictions, including the removal or filtering of inappropriate material;
- Providing clear and understandable information, suitable even for children, about the functioning of the service and potential risks;
- Guaranteeing the exclusion of profiling based on age and prohibiting data processing for such purposes; and
- Ensuring transparency of algorithm-based content recommendation systems and restricting their use in relation to minors.

Lastly, it is important to highlight that although internet service providers (ISPs) do not fall under the definition of “Online Platforms,” Hungarian law nevertheless imposes certain preventive obligations on them with regard to the protection of children in online environments. Pursuant to Section 149/A of Act C of 2003 on Electronic Communications, all internet access providers are required to make available a Hungarian-language, easy-to-install, user-friendly content-filtering software free of charge. While this obligation does not equate to the full scope of the “Safety by Design” principle applicable to Online Platforms, it reflects the requirement that access-level service providers also contribute to the creation of a digitally safe environment for minors.

i. If so, must these steps be taken before the launch of an Online Platform?

Hungarian law specifically defines this obligation for video-sharing platform

providers. According to Sections 15/C (1)–(2) of the Media Services and on the Mass Media Act, providers intending to start their operations as new entrants are required to notify the Office of the National Media and Infocommunications Authority for registration purposes. Although registration is not a precondition for commencing the service, the aim of the procedure is to enable pre-launch oversight and to ensure compliance with media policy and child protection requirements, such as filtering inappropriate content and ensuring algorithm transparency.

ii. If so, if an Online Platform has already been in public use, when must they have incorporated “Safety by Design” measures?

Video-sharing platform providers that had already been offering their services before the entry into force of the regulatory amendment—i.e., prior to June 12, 2020—were required to fulfill the notification and data provision obligations set out in Sections 15/C (1)–(2) of the Media Services and Mass Media Act within 60 days following June 12, 2020. In addition, a separate provision stipulated that the obligations related to content restrictions, data processing, information provision, and algorithm transparency aimed at protecting minors, as detailed in paragraph 6.a above, had to be fulfilled within 150 days of the entry into force of the amending law. This allowed the authority to supervise existing services and to subsequently require safeguards necessary for the protection of minors.

iii. For each of 6(a)(i) or (ii) above, please describe the legal requirement or recommendation.

The Internet Round-table Conference for the Protection of Children (hereinafter referred to as “**Internet Round-table Conference**”) shall make out and publish recommendations for providers of internet access so as to facilitate the development and selection of content-filtering software that meets the requirements set out in Section 149/A Subsection (1) of the Electronic Communications Act, which states that providers of internet access shall make available on their website an easy-to-install and user-friendly software designed for the protection of minors, in Hungarian that can be downloaded and used free of charge. The Round-table Conference shall encourage service providers to coordinate their efforts in developing their own self-regulatory policies relating to content-filtering software, and shall provide assistance to that end.

<https://nmhh.hu/dokumentum/173242/szurosszoftverek.pdf>

b. Please include information about the parameters for monitoring, management, and enforcement of any legal or regulatory requirements for the Online Platform’s incorporation of “Safety by Design”?