

During the second UPR cycle, the Hungarian government supported 5 recommendations related to criminal justice and law enforcement. Out of these, only 1 has been partially implemented, and 4 have not been implemented at all. An additional 4 recommendations were supported by the Hungarian government that cover hate crimes. Out of these, 2 have been partially implemented, and 2 have not been implemented at all.

Since the last UPR cycle, little to no tangible progress has been achieved in most criminal justice and law enforcement areas in relation to which international stakeholders have been raising human rights concerns for years. The independent monitoring of places of detention suffers from practical deficiencies. While prison overcrowding has been eliminated, a highly restrictive policy on family visits violates the rights of detainees. Access to information on procedural rights of defendants is not ensured in practice. Life imprisonment without parole remains possible. Systemic deficiencies with regard to preventing and sanctioning police ill-treatment have not been addressed for decades, and petty offence laws and law enforcement practices disproportionately penalise the Roma and the poor. Efforts to respond to hate crimes, such as the police adopting an investigative protocol, have been hindered by deficiencies in the application of the law, the lack of systematic data collection and the government's stigmatising rhetoric about various vulnerable groups.

General recommendation:

Comply with the country-specific recommendations of international stakeholders, such as the Human Rights Committee, the CPT, and CERD, in order to address human rights concerns in the field of criminal justice and law enforcement, and fully implement related ECtHR judgments.

Selected specific recommendations:

- Provide adequate resources and funding for the National Preventive Mechanism (NPM) under the OPCAT.
- Ensure that the NPM substantively involves NGOs in its work, including monitoring visits of places of detention.
- Improve physical and sanitary conditions in penitentiary institutions.
- Provide adequate options for maintaining social contacts between prisoners and their family members.
- Provide alternatives to indefinite compulsory medical treatment of mentally disordered offenders.
- Decrease the number and proportion of pre-trial detainees.
- Ensure the necessary funding for legal aid lawyers' activities.
- Introduce a quality assurance system for legal aid lawyers and interpreters employed in criminal procedures.
- Abolish the possibility of appointing interpreters in criminal procedures who do not fulfil statutory criteria.
- Introduce a written, easy-to-understand Letter of Rights that covers all rights required by Directive 2012/13/EU.
- Abolish life imprisonment without the possibility of parole.
- Explore alternatives to incarceration and methods of successful reintegration of detainees into society.
- Establish a specialized juvenile justice system.
- Provide alternatives to fines in petty offence cases, use existing alternative sanctions.
- Restrict the practice of converting petty offence fines into confinement without a court hearing.
- Abolish the possibility of petty offence confinement of juveniles.
- Repeal the laws criminalizing homelessness.
- Enhance the efficiency of investigations into cases of ill-treatment by law enforcement officers.
- Revise the rules on convicted law enforcement officers' eligibility to remain in service.
- Ensure independent and adequate medical examination in the case of allegations of police ill-treatment.
- Make the video recording of interrogations in criminal procedures obligatory and free of charge.
- Enhance the use of body cameras and cameras in police vehicles and police detention facilities.
- Provide police officers with training on investigative interviewing techniques and plain language skills.
- Ensure that the regulation on enhanced police checks complies with ECtHR standards.
- Take measures to combat ethnic profiling by the police affecting the Roma.
- Develop a monitoring and training system to end discriminatory practices within the criminal justice system.
- Organize trainings for law enforcement practitioners on the application of anti-hate crime laws.
- Improve the methodology and timeliness of data collection on hate crimes.
- Halt governmental smear campaigns against vulnerable groups, including refugees, migrants, the Roma and LGBTIQI people; actively support the promotion of equality and inclusion.

Read our detailed analyses and the full list of recommendations on [criminal justice and law enforcement](#), and the [submission](#) of the Working Group Against Hate Crimes. For further information, contact us at helsinki@helsinki.hu.