

**Council of Europe contribution for the 25<sup>th</sup> UPR session  
regarding Hungary**

**Prevention of torture**

On 30 April 2015, the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) published the report on its visit to Hungary from 3 to 12 April 2013, together with the Hungarian authorities' response (both documents are attached below).

The CPT received several complaints about excessive use of force by police officers at the time of apprehension and ill-treatment during police questioning (slaps, punches, kicks, kneeling and blows with batons). Moreover, the Committee's delegation heard some accounts of verbal abuse, including of a racist nature, by police officers. The report also refers to a case of police ill-treatment which reportedly took place at Izsák Police Station (Bács-Kiskun County) on 8 April 2013 and which may well have led to the death of the detained person.

During the visit, a number of remand prisoners were being held in police detention facilities, sometimes for prolonged periods. The CPT recommends, in the interest of the prevention of ill-treatment, that persons remanded in custody are promptly transferred to a prison establishment and are only returned to a police detention facility when there is absolutely no other alternative and for the shortest time possible.

Conditions of detention in police holding facilities were, on the whole, adequate for the duration of police custody (i.e. up to 72 hours). However, they were not adequate for remand prisoners held in these facilities for prolonged periods.

As regards prisons, the CPT's delegation received no allegations of physical ill-treatment of prisoners by staff at Szeged Prison or at the Central Prison Hospital and the Unit for HIV-positive prisoners in Tököl; however, several allegations were received at Somogy County Remand Prison in Kaposvár and Sopronkőhida Prison. A number of accounts of verbal abuse of a racist nature and disrespectful remarks were also heard in the various establishments visited. Furthermore, in some of the establishments visited, inter-prisoner violence was an issue. The CPT also expresses serious misgivings about the effectiveness of investigations into complaints of ill-treatment by prison staff.

In the light of these findings, the CPT recommends that the national authorities redouble their efforts to combat ill-treatment by prison staff, review the system for investigating allegations of ill-treatment in order to make it more effective and protect the integrity of all prisoners, including against other inmates.

The CPT also expresses serious concerns about the lack of effective action to combat overcrowding (which has doubled since the 2009 visit and stood at 44% in 2013). By way of example, ten inmates were sharing a cell of some 27m<sup>2</sup> and a cell measuring only 5m<sup>2</sup> was accommodating two prisoners. The report also underlines the importance of policies designed to limit or moderate the number of persons sent to prison and of various non-custodial measures.

As regards the regime, many prisoners were still locked up in their cells for 23 hours a day, with little to occupy themselves. The CPT recommends that programmes of purposeful activities, tailored to the individual needs of the inmates, be further developed.

In previous visit reports, the CPT made critical remarks about the excessive use of means of restraint (hand-cuffs, ankle-cuffs and body-belts) in the context of movement of prisoners both within and outside the secure perimeter of a prison. The Committee approves of the decline in the use of these means observed during the 2013 visit; however, their regular application to certain groups of prisoners is still excessive in practice and a recommendation is made to further reduce their use.

A complete list of the CPT's recommendations, comments and requests for information is contained in Appendix I to the report.<sup>1</sup>



Hungary Report  
2013.pdf



Hungary Response  
2013.pdf

## Council of Europe Commissioner for Human Rights

On 16 April 2014, the Commissioner for Human Rights, Nils Muižnieks released the report on his visit to Hungary from 1 to 4 July 2014.<sup>2</sup>

The Commissioner's report focuses on following major human rights issues:

- Media freedom<sup>3</sup>
- The fight against intolerance and discrimination<sup>4</sup>
- Human rights of immigrants, asylum seekers and refugees<sup>5</sup>

On each of these issues the Commissioner provides specific conclusions and recommendations.<sup>6</sup>

Upon releasing his report, Nils Muižnieks said that "Hungary should better ensure media freedom, combat widespread intolerance and discrimination, and improve the protection of the human rights of migrants".

While welcoming improvements to Hungary's media legislation introduced since the adoption of a restrictive media package in 2010, the Commissioner remains concerned that media in Hungary suffer from an inadequate legal framework and political pressures. "The mere existence of some provisions, such as severe sanctions, chills media freedom and pushed a number of media outlets towards self-censorship." The extensive administrative regulatory powers of the Media Council coupled with its vulnerability to political influence and control also remain problematic. Moreover, measures such as the tax on advertising revenues and restrictions on political advertising threaten media pluralism. "Urgent action is needed to improve media freedom, including by repealing or reformulating the provisions of the Media Act on opinion and political views; extending the protection of sources to freelance journalists; excluding print and online media from the registration requirements; strengthening the independence of media regulatory bodies; and decriminalising defamation."

Though Hungary reinforced its legislation and practice to combat hate crimes and hate speech, Commissioner Muižnieks is concerned at the deterioration of the situation as regards racism and intolerance, in particular targeting Roma, Jews, LGBTI persons, asylum seekers and refugees, as well as the poor and homeless persons. "A worrying dimension of this problem is the visible presence of extremist organisations and their links with a political party (*Jobbik*) represented in parliament whose members are known for using anti-Roma and antisemitic rhetoric. The Hungarian authorities should combat intolerance and discrimination more resolutely, including by better investigating the possible racial motivation of offences and by imposing appropriate sanctions against individuals and groups who advocate or commit acts of racist violence, incite racial hatred and oppose the basic principles of democracy and the rule of law."

The fight against all forms of discrimination also needs to be strengthened. Roma access to education, decent housing and employment must be improved. Urgent progress is also

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<sup>1</sup> pp. 49-62.

<sup>2</sup> A summary of the report appears on pp. 4-6.

<sup>3</sup> paras. 10-40, 45-55 and 59-63.

<sup>4</sup> paras. 66-90, 98-99, 101-108, 113-122, 129-132 and 134-142.

<sup>5</sup> paras. 148-160, 167-173 and 178-182.

<sup>6</sup> paras. 41-44, 56-58, 64-65, 91-97, 100, 109-112, 123-128, 133, 143-150, 161-166, 174-177 and 183-185.

necessary to ensure the rights of persons with disabilities. “The authorities should stop placements of persons with disabilities in institutions and avoid opening new, even if smaller, institutions. They should move resources from institutions to individualised support services”, said the Commissioner, noting that, with many people placed under guardianship in Hungary, their right to make decisions was also not guaranteed in accordance to human rights standards. It is also disappointing that progress made in fighting intolerance and discrimination against LGBTI persons has been marred by attempts to ban the gay pride and by risks to the safety of its participants, which required police cordons.

The Commissioner also expresses concern at measures taken to prohibit rough sleeping and construction of huts and shacks in Budapest and other cities which have widely been described as criminalising homelessness in practice. He urges the Hungarian authorities to review the restrictive regulations and investigate reported cases of forced evictions without alternative solutions and of children being taken away from their families on the grounds of poor socio-economic conditions. He also stressed that Hungarian authorities should develop a national social housing strategy adapted to the needs of homeless persons.

Another issue of concern is the extensive use of detention of asylum seekers. In spite of legislative improvements introduced in 2013, around 25% of asylum seekers were detained at the time of the Commissioner’s visit. “The authorities should use alternatives to detention more frequently and improve the asylum detention regime which is still characterised by arbitrariness and lack of effective judicial review. Detaining asylum seekers must be a measure of last resort, for the shortest possible period of time and based on individual assessments.” Moreover, noting that the law still allows the detention of asylum seeking families with children, the Commissioner called for this provision to be repealed. In his view, “no children, whether alone or with their families, should be subjected to immigration detention”.

Lastly, while commending Hungary’s efforts to combat statelessness, the Commissioner notes that the existing limitations which prevent persons unlawfully residing in Hungary from applying for stateless status is in breach of Hungary’s international obligations under the 1954 UN Convention and should be removed. He also calls on the authorities to remove the obstacles which may impede children from acquiring a nationality.

The Commissioner’s report on his 2014 visit to Hungary and the Hungarian authorities comments on the report appear below.



Commissioner's  
report.pdf



Response.pdf

Following his visit to Hungary, the Commissioner, Nils Muižnieks published, on 24 July 2014, a letter addressed to the Minister of the Prime Minister’s Office, Mr János Lázár. In his letter the Commissioner expressed great concern regarding the stigmatizing rhetoric used in Hungary against non-governmental organisations (NGOs) active in the field of promoting human rights and democratic values, with politicians questioning the legitimacy of their work.

The Commissioner deplored in particular a series of allegations by government officials whereby the Norwegian Civil Fund (the so-called NGO Fund) was used to support political activities in Hungary. As a consequence, a number of audits concerning NGOs, all beneficiaries from the NGO Fund, have been recently carried out by the Hungarian Government Control Office.

The Commissioner urged the Hungarian authorities to refrain from any stigmatizing statements and to ensure an enabling environment for NGOs in Hungary. “Imposing additional administrative

requirements on a selected number of NGOs, solely based on their supposed or actual activity, is simply inadmissible.”

A further reason of concern relates to the legal basis for these audits, which was put into question by several interlocutors of the Commissioner. “I call upon the Hungarian authorities to revise their position which is at the origin of the launching of these audits. As a first step, the suspension of all on-going audits until the legal basis for such audits has been clarified should be considered.”

The Commissioner’s letter to the Hungarian Minister of the Prime Minister’s Office and the Minister’s reply are attached below.



Letter.pdf



Reply English.pdf

### **Fight against racism and intolerance**

On 9 June 2015, the European Commission against Racism and Intolerance (ECRI) published its fifth report on Hungary.<sup>7</sup> ECRI’s Chair, Mr Christian Ahlund, said that “there are positive developments, such as the amendment to the Act on the National Assembly allowing members of Parliament to be fined or excluded from proceedings for expressions offending the dignity of any national, ethnic, racial or religious community, but concerns remain, among others the deprivation of liberty of some asylum seekers, including families with children”.

On the positive side, the report notes that the Act on Equal Treatment and Promotion of Equal Opportunities is a good instrument and that the Equal Treatment Authority has the structure and powers of an effective national specialised body. Hungary’s Criminal Code provisions on incitement to hatred and violence against a community as well as its non-discrimination legislation contain explicit references to sexual orientation and gender identity. The Migration Strategy (2014 to 2020) has a chapter on integration of long-term residents and beneficiaries of international protection with a focus on promoting a shift towards multiculturalism.

Furthermore, following the “Roma murders” in 2008-2009, a specialised unit was set up in the police on hate crime and training sessions have been organised with the help of NGOs.

On the other hand, Hungary’s National Social Inclusion Strategy has had little impact so far and it does not address segregation in education. The disproportionate numbers of Roma children placed in schools for pupils with learning disabilities persists. There continues to be a shortage of social housing and Roma are often forced out in order for apartments or land to be sold at a profit. Refugees face many problems, notably homelessness.

The report contains findings and recommendations regarding the following issues:

- Legislation against racism and racial discrimination<sup>8</sup>
- Hate speech<sup>9</sup>
- Racist and homo/transphobic violence<sup>10</sup>
- Integration policies<sup>11</sup>
- Interim follow-up recommendations of the fourth cycle<sup>12</sup>

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<sup>7</sup> A summary of the report can be found on pp. 9-10.

<sup>8</sup> paras. 1-23.

<sup>9</sup> paras. 24-52.

<sup>10</sup> paras. 53-68.

<sup>11</sup> paras. 69-102.

<sup>12</sup> paras. 103-108.

- Topics specific to Hungary: placement of Roma children in schools for mentally disabled, detention of asylum children, policies to combat discrimination and intolerance against LGBT persons<sup>13</sup>

The following two recommendations were selected for priority implementation to be revisited two years later:

- accommodate asylum seekers, in particular families with children, in open reception facilities;
- take action in all cases where local authorities attempt to force Roma out of social housing, evict them from their homes without ensuring suitable alternatives or subject them to directly or indirectly discriminatory rules in respect of housing.

ECRI's report on Hungary is attached hereafter.



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-ENG.pdf

## **Protection of minorities**

### *Framework Convention for the Protection of National Minorities*

On 6 July 2011, the Committee of Ministers adopted a resolution on the protection of national minorities in Hungary (attached below). The resolution contains conclusions and recommendations, highlighting positive developments<sup>14</sup> but also mentions issues of concern<sup>15</sup>. Moreover, it mentions a number of areas where further measures are needed to advance the implementation of the Framework Convention for the Protection of National Minorities.

In addition to measures to be taken to implement the detailed recommendations contained in Sections I<sup>16</sup> and II<sup>17</sup> of the Advisory Committee's opinion, the authorities are invited to take the following measures to improve further the implementation of the Framework Convention.

#### Issues for immediate action<sup>18</sup>

- take more resolute measures to combat all forms of intolerance, including in political discourse, and take further steps to promote mutual understanding and respect, especially with regard to Roma. These efforts should include measures at local level, both in respect of local authorities and the local population. The authorities must effectively prevent, investigate and sanction all forms of discrimination by members of the police force;
- continue strengthening measures to ensure that the implementation of the Roma Decade Action Plan results in substantial and lasting improvement in the participation of disadvantaged Roma in economic and social life, in close consultation with their representatives. These measures should be regularly monitored and their impact carefully evaluated. Take resolute measures to put an end, without further delay, to the continuing segregation of Roma children at school;
- take resolute measures to enable persons belonging to national minorities to be represented as such in parliament.

#### Further recommendations<sup>19</sup>

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<sup>13</sup> paras. 109-133.

<sup>14</sup> Part 1.a) of the resolution.

<sup>15</sup> Part 1.b) of the resolution.

<sup>16</sup> paras. 7 - 31 of the third Opinion of the Advisory Committee on the Framework Convention on Hungary.

<sup>17</sup> paras. 32 - 147 *ibid*

<sup>18</sup> The recommendations below are listed in the order of the corresponding articles of the Framework Convention.

<sup>19</sup> *Idem*.

- take measures to combat the dissemination of stereotypes or hate speech by certain privately owned media, while fully respecting the editorial independence of the media;
- encourage the media to play a more positive role in promoting mutual understanding and respect;
- continue to support cultural activities of the national minorities' organisations and pay particular attention to the needs of the Roma regarding the preservation and the development of their identity and culture;
- ensure that public television broadcasting complies with its legal obligations and continues to produce and disseminate minority language programmes in line with relevant legislation;
- strengthen efforts to remedy the shortcomings faced by Roma children in the field of education.

The Committee of Ministers' resolution is largely based on the corresponding third Opinion of the Advisory Committee on the Framework Convention on Hungary<sup>20</sup>. The concluding remarks, contained in Section III<sup>21</sup>, served as the basis for the Committee of Ministers' Resolution. The Opinion of the Advisory Committee is also attached below.



CM Resolution.doc



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### *European Charter for Regional or Minority Languages*

On 10 July 2013, the Committee of Ministers made public the fifth report on the application of the European Charter for Regional or Minority Languages by Hungary. The report drawn up by the Committee of Independent Experts, which monitors the application of the Charter, is contained in the attachment below.

According to the report Hungary is to be commended on both the system of minority self-government and the supplementary minority education put in place if the statutory requirement of eight pupils cannot be met. However, the structural deficits in education remain, and the offer of minority language education at regular secondary schools is very limited. The Hungarian authorities should take proactive measures instead of relying on the initiative of the national minorities. They should also develop a structured long-term policy and plan for education in Croatian, German, Romanian, Serbian, Slovakian and Slovenian and set up a dedicated monitoring mechanism. Furthermore, the offer of minority language programmes on television should be improved and comprehensive scheme for the training of journalists and other media staff using minority languages should be developed and financed. Moreover, the percentage of Roma who speak Romani or Beás is declining, and the lack of qualified teachers of both languages remains a fundamental problem. Ruthenian continues to be in a precarious situation.

On the basis of this report, the Committee of Ministers, in its Recommendation on the application of the European Charter for Regional or Minority Languages by Hungary, recommends the authorities to:

- develop a structured long-term policy and plan for education in all regional or minority languages and set up a dedicated monitoring mechanism, as envisaged by Article 8, 1(i) of the Charter;
- further increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages, and increase accordingly the number of teachers able to teach subjects in these languages;
- take resolute measures in order to increase the number of teachers for Romani and Beás;
- take steps to ensure that the relevant administrative authorities implement the obligations under Article 10 of the Charter, in particular by specifying those administrative districts

<sup>20</sup> A summary of the report can be found on pp. 1 - 2.

<sup>21</sup> paras. 148 - 164.

- where organisational measures should be taken, and informing speakers of regional or minority languages of their rights under Article 10;
- further improve the offer of minority language programmes on television and develop and finance a comprehensive scheme for the training of journalists and other media staff using minority languages.



HungaryECRML5\_en.  
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### **Action against trafficking in human beings**

On 29 May 2015, the Group of Experts on Action against Trafficking in Human Beings (GRETA) published its first evaluation report on Hungary<sup>22</sup>. In its report, GRETA welcomes the steps taken to prevent and combat trafficking in human beings in Hungary. These measures include the adoption of legislation criminalising human trafficking, two national strategies as well as the setting up of co-ordination structures. However, the report stresses the need to allocate sufficient resources to achieve the goals of the national strategy and ensure full involvement of civil society.

GRETA stresses the need to continue developing prevention through targeted social and economic empowerment measures for groups vulnerable to human trafficking, in particular Roma, as well as through measures to tackle the root causes of human trafficking for sexual exploitation.

GRETA welcomes the setting up of a national referral mechanism to improve the identification of victims of human trafficking and their referral for assistance. But, further efforts are needed for its full application so that all victims, irrespective of sex, origin or type of exploitation, are identified and assisted, in particular victims of internal trafficking and labour exploitation. Moreover, the authorities should step up the identification of victims amongst irregular migrants, asylum seekers and unaccompanied foreign minors.

GRETA expects the authorities to take measures to ensure that victims of trafficking have an effective possibility to obtain compensation from the perpetrators. Further, all victims, irrespective of their immigration status, should have access to state compensation.

The report welcomes the involvement of the Hungarian authorities in international investigations in human trafficking cases but, given the low number of convictions and level of sanctions in Hungary, calls on the authorities to take measures to ensure that human trafficking cases are investigated and prosecuted effectively, leading to proportionate and dissuasive sanctions. Additional measures should also be taken for the adequate protection of victims from potential retaliation or intimidation.

On the basis of GRETA's report<sup>23</sup>, the Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings adopted, on 15 June 2015, the following recommendations addressed to the Government of Hungary:

- strengthening the aspect of prevention through social and economic empowerment measures for groups vulnerable to human trafficking;
- paying increased attention to prevention and protection measures addressing the particular vulnerability of children to trafficking, in particular children from at-risk groups and unaccompanied foreign minors;
- taking further steps to ensure that all victims of trafficking are properly identified, in particular by strengthening the identification of victims of internal trafficking as well as amongst asylum seekers and irregular migrants;

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<sup>22</sup> A summary of the report can be found on pp. 7-8.

<sup>23</sup> Appendix I provides a complete list of GRETA's proposals to the Hungarian authorities.

- ensuring that all victims of trafficking have effective access to assistance and protection;
- ensuring that the recovery and reflection period provided for in Article 13 of the Convention is specifically defined in law;
- adopting measures to facilitate and guarantee compensation from the perpetrators for victims of trafficking;
- strengthening the effectiveness of investigations and prosecutions with a view to securing proportionate and dissuasive sanctions.

GRETA's report on Hungary and the Committee of the Parties' recommendations to the Hungarian authorities are attached below.



Report.pdf



Recommendations.pdf

### **Preventing and combating violence against women and domestic violence**

Hungary has signed but not yet ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. For this reason, it is not yet concerned by the monitoring procedure under this Convention.

### **Fighting corruption**

On 22 July 2015, the Group of States against Corruption (GRECO) published its fourth evaluation report on Hungary covering the theme "prevention of corruption in respect of members of parliament, judges and prosecutors". In the report attached below GRECO praises Hungary for taking steps in recent years to reduce corruption in its legislative, judiciary and prosecution sectors of government. But the report includes recommendations to improve anti-corruption measures in all three areas, such as a call for a code of ethics for MPs, curbing immunities with respect to criminal proceedings for judges and prosecutors and stricter regulation of gifts given to public officials.

Regarding the legislative branch, the group calls for more transparency. Third party involvement is not perceived as being sufficiently transparent since there is no lobbying regulation at parliamentary level. The report stresses a need to establish codes of ethics/conduct for members of parliament to complement existing regulations with guidance, particularly in situations where MPs are faced with conflicting interests.

The report calls on Hungary to ensure a better balance between different authorities responsible for judicial administration, to minimise potential risks of discretionary decisions: for example, with regard to the appointment and promotion of judges. The report welcomes a recently adopted Code of Ethics for judges, but it could be made more explicit and should be accompanied by dedicated in-service training.

Concerning the prosecution service, more should be done to ensure adequate checks and balances to prevent the potential for malpractice and corruption. The independence of the Prosecutor General from political influence would be clearer if this official could not be re-elected, according to the report. Moreover, disciplinary proceedings in respect of ordinary prosecutors would benefit from being made more transparent and connected to broader accountability.

The report stresses that immunities for public officials be reduced in scope. MPs, judges and prosecutors all enjoy immunity in the strict sense (inviolability) in respect of all criminal offences, except for situations of "in flagrante delicto". Such privileges, ought to be reduced to the extent necessary for the functions of the officials concerned; they may otherwise counteract efficient corruption prevention in respect of these officials.



By the end of September 2016 Hungarian authorities are to report back on measures taken to implement 18 recommendations included in this report. GRECO will then assess the implementation of the recommendations in a “compliance report” in the first half of 2017.



GrecoEval4Rep(2014)  
10\_Hungary\_EN.pdf

### **Execution of judgments and decisions of the European Court of Human Rights**

At 31 December 2014, there were 331 cases against Hungary pending before the Committee of Ministers for supervision of their execution. 37 of these cases were a “leading case”, i.e. raising a new structural/general problem and requiring the adoption of general measures, the other cases being “repetitive cases” concerning issues already raised before the European Court of Human Rights. The main cases or groups of cases revealing such structural problems are listed below:

- ❖ Discrimination against Roma children – *Horvath and Kiss v. Hungary*, Application No. 11146/11, Judgment final on 29/04/2013
- ❖ Overcrowding in pre-trial detention – *Istvan Gabor Kovacs v. Hungary*, Application No. 15707/10, Judgment final on 17/04/2012
- ❖ Lack of review mechanism of life sentences – *Laszo Magyar v. Hungary*, Application No. 73593/10, Judgment final on 13/10/2014

The document attached presents a brief description of the violations and the latest detailed decisions taken by the Committee of Ministers and the responses given thereto by the respondent state.



Execution judgments  
Hungary.doc

### **Social and economic rights**

Hungary ratified the European Social Charter on 08/07/1999 and the Additional Protocol to the Charter on 01/06/2005.

It ratified the Amending Protocol to the Charter on 04/02/2004, but has not yet ratified the Additional Protocol providing for a system of collective complaints.

Hungary ratified the Revised European Social Charter on 20/04/2009 accepting 60 of the Revised Charter's 98 paragraphs.

#### Cases of non-compliance

##### *Thematic Group 1 “Employment, training and equal opportunities”*

##### ► Article 1§4 – Right to work- Vocational guidance, training and rehabilitation

It has not been established that the right of persons with disabilities to mainstream training is effectively guaranteed  
(Conclusions 2012)

► Article 15§1 – Right of persons with disabilities to independence, social integration and participation in the life of the community - Vocational training for persons with disabilities  
It has not been established that the right of persons with disabilities to mainstream training is effectively guaranteed.  
(Conclusions 2012)

► Article 15§2 – Right of persons with disabilities to independence, social integration and participation in the life of the community - Employment of persons with disabilities  
- It has not been established that the legal obligation to provide reasonable accommodation was respected during the reference period;  
- It has not been established that persons with disabilities are guaranteed an effective equal access to employment.  
(Conclusions 2012)

#### *Thematic Group 2 “Health, social security and social protection”*

► Article 3§2 – Right to safe and healthy working conditions - Safety and health regulations  
Self-employed and domestic workers are not protected by occupational health and safety regulations.  
(Conclusions 2013)

► Article 11§1 - Right to protection of health - Removal of the causes of ill-health  
Measures taken to reduce the mortality rate have been insufficient.  
(Conclusions 2013)

► Article 12§1 - Right to social security - Existence of a social security system  
The minimum level of old-age benefit is manifestly inadequate;  
The minimum level of job-seeker’s aid is manifestly inadequate.  
(Conclusions 2013)

► Article 13§1 - Adequate assistance for every person in need  
It is not established that adequate assistance is available to any person in need;  
The level of social assistance paid to a single person without resources, including the elderly, is manifestly inadequate.  
(Conclusions 2013)

► Article 14§1 - Promotion or provision of social services  
It has not been established that effective and equal access to social services is guaranteed to nationals of all other States Parties.  
(Conclusions 2013)

#### *Thematic Group 3 “Labour rights”*

► Article 2§1 – Right to just conditions of work - Reasonable working time  
The working hours of employees on on-call and stand-by duty may be up to 24 hours a day; the weekly working hours of employees on stand-by duty may be up to 72 hours.  
(Conclusions 2014)

► Article 2§3 – Right to just conditions of work - Annual holiday with pay  
It has not been established that the workers’ right to take at least two weeks uninterrupted holidays during the year the holidays were due is sufficiently guaranteed.  
(Conclusions 2014)

► Article 6§2– Negotiation procedures

No promoting measures have been taken in order to facilitate and encourage the conclusion of collective agreements, even though the coverage of workers by collective agreements is manifestly low.

(Conclusions 2014)

► Article 6§4 – Right to bargain collectively - Collective action

In the civil service, the right to call a strike is restricted to trade unions which are parties to the agreement concluded with the Government; the criteria used to define civil servant officials who are denied the right to strike go beyond the scope of Article G of the Charter; civil service trade unions may only call strikes with the approval of a majority of the staff concerned.

(Conclusions 2014)

*Thematic Group 4 “Children, families, migrants”*

► Article 16 - Right of the family to social, legal and economic protection

Evicted families can be left homeless. Roma families do not have access to adequate housing. Equal treatment of nationals of other States Parties to the 1961 Charter or the Charter in the payment of family benefits is not ensured because the length of residence requirement is excessive.

(Conclusions 2011)

► Article 17§1 - Right of children and young persons to social, legal and economic protection - assistance, education and training

The living conditions in the child welfare institutions are not satisfactory. The maximum period of pre-trial detention for minors is excessive.

(Conclusions 2011)

► Article 17§2 - Right of children and young persons to social, legal and economic protection -

Free primary and secondary education - regular attendance at school

Roma children are subject to segregation in the educational field.

(Conclusions 2011)

Please find attached below Conclusions 2012, 2013 and 2014 regarding Hungary as well as the country fact sheet.



Hungary2012\_en.pdf



Hungary2013\_en.pdf



Hungary2014\_en.pdf



Hungary\_en.pdf