

HRC33 – Item 6: Hungary UPR Adoption

Hungary should implement recommendations to end abuses against migrants and combat hate speech

The UPR of Hungary rightly reflected a large number of human rights concerns, including hostility towards media and civil society, the government actions that compromise the independence of the judiciary and the government's record on investigating domestic violence.

Hungary's poor handling of the refugee crisis also received a lot of attention during the UPR debate. But we are deeply concerned that the responses provided by the Government fail to match the reality on the ground.

Hungary wrongly stated that recommendations to respect the principle of non-refoulement are already in the process of implementation. But Human Rights Watch has recently documented routine pushbacks of asylum seekers, including unaccompanied children, an elderly person, and a person with a disability, at the Hungarian border.

We deeply regret that Hungary rejected the recommendations to repeal the law that introduces "transit zones" at the border and a list of "safe countries." Transit zones create a legal fiction that persons in the zone have not yet 'entered' Hungary. Asylum claims are rejected without any meaningful review of their substance. An extremely low daily cap on the number of asylum seekers who can enter Hungary at its border crossings with Serbia leaves hundreds of people, including vulnerable asylum seekers, stuck outside the transit zones in dire conditions and without adequate humanitarian assistance.

The situation has worsened since the adoption of a new law on July 5 which enables Hungarian police to apprehend persons caught inside Hungarian territory within 8 kilometers of the border and push them back to the Serbian border.

The Hungarian government similarly dismissed concerns on the credible allegations of use of excessive force against migrants and refugees, despite a sharp increase since the UPR debate in the number of cases of excessive force and brutal beatings on migrants and asylum seekers during pushbacks to the Serbian border. The authorities should thoroughly investigate alleged abuses committed by border officials and hold those responsible to account.

Finally, it is disgraceful to see the Hungarian government accepting recommendations to combat hate speech, while the Hungarian government and high-ranking officials have openly fueled anti-migrant rhetoric. Migrants and asylum seekers have been described by officials as "intruders" and "potential terrorists." Prime Minister Orbán himself referred to migration as a "poison." Ahead of the 2 October referendum, a state-finance campaign spreads xenophobic and anti-migrant stereotypes throughout the country.

We are equally concerned that European institutions have largely remained silent in the face of these developments. It is high time for the European Commission to speak out against the abuses identified during this UPR and to accelerate infringement proceedings against Hungary.