



REFERENCE:KF/fup-109

2 December 2013

Excellency,

In my capacity as Special Rapporteur for Follow-up to concluding observations of the Human Rights Committee, I have the honour to refer to the examination of the fifth periodic report of Hungary.

As you know, in paragraph 23 of its concluding observations, the Committee requested the State party to provide within one year further information on the specific areas of concern identified in paragraphs 6, 15 and 18 of the concluding observations.

On 15 August 2012, the State party submitted information on these paragraphs. During the 107th session of the Committee, held in March 2013 in Geneva, the Committee considered that the reply on paragraphs 6, 15 and 18 was partially satisfactory, but that additional and more precise information was required on the following issues:

- Paragraph 6: Additional information was requested on (i) the implementation of Act No. CXII of 2011, particularly in terms of the assessment of the programmes that have an impact on the implementation of the Covenant; and (ii) the measures taken to guarantee the full compatibility of the implementation of Sections 5 and 6 of Act No. CXII which determine the lawful cases of personal data handling “for the purpose of measuring the progress” of “the multiannual Roma programme”.

- Paragraph 15: The Committee considered that additional measures were necessary with regard to the following issues: (i) the revision of the conditions of the alien-policing detention carried out in autumn 2012; (ii) the measures taken in the context of the March 2012 Plan of Action to support the police to improve the conditions of alien detention; and (iii) the countries identified as “safe” in the Asylum Act.

Additionally, the Committee noted that no information was provided with regard to the issue of refoulement of Somali and Afghan asylum seekers (the State party provided information on the procedure applied in cases of refoulement to Ukraine).

His Excellency
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- Paragraph 18: The Committee considered it necessary to request additional information on the following issues: (i) training organised for judges, magistrates and prosecutors (the follow-up reply only provided information on the training carried out for the police); (ii) main conclusions of the STEPPS programme with regard to the modalities and efficiency of identity checks by the police and the extent to which they particularly affect specific social groups; and (iii) number of complaints and decisions taken with regard to “antisocial conduct on account of another person’s real or perceived belonging to a national, ethnic, racial or religious group or to certain groups of the population”.

On 30 April 2012, the Special Rapporteur for Follow-up to concluding observations of the Human Rights Committee sent you a letter of reminder. During its 109th session held in Geneva in October 2013, the Committee noted that no reply was received.

Taking this situation into account, the Committee decided to send a second reminder to the State party, requesting that the above-mentioned additional information be submitted to the Committee.

The next follow-up report will be adopted in March 2014. If the State party wishes the information referred to be taken into account on that occasion, a **Word electronic version** of the reply should be sent to the Secretariat of the Human Rights Committee by **5 January 2014** (Kate Fox: kfox@ohchr.org) and Fernanda Santana: fsantana@ohchr.org).

The Committee looks forward to pursuing its constructive dialogue with the authorities of Hungary on the implementation of the Covenant.

Please accept, Excellency, the assurances of my highest consideration.

Fabián Omar Salvioli
Special Rapporteur for Follow-up to Concluding Observations
Human Rights Committee