



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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1 December 2014

Excellency,

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

At the end of its 100th session, the Committee transmitted its concluding observations to your Permanent Mission. You may recall that, in paragraph 23 of the 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.

Follow-up information on the paragraphs referred to was received on 15 August 2012. At its 107th session, held in March 2013, the Committee noted that the information provided was incomplete and requested additional information from the State party.

On 6 and 13 January 2014, the State party sent complementary information to the Human Rights Committee. At its 112th session, held in October 2014 in Geneva, the Committee analysed this information and adopted the following decisions:

- On paragraph 6: **[B1]**: The Committee notes the State party's explanations that clarify the relevant content of Act No. CXII of 2011 as well as the safeguards in place to protect personal data, but requires additional information on the impact of the implementation of the Act and examples in which it was possible to collect disaggregated data to monitor and evaluate programmes that have a bearing on the implementation of the Covenant. Please also provide details on the implementation and consequences of the anonymous, uniformed ethnic data collection system.
- On paragraph 15: **[B1]**: While the Committee notes the passage of the Ministerial Decree No. 76/2012 (XII. 19) and information on the practice of detaining asylum seekers, additional information is required. Please provide:

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- (i) a copy of the Ministerial Decree No. 76/2012 (XII. 19);
- (ii) data on the number of asylum seekers that have been detained since the passage of Act No. XCII as well as the reasons for their detention and length of their internments; and
- (iii) details of the enhanced complaints mechanism formulated under the March 2012 Plan of Action.

- On paragraph 18: **[B2]**: The Committee notes the results obtained from the STEPPS programme, however additional information is required on:

- (i) the number of trainings conducted in 2013 and 2014 to judges, magistrates, prosecutors and all law enforcement officials on discrimination, including hate and racially motivated crimes;
- (ii) the impact of the trainings for police on conflict management and mediation techniques;
- (iii) the methodological guide for conflict management options and protocols during police interventions, developed as a result of the STEPPS programme;
- (iv) the outcome of the 7 pending complaints filed by persons of Roma ethnicity or by NGOs with regard to “antisocial conduct on account of another person’s real or perceived belonging to a national, ethnic, racial, or religious group or certain group of the population”.

[D1] No information was provided on the investigations, prosecution and punishment of members of the Magyar Garda. The Committee reiterates its recommendation.

Taking into account that the next periodic report of the State party is due by 29 October 2014, the Committee considered that the follow-up procedure has come to an end. Nonetheless, the State party is required to provide the Committee with information on the issues referred to in the context of its sixth periodic report.

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