



**DEPUTY COMMISSIONER FOR FUNDAMENTAL RIGHTS  
OMBUDSMAN FOR THE RIGHTS OF NATIONAL MINORITIES  
NATIONAL HUMAN RIGHTS INSTITUTION**

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**To whom it may concern**

**Communication of the Commissioner of Fundamental Rights of Hungary in regard to the information provided by Hungary on the follow-up to the concluding observations of Committee on the Elimination of Discrimination against Women on the combined seventh and eighth periodic state report**

The Commissioner for Fundamental Rights is the single “A” status National Human Rights Institution of Hungary. The CFR aims to protect and promote fundamental rights and is vested with quasi-judicial competence to hear and consider complaints against public authorities and other entities providing public services. In compliance with the Paris Principles, the institution contributes to the promotion of human rights by the means of education, training and awareness raising activities as well as advocacy. Mrs Elisabeth Sándor-Szalay, writer of the present communication, is the Deputy of the Commissioner responsible for the protection of the rights of national minorities living in Hungary<sup>1</sup> and represents the institution before international bodies in connection with relevant topics.<sup>2</sup>

The Deputy-Commissioner welcomes the commitment of the government to comply with its international obligations and the fact that the information on the follow-up to the concluding observation of the Committee was submitted in due time. Furthermore, she deeply agrees with the decision of the Committee to follow-up the recommendations connected to the topics of violence

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<sup>1</sup>According to Appendix No. 1 to Act CLXXIX of 2011 on the Rights of Nationalities the following shall qualify as national minorities in Hungary: Armenian, Bulgarian, Croatian, German, Greek, Polish, Roma, Romanian, Ruthenian, Serb, Slovak, Slovene and Ukrainian.

<sup>2</sup> The Section 3 (2) h) of the Act CXI of 2011 on the Commissioner for Fundamental Rights declares: “The Deputy Commissioner for Fundamental Rights responsible for the protection of the rights of nationalities living in Hungary shall monitor the enforcement of the rights of nationalities living in Hungary, and [...] shall promote, through his or her international activities, the presentation of the merits of domestic institutions related to the interests of nationalities living in Hungary.”

against women and health because in these fields human rights infringement was found in individual complaint procedures previously. Mrs Elisabeth Sándor-Szalay is pleased to have the opportunity to share her views and opinion in the follow-up procedure of the Committee.

The Deputy-Commissioner is concerned about that Hungary has not yet ratified two important international instruments, the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (signed in November 2010) and the Council of Europe Convention on preventing and combating violence against women and domestic violence (signed in March 2014). Recently, group of Members of the Parliament proposed a resolution to the Hungarian Parliament with the aim to speed up the ratification of the Istanbul Convention but the majority of the MPs rejected it. Although, according to the Ministry of Justice this decision has no influence on the ratification procedure which is under preparation, it was met with a public outcry.

Last year, 90 percent of the individual complaints on discrimination falling in the mandate of Deputy-Commissioner was submitted by Roma complainants. Romani women suffer multiple discrimination on the basis of their gender and ethnicity - among others - in access to healthcare and quality education. These result in poor level of awareness about reproductive health and rights, which is escalated by disadvantaged social status and geographical obstacles. However major policy documents adopted by Hungary to improve the situation of the Roma population has stipulated the disadvantaged situation of Roma women, these policy papers have not yet resulted in substantive improvements in the situation of most of them.

Previously in the case of A.S, the Committee recommended Hungary to review domestic legislation on the principle of informed consent in cases of sterilization and ensure its conformity with international human rights and medical standards. In spite of the fact that the law was amended, it is still not flawless: the Deputy-Commissioner is aware that a complaint was recently lodged to the European Court of Human Rights where the applicant alleged to be subject of coercive sterilization in a public hospital. However coercive sterilization is not a practice in Hungary anymore, abuses still happen of which Romani women are more likely to suffer because of their vulnerability.

The Deputy of the Commissioner responsible for the protection of the rights of national minorities living in Hungary would like to show her support in favour of the implementation of the

Convention on the Elimination of All Forms of Discrimination against Women in Hungary and express her commitment to contribute to the work of the Committee on the Elimination of Discrimination against Women in the future.

Budapest, 30/03/2015



Elisabeth Sándor-Szalay