



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

List of issues prior to submission of the combined eighteenth to twenty-fifth periodic reports of Hungary*

General information

1. Please provide updated information on the ethnic composition of the State party, including non-citizens such as asylum seekers, refugees, stateless persons and migrants. Please also clarify which groups, if any, are officially considered to be national or ethnic minorities in the State party, taking into account the Committee's general recommendation No. 8 (1990) concerning the interpretation and application of article 1 (a) and (4) of the Convention, and general recommendation No. 24 (1999) concerning article 1 of the Convention, in particular with regard to identification with a particular racial or ethnic group and to the inclusion in State party reports of information on persons belonging to different races, national or ethnic groups or indigenous peoples.

Article 1

2. Please provide information on:

(a) Whether the definition of racial discrimination in domestic law encompasses discrimination based on race, colour, descent and national or ethnic origin;

(b) Whether both direct and indirect forms of discrimination are included in the definition of racial discrimination in domestic law.

3. Please provide information on whether the legal system of the State party allows or provides for special measures to secure the adequate advancement of groups and individuals protected under the Convention. If so, please describe such measures and provide information on the results achieved.

Article 2

4. Provide information on the legal framework and the policies in place to eliminate racial discrimination and to give effect to the provisions of article 2 (1) and (2) of the Convention.

5. Please clarify whether the Equal Treatment Authority and the Commissioner for Fundamental Rights are mandated to combat racial discrimination, whether those mandates includes the consideration of individual complaints of racial discrimination and what types of support are offered to victims of racial discrimination.

* Adopted by the Committee at its ninety-second session (24 April to 12 May 2017).



Article 3

6. Please indicate measures taken to prevent and avoid the segregation of groups and individuals protected under the Convention, including Roma and non-citizens, in all areas, including education and housing.

Article 4

7. Please provide information on the legislative, judicial, administrative or other measures taken to prohibit:

(a) All dissemination of ideas based on racial superiority or hatred or incitement to racial discrimination;

(b) All acts of violence or incitement to such acts against any group of persons because of their race, colour, descent or national or ethnic origin;

(c) The provision of any assistance to racist activities, including the financing thereof;

(d) Organizations, as well as organized and all other propaganda activities that promote and incite racial discrimination, and to recognize participation in such organizations or activities as an offence punishable by law;

(e) Public authorities or public institutions, national or local, from promoting or inciting racial discrimination.

8. Please indicate whether racial motives are considered an aggravating circumstance under domestic penal legislation.

9. Please also provide statistical data on complaints filed, prosecutions launched and sentences handed down relating to acts prohibited under article 4 of the Convention, as well as a qualitative assessment of such data.

Article 5

10. Please provide information on measures taken to ensure the full enjoyment of the rights enunciated in article 5 of the Convention by members of ethnic minorities, including Roma, migrants and those in transit or part of large movements. Please indicate, in particular, measures taken:

(a) To prevent any discriminatory or racist statements by public officials, the media or members of political parties against groups protected under the Convention, in particular Roma;

(b) To prevent racial discrimination that hinders the enjoyment of the right to work by minorities, including Roma and migrants, and to provide adequate and effective remedies in cases of discrimination;

(c) To provide adequate housing to all minority groups living in the State party, including Roma, by preventing discrimination in access to housing, by avoiding targeted forced evictions and by addressing the issue of homelessness;

(d) To guarantee groups protected under the Convention, including Roma people, equal access to health services and to prevent any discriminatory practices in the provision of medical care;

(e) To ensure that all children belonging to minorities, including Roma children, have equal access to education and to prevent racial discrimination and segregation, in practice, against those children;

(f) To ensure non-discrimination against children belonging to minority groups, including Roma children, in particular with regard to the removal of such children from their home environment and their placement in the State child welfare system;

(g) To address the situation of women belonging to ethnic minorities, including Roma women, subjected to multiple discrimination and exclusion;

(h) To fully comply with the principle of non-refoulement by ensuring that non-citizens are not returned or removed to a country or territory where they risk being subjected to serious human rights abuses, including torture and cruel, inhuman or degrading treatment or punishment, and that non-citizens are not subject to collective expulsion, in particular in situations where there are insufficient guarantees that the personal circumstances of each of the persons concerned have been taken into account;

(i) To counter any tendency to target, stigmatize, stereotype or profile, on the basis of race, colour, descent and national or ethnic origin, members of non-citizen population groups, especially by politicians, officials, educators and the media, on the Internet and other electronic communications networks, and by society at large;

(j) To ensure the security of non-citizens, in particular with regard to arbitrary detention and to ensure that conditions in centres for refugees, asylum seekers and people in transit meet international standards.

Article 6

11. Please provide information on the legislative, judicial, administrative or other measures that give effect to the provisions of article 6 of the Convention. In particular, please provide information on the practice and decisions of courts and other judicial and administrative bodies relating to cases of racial discrimination, as defined in article 1 of the Convention.

12. Please provide information on the types of reparation and redress, including examples thereof, that are considered adequate under domestic law in cases of racial discrimination. Please also provide information on the burden of proof required in civil proceedings in cases involving racial discrimination.

Article 7

13. Please provide information on legislative and administrative measures taken to combat prejudices that lead to racial discrimination, including general information on the educational system. Please also provide information on steps taken to include in textbooks, at all appropriate levels, chapters about the history and culture of groups protected under the Convention and living on the State party's territory.

14. Please indicate measures taken to provide intensive training to law enforcement officials to ensure that, in performing their duties, they respect and protect human dignity and that they maintain and uphold the human rights of all persons, without discrimination on the grounds of race, colour or national or ethnic origin.

15. Please indicate the role of State media in the dissemination of information to combat prejudices that lead to racial discrimination. Please also provide information on action taken to raise awareness among all media professionals of their particular responsibility not to promote prejudice and to avoid reporting incidents involving members of groups protected under the Convention in a way that blames such groups as a whole.