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**THIRD REPORT SUBMITTED BY HUNGARY  
PURSUANT TO ARTICLE 25, PARAGRAPH 1  
OF THE FRAMEWORK CONVENTION FOR  
THE PROTECTION OF NATIONAL MINORITIES**

(Received on 4 June 2009)





**THIRD REPORT**  
**OF THE REPUBLIC OF HUNGARY**

on the implementation of the  
Framework Convention for the Protection of National Minorities  
of the Council of Europe

Budapest, 2009

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## INTRODUCTION

The Republic of Hungary was one of the first signatories to the Framework Convention for the Protection of National Minorities of the Council of Europe (hereinafter as 'Framework Convention'), and deposited its instrument of ratification on 25 September 1995. The Parliament of the Republic of Hungary (hereinafter as 'Parliament') ratified the Framework Convention in its Resolution No 81/1995 (VII.6.) and it was promulgated by Act XXXIV of 1999.

To date, Hungary submitted a state report to the Council of Europe (hereinafter as 'CoE') on two occasions, in 1999 and 2004, with regard to the legislative measures taken to give effect to the principles enshrined in the Framework Convention and other measures introduced to protect Hungarian national and ethnic minorities. The latest report, which covered the period from 1999 up to 2004 (hereinafter as the 'second state report') was presented to the Secretary General of the Council of Europe by the representative of the Government of the Republic of Hungary (hereinafter as the 'Government') on 7 May 2004 based on Government Resolution No 1010/2004 (II.26.).

The Advisory Committee of the Framework Convention (hereinafter the 'Advisory Committee') examined the implementation of the provisions of the Framework Convention in Hungary between 20 and 24 September 2004. On 9 December 2004, the Advisory Committee accepted the document ACFC/OP/II (2004)003E, which summarised its expert opinion on the minority policy pursued by Hungary on the basis of the second state report and on-site monitoring (hereinafter the 'Opinion of the Advisory Committee').

Having reviewed the Opinion of the Advisory Committee, the additional information provided by the Hungarian Government and the observations made by other governments, the Committee of Ministers of the Council of Europe (hereinafter as the 'Committee of Ministers') adopted its position on the Hungarian implementation of the Framework Convention in Resolution ResCMN (2005)10 on 15 December 2005 (hereinafter as the 'Resolution of the Committee of Ministers') and made recommendations in connection with this issue.

The third state report which is published herein on the fulfilment of the commitments under the Framework Convention by Hungary (hereinafter as 'state report') gives an account of the minority policy actions during the period starting on 1 February 2004 and ending on the day the state report was approved by the Government (hereinafter as 'reporting period').

The state report was compiled in view of the outline for state reports that were drawn up by the Advisory Committee and adopted by the Committee of Ministers on 11 June 2008.

In keeping with the guidelines of the Advisory Committee, when preparing the state report we sought the opinion of the national self-governments of national and ethnic minorities (hereinafter as 'minorities') which are covered by Act LXXVII of 1993 on the Rights of National and Ethnic Minorities (hereinafter as the 'Minorities Act').

In order to gather data for the state report from the broadest possible range of sources, we contacted a number of non-governmental institutions and civil organisations too. The work of these institutions and organisations undertaken in connection with the Hungarian

implementation of certain provisions of the Framework Convention and the evaluations they provided will be addressed in detail.

\* \* \*

Hungary became a full member of the European Union in the reporting period reviewed.

According to the data of the Central Statistical Office (CSO), in 2004 Hungary had a population of 10,116,742 which fell to 10,045,401 by 1 January 2008. In the years of the reporting period, life expectancy at birth rose from 68.6 years to 69.2 for men and from 76.9 years to 77.3 for women. Based on the preliminary data of the CSO, the population of Hungary was 10,031,000 as at 1 January 2009.

Yearly inflation in 2005 dropped to 3.6 percent from 6.8 percent in 2004, then the slight rise in 2006 (3.9 percent) was followed by a sharp hike in 2007 (8.0 percent). Growth in consumer prices varied in the first months of 2008, between 6.6 and 7 percent until May, and then it gradually fell to 3.5 percent by December so in 2008 its annual level exceeded that of the previous year by 6.1 percent.

Gross domestic product (GDP) equalled HUF 20,695.4 billion at the beginning of the reporting period and reached HUF 25,419.2 billion by 2007.

According to 2006 statistical data, GDP per capita (purchasing power parity) stood at EUR 15,281. In 2006, 65.8 percent of the country's GDP was generated by services, 30.1 percent by industrial production and 4.1 percent by agricultural activity. 5.5 percent of those in employment worked in agriculture, 33.3 percent earned a living from industrial production and 61.2 percent held a job in the services sector. According to the data of the Central Statistical Office, the number of unemployed persons was 253 thousand in 2004, and in July and August 2008 there were 317 thousand people registered as unemployed. The average unemployment rate stood at 7.5 percent at the time the state report was prepared.

As regards the development of the HUF/EUR exchange rate, at the beginning of 2005 one euro translated into HUF 245.1 and on 20 November 2008 the euro central rate for the Hungarian forint stood at 272.03.

\* \* \*

Hungary is a parliamentary democracy. The latest general elections in 2006 earned parliamentary seats for five parties. The government took office as a coalition government established between the Hungarian Socialist Party and the Alliance of Free Democrats in 2002. As of May 2008, the Hungarian Socialist Party has been the only party in government.

The governmental restructuring which took place during the reporting period had implications for several ministries that were involved in the implementation of the Framework Convention.

The functions of the former Ministry of the Interior were transferred to the Ministry of Local Government and Regional Development and the Ministry of Justice and Law Enforcement in June 2006 – the latter formerly operated as the Ministry of Justice. From May 2008 onwards, the legal successor of the Ministry of Local Government and Regional Development has been the Ministry of Local Government.

Among others, the MLG is the department in charge of local governments, the regulations concerning suffrage and referendum, the implementation of elections and referenda and the organisation of public administration.

The Ministry of Justice and Law Enforcement is among other things responsible for the tasks related to Hungarian citizenship, birth certificates, the entry and stay of foreign nationals and the right to asylum. Accordingly, the police, the boarder guard and the Office of Immigration and Nationality have been assigned to the supervision of the Minister for Justice and Law Enforcement.

Since the new parliament took office in 2006, the competences of the former Ministry of Youth, Family, Social Affairs and Equal Opportunities and the Ministry of Employment Policy and Labour have been delegated to the Ministry of Social Affairs and Labour.

The governmental duties of public and general education have been performed by the Ministry of Education and Culture since the merger of the former Ministry of Education and the Ministry of National Cultural Heritage in 2006.

The Ministry of Economy and Transport took over the functions of the Ministry of Informatics and Communications in June 2006. Following the structural transformation in May 2008, two departments, namely, the Ministry for National Development and Economy and the Ministry of Transport, Telecommunication and Energy were set up as its legal successor.

The administrative system of the Republic of Hungary is divided into 3152 municipalities, 19 counties and the country's capital city, Budapest. The capital city is run on a two-tier system of self-governments with 23 districts functioning independently and the Municipality of Budapest coordinating the city's overall administration.

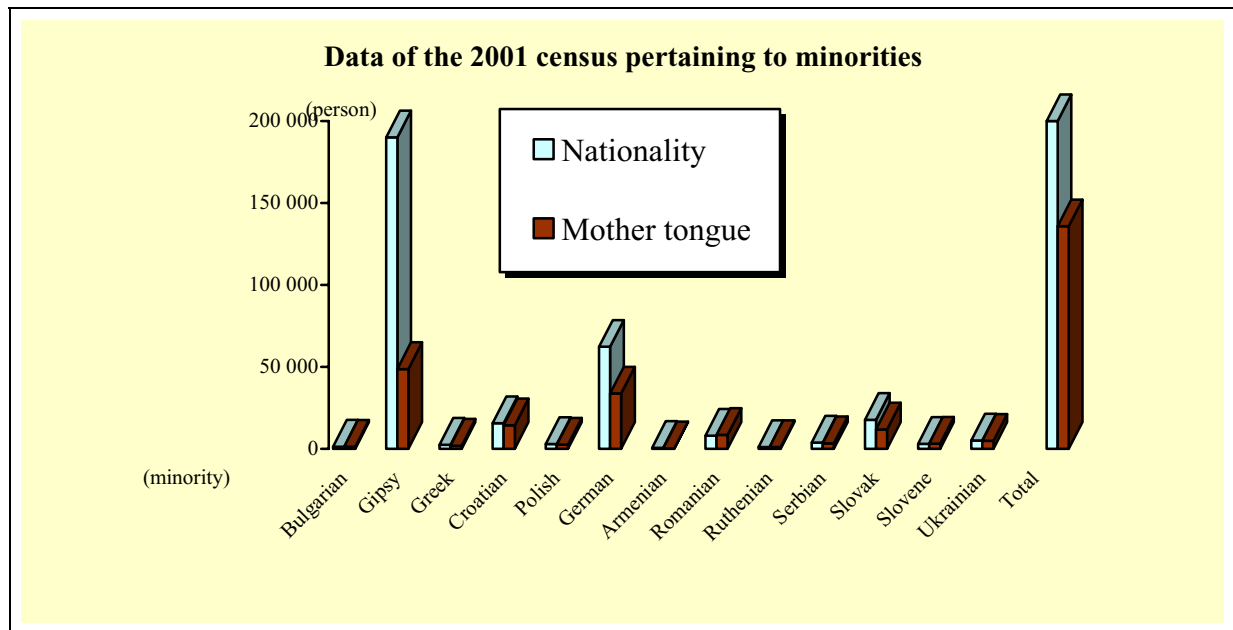
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The last full-scale census was conducted in Hungary in 2001. At that time the country had 10,198,315 inhabitants.

<b>Data of the 2001 census pertaining to minorities</b>		
	<b>Nationality</b>	<b>Mother tongue</b>
Armenian	620	294
Bulgarian	1 358	1 299
Croatian	15 620	14 345
German	62 233	33 792
Gipsy	190 046	48 685
Greek	2 509	1 921
Polish	2 962	2 580
Romanian	7 995	8 482
Ruthenian	1 098	1 113
Serbian	3 816	3 388
Slovak	17 693	11 817
Slovene	3 040	3 187
Ukrainian	5 070	4 885
<b>Total</b>	<b>314 060</b>	<b>135 788</b>

Source: Central Statistical Office

According to the 2001 census, 92.3 percent of the country's population identified themselves as Hungarian, 1.9 percent revealed themselves to be Roma and 5.8 percent belonged to other minorities or did not report any minority ties.

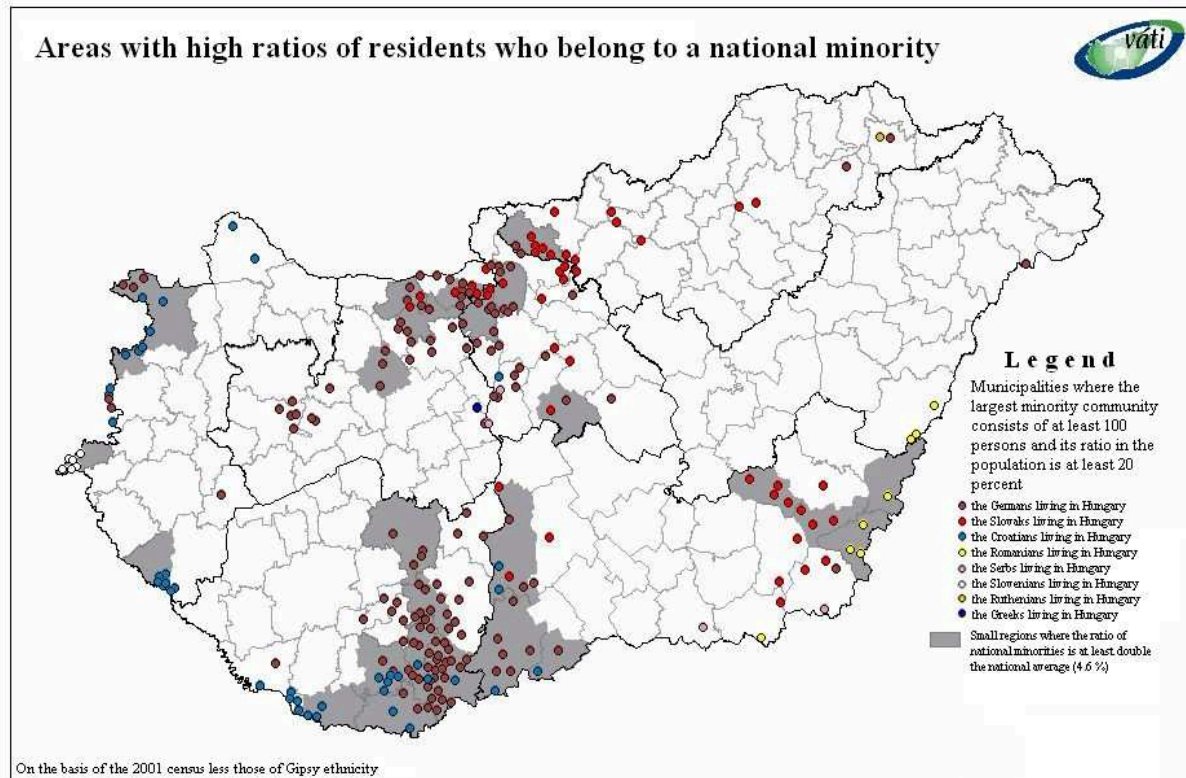


Graph: Prime Minister's Office, Department for National and Ethnic Minorities

The census questionnaire did not feature the name and personal data of respondents so they could in each case retain their anonymity. Respondents were not required to answer the questions on nationality affiliations. (Data pertaining to minorities obtained during the 2001 full-scale census were reported in detail in the second state report. The second state report contains the data related to the age pyramid, education, employment and geographical location of the minority population and the tables listing the specific minorities.)



The map below presents the areas with higher ratios of Hungarian minority residents:



\* \* \*

According to the Constitution of the Republic of Hungary, the national and ethnic minorities living in Hungary share the power of the people; they are constituent factors in the State. The Constitution grants protection to national and ethnic minorities, it ensures the possibilities for their individual and collective participation in public life, and enables them to foster their own culture, use their mother tongue, receive education in their mother tongue, and freedom to use their names as spelled and pronounced in their own language. It is a constitutional right of minorities to set up elected self-governments to facilitate the exercise of their collective rights. Minority self-governments are institutions of cultural autonomy vested with real powers.

As of the 1990s, measures were taken to enable minorities to organise themselves, to preserve their identity, and to pass on their language to younger generations. Among these measures, enactment of the Act on the Rights of National and Ethnic Minorities (1993) is of key significance. This Act lays down the fundamental principles, institutions and framework of the minority policy adopted by the Republic of Hungary. Considering that the linguistic rights of minorities are of crucial importance in the text itself, this Act can be regarded as the first manifestation of the policy related to minority languages. The Minorities Act stipulates that the language, culture and traditions of minorities living in Hungary are special values the preservation, cultivation and augmentation of which is not only a basic right of minorities, but is also in the interest of the Hungarian nation, and ultimately in that of the community of states and nations.

Pursuant to the Minorities Act, a national or ethnic minority is an ethnic group which has been living on the territory of the Republic of Hungary for at least one century, which represents a numerical minority among the citizens of the state, the members of which are Hungarian

citizens, and are distinguished from the rest of the citizens by their own language, culture and traditions, and at the same time demonstrate a sense of belonging together, which is aimed at the preservation of all these, and at the expression and the protection of the interests of their historical communities.

Within the meaning of the Minorities Act, the following ethnic groups are to be regarded as being indigenous in Hungary (in order of the Hungarian alphabet): *Bulgarians, Gypsies, Greeks, Croatians, Poles, Germans, Armenians, Romanians, Ruthenians, Serbs, Slovaks, Slovenes and Ukrainians.*

According to the provisions of the Minorities Act, the linguistic rights of minorities are to be exercised not only by individuals, but also by minority groups. The right to use one's mother tongue is defined both as an individual and as a community right in all areas of public life, including the right to take part in education in minority languages or to attend courses where the language of minorities is taught, the right to foster, pass on and improve one's minority culture, and the possibility of regular contact with the homeland. In the Republic of Hungary both legislation and finances are geared to the needs of national and ethnic minorities in securing their rights to cultural autonomy by having control over their own institutions.

The amendment of the Minorities Act in 2005 extended the scope of specific minority rights and refined and regulated the institutional framework of minorities' cultural autonomy. (Detailed information on the amendment of the Minorities Act will be provided below.)

The local, regional (counties and the capital city) and national system of minority self-governments in Hungary was established over the past 15 years. Minority self-governments play an important role in communities' efforts to organise themselves, the actual enforcement of participation rights and the realisation of the cultural autonomy of minorities.

National minority self-governments are regular negotiating partners of the Government, they can express their opinions on all decisions that affect minorities, are contributors to governmental negotiations held with leaders of the neighbouring countries, and delegate members to minority joint committees. The national minority self-governments run minority institutions of education and culture the operation of which is financed from the central budget.

Similarly to its ratification of the Framework Convention, the Republic of Hungary was among the first to sign and ratify the European Charter for Regional or Minority Languages of the CoE (hereinafter as 'ECRML'). During the period covered by this state report, Hungary reported on the implementation of the ECRML on two occasions.

Reviewing the Council of Europe's documents concerning minority protection, we can say that the national legal system of Hungary secures a wider range of rights for minorities in a number of areas than the Framework Convention or the ECRML itself.

\* \* \*

The state report comprises all important measures and changes that occurred over the reporting period with regard to the implementation of the Framework Convention in Hungary. We laid special emphasis on the evaluation of the implementation of the recommendations set out in the Resolution of the Committee of Ministers and the proposals in the Advisory

Committee's detailed Opinion. At the same time, we did not wish to re-examine the legal framework which essentially determines the policy pursued in respect of Hungarian minorities and was already presented in the first and the second state report and worked out in detail before their finalisation, and neither will we describe the situation of minorities in Hungary as it evolved over history.

The structure of the state report reflects the guidelines of the Advisory Committee.

Chapter I gives an account of the measures that serve the follow-up on the results of the second round of monitoring the Hungarian implementation of the Framework Convention. In the same Chapter we provide information on the governmental bodies directly concerned in the execution of the tasks of minority policy, the work undertaken to raise awareness of the documents of the Council of Europe which address minority protection, and the process and the results of the involvement of non-governmental organisations and institutions in the implementation of the Framework Convention. In addition, Chapter I also examines the legislative changes and governmental actions in response to the issues raised under the chapter of "General remarks" in the Opinion of the Advisory Committee.

In Chapter II of the state report we will proceed article by article of the Framework Convention to give further information on additional measures and events of the reporting period.

## **I. MEASURES TO FOLLOW-UP ON THE RESULTS OF THE SECOND ROUND OF MONITORING THE HUNGARIAN IMPLEMENTATION OF THE FRAMEWORK CONVENTION**

Hungary took several steps to improve the implementation of the Framework Convention. This process extended to important legislative and practical changes which could take place as a result of the constant constructive dialogue between the authorities and the minority groups.

### ***Governmental agencies performing tasks directly affecting minorities***

Concerning the governmental bodies directly involved in carrying out the measures that serve the follow-up on the results of the second round of monitoring the Hungarian implementation of the Framework Convention and in following the recommendations put forward in the Resolution of the Committee of Ministers and the Opinion of the Advisory Committee, we provide the following information.

(1) At the beginning of the reporting period reviewed herein, which started on 1 February 2004, the Office for National and Ethnic Minorities (hereinafter as Minorities Office) was in charge of the coordination of the governmental tasks of minority policy. After the elections in 2006 the governmental restructuring resulted in the termination of the Minorities Office on 31 January 2007, in line with the provisions of Government Decree 363/2006 (XII.28.). From 1 February 2007 onwards, the minister heading the Prime Minister's Office has been responsible for overseeing the governmental tasks related to minorities living in Hungary. Within the Prime Minister's Office, a State Secretariat for Minority and National Policy was set up to coordinate minority policy issues at the governmental level.

The Department for National and Ethnic Minorities is operated under the supervision of the State Secretary heading the State Secretariat for Minority and National Policy in the Prime Minister's Office, and attends to the tasks that were formerly performed by the Minorities Office, with special regard to creating equal opportunities for minority groups, facilitating the realisation of cultural autonomy, and the efficient utilisation of European Union funds in order to achieve the Hungarian minority policy objectives.

Within the Ministry of Education and Culture it is the Department of Nationalities which is in charge of coordinating the governmental functions related to minority education. Governmental work with regard to the cultural activity of minorities is overseen by the Directorate-General for Equal Opportunities, and the ministerial tasks related to the operation of minority theatres are performed by the Department for Arts. The Ministry also operates a Secretariat for Church Relations.

(2) Having regard to the unique problems concerning the Roma minority, the governmental structure comprises organisational units which specifically deal with these issues.

At the beginning of the present reporting period, the Prime Minister's Office had a state secretary responsible for Roma affairs, and the ministries of education, culture and economy had ministerial commissioners to coordinate the tasks which served the promotion of the social integration of the Roma and the improvement of their living conditions.

Following the establishment of a new government in 2006, there has been a state secretary responsible for equal opportunities in the Ministry of Social Affairs and Labour to supervise

the execution of the tasks of Roma integration. The Ministry established a Department for Roma Integration which has been playing a prominent role in fostering social equality. This Ministry coordinates the governmental tasks that help overcome the disadvantages which are also related to the world of work. The Ministry pays attention to the enhancement of the labour market opportunities of the Roma population, operates a scholarship scheme for the young Roma, and cooperates with organisations for the protection of the rights and interests of Roma people.

Based on Government Decree 2058/2008 (V. 14.) on the Establishment of an Inter-ministerial Committee on Roma Affairs, the Prime Minister of the Republic of Hungary designated a prime ministerial commissioner in May 2008 to coordinate the state tasks pertaining to Roma issues. The prime ministerial commissioner for Roma affairs is a member of the parliamentary faction of the party in government and is the head of a Roma minority self-government. As the commissioner of the Prime Minister, this Member of Parliament also acts as co-chair in the Inter-ministerial Committee on Roma Affairs, which is in charge of the governmental coordination of the various ministries' activities with regard to the Roma.

The Ministry of Education and Culture set up a Directorate-General for Equal Opportunities in 2006 with the primary aim of fulfilling the tasks of Roma integration.

As a result of the expansion of the Roma Anti-Discrimination Customer Service Network operated by the Ministry of Justice and Law Enforcement, legal aid services are extended by 30 lawyers at 47 municipalities in the country. The coordination of the programme in the Ministry is ensured by a desk officer for Roma affairs.

The Ministry for National Development and Economy has designated a director who is responsible for the strengthening of social solidarity and is also in charge of tasks related to the Roma integration.

The Ministry of Defence is also committed to the issues of the social integration of those belonging to the Roma minority: these activities are supervised and coordinated by a desk officer for Roma affairs and an assistant. The Ministry established an Expert Office for Equal Opportunities at the beginning of 2006, and as of September 2006 the functions related to equal opportunities are fulfilled by the Department of Communication and Recruitment.

### ***Measures to raise awareness of the documents of the Framework Convention***

The following results have been achieved with regard to the familiarisation of the broad public with the documents of the Framework Convention, the evaluation of the implementation of the Framework Convention in Hungary, and the facilitation of monitoring work.

(1) The Minorities Office, the Council of Europe and the Information and Documentation Centre of the Council of Europe in Budapest organised an international seminar in November 2006 on the issues concerning the implementation of the Framework Convention in Hungary. The attendees of the Budapest follow-up seminar reviewed the Hungarian results achieved in giving effect to the Framework Convention and discussed the governmental tasks that remain to be tackled in connection with the CoE documents.

(2) On the occasion of the 15th anniversary of passing the Minorities Act in Parliament in 1993, several commemorative events were staged in 2008 to celebrate this move in Hungary.

On Minorities Day (18 December 2008) the State Secretariat for Minority and National Policy organised a commemorative meeting in the Dome Hall of the Parliament in Budapest. The commemorative meeting held on the occasion of the anniversary of the birth of the Minorities Act acknowledged that with the declaration of the individual and collective rights of minorities, the creation of the system of minority self-governments, and the establishment of the institution of the minority ombudsman Hungary introduced a system for the protection of minorities which is unique in Europe. At the anniversary ceremony the first Vice-President of the Advisory Committee of the Council of Europe's Framework Convention for the Protection of National Minorities and the representative of the Committee of Experts of the Council of Europe's European Charter for Regional or Minority Languages talked of the international implications and the significance of the Hungarian Minorities Act. As the chief officer of the Advisory Committee said, Hungary pursues an exemplary policy in fulfilling the commitments it undertook in the Framework Convention and assumes an active role in operating the Council of Europe control mechanisms in minority protection.

(3) According to the provisions of the Minorities Act, the Government is to present a report to the Parliament biannually on the position of minorities living in the territory of the Republic of Hungary. Over the reporting period, the Parliament received such a document two times. The latest report, which was accepted by Parliament on 31 March 2008, took stock of the changes in the situation of minorities that occurred between February 2005 and February 2007. The report registered under no. J/4722 describes the governmental measures taken to improve the situation of minorities and to enforce their rights guaranteed in the Minorities Act on a wide scale. The report touches upon the experiences gained with respect to the functioning of minority self-governments, the multichannel system of financial support, the overall situation and legal background of minority education and public education, the activities of the minority civil sphere, religious practice and the broad international relationships related to minority issues. A separate subchapter is devoted to the 2005 amendment of minority legislation and the evaluation of the minority self-government elections of 2006. The Prime Minister's Office published the governmental reports in a book as well. The reports can also be found on the [www.nek.gov.hu](http://www.nek.gov.hu) home page.

(4) From 1 January 2005 onwards, enforcement of the principle of equal treatment has been controlled and assisted by the Equal Treatment Authority (hereinafter as 'Authority') as the administrative agency with national powers, which submits a report to the Government annually on its activity and the experiences acquired in applying Act CXXV of 2003 on Equal Treatment and the Promotion of Equal Opportunities (hereinafter as the 'Equal Treatment Act') and informs the general public of these issues continuously.

Information regarding the work of the Authority and related to the implementation of the framework Convention can be found at [www.egyenlobanasmod.hu](http://www.egyenlobanasmod.hu). The documents on the matters reviewed on these sites are also available in English. The Equal Treatment Authority has been running a new home page since February 2007 at [www.antidiszko.hu](http://www.antidiszko.hu) where they seek to encourage action against discrimination with the help of easy-to-understand information materials. The Authority regularly issues a newsletter which is sent to approximately 5,000 recipients.

Following the establishment of the Authority, the provisions of the Equal Treatment Act have been presented in a number of public service and commercial media, in programmes aired on the basis of contract. According to the agreements concluded with Rádió C, Klubrádió, the Hungarian Television and Duna Television, the editorial staffs of these media provide opportunities of broadcasting for the Authority, and air social commercials for the purpose of advancing equal treatment. In 2005 there were 148 news items concerning the work of the Authority, in 2006 143, in 2007 161, and by October 2008 149 such items appeared in the press, on radio and television. (Detailed information on the activities of the Equal Treatment Authority will be provided below in this Chapter and also in Chapter II in connection with Article 4 of the Framework Convention.)

(5) In October 2005 Parliament passed Act CXIV of 2005 on the Election of the Representatives of Minority Self-Governments and the Amendment of Certain Acts Concerning National and Ethnic Minorities. These provisions affect the Minorities Act in several respects. The consolidated version of the Act concerning the specific rights of minorities is available in [English](#), [Croatian](#), [French](#), [German](#), [Hungarian](#), [Romanian](#) and [Slovak](#) on the [www.nek.gov.hu](http://www.nek.gov.hu) web site.

In 2005 the Ministry of the Interior organised training courses in public administration for the leaders of minority self-governments at various locations in the country. This professional programme became timely with the entry into force of the amended Minorities Act and Act CXL of 2004 on the General Rules of Administrative Proceedings and Services (hereinafter as the ‘Administrative Proceedings Act’) on 1 November 2005. The representatives were supplied with detailed information on aspects of the new provisions with relevance to the operation of minority self-governments, as well as on the activity of the Equal Treatment Authority and self-governments’ tasks with regard to equal treatment.

Pursuant to the provisions of the Minorities Act, control over the lawfulness of the activities of minority self-governments was exercised by the heads of regional offices of public administration which act as the regional agents of the Government. These public administrative offices cooperated in the preparation and implementation of the election of minority self-governments in 2006.

The National Election Committee provides detailed information at [www.valasztas.hu](http://www.valasztas.hu) and publishes data series on minority elections.

Over the period of preparation for the minority self-government elections which took place in accordance with the new legislative regulations the Minorities Office provided professional assistance and financial support for the implementation of a number of informative media programmes. During the compilation of the minority electoral roll (for details on this new institution see below) and on the occasion of the minority self-government elections in 2006 the Hungarian Television, the Hungarian Radio, and Duna Television, which are entrusted with public service duties, broadcast information regarding the elections in the form of social commercials. Public service announcements were also aired by two commercial radios with national coverage. (Detailed information concerning the minority electoral roll and the new legal framework of minority self-government elections will be given under Chapter II of the state report in connection with Articles 3, 7 and 15 of the Framework Convention.)

The municipal (local) minority self-governments elected in 2006 and the regional (county) minority self-governments set up for the first time in 2007 were directly assisted by the public

administrative offices in order to start operation. The information pamphlets of the Ministry of Local Government and Regional Development supplied comprehensive information on the new rules pertaining to the operation of these bodies and particular information was published on the home pages of the public administrative offices with the staff of the Ministry delivering preparatory lectures for minority representatives and local notaries.

The State Secretariat for Minority and National Policy staged a conference in Budapest in June 2007 on issues related to the election of minority self-governments. The aim of this meeting was to take stock of and analyse the experiences of the minority self-government elections of 2006/2007 held in accordance with the new election rules, and to set the course for any further legislative amendments that may prove to be necessary. In addition to representatives of the chief authorities, the conference was attended by the leaders of civil organisations that nominated candidates to run for the election of the minority self-governments.

The Ministry of Local Government constantly operates a hot line for self-governments where those contacting the Ministry can get direct assistance with minority issues.

The Department for National and Ethnic Minorities of the Prime Minister's Office published an information pamphlet called 'Kisebbségi Kalauz' (Guide on Minorities) in 2007 and 2008 in order to help the work of minority self-governments. The first edition provides detailed information on the legislative provisions, as well as consultation forums with relevance to the activities of the county self-governments of minorities which were elected for the first time in 2007. The second edition deals with the utilisation of funds which were channelled for the implementation of the programmes for the establishment and takeover of institutions by national self-governments which serve the realisation of the cultural autonomy of minorities.

The Department for National and Ethnic Minorities issues a collection of news items titled 'Kisebbségi Hírlevél' (Minorities Newsletter) on a monthly basis. The newsletter is first and foremost a constant source of information on the possibilities of access to European Union budgetary funds for minority self-governments. The editors of the Minority Newsletter pay special attention to publishing information concerning Council of Europe documents on the protection of minorities.

(6) The Minorities Office and the State Secretariat for Minority and National Policy organised a conference with the participation of the representatives of cultural and educational institutions maintained and run by the national self-governments of minorities on two occasions during the reporting period. The discussions were aimed at the exchange of actual experiences gathered with respect to the operation of minority institutions and gaining an understanding of the relevant legal background. Besides the representatives of institutions run by the national self-governments of minorities, the conference was also attended by the heads of minority institutions operated in different organisational forms.

(7) In June 2007 the State Secretariat for Minority and National Policy held an international conference in Pécs to review the media rights of minorities. The agenda of the meeting among others included the evaluation of the Hungarian implementation of the provisions of the Framework Convention and the ECRML which are related to the media. The conference devoted marked attention to matters regarding the comprehensive regulation of the switchover to digital television and radio broadcasting and the involvement of minorities in these efforts. The meeting was attended by politicians of parliamentary parties engaged in media policy, the



representatives of minority national self-governments and the staff of the editorial offices of the minority media. The National Radio and Television Commission, the Hungarian Radio and the Hungarian Television, and the executives of the advisory boards of these public media organisations presented their minority policy. The organisational and budgetary autonomy and the position of the minority press and electronic media, as well as issues related to the freedom of the press and of expression, to impartiality and plurality were also analysed.

(8) The Department for National and Ethnic Minorities under the State Secretariat for Minority and National Policy launched a series of lectures on the topical questions of minority policy in October 2008. The programme seeks to impart extensive knowledge to the actors of public administration with regard to the handling of minority policy issues.

(9) The Department for National and Ethnic Minorities under the State Secretariat for Minority and National Policy initiated a Roma Regional Forum in six major towns of the country in October 2008. As part of this programme series the representatives of Roma minority self-governments and civil organisations had direct access to information on governmental programmes and tender opportunities that were of concern to the Roma. The staff of the Equal Treatment Authority and the associates of the Regional Development Council in the given region, which coordinates the use of European Union funds, also participated at the forums.

(10) Based on the programme approved by the Government, as of September 2007 young scholarship recipients with a university degree who are interested in public administration have had the opportunity to undertake a one-year apprenticeship at various ministries. At the Department for National and Ethnic Minorities of the Prime Minister's Office there are annually 3 young graduates who get acquainted with the minority policy tasks of public administration and receives a state scholarship.

As a result of the cooperation between the Department for National and Ethnic Minorities and the Budapest Information and Documentation Centre of the Council of Europe, the scholarship recipients had the opportunity to familiarise themselves with the work of the Council of Europe in October 2008. Under this post-graduate programme the young scholarship recipients obtained detailed information on the circumstances under which the Framework Convention and the ECRML were created, the structure of minority protection documents, the principles underlying their functioning, the monitoring activities, and international experiences.

(11) The State Secretariat for Minority and National Policy runs an individual home page to supply more extensive information on the governmental work related to minorities and the life of minorities. Documents with relevance to the Framework Convention and the ECRML are available on the [www.nek.gov.hu](http://www.nek.gov.hu) web site. The web site has a separate menu dedicated to the resolutions and the positions of the Council of Europe Committee of Ministers and the Advisory Committee concerning Hungary.

(12) In order to raise awareness of the Roma Anti-Discrimination Customer Service Network (hereinafter as 'Network') operated by the Ministry of Justice and Law Enforcement the Ministry prepares publications presenting the work of the Network and the contact details of Network lawyers.

In 2005 the Ministry of Justice and Law Enforcement issued a publication entitled 'Megkülönböztetés a mindennapokban' (Everyday Discrimination) which comprises of 93 legal cases, presenting certain typical cases and the proceedings from the point when the claimant contacted the Network lawyer up to the point when some kind of a resolution of the specific case (advise, drawing up of documents, legal representation vis-à-vis the authorities and the court, reaching an agreement, etc.) was found. It was also in 2005 that the Ministry published flyers which, among others, included the up-to-date contact details of the lawyers of the Roma Anti-Discrimination Customer Service Network; these flyers – to which the contact details of the Legal Aid Service and the Victim Support Service of the Central Office of Justice were added – were republished in 2006 and 2007. The Ministry of Justice and Law Enforcement distributed these publications among the Roma minority self-governments, civil organisations of rights defenders, customer services and state agencies engaged in minority protection free of charge.

From 1 October 2005 the Ministry of Justice has been operating a green number (06-80-244-444), where clients can obtain information on the customer service contact details of Network lawyers in 24 hours a day. To promote this toll-free number, the Ministry of Justice and Law Enforcement launched a nationwide campaign. Throughout the country there were 150 billboards displaying this emergency telephone number. Apart from the home page of the Ministry ([www.irm.gov.hu](http://www.irm.gov.hu)), clients can access information on the exact contact details of the customer service on the web sites of the National Roma Self-Government ([www.oco.hu](http://www.oco.hu)) and the Romaweb ([www.romaweb.hu](http://www.romaweb.hu)). (Further information concerning the work of the Roma Anti-Discrimination Customer Service Network will be given below.)

(13) The Development and Methodology Institute of the State Audit Office published a study in May 2008 on the assessment of the governmental policies pursued with regard to the Roma minorities over the past 18 years. According to the makers of the study the Hungarian governments have been adopting the European approach when treating the problems of the Roma both as a minority and a social issue. At the same time, they claim that none of the governments could ultimately resolve the dilemma of Roma policy or poverty policy, namely, that social and minority policy issues should be clearly separated in the measures concerning the Roma.

The study of the State Audit Office concluded that considerable strategic and organisational changes in the organisational system of the management and financing of Roma policy were effected in 2002: the tasks and the programmes of Roma integration were transferred to the Office of Roma Affairs supervised by the newly appointed political state secretary responsible for Roma affairs, and two years later these were assigned to the competence of the social ministry. The study emphasizes that since the political transition the system for the protection and representation of the interests of the Roma has been developed. The State Audit Office proposes that the Government should launch complex programmes with earmarked funds to improve the living conditions of the Roma.

(14) In cooperation with the Central Statistical Office, several scientific fellow organisations, such as the Research Institute for Ethnic and National Minorities and the Geographical Research Institute of the Hungarian Academy of Sciences created a data warehouse called [Kárpát-medencei Magyar Kutatási Adatbázis](#) (Hungarian Research Database of Carpathian Basin).

This integrated database, which was set up in 2002 and has been continuously expanding ever since, contains the nationality data of [Hungarian settlements](#), the minority data series of the 2001 census, the contact details of the educational institutions of the municipalities, and a list of the minority self-governments elected in the given municipality. The database can be accessed at <http://gis.geox.hu/nkfp/adattar.asp>.

### ***Involvement of minorities in governmental policy making***

There are a number of legal regulations in place in Hungary which provide for the involvement of minorities in the handling of issues that concern them in such capacity. The right to give an opinion and the right of consent and co-decision are exercised at local, county and national level in the framework of the minority self-government system. There are several forums to ensure that the Hungarian implementation of the provisions of the Framework Convention and the related documents are evaluated by the minorities.

(1) The minister of the Government responsible for minorities meets with the representatives of minorities on a regular basis. The minister heading the Prime Minister's Office held the latest consultations with the presidents of the national minority self-governments on 5 November 2008. The ministerial meeting reviewed this year's minority policy issues and discussed the items of the bill for the 2009 budget allocated to minority affairs. The state secretary for minority and national policy of the Prime Minister's Office arranges meetings with self-governmental representatives several times a year. The Director-General of the Department for National and Ethnic Minorities maintains daily contact with the heads of the national self-governments of minorities.

(2) In June 2007 the state secretary for minority and national policy set up three working groups. The working groups for public law, for financing and support, and for media affairs provide the professional foundation for the governmental work regarding minorities.

The Public Law Working Group is basically entrusted with the formulation of the concept necessary for the creation of legislation on the parliamentary representation of minorities, the evaluation of the practical application of the Minorities Act as amended in 2005, and with orientating further development. The representatives of the ministries concerned, representatives delegated by the national self-governments of minorities, internationally renowned experts of minority issues, and the associate of the Parliamentary Commissioner for National and Ethnic Minority Rights contribute to the work of this body.

The Financing and Support Working Group reviews the operating conditions and the financing regime of minority self-governments, evaluates the financial support scheme for minority organisations, and facilitates the involvement of Hungarian minorities in the use of European Union funds. The body comprises the representatives of the ministries concerned, the presidents of the national self-governments of minorities, the associate of the minority ombudsman and the chief notary of the local government of the county of Pest.

The Media Working Group's task is to draft proposals for the Government and operators of the public media on the media rights of minorities. The body's membership consists of the representatives of the ministries concerned, the Hungarian Radio, the Hungarian Television, the National Radio and Television Commission and the national self-governments of minorities, as well as the associate of the minority ombudsman. The meetings of the Media Working Group are regularly attended by the minority members of the Advisory Board of the

Hungarian Television Public Foundation and the Hungarian Radio Public Foundation and the minority co-chair of the National Minority Informatics Board. The Working Group put the issues of media rights in the Framework Convention on the agenda on a number of occasions in 2007 and 2008, and evaluated the progress made in the implementation of the recommendations contained in the opinion of the Advisory Committee and the Resolution of the Committee of Ministers. The Media Working Group engaged in direct consultations in respect of these matters with the President of the National Radio and Television Commission, the President of the Hungarian Radio Public Foundation, the Vice-President of the Hungarian Radio and representatives of the Hungarian Television.

The documents related to the activities of the working groups established by the state secretary for minority and national policy, and the memorandums and proposals concerning the specific meetings are published under a separate menu on the [www.nek.gov.hu](http://www.nek.gov.hu) home page.

(3) The Ministry of Education and Culture operates a National Minority Committee established pursuant to Act LXXIX of 1993 on Public Education (hereinafter as the 'Public Education Act'). The task of this professional body is to prepare the decisions related to minority instruction and education and to give an opinion on these issues. The members of the National Minority Committee are delegated by the national minority self-governments.

(4) As the supporting institution of the Ministry of Education and Culture, the Hungarian Institute for Culture and Art set up a Nationality Culture Expert Council and a Roma Expert Council in 2004 with the involvement of minority professionals. These bodies are in charge of coordinating the cooperation between minority cultural organisations and self-governments and laying the professional foundation for ministerial decisions.

(5) The National Minorities Informatics Board (NIK) restarted its work in the Ministry of Economy and Transport in January 2008. The task of the NIK is to involve minorities in the development of governmental information technology programmes, and to provide a professional foundation for the work of minority communities in connection with the development of information technology programmes in their native language. The representatives of the NIK are delegated by the national self-governments of minorities.

The advisory body played a decisive role in the implementation of minorities' information technology programmes in their mother tongue. With the contribution of the NIK, in 2004 a total of 1,005 municipal minority self-governments could acquire computers and word editor programmes, and the national self-governments received budgetary support for the enhancement of their IT system to help them build ties with their local counterparts. With help from the NIK again, in 2006 minority newspaper editorial offices were granted fairly large subsidies for the expansion of their pool of IT equipment.

The work of the Nationalities Informatics College has been coordinated by the Infocommunications State Secretariat of the Prime Minister's Office since May 2008.

(6) The National Development Agency (NDA), which is in charge of coordinating the Hungarian utilisation of European Union development funds, grants support for the improvement of the social status of Roma people in connection with the implementation of the Decade of Roma Inclusion Programme (more details of the Programme can be found below). The NDA focuses great attention on following up the fulfilment of equal opportunity objectives at the programme level as part of its monitoring activity. The NDA assures the

preparation of the Roma members of the monitoring committees operated under the strategic managing bodies of the specific operational programmes, and arranges the preparation of the professionals of the National Roma Self-Government.

With the financial support of the National Development Agency, since 1 January 2008 there has been a Support Network for Roma Programmes in operation, the function of which is to facilitate access to European Union funds for Roma civil organisations and communities, and to run professional working groups which lend assistance to ensure that support is used and accounted in a competent manner.

(7) The drafting of the action plans of the New Hungary Development Plan for the years 2009–2010 started during the reporting period. As regards the action plans, the Ministry of Social Affairs and Labour operates an inter-ministerial working group to give effect to the principle of equal opportunities in distributing the funds, and to ensure that the inhabitants of disadvantaged small regions and segregated residential areas as well as those with low qualifications take part in the employment, education, health care, and housing programmes.

(8) In order to stimulate the economy of the 33 most disadvantaged small regions of the country, to boost employment and to implement projects that serve social and geographical mobility, some HUF 100 billion has been appropriated for the period between 2009 and 2013. To give effect to local interests, small regional development committees of the councils of the multi-purpose associations of small regions were formed at the beginning of 2008. The representatives of minority self-governments must be included in the small regional development committees' membership with voting rights, and at least one seat of the representatives of minority self-governments must be reserved for the representative of the Roma minority self-governments that operate in the given region. The number of committee members must be determined in a way so that the total of the representatives delegated by minority self-governments, civil organisations and local undertakings accounts for at least 50 percent of the committee membership.

(9) The Equal Treatment Act requires the Equal Treatment Authority to cooperate with social and interest representation organisations in performing its duties. It is the obligation of the Authority to inform the general public regularly on the state of affairs with regard to the enforcement of equal treatment.

The Equal Treatment Act stipulates that the Equal Treatment Authority should perform its duties in cooperation with the Advisory Board of Equal Treatment. The six members of the Advisory Board shall have outstanding experiences in the protection of human rights and in the enforcement of the requirements of equal treatment. The candidates were for the first time nominated for membership by the Prime Minister with effect from 20 June 2005. In 2006 and 2007 each year the Advisory Board adopted two positions and it established five by October 2008. The detailed conclusions of these positions are public, and can be accessed at [www.egyenlobanasmod.hu](http://www.egyenlobanasmod.hu).

(10) Under the auspices of civil partnership, in 2005 the Ministry of the Interior staged meetings with the leaders of Roma minority self-governments and Roma civil organisations at regional and county level in Budapest and the counties of Pest, Heves and Bács-Kiskun to discuss career opportunities in law enforcement, admission requirements, studies in law enforcement and support facilities for young people.

## *Amendment of the Minorities Act*

In the reporting period the Government, subject to the content of the Resolution of the Committee of Ministers and the opinion of the Advisory Committee, took concrete steps to refine and to expand the specific rights stipulated in the Minorities Act in 1993.

At its session on 17 October 2005, Parliament passed Act CXIV of 2005 on the Election of the Members of Minority Self-Governments and the Amendment of Certain Acts Concerning National and Ethnic Minorities.

As a main rule, the provisions of this Act came into force on 25 November 2005, however, the regulation regarding suffrage was first to be applied to the election of municipal minority self-governments in 2006 and in the course of the preceding procedure.

The Act mentioned above covers the following major areas:

Within the scope of substantive and procedural law related to the election of minority self-government members:

- a new element of regulation is the introduction of the ‘minority electoral roll’ and the creation of the pertaining procedural and data protection rules;
- as a result of the amendment, the system of minority self-governments is now a three-tier system, after the elections municipal (local), regional (county) and national minority self-governments can be set up;
- elections at the local level take place in a single round and are thus direct, at the regional and national level indirect elections are arranged where the members are elected on a separate day by electors (a representative elected by the minority community of a municipality).

The regulation clarifies and expands the scope of duties and competence of local and national minority self-governments and the institutional framework of educational and cultural autonomy.

The Act incorporated the operation, management and control of minority self-governments into a transparent system.

The Minorities Act has a separate chapter to lay down the provisions related to the use of minority languages. The amended Act sets out the powers of municipal, regional and national minority self-governments with regard to language use.

The Minorities Act defines the terms of ‘minority public affair’, ‘minority public educational institution’, ‘minority cultural institution’ and ‘minority mass communication’.

With the amendment, the legislative, organisational and financial guarantees for minority self-governments to take over and run educational institutions have been provided. Minority self-governments are eligible for normative grants guaranteed under the Budget Act for the maintenance of educational institutions that have been transferred to them, and can apply for supplementary contributions on the same grounds and under the same conditions as local governments.

The amended statutory regulation also establishes the procedural rules and the organisational and financial conditions for the transfer of cultural institutions in the case of minority self-governments.

The amendment of the Minorities Act enacted in 2005 introduced a new provision to enable the realisation of the cultural autonomy of minorities in the media. Pursuant to this provision, public service radio and television stations should ensure that national and ethnic minority programmes are produced, broadcast and disseminated within an independent organisational unit and with resources allocated for this purpose alone.

(Additional information on the provisions of the amended Minorities Act will be provided in the pages that follow below, and the experiences concerning their actual application will be detailed in Chapter II of the state report, in relation to the specific Articles of the Framework Convention.)

### ***Issues related to the participation rights of minorities***

(1) In its chapter on fundamental rights and duties, the Constitution states that the national and ethnic minorities living in the territory of the Republic of Hungary participate in the sovereign power of the people: they represent a constituent part of the State. The Republic of Hungary shall provide for the protection of national and ethnic minorities and ensure their collective participation in public affairs, the fostering of their cultures, the use of their native languages, education in their native languages and the use of names in their native languages. The laws of the Republic of Hungary shall ensure representation for the national and ethnic minorities living within the country. National and ethnic minorities shall have the right to form local and national bodies for self-government.

(2) In consequence of the amendment of the Minorities Act in 2005, the system of minority self-governments created in 1993 has consolidated.

(3) Concurrently with the expansion of the rights of minorities for self-government, additional governmental measures were instituted to ensure the direct representation of minorities in Parliament.

The Public Law Working Group set up by the State Secretariat for Minority and National Policy in the summer of 2007 worked out a solution for the parliamentary representation of minorities which assures the fulfilment of the constitutional requirements related to equal rights, equal opportunities and equal voting rights, and creates a real opportunity for the parliamentary representation of the 13 Hungarian national and ethnic minorities designated in the Minorities Act.

Two thirds of the Members of Parliament must vote in favour of the proposals on the direct representation of minorities in Parliament in order for such proposals to be accepted.

(4) Upon the initiative of the minority ombudsman the presidents of the national minority self-governments established a forum called 'Second Minority Round Table' in September 2007. (The informal organisation 'Minority Round Table' which functioned between 1991 and 1993 during the preparation of the Minorities Act incorporated the representatives of the civil organisations of all minority communities which were subsequently specified in law. The forum was dissolved after the first election of minority self-governments in 1995.)

The Second Minority Round Table adopted its first position in February 2008 with a view to providing for the parliamentary representation of minorities. The related documents can be found on the [www.kisebbsegiombudsman.hu](http://www.kisebbsegiombudsman.hu) home page.

### ***Extension of the ECRML to the Romani and Beash languages***

At its session on 9 June 2008 Parliament passed Act XLIII of 2008 to include Gipsy languages (Romani and Beash) under the scope of the commitments of the Republic of Hungary under Article 2(2) of the European Charter for Regional or Minority Languages. The new legal norm provides a statutory framework for Gipsies speaking Romani or Beash to use their mother tongue in different levels of education, in the administration of justice and in public offices. The undertakings among others extend to the obligations of public service radio and television channels to produce and broadcast programmes in the Romani and Beash languages. (Additional information concerning the extension of the ECRML to Romani and Beash are given in Chapter II of the state report, in respect of Article 10 of the Framework Convention.)

### ***Provisions concerning equal treatment and the promotion of equal opportunities***

The second state report addressed in detail the specific provisions of Act CXXV of 2003 on Equal Treatment and the Promotion of Equal Opportunities (the Equal Treatment Act). Several provisions of the Equal Treatment Act have been amended over the reporting period examined in this state report.

(1) The Equal Treatment Act, which entered into force on 27 January 2004, is a general regulation on anti-discrimination which consolidated the rules that were already in place in Hungarian legislation, to which a number of new elements were added to adapt to the relevant new EU directives.

The amendment of the Equal Treatment Act by Act CIV of 2006 ensures full harmonisation with Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin and Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation. The amendment of the Equal Treatment Act entered into force on 1 January 2007.

As a result of the amendment, exemption rules became stricter. The definition of direct and indirect discrimination has been also modified. Not only is the Equal Treatment Authority authorised to investigate cases of discrimination, but it can also examine whether the employers that are subject to such obligation have adopted an equal opportunities plan. The equal opportunities plan must contain the procedural rules related to the enforcement of the requirement of equal treatment.

In the case of *actio popularis*, prosecutors, the Authority and, as stipulated by the new provision, civil and interest representation organisations may initiate a lawsuit for the violation of personal rights or file a labour suit not only if the requirement of equal treatment has been violated, but also where there is a direct danger of violation.

The concept of 'local equal opportunities programme' has been introduced to the Equal Treatment Act. This programme is adopted by the local governments of municipalities which shall analyse the state of affairs of disadvantaged groups living in the particular municipality,



define the objectives promoting equal opportunities for these groups, with special regard to housing, education, health care, employment and social status. The local equal opportunities programme shall define the size of funds required for the implementation of the set objectives and the schedule of implementation.

The new provision of the Equal Treatment Act requires the party brought under the procedure to provide, at the request of the Authority to this effect, all the documents related to the particular case. Records or databases which include personal data can be seized as inspection exhibits.

Certain procedural rules have been also modified. Accordingly, the aggrieved party should bear other procedural costs only if the Authority concludes that he or she acted in bad faith. If a court procedure has also been launched simultaneously with that initiated by the Authority, the Authority shall only suspend but not dismiss (as stipulated before) its own proceeding and continue once a judgement has been made by the court, in consideration of the statement of facts contained therein.

The Government of the Republic of Hungary adopted Government Decree 362/2004. (XII. 26.) on the Equal Treatment Authority and its Detailed Procedural Rules in December 2004. According to the Decree, compliance with the obligation of equal treatment is overseen by the Equal Treatment Authority, which started operation on 1 February 2005 as a body with national powers under the supervision of the Government. As of 1 January 2007, the activity of the Authority has been controlled by the Minister for Social Affairs and Labour. Based on the Act on Equal Treatment and the Promotion of Equal Opportunities, the Equal Treatment Authority may not be instructed in exercising its duties related to the enforcement of the obligation of equal treatment, and it shall perform its work independently of the government and the ministry overseeing its operation.

Government Decree 362/2004. (XII. 26.) on the Equal Treatment Authority has changed in accordance with the amendment of the Equal Treatment Act in 2006. Some of the provisions facilitating presentation of evidence have been modified. Thus, for example, contrary to the general rules, the Authority may dispense with notifying the party brought under the procedure of the fact that proceedings have been initiated if this would jeopardise the effectiveness of the procedure. Another change is that half of the fines imposed by the Authority should be used for the purpose of disseminating information on equal treatment and other purposes facilitating more efficient operation.

The rules pertaining to the Advisory Board assisting the Equal Treatment Authority have been incorporated into the Act instead of formerly being stipulated in a government decree.

(2) For the preparation of the state report we also contacted the Chief Prosecutor's Office to gather information. According to the information received, the petitions filed with public prosecutors for the violation of law and the requests of state and civil bodies in the reporting period do not indicate that there had been any circumstances which would have necessitated action by prosecutors in connection with the enforcement of the Framework Convention.

In order to give effect to the principles of equal treatment also in attorney organisations, for the sake of promoting equal opportunities the Chief Prosecutor issued Instruction No. 5/2007. (ÜK.4.) on Equal Opportunities which is binding to all public prosecutor's offices. The Instruction explicitly prohibits all forms of discrimination – especially based on nationality,

race or ethnic origin – among the staff of prosecutor’s offices. The same Instruction stipulates that in the event that the principle of equal treatment has been violated, recourse to remedy must be ensured. Action for remedy in prosecutor’s offices can be initiated with the desk officer for equal opportunities who is appointed by the Chief Prosecutor, the contact details of whom are available on the home page of the institution. The desk officer for equal opportunities has not yet received such complaints since in office for one and a half years.

The research and media related work undertaken within and in cooperation or with the support of the scientific and research agency of the Chief Prosecutor’s Office, the National Institute of Criminology between 1995 and 2005 has helped considerably addressing the social problems affecting the largest group of minorities, the Roma. Roma civil organisations and public figures also gave their opinion on the results of these researches.

According to the research findings, the integrated education of disadvantaged Roma students takes place on an ever broader scale. The admission procedure in higher education features new elements of positive discrimination assisting Roma students and new forms of support, and new measures and institutions for anti-discrimination and minority protection have been introduced (Equal Treatment Authority, a budget line for Roma coordination and intervention, the Decade of Roma Inclusion Programme and the related action plan, and operational programmes).

The information material of the Chief Prosecutor emphasizes that the research results obtained subsequently to the completion of the second state report have been incorporated into the knowledge content of the new textbooks in criminology.

### ***Minority education***

Education in minority kindergartens, instruction and education in schools is organised in various forms, in consideration of the diverse specificities of the thirteen minorities defined in the Minorities Act, and the needs and the linguistic situation of local communities within the individual minorities:

- education in mother tongue kindergartens (the language of kindergarten education and kindergarten life is the language of the minority concerned);
- education in bilingual minority kindergartens (kindergarten education is provided in both languages, with accent laid on the development of the minority language);
- kindergarten education ensuring education in Gipsy culture (kindergarten education takes place exclusively in Hungarian, but pursuant to Decree 32/1997 (XI. 5.) of the Minister of Culture and Public Education, in terms of its content it qualifies as minority kindergarten education);
- comprehensive education in the mother tongue (with the exception of Hungarian language and literature, education is provided in the language of the given minority);
- bilingual minority education (at least 50 percent of the compulsory weekly classes at least in 3 subjects are delivered in the language of the given minority);
- minority language teaching (at least 4 to 5 hours a week are dedicated to the teaching of the minority language in the framework of school classes);
- supplementary minority education (where the small number of students does not make it possible to arrange classes for the teaching of the mother tongue, pupils learn the minority language in at least 4 hours a week outside regular school classes).

In all educational forms it is compulsory to teach the ethnography of the given minority.

In addition to the basic forms of support, the central budget ensures supplementary support for the extra tasks arising from the education of national and ethnic minorities in the following ways, as a means of positive discrimination:

- By granting normative support for minorities: local governments running mother tongue or bilingual minority institutions are eligible for some 30 percent more subsidies whereas maintainers of minority language teaching schools or kindergartens are entitled to nearly 20 to 25 percent more budgetary grants than for other services.
- By providing supplementary support for bilingual and mother tongue minority education: the amount of supplementary aid varies, and can be applied for on the basis of the decree of the Minister of Education and Culture if the central budgetary funds granted to the school in question equal no more than 80 percent of its total budget (where the maintainer has only one such institution 90 percent, if it runs more such institutions 100 percent of the total budget is covered).

Apart from acknowledging the existence of extra burdens, the Budget Act also takes into account the fact that due to the demographic characteristics of the minority population these institutions at times operate with low student headcounts and consequently with relative costs higher than average. Therefore, the Budget Act provides for a separate budget appropriation to ensure additional supplementary support for the funding of minority tasks so as to avoid the further burdening of maintainers. Maintainers of minority kindergartens and minority language teaching schools operating in municipalities with a population below 1,100 also receive support with the primary aim of compensating, at least in part, for their disproportionate burdens.

- By means of minority maintainer support: an amount determined in the Budget Act, for which maintainers can apply in respect of the children who attend public educational institutions which have a national, regional or local scope of duties and are run by the national minority self-government.

With the amendment of the Public Education Act and the Minorities Act, the legislative, organisational and financial guarantees for minority self-governments to operate educational institutions have been created.

(1) Since 1 September 2004, the National Slovak Self-Government has taken over three, the National Self-government of Germans acquired two educational institutions, and the National Croatian Self-Government took over one such institution from the competent local government.

(2) The national self-governments of Bulgarians, Greeks and Poles founded a ‘supplementary’ minority school in autumn 2004. The significance of this type of education is that it creates an opportunity for the provision of minority education without any headcount limits and within the public education system.

(3) The amendment of the Public Education Act in 2007 allows minority self-governments to exercise the rights they enjoy with respect to individual schools also in the case of school associations. The relevant provision grants the right of consent in issues related to the

minority education programme implemented in the associated schools and also with regard to the appointment of the school principal.

(4) In keeping with the 2007 modification of the National Core Curriculum, the guidelines governing minority education were reviewed as well. The documents laying down these guidelines have been published in Hungarian and in the native languages of the minorities. Concurrently with this modification, the requirements for the development of the Romani and Beash languages spoken by the Roma were issued together with the Romani and Beash language documents of the subject 'Gipsy ethnography'.

(5) The budgetary resources allocated for the special duties of minority education made the fulfilment of additional tasks possible, too. Hence funds were available for the purchase of minority language textbooks, for the promotion of in-service training, to support the programmes of minority educational institutions carried out in the kin state or for the fulfilment of the public educational tasks outlined in the recommendations of the Bilateral Minority Joint Committees. For the latter purpose, in 2006 the Slovene Primary School in Felsőszölnök, the Miroslav Krleža Croatian Kindergarten, Primary, Grammar and Boarding School in Pécs, and the Romanian Primary School and Kindergarten in Battonya each received budgetary funds in an amount of HUF 60 million for the renovation of the school building. In 2007 the construction of the Croatian public educational institution in Pécs (HUF 160 million) and that of the Romanian institution in Battonya (HUF 100 million) continued, as approved at the Hungarian-Croatian and the Hungarian-Romanian joint governmental sessions. The investment project of the Croatian school in Pécs was accomplished in 2008 with the help of this aid and an equal share of contribution by the Hungarian and the Croatian Government. The maintainer of the Romanian school in Battonya was awarded an additional HUF 60 million in 2008 for the completion of the project. The Government of Romania provided funds for the purchase of equipment for the institution. In 2008 HUF 60 million was granted to start the renovation of the Croatian Language Kindergarten, Primary and Boarding School in Hercegszántó, and HUF 30 million made it possible for the building of the Slovenian Primary School in Apátistvánfalva to be renewed.

(6) In 2008 a total of 253 educational institutions over the country received aid from the European Union resources serving school development, of which 39 were schools or kindergartens providing minority education. This figure shows that minorities tended to be more successful with their applications than their proportion in the population of the country would suggest. The Government wishes to ensure that minority communities and the institutions they maintain have an appropriate share in the use of European Union funds.

Based on the experiences gained over the first period of the calls for applications announced for the development of education, the competent entities will make sure during the next rounds of calls that the circumstances (headcounts and other indicators) arising from the special rules of minority education defined in the Minorities Act are duly taken into account in order to provide for full agreement between EU tendering principles, the regulation concerning Hungarian minorities and the principles of Hungarian minority policy.

(Detailed information concerning minority education, the figures on pupil headcounts in kindergartens and schools, normative budgetary financing and state support available through calls for applications, and the experiences on the operation of educational institutions run by minority self-governments will be given under Chapter II of the state report, in connection with Articles 12, 13 and 14 of the Framework Convention.)

## ***Legislative changes prohibiting segregation and discrimination in education***

(1) The Public Education Act which was amended in the reporting period provides for the prohibition of segregation in schools. The regulation also leaves room for the detection of indirect discrimination. This provision has been incorporated into the Equal Treatment Act. The appearance of anti-discriminatory elements is a rather decisive step towards the elimination of school segregation, and could serve as a means of social control over the decisions of public educational institutions. The aim of the prohibition of discrimination is to create equal opportunities which could contribute to preventing Roma children who start from a disadvantaged position from falling behind.

The amendment of the Public Education Act introduced the concepts of ‘nullity’ and ‘invalidity’. Accordingly, maintenance control and decisions made within the powers of the institution which violate the prohibition of discrimination and/or conflict with the preeminent interests of children shall be regarded ‘null and void’. Invalidity of a null and void decision can be cited by anyone regardless of any deadline. The person concerned or, if no such person can be identified, anyone may request the establishment of nullity. The burden of proof has been reversed, meaning that the lawfulness of the decision disputed on the grounds of discrimination must in each case be proven by the decision-maker.

For pupils who started their primary education at the beginning of September 1998, the compulsory school age has been raised to 18 years.

The concept ‘special educational needs’ has been introduced in education. With the compulsory enrolment of disadvantaged children in kindergartens, access to three-year kindergarten provision is possible, which can guarantee successful progress in school education.

In the first three years of primary school pupils can be compelled to repeat a grade only with consent from the parents. This can elongate the initial stage of school education with more time being devoted to the acquisition of writing, reading and literacy skills. The purpose of the amendment was to curb the occurrence of grade repetition and to reduce the ratio of overage children.

The Public Education Act now defines the term ‘multiply disadvantaged’ and addresses the issues of integrated preparation and the use of budgetary support granted for disadvantaged students exclusively for its intended purpose.

Since September 2005, schools in small villages have had the option to employ development educators and teachers organising recreational activities where integrated preparation is provided.

(2) During the reporting period, Decree 11/1994. (VI. 8.) of the Minister of Culture and Public Education was also amended, allowing disadvantaged children to receive integrated preparation. Integrated preparation can be launched in primary, secondary and vocational training schools. The Decree stipulates that integrated preparation must be introduced in all grades of primary school and also enables institutions where the requirements cannot be met in all grades to join the system. In the first school year the institutions are eligible for supplementary support only for the children studying in the first grade, and then eligibility may be gradually extended to subsequent grades.

The amended Decree defines the obligations of ‘talent nurturing secondary schools’, too. These schools must provide for remedial classes for multiply disadvantaged students at least throughout two grades. The selection of talent nurturing secondary schools takes place by way of an open competition announced by the Ministry of Education and Culture.

(3) With the amendment of the Public Education Act the scope of duties and powers of the Educational Authority has been enlarged. The Educational Authority can in the framework of official control examine the fulfilment of the requirement of equal treatment, and in order to eliminate the irregularities revealed in the course of control it is authorised to take the following actions:

- Calls on the head of the institution to resolve the problem and simultaneously informs the maintainer, initiates proceedings with the notary, the chief notary in order to eliminate the infringement related to the activity of the non-local governmental maintainer of an institution.
- Initiates proceedings with the paying agency in the case of institutions run by non-state or non-local authorities for the review of normative budgetary financing and contribution, the suspension of its disbursement, or where necessary for the transfer and admission of the children and students concerned to another educational and teaching institution.
- Imposes a regulatory penalty, carries out an infringement procedure to establish nullity, and files an action with the court to establish the invalidity of the disputable decision.

In exercising these rights, the Educational Authority shall cooperate with the Equal Treatment Authority. To detect and eliminate segregation in education, the Educational Authority examined compliance with the requirements of equal treatment in 6 institutions in the city of Miskolc in 2007, and in 2008 it visited 1 institution in the city of Debrecen so far.

(4) The Advisory Board which assists the Equal Treatment Authority issued a position in 2007 on the requirements of equal treatment in public education. According to the position, one can sustain school segregation based on ethnic origin not only by reason of one’s actual ethnic origin, but also that assumed by the person committing the infringement. An act of segregation is not conditional on any real disadvantage relative to the segregated group, only on segregation itself which is prohibited by law. Unlawful segregation in education is illegal even if absolutely equal conditions are guaranteed. Illegal segregation can qualify as a violation of law also where it is maintained without any action. Excuse for segregation based on ethnic origin offered by the institution brought under the procedure can only be accepted if it can be established that the institution organised the education of ethnic minorities in a lawful manner in which participation is voluntary, the quality of education is not lower than that of majority children, and the objective and the schedule of ethnic minority education justifies segregation.

(5) On 19 November 2008 the Supreme Court upheld a provision of the ruling of first instance in a school segregation lawsuit against primary schools in Hajdúhadháza, according to which two primary schools of the municipality violated the law in an act of illegal segregation.

Following the decision of the Supreme Court, the Ministry of Education and Culture issued a communication in which it confirmed its agreement with the judgement. ‘If as early as in primary school children are faced with the “model” of some of their peers being assigned to

segregated classes only on grounds of the colour of their skin, then they themselves will later on find it only natural that someone is cast out merely because of his or her origin' – the communication states.

### ***Additional legislative changes concerning governmental work related to the Roma***

(1) In March 2004 the Government adopted Resolution 1021/2004. (III. 18.) on the government programme promoting the social integration of the Roma and the related measures. This Resolution defines the governmental actions that need to be taken between 2004 and 2006 in connection with the social integration of Roma people. The regulation requires that the ministers concerned and the heads of bodies with national powers report on the achievement of the professional and financial objectives of the action plans of the preceding year to the Inter-ministerial Committee on Roma Affairs. Based on these reports, the President of the Inter-ministerial Committee on Roma Affairs prepared a report annually for the Government on the pro rata temporis progress in the implementation of the programme.

(2) In order to enable the evaluation of the work of the ministries in connection with the Roma, the Government passed Resolution 1020/2005. (III. 10.) which provided for the introduction of a new, single reporting system. The reports on the fulfilment of the tasks in the period of 2004–2007 were produced in time.

(3) To give effect to the Roma policy of the Government on a wide scale, with Resolution 1129/2006. (XII. 25.) the Government set up the Roma Integration Council, which undertook the mission of the former Inter-ministerial Committee on Roma Affairs with the involvement of the representatives of Roma civil organisations.

(4) In April 2007 the Government adopted the Strategic Plan of the Decade of Roma Inclusion Programme to serve the implementation of the Decade of Roma Inclusion Programme announced at the international conference staged in Budapest in June 2003, and it was subsequently referred to Parliament which passed Resolution 68/2007. (VI. 28.) concerning the plan.

The Strategic Plan sets overall objectives in four priority areas (education, employment, housing and health care) with regard to the enforcement of equal treatment, and also in the fields of culture, media and sports.

To facilitate the achievement of the objectives of the Strategic Plan, the Government draws up an action plan biannually in which it defines the concrete tasks, those responsible for these tasks, the respective time limits and the resources necessary for implementation. A report is produced on the pro rata temporis implementation of the Strategic Plan. The first biannual action plan, which covers the years 2008–2009, was approved by the Government in Government Resolution 1105/2007. (XII.27.).

(5) Based on Government Resolution 2058/2008. (V. 14.), the coordination of the duties of the specific ministries concerning the Roma has been performed by the re-established Inter-ministerial Committee on Roma Affairs as of May 2008. The President of the Inter-ministerial Committee on Roma Affairs is the Minister heading the Prime Minister's Office, and it is co-chaired by the person appointed by the Prime Minister, with the Minister for Agriculture and Regional Development, the Minister for Justice and Law Enforcement,

the Minister for National Development and Economy, the Minister for Education and Culture, and the Minister for Social Affairs and Labour each delegating one member, who is either a governmental executive officer or a head of department.

The Roma Integration Council set up in 2006 and the Inter-ministerial Committee on Roma Affairs re-established in 2008 operate as functional coordinates. The mission of the Inter-ministerial Committee on Roma Affairs includes the preparation of reports evaluating the governmental work performed in connection with the Roma.

<b><i>Measures aimed at the social integration of the Roma</i></b>
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With regard to the actions taken by the Government to eliminate discrimination and to promote the social integration of Roma people, we report the following.

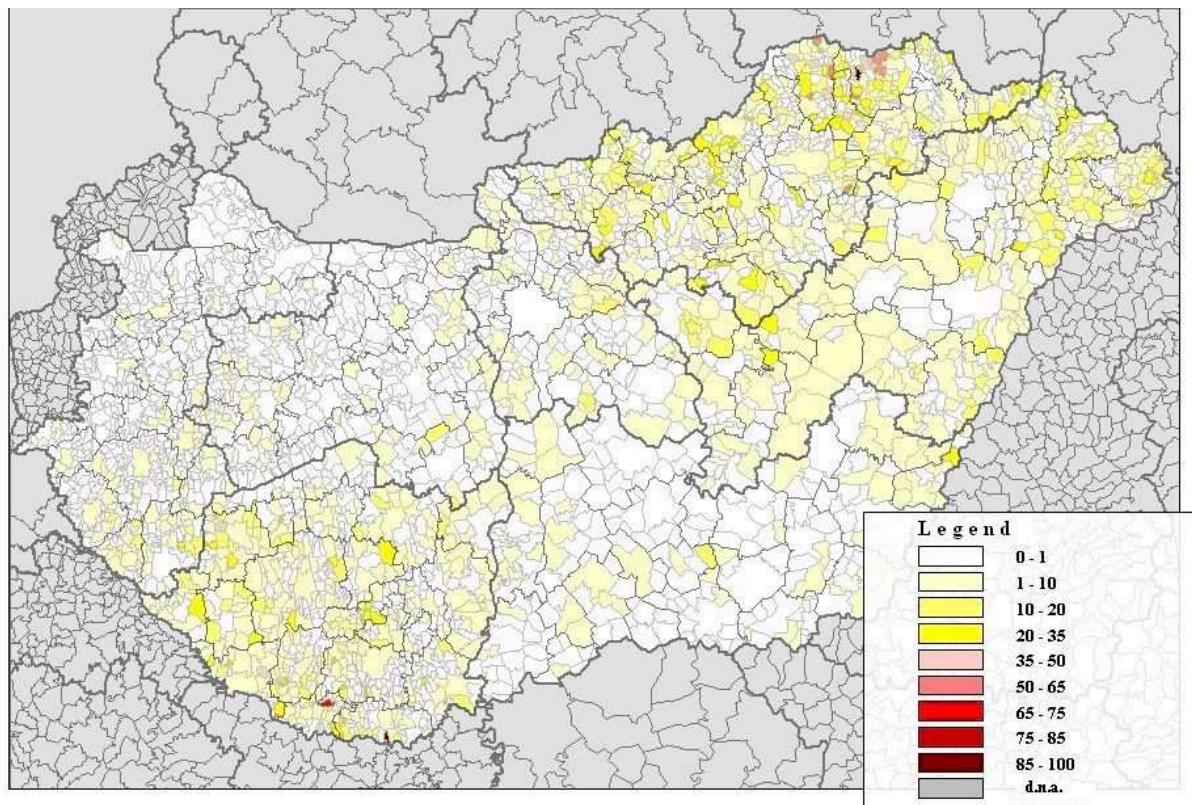
(1) The table below provides information on the summary data of budgetary resources allocated to the Ministries of Social Affairs and Labour, of Education and Culture, and of Local Government for the implementation of the programmes aimed at the creation of equal opportunities and the social integration of the Roma in the last two full years of the reporting period.

<b>Support objective/HUF million</b>	<b>2007</b>	<b>2008</b>
Supporting the equal opportunities and remedial programmes of local governments	2600	2800
Supporting the programmes promoting the improvement of equal treatment and equal opportunities	677.7	852.7
Supporting the programmes serving the fight against social exclusion and the mitigation of social inequalities	50	50
Supporting the housing and social integration programme for residents of Roma colonies	400	516
Supporting the Decade of Roma Inclusion Programme	150	150
Supporting the Public Foundation for Gypsies in Hungary	390	600
Supporting minority and integration education programmes	200	270

Source: Prime Minister's Office, Department for National and Ethnic Minorities



The geographical dispersion of the Gipsy minority in Hungary and their ratio (percentage) in the population of the municipalities are indicated in the graph below.



Graph: Hungarian Research Database of the Carpathian Basin (see at <http://gis.geox.hu/nkfp/adattar.asp>)

(2) The State Secretariat for Equal Opportunities at the Ministry of Social Affairs and Labour took part in the implementation of a number of programmes directly affecting the Roma, or coordinated their implementation at the governmental level.

#### *House of Opportunities Network*

The legal predecessor of the Ministry of Social Affairs and Labour, the Ministry of Youth, Family, Social Affairs and Equal Opportunities set up the House of Opportunities Network in 2004. In building up the countrywide network of equal opportunities, to date Equal Opportunities Coordination Offices (House of Opportunities) were established at 19 locations in the country. The network was created in cooperation with county governments and towns in regional centres. Its goal is to mediate the integration policies which promote the social inclusion of disadvantaged groups and to strengthen social solidarity. In 2006 the Equal Opportunities Network concluded a cooperation agreement with the Equal Treatment Authority.

#### *Programme of the European Year of Equal Opportunities for All*

For the implementation of the programme announced by the European Union in 2007, the Ministry of Social Affairs and Labour worked out a national strategy with the involvement of stakeholders. The key events of the programme included support for training courses, calls for applications, and the issuance of publications through the National Equal Opportunities Network.

### *The Transition Facility Programme*

The aim of the Transition Facility Programme, which is part of the project funded by the European Union for the broad-scale mitigation of discrimination, is to help the implementation of the legislative provisions on anti-discrimination and to transpose the directives of the European Union into practice. The programme runs from September 2006 until November 2009.

### *Complex programme for reducing discrimination against the Roma*

In 2006 the Regional Training Centre in Pécs carried out a complex programme in the field of employment with assistance from the National Council for Adult Education to improve the chances of the Roma. The research conducted prior to the training programme analysed discrimination against the Roma in employment, the findings and recommendations of which were incorporated into the programme. Participants came from all over the country, and included the representatives of labour organisations, employers, and the staff of municipal governments.

### *Measures to improve the housing conditions of the Roma*

The Ministry of Social Affairs and Labour earmarked a total of HUF 2.875 billion for the implementation of the 'Housing and Social Integration Programme for Residents of Roma Colonies' in 30 municipalities of the country. 11 municipalities were awarded support under the call for applications announced at the end of 2007 for the third time. The budgetary funds appropriated for the programme in 2008 equalled HUF 880 million.

### *Enforcing the principle of anti-segregation in aid policy*

Applicants for the social town rehabilitation tender announced under the Regional Operational Programme, which is related to European Union aid targeting development, were required to draw up an integrated town development strategy and as part of this an anti-segregation plan. On the whole, 160 anti-segregation plans were prepared, with the purpose of winding up Roma colonies and facilitating the integration of their residents.

### *Measures to improve the employment of Roma people*

Labour centres gave employment for some 15 000 Roma in 2004 in the framework of public service work, with nearly HUF 2.5 billion allocated for this programme from the budget. In 2005 almost 19,000 Roma found public service jobs. Based on estimates, the labour centres provided public service employment for more than 17 000 Roma in 2006. This programme ensured the employment of the same number of Roma in 2007. In 2008 HUF 3.5 billion was earmarked for the implementation of public service work programmes to provide temporary employment. This was complemented by a total of some HUF 6.5 billion from the Labour Market Fund and other sources, hence 13,500 people could find employment.

### *Complex labour market programmes*

In 2003–2004 some 55 complex programmes were worked and carried out under the auspices of the labour centres to help those in long-term unemployment, including the Roma. Some 5000 people participated in these programmes and approximately HUF 3 billion was used to fund them. As part of the programmes implemented in 2005, labour centres joined forces with

several local institutions and civil organisations to launch an initiative aimed at the improvement of the prospects of Roma people. In 2006 the county labour centres organised 25 complex labour market programmes, which were estimated to involve 1,000 Roma job-seekers. The estimated expenses covering Roma participants amounted to HUF 500 million. The programmes continued in 2007 and 2008.

#### *'Fight against exclusion from the world of work' programme*

The programme implemented between 2004 and 2006 was targeted at the improvement of the employability of those in long-term unemployment, in the framework of which the implementing agency concluded 58 support agreements. The budgetary funds earmarked for the programme amounted to HUF 7.2 billion, 3,100 persons were involved, of which 60 percent were Roma.

#### *EQUAL Community Initiative Programme*

The programme carried out in the years from 2004 to 2008 sought to eliminate inequalities in the labour market. From among the 39 winning projects 11 ones were targeted at Roma job-seekers. The support amount awarded equalled HUF 3.749 billion. Under this programme 17 new innovative elements aimed at employment were worked out and the number of those involved exceeded 4000.

#### *Central training programme facilitating the social integration and the employment of multiply disadvantaged adults*

Managed by the Ministry of Employment Policy and Labour, a central training programme facilitating the social integration and the employment of multiply disadvantaged adults was launched in July 2005 to help the social integration and the employment of 3,300 multiply disadvantaged persons – including Roma people. The training courses were delivered by the regional training centres. The centres executed contracts with the Ministry and drew up training plans for the implementation of the programme. In addition to assessing the prior knowledge of participants, the programme also included elements such as medical screening, career orientation and guidance, personality development training, assessment and development of learning skills, and remedial and other programmes enabling participants to acquire the basic school qualifications needed for the pursuit of vocational studies or to acquire a vocational qualification listed in the National Qualifications Register. The central training programme also provided mental hygiene care for the participants. The participants were assisted by mentors in order to succeed in the programme. As a result of the programme, 100 persons could attend remedial training courses and 2300 persons could do vocational training. 3,000 persons successfully completed the programme and more than 500 participants took up employment.

#### *Human Resources Development Operational Programme*

In the framework of the Human Resources Development Operational Programme (HEFOP) of the First National Development Plan, several central and project programmes were carried out in the years 2004–2008 which targeted and supported the enhancement of the employability and the labour market integration of disadvantaged and Roma people. 85 percent of the 37 thousand people involved in Central Programme 1.1 'Prevention and management of unemployment' under the HEFOP, which was implemented by the regional labour centres, were successful in completing the programme and more than 16 thousand remained in

employment after the programme had been finished. The budget line of the programme was HUF 30 billion.

The call for applications under HEFOP Programme 2.3 'Improvement of the employment of disadvantaged people, including the Roma' had several rounds with the aim of supporting alternative training and employment projects of an integrated approach which match the abilities and the needs of the various groups of disadvantaged people with low qualifications who have been excluded from the labour market for a long time. Under Project Programme 2.3 of the HEFOP 175 projects could be implemented with a budget of HUF 11.4 billion, which made it possible to involve more than 31 thousand people in the programme.

#### *Social Renewal Operational Programme*

In the framework of the Social Renewal Operational Programme (TÁMOP) of the New Hungary Development Plan, several employment facilitation programmes were launched and carried out with support from the European Union. Improvement of the labour market position of the Roma is a priority under the priority programme announced for the employment of disadvantaged people. By 31 December 2008 some 20 thousand people had joined the programme which started in 2008 with the help of the regional labour centres. The first stage of the programme lasts until 31 December 2009. The available funds amount to HUF 26.041 billion.

With a budget line of HUF 3 billion a call for applications for the support of alternative labour market programmes was announced at the end of 2007, as a result of which 50 or so non-profit organisations received grants. The project will be closed in 2010.

#### *Training programme of the Public Foundation for Gypsies in Hungary*

The Ministry of Social Affairs and Labour disbursed non-refundable grants in an amount of more than HUF 10 million for the implementation of the training programme of the Public Foundation for Gypsies in Hungary. The target group of the programme consisted of Roma minority self-governments, Roma civil organisations and Roma multipurpose minority associations operating in the 7 regions and in the capital city. The number of training attendees was 160, 20 per each regional unit. During the three-day training participants learned about the European Union.

#### *Central training programme to support the combined re-integrative and ECDL training of the members and employees of Roma minority self-governments*

The Ministry of Social Affairs and Labour disbursed more than HUF 50 million in 2008 to support the combined ECDL training of the elected representatives and employees of 200 Roma minority self-governments. The aim of this complex programme was to make participants acquire IT skills which they can effectively apply in the course of everyday work.

In order to make learning available to all, the 'Take one step forward' programme launched in 2006 continues in 2008 and 2009. The programme gives an opportunity for those with low qualifications to obtain a vocational qualification or a qualification one level higher than their current one. The project also covers those with out-of-date qualifications, allowing them to get a new qualification appropriate to current economic needs. More than 22,000 persons can receive support under this programme.

(3) The Ministry of Local Government and Regional Development concluded a support agreement with the National Roma Self-Government in December 2007 as part of the programme introduced for the construction of homes for Roma families. The agreement provided for the erection of 30 flats in Lenti, Sarud and Tiszaroff. Those families with children could move in the flats which were designated by the National Roma Self-Government. The programme was supported from the funds allocated in the Budget Act in an amount of HUF 100 million.

(4) The Ministry of Economy and Transport granted HUF 92 million in support of the National Roma Self-Government in August 2004. The self-government could use this budgetary grant for projects serving the social and economic integration of the Roma minority.

In 2007 the Ministry announced the 'Express Roma Scholarship' programme to support young Roma who pursue studies in an institution of higher education in engineering, economics, and finance or information technology. Under this programme in the 2007/08 academic year 21 Roma college and university students were awarded scholarship in a total amount of HUF 20.5 million.

The Ministry of Economy and Transport, and then its legal successor, the Ministry for National Development and Economy, defined the promotion of the integration of Roma micro, small and medium enterprises into the economy as one of its strategic tasks.

In the first year of the reporting period the participants of the programme received non-refundable grants from the Ministry for investments and technical and technology development. The 102 winning applicants could dispose of a total grant amount of HUF 278.6 million. As a result of the projects, 200 new jobs were created. In 2005 79 projects were approved, thus HUF 218.293 million was disbursed to micro and small enterprises from which machines, commercial vehicles, IT equipment, office furniture and office equipment were purchased and some 145 new jobs were created. In 2006 74 applicants received altogether HUF 249.969 million. With this support the obsolete vehicle fleet was replaced with modern commercial vehicles and IT development projects were implemented. The results of the year 2007 are as follows: 291 applications were submitted of which 61 projects were approved with HUF 245.047 million available for support.

(5) The Ministry of Transport, Telecommunication and Energy launched the 'WIFI village' IT project in 2008 to help young Roma have access to the internet. The Ministry allocated HUF 200 million for the implementation of the 'Home internet for those living in deep poverty and the young Roma' programme. As a result 2000 households in 150 municipalities will have free internet access with the help of WIFI technology. The project is continued under the auspices of the Prime Minister's Office.

(6) The Ministry of Defence has set the objective of increasing the ratio of Roma regular soldiers and soldiers serving for a fixed-term period. To increase the ratio of Roma soldiers, the recruitment commands continuously inform Roma communities on the opportunities in fixed-term and regular service with the help of the ties established with the Roma minority self-governments and the Roma civil organisations. Recruitment activities are pursued at a number of Roma events. In cooperation with the local Roma self-government, a training programme satisfying the needs of the Hungarian Defence Forces was organised for the Roma

in Kaposvár. During the training programme unemployed Roma applicants who undertook to serve in the military could obtain a driving license.

To promote equal opportunities, twice a year the Ministry announces scholarship for the young Roma who receive non-commissioned officer training or pursue academic military studies. The career and progress of Roma officers and non-commissioned officers who are already included in the system are monitored. Gipsy ethnography as an elective subject has been introduced for all students attending non-commissioned officer and officer training, and currently there are discussions as to whether this subject should be made compulsory.

For the company commanders and training officers and non-commissioned officers of the Hungarian Defence Forces the Ministry of Defence stages conferences dealing with the history, culture and customs of the Roma. A research in 2005 examined the situation of Roma soldiers in the Hungarian Defence Forces, and in 2006 a collection of documents with photographs in the theme 'The Roma in Hungarian Military History' was compiled.

(7) In the course of its activities, the Ministry of Health implements several programmes to improve health care provision for residents of multiply disadvantaged regions. Concerning the programmes directly affecting the Roma, we give the following information.

The programme 'Tolerance for health' announced by the Ministry of Health in 2004 made it possible to appreciate the specific cultural customs of the Roma population in health care provision with the employment of social workers in hospitals. The programme helped the preparation of health care workers, the mitigation of discrimination and prejudice and the fulfilment of special needs in care and attendance in five hospitals of the country.

In 2004 the Ministry carried out four supplementary sector-specific researches. The researches surveyed the reasons why Roma children are enrolled in special schools, the relationship between the Roma population and health care and social situation, the Roma and the potential discriminative mechanisms in health care provision, and the relationship between the Gypsies and the health care system. The Ministry supported the training and field study programmes related to the health care researches of four higher education institutions. Approximately 200 university and college students wrote a seminar paper on the Roma and 194 young students embarked on field work.

In 2005 under the 'Health survey among those living under colony-like circumstances' programme a research was conducted on the relationship between the Roma population and the health care and social situation. 986 persons participated in the programme.

The National Institute for Health Development worked out a model test in 2006 in which they assessed the status of 80 disadvantaged, mostly Roma children of 5 to 7 years of age in the 8th district of Budapest. The aim of the programme was to help children catch up and succeed in school by supporting the development of special integration skills. The status assessment was followed by training where kindergarten teachers and maternal and child health nurses delivered a development programme in 65 hours for the 30 children who were involved in the assessment. In the 2007/2008 school year five qualified teachers performed the regular special development and the interim status assessment of 50 children and surveyed the spontaneous maturity process of 150 children at three locations.

In 2006 the Ministry provided support for the expert review, the editing, proofreading and typographic work and the distribution costs of the publication concerning the health status of the Roma entitled 'Etnikai szegénység, etnikai egészségi állapot? – A romák Szabolcs-Szatmár-Bereg megyében' (Ethnic poverty, ethnic health status? – The Roma in the county of Szabolcs-Szatmár-Bereg). 800 copies of this publication containing health care related information were issued. It was distributed among local governments, minority self-governments, Roma civil organisations, health care institutions, civil organisations, county and regional organisations, university departments and libraries.

In order to promote health-conscious behaviour among the Roma, the Ministry organised in cooperation with the minority self-governments a series of regional Roma health days in 2006 which corresponded with the objectives of the Public Health Programme. In the framework of this programme a meeting entitled 'Health Conference of the Roma in Jászság' was staged in Jászfényszaru with contribution from the Association of Roma in Fényszaru for Disease Prevention. The conference was attended by 150 persons.

(8) The Roma programmes of the National Employment Foundation (OFA) supervised by the Ministry of Social Affairs and Labour involved some 950 unemployed Roma annually in 2005 and 2006, with a budget line of about HUF 1.2 billion. In 2008 the OFA ran three Roma projects. The employment programme for Roma musicians was launched with HUF 142.5 million being available. Currently, there are 79 Roma musicians employed who receive support. The Roma Servicing Labour Market Community Network had a budget line of HUF 160 million with the help of which more than 300 persons found employment. A programme supporting the independent business activity of the Roma is being prepared, for which HUF 200 million has been earmarked in the budget. This programme is expected to improve the marketability and the market share of Roma undertakings and to increase their employment potential.

(9) The tasks related to the available employment aids and the grants that can be disbursed to job-seekers are performed by a nationwide organisation. The Government designated the National Employment Office and the regional labour centres as the public employment bodies.

The National Employment Office, the labour centres and their agencies must observe the requirement of equal treatment in the course of their procedures and actions. They endeavour to give priority to disadvantaged unemployed persons and job-seekers, to grant them preferential treatment in order for them to find employment, to motivate their employment through various forms of support so as to decrease the inequalities they face on the labour market.

The regional labour centres seek to offer more job opportunities to more people by employing one Roma desk officer in each county. The Roma desk officers inform Roma students of competitions and available scholarships at career shows. They lent assistance to the Roma customers of the agencies in gathering information, and contributed to the selection of training programme participants and the awarding of support.

(10) Based on Decree 23/2005 (XII. 26.) of the Minister for Employment Policy and Labour on the tasks and management of regional training centres, the use of the training facility appropriated within the employment section of the Labour Market Fund, and cooperation between the regional training centres and the county (Budapest) labour centres, the regional

training centres (RTCs) execute their training tasks in the framework of their core activity where training is provided to disadvantaged persons. The RTCs maintain contact with the Roma organisations operating in their area, organise remedial programmes for grades 7 and 8, employment facilitating training courses, and training related to public service work and public work programmes on an ongoing basis.

For the employment facilitating programmes to be efficient, since 2005 the RTCs have been employing Roma desk officers. The duty of Roma desk officers is to contact the representative of the local Roma minority community before the training courses are launched. They should motivate and prepare students for the training and represent their interests. They arrange for individual or group counselling to give psychosocial aid to participants. They should constantly monitor student attendance and the implementation of the training programme. Based on the module completion results and the reports on the number of attendees, they should contact drop-outs and lend assistance for the continuation of their studies.

(11) The National Development Agency set up a small regional coordination network with the aim of helping the successful utilisation of EU development funds and Hungarian area payments. Operation of the network is assisted by coordinators specifically entrusted with the task of promoting the economic and social integration of the Roma population in the 94 disadvantaged small regions of the country and the 5 priority development regions.

Under the New Hungary Development Plan altogether HUF 1.5 billion is available for supporting anti-discrimination media programmes and right protection activities. The purpose of the programme is to enhance tolerance towards social groups threatened by discrimination, including the Roma.

In the reporting period, a number of European Union calls for applications were published which set out to support the development projects of disadvantaged small regions. These programmes directly concern the Roma population. At the end of 2007 the Government designated the 33 most disadvantaged small regions of the country on the basis of statistical data indicating arrears in development, and announced the complex programme 'No one will be abandoned to his fate'.

The objective of the programme is to create an opportunity in the designated small regions for the stimulation of the local economy, the expansion of employment and social and geographical mobility. Programmes which best serve the development of small regions are selected in cooperation with Roma minority self-governments and civil organisations.



Geographic location of the 33 most disadvantaged small regions:



Graph: National Development Agency

(12) When evaluating the implementation of the Framework Convention, the activity of the Roma Anti-Discrimination Customer Service Network (hereinafter as ‘Network’) operated by the Ministry of Justice and Law Enforcement since 2001 should be emphasized, of which we gave a detailed account in the second state report. Accordingly, here we report on the events that took place since February 2004 in the operation and development of the Network.

The Network is a legal aid service which specifically deals with cases where the client sustained a violation of his or her rights because of his or her Roma origin. The Ministry of Justice concludes a long-term agency contract with the lawyers helping the activity of the Network. This agency extends to legal counselling, the drafting of documents, the institution of an action in a case of discrimination, and representation before court. The lawyers of the Network undertake representation in accordance with their own professional conviction. They receive professional assistance with their activity from the other members of the Network, and if so requested, from the Ministry establishing the Network.

Lawyers of the Network can not accept any compensation from the clients. In this scheme, the Ministry of Justice and Law Enforcement bears the costs of both the operation of the Network (lawyer’s fees for professional services) and of the lawsuits. Lawyers of the Network seek to provide immediate and efficient assistance to remedy the grievance done to those requesting their help and to resolve the disadvantageous situation of the claimant. The primary goal is problem solving and conflict management with priority focus on the personal considerations of the claimant.

The staff of the Network acted in more than 7,200 cases presented by the claimants since February 2004, of which nearly 440 cases were related to discrimination. The Network typically deals with labour law, civil law and criminal law cases.

The Ministry of Justice and Law Enforcement raised the number of lawyers from the initial 23 employed in 2001 to 30 at the beginning of 2005 with a view to the constant development of the Network. In large counties and counties with a high Roma population, there are more lawyers providing legal aid service. (Budapest has two, and the counties of Baranya, Borsod-Abaúj-Zemplén, Csongrád, Hajdú-Bihar, Heves, Pest, Somogy and Szabolcs-Szatmár-Bereg each have three lawyers working for the Network.) As a result of the expansion of the Network, lawyers currently operate customer services at 47 locations.

The Ministry of Justice and Law Enforcement organises a 1 to 2-day conference annually to provide for the further training of Network staff. Besides the lawyers, these conferences are attended by the county representatives of the National Roma Self-Government which assist their work and the members of the local Roma self-governments concerned.

(13) On the basis of the information received from the Ministry of the Interior and the Ministry of Justice and Law Enforcement, we provide the following information in respect of the actions taken by the Police in the reporting period which also affect the Hungarian implementation of the provisions of the Framework Convention.

Measure 32/2004. (X. 12.) of the National Police Headquarters implementing the specific tasks defined in Government Resolution 1021/2004. (III. 18.) on the government programme promoting the social integration of the Roma and the related measures stipulates that marked attention should be paid to monitoring the treatment of persons belonging to the Roma minority. This, among others, means that precious care should be taken in handling the complaints and charges filed by persons belonging to the Gipsy minority or by right protection organisations and that objections against discriminative police actions taken explicitly on grounds of Gipsy origin must be examined. These cases are addressed in annual reports and action plans at the county and national level.

Measure 1/2005. (I. 4.) on the announcement of the Equal Opportunities Plan of the National Police Headquarters (ORFK) among others stipulates the obligation to set up a Workplace Equal Opportunities Committee. The Workplace Equal Opportunities Committee continuously assesses the implementation of the Equal Opportunities Plan, proposes the extension of the scope of benefits, and appoints the equal opportunities desk officers of the ORFK.

(14) The public prosecutor's office proceeds not only in criminal cases, there are several legal regulations in place which require or make it possible that they also take part in administrative and civil cases. A national investigation by the public prosecutor's office examining the lawfulness of the official procedures of municipal notaries in connection with the operation of trading and catering establishments was completed in the reporting period. The investigation regarded the Equal Treatment Act as the governing regulation. Pursuant to this Act, the aggrieved party can request an investigation of the violation of the requirement of equal treatment also at the trade authority. Between 2004 and 2007, the investigations conducted by 870 authorities involving 17,177 cases did not reveal any instances where the local municipal notary – who has competence to verify compliance with the statutory requirements of shop operation – had been contacted because the obligation of equal treatment had been violated in any shop.

(15) In the reporting period the State Secretariat for Sports of the Ministry of Local Government granted support for the Roma National Football Team operated under the

Hungarian Football Federation. The football section regularly arranges county tournaments, the implementation of which is assisted by mayors and chief police officers as well.

Upon the request of the Roma Football Committee of the Hungarian Football Federation, in 2004 and 2005 the Ministry joined the campaign ‘Sport and culture against racism’ launched by the FIFA and the UEFA, and organised football tournaments in the Puskás Ferenc Stadium in Budapest. At the tournament, the Roma National Football Team measured its strength also against the Police Football Team. Since then Roma vs Police matches have been regular sports events. As regards the international achievements of the Roma National Football Team, it should be noted that the U19 team won the 30th Helsinki Cup in 2006.

(16) The Public Foundation for Gypsies in Hungary which is operated from budgetary support under the supervision of the Ministry of Social Affairs and Labour (hereinafter ‘Gypsy Public Foundation’) provided support for the following purposes over the reporting period (where no amount is given in the table, budgetary funds were provided by another organisation for the given task).

<b>Support objective/year/HUF million</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Budget line	1135.0	429.4	95.0	475.0	700.0
	<b>Priority projects</b>				
Study scholarships	889.0	–	–	274.8	564.0
Roma Cultural Fund	–	83.9	64.3	46.5	47.0
Intervention project	–	–	30.0	41.6	47.0

Source: Gypsy Public Foundation

The Gypsy Public Foundation spent HUF 52.6 million on supporting entrepreneurial projects in 2004, and appropriated HUF 49 million for so-called ‘subsistence’ projects. In the framework of the programme for growing potatoes in vegetable gardens more than 20 thousand families received support. The IT tenders enabled 300 young Roma students pursuing studies in higher education to acquire personal computers. In 2005 HUF 58.4 million was awarded for right protection projects and HUF 39.9 million was spent on training programmes for participation in public life. The Gypsy Public Foundation disbursed HUF 22.5 million in 2005 to assist the activities of Roma community centres and in 2006 it paid out an additional HUF 20.8 million for this purpose. They contributed to programme for the winding-up of colonies with HUF 60 million in 2007.

(17) The Hungarian Television (MTV) which performs public service duties launched a television internship programme for the Roma in 2006 together with the Ministry of Social Affairs and Labour. HUF 10 million was allocated from the central budget for the implementation of the project. By the end of the 12-month course 4 young Roma acquired practical knowledge at the public service television. Participants of the programme were assigned as assistant editors to various programmes of the Hungarian Television. The project continued in 2007, when 3 young Roma joined the work of MTV, who are currently contracted employees of the public television channel. Under the same programme in 2008 2 Roma interns could familiarise themselves with the work of the Hungarian Radio (MR). The Roma interns performed daily programme editing tasks at the public service radio run by the state.

(18) The Prime Minister's Office, the Ministry of Education and Culture and the members of the Municipality of Budapest agreed on the establishment of a Roma Cultural Centre in November 2008 in Budapest. The Government and the Municipality of Budapest assumed commitments for the erection of the new Roma institution in the framework of the so-called 'Budapest agreement'. The Government and the Municipality of Budapest will create the cultural establishment by renovating an impressive building located on one of the central streets in the capital city. The construction of the new institution is hoped to be accomplished by 2010. The sponsors also undertook to cover the operating costs of the future Roma Cultural Centre. The centre is planned to host a library, a theatre hall and a museum. In its Resolution 1041/2009. (IV. 8.) the Government provided for the establishment of the Roma Cultural Centre and the Ministry of Education and Culture and the Prime Minister's Office each appropriated HUF 100 million for this purpose in the form of operating support.

<b><i>Roma integration programmes in education</i></b>
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With regard to the government actions taken in the reporting period to eliminate the practice of excluding and segregating Roma children, we report on the following. The legislative regulations concerning this issue were examined above; below we provide information on the actual implementation of the programmes.

There has been a special study scholarship available for Roma students in public and higher education since 1996 with the aim of facilitating the creation of equal opportunities.

(1) The joint calls for applications of the Ministry of Social Affairs and Labour and the Gipsy Public Foundation grant support for students in the 7th and 8th grades of primary school, and for the Roma students of apprentice training schools, vocational secondary schools and general secondary schools who are Hungarian citizens. For the award of the scholarship, on average at least 'fair' grades must be earned.

Support under the Roma scholarship programme is also available for those Roma students who pursue their first academic degree in college or university full-time training and for young Roma who are Hungarian citizens and study abroad in an institution of higher education in science or arts.

<b>Academic year</b>	<b>Number of scholarship recipients</b>	<b>Support (HUF)</b>
2004/2005	33 322	885 675 000
2005/2006	32 492	891 460 000
2007/2008	11 352	274 815 000
2008/2009	tendering procedure pending	600 000 000

Source: Ministry of Social Affairs and Labour

(2) The following programmes coordinated by the Directorate-General of Equal Opportunities of the Ministry of Education and Culture help disadvantaged Roma children to be successful in kindergarten and school education.

*Send-off Scholarship Programme*

The aim of this programme is to improve the opportunities of young people to undertake further studies, to learn a vocation, to obtain a secondary school leaving certificate or an academic degree, and to ensure talent nurturing for students interested in natural sciences. The

launch of this programme was stipulated in Government Resolution 1016/2005. (II. 25.). Progress by students is facilitated by mentors. 16,655 students are involved in the programmes 'The road to secondary school' and 'The road to the secondary school leaving certificate', and 3,576 students receive scholarship and constant assistance under 'The road to a vocation' programme for the successful continuation of their studies.

#### *Catapult Mentoring Programme*

For the promotion of the social integration of the Roma and to create equal opportunities for multiply disadvantaged youth, from 2005 onwards special treatment has been applied in higher education pursuant to the provisions of Government Decree 269/2000. (XII. 26.). The programme contains several privileges which serve the provision of equal opportunities for the Roma. To facilitate their access to higher education, socially disadvantaged youth enjoy privileges in the admission procedure. Integration in the higher education institution is assisted by the 'Catapult Mentoring Programme'. The programme is implemented by the Foundation for Students which has representation in all higher education institutions over the country. In the first half of 2008 HUF 81 million was earmarked for the programme within the central budget.

#### *Support for young Roma students enrolled in fee-paying training*

The eligible candidates for the scholarship are disadvantaged Roma students who pursue their first or second degree in fee-paying training at least in the fourth year or study for their first PhD degree in fee-paying training in the second year. The state budget line available for the scholarships is HUF 5 million. Applicants may receive support to cover part of or all their tuition fee. Applicants studying for their second degree or their first PhD degree may receive support up to 50 percent of their tuition fee, or HUF 25 thousand at the most. Under this call for applications 39 disadvantaged Roma students gained support in the second semester of the 2007/2008 academic year.

#### *'From the last bench' programme*

The primary objective of this programme is to reduce the overrepresentation of disadvantaged Roma children among the students with special educational needs. The legislative basis of the programme is Government Resolution 1021/2004. (III. 18.) on the government programme promoting the social integration of the Roma and the related measures. The Budget Act now contains normative grants for students who were re-assigned to mainstream education.

#### *Roma Programme Support Network*

The organisation was founded in March 2005 to provide technical assistance for the implementation of regional, small regional or local development projects in education which affect the Roma. The Roma Programme Support Network contributes to the formulation and the fulfilment of the local programmes of the Roma.

#### *Training embedded in employment*

In order to support the public service employment and training of unemployed Roma people in public educational institutions, the Ministry introduced a programme in 2003 by which primary schools could employ Roma people who performed public service work and

cooperated also in tackling potential problems between the teachers and Roma parents. The programme ran until 2007, and brought the model of training embedded in employment to effect at 37 municipalities in a total of 42 schools, giving 60 Roma employees the chance to take part in general and vocational training. The programme involved 82 teachers. The Ministry of Education and Culture ensured an annual amount of HUF 6.3 million throughout 5 years for the implementation of the programme.

#### *National Network of Integration in Education*

The network started operation on 1 January 2003 with one central and four regional offices. The main activity of the organisation is to provide professional assistance for the introduction of integrated education in as many institutions as possible and to build a professional network based on the cooperation of teachers and their institutions.

#### *Construction of an anti-discrimination signalling system*

The purpose of this signalling system is to detect discrimination based on ethnic origin or other grounds that actually exists in education, and to coordinate subsequent legal assistance. Central bodies, expert organisations, leaders of small regions, right and interest protection civil organisations, and Roma minority self-governments take part in the operation of this signalling system. The programme intends to ensure recourse to remedy for discrimination in public education and to equal opportunities in education for the neediest parties. Under this programme members of Roma minority self-governments and civil organisations can attend anti-discrimination training courses. The signalling system relies on an internet-based IT system, helps with the cases of discrimination in education and finding one's way around legal regulations, and ensures liaising between the users.

(3) With the accession of Hungary to the European Union a broad range of opportunities opened up for the dissemination of the integrated education of disadvantaged Roma students. For the period 2007–2013, some HUF 40 billion is available for the measures adopted in the New Hungary Development Plan which promote equal opportunities. As part of the programme, for all educational development projects submitted, an analysis on the municipal and institutional state of affairs in terms of equal opportunities in public education must be produced. The equal opportunities analysis must examine if segregation is absent in the municipality and if the educational and social integration of multiply disadvantaged students is supported. Where the ratio of disadvantaged children enrolled in the educational institution involved in the application is above 40 percent, the applicant must consult the equal opportunities expert designated by the Ministry of Education and Culture when preparing the action plan who also countersigns the document which contains the action plan.

#### *Support for equal opportunities programmes in education*

The Ministry of Education and Culture provides financial assistance for achieving the objectives set in the action plans for equal opportunities in public education, which applicants are required to prepare in the case of every public education related project. The financial resources allocated for the programme equalled HUF 5.066 billion in 2008.

### *Support for model institutions*

The Ministry of Education and Culture supports the creation of model institutions in the different regions of the country which could serve as an example for public educational institutions seeking to introduce and apply integration programmes. The budgetary funds available for the programme for the years 2007–2013 amount to HUF 1.319 billion.

### *Integration projects*

Projects furthering equal opportunities and integration in education are launched with the purpose of helping the improvement of the educational chances of multiply disadvantaged, primarily Roma children with professional development and services.

In order to assist the school integration of Roma children, maintainers of public educational institutions can apply for support from the state budget for kindergarten development programmes aimed at ensuring equal opportunities for children, and for the organisation of summer camps for multiply disadvantaged students where efforts are made to prevent drop-out and to develop their abilities.

Only those institutions are eligible for the grants available for integrated and ability development preparation and for kindergarten development programmes the founding charter and the local pedagogical programme of which specify an activity which qualifies for such grant or where the maintainer undertakes to include such activity into the said documents.

With a view to decreasing the segregation of Roma students and creating equal opportunities for them, an equal opportunities programme will be launched by the end of 2009 with the involvement of 500 public educational institutions and a budget line of HUF 6.8 billion.

### *Assistance for the higher education of young Roma*

The programme, which seeks to support young Roma studying in higher education establishments, offers services between 2008 and 2010 for 120 to 200 Roma students pursuing college or university studies as members of 4 ‘invisible colleges’. The financial resources allocated for the programme approximates HUF 770 million in 2008.

### *‘Tanoda’ (establishments providing extra-curricular learning activities) programmes*

The aim of these programmes is to help multiply disadvantaged Roma students, youth under child welfare agency supervision and youth from migrant families to pursue further studies with assistance from *tanodas* operated by civil organisations. ‘Tanodas’ are a form of education voluntarily chosen by the children and their parents, which help and manage learning in a manner appropriate to the social and financial status of the participants.

(4) The Vocational School Development Programme started in 2005 with the objective of giving young people studying in vocational training schools who are socially and mentally disadvantaged and often struggle with learning difficulties better chances to acquire a vocation and to enter the labour market.

Within the development area ‘the re-integration of disadvantaged students’ under the Vocational School Development Programme, a vocational preparatory grade has been

introduced the programme of which is student-friendly, practice-oriented and ensures an individual pace of progress, and after the completion of which young people who failed to obtain their primary school qualification up until the date of reaching the compulsory school age or dropped out from the training system can enter grade 11, where vocational training is provided. Currently, there are more than 600 young people enrolled in the vocational preparatory grades of the Vocational School Development Programme in 44 vocational training establishments. The framework curriculum for vocational preparatory grades was issued in a decree of the Minister of Education and Culture in 2006; hence today every vocational training school has the option to launch remedial training as an alternative programme.

(5) In the reporting period the Ministry of the Interior, and subsequently the Ministry of Justice and Law Enforcement and the ORFK continued the scholarship programme which was announced for talented Roma secondary school students who felt committed to pursuing a career in the police forces, and introduced throughout the whole country as of the 2000/2001 school year. Scholarship recipients were provided textbook and school equipment grants, grant for accommodation and meals, and performance-based grants. The police headquarters in Budapest and in the counties concluded study contracts with 9 young Roma in the 2004/2005 school year and with 14 Roma students in the 2005/2006 school year.

Starting from 2004, the Ministry of the Interior has been organising law enforcement career orientation camps for Roma secondary school students. The five-day camp acquainted the 40 young students with the work of the secondary and tertiary institutions of law enforcement education and the experiences of professional Roma police officers. The success of the initiative is confirmed by the fact that in the 2005/2006 school year 20 young Roma started their studies in secondary law enforcement schools, 2 persons were enrolled in the Police College and 8 young people were enrolled in other higher education institutions.

In April 2005 the Education Directorate-General of the Ministry of the Interior staged a five-day international conference and in-service training to learn about the teaching methodology of anti-discriminative law enforcement measures with the involvement of experts in law enforcement education. The goal of the training was to introduce the modern methods applied in law enforcement education by member states of the EU. After the conference a model educational programme was worked out.

In April 2008 the ORFK and the Public Benefit Association for European Roma Comradeship in Law Enforcement arranged in-service training in Budapest for minority desk officers in the Police. The programme wished to facilitate the resolution of potential conflicts between the Roma minority and the Police.

#### ***Enforcement of the media rights of minorities***

Pursuant to Act I of 1996 on Radio and Television Broadcasting (hereinafter as the 'Media Act') public service broadcasters shall foster the culture and native languages of national and ethnic minorities and provide information in the native languages of such groups on a regular basis. The public service Hungarian Radio and Hungarian Television had developed their programme structure for minority language broadcasting for each minority group prior to the entry into force of the Framework Convention.



(1) With respect to the enforcement of the media rights of minorities, one of the key events in the reporting period was the start of the minority channel of the Hungarian Radio, MR4 on 1 February 2007. The station broadcasts radio programmes in minority languages on each day of the week from 8 a.m. until 8 p.m. MR4 is a public service radio station for minorities broadcasting in 12 hours over the whole country, with a consolidated structure of programmes being available to all concerned in Hungary. MR4 broadcasts public service programmes in two hours a day in Croatian, Romanian, German, Serbian, and Slovakian. 30 minutes a week are allotted to programmes in Bulgarian, Greek, Polish, Armenian, Ruthenian, Slovenian and Ukrainian.

As of October 2008, the Hungarian Radio raised the duration of Roma programmes from the former 30 minutes a day to one hour a day. From the above date onwards, the transmission 'Három szólamra – cigány magazin az MR4-en' (For three voices – Gipsy magazine on MR4) is broadcast five days a week, from Monday to Friday between 12:00 and 13:00. Subject to the recommendations of the Council of Europe, this Roma programme which so far had been broadcast only in Hungarian, can now be heard in three languages: in Hungarian, and on Tuesday and Thursday in Romani, on Wednesday and Friday in Beash.

The MR4 radio channel which broadcasts in 15 languages is available at 1188 kHz and 873 kHz MW in Hungary, via the HotBird3 satellite, at the 7.92 MHz voice frequency band of Duna TV, and on the home page of the MR at [www.radio.hu](http://www.radio.hu) in 24 hours a day.

In addition, the Hungarian Radio doubled the broadcast time of its regular programmes on MR1-Kossuth Radio which address the life and situation of the Roma minority. Since September 2008, twice a week a 30-minute radio programme has been aired in Hungarian on events in the public and cultural life of the Roma community (further information on these issues will be given in Chapter II of the state report, in relation to Article 6 of the Framework Convention).

(2) In October 2008, in the presence of the President of the Parliament of the Republic of Hungary the Hungarian Television commemorated the 30th anniversary of the first minority programme aired in Hungarian public television. The MTV has been regularly broadcasting programmes in the native languages of all 13 minorities for a decade. The public television set up a Minority Editorial Board in August 2006. (Additional information concerning the media rights extended by the 2005 amendment of the Minorities Act, and the actual application of the legislative changes with regard to organisational and financial independence to serve the cultural autonomy of minorities are provided in Chapter II of the state report in connection with Article 9 of the Framework Convention.)

During the reporting period the National Radio and Television Commission examined compliance with the minority broadcasting obligations of public television. According to the provisions of the Media Act, the length of the minority programmes of public media broadcasters may not be less – neither in a national, nor in a regional aggregate – than at the time of entry into force of the Act in 1996.

<b>Trends in minority programme broadcasting time in the Hungarian Television (in an average of 4 weeks, in minutes)</b>			
	<b>January 1996 (minutes total)</b>	<b>January 2007 (minutes total)</b>	<b>Frequency</b>
Bulgarian	10	21	Biweekly
Greek	10	21	Biweekly
Croatian	100	127	Weekly
Polish	10	21	Biweekly
German	100	127	Weekly
Armenian	10	21	Biweekly
Roma	117	145	Weekly
Romanian	100	127	Weekly
Ruthenian	10	21	Biweekly
Serbian	50	127	Weekly
Slovakian	100	127	Weekly
Slovenian	50	71	Biweekly
Ukrainian	0	21	Biweekly
<b>Total</b>	<b>667</b>	<b>977</b>	

Source: National Radio and Television Commission

Based on the data in the table, it can be seen that with regard to the time allotted for minority programmes, the Hungarian Television satisfies the requirements of the Media Act.

(3) The public service broadcaster Duna Television launched a new satellite channel 'Autonomy' in April 2006. The goal of the programme is to present themes related to the culture and status of minorities in the region and in the European Union, and how they organise themselves. As of 2008, the channel has been re-broadcasting programmes already aired on Duna Television which meet the objectives of the new station.

(4) According to the provisions of the Media Act, the national self-governments of minorities each may delegate one member to the Board of Trustees of the Hungarian Television Public Foundation, the Hungarian Radio Public Foundation and the Hungária Television Public Foundation which represents Duna Television. Pursuant to this provision, the representatives of minorities can also participate in the work of this body which exercises ownership rights over the public service media.

The National Self-Government of Germans in Hungary, the National Slovak Self-Government, the National Croatian Self-Government, the National Roma Self-Government and the National Self-Government of Germans in Hungary each held one mandate in the Board of Trustees of the Hungarian Television Public Foundation in 2004, 2005, 2006, 2007 and 2008, respectively.

The National Slovak Self-Government, the National Self-Government of Germans in Hungary, the National Serbian Self-Government, the National Ukrainian Self-Government and the National Self-Government of Romanians in Hungary each delegated one member to the Board of Trustees of the Hungarian Radio Public Foundation in 2004, 2005, 2006, 2007 and 2008, respectively.

The work of the Board of Trustees of the Hungária Television Public Foundation was assisted by a representative of the National Croatian Self-Government, the National Slovak Self-Government, the National Self-Government of Germans in Hungary, the National Roma Self-

Government and the National Self-Government of Romanians in Hungary in 2004, 2005, 2006, 2007 and 2008, respectively.

(5) The Parliament adopted Act LXXIV of 2007 on the Rules of Broadcasting and Digital Switchover in June 2007. The Media Working Group set up by the State Secretariat for Minority and National Policy for reviewing the media rights of minorities and to evaluate the prevalence of the European principles related to the media in Hungary, discussed the issues of digital switchover and the overall regulation of the media in October 2007. The advisory board on minorities held the view that content regulation also in connection with the digital switchover should take into account the issues of the specific media rights of minorities, and that the new provisions should reflect the media rights of Hungarian minorities as already stipulated in the legal regulations of different level. In this respect the Media Working Group considered the provisions of Article 9 of the Framework Convention to be relevant pieces of legislation.

(6) On 18 December each year, i.e. on Minorities Day, the Prime Minister of the Republic of Hungary awards honours in the Parliament to the persons who have achieved outstanding results in advocating the cause of minorities in the fields of public life, education, culture, church life, science, the media and the economy. In the reporting period a number of minority media workshops and media public figures received prestigious state accolades.

The editors of Radio Monošter were awarded the Prize for Minorities for their outstanding work in the preservation of Slovenian minority culture and language in 2006. Also in 2006, the editor of the Roma programme 'Cigány félóra' (Gipsy Half Hour) of the Hungarian Radio received the Prize for Minorities for his journalistic efforts facilitating the combating of prejudices and for his extensive public activity. In 2007, MTV's Editorial Board for Minority Programmes was awarded this prestigious honour. This high-level state distinction was received in acknowledgment of the professional achievements of journalists making programmes for the public service television in the native languages of the 13 minorities. The Prize for Minorities was also awarded in 2007 to the editorial board of the RomNet internet portal. In 2008, a journalist of the Internal Policy Editor-in-chief Office of the Hungarian News Agency, the former senior associate of the Romaweb internet portal, the newspapers Amaro Drom and 'Világunk' (Our World), and the editor of the political, public life and cultural programmes of Radio C were rewarded with the Prize for Minorities. In 2008, a young artist of Hungarian theatre and cinematographic arts, who also acclaims international success, received the Prize for Minorities for the artistic presentation of the life of minorities, for promoting the social acceptance of cultural diversity, creating an atmosphere of tolerance and for playing his part as artist in fighting exclusion and prejudice.

(7) The Federal Union of European Nationalities (FUEN) held its congress in April 2008 in the city of Pécs in Hungary. The annual meeting of the civil organisation which is an important actor in the international protection of the interests of minorities was attended by 180 delegates from 35 European countries. The discussions focused on the evaluation of the media rights of minorities. The participants of the forum visited the editorial offices of the Croatian, German and Serbian language programmes of the Hungarian Radio and the Hungarian Television in Pécs, where they gained first-hand experiences of the actual assertion of the media rights of Hungarian minorities. The State Secretariat for Minority and National Policy supported the successful staging of the FUEN congress with HUF 5 million.

## II. FURTHER MEASURES AIMED AT IMPROVING THE IMPLEMENTATION OF THE FRAMEWORK CONVENTION

Consistent with the relevant articles of the Framework Convention, Chapter II of the State report provides further information on the government actions as regards this reporting period and relevant assessments made by non-governmental organisations.

### *Article 1*

**The protection of national minorities and of the rights and freedoms of persons belonging to those minorities forms an integral part of the international protection of human rights, and as such falls within the scope of international co-operation.**

(1) After several years of intermission, the Committee of Experts on Issues relating to the Protection of National Minorities of the Council of Europe (DH-MIN) was re-established in early 2005 with major political and financial support from Hungary. In both 2007 and 2008, members of DH-MIN elected Hungarian experts to chair the working group that is convened twice a year.

(2) The delegation of the Office of the Commissioner for Human Rights of the Council of Europe paid a visit to Hungary in September 2005. The purpose of the visit was to investigate the developments that have taken place since the Commissioner's 2002 report on Hungary.

According to the opinion formulated based on the 2005 assessment carried out by the Office of the Commissioner for Human Rights of the Council of Europe, Hungary made significant progress, among others in the fields of social integration of Roma and legal regulation to promote equal opportunities.

(3) The United Nations Independent Expert on Minority Issues visited Hungary in June 2006. This was the first country visit of the independent UN expert after her assumption of office. The issues addressed during her visit were related in particular to minority legislation and the changes thereof, the operation and election of minority self-governments, the operation of the system of government institutions, the parliamentary representation of minorities, education, the access of Roma to the social system and discrimination against women. The UN expert expressed her satisfaction over the favourable experience she had during the meetings and the willingness to cooperate of the Hungarian party. The independent expert reported on her visit to Hungary in September 2006 at the autumn session of the UN Human Rights Council. The report emphasized that the Hungarian government demonstrates strong political determination and devotes significant financial sources to address the needs and problems of minorities, in particular Roma. It established that the exceptional system of minority self-governments contributes in a constructive way to the efforts aimed at promoting the cultural autonomy of the minorities living in Hungary.

(4) At the summit of the Central European Initiative (CEI) held in Sofia in November 2007, the Hungarian Foreign Minister proposed to involve the issues concerning Roma integration in the political dialogue within the CEI. Such proposal was welcomed by all member states at the meeting of national coordinators in December 2007 in Trieste.

## ***Article 2***

**The provisions of this framework Convention shall be applied in good faith, in a spirit of understanding and tolerance and in conformity with the principles of good neighbourliness, friendly relations and co-operation between States.**

As regards the provisions of this Article, both the policies and the practices in the reporting period were generally characterized by efforts made by the Republic of Hungary in its relations with the home countries of the respective minorities toward extending cooperation, by also serving the interests of such minorities. (The work of the intergovernmental joint committees on minorities is discussed in detail under Article 18 below.)

(1) During the visit of the President of the Republic of Hungary in February 2008 to Bulgaria, the president of the National Bulgarian Self-government was among the members of the delegation. Issues concerning the operation of the Bulgarian School of Budapest have also been on the agenda of the presidential discussions.

(2) The photo exhibition and cultural programme “Greeks in Hungary” opened in September 2008 in Athens in the presence of the ministers of foreign affairs of both countries was to strengthen Hungarian–Greek interstate relations. The series of events introduced the National Self-government of Greeks living in Hungary to Greece.

(3) In the framework of Hungarian–Croatian interstate relations, the harmonization of national development policies takes place regularly. The governments of the Republic of Hungary and Croatia have thus far held two joint meetings, for the first time in January 2006 in Budapest and then in May 2007 in Zagreb. The high-level talks were also attended by the president of the National Croatian Self-government.

(4) The expansion of Hungarian-Romanian relations is well demonstrated by the joint government sessions held each year since 2005. The president of the National Self-government of Romanians living in Hungary is a regular participant in such discussions. As a result of the agreements signed at the joint government sessions, Romania opened a Consulate-General in December 2006 in Gyula, the town regarded as the centre of Romanian minorities living in Hungary, to be followed by the opening of the branch institute of the Romanian Cultural Institute of Budapest in Szeged in December 2007.

(5) The speakers of parliament of the Republic of Hungary and Serbia met in Budapest in November 2008. The assessment of the status of the respective minorities living in the two countries was on the agenda of the discussions, also attended by the President of the National Serbian Self-government. The Serb speaker of parliament was also received by the Minister of the Prime Minister’s Office in charge of minorities. The parties to the discussions agreed that Hungary will assist Serbia in its convergence with the EU and that they will cooperate in the expansion of legislative instruments concerning minorities.

(6) Being regarded as the centres of Slovenian minorities living in Hungary and of Hungarian minorities living in Slovenia, respectively, the two border towns of Szentgotthárd and Lendava served as the location for the first Hungarian-Slovenian joint government session in October 2007. The discussions were also attended by the president of the National Slovenian Self-government.

(7) The Prime Ministers of Hungary and the Ukraine signed the intergovernmental action plan of the two countries in March 2007, also addressing the tasks related to the Ukrainian minorities living in Hungary.

(8) The UN Global Compact Forum established to promote corporate social responsibility was joined on behalf of Hungary by the Ministry of Economics and Transportation (GKM) in 2005. This international agreement provided the basis for the UN Development Programme (UNDP) to launch a process in 2006 resulting in the development of the national strategies of eight EU member states. The document was aimed at encouraging the economic integration of underprivileged groups, in particular Roma. In accordance with its obligation undertaken in the agreement, the GKM assumed an active role in the development of the national strategy.

(9) Within the framework of its international relations, the Equal Treatment Authority cooperated with the Hungarian representatives of the Vienna-based European Monitoring Centre on Racism and Xenophobia (EUMC), who prepare comprehensive reports on Hungary for the EU each year. There have been several meetings with the experts of ECRI, a monitoring body established by the Council of Europe. The Equal Treatment Authority also joined the activities of the EQUINET network, the organisation of anti-discrimination committees and authorities of the EU member states, founded by the Migration Policy Group. During the reporting period, the Authority established direct connections with the European Roma Rights Centre and the representatives of ILO.

(10) Funded under the AGIS programme, the Open Society Justice Initiative has developed a multi-nation programme including Hungary, Bulgaria, and Spain, aiming at the review of police identity check practices. The project also contributed to improving relations between Hungarian law enforcement organisations and minority communities. On behalf of Hungary, the programme was implemented with the cooperation of the National Police Headquarters, the Police College, the Hungarian Helsinki Committee, and the representatives of the Roma minority organisations. The programme investigated the scope of information recorded by police officers during identity checks, the method of such data recording, the databases established by the Police, and the way such data is analysed and used. The programme ended with an international conference in November 2008.

(11) Among the non-governmental organisations involved in the preparation of the State report, Hungarian Radio, a public service radio station provided the following information on its international relations concerning minorities.

In September 2007, the managers of Hungarian Radio and the Romanian Radio signed a Cooperation Agreement in Bucharest with the aim of strengthening the bilateral relations and expanding the possibilities of cultural exchange. In accordance with the agreement, the parties shall provide premium support for the work of Radio Timisoara and Radio Szeged, two of their regional radio studios, in order to facilitate the continuous production of the programme “On the wavelength of Europe” in Hungarian, Romanian, and Serbian.

In October 2007, the Hungarian Radio and Radio Novi Sad of Serbia signed a Cooperation Agreement in Budapest on the faster exchange of information, the recognition of minority rights, and the enforcement of the European values of tolerance and diversity. In May 2008, the agreement was supplemented with a contract on the exchange of minority radio programmes between the two institutions.

In May 2008, the Hungarian Radio and the Slovakian Radio signed a Cooperation Agreement in Budapest to facilitate the exchange of drama and music programmes between the two public service radio stations and the implementation of joint programme projects by them.

***Article 3***

**1. Every person belonging to a national minority shall have the right freely to choose to be treated or not to be treated as such and no disadvantage shall result from this choice or from the exercise of the rights which are connected to that choice.**

**2. Persons belonging to national minorities may exercise the rights and enjoy the freedoms flowing from the principles enshrined in the present framework Convention individually as well as in community with others.**

(1) The Introduction of the State report refers to the provision of the Act on Minorities defining the notion of national and ethnical minority, as well as to the 13 minorities living in Hungary as identified in the regulation. During the reporting period there were several initiatives aimed at obtaining a “minority status”.

In accordance with the Act on Minorities, if further minorities beyond those regarded as the thirteen minorities living in Hungary wish to demonstrate their compliance with the requirements therein, the National Assembly shall decide on the initiative according to the rules of procedure for national popular initiatives. In accordance with Act XVII of 1989 on National Referendum and Popular Initiative, a civil initiative is a matter to be brought before the National Assembly and may start upon authentication of the signature sheets by the National Election Committee (OVB). Subsequently, initiators will have two months to obtain the support of at least 1,000 voters belonging to that minority on the authenticated signature sheets. The signatures thus gathered are to be submitted to the OVB by the stipulated deadline.

The National Election Committee shall manage the authentication of the initiative and notify the Speaker of the National Assembly in writing of the results of the authentication process. In accordance with the Act on Minorities, the OVB must request the opinion of the President of the Hungarian Academy of Sciences as regards the existence of the statutory conditions concerning the minority community subject to the initiative as part of the procedure. After the hearing of the relevant standing committee, the National Assembly shall decide on the authenticated initiative by adopting a resolution.

During the reporting period popular initiatives were launched for the recognition of several communities, such as the Russian, the Bunjevci, the Hun, and the Jewish community.

The request for the authentication of the popular initiative and signature sheet aiming at the recognition of the Hun minority was submitted to the National Election Committee by a private citizen on 16 August 2004. The signature sheet reads as follows: “In accordance with the authorisation laid down in Section 61 (2) of Act LXXVII of 1993 on the Rights of National and Ethnic Minorities, the Huns living in Hungary wish to demonstrate their compliance with the provisions of the Act on Minorities. On these grounds, the signatories hereby declare to belong to the Hun minority.” With its decision No. 122/2004. (IX. 2.), the National Election Committee authenticated the sample signature sheet. The initiator was successful in gathering the required number of supporting signatures, thus bringing the matter before the National Assembly. At its meeting on 12 April 2005, the National Assembly’s Committee on Human Rights, Minorities and Religions rejected the national popular initiative

for the recognition of Huns as a minority living in Hungary. The following position of the President of the Hungarian Academy of Sciences played a role in the decision: “Converging expert opinions established that the members of the group identifying themselves as Huns living in Hungary cannot be regarded as a national or ethnic minority, thus making their registration efforts to that end unfounded.” According to the resolution passed at its session of 25 April 2005, the National Assembly took position against the recognition of the “Hun minority” with 14 yes, 178 no, and 92 abstaining votes.

The request for the authentication of the popular initiative and signature sheet aiming at the recognition of the Russian minority was submitted to the National Election Committee by a private citizen on 13 December 2005. The signature sheet reads as follows: “In accordance with the authorisation laid down in Section 61 (2) of Act LXXVII of 1993 on the Rights of National and Ethnic Minorities, the Russians living in Hungary wish to demonstrate their compliance with the provisions of the Act on Minorities. On these grounds, the signatories hereby declare to belong to the Russian minority.” In its Resolution No. 27/2006. (VI. 21.) AB (Resolution No. 334/H/2006. AB), the Constitutional Court upheld OVB Resolution No. 84/2006. (III. 9.) on the authentication of the popular initiative and the sample of the related signature sheet and of the question thereon, thus allowing the gathering of the required signatures. With respect to the fact, however, that the required 1,000 signatures were not gathered within the two months provided by law, the initiative came to an end at this point.

Four private citizens, who have also acted on other forums on behalf of a civil organisation registered under the name ‘Association for the Jewish Minority in Hungary’, launched a popular initiative in Autumn 2005 to achieve that the National Assembly also recognise the Hungarian Jewish community as a national minority. The National Election Committee authenticated the signature sheet in October 2005, to be followed by its examination by the Constitutional Court by reason of four objections. Based on its Resolution of 30 January 2006, the Constitutional Court upheld the National Election Committee’s Resolution authenticating the sample of the signature sheet for the submission of a popular initiative in the following question: “In accordance with the authorisation laid down in Section 61 (2) of Act LXXVII of 1993 on the Rights of National and Ethnic Minorities, we the undersigned Hungarian citizens hereby declare to belong to the Jewish minority living in Hungary and comply with the provisions of the Act on Minorities. We kindly request the National Assembly to add the Jewish minority ethnic group to the list of ethnic groups as specified in Section 61 (2) of the Act on Minorities.” The initiators launched the gathering of signatures, but failed to obtain 1,000 supporting signatures, thus rendering the initiative unsuccessful.

A popular initiative was launched by private citizens during 2006 for the recognition of the Bunjevci community as an independent minority and authenticated by the National Election Committee. After the OBV authenticated the submitted signature sheet, the initiators managed to gather the required number of signatures. Upon the OBV’s request, the President of the Hungarian Academy of Sciences announced his position on the matter, denoting that the Bunjevci living in Hungary are part of the Croatian community, thus granting the independent minority status is not justified. OVB sent the position of the President of the Hungarian Academy of Sciences to the National Assembly’s Committee on Human Rights, Minorities, Civil and Religious Affairs. The Government adopted a position identical to the Academy’s opinion. Based on OGY Resolution No. 60/2006. (XII. 20.), passed at its session held on 18 December 2006, the National Assembly rejected the initiative by a vote of 334 to 18.



(2) In its opinion the Advisory Committee addressed the question of the register of minority voters, a new element of the election system of minority self-governments in Hungary introduced during the reporting period, in connection with the article discussed herein. Related information is provided in detail as follows.

The second State report discussed in detail that certain provisions of the Constitution have also been affected by the obligations of the Republic of Hungary as regards legislative amendments relating to its accession to the EU. The regulation of the election of minority self-governments also fell under the scope of such amendments. The new regulation was aimed at making the electoral base in the election of minority self-governments unambiguous. The amendment took effect on 1 May 2004, the same date as the Act on the Ratification of the International Treaty on the Accession of the Republic of Hungary to the European Union.

At its session of 17 October 2005, the National Assembly adopted Act No. CXIV of 2005 on the Election of the Representatives of Minority Self-governments and the Amendment of Certain Acts concerning National and Ethnic Minorities. By defining the electoral base for the election of minority self-governments in the Act, the legislator provided for the legal framework for ensuring that only those belonging to a given minority community take part in the election of minority self-governments.

The new regulation introduced the institution of a “register of minority voters”. Accordingly, only those Hungarian citizens who have voting rights at the election of the representatives of local self-governments and mayors, who belong to and identify themselves as one of the minorities and are listed in the register of minority voters based on this written declaration have both active and passive rights to vote at the election of minority self-governments.

Listing in the register of minority voters is obtained upon the request of the citizen. Such request may be submitted to the local election office or placed in the box located in the building of the given town’s local government. The election bodies shall not examine the truthfulness of the declaration. The register of minority voters shall not be made public, with only the persons with purposes specified by law having right of access thereto.

Minority elections are announced by the local election committee only if at least 30 voters are listed on the register of minority voters on the day of announcement of the elections.

For the first time after the amendment of the rules, local minority self-government elections were held on 1 October 2006, the same date as the election of the representatives of local self-governments and mayors. The elections were preceded by the compilation of the registers of minority voters. Those belonging to a minority community were able to individually request their listing in the register of minority voters in a given town by 15 July 2006. The total number of registers within the minority shows the number of towns where the preparation of a register for the given minority was initiated.

<b>Minority</b>	<b>Number of people listed in the register of minority voters</b>	<b>Total number of registers within the minority</b>
Bulgarian	2 110	70
Roma	106 333	1 421
Greek	2 451	52
Croatian	11 090	170
Polish	3 061	93
German	45 983	553
Armenian	2 361	67
Romanian	4 404	90
Ruthenian	2 729	91
Serb	2 143	64
Slovak	15 049	188
Slovene	991	29
Ukrainian	1 084	45
<b>Total</b>	<b>199 789</b>	<b>2 933</b>

Source: National Election Office

In accordance with statutory regulation, the announcement of local minority self-government elections is subject to a minimum of 30 voters being listed in the register of minority voters. During the 2006 elections, such condition was met by 2080 registers of minority voters throughout the country, with the number of elections announced by the election bodies being ultimately 2077. Participation in minority elections was possible in 1452 towns. Only those listed in the register of minority voters can be elected in minority elections. (For further information on matters related to minority self-government elections see Articles 7 and 15 below.)

#### ***Article 4***

**1. The Parties undertake to guarantee to persons belonging to national minorities the right of equality before the law and of equal protection of the law. In this respect, any discrimination based on belonging to a national minority shall be prohibited.**

**2. The Parties undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities.**

**3. The measures adopted in accordance with paragraph 2 shall not be considered to be an act of discrimination.**

The legal and institutional changes affecting non-discrimination, the government actions against discrimination, and the questions related to the Act on Equal Treatment and the activities of the Equal Treatment Authority were addressed in detail in Chapter I of the State report. Chapter I also listed those measures that also concern the recommendations contained in the opinion of the Advisory Committee in relation to this Article. Such information is supplemented as follows.

(1) The Act on Equal Treatment regards the fact of belonging to a minority a protected characteristic. The Act also considers mother tongue as one of the protected characteristics of special importance as regards the discrimination of minorities.

In accordance with the Act on Equal Treatment, the requirement of equal treatment is not violated if minority education is organised at the request and as the voluntary choice of the parents in public education or based upon the voluntary participation of the students in institutions of higher education whose objective or programme justifies the creation of segregated classes or groups, provided that this does not result in any disadvantage for those participating in such an education, and the education complies with the requirements approved, laid down and subsidised by the State.

(2) With the establishment of the Equal Treatment Authority in February 2005, the Government, besides satisfying one of its EU obligations, created the legislative and institutional framework that is capable of enforcing the fundamental human rights of equality before the law, human dignity, and non-discrimination.

In close cooperation with other organisations, the Authority contributes to the reduction of prejudice, the development of social cohesion, and the implementation of conscious action against discrimination. The activities of the Equal Treatment Authority also serve to demonstrate that economic reforms and government actions to boost the country's competitiveness may – and should – be implemented so as to prevent the violation of human dignity, help build solidarity, and provide protection for the most vulnerable.

The Equal Treatment Authority is a general anti-discrimination body that, pursuant to the Act on Equal Treatment, shall among others:

- conduct investigations and make decisions in individual cases of violation of equal treatment;
- pursuant to the right of *actio popularis*, initiate lawsuits with a view to protecting the rights of persons and groups whose rights have been violated;
- comment on drafts of legal acts concerning equal treatment;
- make proposals concerning governmental decisions and legislation;
- in the course of performing its duties, co-operate with NGOs, advocacy groups and the relevant government agencies;
- conduct investigations at request to establish whether the employers obliged to do so have approved an equal opportunities plan and make decisions on the basis of such investigations as of 1 January 2007.

Upon adoption of both the Act on Equal Treatment and Government Decree No. 362/2004. (XII. 26.) on the Equal Treatment Authority and the detailed rules of its procedure, the legislator's efforts were aimed at providing for legal guarantees to assist the enforcement of the rights of applicants turning to the Authority.

Upon violation of the requirement of equal treatment, the Authority shall, at the request of the party whose rights have been violated, or *ex officio* in the cases defined in the Act on Equal Treatment, conduct investigations to establish whether the requirement of equal treatment has been violated. Should the procedure reveal that the requirement of equal treatment has been violated, the Authority shall apply the sanction set out in the Act on Equal Treatment.

The Act on Equal Treatment defines the scope of the circumstances to be proved by each of the parties in investigations initiated on account of violation of the requirement of equal treatment. The injured party shall prove the disadvantage he or she has suffered, his or her legal relationship, and whether at the time of injury he or she possessed any of the protected

characteristics listed in the legal regulation. An example could be when the injured party is not allowed to enter a public event or rejected for a job on account of his or her Roma origin.

According to the original provisions of the Act on Equal Treatment, the Authority was not allowed to proceed *ex officio* against educational institutions, only at the request of the injured party, thus only being able to conduct investigations against the self-government supervising the institution, lacking any application by a specific plaintiff for conducting a procedure. The amendments to the Act on Equal Treatment effective as of 1 January 2007 now allow advocacy groups, and thus also minority self-governments to initiate procedures before the Authority on behalf of the social group they represent, if a larger group of people that cannot be determined accurately is affected by the violation of the requirement of equal treatment or the direct threat thereof.

The principle of distribution of the burden of proof is reflected by the provision of the Act on Equal Treatment stating that in procedures initiated due to a violation of the requirement of equal treatment, the injured party or the party entitled to an *actio popularis* must only render it probable that the injured person or group has suffered a disadvantage, or in the case of an *actio popularis*, there is a direct threat of such a disadvantage. Presumption is a kind of proof that makes an average person think that based on objective judgement, the plaintiff's complaint is well-founded. On the other hand, the other party shall prove that the circumstances rendered probable by the injured party or the party entitled to an *actio popularis* did not prevail, or he or she did observe the requirement of equal treatment, or that he or she was not obliged to observe the requirement of equal treatment in respect of the relevant relationship.

During a procedure the person or organisation drawn under the procedure shall prove that he or she did observe the requirement of equal treatment, or that he or she was not obliged to observe the requirement of equal treatment in respect of the relevant relationship. Furthermore, pursuant to the provisions of the Act on administrative procedures, the Authority shall also make every effort for the detailed clarification of the facts.

In accordance with Position No. 384/4/2008. (III. 28.) TT. of the Advisory Board of Equal Treatment, the purpose of providing evidence for exoneration is to compensate the disadvantage of the claimant in accessing the proofs. In addition to presuming the statutory circumstances, the burden of proof of the causal relationship between the disadvantage and the protected characteristics can not be shifted to the claimant.

Rules in favour of the applicant are also set forth in the provision of the Act on Equal Treatment stating that in the course of a procedure initiated at request, the other procedural costs are advanced by the Authority, while the costs occurring in connection with his or her participation in the procedure shall be advanced by the party drawn under the procedure, i.e. the party having an interest opposing that of the offended party. If the request is rejected, the offended party shall bear the other procedural costs only if the Authority establishes that he or she acted in bad faith.

Pursuant to the Government Decree on the rules of procedure of the Authority, if a personal hearing is necessary during the procedure, and the person concerned has no address at the place where the Authority has its seat, the person shall be summoned to the seat of the mayor's office of that local government within the territory of which the person lives or resides. The same rule shall be applicable if during the procedure the Authority conducts a

trial, and the persons to be questioned there shall be summoned to the seat of the mayor's office of the local government within the territory of which the applicant lives or resides.

At their request, the Authority shall question the applicant, the person having reported about the violation of the obligation of equal treatment in the absence of the person drawn under the procedure.

Pursuant to the Act on administrative procedures, the Authority shall, before making a decision, attempt to reach agreement between the parties with opposing interests. If such attempt is successful, the Authority shall incorporate in a decision and approve such agreement. Such agreement shall however be subject to statutory conditions, it shall not violate public order, the rights or legitimate interest of others, and it shall cover the date of performance and the bearing of the costs of the procedure. The agreement reached between the parties may only be approved at a trial held in the presence of both the applicant and the person drawn under the procedure.

In 2005, the Equal Treatment Authority received 491 applications, with this number increasing to 591, 729, and 1,153 in 2006, 2007, and 2008, respectively.

The majority of applications are related to labour issues, in particular the employment of Roma or the employment and dismissal of women over the age of fifty, people raising children, and those with disabilities. Several education-related reports were also received, on the segregation of underprivileged students and the declaration of their private student status.

Of all cases submitted, the Authority established a violation of the requirement of equal treatment on account of the plaintiff belonging to the Roma minority in two of the nine condemned cases in 2005, in five of the twenty-two condemned cases in 2006, in four of the twenty-nine decisions establishing violation of law in 2007, and in four of the thirty-seven condemned cases in 2008.

In the majority of the condemned cases, the fines imposed were between HUF 450,000 and 700,000. The Authority resolved on several occasions to make the decisions public.

During the period since the establishment of the Authority, an agreement was reached in six cases in 2005 and thirteen cases in 2006, with Roma plaintiffs in six of all cases. The number of agreements decreased in 2007, as legal disputes were settled by agreement in three cases only, with one Roma person among the parties suffering injury. In 2008, however, the number of agreements increased, with the total number of cases ending with agreement being 23.

As regards the cases decided by the Equal Treatment Authority it can be established that the Roma minority is mainly affected by discrimination when trying to enter the labour market and access services.

### ***Article 5***

**1. The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.**

**2. Without prejudice to measures taken in pursuance of their general integration policy, the Parties shall refrain from policies or practices aimed at assimilation of persons belonging to national minorities against their will and shall protect these persons from any action aimed at such assimilation.**

(1) Hungary considers the cultural values represented by its minorities as the common intellectual and material heritage of the country, therefore, it promotes the preservation and development thereof. It is a key objective of the Government to promote the cultural autonomy of the minorities, with the necessary legal, institutional and budgetary conditions to be provided.

(2) The 2005 amendment to the Act on Equal Treatment extended the legal framework for establishing cultural autonomy and defined the types of institutions that may effectively contribute to the development of cultural autonomy of a minority community.

National minority self-governments are entitled to establish or take over minority theatres, museum exhibition spaces, public collections with national scope of collection, libraries, institutions of public education, publishing houses, and national institutes of culture, arts and science. Minority self-governments may apply for budgetary funds for the performance of related duties.

For financing the development programme for the institutions of minority self-governments, the state budget allocated HUF 366.9 million and 439.2 million for 2004 and 2005, respectively. Minority self-governments could access such sources via applications.

Also on account of amendments to the Act on Equal Treatment, the system of utilising the budget line for minority institutions has changed as from 2006. On one hand, minority self-governments maintaining independent institutions now receive the annual sources required for the operation of their institutions as part of their annual budgets, and on the other hand, another budget remains available for supporting further programmes. This additional source amounted to HUF 104.5 million, 69.9 million and 119.3 million in 2006, 2007, and 2008, respectively. The State Secretary for Minority and National Policy of the Prime Minister's Office is in charge of the allocation of this budget, based upon the applications submitted by the national self-governments.

The table below shows summary data on state budget funds allocated to minority self-governments in the period between 2004 and 2008, as part of their annual budgets or to be obtained by them via applications, serving the direct operation of the institutions they maintain. (The numbers are exclusive of the normative support for minority self-governments maintaining educational institutions and the amount of support for school operation received from the Ministry of Education and Culture via applications. Such budget funds are discussed under Article 14.)

	2004	2005	2006	2007	2008
<b>Funds for the institutions of national minority self-governments (HUF million)</b>					
Bulgarian National Self-government	13.0	33.0	27.0	22.0	19.2
National Roma Self-government	73.0	53.0	71.0	90.0	112.2
National Self-government of Greeks living in Hungary	7.5	12.0	12.0	13.7	12.5
National Croatian Self-government	12.0	55.6	55.0	54.0	50.0
National Polish Minority Self-government	11.5	38.8	28.0	16.5	27.7
National Self-government of Germans living in Hungary	102.1	80.0	82.6	77.0	91.1
National Armenian Self-government	–	–	–	4.7	7.0
National Self-government of Rumanians living in Hungary	27.0	21.1	34.5	19.5	21.2
National Ruthenian Minority Self-government	2.0	4.4	7.5	7.5	6.3
Serb National Self-government	15.0	27.5	33.0	29.5	44.2
National Slovak Self-government	90.3	97.4	112.2	88.8	107.3
National Slovene Self-government	13.5	16.2	22.2	21.2	25.2
Ukrainian National Self-government	–	–	–	6.0	8.0
<b>Total funds</b>	<b>366.9</b>	<b>439.2</b>	<b>485.0</b>	<b>450.4</b>	<b>531.9</b>

Source: Department for National and Ethnic Minorities of the Prime Minister's Office

The number of institutions operated by national minority self-governments has significantly increased by 2008, with the National Slovak Self-government being in charge of 12, the National Self-government of Germans living in Hungary of 7, both the National Roma Self-government and the National Croatian Self-government of 5, the Bulgarian National Self-government, the National Self-government of Greeks living in Hungary and the National Polish Minority Self-government of 3 each, the National Self-government of Rumanians living in Hungary, the National Ruthenian Minority Self-government and the Serb National Self-government of 2 each, and the national self-governments of Armenian, Slovene and Ukrainian minorities operating one each.

The table below shows the supplementary budgetary funds provided by the State Secretariat for Minority and National Policy in 2007, one of the years of the reporting period selected herein, to be obtained via applications for the extension of the development programme for the institutions of minority self-governments.

<b>National minority self-government</b>	<b>Beneficiary institution</b>	<b>2007 funds (HUF)</b>
Bulgarian	Bulgarian Educational and Cultural Centre	7 000 000
Roma	National Roma Media and Information Centre	20 000 000
Greek	Library of the National Self-government	1 700 000
Croatian	Croatica Cultural, Information and Publishing Centre	2 000 000
	Religious Collection of the Croats living in Hungary	7 000 000
Polish	Museum and Archive of the Polish living in Hungary	1 000 000
	Polish House	1 500 000
German	Valéria Koch High School, Primary School, Kindergarten and Dormitory, Pécs	7 000 000
Armenian	Cultural, Documentary and Information Centre	4 700 000
Romanian	Documentation and Information Centre	3 000 000
Ruthenian	Public Museum Collection and Exhibition Centre of the Ruthenians living in Hungary	1 500 000
Serb	Serbian Centre for Pedagogy and Methodology	500 000
	Cultural and Documentary Centre	2 000 000
Slovene	Radio Monošter – Slovenian Radio	5 000 000
Ukrainian	Cultural and Documentary Centre	6 000 000
<b>Total</b>		<b>69 900 000</b>

Source: Department for National and Ethnic Minorities of the Prime Minister's Office

The websites edited by national minority self-governments have separate links for finding information on the work and contact details of their respective institutions. Several minority institutions have their own websites to provide information in the mother tongue of the given minority. The web directory of minority self-governments is to be found on the website of the State Secretariat for Minority and National Policy at [www.nek.gov.hu](http://www.nek.gov.hu).

Chapter I of the State report mentioned that during the reporting period, the Minorities Office and the State Secretariat for Minority and National Policy organised a conference for evaluating the experiences drawn from the operation of the institutions maintained by the minority self-governments. A publication has been released on the proceedings of the conference.

In February 2008, the State Secretariat for Minority and National Policy published an independent report on the funds granted to the institutions of minority self-governments. The book titled "Minority Guide – 2008", available at [www.nek.gov.hu](http://www.nek.gov.hu), provides information on the institutions of public education operated by the national self-governments of minorities.

(3) The construction of a new Slovak Regional Cultural Centre, an institution of the National Slovak Self-government began in Pilisszentkereszt in 2008. The investment is supported with funding of HUF 80 million from the central budget. The same amount of money was offered by the Government of the Republic of Slovakia. Upon completion, a new institution with a broad perspective and profile may emerge, to also serve as a home not only for the locally elected boards and cultural organisations of the Slovaks, but also the Slovak minority institutions of the region. As the 11<sup>th</sup> institution of the Slovaks living in Hungary, the regional centre will be operated by the National Slovak Self-government after its completion in 2009.



(4) Of the 13 national minority self-governments involved in the comprehensive evaluation of the implementation of the Framework Convention in Hungary, the Croatian, the Polish, the Slovak, and the Slovene board submitted information on their respective cultural institutions.

(5) Chapter I and II of the State report pointed out that it is primarily the Public Foundation for the National and Ethnic Minorities in Hungary (hereinafter referred to as the Public Foundation for Minorities) that provides funds for the execution of the cultural programmes of minorities in their respective mother tongues. The funds of the Public Foundation for Minorities are allocated from the central budget.

The following section provides information on the funds granted by the Public Foundation for Minorities during the years of the reporting period for the execution of cultural projects. The first table highlights data pertaining to cultural and religious projects between 2004 and 2007. (By the time of completion of the State report, funding for 2008 has not yet been ended, evaluated or processed by minority groups.)

Year/project	2004 (No. of projects)	2005 (No. of projects)	2006 (No. of projects)	2007 (No. of projects)	2007 (HUF)
Bulgarian	16	6	9	9	2 321 521
Roma	224	155	111	248	29 900 000
Greek	13	9	9	12	1 136 000
Croatian	169	162	177	190	17 205 000
Polish	41	26	23	33	3 752 000
German	306	295	253	267	26 144 000
Armenian	13	12	11	22	2 076 500
Romanian	110	93	123	104	11 440 000
Ruthenian	5	6	10	19	2 013 934
Serb	89	65	75	98	10 380 000
Slovak	123	104	93	102	11 421 400
Slovene	42	36	30	31	2 990 000
Ukrainian	4	9	7	8	1 123 000
Inter-ethnic	21	15	17	17	2 280 000
<b>Total (No. of projects)</b>	<b>1176</b>	<b>993</b>	<b>948</b>	<b>1160</b>	<b>←</b>
<b>Total (HUF)</b>	<b>122 077 530</b>	<b>116 054 631</b>	<b>100 853 120</b>	<b>➔</b>	<b>124 183 355</b>

Source: Public Foundation for Minorities

In 2008 the Public Foundation for Minorities provided a total amount of HUF 127.6 million for the execution of 986 cultural projects. As many as 86 projects for supplying the public collections and libraries of the minorities were financed by a total amount of HUF 5 million. Within a tender for publishing books in minority languages, HUF 21.8 million were allocated for the execution of 89 projects. The Board of the Public Foundation for Minorities approved a total amount of HUF 14.9 million for the execution of 43 projects related to theatrical activities conducted in minority languages. Furthermore, 17 scientific research programmes and scientific events were granted a total fund of HUF 3.3 million in 2008.

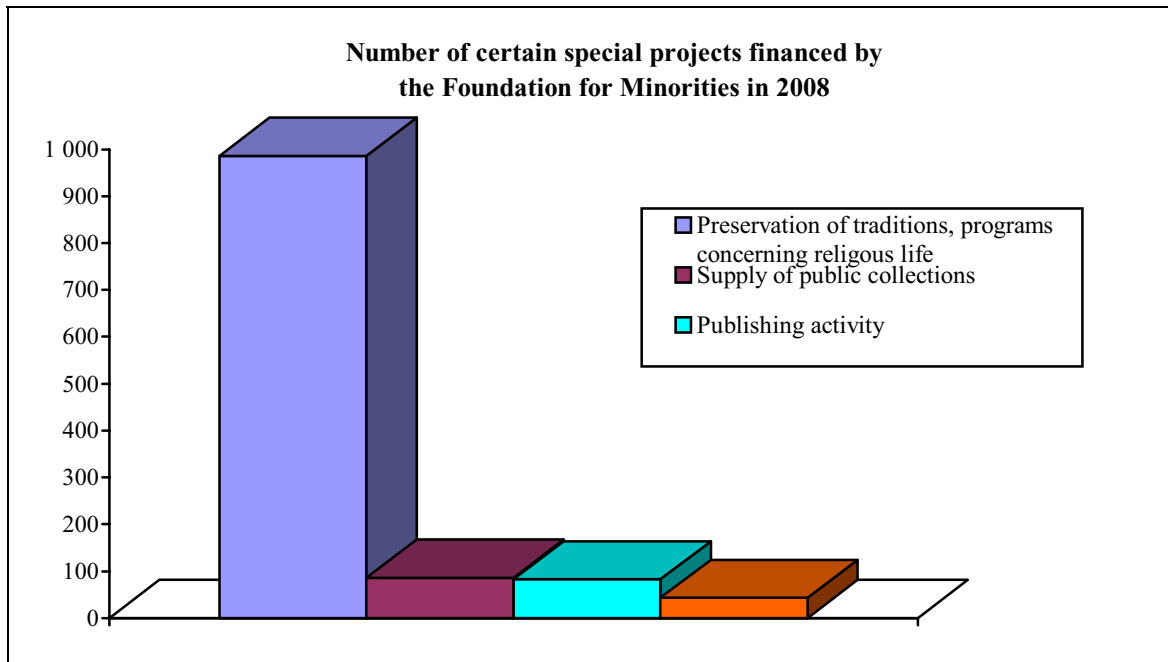


Diagram: Department for National and Ethnic Minorities of the Prime Minister's Office

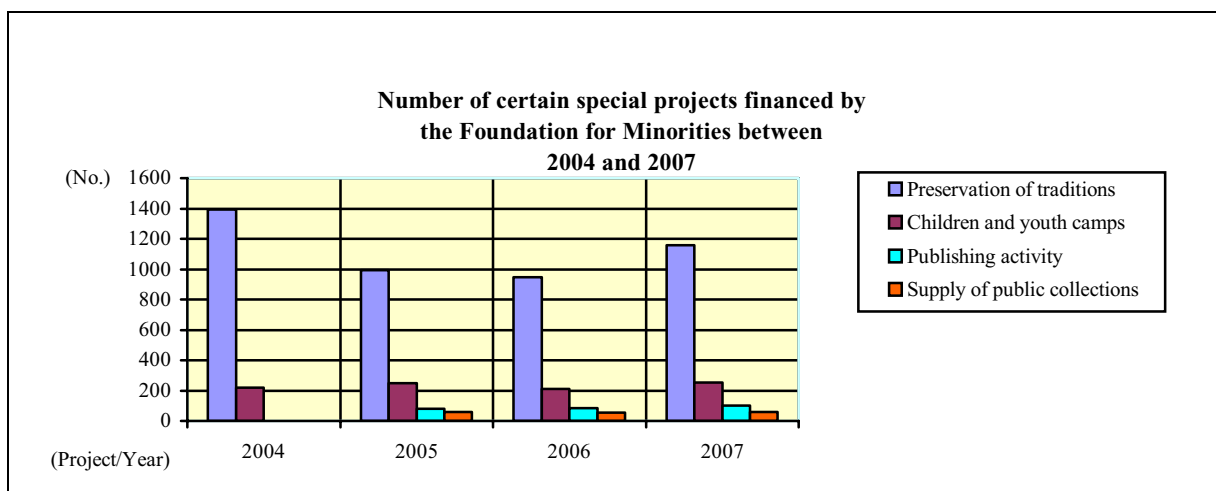


Diagram: Department for National and Ethnic Minorities of the Prime Minister's Office

The series of programmes under the Theatre Festival for Minorities organised by the Public Foundation for Minorities continued during the years of the reporting period. In February 2008 the festival for amateur and professional companies was organised in Budapest for the sixth time. At the event called ARCUSFEST, 21 programmes of 11 minorities (Bulgarians, Greeks, Croatians, Germans, Armenians, Roma, Rumanians, Serbs, Slovaks, Slovenes, and Ukrainians) were performed in 12 languages. Expert discussions were also among the programmes of the Theatre Festival for Minorities. Information on minority theatre companies can be found in several languages at the website of the Theatre Festival for Minorities at [www.arcusfest.hu](http://www.arcusfest.hu).

(6) During the years of the reporting period, sources for funding the continuous work of the theatres and professional theatrical companies of the minorities were allocated from the central budget.

There is an earmarked line in the Budget Act for the permanent theatre operated under the joint management of Deutsche Bühne, the National Self-government of Germans living in

Hungary and the Local Government of Tolna County. This source amounted to HUF 69.8 million in 2008.

During the reporting period, annual support of HUF 102 to 111 million was allocated in cooperation with the Ministry of Culture and Education for the operation of 5 Roma, 1 Croatian, 1 Serb, and 1 Slovak theatres and theatrical companies.

(7) At the time of closing of this report, the National Assembly adopted Act XCIX of 2008 on the Financing and Special Rules for Employment of the Organisations of Performing Arts (hereinafter referred to as the Performing Arts Act). The new legal regulation aims, among others, at promoting diversity in the fields of theatre, dance and music, supporting the art life of minorities, developing the institutional system of performing arts, and establishing a support scheme to promote the efficient utilisation of public funds. The act also encourages the production and performance of works in the respective mother tongues of minorities, thus adding to the cultural assets and heritage of Hungary.

The Performing Arts Act gives the definition of the term ‘national and ethnic minority theatre’. Accordingly, a minority theatre is a theatre approved as such by the declaration of the national minority self-government and playing in the mother tongue of the minority, or a theatre playing in Hungarian, its performances relating to the socio-cultural background and traditions of the minority community. Decisions concerning the appointment of the managers of such theatres and minority arts organisations operating as budgetary institutions shall be made in agreement with the minority self-government affected. Of course, this power shall be of relevance only if the operator of the minority institution is other than the minority self-government.

Through the central budget, the Government assists minority self-governments in establishing the conditions for performing arts activities and encourages the efforts of organisations of performing arts serving diversity. According to the new regulation, special support may also be granted from the central budget, via applications, for the performance of theatrical works in minority languages.

Pursuant to the new act, the Council of Performing Arts, a board to assist the Minister with proposals and opinions in the decision-making process shall be established. National minority self-governments shall also be entitled to delegate members to the Council of Performing Arts, thus extending the minorities’ right to participation.

The Performing Arts Act shall become effective as of 1 March 2009, with the financing stipulated therein first becoming available in 2010.

(8) The professional work of the Ministry of Culture and Education as regards Roma cultural activities is discussed in detail as follows.

With the aim of improving the situation of Roma musicians, a series of programs was launched in 2005 in cooperation with the National Employment Public Foundation, resulting in the employment of more than 100 Roma musicians. In 2006, a series of performances were organised for the Roma students of the Academy of Music.

In May 2006, the Ministry of Culture and Education organised the international conference entitled “European Roma Television”. The discussions were aimed at preparing for the development of a European Roma media.

Hungarian cultural institutes abroad provided the opportunity to introduce Roma culture. In recent years, the Hungarian cultural institutes of Sophia, Berlin, Bratislava, Prague, and Vienna offered Roma programmes.

An exhibition displaying the works of Roma artists was opened in the presence of the Hungarian Prime Minister at the opening ceremony of the 2007 Hungarian Cultural Season in China. The works have also been on show since December 2007 in the Hungarian National Gallery of Budapest, to be followed by their presentation in several cities nationwide in 2008.

In 2007 and 2008, the Ministry of Culture and Education provided operating support in the amount of HUF 70 million and 200 million, respectively, to Roma cultural institutions and organisations of special importance, thus guaranteeing the continuous operation of the Rajkó Ensemble, Rádió C, the 100-member Gypsy Orchestra, and the Talentum International School for Dance and Music.

(9) Within the activity related to Roma culture of the Hungarian Educational Institute operating as a background institution of the Ministry of Culture and Education, the Council of Experts on Roma Issues organised several discussions and training programmes for professionals involved in Roma culture between 2004 and 2006. The Council organised a conference together with the Institute of Political History in 2007 and announced a symposium entitled “Gypsies – Identity, Culture, and History” in 2008. Furthermore, it maintains the Roma art collection by undertaking a decisive role in shaping European Roma arts and having them recognised.

With the aim of raising awareness of our shared past, the Council of Experts on Roma Issues promotes the production of publications and exhibitions on Roma history. Together with Romedia Foundation, the Council made a six-part educational series entitled “Historia romani – Roma History”. It supported the publication of the book entitled “Pharrajimos: The Fate of the Roma during the Holocaust” as well as the presentation of the historical facts of the Roma Holocaust at different exhibitions. It also announced a contemporary art competition with the title “Rig-rigatar – Close-up – Gypsies in Hungarian history and culture”.

In order to discover and preserve Roma culture, the publication of “Studies in Gypsy Ethnography”, a series of 13 volumes, was supported. Furthermore, a book with Gypsy linguistic memories and vocabularies, jointly edited with the Institute of European Folklore was published.

(10) The Hungarian Educational Institute also has an advisory board established with the involvement of non-Roma minorities. The following section highlights some of the programmes carried out in cooperation with the Council of Experts for Minority Culture.

In 2005 an award was founded to acknowledge the work of professionals and communities involved in the public education of minorities. The award is presented once a year at a gala event under the patronage of the Speaker of the National Assembly and the Minister of Education and Culture. On the occasion of the Minority Gala, a representative almanac is also published, listing the winners of the Pro Cultura Minoritatum Hungariae award as well as the minority art ensembles and performers playing at the Minority Gala.

The Council of Experts for Minority Culture announced a photo documentary competition to be followed by the publication of an album with the best works both in 2006 and 2008 and travelling exhibitions in two locations in Budapest and further three locations in the country.

In autumn 2007, a minority conference was held to discuss the European situation of minority rights and questions of cultural autonomy, and to assess the operation of the cultural institutions of minorities living in Hungary. The presentations delivered at the two-day conference will be available in a separate publication. In 2008 three workshop discussions were held to evaluate the situation of native language theatre and minority media.

The aim of the minority cultural database kept by the Hungarian Educational Institute since 2006 is to make information on cultural communities public and available to anyone. The continuously growing database can be reached at [www.erikanet.hu](http://www.erikanet.hu).

(11) The basic functions of the National Foreign Language Library supervised by the Ministry of Education and Culture include the supply of minority libraries and the promotion of minority culture and education as well as minority research.

The Minority and Documentary Department operating within the National Special Library of Minorities is responsible for collecting and making available the works published in the 13 minority languages, their Hungarian translations, and any related literature. This collection comprises books, periodicals, and electronic media. The proportion of documents in minority languages within the entire collection is 24%, with the largest collection of 33,000 being available in German, to be followed by Romanian, Slovak, and Serb collections of 3,800, 3,000 and 2,300 documents, respectively.

The national supply of minority libraries is co-ordinated by the National Foreign Language Library, with the assistance of 19 county libraries and the Szabó Ervin Library of Budapest. The Minority and Documentary Department uploads recommendation lists to the Internet selecting from the supply of the book markets of the 13 language areas. In 2007 a National Library Supply Module was developed to enable the online ordering of books published in minority languages. The system also contains a national list of locations for all books in minority languages. In 2006 the minority database was also published in CD-ROM format.

Organised by the National Foreign Language Library, there were 7 minority-related events in 2004, 3 in 2005, 7 in 2006, and 4 in both 2007 and 2008.

(12) A coordination budget has continuously been available at the Prime Minister's Office to provide special support, via applications, for the implementation of minority efforts as regards culture, education and the use of their respective native languages.

Minority	2004 (HUF)	2005 (HUF)	2006 (HUF)	2007 (HUF)	2008 (HUF)
Bulgarian	822 000	112 500	1 100 000	–	300 000
Roma	68 500 000	–	–	13 224 550	18 752 880
Greek	2 660 000	750 000	1 160 000	–	–
Croatian	6 281 251	4 080 594	4 400 000	650 000	3 329 860
Polish	1 769 000	–	–	3 455 000	1 000 000
German	8 700 942	8 858 317	12 080 000	7 400 000	12 150 000
Armenian	800 000	1 061 625	800 000	500 000	–

Minority	2004 (HUF)	2005 (HUF)	2006 (HUF)	2007 (HUF)	2008 (HUF)
Romanian	8 965 000	8 751 964	6 200 000	5 205 000	9 051 500
Ruthenian	2 546 616	–	–	2 000 000	5 917 650
Serb	5 290 000	2 600 000	5 400 000	–	7 500 000
Slovak	6 459 104	3 305 000	7 499 200	1 593 000	7 180 000
Slovene	1 033 087	5 000 000	1 850 000	–	1 500 000
Ukrainian	1 200 000	–	–	–	–
Inter-ethnic	2 773 000	6 580 000	7 165 200	3 622 000	12 818 110
<b>Total</b>	<b>117 800 000</b>	<b>41 100 000</b>	<b>47 654 400</b>	<b>37 649 550</b>	<b>80 000 000</b>

Source: Department for National and Ethnic Minorities of the Prime Minister's Office

The minority coordination and intervention budget of the Prime Minister's Office may be utilised for preventing the operational disturbances of non-profit organisations, institutions, foundations, public service associations, church organisations, minority self-governments, and local governments operating minority institutions or providing other minority services, which may not be eligible for support from other funds. It is also this budget that serves, on a case-to-case basis, to support events and projects that are of key importance from a minority policy point of view. The State Secretary of the Prime Minister's Office responsible for minority and national policy is in charge of making decisions on the utilisation of this budget.

#### **Article 6**

**1. The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media.**

**2. The Parties undertake to take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.**

The measures taken in line with the recommendations contained in the opinion of the Advisory Committee in relation to the execution of the provisions of this Article of the Framework Convention in Hungary are addressed in Chapter I of the State report. Further information related to the matter is provided in detail as follows.

(1) With Act VI of 2008, the National Assembly of the Republic of Hungary ratified the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions adopted in Paris on 20 October 2005. In Hungary, the Convention entered into force on 9 August 2008.

(2) In Hungary, the regulation of the content of public education stipulates that pupils in primary schools must get acquainted with the special situation and cultural values of the minorities. The Chapter summarising the main objectives of the National Core Curriculum notes that each student at each level of public education must be taught about the culture of minorities and their shared history. Accordingly, the contents related to the minorities living in Hungary are presented within the individual areas of education.

(3) During the reporting period, the IT network of public education in Hungary has further expanded, with its key element being the "Sulinet" programme. This school network comprises a web-based interface to be used and utilised by schools, where anyone can access

education-related supplementary documents. On this network, established using budgetary funds, a separate section providing information on minorities was created in 2008. Under the menu “Heritage of the minorities living in Hungary”, both native language and bilingual publications of the minorities living in Hungary are to be found, thus ensuring significant publicity for documents containing information on minorities. The programme can be accessed at [www.sulinet.hu/oroksegtar/data/Magyarorszagi\\_nemzetisegek\\_kotetei](http://www.sulinet.hu/oroksegtar/data/Magyarorszagi_nemzetisegek_kotetei). This section is also continuously developed with contributions from civil organisations and self-governments of minorities. From its minority coordination budget, the Prime Minister’s Office granted a support of HUF 5 million to the development of the Sulinet programme introducing minorities.

(4) The Public Foundation for Minorities provides regular support to supplement the production costs of “Barátság” (Friendship), a Hungarian language periodical containing information on minorities and published 10 times a year. This support amounted to HUF 3 million in 2004, to be increased to HUF 4 million by 2008. With the help of civil organisations, the periodical also reaches 500 of the country’s primary schools regularly. The editorial team of the periodical continuously reports on the most important events of minority public life at [www.nemzetisegek.hu](http://www.nemzetisegek.hu).

(5) The support granted to so-called “inter-ethnic” programmes by the Public Foundation for Minorities is set out in the table below. (By the time of completion of the State report, 2008 projects have not yet been completed, with no related evaluations available either.)

Year/project	Number of projects				2007 (HUF)
	2004	2005	2006	2007	
Preservation of traditions and programmes concerning religious life	21	15	17	17	2 280 000
Children and youth camps	1	3	-	1	160 000
Scientific programmes	-	1	1	1	200 000
Supplies to public collections	-	4	1	5	320 000

Source: Public Foundation for Minorities

(6) The introduction of the cultural values of minorities living in Hungary and the promotion of cultural diversity were among the priorities of the Hungarian implementation of the “European Year of Intercultural Dialogue” announced by the European Union in January 2008. The series of programmes was aimed at the better understanding and accepting each other by raising the profile of the fields of culture, multilingualism, and youth. The Ministry of Education and Culture was in charge of coordination of the series of events, announcing an idea competition to facilitate the selection of the best projects. Here, programmes involving the minorities living in Hungary were given preference. The Ministry of Education and Culture contributed to the successful execution of the programmes with HUF 26 million. Organised by the Hungarian Educational Institute, the closing event of the European Year of Intercultural Dialogue took place on 14 December 2008 in the framework of the Minority Gala introducing the cultural values of minorities. The special award of the series of international events was also presented at this gala.

(7) During the reporting period, with a view to generating social dialogue the Hungarian Educational Institute organised discussion sessions and launched regularly operating discussion clubs in different places nationwide. The Institute also initiated media programmes

with the aim of raising awareness of Roma celebrations and notable days on the occasion of the International Roma Day, the Roma Holocaust Commemoration Day or the Youth Day. Furthermore, the Institute contributed to the development of the repertoire of well-known performers and singers by publishing Gypsy-themed materials or those in Gypsy languages.

(8) With a view to widely promoting the cultural values of minorities, the National Foreign Language Library has set up a minority database to disclose professional literature concerning minorities. The database currently comprises 90,255 items and is available online at <http://opac.oik.hu/monguz/index.jsp?page=search>.

The National Foreign Language Library is a frequent exhibitor at the Budapest International Book Festival, providing information on novelties published by minorities and the linguistic and cultural diversity in the “Minorities in Hungary” book show.

On the occasion of the European Day of Languages, the Library provides an opportunity each year for the introduction of each of the minorities living in Hungary. 2005 saw the introduction of the Croatian, the Polish, the Romanian, and the Serb minorities, 2006 the Slovak and the Serb minorities, and 2007 the German minority. In 2007, the Library announced the series of programmes entitled “Let’s read together Romanes” to present the various areas of Roma culture. The Day of Roma Culture comprises an art exhibition, a book show, and a literature afternoon with a foreign guest to encourage cross-border cooperation as well. The programme is aimed at promoting mutual understanding and intercultural learning, propagating Roma intellectual values within Roma and non-Roma communities, reducing prejudice, establishing a positive Roma picture, and promoting Roma artists, arts and publications.

(9) The National Textbook Publishing Company of Budapest published the bilingual Anthology of Romanian Literature in 2008. The largest Hungarian textbook publishing company of the minorities was awarded this assignment upon its successful participation at the literature translation competition announced by the Romanian Cultural Institute of Bucharest. The volume will also be supplemented with a CD-ROM. The collection in Hungarian and Romanian contains the prose and poetry of 16 acclaimed authors of modern Romanian literature in both printed and in bilingual audio format.

(10) In the educational institutions of law enforcement, an introduction to the Roma people is taught as part of the curriculum. The Police Academy launched an elective course entitled “Attitudes towards Jews and Gypsies in Hungarian society” for correspondence students.

The Institute of Continuing Education and Research in Law Enforcement developed special courses with focus on problem solving, interaction and cooperation, understanding of the appropriate communications techniques, and recognition of prejudice and discrimination. The continuing education curriculum of police officers now features the “Gypsies and law enforcement” course, with that of police executives containing “Prejudicial behaviour and minorities”.

The Hungarian Police took part in the training programme entitled “Tolerance and non-discrimination” organised by the Office for Democratic Institutions and Human Rights of OSCE with the aim of improving the effectiveness of actions against hate- or racism-motivated crime.



(11) A key function of the Media Working Group operated by the State Secretariat for Minority and National Policy is to evaluate minority representation as appearing in the Hungarian media. In December 2007, the Working Group communicated their recommendation to public media representatives as regards the common action required to reduce prejudice against minorities.

The Media Working Group requested Hungarian Radio (MR) and Hungarian Television (MTV) to use the specific modalities of public media to effectively contribute to portraying ethnicities with different cultural traditions, to promoting the social integration of the Roma minority, and to building an inclusive society. The Media Working Group also highlighted with regard to Recommendation No. R (97) 21 “On the media and the promotion of a culture of tolerance” of the Committee of Ministers of the Council of Europe that a number of good examples of actions against exclusion and discrimination of the members of a minority group are known in modern media. The board recommended that the management of Hungarian Television reinforce the institution and expand the scope of activity and competence of the minority ombudsman established by it in public television. Furthermore, the board also called on the management of Hungarian Radio to consider the establishment of a similar form of institution in public radio as well.

(12) In 2007, Hungarian Radio doubled the transmission time of its former programme on the Gypsy minority entitled “Gypsy Half Hour” broadcast on its primary national channel. The programme was aired during peak-time, i.e. Saturday afternoon. As of September 2008, the 60-minute programme “Gypsy Hour” on MR1 Kossuth Radio was replaced by the programme entitled “Presence” focusing on the aspects of public affairs, politics and social policy of the Roma issue on Saturday afternoons and questions of Gypsy traditions, culture and language on Sundays. The programmes provide regular information on the most important issues that not only concern the Roma community, but also affect the majority, their traditions, the cultural values they created, and their achievements adding to Hungarian culture. These radio programmes are also recapped at a later time.

(13) Also a public service channel, Duna Television provides information on the minorities living in Hungary in its integration reports entitled “Regions”, “Our world” and “Map”.

(14) The presentation of the cultural values of minorities is among the programme policy undertakings of commercial television channels with terrestrial broadcasting and national coverage. In 2005, one of the major national commercial television channels announced a competition with the aim to also have Roma newscasters. Within the framework of the programme, the channel undertook the training of two editor apprentices, who have been staff members of the channel since 2006.

(15) In 2005, the National Radio and Television Board completed a comprehensive analysis of the minority-related programmes of national radio and television channels (MTV, Duna Television, TV2, RTL Klub, MR Kossuth Radio). The survey that covered the period between 28 October 2004 and 5 July 2005 over 18 days focused on the different ways the media under review – whether public service or commercial – portrayed the minorities living in Hungary.

The days selected for evaluation were the traditional holidays of the respective minority communities. A total number of 2,292 transmission hours fell under the scope of the research. The research established that on average, 1.41% of the total programme content of the electronic media under review dealt with minorities.

The following graph of the National Radio and Television Board shows the ratio of total transmission time to the transmission time dedicated to minorities of the media surveyed between 28 October 2004 and 5 July 2005.

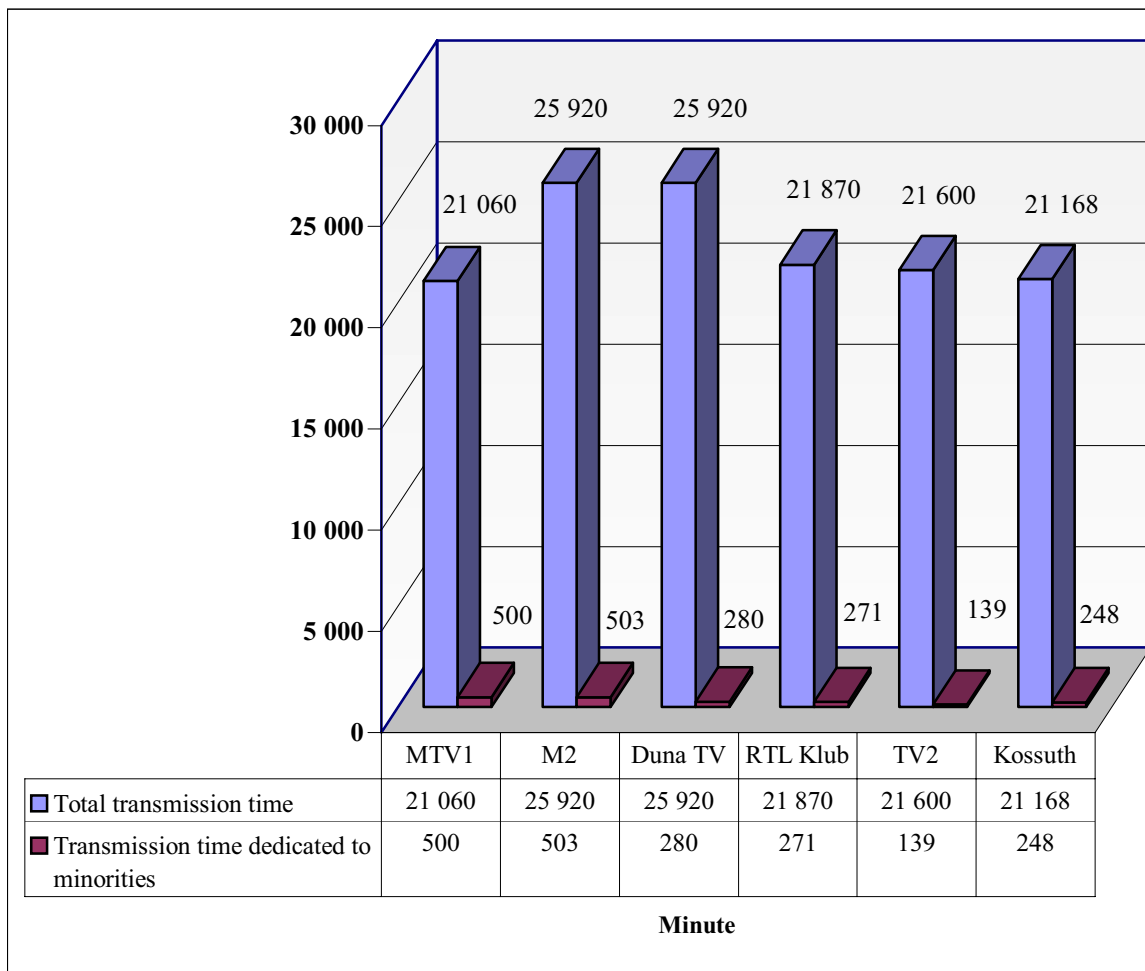


Diagram: National Radio and Television Board

Based upon the analysis, the National Radio and Television Board established that among public service programme providers, MTV1 and MR1 Kossuth Radio dedicated 2.37 % and 1.17% of their transmission times respectively to programmes introducing the life of minorities.

During the period under review, both MTV1 and MR1 Kossuth Radio addressed Roma issues in 40% of their transmission times dedicated to minorities. The two commercial television channels examined (RTL Klub, TV2) only featured the Roma minority.

At MTV1, non-Roma minorities were almost exclusively represented in minority reports. Other programmes neither addressed their life and culture, nor mentioned their notable days.

In the programmes of MTV1, the Roma minority was followed by the Serb (15.64%), the German (15.6%), the Slovak (5.2%), and the Slovene (5.2%) minority as compared to total minority presence (100%).

	MTV1		MTV2		Duna TV		MR1		All public service and commercial programme providers	
	No. of cases	Min.	No. of cases	Min.	No. of cases	Min.	No. of cases	Min.	No. of cases	Minute
Bulgarian	2	12	2	15.4	1	2.30	2	15	7	45
Roma	101	201.1	90	183	100	244	46	103	709	1142
Greek	2	20.6	2	19.2	1	1.3	2	8	7	49
Croatian	1	0.6	2	30	1	0.45	1	5	5	36
Polish	2	20.5	2	16	2	2.50	2	4.5	8	44
German	3	78	3	78	1	1.2	1	6.1	8	163
Armenian	2	7.2	2	8.2	1	2.25	7	62	12	80
Romanian	1	0.16	4	39.6	2	3.5	1	2.1	8	45
Ruthenian	2	12.2	2	13	1	1.10	0	0	5	26
Serb	5	78.2	5	67	4	8.24	2	9.3	16	163
Slovak	1	26	1	6.2	3	7.2	4	20.6	9	60
Slovene	1	26	0	0	1	1.2	0	0	2	27
Ukrainian	4	18	5	28	3	4.15	2	12	14	61
<b>Total</b>	<b>127</b>	<b>500</b>	<b>120</b>	<b>503</b>	<b>121</b>	<b>280</b>	<b>70</b>	<b>248</b>	<b>810</b>	<b>1880</b>

Source: National Radio and Television Board

In addition to its programmes primarily featuring the life, problems and cultural events of Hungarians living in neighbouring countries, Duna Television has also, although to a lesser extent, devoted attention to the minorities living in Hungary. Thus, after the Roma minority, the Serb (2.94%) and the Slovak (2.57%) minority appeared most frequently in the programmes of Duna Television in connection with their respective folk traditions. On certain occasions, Duna Television also mentioned the notable days of minorities. On 21 May 2005, a brief report on the Day of the Ruthenian Minority was aired in its evening newscast. On this occasion, the president of the National Ruthenian Minority Self-government also gave an interview.

In the programmes of MR1 Kossuth, the central radio station broadcasting in Hungarian, the Armenian (25%) and the Slovak (8.3%) minority had a relatively high minority presence besides the Roma minority.

In public radio programmes, the main focus was on the introduction of minority literature. For example, as much as 90% of the presence of the Slovak minority was related to literature. Launched by Hungarian Radio in March 2004, the programme entitled "Pearls" is aimed at promoting minority literature. It presented a poem by a Slovak poet on the Day of Slovaks living in Hungary and one of a Bulgarian poet on another occasion.

51% of the media presence of the Roma minority was associated with newscasts, with only 4.47% being featured in reports on public affairs and politics. Therefore it is of key importance to examine the topics in relation to which these programmes mostly dealt with the Gypsies, and the proportion of achievements (+) and problems (-) present in the issues addressed.

	(%)	Positive (+) and negative (-) examples
1. Crime	52	(-)
2. Culture, music, visual arts, literature	12	(+)
3. Housing	8	(-)
4. Financial aid and poverty	7	(-)
5. Labour, employment, unemployment	6	(-)
6. School and education	5	(+; -)
7. Political life and political involvement	3	(+;-)
8. Health	3	(-)
9. Traditions and folklore	2	(+)
10. Prejudice and discrimination	2	(-)

Source: National Radio and Television Board

The analysis of the National Radio and Television Board established that out of the 10 most frequent topics associated with the everyday life of Gypsies, 6 were characterised by the stressing of problems in the media under review. Thus, the majority of reports on crimes, housing, financial aid, employment, health, and discrimination focused on the problems, with almost no actions or plans for the elimination of the given dilemma being introduced. In the programmes of the media under review, half of the appearance of minorities was in the form of personal oral accounts. In all media it was primarily the Roma minority that was given the opportunity to voice its own position.

In the news, political and public affairs programmes of public service media, on average 68% of the appearances of the Roma minority were in the form of personal oral accounts, a presentation to be regarded as active by merely considering the proportion of the figures. However, according to the findings of the National Radio and Television Board, such presentations were not suitable for the objective, unbiased portrayal of the Gypsies on account of the short duration and the stereotypical background pictures of such reports (e.g. gypsy settlements). In the case of commercial media, the analysis gave the same results.

Out of the six public service and commercial media surveyed by the National Radio and Television Board, only one commercial channel featured a drama series with one of its main characters being of Roma origin. A female lawyer of Roma origin is an important and in many aspects sympathetic figure of the soap opera with high audience share.

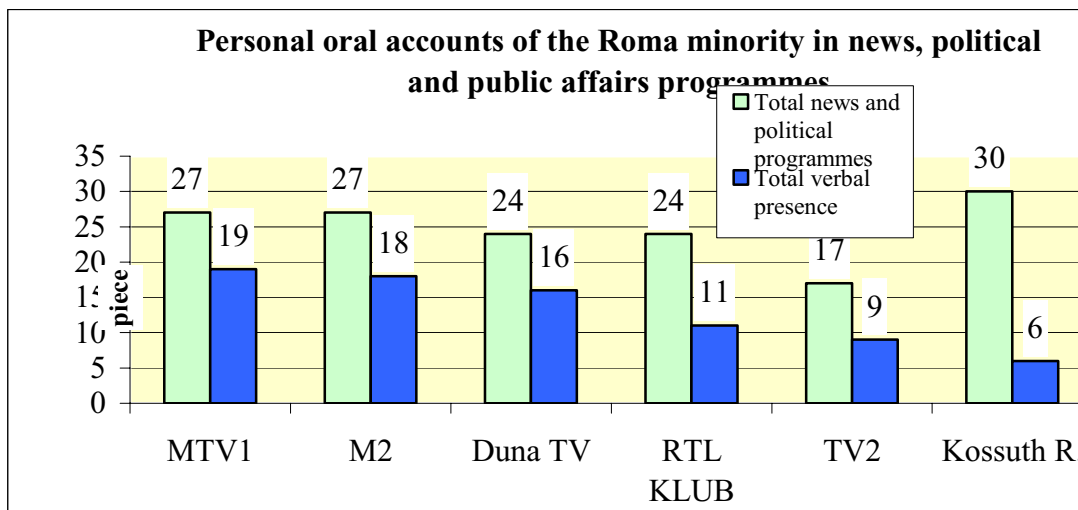


Diagram: National Radio and Television Board

In the second half of 2008, the National Radio and Television Board conducted another content analysis, with its methodology and subject developed in cooperation with the minority Ombudsman. Beside the quantitative content analysis using the methodology developed by the British media authority, changes in the audience share and duration of minority programmes as well as the related public service undertakings of commercial programme providers were also scrutinised. The results of this analysis had not yet been published at the time of completion of the State report.

(16) In relation to the provisions laid down in Section (2) of this Article of the Framework Convention, the following information is provided.

The National Assembly adopted Act LXXIX of 2008 on Certain Legislative Amendments Necessary for the Protection of Public Order and the Operation of the Administration of Justice. The new legislation aims to protect public order more efficiently on the one hand and the operation of the administration of justice on the other hand, and contains provisions as regards the rationalisation of the implementation of penalties for offences. The regulation amends Act IV of 1978 on the Criminal Code (Criminal Code), Act LXIX of 1999 on Offences (Offences Act), and Act III of 1952 on the Code of Civil Procedure.

Previously, the Criminal Code contained rules to sanction the preparation for an act only in the case of the most serious crimes, i.e. the majority of crimes against the state and humanity, and public crimes of utmost gravity, such as murder or acts of terrorism. The new legislation extended the scope of those crimes the preparation of which is also to be sanctioned: anyone preparing for bodily harm with malevolent motivation shall be punished by up to two years of imprisonment. Bodily harm committed with malevolent motivation and the preparation thereof shall be regarded as an act committed for a reason or with an intention which can be morally condemned. Bodily harm caused or prepared on account of the ethnic, cultural, linguistic or religious identity of the injured party shall also fall within the scope of such crimes.

The scope of the injured parties in acts of violence against members of national, ethnic, racial or religious groups was also extended as a result of the amendments. In addition to violence against members of national, ethnic, racial or religious groups, the legal act declared violence against certain groups of society also punishable. Simultaneously, the definition of such crime has changed to violence against a member of a community.

(17) With the aim of detecting assaults with suspected racist motivations and locating the offenders, the National Police Headquarters (ORFK) resolved to set up a national investigator group of 50 members to cooperate with county police departments on 20 November 2008. It is among the duties of the investigation authority to provide controlled information on a high priority basis and in a professional manner to the public on the circumstances and results of crimes not impeding the interests of the investigation.

**Article 7**

**The Parties shall ensure respect for the right of every person belonging to a national minority to freedom of peaceful assembly, freedom of association, freedom of expression, and freedom of thought, conscience and religion**

In the first and second state report we touched in detail upon the legal framework regarding the freedom of association and the activities of minority associations. We are adding the following to the previously provided information.

(1) In accordance with the proposal of the Committee for Human Rights, Minorities, Civil and Religious Matters of the Hungarian National Assembly, legislation shall provide separate budgetary funds to support the operating costs of minority associations. In the reporting period the National Assembly shall provide HUF 110 million per annum to minority civil organisations.

(2) Act CXIV of 2005 on the Election of Minority Self-Government Representatives and on the Amendment of Certain Acts concerning National and Ethnic Minorities reinforced the role of minority civil organisations within the self-government system. Pursuant to the new Act, only social organisations can nominate candidates for minority self-government elections. Civil organisations can nominate candidates only if representation of the minority in question is one of the objectives laid down in the organisation's articles of association. At the 2006 minority self-government elections, 213 civil organisations nominated a total of 16 151 candidates. Minority self-government elections could be held in settlements where minority civil organisations nominated at least 5 candidates.

Minority	Number of Nominating Organisations	Number of Minority Candidates
<a href="#">Bulgarian</a>	2	207
<a href="#">Gypsy/Roma</a>	106	10 287
<a href="#">Greek</a>	6	216
<a href="#">Croatian</a>	8	724
<a href="#">Polish</a>	12	272
<a href="#">German</a>	40	2440
<a href="#">Armenian</a>	6	190
<a href="#">Romanian</a>	7	373
<a href="#">Ruthenian</a>	7	340
<a href="#">Serbian</a>	7	223
<a href="#">Slovakian</a>	9	710
<a href="#">Slovenian</a>	1	67
<a href="#">Ukrainian</a>	2	102
<b>Total</b>	<b>213</b>	<b>16 151</b>

Source: National Election Office

(3) In accordance with new election regulations, it is also possible to hold regional minority self-government elections. Regional minority self-government elections can be scheduled only if at least 10 local minority self-governments are established in the county or the capital. One of the conditions of national minority self-government elections is for the given minority to establish self-governments in at least 4 settlements on a national level.

At county and national minority self-government elections, only civil organisations that have nominated at least 10% of elected electors at local minority self-government elections can announce lists. Participation as electors or candidates at regional and national minority self-government elections is possible only for representatives (electors) who won mandates at local minority self-government elections. In light of this, elections of county and national minority self-governments can only be held after local self-government elections.

Elections to appoint minority self-governments to manage regional tasks were held for the first time on 4 March 2007. Elections to appoint national minority self-governments were held at the same time.

Minority	Number of Candidate Lists (Minority Organisations)		Number of Electors
	Regional Elections	National Elections	
Bulgarian	3	1	189
Gypsy/Roma	42	2	5476
Greek	2	2	169
Croatian	9	1	574
Polish	2	2	235
German	12	1	1882
Armenian	3	3	155
Romanian	6	3	228
Ruthenian	4	2	259
Serbian	5	3	199
Slovakian	8	2	578
Slovenian	0	1	55
Ukrainian	0	1	94
<b>Total</b>	<b>96</b>	<b>24</b>	<b>10 093</b>

Source: Ministry of Local Government

In 2007 regional (county) and national minority self-government elections were held at 1424 settlements nationwide, with the participation of 98.17% of people eligible to vote. As a result of these elections all 13 minorities were able to establish national self-governments. The Slovenian and Ukrainian minorities did not establish county self-governments. Eleven minorities established at least one regional self-government each. There are currently 57 regional minority self-governments in operation.

(Further information regarding issues of the 2006–2007 minority self-government elections and the operation of minority self-governments is contained in the report attached to Article 15 of the Framework Convention.)

(4) In Article 6 of the Framework Convention we have already mentioned that in November 2008 the Hungarian National Assembly passed Act LXXIX of 2008 on the Amendment of Certain Acts in the Interest of Protecting Public Order and the Functioning of the Justice

System. The new bill amends the statutory definition of abusing the right to assembly contained in the Misdemeanour Act by establishing proportionate penalties. Therefore, in the future certain norm violations of different gravity will be sanctioned with fines of various amounts.

A new provision has also been integrated into the Act on Offenses, the purpose of which is to sanction the violation of the rights to freedom of association and assembly and the right to participate at electoral meetings. In accordance with said provision, persons who unlawfully obstruct others in exercising their rights to freedom of association and assembly and the right to participate at electoral meetings can be fined up to HUF 100 000.

The provision of the Hungarian Criminal Code regarding the right of association and assembly has also been amended. The statutory definition of the violation of the rights of association and assembly has been moved from the category of offenses in office to crimes committed against freedom and human dignity, and has been renamed: it is now called violation of rights to freedom of association and assembly and the right to participate in electoral meetings. The goal of the amendment was to clarify that the crime in question can be committed by anyone and not just by public officials. Another new feature is the fact that following an amendment to this effect, preparation to commit this crime shall also be considered an offense in the future.

Another amendment – also related to the right to assembly – that serves effective measures taken against perpetrators who abuse the rights of assembly is an amendment of the statutory definition of the crime of disturbing peace. The Act introduces cases where the crime of disturbing peace is committed in groups and in such a manner that they gravely disturb public peace and sanctions these crimes with five years of imprisonment. The new provision applies not only to crimes under the scope of the Assembly Act, but also to all actions that disturb the peace at other public – therefore open to all – events.

It is in the interest of the organisers of public events – and this includes all events covered by the scope of the freedom to assembly which are priorities under the Framework Convention – as well as the police that all justifiable steps are taken to ensure the rights to freedom of peaceful assembly. The Criminal Code has already established sanctions to penalise all those who resist measures taken by the organiser of an event to uphold order with violent or threatening behaviour, however this provision has been amended and now includes violent behaviour and resistance against legal measures taken by the organiser of a public event as well.

#### ***Article 8***

**The Parties undertake to recognise that every person belonging to a national minority has the right to manifest his or her religion or belief and to establish religious institutions, organisations and associations.**

(1) In the first state report we talked at length about the provisions of Act IV of 1990 on the Freedom of Conscience and Religion and on Churches, and we also provided information on the characteristics of the ties of Hungarian minorities to Churches and denominations. In the second state report we supplied comprehensive information on the data of the 2001 general census regarding religions and denominations, and we also talked about the implementation in practice of the provisions of Act CXXIV of 1997 on the Budgetary Subsidy of Churches.



(2) The second state report also gave information on how the Hungarian State fulfilled its obligations towards the Romanian Orthodox Church in Hungary in accordance with Act XXXII of 1991 on the Settlement of the Ownership of Former Church Properties.

The current reporting period also saw the settlement of all cases regarding the former properties of the Serbian Orthodox Diocese of Buda. The settlement in question affected assets worth approximately HUF 2 billion. Over the course of the settlement procedure the Serbian Orthodox Diocese of Buda submitted claims for 41 of its former properties. The cases of 13 of these properties were settled through financial compensation, 8 were returned in kind, the futures of 5 properties were settled through direct agreements, an allowance payment agreement was concluded between the Hungarian State and the Serbian Orthodox Church in Hungary in the case of 2 properties and finally, claims related to the remaining 13 properties were rejected or revoked as they did not fall under the scope of the Act.

Within the framework of the settlement of Church properties – pursuant to the January 2006 decision of the Government – the Serbian Church gained ownership of a high-value building complex in Szentendre, which is currently home to museum-related activities of a different nature. Budgetary funds of HUF 550 million are available for the institutions housed within to be relocated, which means that the Church can wholly take over the property by 2010 at the latest.

In accordance with the Act on the Settlement of the Ownership of Former Church Properties, Churches – on the basis of an agreement concluded with the State – could waive claims related to some of their previously nationalised properties in exchange for an allowance. Pursuant to the agreement of 1998 on the payment of allowances, the Hungarian State paid the Serbian Orthodox Diocese of Buda HUF 44.91 million in the year of the signing of said agreement. The amount of this allowance is valorised by the Government on an annual basis. In 2008 this sum amounted to HUF 83.35 million. This annually disbursed allowance can be used freely by Churches for religious and public purposes. With the help of the allowance the Serbian Orthodox Diocese of Buda could gain a significant stake in Budapest properties of the Thökölyánium Foundation, which previously played a key role in the life of the Serbian community in Hungary.

(3) Grants provided by the State during the current reporting period to Churches directly related to minorities are shown in the table below.

<b>Church</b>	<b>Sate Grants 2005–2008 (HUF)</b>
Serbian Orthodox Diocese of Buda	427 534 237
Ecumenical Patriarchate of Constantinople - Hungarian Orthodox Exarchate	28 798 708
Bulgarian Orthodox Church in Hungary	26 641 053
Armenian Church in Hungary	15 849 817
Romanian Orthodox Church in Hungary	67 938 805
Armenian Apostolic Orthodox Church	6 594 333

Source: Ministry of Education and Culture

(4) Grants from the state budget provided in 2008 to minority Churches under various titles are shown in the table below.

Church	Operating grant (HUF)	Grants provided to public collections of Churches (HUF)	Grants provided for religious education (HUF)	Grants provided to clergymen serving in small villages (HUF)
Serbian Orthodox Diocese of Buda	11 742 276	6 715 800	1 249 800	1 662 700
Ecumenical Patriarchate of Constantinople - Hungarian Orthodox Exarchate	5 234 029	–	–	443 400
Bulgarian Orthodox Church in Hungary	6 660 807	–	–	–
Armenian Church in Hungary	2 497 813	–	–	–
Romanian Orthodox Church in Hungary	7 650 032	1 779 000	2 339 700	2 327 800
Armenian Apostolic Orthodox Church	1 863 994	–	346 500	–

Source: Ministry of Education and Culture

The State also directly supports the reconstruction of buildings belonging to the Church. Within the framework of this programme the Serbian Orthodox Church received HUF 18 million as budgetary subsidy between 2005 and 2008.

(5) In Hungary citizens can donate 1% of their personal income tax to a Church of their choice. Based on the data published regarding such donations in 2008, we can determine that average donations per person exceed national averages in the case of all minority Churches, and in the case of the Bulgarian Church this is practically double the national average.

Year	2007	2008	2007	2008	2007	2008	2007	2008
Church	Bulgarian Orthodox Church in Hungary		Ecumenical Patriarchate of Constantinople - Hungarian Orthodox Exarchate		Romanian Orthodox Church in Hungary		Serbian Orthodox Diocese of Buda	
Number of Donors	288	324	265	268	412	477	591	726
Donations (HUF thousand)	3270	3631	2319	2021	3219	3696	5061	5281
Donations/ Donors (HUF)	11 354	11 205	8750	7541	7813	7748	8563	7274

Source: Hungarian Tax and Financial Control Administration (APEH)

(6) Data on grants provided by the Public Foundation for Minorities (Kisebbségért Közalapítvány) during the reporting period for the purpose of the implementation of religious projects in minority mother tongues are contained in the information related to Article 5 of the Framework Convention.

### ***Article 9***

**1. The Parties undertake to recognise that the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and to receive and impart information and ideas in the minority language, without interference by public authorities and regardless of frontiers. The Parties shall ensure, within the framework of their legal systems, that persons belonging to a national minority are not discriminated against in their access to the media.**

**2. Paragraph 1 shall not prevent Parties from requiring the licensing, without discrimination and based on objective criteria, of sound radio and television broadcasting, or cinema enterprises.**

**3. The Parties shall not hinder the creation and the use of printed media by persons belonging to national minorities. In the legal framework of sound radio and television broadcasting, they shall ensure, as far as possible, and taking into account the provisions of paragraph 1, that persons belonging to national minorities are granted the possibility of creating and using their own media.**

**4. In the framework of their legal systems, the Parties shall adopt adequate measures in order to facilitate access to the media for persons belonging to national minorities and in order to promote tolerance and permit cultural pluralism.**

(1) The Hungarian State recognises the right of minorities to freely hold and declare opinions in their mother tongue and shall ensure access to instruments of mass communication for minorities. In Hungary the operation and management of minority media is regulated by and guaranteed through laws. The first and second state reports contained detailed information on related legal frameworks as well as the situation of their implementation.

In Chapter I and in the information relating to Article 6 of the Framework Convention contained in Chapter II of the current state report, we summarised the main developments and results related to minority media that were achieved during the reporting period. In the following we shall provide information on issues that were previously not discussed.

(2) Pursuant to the Minorities Act, public service radio and television shall ensure the regular production, broadcasting and distribution of minority programming within an independent structural framework and a separate budget.

According to the Hungarian Radio (hereinafter: MR), through the launching of the MR4 minority channel on 1 January 2007, they have established an independent minority editorial board with a budget equal to that of previous years. The programmes are produced at the regional studios (Pécs, Szeged, Szolnok) of MR, at the Budapest headquarters as well as the Szentgotthárd studio of the Slovenian community radio.

In accordance with the amendment of the Minorities Act, the Hungarian Television (hereinafter: MTV) has established a Minority Editorial Board, which at the start operated within the framework of the Regional and Minority General Editorial Board, then from the beginning of 2007 became one of the organisational units of the General Editorial Board of Public Affairs. In the summer of 2006 the Minority Editorial Board announced three new positions. The Editorial Board which produces television programmes for 13 minorities in their mother tongue currently employs 26 people.

Representatives delegated to the Advisory Boards of the Hungarian Television Public Foundation and to the Hungarian Radio Public Foundation by national minority self-governments are debating whether public television and public radio is really fulfilling the organisational and budgetary independence requirements for minority programme production set out by the Act.

(3) According to the evaluation of minority self-governments, the broadcasting of minority programmes at a better time slot continues to be an unresolved problem. As of 2006 the programmes in question can only be seen on weekdays in the early afternoon. Reruns of these shows are also shown on weekdays only, but this time in the mid-morning. Representatives of minorities are also objecting to the frequent rescheduling of the start of these programmes, as this in their opinion makes it even more difficult to track and follow the programmes.

National minority self-governments have complained that the broadcasting of minority television programmes on bank and religious holidays is also unresolved. In many cases minority programmes are cancelled on such occasions on Hungarian public service Television.

Regarding the minority programmes evaluated by it, the National Radio and Television Board (hereinafter: ORTT) announced that minority programming on MTV is broadcasting quality reports and compilations, which largely contribute to the preservation and protection of minority culture and national identity. At the same time the ORTT evaluation also determined that early mid-morning and early afternoon time slots are hardly adequate to reach the target audience.

(4) The president of MTV concluded a cooperation agreement in April 2000 with the presidents of national minority self-governments. This agreement set out that the parties reconcile their positions concerning minority public service television and analyse the situation of minority programmes at least twice a year. In 2005, MTV initiated the review of said cooperation agreement. The management of the public service television objected to the fact that the document in question also contains elements that are contradictory to the contents of the Media Act and significantly narrow down the rights of the broadcaster related to the creation of programming structure. The parties did not get around to discussing the objectionable elements of the agreement. The institutionalised consultation between the public service television and minority self-governments has not been held in recent years.

(5) In 2004 MTV created the institution of the “ombudsman”, responsible for the monitoring of the enforcement of minority rights in public television. This task of television ombudsman was to serve the creation of a more positive media image of minorities. This new type of position successfully contributes to the management of issues of various minority-related programmes by the television. The position of ombudsman at MTV has been vacant since September 2008. Appointing a suitable person to the post is currently underway.

(6) During the reporting period MTV organised the Minority Film Festival on two occasions. At the 2005 Festival held in Budapest, Hungarian minority television workshops were present, as well as participants from Bulgaria, Croatia, Germany, Italy, Romania and Slovakia. The programme of the forum included discussions on EU and OSCE documents concerning the use of minority languages in the media and an assessment of cross-border regional media relations. The event was also attended by the representatives of the Multicultural Programme Group of the European Organisation of Public Service Televisions.

In 2008 the Minority Programme Editorial Board organised the Minority Film Festival. A new internet website was created for the Festival held as part of the series of Hungarian events organised for the occasion of the European Year for Intercultural Dialogue, the website of which can be found at the following internet address: [www.nemzetisegifilmszemle.com](http://www.nemzetisegifilmszemle.com).

Financial support for the organisation of these events was provided by the State Secretariat for National and Minority Policy.

(7) MTV organises professional, vocational programmes for minority employees on a regular basis in the interest of the training and further training of journalists. Producers of minority programmes had the opportunity to take part in a master class in 2008. The goal of the programme was for editors to take part in a course that takes experiences gained while working at the television into account. The master class was held by teachers of the University of Theatre, Film and Television of Budapest.

(8) Of the minorities in Hungary, only the Roma and Slovenian minorities have their own independent, terrestrially broadcasting radio stations. The work and activities of Rádió C and Radio Monošter was presented in detail in the second state report.

During the reporting period Rádió C, for purposes of uninterrupted operation, was awarded HUF 6 million in 2004, HUF 4.5 million in 2005 and HUF 9 million in 2006 in tenders announced by the National Radio and Television Board. The station received a grant of HUF 7 million in 2005 in order to create the station's technical background. Through tenders announced to support the production of radio news programmes, sports programmes and public interest programmes, the station was awarded HUF 9.3 million in 2004 and HUF 2.8 million in 2005.

In order to consolidate the operation of Rádió C, the state budget provided a grant of HUF 80 million to the station in 2008. As a result of this considerable grant, shows in Romani and Beash were launched. Public interest and political programmes were helped along with the employment of an additional two Roma journalists. The radio's website ([www.radioc.hu](http://www.radioc.hu)) was also overhauled and now the complete recordings of radio programmes are available from the site's archives.

The National Slovenian Self-Government, which operates the Radio Monošter community radio station, receives HUF 16.2 million of direct support from the state budget for purposes of station operation. Beyond this grant, the Slovenian station – within the framework of the tendering system of the National Radio and Television Board – was awarded grants of HUF 3.6 million in 2004, HUF 3.8 million in 2005, HUF 4.4 million in 2006 and HUF 5.6 million in 2008 to cover operating costs. Through tenders announced to support the production of radio news programmes, sports programmes and public interest programmes the station was awarded HUF 3.1 million in 2004, HUF 3.2 million in 2005, HUF 2.1 million in 2006 and HUF 1.8 million in 2008.

In order to expand the reception of Radio Monošter – broadcasting in the region of the Hungarian–Austrian–Slovenian triple border – multilateral, interstate meetings were held in 2006. As a result of reconciliation talks, Austrian authorities competent in the matter approved the use of the frequency requested by Radio Monošter with the condition that the changing of the station's broadcasting characteristics might become necessary if in the meantime Austrian stations start experiencing reception problems. It is the opinion of Hungarian frequency management bodies that the proposed frequency is suitable for adequate broadcasting to cover Felsőszölnök and its region, despite the fact that in the region of the Slovenian-Austrian-Hungarian triple border there are several ULF FM stations in operation. The Felsőszölnök transmission station of Radio Monošter received a grant of HUF 7 million from the state budget in 2006.

Radio Monošter is currently broadcasting 8 hours per week and is planning to increase the duration of weekly programmes to 24 hours per week. In the interest of preparing this expansion, the Prime Minister's Office granted HUF 2.8 million in 2008 to the National Slovenian Self-Government which operates the Slovenian radio station.

(9) Within the framework of its tendering system, the National Radio and Television Board is urging cable television service providers to broadcast programmes aimed at minorities.

During the reporting period two tender procedures of the National Radio and Television Board featured conditions that favoured the distribution of programmes broadcast in minority languages. These conditions were featured in the 2005 tender announced to support the construction of new cable television networks and their expansion. In accordance with the tender documentation, extra points were awarded for the distribution of certain television programmes. To be awarded these points, applicants had to submit a certificate issued by the notary of the settlement certifying that there is a functioning minority self-government at the given settlement, and furthermore that the applicant undertakes to broadcast television programmes in the language of the minority in question. In this case the applicant was awarded an extra point for broadcasting a television programme in a minority language.

The tender announced in 2007 urged programme distributors to offer viewers television programmes produced in the motherland of minorities. According to the tender documentation, an additional point could be awarded if applicants undertook to broadcast the following programmes in languages used by minorities in Hungary: Croatian TV1, Novi Sad1, ORF1, Slovakian TV1, Slovenian TV1, Romanian TV1, Ukrainian TV1.

According to data available to the National Radio and Television Board, when acquiring broadcast entitlement, 29% of cable service providers made a commitment to broadcast programmes in minority languages. The average monthly duration of programmes broadcast on community cable networks in minority languages is 90 minutes. The list of local cable television service providers can be found at the [www.nek.gov.hu](http://www.nek.gov.hu) website under the „[Kisebbségpolitikai munkacsoportok](#)” (Minority Policy Working Group) menu.

(10) The tenders announced by the National Radio and Television Board also support minority programme production. In 2007 two such tenders featured evaluation criteria that favoured minorities. Within the framework of the tender aimed at supporting the production of educational and popular science programmes, Roma-related works were favoured during the decision making process. During the tender procedure announced to support documentaries, entries dealing with equal opportunities were given priority.

(11) Funds for the publication of nationally distributed minority press in the mother tongue of the minorities in question are provided by the Public Foundation for Minorities which until today provided the largest grant to minority newspaper publication in 2008. This amount in comparison with the first year of the reporting period constitutes a nearly 50% increase in state budget grants given for minority newspaper publication.

Twenty-two editorial boards applied for the tender announced in 2008 for minority newspapers distributed nationwide, and of these 20 were awarded direct operating support on the basis of adherence to application requirements. Two Bulgarian, two Polish and two Romanian newspapers and five papers of the Roma community received state budget support for the publication of their newspapers. Newspapers of the Bulgarian, German, Ruthenian,

Slovenian and Ukrainian communities, the paper of the National Self-Government of Romanians and the interethnic newspaper financed by the Public Foundation for Minorities was awarded 100% support. The Croatian and Slovakian weekly paper, the monthly publication of the National Roma Self-Government and the bi-weekly paper of the Armenian minority received 25% more grants for 2008 than the previous year.

<b>Minority</b>	<b>2004 (HUF)</b>	<b>2005 (HUF)</b>	<b>2006 (HUF)</b>	<b>2007 (HUF)</b>	<b>2008 (HUF)</b>
Bulgarian	5 426 446	6 048 334	6 264 801	5 731 178	7 081 000
Gypsy/Roma	27 000 000	29 578 000	24 447 835	24 620 866	35 378 000
Greek	5 166 466	6 292 099	6 046 638	7 931 626	4 250 000
Croatian	26 269 548	26 879 710	28 989 673	31 576 416	38 845 000
Polish	10 532 483	10 065 962	10 145 760	10 546 130	11 834 000
German	28 020 830	32 013 679	33 231 971	35 880 518	37 287 000
Armenian	3 400 000	7 548 334	5 938 253	6 585 664	6 689 000
Romanian	26 249 454	30 378 968	30 576 187	33 006 620	40 636 000
Ruthenian	3 809 090	5 069 296	5 496 225	5 701 028	6 000 000
Serbian	26 269 548	28 775 100	29 910 824	32 257 522	33 230 000
Slovakian	26 269 548	27 833 872	29 243 414	31 574 080	38 550 000
Slovenian	13 000 000	16 194 562	18 733 067	20 143 022	24 770 000
Ukrainian	5 166 466	5 607 565	6 449 508	6 663 932	7 200 000
Interethnic	3 054 000	3 200 000	3 735 398	3 857 222	4 000 000
<b>Total (HUF)</b>	<b>209 633 879</b>	<b>235 502 001</b>	<b>239 209 552</b>	<b>256 075 826</b>	<b>295 750 000</b>

Source: Public Foundation for Minorities

A new development in the current reporting period in the field of minority magazine publications was that since the second half of 2005, the Slovenian “Porabje” magazine has been published as a weekly paper instead of being published bimonthly as it had been earlier. The Minorities Office gave HUF 2 million in support for the expansion of the editor’s office of the Slovenian magazine from its 2005 coordination budget.

In addition, the National Serbian Self-government also received HUF 7.5 million in 2005 from the same budget in order to purchase the new office space of the “Srpske Narodne Novine” editorial office.

The Roma monthly magazine “Amaro Drom” received HUF 1 million in 2005 to make a report series about the experiences gained in connection with the operation of the institutions maintained by the national minority self-governments of Hungary.

(12) Within the framework of its targeted tender application procedures the Public Foundation for Minorities supports the making of minority programmes in regional and local community radio and television stations and the creation and maintenance of websites on the Internet. The table below shows the projects realized during the reporting period.

Year/Project	2005 (No. of projects)	2006 (No. of projects)	2007 (No. of projects)	2007 (HUF)	2008 (No. of projects)	2008 (HUF)
Bulgarian	2	1	1	300 000	1	262 600
Gypsy/Roma	4	5	8	1 320 000	7	2 005 000
Greek	1	–	2	350 000	–	–
Croatian	3	5	3	650 000	5	969 900
Polish	1	1	1	300 000	1	250 000
German	8	2	6	1 100 000	5	1 211 600
Armenian	1	–	–	–	–	–
Romanian	2	3	2	300 000	2	328 000
Ruthenian	1	2	2	400 000	1	252 500
Serbian	3	3	3	900 000	6	1 250 000
Slovakian	6	1	2	400 000	2	600 000
Slovenian	–	–	–	–	1	300 000
Ukrainian	1	1	1	300 000	1	250 000
<b>Total (No. of projects)</b>	<b>33</b>	<b>24</b>	<b>31</b>	<b>←</b>	<b>32</b>	<b>←</b>
<b>Total (HUF)</b>	<b>6 240 000</b>	<b>3 948 640</b>	<b>→</b>	<b>6 320 000</b>	<b>→</b>	<b>7 679 600</b>

Source: Public Foundation for Minorities

(13) In March 2008, the media work group operated by the State Secretariat for National and Minority Policy organised a discussion with the representatives of the national associations of local and community radio and television stations about the programmes created for minorities within their area of transmission, and the organisational and financial possibilities of programme-making. The conditions of the transmission and use of the minority programmes of the Hungarian Radio and Hungarian Television by local and community radio and television stations were recorded at the discussion.

In June 2008, the media working group reviewed the issues of access to new media by minority communities. At the event, the editors of electronic minority papers gave presentations about their work. It was mentioned there that the Slovakian minority has a website that is updated daily at [www.luno.hu](http://www.luno.hu). The editors of another minority website, [www.c-press.hu](http://www.c-press.hu) mentioned that they could rely on the work of 27 university and college graduates. On average, 44 thousand visitors visit this website every day. They thought it was important to have two of their reporters in every county of the country to allow them to gather information about the most important public and cultural events of the region from the perspective of the Roma. In July 2008, they established new editor's offices, where they have also created an exhibition hall to display the works of Roma fine artists in order to bring them into the mainstream of cultural life. The operators of the [www.romapage.hu](http://www.romapage.hu) website made the first Romani language audio book available on the Internet with the help of the Ministry of Education and Culture. An employee of the Equal Opportunities Department of the Ministry of Education and Culture informed those present that the cataloguing and digitalisation of Roma works of art found in the various public cultural institutions of the country have been started within the framework of governmental measures related to the Decade of Roma Inclusion Strategic Plan. A website which will make it possible for anyone to upload information about Roma artists, works of fine art and music they find important is currently in the making.



At its session, the Budapest Serbian Self-Government informed everyone that it is operating an Internet-based radio station at [www.ssb.hu](http://www.ssb.hu). The Serbian language programme of Radio Ritan was launched in March 2008. The National Self-government of Serbs also has an Internet-based radio programme. The radio programme can be found at [www.szerb.hu](http://www.szerb.hu).

(14) Hungary's first Internet-based radio station called "Croatica Internet Radio", with programmes in a national minority language, started its operation in October 2005. The aim of the Croatian language Internet-based radio station, jointly operated by the National Croatian Self-government and Croatica Publishers, is to promote and strengthen the use of minority Croatian. The Government supported the set-up of the Internet-based radio channel with HUF 6.5 million, which proved a novelty among national minorities in Hungary. The radio programme is available at [www.radio.croatica.hu](http://www.radio.croatica.hu).

#### ***Article 10***

- 1. The Parties undertake to recognise that every person belonging to a national minority has the right to use freely and without interference his or her minority language, in private and in public, orally and in writing.**
- 2. In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if those persons so request and where such a request corresponds to a real need, the Parties shall endeavour to ensure, as far as possible, the conditions which would make it possible to use the minority language in relations between those persons and the administrative authorities**
- 3. The Parties undertake to guarantee the right of every person belonging to a national minority to be informed promptly, in a language which he or she understands, of the reasons for his or her arrest, and of the nature and cause of any accusation against him or her, and to defend himself or herself in this language, if necessary with the free assistance of an interpreter.**

(1) It was mentioned in the introduction of the State report that the Republic of Hungary was among the first states to sign the European Charter for Regional or Minority Languages in addition to ratifying the Framework Convention. It was also mentioned that in the years of the reporting period that concern the Framework Convention, in line with its obligations under the European Charter for Regional or Minority Languages, Hungary submitted two state reports on the country's obligations under said Charter to the Secretary General of the Council of Europe. These reports provide an in-depth look at the minority language policies of the Government, and the enforcement of the minority language rights of minorities living in Hungary. The reports also provide information about compliance with the obligations of the Hungarian party described under Articles 10, 11, 12, and 14 of the Framework Convention.

(2) The latest state report prepared in connection with the European Charter for Regional or Minority Languages contains information about the issues that were relevant to the period ending with February 2008. One of the most important events that have occurred after this period was that on its session of June 9 2008 the National Assembly of the Republic of Hungary adopted Act XLIII of 2008 on the extension of the obligations of the Republic of Hungary under Paragraph 2, Article 2 of the European Charter for Regional or Minority Languages to cover the languages of the Roma (Romani and Beash).

As it is known, by signing the Minority Language Charter, Hungary made specific commitments to reinforce six minority languages (Croatian, German, Romanian, Serbian, Slovakian and Slovenian). The act adopted in 2008 on the extension of the Minority Language Charter provides certain special rights to Romani- and Beash-speaking Roma people, enabling them to use their native languages in certain areas of education, in the justice system, public

administration proceedings, mass media, and certain areas within cultural, economic and social life.

Pursuant to the act on extending the Language Charter, Hungary has made commitments to realise certain goals related to the minority language and social standing of the Roma people. Considering the special situation of the Roma, these commitments partly exceed the commitments the country had undertaken in connection with the other, non-Roma minority languages earlier. The basis for the preferential use of the Romani and Beash languages is that the native speakers of these two languages are usually disadvantaged. Strengthening the social recognition of the Romani and Beash languages, and the minority language culture of the Roma communities, provision of education in their native languages, ensuring that their right to use their native language is met, and that the native languages of the Roma are protected via international commitments, among other measures, are all priority goals of the Government programme on mainstreaming the Roma.

The act on extending the Language Charter defines these commitments by also having taken the recommendations of the technical working group consisting of people whose native language is either Romani or Beash into account.

The provisions of the act on the extension the Language Charter relating to education define commitments relating to the use of the Romani and Beash languages in pre-school, primary school, secondary school education, as well as vocational training, higher education and adult training.

The act on the extension of the Language Charter ensures that these two Roma languages can be used during certain phases of justice proceedings, such as the demonstration phase, allowing the Roma to use interpreters if necessary. The commitments undertaken by the Government relating to minority language use in public administration proceedings contain minority language rights relating to the use of these languages in proceedings carried out by the public administration authorities of settlements with significant Romani and Beash communities.

The commitments undertaken in relation to mass media outlets on the one hand cover the making of Romani and Beash language programmes in public service radio and television; providing support for magazines published in minority languages, and the encouragement and facilitation of the establishment of a radio and television channel that broadcasts in the Romani language. This latter commitment exceeds the minority language rights determined by the Act on Minorities.

Minority language use rights primarily concern the popularisation, subtitling, dubbing of works of art created in the minority languages at hand, as well as organising events related thereto.

In the area of economic and business life, the act on the extension of the Minority Language Charter contains the withdrawal of provisions that restrict the use of minority languages in economic and business life, and to allow people to use their native languages in healthcare and welfare services.

With regard to cross-border exchanges, the Act on the Extension of the Language Charter allows the Beash and Romani minorities to establish and maintain relations with other communities living in other countries who speak their language.

(3) Act CXL of 2004 on the General Rules of Administrative Proceedings and Services (hereinafter: Administrative Proceedings Act) was created following many years of preparatory work. The new bill contains several provisions related to the protection of minorities.

The Administrative Proceedings Act contains guarantee provisions regarding the rights of the use of their mother tongue by minorities. In accordance with the Act, minority self-government bodies may themselves determine the official language or languages of official proceedings they are conducting. Above this, the Act ensures that the minority organisation or the natural person who falls under the scope of the Minority Act may use the language of the minority in question at the public administration authority both in writing and in speech. Submissions and requests submitted in the language of the minority must be dealt with using decisions in the Hungarian language, and – at the request of the client – be translated into the minority language used in the original submission or request, and this provision shall also prevail with regard to writs.

During the reporting period the Ministry of Local Government paid close and continuous attention to the enforcement of the provisions of the Act. Over the course of the application of the Act there were no indications or reports that the use of minority languages constitutes problems in the work of authorities.

(4) With regard to the Framework Convention Article examined here, the Chief Prosecutor's Office – which participated in the compilation of the state report – gave the following information.

The majority of the activities of the prosecution service, as the office of prosecution, are closely related to criminal proceedings. During criminal proceedings the right of minorities to use their mother tongue is ensured as a basic principle. In accordance with Act XIX of 1998 on Criminal Proceedings (hereinafter: Criminal Proceedings Act) during criminal proceedings all persons have the right to use their mother tongue both in writing and in speech.

According to information provided by the Ministry of Justice and Law Enforcement, during the reporting period there have been significant developments concerning the use of minority languages within the legal regulation of criminal proceedings.

Pursuant to the Criminal Proceedings Act, if the accused has no command of Hungarian, the sections of the indictment which concern him/her shall be translated into his/her mother tongue, regional or minority language or any other language that has previously been used during the proceedings which he/she has previously indicated as one that he/she speaks, and at his/her request this shall be submitted to the court in this language. In criminal proceedings against an accused who does not speak Hungarian, the Court shall ensure that the accused is able to examine the indictment in a language he/she has a command of. The use of an interpreter depends on whether the accused wishes to use his/her mother tongue or not. If yes, then the authorities are obligated to ensure the services of an interpreter. This obligation cannot be replaced by language skills of members of the authorities. It must be ensured in each case that the accused and his/her interpreter understand each other. If the person to be

interrogated states that he/she understands the interpreter well and has no objections to the interpreter's person, then he/she cannot at a later stage claim that he/she is unable to follow and understand proceedings due to inadequate interpreting. Apart from the accused, however, all other persons concerned are also entitled to this right. Therefore, witnesses who have no command of the Hungarian language, besides the subpoena for the court hearing, must also receive its translation. In the case of an accused who has no command of Hungarian, following the announcement of the verdict, the verdict itself and the relevant sections of the final writ must be translated into his/her mother tongue, regional or minority language or any other language that has previously been used during the proceedings which he/she has previously indicated as one that he/she speaks, and this translation must be delivered to him/her. As of 1 July 2006, there is a provision in effect stating that, unless otherwise provided by law, the document to be delivered does not have to be translated if the person concerned specifically waives this right.

(5) The work of the Institute of Linguistics of the Hungarian Academy of Sciences also contributes to the implementation of the contents of the Articles of the Framework Convention related to minority language rights. The Research Centre for Multilingualism operating within the Institute deals with the possibilities of preserving minority languages. Their main area of research is the comparative analysis of the language situation of Eastern and Central-European minorities, and the evaluation of the situation of Romani and Beash languages in Hungary and its region. Within the framework of the project, the institute examined various forms of bilingualism in seven Hungarian minority communities (Beash, Bulgarian, German, Romani, Romanian and Slovakian). Based on the computer decoding of field-work data and statistical analysis, evaluations were performed in the case of all examined minorities. Several conferences were organised and held in order to present these research results. In the interest of more widespread social utilisation, a database of minority education programmes and models was created.

#### ***Article 11***

**1. The Parties undertake to recognise that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language and the right to official recognition of them, according to modalities provided for in their legal system.**

**2. The Parties undertake to recognise that every person belonging to a national minority has the right to display in his or her minority language signs, inscriptions and other information of a private nature visible to the public.**

**3. In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the Parties shall endeavour, in the framework of their legal system, including, where appropriate, agreements with other States, and taking into account their specific conditions, to display traditional local names, street names and other topographical indications intended for the public also in the minority language when there is a sufficient demand for such indications.**

In the first and second state report, we talked in detail about the rights of a person belonging to a minority to freely choose his/her own and his/her child's first name, to have his/her family name and first name registered according to the grammatical rules of his/her mother tongue, and have these data so recorded in official documents.

(1) A new development in the reporting period is that in 2004 national minority self-governments – in accordance with Decree No. 6/2003 (III. 17.) of the Minister of Interior on Registration, Marriage Procedures and the Bearing of Names – prepared registries of first names in their given communities. In accordance with legal norms, persons who are members of minorities are entitled to use first names featured in these registers during the registration

of births. Minorities are also entitled to request that names used in their mother tongue be indicated and featured on official documents.

If a person who is a member of a minority requests the use of a first name that is not recorded in the registries of first names compiled by minority self-governments in 2004, then the minority self-governments themselves may issue statements on their position regarding the proposed new name. If for some reason it is not possible to obtain this statement from the national self-government of the given minority, then the involvement of an expert becomes necessary in order to decide whether the first name in question actually qualifies as one used by the given minority.

(2) The Ministry of Interior has created the computer software necessary to fill out official personal documents in minority languages and has organised training courses regarding software use for employees of document offices. The application of the Birth and Marriage Registration System introduced in March 2006 facilitates the exercising of minority rights in register proceedings. The necessary translations of the forms of register excerpts into the mother tongues of the 13 minorities have also been prepared and are available in all document offices of the country.

(3) The Minorities Office provided financial support to national minority self-governments for the compilation and publication of registries of minority first names in the form of a book. As a result of this support, in June 2004 a representative collection titled “The Book of First Names of National and Ethnic Minorities” was published, containing the names of 12 minorities. The National Self-Government of Germans in Hungary published the registry of first names of its community independently. The two publications were delivered by the Minorities Office to all settlements of the country for the use of the minority self-governments functioning at these settlements. With the help of central budgetary grants, a second edition of this book was published in 2005.

(4) During the reporting period a new government decree was issued on the establishment and registration of Hungarian official geographical names. The scope of Government Decree 3003/2007 (XI. 14.) on the establishment and registration of Hungarian official geographical names extends to official geographical names in minority languages, as well as historical, traditional geographical names used by national or ethnic minorities to denote settlement names and geographical surface details in Hungary.

Apart from the Minister of Agriculture and Rural Development, a Committee on Geographical Names has also been established to manage tasks related to the establishment of geographical names. To handle committee tasks related to geographical names in minority languages, the Minister in charge of the Prime Minister’s Office appoints a representative to the Committee. If it becomes necessary, the Committee on Geographical Names may request the help of local and national minority self – governments in relation to geographical names in minority languages.

The Government Decree on the establishment of geographical names stipulates that when determining official geographical names – among other things – the names used by the minority populating the area, the opinions of settlement self-governments and local minority self-governments, historical traditions, situations of nationalities, as well as linguistic and grammatical requirements must be taken into account. Said Decree has allowed for the

determination of minority language geographical names and thus the transcription of minority language geographical names using non-Latin script has also been regulated.

In November 2007, the Department of National and Ethnic Minorities of the Prime Minister's Office organised workshop discussions in Budapest on the new regulations of establishing and registering geographical names and the use of geographical names in minority languages for the representatives of minorities, experts in the field and competent employees of public administration

(5) In the interest of strengthening the language use of minorities in public life, the State Secretariat for National and Minority Policy has provided support on several occasions to settlements inhabited by minorities for purposes of creating of multilingual signs at public institutions. In 2007 – within the framework of this programme – signs in minority languages were posted in several settlements: Croatian signs in Felsőszentmárton in Baranya County, German signs in Csolnok in Komárom-Esztergom County, Slovakian signs in Kétsoprony in Békés County as well as in Kétvölgy in the Rába region, and Slovenian signs in Orfalu, Apátistvánfalva, Felsőszölnök, Alsószölnök and Szakonyfalu.

The self-government of Battonya in Békés County was awarded budgetary grants to manufacture Hungarian, Romanian and Serbian language signs that indicate the names of or relate to the operation of public offices and public service institutions of this multi-nationality city. Besides Hungarians, Battonya also has Romanian and Serbian communities, which both have significant cultural traditions. The city has independent Romanian and Serbian kindergartens and elementary schools. The local Romanian and Serbian Churches play important roles in the city's life. Institutions of cities close to the geographical meeting point of Hungary, Romania and Serbia have built close relationships with the partner institutions of minorities' mother countries. The government support of programmes promoting the use of the mother tongues of minorities in public life is also contained in documents of bilateral minority joint committees operated by neighbouring countries.

(6) In September 2008 the Serbian Self-Government of Budapest organised an international conference on the situation of minority languages in Hungary and in its neighbouring countries to the South and South-East. The event was realised with the participation and help of the Ethnic and Minority Research Institute of the Hungarian Academy of Sciences and the Serbian Ethnic Research Centre. The conference included lectures and presentations on the policies of Hungary, Croatia, Romania, Serbia and Slovenia regarding minority languages and on the language situation of minorities. Participants of the discussions put forward recommendations and proposals in the interest of promoting best practices in their countries and to expand the rights of language use of minorities. The closing declaration of the conference on minority languages was published on and is available from the website of the Department of National and Ethnic Minorities of the Prime Minister's Office at the [www.nek.gov.hu](http://www.nek.gov.hu) internet address.

**Article 12**

1. The Parties shall, where appropriate, take measures in the fields of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority.
2. In this context the Parties shall inter alia provide adequate opportunities for teacher training and access to textbooks, and facilitate contacts among students and teachers of different communities.
3. The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.

Information related to the contents of the Framework Convention Article evaluated below, as well as changes and government measures concerning the reporting period can also be found in earlier sections of the state report.

(1) Chapter I of the state report included a separate title on issues concerning minority education, amendments of provisions and special budgetary grants ensuring the operation of minority schools.

In Chapter I, we also presented a detailed report on the statutory provisions on the promotion of equal treatment and equal opportunities, the changes in legislation concerning the prohibition of educational segregation and discrimination, the measures serving the social integration of the Roma as well as Roma educational integration programmes.

In Chapter II of the state report, among the information related to Article 5 of the Framework Convention, we reported on the changes in legislation of the institution take-over programme of minority self-governments and the budgetary support provided to institutions maintained by self-governments. We also reported on the cultural, educational and mother tongue use programmes implemented by the Prime Minister's Office using coordination and intervention budgetary funds intended for minorities, as well as separate operating grants given to minority research institutes by the Prime Minister's Office.

Among the information related to Article 6 of the Framework Convention, we reported on the government measures serving familiarisation with the cultures, histories and unique situation of minorities.

(2) The table below shows the Ministry of Education and Culture grants provided in 2004 and 2008 for purposes of minority research and historical, linguistic and cultural historical works that can also be used in education.

Minority	2004		2008	
	No. of tenders	Grant (HUF)	No. of tenders	Grant (HUF)
Roma	4	7 000 000	6	4 000 000
Bulgarian	1	550 000	–	–
German	3	5 500 000	4	3 510 000
Serbian	1	660 000	–	–
Slovak	1	2 990 000	2	1 150 000
Romanian	2	3 300 000	2	1 500 000
<b>Total</b>	<b>12</b>	<b>20 000 000</b>	<b>14</b>	<b>10 160 000</b>

Source: Ministry of Education and Culture

(3) As part of its targeted tender application procedures, the Public Foundation for Minorities provides grants for the promotion of minority research and for the organisation of conferences

that present research results that can be utilised in education. The table below shows projects realised during the reporting period.

<b>Year/Project</b>	<b>2005 (no. of projects)</b>	<b>2006 (no. of projects)</b>	<b>2007 (no. of projects)</b>	<b>2007 (HUF)</b>	<b>2008 (no. of projects)</b>	<b>2008 (HUF)</b>
Bulgarian	1	1	–	–	2	350 000
Gypsy/Roma	4	4	5	1 000 000	3	558 000
Croatian	2	2	5	390 000	1	150 000
Polish	–	2	1	281 000	1	150 000
German	2	4	4	700 000	6	1 198 600
Romanian	1	1	1	300 000	1	200 000
Ruthenian	2	1	4	600 000	–	–
Serbian	–	2	2	500 000	2	540 000
Slovene	1	–	–	–	1	200 000
<b>Total (no. of projects)</b>	<b>13</b>	<b>14</b>	<b>22</b>	<b>←</b>	<b>17</b>	<b>←</b>
<b>Total (HUF)</b>	<b>2 280 000</b>	<b>2 770 000</b>	<b>→</b>	<b>3 771 000</b>	<b>→</b>	<b>3 346 600</b>

Source: Public Foundation for Minorities

(4) With regard to minority schools, Hungarian higher education is essentially able to ensure the training of kindergarten teachers and teachers of elementary and secondary schools teaching minority languages and literature.

Low student numbers are typical of minority teacher training, and this in turn means that specific costs at training locations are higher than usual. Starting from year one of the reporting period in 2004, an annual state budget line of HUF 150 million has been available to consolidate the operating conditions of the ethnic minority departments and department groups of universities and colleges. Of these funds, 21 departments performing minority teacher and romological training of 10 higher education institutions have received grants.

In accordance with Act LXXXIX of 2005 on Higher Education, the Ministry of Education is obligated to provide further supplementary support for the operation of departments with low student numbers, including ethnic minority departments. Higher education institutions were awarded additional grants of HUF 1.5 million per minority programme within the framework of the invitational tender first announced in 2006.

(5) The professional background for minority education is provided by the Hungarian Institute for Educational Research and Development. Minority language competencies are measured in minority language or bilingual schools from the 2005/2006 academic year.

(6) The linguistic and methodological further training of teachers teaching minority languages, literature and ethnography is supported by the Ministry by way of tenders. This grant is available to the minority self-governments which have organised further trainings in Hungary for minority teachers which were realised within the framework of a direct agreement or in accordance with bilateral inter-ministerial agreements or agreements related to ethnography in the homeland or the teaching of mother tongues.

Budgetary grants are provided to those minority departments of higher education and national minority self-governments that – on the basis of direct agreements concluded with homeland



higher education institutions – organise further trainings for practising teachers teaching general subjects in minority languages. The programme ensures 40 hours of theoretical training and 40 hours of homeland school visits per semester.

The tables below show grants provided by the Ministry of Education and Culture between 2004 and 2008 for the purposes of the further training of minority teachers.

	2004		2005	
	No. of tenders	Grant (HUF)	No. of tenders	Grant (HUF)
German	11	18 023 000	4	3 560 000
Roma	1	3 000 000	4	7 400 000
Serbian	2	4 327 000	1	1 500 000
Croatian	1	538 000	1	578 000
Romanian	1	1 215 000	1	600 000
Polish	2	1 530 000	–	–
Slovak	1	800 000	1	800 000
<b>Total</b>	<b>19</b>	<b>29 433 000</b>	<b>12</b>	<b>14 338 000</b>

Source: Ministry of Education and Culture

	2006		2007	
	No. of tenders	Grant (HUF)	No. of tenders	Grant (HUF)
Croatian	1	600 000	1	700 000
Serbian	1	1 500 000	1	2 000 000
Romanian	–	–	1	1 000 000
Polish	1	540 000	1	460 000
German	7	5 020 000	5	5 999 000
Roma	–	–	4	4 300 000
<b>Total</b>	<b>10</b>	<b>7 660 000</b>	<b>13</b>	<b>14 459 000</b>

Source: Ministry of Education and Culture

	2008	
	No. of tenders	Grant (HUF)
German	9	9 840 000
Roma	4	4 000 000
Serbian	1	210 000
Slovene	1	900 000
<b>Total</b>	<b>15</b>	<b>16 840 000</b>

Source: Ministry of Education and Culture

(7) The Ministry of Education and Culture also provided budgetary support to the further training of minority teachers in technical languages. In 2008 the Ministry provided HUF 2 million for the further training of teachers participating in Croatian minority education and teaching. In 2006 several programmes were realised in the interest of technical language training.

	No. of tenders	Grant (HUF)
German	1	2 581 000
Romanian	1	1 140 000
Serbian	1	1 500 000
<b>Total</b>	<b>3</b>	<b>5 221 000</b>

Source: Ministry of Education and Culture

(8) During the years of the reporting period, the accession of Hungary and the mother countries of minorities to the European Union significantly simplified employment conditions for lecturers employed at teacher training institutions arriving from the homeland and for guest teachers employed in public education. In many cases institutions employ teachers arriving directly from the homeland.

(9) The Hungarian State provides support for homeland higher education, partial studies and PhD studies of minorities on the basis of bilateral inter-governmental agreements. Participation at these trainings is awarded through tenders. Tenders are announced by the Hungarian Scholarship Board. Scholarships are awarded by the Minister of Education.

During the years of the reporting period, 23 minority students received Hungarian state scholarships for undergraduate training in the homeland: Croatia 6 persons, Romania 16 persons, Slovenia 1 person. Besides the special scholarships announced for minorities, the Hungarian Scholarship Board also provides for the undergraduate training of 12 persons each year in Slovakia and 6 persons in Slovenia.

In order to realise homeland education programmes for minorities, over the last five years 16 persons received Hungarian state scholarships for one-semester partial studies in Croatia, and 5 persons received scholarships for the homeland research programme necessary to obtain a PhD degree. Through grants from the Hungarian state budget, 21 persons were able to participate in summer university courses in Romania, and 4 students received scholarships for doctoral studies.

(10) Regarding the development of textbooks used in minority education, the Ministry of Education has announced tenders for the writing of 108 works in 2004 and has put aside a total of HUF 300 million for the implementation of the programme. The authors of minority textbooks undertook to write 50 new books. At the same time the Ministry of Education and Culture has commissioned the translation of 23 textbooks required for the teaching of general subjects in minority languages. Translation of the exercise book and solution key for the school-leaving examination in history into minority languages has also started. As a result of the above, in 2005 the number of textbooks available to minority education increased by 65. In 2005 the amount available to implement this task was HUF 170 million. In 2006 14 manuscripts were prepared for publication and this meant that in 2007–2008 the four publishers who publish minority textbooks (Nemzeti Tankönyvkiadó Zrt., Siker X. Bt., Konsept-H Kiadó, Croatica Kiadó) published a total of 45 new textbooks, all of which are now available to minority education. The programme of translating textbooks of science (biology, geography, physics, etc.) subjects taught in minority languages also continued. In 2008 the Ministry concluded agreements with the National Textbook Publisher (Nemzeti Tankönyvkiadó) to have 13 works translated. In the last three years there have been no cases where the publication of a minority textbook had to be postponed due to lack of funds.

(11) On 22 December 2008, the Minister of Education and Culture – in accordance with the decision of the Government and applying positive discrimination – amended OM Decree No. 23/2004. (VIII. 27.) of the Ministry of Education on the order of textbook accreditation, textbook support and textbook supply for schools, thus further simplifying the introduction of textbooks to be used in minority education with the provision that – at the request of national minority self-governments concerned or the National Committee for Minorities – the textbooks, the language of which correspond to the teaching language used, brought in from abroad to help minority school education must be recorded in the registry of textbooks.

(12) During the reporting period, the number of minority textbooks published by the National Textbook Publisher (Nemzeti Tankönyvkiadó) that feature in the textbook register of public education increased from 210 to 295. The Minority Editorial Board of the publisher with the largest market share in terms of minority education in Hungary publishes self-developed textbooks in seven minority languages.

<b>Language/text book/year</b>	<b>2004/2005</b>	<b>2005/2006</b>	<b>2006/2007</b>	<b>2007/2008</b>	<b>Total</b>
Slovak	2	–	4	–	6
Croatian	2	–	2	1	5
Serbian	4	4	17	–	25
Romanian	1	1	–	1	3
German	3	3	–	–	6
Greek	–	–	1	–	1
Bulgarian	–	–	–	1	1
<b>Total</b>	<b>12</b>	<b>8</b>	<b>24</b>	<b>3</b>	<b>47</b>

Source: National Textbook Publisher (Nemzeti Tankönyvkiadó)

Of the works published by the National Textbook Publisher, the mother tongue textbooks and reading books developed for Serbian elementary schools and textbooks of the series on the history of literature and related anthologies developed for Slovakian secondary schools merit attention due to their high quality content and publication. The reading books for the 1<sup>st</sup> and 2<sup>nd</sup> grades of Greek language education or the 2<sup>nd</sup> volume of the Bulgarian language textbook have also been published with state-of-the-art technology.

During the period evaluated by the state report, the National Textbook Publisher published translations of 99 textbooks in 5 minority languages. The anthology containing minority language translations of the new secondary school textbooks series of competency-based history teaching, which was published by the Budapest-based publisher, also serves to increase equal opportunities for those participating in minority education.

<b>Language/text book/year</b>	<b>2004/2005</b>	<b>2005/2006</b>	<b>2006/2007</b>	<b>2007/2008</b>	<b>Total</b>
Slovak	14	10	1	4	29
Croatian	11	9	–	4	24
Serbian	7	–	1	2	10
Romanian	7	3	3	5	18
German	10	3	2	3	18
<b>Total</b>	<b>49</b>	<b>25</b>	<b>7</b>	<b>18</b>	<b>99</b>

Source: National Textbook Publisher (Nemzeti Tankönyvkiadó)

(13) In the interest of the successful distribution of textbooks, the Ministry of Education has reviewed the production and distribution of textbooks published in small volume. They have determined that the development and publication of minority textbooks that are published in typically 150-300 copies cost HUF 3-5 million. Due to the low number of published copies, price support provided by the state can be as high as 98%. In the case of minority textbooks, state expenditures for reprints double over five years. Taking these facts into account, the modification of textbooks for minority education into permanent textbooks has started in accordance with OM Decree No. 23/2004. (VIII. 27.) of the Ministry of Education. Schools

receive these permanent minority textbooks for periods of five years to be used at the school's library. Within the framework of this programme in 2008 28 textbooks were modified at a cost of HUF 50 million, and the modification of another 40 textbooks was commissioned.

Permanent textbooks were introduced into minority education in 2006. The budgetary funds previously spent by the State on supporting the reprinting of minority textbooks are now provided to operators of minority schools. The Budgetary Act has a separate budget line specifically intended for minority education-related tasks, in this case to procure minority textbooks. Schools can request state support to procure textbooks with the condition that students must use these as permanent textbooks for at least three years, and that during this three year period the school may not apply for another grant. Students must pay a compensation fee for the use of permanent textbooks and workbooks, the amount of which is equal to that of previous years' fee and does not constitute an additional burden for students. Operators of schools receive the difference between the production price of permanent textbooks and the fee paid by students as support.

**Article 13**

- 1. Within the framework of their education systems, the Parties shall recognise that persons belonging to a national minority have the right to set up and to manage their own private educational and training establishments.**
- 2. The exercise of this right shall not entail any financial obligation for the Parties.**

(1) The school take-over programme of national minority self-governments began in the years preceding the reporting period. As a result of this the National Croatian Self-Government, the National Self-Government of Germans in Hungary and the National Slovakian Self-Government were the first to take over schools of their communities. In September 2004 the National Self-Government of Germans in Hungary decided to take over another school. The National Slovakian Self-Government increased the number of schools under its care first in 2005, then in 2007 as well.

(2) The National Slovakian Self-Government currently maintains three educational institutions. There is a Slovakian secondary school, primary school and dormitory in Békéscsaba, a Hungarian-Slovakian bilingual ethnic primary school and dormitory in Sátoraljaújhely and a Slovakian primary school, kindergarten and dormitory in Szarvas. The table below shows the normative per-capita and supplementary grants that serve the direct operation of the three institutions as provided by the state in 2008, as well as the planned budget figures and number of students of said institutions.

Registered seat of the institution	Békéscsaba	Sátoraljaújhely	Szarvas
Number of kindergartners	79	–	106
State normative per-capita grant (HUF)	36 893 000	–	49 502 000
Number of primary school students	146	129	344
State normative per-capita grant (HUF)	69 715 000	61 598 000	164 260 000
Number of secondary school students	60	–	–
State normative per-capita grant (HUF)	31 530 000	–	–
Number of dormitory students	85	36	30
State normative per-capita grant (HUF)	11 518 000	4 878 000	4 065 000

Registered seat of the institution	Békéscsaba	Sátoraljaújhely	Szarvas
Supplementary operating grant (HUF)	30 000 000	30 000 000	30 000 000
Total direct operating grant (HUF)	179 656 000	96 476 000	247 827 000
Planned budget of the institution (HUF)	237 438 000	141 277 000	331 035 200

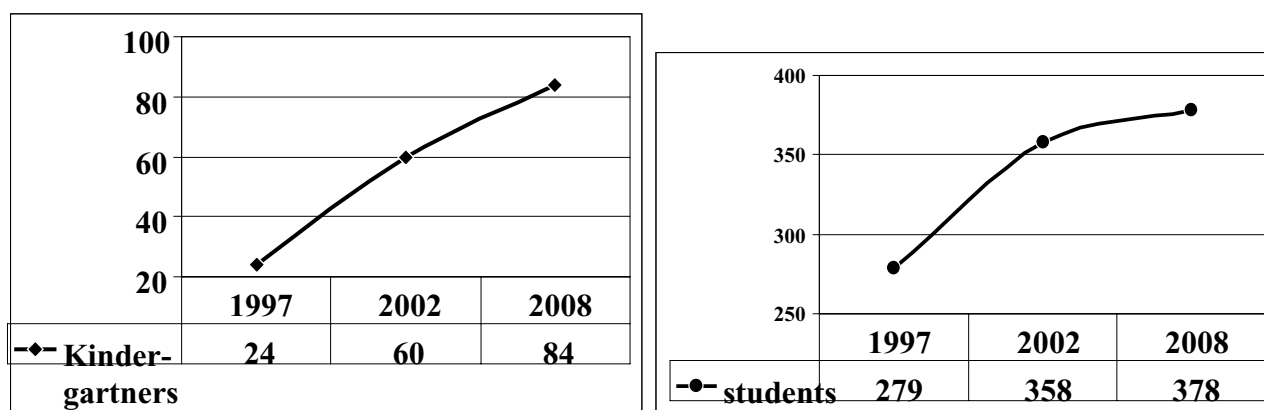
Source: Department of National and Ethnic Minorities of the Prime Minister's Office

The planned budgets of the above institutions also include the schools' own income, support provided by maintaining self-governments and grants received from other contributors.

Concerning the operation of the three school centres operated by the National Slovakian Self-Government, the heads of these institutions reported the following:

*Slovakian secondary school, primary school, kindergarten and dormitory of Békéscsaba*

The institution has been in operation since 2005 maintained by the National Slovakian Self-Government. The development of the numbers of kindergartners and school students is shown in the tables below.



*Slovakian primary school, kindergarten and dormitory of Szarvas*

The institution was taken over in 2004.

	2004/2005 academic year	2007/2008 academic year
Kindergarten	105 children	109 children
Primary school	306 students	342 students

In the 2007/2008 academic year the institution was awarded the following more significant grants: Tempus Public Foundation (5 thousand Euros); the Ministry of Education and Culture (HUF 30 million supplementary operating grant); a HUF 9.74 million subsidy for the purchase of textbooks, HUF 300 thousand for the organisation of minority language camp).

*Hungarian-Slovakian bilingual ethnic primary school and dormitory of Sátoraljaújhely*

Operation of the institution was taken over by the National Slovakian Self-Government in 2007. During the period under evaluation, the Ministry of Education improved the situation of financing. We use bilingual birth registries and certificates in our academic records. Apart

from school education, we have also provided adult education. Cross-border cooperation is extremely good.

(3) In the targeted tender application system of the Public Foundation for Minorities, the support of minority language ethnographic child and youth camps related to minority education. The following programmes were realised during the reporting period.

<b>Year/Project</b>	<b>2004 (no. of projects)</b>	<b>2005 (no. of projects)</b>	<b>2006 (no. of projects)</b>	<b>2007 (no. of projects)</b>	<b>2007 (HUF)</b>
Bulgarian	2	1	–	2	600 000
Gypsy/Roma	67	74	79	107	21 110 000
Greek	1	1	1	1	200 000
Croatian	22	22	24	21	3 250 000
Polish	2	3	2	2	600 000
German	67	78	53	71	8 330 000
Armenian	1	3	3	2	260 000
Romanian	16	17	14	10	1 800 000
Ruthenian	2	4	2	2	329 000
Serbian	2	3	4	4	1 350 000
Slovak	31	33	26	24	3 030 000
Slovene	3	2	1	4	679 000
Ukrainian	1	3	1	1	400 000
Interethnic	1	3	–	1	160 000
<b>Total (no. of projects)</b>	<b>218</b>	<b>247</b>	<b>210</b>	<b>252</b>	<b>←</b>
<b>Total (HUF)</b>	<b>38 197 000</b>	<b>44 831 000</b>	<b>36 365 700</b>	<b>➔</b>	<b>42 098 000</b>

Source: Public Foundation for Minorities

In 2008 the Public Foundation for Minorities supported the organisation of 172 child and youth camps with HUF 42.8 million. At the time of the compilation of the state report, the closing of minority education projects had not yet taken place and programmes had not yet been evaluated.

#### **Article 14**

- 1. The Parties undertake to recognise that every person belonging to a national minority has the right to learn his or her minority language.**
- 2. In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the Parties shall endeavour to ensure, as far as possible and within the framework of their education systems, that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language.**
- 3. Paragraph 2 of this article shall be implemented without prejudice to the learning of the official language or the teaching in this language.**

(1) In the first and second state reports we reported in detail on the legal regulations of Hungarian minority education, and the system of normative per-capita and supplementary grants of minority schools. We have already reported on the issues of the Framework Convention Article evaluated here as well as the changes and government measures related to the reporting period in Chapter I of the current state report and in the sections concerning Articles 5 and 12 in Chapter II.

(2) Data concerning the number of students in kindergartens and primary schools providing minority education are shown in the tables below.

In the first year of the reporting period a total of 19 532 children took part in minority language and bilingual (minority language and Hungarian) education in 328 kindergartens nationwide.

2004	Minority language kindergartens		Bilingual kindergartens		Total number of kindergartens	Total number of children
	No. of kindergartens	No. of children	No. of kindergartens	No. of children		
German	7	314	216	14 421	223	14 735
Slovak	7	220	48	2535	55	2755
Croatian	2	138	26	1044	28	1182
Romanian	1	105	7	340	8	445
Serbian	3	55	4	198	7	253
Slovene	1	23	3	75	4	98
Bulgarian	1	7	–	–	1	7
Ruthenian	–	–	1	13	1	13
Greek	–	–	1	44	1	44
<b>Total</b>	<b>22</b>	<b>892</b>	<b>306</b>	<b>18 670</b>	<b>328</b>	<b>19 532</b>

Source: Ministry of Education and Culture

By 2008 the number of children attending kindergartens providing minority language education has increased significantly.

2008	Minority language kindergartens		Bilingual kindergartens		Total number of kindergartens	Total number of children
	No. of kindergartens	No. of children	No. of kindergartens	No. of children		
German	11	543	207	14 485	218	15 028
Slovakian	5	145	42	2467	47	2612
Croatian	3	236	21	714	24	950
Romanian	1	82	8	425	9	507
Serbian	3	140	3	111	6	251
Slovenian	–	–	4	88	4	88
Ruthenian	–	–	1	10	1	10
<b>Total</b>	<b>23</b>	<b>1146</b>	<b>286</b>	<b>18 300</b>	<b>309</b>	<b>19 446</b>

Source: Ministry of Education and Culture

In 2004 primary school minority education was provided in 406 institutions with the participation of over 55 thousand students.

2004	Minority language primary schools		Bilingual primary schools		Language teaching primary schools		Total number of schools	Total number of students
	No. of schools	No. of students	No. of schools	No. of students	No. of schools	No. of students		
German	4	547	29	5062	262	41 113	295	46 722
Slovakian	1	77	6	1002	46	3419	53	4498
Croatian	–	–	5	549	28	1755	33	2304
Romanian	–	–	6	616	7	494	13	1110
Serbian	2	80	1	56	3	54	6	190

2004	Minority language primary schools		Bilingual primary schools		Language teaching primary schools		Total number of schools	Total number of students
	No. of schools	No. of students	No. of schools	No. of students	No. of schools	No. of students		
Slovenian	–	–	–	–	3	87	3	87
Bulgarian	1	28	–	–	1	32	1	32
Greek	–	–	–	–	1	99	1	99
Ruthenian	–	–	–	–	1	8	1	8
<b>Total</b>	<b>8</b>	<b>742</b>	<b>47</b>	<b>7285</b>	<b>352</b>	<b>47 061</b>	<b>406</b>	<b>55 050</b>

Source: Ministry of Education and Culture

Data concerning primary school minority education for 2008 is shown below.

2008	Minority language primary schools		Bilingual primary schools		Language teaching primary schools		Total number of schools	Total number of students
	No. of schools	No. of students	No. of schools	No. of students	No. of schools	No. of students		
German	5	254	28	5105	267	41 521	300	46 880
Slovakian	1	68	4	745	44	3630	49	4443
Croatian	–	–	5	461	28	1718	33	2179
Romanian	–	–	7	689	7	384	14	1073
Serbian	2	87	1	56	3	48	6	191
Slovenian	–	–	1	55	1	31	2	86
Bulgarian	–	–	–	–	1	32	1	32
Greek	–	–	–	–	1	97	1	97
Ruthenian	–	–	–	–	2	43	2	43
<b>Total</b>	<b>8</b>	<b>409</b>	<b>46</b>	<b>7111</b>	<b>354</b>	<b>47 504</b>	<b>408</b>	<b>55 024</b>

Source: Ministry of Education and Culture

In 2004 there were 34 minority secondary schools and vocational secondary schools in operation in Hungary, where a total of 3351 students took part in minority language, bilingual or language teaching programmes. In 2008 the number of secondary school minority students was 3387.

(3) As of September 2007, the financing of education by the Hungarian state is based on performance indicators in the case of basic public education contributions. In the case of supplementary contributions, the state budget provides normative per-capita grants to operators of schools based on the number of students in the given institution.

Schools providing minority education receive special normative per-capita grants in recognition of the performance of their additional tasks.

	2007	2008
Normative per-capita grant per student (HUF)		
Normative per-capita grants supporting minority or bilingual education or preparatory language education	71 500	71 500
Normative per-capita grant for schools providing minority language education or Roma minority education	45 000	45 000
Normative per-capita grant for schools maintained by national minority self-governments	145 000	217 000

Source: Ministry of Education and Culture



In the last two complete years of the reporting period, the state budget provided the above normative per-capita grants to minority education. The table below shows the normative per-capita grants from the state budget for general and minority purposes given to minority education institutions in 2008 (HUF/person).

<b>Normative per-capita grants provided to minority kindergartens</b>	<b>467 000</b>
Normative per-capita basic contribution	205 000
Additional normative per-capita grant for minorities	45 000
Additional normative per-capita grant for minority self-governments	217 000
<b>Normative per-capita grants provided to minority primary schools</b>	<b>477 500</b>
Normative per-capita basic contribution	189 000
Additional normative per-capita grant for minorities	71 500
Additional normative per-capita grant for minority self-governments	217 000
<b>Normative per-capita grants provided to minority secondary schools</b>	<b>525 500</b>
Normative per-capita basic contribution	237 000
Additional normative per-capita grant for minorities	71 500
Additional normative per-capita grant for minority self-governments	217 000
<b>Normative per-capita grants provided to minority dormitories</b>	<b>135 500</b>

Source: Department of National and Ethnic Minorities of the Prime Minister's Office

(4) Operators of institutions of minority education can also receive grants through tenders coordinated by the Ministry of Education and Culture. These grants are budgetary contributions that exceed the normative per capita limits of the state financing of education.

In the first year of the reporting period in 2004, HUF 340 million was available in the state budget to supplement operating costs of minority schools with low student numbers.

2004	Supported schools		Total	Amount of grant (HUF)
	Minority language and bilingual	Language teaching		
Total	26	82	108	340 000 000

Source: Ministry of Education and Culture

As of 2006 HUF 1.1 billion – beyond normative per-capita grants from the state budget – per annum has been set aside for the management of the unique tasks of minority education. The main component of this sum is the supplementary support provided for the operation of minority schools. These funds are used to realise the objectives put forward in recommendations by inter-governmental joint-committees operated by the homelands of minorities, as well as technical and language further trainings. The tables below shows grants awarded in 2008 and – in relation to the section on Article 12 of the Framework Convention – the funds spent on the implementation of the minority textbook programme.

	2008 grants (HUF)	Number of supported institutions
Total operator support	675 216 000	76
Operating grants for bilingual schools	256 205 000	10
Support of language teaching schools and kindergartens	104 310 000	49
Bilingual and language teaching schools and kindergartens	314 701 000	17
Technical services (e.g. further trainings)	2 745 600	24
Support of programmes realised on the basis of recommendations of minority joint-committees	90 000 000	2
Support of textbook programme	88 979 926	180
Support of homeland technical programmes	5 545 590	23
<b>Total</b>	<b>862 487 116</b>	<b>305</b>

Source: Ministry of Education and Culture

The grants shown in the table above are awarded to local self-governments maintaining schools providing minority education. Beyond normative per-capita grants, in 2008 the Ministry of Education also provided the following grants from the HUF 1.1 billion budget to education institutions taken over and operated by national minority self.-governments.

Non-state operators	Grants in 2008/HUF	Number of supported institutions
Support of textbook programme	34 528 353	9
Maintenance of institutions	147 172 000	6
Support of programmes realised on the basis of recommendations of minority joint-committees	60 000 000	1
Technical services (e.g. further trainings)	462 000	3
Support of homeland technical programmes	600 000	2
<b>Total</b>	<b>242 762 353</b>	<b>21</b>

Source: Ministry of Education and Culture

### **Article 15**

**The Parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them.**

(1) In Chapter I of the state report, there was a separate title dedicated to the legal and practical issues of involving minorities in the management of minority-related affair. We also reported on the changes that occurred in the period following the submission of the second state report concerning the operation of the minority self-government system.

In Chapter II of the state report, in the section related to Article 3 of the Framework Convention, we reported in detail on the introduction of the “minority electoral list”. In the section related to Article 7 of the Framework Convention we reported on the new role of social organisations in the elections for minority self-governments.

(2) The changes in legislation did not affect the mandate and legal standing of previously established minority self-governments. The table below shows figures and data related to the

first three terms of local minority self-governments first elected in 1994 in accordance with the provisions of the Minorities Act.

Year	Bulgarian	Gypsy/Roma	Greek	Croatian	Polish	German	Armenian	Romanian	Ruthenian	Serbian	Slovakian	Slovenian	Ukrainian	Total
<b>1994</b>	2	416	2	51	2	124	9	10	1	19	38	5	0	<b>679</b>
<b>1998</b>	14	766	18	74	32	271	25	32	9	34	75	10	4	<b>1364</b>
<b>2002</b>	31	999	31	108	51	341	31	44	32	44	115	13	13	<b>1853</b>

Source: Department of National and Ethnic Minorities of the Prime Minister's Office

(3) The first minority self-government elections organised in accordance with new election regulations were held in the fall of 2006, when members of settlement minority self-governments were elected. The number of elections called was 2077. Taking into account the fact that in many cases several minorities of the same settlement initiated the establishment of a minority self-government, 1452 settlements of the country were ultimately eligible to hold elections.

Associations of minorities were eligible to nominate candidates for the elections. Electoral authorities registered a total of 213 minority civil nominating organisations. These organisations then nominated a total of 16 151 candidates for minority self-government elections. The table below shows the composition of candidates according to age and gender.

Age	Male	Female	Total	%
Below the age of 26	772	685	1 457	9.05
26-30	900	705	1 605	9.93
31-40	2 381	1 758	4 139	25.62
41-50	2 593	1 655	4 248	26.30
51-60	1 888	1 275	3 163	19.58
61-70	704	466	1 170	7.24
71-80	235	97	332	2.08
Above the age of 80	27	10	37	0.22
<b>Total</b>	<b>9 500</b>	<b>6 651</b>	<b>16 151</b>	<b>100.00</b>

Source: National Election Office

According to county data the largest number of minority candidates in contest for mandates were in Baranya County (1984 persons), Budapest (1656 persons) and Borsod-Abaúj-Zemplén County.

Data regarding the results of the settlement minority self-government elections held on 1 October 2006 are shown below.

	Elections called	Elections cancelled	Elections held	Conclusive elections	Inconclusive elections	Number of elected representatives
Bulgarian	38	0	38	38	0	190
Gypsy/Roma	1137	16	1121	1118	3	5 585
Greek	34	0	34	34	0	170
Croatian	115	0	115	115	0	575
Polish	47	0	47	47	0	235
German	380	2	378	378	0	1 890
Armenian	32	1	31	31	0	155
Romanian	46	0	46	46	0	235
Ruthenian	53	1	52	52	0	260
Serbian	40	0	40	40	0	200
Slovakian	122	5	117	116	1	580
Slovenian	13	2	11	11	0	55
Ukrainian	20	1	19	19	0	95
<b>Total</b>	<b>2077</b>	<b>28</b>	<b>2049</b>	<b>2045</b>	<b>4</b>	<b>10 225</b>

Source: National Election Office

Of the 2077 elections called 2045 were conclusive. This is an increase of 12.9% compared to the minority elections held in 2002. In the case of most minority communities the number of representative bodies grew.

There was a significant increase in the number of Ruthenian (67.7%) and Ukrainian (58.3%) self-governments, and at the same time there was also a significant drop in the number of Slovenian (8.3%), Serbian (7%) and Polish (6%) self-governments.

More than 50% of minority self-governments elected in 2006 were established by the Roma. The number of Roma self-governments increased by 234 from the previous term.

	Number of minority self-governments established		
	2002	2006	Change in %
Bulgarian	30	38	26.7
Gypsy/Roma	1004	1118	11.4
Greek	30	34	13.3
Croatian	100	115	15.0
Polish	50	47	-6.0
German	318	378	18.9
Armenian	30	31	3.3
Romanian	43	46	7.0
Ruthenian	31	52	67.7
Serbian	43	40	-7.0
Slovakian	108	116	7.4
Slovenian	12	11	-8.3
Ukrainian	12	19	58.3
<b>Total</b>	<b>1811</b>	<b>2045</b>	<b>12.9</b>

Source: National Election Office

In 2006 nearly two thirds of those featured in the electoral list turned out at the minority elections. Participation is shown below according to minorities.

	<b>Number of participants in minority elections</b>	<b>Voter turnout at minority elections (%)</b>	<b>Number of voters per elected representative</b>
Bulgarian	960	48.2	5.1
Gypsy/Roma	61 712	60.5	11.0
Greek	1 530	65.2	9.0
Croatian	7 654	72.1	13.3
Polish	1 714	64.9	7.3
German	32 666	72.1	17.3
Armenian	1 343	62.4	8.7
Romanian	2 479	59.2	10.5
Ruthenian	1 381	57.8	5.3
Serbian	1 279	62.0	6.4
Slovak	9 009	61.8	15.5
Slovene	667	75.4	12.1
Ukrainian	451	47.9	4.7
<b>Total</b>	<b>122 845</b>	<b>63.95</b>	<b>12.0</b>

Source: National Election Office

The activity of members of Slovene, German and Croatian communities was above average. Voters of Ukrainian and Bulgarian communities produced the lowest turnout.

The geographical distribution of settlement minority self-governments elected in 2006 is shown below.

<b>County/Minority</b>	<b>Bulgarian</b>	<b>Gypsy/Roma</b>	<b>Greek</b>	<b>Croatian</b>	<b>Polish</b>	<b>German</b>	<b>Armenian</b>	<b>Romanian</b>	<b>Ruthenian</b>	<b>Serbian</b>	<b>Slovak</b>	<b>Slovene</b>	<b>Ukrainian</b>	<b>Total</b>
Budapest	21	20	20	17	16	22	20	15	16	14	14	1	6	<b>202</b>
Bács-Kiskun	–	44	–	13	–	25	–	–	–	2	3	–	–	<b>87</b>
Baranya	1	135	2	33	1	96	–	–	1	4	–	–	2	<b>275</b>
Békés	–	32	–	–	1	8	–	13	–	1	17	–	–	<b>72</b>
Borsod-Abaúj-Zemplén	2	144	1	1	12	10	2	1	17	–	13	–	5	<b>208</b>
Csongrád	1	16	2	1	1	2	1	6	–	4	3	–	1	<b>38</b>
Fejér	–	18	2	3	2	15	1	–	1	3	2	1	1	<b>49</b>
Győr-Moson-Sopron	1	20	–	10	1	15	1	–	–	–	–	1	–	<b>49</b>
Hajdú-Bihar	1	51	–	–	–	2	1	11	–	–	–	–	–	<b>66</b>
Heves	–	61	1	–	1	2	–	–	3	–	2	–	–	<b>70</b>
Jász-Nagykun-Szolnok	–	43	–	–	1	–	–	–	–	–	–	–	–	<b>44</b>
Komárom-Esztergom	1	15	1	–	3	22	1	–	2	–	10	–	1	<b>56</b>
Nógrád	–	81	–	–	–	2	–	–	1	–	21	–	–	<b>105</b>
Pest	10	66	5	4	4	44	1	1	6	11	28	–	1	<b>181</b>
Somogy	–	82	–	10	1	6	–	–	–	–	–	–	–	<b>99</b>
Szabolcs-Szatmár-Bereg	–	119	–	–	1	8	1	–	5	–	1	–	1	<b>136</b>

County/Minority	Bulgarian	Gypsy/Roma	Greek	Croatian	Polish	German	Armenian	Romanian	Ruthenian	Serbian	Slovak	Slovene	Ukrainian	Total
Tolna	–	57	–	–	–	37	–	–	–	1	–	–	–	95
Vas	–	19	–	11	1	10	–	–	–	–	–	8	–	49
Veszprém	–	36	–	–	1	48	2	–	–	–	2	–	1	90
Zala	–	58	–	12	–	4	–	–	–	–	–	–	–	74
<b>Total</b>	<b>38</b>	<b>1117</b>	<b>34</b>	<b>115</b>	<b>47</b>	<b>378</b>	<b>31</b>	<b>47</b>	<b>52</b>	<b>40</b>	<b>116</b>	<b>11</b>	<b>19</b>	<b>2045</b>

Source: National Election Office

(4) In accordance with the 2005 amendment of the Minorities Act, the minority self-government system has become a three-tier system, which means that besides local (settlement) and national minority self-governments, a regional (county) minority self-government can also be established. At a local level elections have one round, while at regional and national levels a new type of direct, electoral election is held on separate days.

Regional elections can be called only if there are minority self-governments operating in at least 10 settlements of the county (or at least 10 districts of the capital). One of the conditions of national minority self-government elections is for the given minority to have minority self-governments in at least four settlements in the country.

Representatives (electors) who won seats at settlement (local) minority elections were eligible to participate at regional and national minority self-government elections as voters or candidates. At these elections the only nominating organisations (minority civil organisations) entitled to announce lists were those which nominated at least 10% of elected electors at the settlement minority self-government elections.

The election for regional (county) minority self-governments is held simultaneously with national self-government elections. Such elections were first held on 4 March 2007. Regional and national minority self-government elections were held at 1424 settlements nationwide with a turnout of 98.17% of those eligible to vote. Following the elections, 11 minorities could establish at least one regional self-government. The Slovene and Romanian minorities did not establish regional self-governments. The number of county (regional) minority self-governments is 57. The Roma minority has regional self-governments in all counties of the country as well as Budapest. As a result of the 2006 settlement minority self-government elections, 202 minority self-governments were established in 23 districts of Budapest. Following the March 2007 regional minority self-government elections 11 minorities established minority self-governments in the capital.

(5) Following the elections held in March 2007, all 13 minorities established their national self-governments. Representatives of the various nominating organisations participating in the elections won seats in minority self-government bodies.

(6) The budgetary funds for the operation of local minority self-governments are regulated by the Parliament in the Budget Act. The table below shows the total amount earmarked for this purpose in the budgetary act of each given year during the reporting period.

Year	Number of local minority self-governments	Earmarked grants(HUF)
2004	1852	1 317 300 000
2005	1826	1 306 000 000
2006	Term change October 2006	1 166 100 000
2007	2054	1 337 900 000
2008	2013	1 557 900 000

Source: Department of National and Ethnic Minorities of the Prime Minister's Office

(7) In the interest of strengthening the management budget, which serves the operation of minority self-governments, in 2007 the Government drew up several acts of legislation to implement the contents of the Minorities Act amended in 2005.

Government Decree No. 375/2007. (XII. 23.) on the system of conditions of providing support to minority self-governments from the central budget and the rules of accounting thereof proportionate to the respective tasks (hereinafter: government decree on differentiated support) entered into force on 1 January 2008.

The newly developed support system simultaneously provides general (subjective right based) support for the financing of the operation of settlement and regional minority self-governments as defined by law, while allowing self-governments to receive additional support from the budget in proportion with the public affairs related tasks they perform. This differentiated form of support recognises and awards the work of active minority self-governments which are efficiently working in the interest of their minority communities. The funds available for this general operational support are defined as 75% of the amount earmarked for the financing of settlement and regional minority self-governments as defined by the Budget Act. The remaining 25% is used for the differentiated support, which is distributed among the self-governments via a tendering procedure for which self-governments have to prove extra performance. The actual amounts awarded to the individual minority self-governments is decided by the Minority Budget Committee consisting of the representatives of the various ministries based on the criteria set out in the Government Decree on the differentiated support of minority self-governments. The representatives of the national minority self-governments have advisory rights at the sessions of the committee.

In the year of the introduction of the new support system, the budget increased funds put aside for the support of the operation of settlement and regional minority self-governments by HUF 220 million. Thus close to HUF 400 million was distributed within the framework of differentiated support in 2008.

In 2008, applications for differentiated support were submitted by 80.6% of representative bodies, that is a total of 1662 settlement and regional minority self-governments. Of the nearly 1100 self-governments of the Roma minority, 828 applied. A significant number of applications were received from German, Slovakian, Croatian and Romanian self-governments as well. All Slovenian self-governments and 75% of Roma and Serbian minority self-governments submitted application documentation. The number of minority self-governments which received differentiated support was 1610, which was 96.87% of those participating. Within the differentiated system of support settlement, minority self-governments with an average performance were awarded budgetary grants 25% higher than the previous year, while local self-governments with the best results could receive up to double the amount of their previous grant.

The table below shows budgetary grants provided to various settlement (local) minority self-governments automatically in 2004 and within the framework of the differentiated support system in 2008.

	2004		2008			
	No. self-governments	Grants (HUF)	No. self-governments	General operating grants (HUF)	Differentiated grants (HUF)	Total grants (HUF)
Bulgarian	31	22 134 000	39	21 450 000	7 185 030	28 635 030
Gypsy/Roma	998	712 572 000	1 070	592 350 000	165 851 206	758 201 206
Greek	31	22 134 000	35	19 250 000	4 777 074	24 027 074
Croatian	108	77 112 000	116	63 800 000	27 769 170	91 569 170
Polish	51	36 414 000	48	26 400 000	10 609 247	37 009 247
German	341	243 474 000	379	208 450 000	93 256 511	301 706 511
Armenian	31	22 134 000	32	17 600 000	5 217 238	22 817 238
Romanian	44	31 416 000	47	25 850 000	6 880 799	32 730 799
Ruthenian	32	22 848 000	52	28 600 000	7 631 667	36 231 667
Serbian	44	31 416 000	41	22 550 000	8 168 926	30 718 926
Slovakian	115	82 110 000	117	64 350 000	27 969 833	92 319 833
Slovenian	13	9 282 000	11	6 050 000	2 899 904	8 949 904
Ukrainian	13	9 282 000	19	10 450 000	2 848 120	13 298 120
<b>Total</b>	<b>1 852</b>	<b>1 322 328 000</b>	<b>2 006</b>	<b>1 107 150 000</b>	<b>371 064 725</b>	<b>1 478 214 725</b>

Source: Department of National and Ethnic Minorities of the Prime Minister's Office

Within the differentiated support system, in 2008 regional (county) minority self-governments received the following operating grants from the state.

	Number of regional self-governments	General operating grants (HUF)	Differentiated grants (HUF)	Total grants (HUF)
Bulgarian	2	1 734 000	615 574	2 349 574
Gypsy/Roma	20	17 340 000	4 917 085	22 257 085
Greek	1	867 000	457 927	1 324 927
Croatian	7	6 069 000	2 634 957	8 703 957
Polish	2	1 734 000	683 137	2 417 137
German	11	9 537 000	3 528 290	13 065 290
Armenian	1	867 000	337 815	1 204 815
Romanian	3	2 601 000	442 913	3 043 913
Ruthenian	2	1 734 000	435 406	2 169 406
Serbian	2	1 734 000	855 798	2 589 798
Slovakian	6	5 202 000	1 598 991	6 800 991
<b>Total</b>	<b>57</b>	<b>49 419 000</b>	<b>16 507 893</b>	<b>65 926 893</b>

Source: Department of National and Ethnic Minorities of the Prime Minister's Office

Based on the information indicated on the forms required to apply for differentiated support introduced in 2008, it could be determined that most of the activities of local minority self-governments was related to activities supplementing or helping education and the organisation



of cultural events. These representative bodies were least active in the field of mother tongue use.

The performance of equal opportunity tasks is typical of the work of Roma self-governments. In their case this involves providing an opinion on the equal opportunities' plan of the settlement, involvement in local community service programs, supporting the elderly, and the purchase of textbooks and learning aids for those in need.

Some of the Roma minority self-governments also reported plans related to the elimination of slums and participation in the infrastructural development of the settlement.

Activities related to anti-discrimination were in most cases performed in cooperation with the Police. Several self-governments reported that they are participating in the work of the Roma Anti-Discrimination Network which is operated by the Ministry of Justice and Law Enforcement. In several larger cities or county seats which are in a better situation financially, independent Roma Remedial Rights Offices are also operated.

Within the framework of this differentiated support, the highest ratings (out of a possible 100 points) were awarded to a Roma and a Slovakian minority self-government, which received 90 points each.

The results achieved by Roma minority self-governments prove that these representative bodies of the Roma community now play an essential role in the Hungarian minority self-government system.

(8) Between 2004 and 2008 national minority self-governments received the following direct operating grants from the state budget.

<b>Year/million HUF</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
National Bulgarian Self-Government	34.3	36.0	36.0	36.0	36.0
National Roma Self-Government	214.9	225.6	225.6	225.6	225.6
National Self-Government of Greeks in Hungary	33.3	35.0	35.0	35.0	35.0
National Croatian Self-Government	84.4	88.6	88.6	88.6	88.6
National Polish Minority Self-government.	33.3	35.0	35.0	35.0	35.0
National Self-Government of Germans in Hungary	165.6	173.9	173.9	173.9	173.9
National Armenian Self-Government	33.3	35.0	35.0	35.0	35.0
National Self-Government of Romanians in Hungary	48.3	50.7	50.7	50.7	50.7
National Ruthenian Minority Self-Government	27.2	28.6	28.6	28.6	28.6
National Serbian Self-Government	45.3	47.6	47.6	47.6	47.6
National Slovakian Self-Government	85.1	89.4	89.4	89.4	89.4
National Slovenian Self-Government	38	39.9	39.9	39.9	39.9
National Ukrainian Self-Government	27.2	28.6	28.6	28.6	28.6
<b>Total (million HUF)</b>	<b>870.2</b>	<b>913.9</b>	<b>913.9</b>	<b>913.9</b>	<b>913.9</b>

Source: Department of National and Ethnic Minorities of the Prime Minister's Office

(Information on budgetary grants provided for the operation of institutions maintained by self-governments can be found in the section on Article 5 of the Framework Convention.)

(9) One of the priority objectives of the 2005 amendment of the Minorities Act was to put the operation, management, and control of minority self-governments into a transparent framework. In the same context, the Parliament amended the Minorities Act on December 3, 2007, and passed a decision that requires minority self-governments to adhere to the rules of management applicable to budgetary bodies.

In December 2007, the Government issued a decree designed to professionally strengthen the budgetary tasks of minority self-governments. Government Decree No. 376/2007. (XII. 23.) establishes the regulations of the financial management of minority self-governments and their budgetary bodies, stipulates the rules pertaining to the various types of minority self-government budgetary bodies as well as the main phases of adoption of budgetary plans and budgets and the rules pertaining to the amendment of budgetary appropriation.

In December 2007 the Prime Minister's Office provided a one-off grant of HUF 100 million to cover certain additional expenses related to the financial management of national minority self-governments as budgetary bodies.

<b>Grants for the establishment of offices of national minority self-governments</b>			
	2007 grants (HUF)		
	Operation	Accumulation	Total
National Bulgarian Self-Government	7 000 000	1 000 000	8 000 000
National Roma Self-Government	7 000 000	–	7 000 000
National Self-Government of Greeks in Hungary	3 250 000	4 250 000	7 500 000
National Croatian Self-Government	6 336 000	664 000	7 000 000
National Polish Minority Self-Government	7 500 000	–	7 500 000
National Self-Government of Germans in Hungary	5 039 300	1 960 700	7 000 000
National Armenian Self-Government	5 505 600	2 994 400	8 500 000
National Self-Government of Romanians in Hungary	6 872 000	628 000	7 500 000
National Ruthenian Minority Self-Government	8 090 000	410 000	8 500 000
National Serbian Self-Government	7 500 000	–	7 500 000
National Slovakian Self-Government	5 600 000	1 400 000	7 000 000
National Slovenian Self-Government	8 500 000	–	8 500 000
National Ukrainian Self-Government	8 500 000	–	8 500 000
<b>Total (HUF)</b>	<b>86 692 900</b>	<b>13 307 100</b>	<b>100 000 000</b>

Source: Department of National and Ethnic Minorities of the Prime Minister's Office

#### **Article 16**

**The Parties shall refrain from measures which alter the proportions of the population in areas inhabited by persons belonging to national minorities and are aimed at restricting the rights and freedoms flowing from the principles enshrined in the present framework Convention.**

In accordance with the Minorities Act, the Republic of Hungary prohibits all policies aimed at changing the national or ethnic conditions of the areas populated by minorities in a manner that would be detrimental to the minorities in question.

### ***Article 17***

**1. The Parties undertake not to interfere with the right of persons belonging to national minorities to establish and maintain free and peaceful contacts across frontiers with persons lawfully staying in other States, in particular those with whom they share an ethnic, cultural, linguistic or religious identity, or a common cultural heritage.**

**2. The Parties undertake not to interfere with the right of persons belonging to national minorities to participate in the activities of non-governmental organisations, both at the national and international levels.**

The Minorities Act stipulates that persons belonging to minorities are entitled to establish and maintain relations with state and community institutions of their homeland and linguistic nation, as well as with minorities living in other countries. (For more see the section on Article 18.)

### ***Article 18***

**1. The Parties shall endeavour to conclude, where necessary, bilateral and multilateral agreements with other States, in particular neighbouring States, in order to ensure the protection of persons belonging to the national minorities concerned.**

**2. Where relevant, the Parties shall take measures to encourage transfrontier co-operation.**

Information on the Article evaluated below can also be found in the section on Article 2 of the Framework Convention. In the section below we will be reporting on other developments.

(1) There are inter-governmental joint minority committees operating on the basis of inter-governmental agreements between Hungary and its neighbouring countries – Croatia, Romania, Serbia, Slovakia, Slovenia and the Ukraine – on the mutual protection and guaranteeing of the rights of minorities. The task of these committees is to analyse and evaluate the situation of minorities, to put forward recommendations regarding inter-governmental cooperation in his field and to monitor its implementation.

(2) At the last session of the Hungarian-Croatian Joint Minority Committee on 2 July 2008 in Budapest, the recommendations put forward included tasks such as the cooperation between the universities of Eszék and Pécs, the mutual recognition of school qualifications as well as the support of the development of the education institutions in Eszék, Pécs, Hercegszántó and Szentpéterfa.

(3) Following Romania's accession to the European Union, the former barriers to establishing and maintaining contacts by the Romanian minority living in Hungary with their homeland were removed. Romania provided budgetary grants to the Romanian secondary school of Gyula, the self-government of Méhkerék, the Romanian editorial boards of public service Hungarian Television and Hungarian Radio, the community weekly newspaper as well as the Research Institute of Romanians in Hungary. During the reporting period the sessions of the Hungarian-Romanian Joint Minority Committee were held on a regular basis.

(4) The exchange of notes on the ratification on the Agreement signed on 21 October 2003 between the Republic of Hungary and Serbia and Montenegro on the protection of the rights of the Serbian minority living in Hungary and the Hungarian minority living in Serbia–Montenegro occurred on 28 September 2004. The Parliament promulgated the contents of the Agreement in Act IV of 2005.

The Hungarian-Serbian Minority Protection Agreement stipulates that the parties shall establish separate joint minority committees with the obligatory participation of minority representatives. The first session of the Joint Minority Committee was held in December 2004 in Budapest and February 2005 in Szabadka. The second session was held in November 2005 in Szabadka. Following this second session the work of the Committee was suspended, then in 2008 the new co-chairs of the Hungarian-Serbian Joint Minority Committee were appointed and under their management and within the framework of institutionalised cooperation, sessions are now held on a regular basis.

The promulgation of the Agreement between the Council of Ministers of Serbia and Montenegro and the Government of the Republic of Hungary on Cooperation in the Fields of Education, Science, Culture, Youth and Sport, with regard to the Republic of Serbia is regulated by Government Decree No. 164/2007. (VI. 27.).

In March 2008 in Ráckeve, Hungary, representatives of the National Serbian Self-Government and the National Council of the Hungarian Ethnic Minority in Vajdaság signed a cooperation agreement in the field of culture, education and ethnography as well as a memorandum of understanding on good neighbourly relations. According to the statements of the parties, they wish to create and establish their future through mutual cooperation.

(5) During the reporting period the work of the Hungarian-Slovakian Joint Minority Committee was uninterrupted.

We would like to point out that the “Day of Hungarian Slovaks” held on July 5, 2008 in Pilisszántó was one of the most notable intergovernmental meetings between Hungary and Slovakia, as the minister in charge of the Hungarian Prime Minister’s Office and the Deputy Prime Minister of Slovakia both were in attendance at the event. The event organised by the national self-government of the Slovakian minority in Hungary was a perfect opportunity for the two leading politicians of the two countries to meet face to face and to strengthen relations between Hungary and Slovakia.

(6) Within the framework of Hungarian-Slovenian relations, a joint government session was held in October 2007. The agenda included issues directly related to the Slovenian minority living in Hungary and the Hungarian minority living in Slovenia. The last session of the Hungarian-Slovenian Joint Minority Committee was held in April 2008 in Budapest.

(7) In September 2007, Hungary – as the first among EU nations neighbouring the Ukraine – signed the bilateral agreement on local border traffic with the Ukraine. The Hungarian-Ukrainian Joint Minority Committee renewed its activities in July 2007. Following the session in Budapest, another session was held in September 2008 in Ungvár.

(8) Taking the recommendations of joint-committees into account, the State Secretariat for National and Minority Policy provides support for the realisation of certain minority policy tasks and also ensures individual grants in the interest of achieving important minority goals. The table below shows grants provided in a given year of the reporting period (2007).

<b>Supported organisation</b>	<b>Purpose of grant</b>	<b>Grant (HUF)</b>
Croatica Kiadó (Croatica Publishers)	Development of printing technology	6 000 000
Research Institute of Romanians in Hungary	Operating grant	2 000 000
National Slovakian Self-Government	Publication of Slovakian newspaper	2 000 000
Self-Government of Battonya	Manufacturing of trilingual signs for public spaces and public institutions	2 000 000
Self-Government of Orfalu	Manufacturing of bilingual signs for public spaces and public institutions	570 000
Self-Government of Kétvölgy	Manufacturing of bilingual signs for public spaces and public institutions	500 000
Self-Government of Apátistvánfalva	Manufacturing of bilingual signs for public spaces and public institutions	900 000
Self-Government of Felsőszölnök	Manufacturing of bilingual signs for public spaces and public institutions	1 230 000
Self-Government of Alsószölnök	Manufacturing of bilingual signs for public spaces and public institutions	900 000
Self-Government of Szakonyfalva	Manufacturing of bilingual signs for public spaces and public institutions	900 000
Self-Government of Felsőszentmárton	Manufacturing of bilingual signs for public spaces and public institutions	1 000 000
Self-Government of Csolnok	Manufacturing of bilingual signs for public spaces and public institutions	1 000 000
Self-Government of Kétsoprony	Manufacturing of bilingual signs for public spaces and public institutions	1 000 000
<b>Total</b>		<b>20 000 000</b>

Source: Department of National and Ethnic Minorities of the Prime Minister's Office

(Information on the funds set aside in the Ministry of Education and Culture budget for the implementation of various educational programmes realised on the basis of recommendations from inter-governmental joint minority committees can be found in the section on Article 14 of the Framework Convention.)

(9) Hungary's accession to the European Union created a new situation in terms of relations with neighbouring countries and cross-border cooperation. Between 2007 and 2013 Hungary will be participating in the following European regional cooperation programmes:

- Austria-Hungary Cross-Border Cooperation Programme
- Hungary-Serbia Cross-Border Cooperation Programme
- Hungary-Croatia Cross-Border Cooperation Programme
- Hungary-Romania Cross-Border Cooperation Programme
- Hungary-Slovakia Cross-Border Cooperation Programme
- Hungary-Serbia Cross-Border Cooperation Programme
- Slovenia-Hungary Cross-Border Cooperation Programme
- Hungary-Romania-Slovakia-Ukraine Cross-Border Cooperation Programme

Within the framework of European regional cooperation, Hungary is treating the mutual implementation of projects serving the preservation and development of the cultures and mother tongues of minorities in the region as a priority. The enforcement of the rights set out

by the Minority Protection Framework Convention has a positive effect on the steady development of the region as well as European Union integration processes.

***Article 19***

**The Parties undertake to respect and implement the principles enshrined in the present framework Convention making, where necessary, only those limitations, restrictions or derogations which are provided for in international legal instruments, in particular the Convention for the Protection of Human Rights and Fundamental Freedoms, in so far as they are relevant to the rights and freedoms flowing from the said principles.**

During the reporting period Hungary did not apply any restrictions or limitations with respect to the contents of the Framework Convention.

***Articles 20–23***

With respect to the Articles of the Framework Convention quoted here, we have no relevant observations for the reporting period.

***Article 30***

**1. Any State may at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, specify the territory or territories for whose international relations it is responsible to which this framework Convention shall apply.**

**2. Any State may at any later date, by a declaration addressed to the Secretary General of the Council of Europe, extend the application of this framework Convention to any other territory specified in the declaration. In respect of such territory the framework Convention shall enter into force on the first day of the month following the expiration of a period of three months after the date of receipt of such declaration by the Secretary General.**

**3. Any declaration made under the two preceding paragraphs may, in respect of any territory specified in such declaration, be withdrawn by a notification addressed to the Secretary General. The withdrawal shall become effective on the first day of the month following the expiration of a period of three months after the date of receipt of such notification by the Secretary General.**

During the reporting period Hungary issued no statement of limitation regarding the regional scope of the Framework Convention.

## ANNEX

**1.) Act XX of 1949 on the Constitution of the Republic of Hungary as amended several times**

Available in Hungarian (excerpt): <http://www.nek.gov.hu/data/files/84159717.pdf>  
Available in English: <http://www.mkab.hu/en/enpage5.htm>

**2.) Act LXXVII of 1993 on the Rights of National and Ethnic Minorities as amended several times**

Available in Hungarian: <http://www.nek.gov.hu/data/files/128824209.pdf>  
Available in English: <http://www.nek.gov.hu/data/files/128824329.pdf>  
Available in French: <http://www.nek.gov.hu/data/files/128824600.pdf>  
Available in German: <http://www.nek.gov.hu/data/files/128824493.pdf>  
Available in Croatian: <http://www.nek.gov.hu/data/files/128824950.pdf>  
Available in Romanian: <http://www.nek.gov.hu/data/files/128824686.pdf>  
Available in Slovakian: <http://www.nek.gov.hu/data/files/128824997.pdf>

**3.) CXIV of 2005 on the Election of Minority Self-Government Representatives and the Amendment of Certain Acts concerning National and Ethnic Minorities**

Available in Hungarian:  
<http://www.kisebbsegiombudsman.hu/hir-215-kisebbsegi-onkormanyzati-kepviselok.html>

**4.) Act CXXV of 2003 on Equal Treatment and Promotion of Equal Opportunities**

Available in Hungarian: <http://www.egyenlobanasmod.hu/data/Ebktv-081106.pdf>  
Available in English: <http://www.egyenlobanasmod.hu/data/SZMM094B.pdf>

**5.) Government Decree 362/2004 (XII. 26.) on the Equal Treatment Authority and the Detailed Rules of its Procedure**

Available in Hungarian: [http://www.egyenlobanasmod.hu/data/362-2004Kr\\_2.pdf](http://www.egyenlobanasmod.hu/data/362-2004Kr_2.pdf)  
Available in English: <http://www.egyenlobanasmod.hu/data/SZMM094A.pdf>