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Hungary should do more for the human rights of Roma, migrants and persons with disabilities

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Strasbourg, 04/07/2014 - "The impact of recent changes in the legal framework in Hungary on human rights has attracted considerable international criticism. While some of the issues raised in that context have been addressed, the situation of vulnerable groups in the country remains of serious concern" said today Nils Muižnieks, the Council of Europe Commissioner for Human Rights, at the end of a four-day visit to Hungary.

Roma continue to face segregation in both housing and education, in a context of continuing intolerance within the country. "Any intimidating acts and hate speech against Roma should be vigorously condemned by officials and duly investigated by police. Any individuals who advocate for or are involved in instances of racist and other hate crimes should be sanctioned, while racist organisations should face adequate penalties, including a ban if necessary". In this context, the Commissioner welcomes the ban imposed on the Hungarian Guard and the steps taken by the authorities to ban other racist organisations.

Hungary was the first European country to ratify the UN Convention on the Rights of Persons with Disabilities (CRPD) in 2007. However, the authorities should be more ambitious in the implementation of the Convention. Hungary has a very high number of persons with disabilities still deprived of their legal capacity, and therefore of the right to make their own decisions. Thus, the Commissioner regrets that the Civil Code adopted in 2013 which just entered into force still retains provisions in contradiction with the UN CRPD. At the same time, the Commissioner stressed that the de-institutionalisation process should be accelerated. "This can be done with the help of EU funds, but these should not be used to renovate or build large institutions for disabled persons or other accommodation not complying with the requirements of the CRPD", said the Commissioner after visiting the integrated social care home in Polgárdi.

The Commissioner notes that in 2013 Hungary faced an 876% increase in applications for asylum, which has put a strain on the asylum system. He calls on the authorities to ensure that the detention of asylum seekers is only used as a last resort. This is not the case at present with 26% of asylum seekers being detained. The Commissioner also urged the Hungarian authorities to do more to ensure the integration of recognised refugees, who are relatively few in number.

The Commissioner is also concerned about homophobic and transphobic political rhetoric. "More vigorous awareness-raising about the human rights of LGBTI persons is needed. A real test in that context will be whether the Pride March can proceed unhindered tomorrow."

Discrimination on grounds of socio-economic status is a particularly acute problem, with some local governments having adopted decrees to ban sleeping in public spaces. The Commissioner visited the Isola shelter in the fourth district of Budapest, where he met with a number of homeless persons, some of whom were working without earning enough to afford a decent housing. "Rather than harassing the homeless, the focus should be on improving access to social housing" said the Commissioner.

The Commissioner also followed up on his predecessor's findings on media freedom and subsequent changes in legislation and practice. A number of legislative changes that are mainly in line with Council of Europe recommendations have been adopted, notably as regards the protection of journalistic sources and the appointment to and mandate of the

media authority. Moreover, newly introduced sanctions have not been extensively used. However, the Commissioner remains concerned at reports of self-censorship and the apparent narrowing of the space in which media can operate freely and fully perform their watchdog function. "There is no democratic society without the right to impart and receive information and true media pluralism" he said.

The Commissioner's report on his visit to Hungary is forthcoming.

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The Commissioner for Human Rights is an independent, non-judicial institution within the Council of Europe, mandated to promote awareness of, and respect for, human rights in the 47 member states of the Organisation. Elected by the Parliamentary Assembly of the Council of Europe, the present Commissioner, Mr Nils Muižnieks, took up his function on 1 April 2012