



**Economic and Social
Council**

Distr.
GENERAL

E/C.12/2007/SR.8
28 April 2008

ENGLISH
Original: FRENCH

COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Thirty-eighth session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)* OF THE 8th MEETING

Held at the Palais Wilson, Geneva,
on Thursday, 3 May 2007, at 3 p.m.

Chairperson: Mr. TEXIER

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (agenda item 8) (continued)

Third periodic report of Hungary (continued) (E/C.12/HUN/3; E/C.12/HUN/Q/3 and Add.1; E/C.12/1992/2, paras. 150 to 154; HRI/CORE/1/Add.11)

1. At the invitation of the Chairperson, the members of the delegation of Hungary resumed their places at the Committee table.

Articles 10 to 12 of the Covenant (continued)

2. Ms. BARAHONA RIERA asked whether the State party planned to adopt a text which made domestic violence an offence and whether it intended to take measures so that in cases of rape committed against a woman, the victim no longer bore the responsibility. On the question of trafficking in persons, she enquired whether it was envisaged to adopt a single country-wide programme to combat the practice. She would also like to know whether any projects focused on the great social and medical vulnerability of many elderly persons Hungary.

3. Ms. BONOAN-DANDAN, referring to paragraphs 453 and 455 of the third periodic report, which had come to the alarming conclusion that a considerable part of the population did not have the ability to tackle the problems of everyday life and that mental health problems had been spreading, asked the State party to devote an entire chapter in its next periodic report to mental health. With regard to paragraph 485, in which article 9, paragraph 2 (a) and (b), of Act LXXIX of 1992 was cited, she would like to know what was meant by “legislative conditions” and “other conditions”.

4. Ms. BRAS GOMES asked whether measures had been taken to simplify and speed up procedures for family reunification. She was surprised that there were several poverty lines and stressed that only one should be retained for all programmes. Referring to paragraphs 370 and 371 of the third periodic report, she enquired whether improvements had been made to the 1993 social act. Lastly, she would like to know whether the poorest neighbourhoods, which were usually inhabited by Roma, had benefited from the improvements announced in paragraphs 437 and 438.

5. Ms. KARDOSNE (Hungary) said that the Government was attempting to address the poor housing conditions of Roma. To put an end to their segregation and to the Roma camps, in 2005 it had launched a comprehensive social integration programme which had provided for the development of infrastructures and was associated with programmes to promote the employment and education of that population group. In the longer term, as part of the national Roma integration strategy (2007-2015), it was planned to close the shantytowns and the camps, relocate their inhabitants and help them find jobs. In response to initiatives to evict squatters from municipal buildings, the national authorities had imposed a moratorium during the winter months which prohibited municipalities from resorting to such a measure. The Hungarian bank had lent

municipalities 60 million forints at a preferential rate so that they could build social housing and thus put an end to the urban ghettos in which Roma were confined.

6. Ms. RAPI (Hungary) said that to alleviate the shortage of physicians in poor regions, which were inhabited mainly by Roma, the State had created a number of posts and earmarked the requisite budget (100 million forints). With regard to contagious diseases, crises with an international dimension called for a response of the same order. At national level, a rapid action force had been set up to monitor illnesses. Simulations regularly tested the health care system and assessed its effectiveness.

7. The vaccination system, termed exemplary by the World Health Organization (WHO), ensured a 99.7 per cent coverage rate. To combat hepatitis B, a systematic screening of pregnant women had been carried out for the past ten years, and as part of the compulsory vaccination system in place since 1999, all Hungarian children and adolescents were vaccinated against the disease free of charge. No case of diphtheria had been reported in the country since 1996, and vaccination was systematic against measles, rubella and mumps, as well as against tuberculosis, which was closely monitored.

8. With regard to HIV/AIDS, the situation in the country did not give cause for alarm. The Government attached priority to action in that area, and the requisite structures had been put into place to assist persons concerned (primarily homosexuals) through the National Commission to Combat AIDS, which conducted prevention programmes and provided counselling. Free treatment for HIV-positive persons had resulted in a considerable decline in the disease's mortality rate.

9. Replying to a question on mental health and the dramatically high suicide rate, she said that psychiatric health programmes were in place, training was provided to help recognize warning signs of depression, and a number of measures had been deployed to curb the problem. On the question of forced sterilization, she said that it had been an isolated case. Since then, a decision by the Constitutional Court had led to an amendment of the legislation that had been in force at the time. The current procedure provided safeguards that such a case did not recur.

10. As to the segregation of Roma at hospitals, that too had been an exceptional case. Health care professionals received training which included classes on tolerance vis-à-vis different customs. The State party promised to provide in its next periodic report all useful additional information on contagious diseases, vaccinations and care for the mentally ill.

11. Ms. LUKACS (Hungary) said that it should be possible to arrive quickly at a definition of the poverty line and to set a single figure. She referred to the difficulties in the area of social security and welfare as a result of the gap of 15 per cent between the poverty line and the lowest wages. As to the amendments to the 1993 act, she noted that the calculation of social benefits had been refined to take account not only of the number of persons in the household, but also of the need not to discourage a return to employment. Social welfare benefits now amounted to less than the minimum wage.

12. Mr. HORVATH (Hungary) said that just because domestic violence was not subject to specific provisions did not mean that it was not punishable. Such acts were covered by

legislation on the family and, in the most serious cases, by the Criminal Code. Some thirty convictions had been handed down in that regard. Prevention was a matter for the Civil Code.

13. It was true that a number of isolated cases were pending which involved border guards who had been accused of bribery in connection with trafficking in human beings. One of the aims of the internal border guard inspection service was to detect such abuses. Primarily a country of transit for trafficking in persons, Hungary had acceded to the United Nations Convention against Transnational Organized Crime and had signed many bilateral agreements on cooperation with the police services of other countries. The Hungarian Minister for Foreign Affairs had recently chaired a joint Hungarian-American commission against trafficking in humans. The churches also assisted in combating the crime.

14. The prison system was undergoing reform. There was a desire to modernize, but given the enormous costs that that entailed, prison crowding could not be perceptibly reduced for the time being. Detention centres administered by private entities but placed under State responsibility had begun operations in order to supplement the capacities of the public prison system. He also pointed out that corporal punishment in the family was prohibited by both the Criminal Code and the child protection act.

15. Ms. RACZ (Hungary) said that the legislative improvements of 1993 had drawn directly upon the Convention on the Rights of the Child. The law currently provided for the amelioration of primary health care services, financial assistance to underprivileged families, counselling services for indebted families and on prevention of over-indebtedness, and a number of programmes for infants; it also specified that children had the right not to be removed from their families for financial reasons. Some 80 per cent of placement centres had been made smaller in order to give preference to family-type structures. Of the 17,000 children who benefited from placement protection, 5,300 were currently in families. About eight per cent of children under three years of age had been placed in a day-care centre or with a child-minder.

16. Homeless persons could be lodged in hostels or in rooms in private homes. Emergency medical assistance vans and social street workers were available to them, as were urban and rural soup kitchens. According to a survey, the number of homeless persons in Budapest had declined from more than 6,600 in 2005 to less than 3,900 in 2006. The most important thing, however, was to prevent such persons from ending up back on the street: that was the objective of programmes – some of them funded by the State and others private in nature – aimed at preventing over-indebtedness, helping people pay their bills or rent and making rent subsidies available to young married couples. Following the privatization of the housing sector, completed in 1995, many tenants had been able to purchase property.

17. Mr. SZIVI (Hungary) said that all persons with disabilities, regardless of income, were eligible for benefits. Some 500 million forints had also been allocated to build ramps and other facilities so that persons with disabilities could have access to public buildings. Sign language teachers and interpreters had been trained to help the deaf and the hard of hearing attend regular classes in school. Other services to assist persons with disabilities had been introduced by volunteers who themselves had disabilities. Some persons with disabilities were able to find employment in work-based support centres. To improve the physical and mental well-being of such persons, the centres, which in the past had been much larger, had been converted to facilities of less impersonal dimensions.

18. Mr. RZEPLINSKI asked how many persons had been convicted of trafficking in human beings in the past three years, whether there was a special unit in the police or secret services to combat such practices and whether the delegation had knowledge of any cases of organ trafficking on the territory of the State party.

19. Mr. TALLODI (Hungary) said he did not have statistical data on convictions relating to trafficking in human beings, but promised to forward them to the Committee as soon as possible. The national police had a special unit which was responsible for combating trafficking in human beings and which cooperated with the border guards.

20. Ms. KARDOSNE (Hungary) said that the Hungarian authorities did not have any knowledge of cases of organ trafficking on the territory, but had nevertheless brought legislation into line with European law in that regard and had taken steps to join the Eurotransplant network, a databank which collected data worldwide on organ donors and patients awaiting transplants.

Articles 13 to 15 of the Covenant

21. Mr. KERDOUN was surprised to read in paragraph 575 of the third periodic report that compulsory schooling lasted until the age of 18 and even until 20 for pupils with special needs, and he asked the delegation to explain how that was possible.

22. According to many sources, including UNESCO, not all children in school in Hungary received education of the same quality. There were shocking inequalities, depending on place of residence or population group, although the Hungarian Constitution guaranteed the right to education on the basis of equal opportunity and also protected minorities. Whereas the language minorities from neighbouring countries had a well-established network of educational institutions, small minorities did not have schools in which they could be taught in their native tongue. Most underprivileged of all were the Roma. The results of the many initiatives undertaken by Hungary to educate the population as a whole and Roma in particular had been mediocre, and the question arose whether their effectiveness was subject to any assessment. In any event, it was to be hoped that the segregation of Roma in the school system had truly been abolished throughout the country and that the programme planned for the period 2007-2008 to give priority to education for Roma had actually been launched and was already producing tangible results.

23. In closing, he asked the delegation to indicate the starting date, salient features and objectives of the reform of higher education currently under way and to explain whether the churches were free to create religious schools at all levels or only, for example, at primary school level.

24. Ms. WILSON asked what the underlying reasons were for unemployment among Roma and referred to the problem of their poor education. Noting with concern that Roma were separated from other pupils and were enrolled in special schools initially meant for children with mental problems, she sought assurance that that practice was no longer common in Hungary. The fact that Roma children were given the status of private pupil contributed to excluding them from regular public schools and to further ostracizing them. She urged the State party to heighten public awareness of the fact that the Roma community was an integral part of the Hungarian

population. Lastly, she would like to learn more about measures taken by the State to preserve and promote the languages of the country's 13 official linguistic minorities.

25. Mr. SADI asked whether the State party knew about the world programme for human rights education, which committed countries to training teachers. More generally, he would like to know whether the school system helped promote human rights.

26. Mr. MARCHAND ROMERO sought confirmation from the delegation that he was correct in assuming that there was no general legislation on culture but specific laws for each sector. He asked what percentage of the national budget was allocated to culture and what central body was responsible for coordinating and assessing the activities of Hungary's 700 cultural institutions. It would be useful if the delegation could indicate whether all population groups had access to cultural institutions. He also referred to reports by the European Union according to which minorities should have more resources for education in the vernacular languages, and he requested additional information on the subject.

27. Ms. BONOAN-DANDAN noted that in his introduction, the representative of Hungary had indicated that the integration of minority values in Hungarian culture was an objective of the Ministry of Culture. However, it would hardly be possible to attain that goal if Roma continued to be excluded from society and to be the targets of blatant discrimination. Moreover, no public awareness campaign had been conducted to change attitudes in the population towards the Roma. She wondered how the State could speak of a cultural modernization when outdated attitudes prevailed in society.

28. Mr. RZEPLINSKI sought recent statistics on higher education, and in particular on the percentage of the population that had a university diploma. He asked whether university studies were also free for students from neighbouring countries and would like to know more about the problems of violence and drug addiction in school. Lastly, he enquired how human rights education was organized in primary and secondary schools: was it the subject of a separate course, or was it treated as part of civic education?

29. Ms. BRAS GOMES asked whether the self-management bodies of minorities received financial assistance from the State for cultural projects. She also sought information on access to the information and communication technologies (ICT) in the educational sector, because there seemed to be a real digital divide between urban and rural areas in that regard. Lastly, she would like to know what measures had been taken to promote the utilization of ICT in school.

30. Ms. HEGYINE (Hungary) said that her country had been taking measures for quite some time to create an educational system in which no one was left out. In cooperation with a very active network of Roma non-governmental organizations (NGOs) and civil society associations, the public powers had perceptibly increased the enrolment rate of Roma children, for whom school was free, like for all children. Hungary did not have statistics disaggregated by ethnic minority on children enrolled in school, and the delegation could not provide any information on the size of allocations for initiatives to promote equal opportunity in school.

31. According to recent estimates, there were around 770 separate classes, but it was difficult to know the exact percentage of Roma in classes which also had children with special needs. It was estimated that one third of Roma children were enrolled in special schools, whereas the

others had regular schooling. The problem of the high drop-out rate among Roma only concerned secondary school. Although Roma children were more exposed than others to the risk of being given the status of private pupil, the modalities of which were decided by the individual school director, the provisions regulating that status were now stricter. As to higher education, policies promoting equal treatment had enabled a growing number of Roma to study at university, and they now amounted to 2.5 per cent of the student body.

32. Special programmes had been introduced in the educational sector to address the problem of unemployment among Roma. One of the objectives was to train young Roma to become teaching assistants or to encourage them to take vocational training in secondary school. Similar programmes to combat unemployment would eventually be introduced in other sectors.

33. The Ministry of Education systematically investigated reports of discrimination. Perpetrators of acts of discrimination were liable to a fine. Measures had been introduced to ensure that, from the beginning of infant care until higher education, children were not given separate treatment. Persons who believed that their children had been discriminated against could make their case by replying to a model questionnaire which would help a group of experts decide whether or not there was evidence of discrimination, the objective being to ensure that segregation was eliminated from the educational system.

34. The State decided on the content of school curricula, including civic education classes, in which many questions were discussed relating to human rights, violence, citizenship, and Roma and their culture. The age for the completion of compulsory education had been fixed at 18 years, but children who had fallen behind because of learning difficulties could stay in school until the age of 20. To facilitate the process, teaching assistants on scholarships were put in charge of children who were doing poorly in secondary and vocational school so as to discourage them from dropping out. In order to judge the effectiveness of the various measures, schools assessed the educational achievement of pupils every three years on the basis of strict criteria and indices.

35. Parents who wanted their children to be taught in the mother tongue must make their wishes known, because classes could be created once 15 pupils of the same linguistic minority so requested. Hungary had acceded to the European Charter for Regional or Minority Languages in 1992, and it planned to extend its applicability to include Roma.

36. Mr. FORGACS (Hungary), referring to the information technologies, said that Hungary had set the objective of attaining the same standard of Internet access in schools as in other European countries by 2013, thereby bridging the current gap between rural and urban schools in that regard.

37. Hungary had instituted free primary and secondary education. Vocational training and continuing training for adults were also paid for by the State. In higher education, a reform of the teaching curricula had been launched in January 2006 in order to better prepare students for the needs of the labour market. The number of students had quadrupled in the past decade, and the current focus was on quality and scientific research.

38. Students from countries of the European Union who wanted to pursue their studies in Hungarian universities were subject to the same admissions rules as Hungarian students and

often received special scholarships, provided they returned to their country upon obtaining their diploma.

39. Mr. RÓNAI (Hungary) said that a number of laws had been passed in the area of culture, including the 1995 act on public documents, public archives and the protection of private archives, the 2001 act on the protection of the cultural heritage and the 1997 act on the protection of cultural goods, museums, the contents of public libraries and cultural education, as well as the act on national audiovisual archives. The latter was of considerable importance, because it would ensure the long-term protection of cultural works through digital technology, which would facilitate their reproduction and thus make them readily accessible in multi-media libraries and other Hungarian cultural centres.

40. In the framework of the policy to promote culture, all local administrations were required to set aside areas for public cultural events. The funding which State provided them to that end was based on the number of inhabitants. Further allocations were earmarked not to support the operation of cultural institutions but to cover the expenses for the actual organization of cultural activities. Local authorities who had launched initiatives in favour of minorities received additional appropriations from the Ministry of Culture.

41. Ms. KARDOSNE (Hungary) was pleased at the fruitful and constructive dialogue which had been held with the members of the Committee and assured them that, notwithstanding progress made, her Government was aware of the need to continue its efforts to further improve the realization of economic, social and cultural rights. The Government would give full attention to the concluding observation which the Committee would formulate at the conclusion of its consideration of the third periodic report.

42. The CHAIRPERSON, thanking the delegation of Hungary, said that the Committee had completed its consideration of the third periodic report of the State party.

43. The delegation of Hungary withdrew.

The public part of the meeting rose at 5.25 p.m.