

Report on visit to Hungary

16 December 2014

- Media
- Intolerance and Discrimination
- Migration

Positives



- » Restrictive media legislation partially amended
- » Authorities' public condemnation of antisemitism
- » Improvements in legal framework against hate crimes & hate speech
- » Improvements in the legal framework of asylum detention
- » Efforts to combat statelessness

Concerns

Media

- » Severe sanctions
- » Media Council's extensive administrative regulatory powers & vulnerability to political influence
- » Tax on advertising revenues & restrictions on political advertising
- » Tightening of criminal regulation on defamation & increased sanctions



Intolerance & Discrimination

- » Distinctively harsh manifestations of anti-Gypsyism
- » Persisting antisemitism
- » Recrudescence of xenophobia targeting migrants and intolerance affecting LGBTI persons, the poor & homeless persons
- » Urgent need to move persons with disabilities out of institutions; large numbers of persons placed under guardianship
- » Criminalisation of homelessness in the absence of a social housing policy for homeless persons

Migration

- » Arbitrariness in the asylum detention regime, including lack of effective judicial review
- » Legislation allowing detention of asylum seeking families with children
- » Detention of unaccompanied asylum seeking minors
- » Shortcomings in system for refugee integration
- » Obstacles to family reunifications
- » Legislation preventing unlawfully residing persons from applying for stateless status
- » Obstacles impeding children from acquiring a nationality

Media

- » Repeal or reformulate the provisions of the Media Act on opinion & political views
- » Extend the protection of sources to freelance journalists
- » Exclude print & online media from registration requirements
- » Strengthen the independence of media regulatory bodies
- » Decriminalise defamation

Migration

- » Do not detain asylum seekers except as last resort & use alternatives to detention
- » Do not detain children for immigration purposes and forbid detention of families with children
- » Increase means to foster refugees' integration
- » Ease family reunification requirements
- » Remove obstacles which prevent unlawfully residing persons from applying for stateless status & which impede children from acquiring a nationality

Recommendations

Intolerance & Discrimination

- » Sanction individuals and groups inciting racial hatred and opposing democracy/rule of law
- » Improve Roma access to education, housing & employment
- » Stop placements in institutions and speed up relocation of persons with disabilities into community-based arrangements
- » Abolish plenary guardianship and ensure right to vote of persons with disabilities
- » Address discrimination against LGBTI persons and promote public awareness of diversity
- » Review the restrictive regulations on rough sleeping affecting poor and homeless persons in light of international law binding Hungary and guaranteeing human dignity
- » Develop a national social housing strategy adapted to the needs of homeless persons.