

**Resolution CM/ResCMN(2011)13
on the implementation of the Framework Convention for the Protection of National Minorities
by Hungary**

*(Adopted by the Committee of Ministers on 6 July 2011
at the 1118th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Articles 24 to 26 of the Framework Convention for the Protection of National Minorities (hereinafter referred to as "the Framework Convention");

Having regard to Resolution Res(97)10 of 17 September 1997 setting out rules adopted by the Committee of Ministers on the monitoring arrangements under Articles 24 to 26 of the Framework Convention;

Having regard to the voting rule adopted in the context of adopting Resolution Res(97)10;¹

Having regard to the instrument of ratification submitted by Hungary on 25 September 1995;

Recalling that the Government of Hungary transmitted its state report in respect of the third monitoring cycle under the Framework Convention on 4 June 2009;

Having examined the Advisory Committee's third opinion adopted on 18 March 2010, as well as the written comments of the Government of Hungary, received on 17 September 2010;

Having also taken note of comments by other governments,

1. Adopts the following conclusions in respect of Hungary:

a) Positive developments

Hungary has pursued a proactive approach towards the monitoring process and has taken useful steps to disseminate the results of the two first cycles of monitoring. The authorities have also maintained an inclusive approach in the communication with representatives of the national minorities.

Commendable efforts in various aspects have been made to increase the protection of national minorities. Hungary has achieved significant progress in its sustained endeavour to protect national minorities.

The reform of the operating system of minority self-governments in 2005 enabled these bodies to be granted true financial and operational autonomy. The procedure for the election of representatives to minority self-governments has also been reviewed to prevent the repeated irregularities which occurred in the past.

In the field of protection against discrimination, some positive steps have been taken in order to improve the legislative framework to combat discrimination such as the setting-up of the Equal Treatment Authority in 2005. Support has also been provided to the Anti-Discrimination Customer Service Network set up by the Ministry of Justice and Law Enforcement to help the Roma to bring legal proceedings in the event of discrimination.

The authorities have made efforts to curtail abuse by the police by increasing the recruitment of Roma police officers, providing training in human rights and setting up, in 2008, the Independent Police Complaint Committee (IPCC) responsible for receiving complaints against misbehaviour of the police.

The authorities have continued to provide support to activities to preserve and develop the cultural heritage of national minorities. The public television services continue to broadcast programmes in minority languages. The launch of a new Hungarian national radio station has made it possible to broadcast national minority programmes in their own languages for twelve hours a day.

An explicit ban on segregation at school was introduced in the Law on Equal Treatment and the Promotion of Equal Opportunities. The authorities have adopted legislative, financial and educational measures to improve the integration of disadvantaged children, many of them belonging to the Roma, into the school system.

Positive steps have been taken to implement the Roma Decade Action Plan. This plan comprises four priority objectives, i.e. to improve Roma access to education, employment, adequate housing conditions, and health care services.

b) Issues of concern

In recent years, the Roma have increasingly been victims of displays of intolerance, hostility and racially-motivated violence. Hate speech and racism in public statements, and in certain media, is also increasing, which is of deep concern. The fact that the current legislation makes it extremely difficult to punish hate speech may give the perpetrators of hate speech a general feeling of impunity.

Racially-motivated abuse allegedly committed by members of the police force continues to be reported. Discriminatory behaviour on the part of the police seems to be, in general, a problem.

As far as the system of allocation of support for the preservation and development of the cultural heritage of national minorities is concerned, minority representatives fear that the general cuts in public expenditure might affect the sustainability of activities to preserve minority culture and languages.

The programme slots for broadcasts intended for persons belonging to national minorities continue to be a source of concern as these programmes are still broadcast at off-peak times. Representatives of minorities are afraid that, for budgetary reasons, the public television authorities may cease the production of new programmes for national minorities and limit future broadcasting to repeats of old programmes.

It is of deep concern that segregation of Roma pupils at school and their over-representation in special schools persist despite the Hungarian authorities' commitment to put an end to this problem.

A specific mechanism for the representation of persons belonging to national minorities in the parliament is still lacking.

Despite the adoption of various specific action plans to improve the situation of the Roma, their effective participation in social and economic life remains very limited.

2. Adopts the following recommendations in respect of Hungary:

In addition to the measures to be taken to implement the detailed recommendations contained in Sections I and II of the Advisory Committee's opinion, the authorities are invited to take the following measures to improve further the implementation of the Framework Convention:

Issues for immediate action:²

- take more resolute measures to combat all forms of intolerance, including in political discourse, and take further steps to promote mutual understanding and respect, especially with regard to Roma. These efforts should include measures at local level, both in respect of local authorities and the local population. The authorities must effectively prevent, investigate and sanction all forms of discrimination by members of the police force;
- continue strengthening measures to ensure that the implementation of the Roma Decade Action Plan results in substantial and lasting improvement in the participation of disadvantaged Roma in economic and social life, in close consultation with their representatives. These measures should be regularly monitored and their impact carefully evaluated. Take resolute measures to put an end, without further delay, to the continuing segregation of Roma children at school;
- take resolute measures to enable persons belonging to national minorities to be represented as such in parliament.

Further recommendations:³

- take measures to combat the dissemination of stereotypes or hate speech by certain privately owned media, while fully respecting the editorial independence of the media;
- encourage the media to play a more positive role in promoting mutual understanding and respect;

- continue to support cultural activities of the national minorities' organisations and pay particular attention to the needs of the Roma regarding the preservation and the development of their identity and culture;
- ensure that public television broadcasting complies with its legal obligations and continues to produce and disseminate minority language programmes in line with relevant legislation;
- strengthen efforts to remedy the shortcomings faced by Roma children in the field of education.

3. Invites the Government of Hungary, in accordance with Resolution Res(97)10:

- a.* to continue the dialogue in progress with the Advisory Committee;
- b.* to keep the Advisory Committee regularly informed of the measures it has taken in response to the conclusions and recommendations set out in sections 1 and 2 above.

¹ In the context of adopting Resolution Res(97)10 on 17 September 1997, the Committee of Ministers also adopted the following rule: "Decisions pursuant to Articles 24.1 and 25.2 of the Framework Convention shall be considered to be adopted if two-thirds of the representatives of the Contracting Parties casting a vote, including a majority of the representatives of the Contracting Parties entitled to sit on the Committee of Ministers, vote in favour".

² The recommendations below are listed in the order of the corresponding articles of the Framework Convention.

³ The recommendations below are listed in the order of the corresponding articles of the Framework Convention.

Related Documents

Meetings

- [1118th meeting of the Ministers' Deputies \(CM Room\)](#) / 06 July 2011

Other documents

- [CM/Del/Dec\(2011\)1118/4.5bE](#) / 08 July 2011 