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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of Hungary and welcome the constructive engagement of the Government of Hungary during the 39th session of the UPR Working Group in November 2021.

As the final outcome report on the review of Hungary was recently adopted by the Human Rights Council at its 49th session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Hungary – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and recommendations made by 99 delegations and the presentation made and responses provided by the delegation of Hungary. I have also considered the actions taken by the Government of Hungary to implement the 189 recommendations supported as well as those that were partially supported during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

To address the concerns expressed regarding trafficking, I encourage Hungary to continue to implement its national strategy to combat trafficking and strengthen its measures against this phenomenon with a particular attention to assisting children victims of trafficking and to share the results of this strategy in a mid-term report to the UPR. I would also welcome that further efforts are pursued to promote gender equality with a particular attention to eliminating the gender pay gap. I welcome the adoption of the national disability and social inclusion programmes and I encourage Hungary to effectively implement them and address the concern regarding guardianship of persons with disabilities.

I encourage Hungary to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate preparations for the fourth cycle of the UPR. My advice to all Member States is to develop and implement national action plans in close consultation and cooperation with all stakeholders, in particular the Commissioner for Fundamental Rights and all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities.

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H.E. Mr. Péter SZIJJÁRTÓ
Minister for Foreign Affairs
Hungary

I also encourage Hungary to establish a national mechanism for comprehensive reporting and follow-up to recommendations received from all international and regional human rights mechanisms and to treaty obligations, linking them to the Sustainable Development Goals. To this end, I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:

http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf

Please note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting States with the implementation of the recommendations, following the review. One important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I welcome the precedent in 2014 of Hungary of submitting a mid-term report in the first cycle and encourage the Government of Hungary to continue with this practice and to submit a mid-term report on follow-up to the third cycle of the review by 2024.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *“The Human Rights Council’s universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council’s recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals.”*

I look forward to discussing with you ways in which my Office may assist Hungary in relation to the areas identified in this letter and its annex.

Please accept, Excellency, the assurances of my highest consideration.



Michelle Bachelet
High Commissioner for Human Rights

cc: Ms. Camilla BRUCKNER
Director of the United Nations Office in Brussels
Representative of the United Nations System before the EU
Belgium

Ms. Birgit VAN HOUT
Regional Representative of the United Nations High Commissioner for Human Rights
OHCHR Regional Office for Europe
Belgium

Annex

Scope of international obligations and cooperation with international human rights mechanisms and bodies

- Continuing to assess the possibility of ratifying or acceding to the human rights treaties Hungary is not yet party to.
- Continuing the ongoing cooperation with the United Nations human rights mechanisms.

National human rights framework

- Improving both formal and informal dialogue and public consultation between the Government and civil society and fostering the sharing of information and good practices between civil society and the Commissioner for Fundamental Rights.
- Further strengthening the national human rights institution to implement its mandate independently and effectively.

Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination

- Continuing to tackle hate speech directed towards minorities as well as lesbian, gay, bisexual and transgender persons.
- Redoubling efforts to effectively combat racial discrimination and racial hate crime, by recording, properly investigating and prosecuting hate crimes, as well as ensuring access to justice for victims.

Development, the environment, and business and human rights

- Developing a national action plan in line with the Guiding Principles on Business and Human Rights.
- Ensuring the meaningful participation of women, children, persons with disabilities and local communities in the development and implementation of climate change and disaster risk reduction frameworks.

B. Civil and political rights

Right to life, liberty and security of person

- Making progress in the comprehensive reform of detention centres, through a human rights-based approach and in compliance with the recommendations of the Committee against Torture.

Administration of justice, including impunity, and the rule of law

- Implementing measures to guarantee and protect the full independence and impartiality of the judiciary, including by bringing the selection, appointment and dismissal procedures in line with international standards.



- Taking measures to ensure the independence of the judiciary, including by implementing the Venice Commission's recommendations to strengthen the national judicial council and the national judicial office and its president.

Fundamental freedoms and the right to participate in public and political life

- Creating an enabling environment for civil society organizations, by removing all legislation which affects their ability to operate effectively, including restrictive rules and oversight.
- Strengthening the efforts to protect and facilitate the rights of peaceful assembly and of association and the right to freedom of opinion and expression, including for civil society actors and scholars, to protect academic freedom, and to ensure the autonomy of universities.
- Taking concrete steps to guarantee the freedom of the media and their independent work, and promoting a pluralist, transparent and participatory media environment, both offline and online, including steps to ensure the independence of the media regulator.
- Ensuring holding consultation processes when drafting new laws or policies, to allow for a timely public debate and inclusive interaction with civil society and independent media, in accordance with target 16.7 of the Sustainable Development Goals.

Prohibition of all forms of slavery

- Continuing measures to combat trafficking in persons under the national anti-trafficking strategy and action plan.
- Ensuring an inclusive and multi-stakeholder approach when implementing measures to prevent and address anti-trafficking in persons.

Right to privacy and family life

- Redoubling efforts towards combating the stereotypical gender roles in family and society.

C. Economic, social and cultural rights

Right to work and to just and favourable conditions of work

- Continuing to implement the policies and legal framework to eliminate discrimination of women in the labour market and to reduce the gender pay gap.

Right to education

- Continuing efforts to improve the quality of education and increase access to quality, inclusive and general education.
- Pursuing efforts to promote the right to education and to ensure access to quality and inclusive education for all, including minorities, vulnerable and marginalized groups.

D. Rights of specific persons or groups

Women

- Fully implementing the national strategy for the promotion of gender equality and giving full effect to the constitutional guarantee of equality between women and men.
- Taking specific measures to combat stereotypes regarding the role of women in society and increasing the representation of women in political life and in upper management positions of public administration.
- Pursuing the development of a national action plan regarding Security Council resolution 1325 on women, peace and security that is currently in progress.
- Taking measures to ensure that cases of domestic and sexual violence against women are reported, recorded and thoroughly investigated, ensuring the protection of victims and that perpetrators are prosecuted and duly punished.

Children

- Developing a national action plan to prevent and address all forms of violence against children.
- Strengthening measures to eliminate discrimination against Roma children.

Persons with disabilities

- Enhancing the protection of vulnerable groups through the implementation of the social inclusion strategy and the national disability programme.

Minorities

- Continuing efforts to better integrate the Roma community into society.
- Strengthening efforts to provide access to non-discriminatory and inclusive education for Roma children and taking steps to improve their educational opportunities and end their segregation in schools.

Migrants, refugees and asylum seekers

- Redoubling efforts to combat all forms of discrimination against groups in vulnerable situations, such as refugees and migrants.
- Continuing to take concrete measures to ensure effective exercise of the right of asylum, prevent pushbacks and ensure the principle of non-refoulement, and adopting a strategy to combat violence linked to racial discrimination, hate crimes and hate speech.