

REPORTS TO TREATY BODIES

Committee on the Rights of the Child

Hungary's initial report (CRC/C/8/Add.34, September 1996; CRC/C/Q/HUN/1) was considered by the Committee at its May 1998 session. The report prepared by the government contains information on, *inter alia*: constitutional provisions related to the rights of the child and non-discrimination; the work of the Coordination Council for Children and Youth Affairs, established in 1994; the Child and Youth Council for Reconciliation of Interests, established in 1995; the definition of the child, autonomy and legal responsibility; family law, the best interests of the child; provisions in criminal law related to special protection for children; name, nationality and preservation of identity; the family environment and alternative care; children without families, adoption, illicit transfer and non-return; health and health services; children with disabilities; public education and the aims of education; the system of juvenile justice, deprivation of liberty; provisions in law related to sexual exploitation and sexual abuse; and the rights of children belonging to minority or indigenous groups.

The Committee's concluding observations and comments (CRC/C/15/Add.87) welcomed the establishment of the Coordination Council for Children and Youth Affairs, the Child and Youth Council for Reconciliation of Interests, Hungary's ratification of ILO Convention No. 138 regarding minimum age for access to work, and the Council of Europe's Framework Convention for the Protection of Minorities. The transition to a market economy was acknowledged as a hindrance to implementation of the Convention, in part because the transition has led to increased rates of unemployment, poverty and other social problems. The transition has had a serious impact on the welfare of the population, in particular on all vulnerable groups, including children.

The Committee remained concerned that, despite law reform initiatives, inconsistencies still exist between the provisions and principles of the Convention and domestic law, and there was an absence of a comprehensive and integrated national policy on the promotion and protection of children's rights. Concern was expressed over gaps in monitoring progress in all areas covered by the Convention — especially in terms of the impact of the economic transition — and the lack of disaggregated statistical data covering all children under the age of 18.

Additional concerns identified by the Committee included: questions related to the sustainability of the funding for health, education and social services for children; the absence of a regulating and monitoring mechanism to ensure appropriate distribution of resources to children by local authorities; the insufficiency of measures taken to disseminate information and educate all parts of society, adults and children alike, on the principles and provisions of the Convention; the fact that the Convention has not been made available in all the minority languages spoken in Hungary, including Roma; and the fact that insufficient training on the Convention has been provided to professional groups such as judges,

lawyers, law enforcement personnel, teachers, social workers, and civil servants. While cooperation between NGOs working with, and for, children and the authorities was welcomed, concern was expressed that the potential of the non-governmental sector in contributing to the development of children's rights policies and programmes is not fully realized.

The Committee noted the measures to improve the living standards of the Roma population but remained concerned about the persistence of discriminatory practices against them. The Committee also expressed concern over: the insufficient measures undertaken to promote children's right to participation within the family, at school, and in society in general; the restriction of the right of freedom of association, since there is no registry of associations managed by children; cases of ill treatment of children in the family and in institutions, as well as the lack of adequate measures for the psycho-social recovery of child victims of such abuses; cases of ill treatment by law enforcement personnel in or outside detention centres; provision in law granting the parent the option of placing a child up for adoption before birth; unequal access to health services and opportunities in the education system, especially in rural areas, among minority groups and families living in poverty; and, the insufficient awareness-raising campaign in health facilities on the benefits of breastfeeding.

Concern was expressed over: inadequacies in legal and other measures being taken to address the problems of child abuse, including sexual abuse within the family; the lack of research on the issue of sexual abuse within the family; the high rate of youth suicide; the insufficiency of measures taken to address adolescent health issues, such as reproductive health and the incidence of early pregnancies; the increase in drug abuse and alcohol consumption among children, and the insufficient preventive measures taken by the government; the insufficiency of legal and other measures to address the issue of sexual exploitation of children, including child prostitution and trafficking of children; the ill-treatment of children in detention centres, the fact that deprivation of liberty is not used as a measure of last resort; and the stigmatization of the most vulnerable categories of children, including those belonging to the Roma minority.

The Committee recommended that the government, *inter alia*:

- ♦ take all appropriate measures to facilitate the process of full harmonization of domestic legislation with the principles and provisions of the Convention in the form of a children's code;
- ♦ strengthen and expand the scope of existing mechanisms for coordinating and monitoring children's rights in order to reach local governments; establish structures dealing with children's issues in the various local governments; and define the relationship between the Coordination Council for Children and Youth Affairs and the various relevant structures in local governments;