

For participants only

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COMMITTEE ON THE RIGHTS OF THE CHILD
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IMPLEMENTATION OF THE CONVENTION OF THE RIGHTS OF THE CHILD

List of issues to be taken up in connection with
the consideration of the initial report of
the Republic of Hungary
(CRC/C/8/Add.34)

General measures of implementation
(Arts. 4, 42 and 44)

1. In light of article 4 of the Convention on the Rights of the Child, please provide an update on the status of reviewing domestic legislation related to children's rights and of the Bill on the status and implementation of the rights of the child.
2. In relation to paragraph 9 of the report, please provide further information as to what legislation the Sub-Committee on Youth of the Parliament's Education, Science, Youth and Sports Committee has prepared and the status of this legislation.
3. Please indicate if indicators have been developed and disaggregated data collected concerning the status of all children, including girl children, children belonging to minority groups, children with disabilities, children born out of wedlock and refugee children. What difficulties were encountered in the collection and use of this data and indicators for the design of policies and programmes for the effective implementation of the Convention?
4. Please provide information on existing or foreseen mechanisms to coordinate the activities between the various institutions involved in children's issues and to monitor the implementation of the Convention at central and local self government levels. What consideration has been given by the State Party to the establishment of an independent and specific monitoring body for children's rights?
5. In relation to paragraphs 9, 11 and 14 of the report, please provide further information relating to the Child and Youth Council for Reconciliation of Interests established in 1995, in particular its mandate, composition, budget, institutional framework and recent achievements.
6. In relation to paragraphs 105 and 106 of the report, please indicate what measures have been taken, or are planned to systematically disseminate the Convention through, inter-alia, translating it into minority languages and training professional groups such as: judges, lawyers, law enforcement

officials, army officials, civil servants, personnel working in institutions and other places of detention for children, health personnel, psychologists and social workers, about the Convention. In addition, please further indicate what measures have been taken to raise the awareness of Government officials, legislators, non-governmental organizations, religious leaders, the mass media and the public at large including children themselves.

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7. Please provide information on the implementation of article 4 of the Convention in regard to the allocation ~~At~~ to the maximum extent of ... available resources@ for the economic, social and cultural rights of the child. Please also indicate whether the State party provides a separate budget allocation for children at the national level and whether a specific allocation is indicated for children in the funding that the authorities grant to the local self governments.

8. Please indicate how the present institutional arrangements relate to non-governmental organizations (NGOs) in the country. Further, please provide information on the activities of NGOs working on children's rights. What was the process of preparing the initial report and the involvement of the NGOs?

Definition of the child
(Art. 1 of the Convention)

9. Please provide information on the minimum ages stipulated in domestic law for legal and medical counseling without parental consent; marriage and sexual consent.

General principles
(Arts. 2, 3, 6 and 12 of the Convention)

10. In relation to paragraphs 23-25 of the report, please indicate to what extent the provisions of article 2 of the Convention are incorporated in national legislation and in the Constitution with regard to all possible grounds for discrimination, especially in relation to language, national, ethnic or social origin, property, disability and birth status. Please also provide additional information on the measures foreseen or undertaken by the authorities to prevent and combat discrimination against children, particularly the girl child, children with disabilities, children affected by or infected with HIV/AIDS, children belonging to minority groups, particularly the Roma.

11. Please indicate how the principles of the "best interests of the child" and the "respect for the views of the child" (arts. 3 and 12 of the Convention) are reflected in all national legislation, policies and programmes relating to children and also in actions taken by social welfare institutions, courts and administrative authorities. Please provide some examples on how these principles have been implemented by courts and/or administrative bodies. Please further indicate ways in which the principle of respect for the views of the child is reflected in practice in all matters affecting the child, including within the family, at school and in other institutions. What

concrete measures have been taken for the sensitization of public opinion to encourage children to exercise their participatory rights?

12. Please explain the impact that the socio-political and economic transition has had on the realization of children's rights, particularly on the most vulnerable ones such as children belonging to the Roma minority, under the Convention, including the children's right to life, survival and development.

Civil rights and freedoms
(Arts. 7-8, 13-14 and 37 a)

13. Please provide information as to how the rights to freedom of expression, freedom of thought, conscience and religion and freedom of association and of peaceful assembly are exercised by children in practice. Please furthermore indicate how the right to privacy is guaranteed by the State party, especially in the school and associative environments. In this regard, please indicate existing or foreseen complaint mechanisms.

14. Please indicate how birth registration is ensured for children belonging to the Roma minority.

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15. Please provide information on the occurrence of ill-treatment or abuse of children. Have specific programmes for the prevention of ill-treatment or abuse of children, including sexual abuse, and for the treatment, psychological recovery and social reintegration of abused children been developed at the central and local self government levels? What resources have been allocated for such purposes? Is corporal punishment within and outside the family prohibited by law?

Family environment and alternative care
(Arts. 5, 18 paras. 1 and 2, 9-11, 27 para. 4,
20-21, 19 and 39 and 25 of the Convention)

16. In relation to paragraphs 47-49 of the report, please indicate to what extent parental education is available in the performance of child-rearing responsibilities. Are there any family counselling services?

17. Please provide information on the legal status of children born out of wedlock.

18. In relation to paragraph 55 of the report, please indicate the present policy regarding placement of children in institutional care, foster homes or similar arrangements. What laws or regulations govern these institutions? What human and financial resources are provided to the institutions? Are children provided with enough leisure time or recreational opportunities in these institutions? In light of article 25 of the Convention, please specify if periodic review of placement is guaranteed by law (para. 60). Further, please indicate existing or foreseen mechanisms to monitor institutions of alternative care.

19. Please provide information on the measures taken or foreseen to prevent and combat domestic violence against children and mothers. Has any study or

survey been undertaken on this matter?

20. Please indicate the provisions of the domestic legislation and what is prevailing in practice with regard to national and international adoption. Is the national legislation compatible with the requirements of the Convention, especially article 21? Please also indicate if the State party is envisaging becoming a State party to the Hague Convention of 1993 on Protection of Children and Cooperation with Respect to Intercountry Adoption.

Basic health and welfare
(Arts. 6, para 2, 23, 24, 26
and 18 para. 3 and 27 paras. 1-3)

21. In relation to paragraph 61 of the report, please indicate if any surveys have been conducted regarding the number of children with disabilities and their particular problems. Please give additional information on the measures taken to provide easy access to basic services, including health and education, to children with disabilities living in rural areas. Please also provide further information on policies and programmes for children with mental health problems.

22. Please indicate measures undertaken to improve access of basic services, such as health, education and other social services, by children belonging to the Roma minority.

23. Please provide information on the situation of children affected by or infected with HIV/AIDS and the measures taken to provide assistance to them. Please also indicate measures taken by the State Party to prevent this pandemic among the youth.

24. Please indicate measures undertaken or foreseen to address adolescent health issues, such as early pregnancies, suicide and substance abuse, including drug and alcohol consumption. Please also indicate if sexual education is included in the school curricula.

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Education, leisure and cultural activities
(Arts. 28, 29 and 31)

25. In relation to paragraph 67 of the report, please explain whether, in the current process of review of the school curriculum the State Party has taken measures to include human rights education, especially the rights of the child, in the light of article 29 of the Convention. Please also specify if school teachers and managers have been provided education and training on human rights and in particular on the Convention.

26. Please provide information on the drop-out rates and repetition of classes if possible by gender, the measures undertaken to reduce the scope of these problems and the availability of alternative education programmes as well as programmes for vocational training.

27. Please provide information on how the principle of free and compulsory education is applied in practice. Please also provide further information on access and opportunities that exist in the education system, particularly for children with disabilities, poor children in rural areas, children belonging

to minority groups and girl children. Please further indicate whether children may be taught in minority languages.

Special protection measures

(Arts. 22, 30, 32-40)

28. Please provide information on the domestic legislation relating to refugees, the eligibility criteria and procedures. Please also indicate the current number of asylum seeking and refugee children living under the jurisdiction of the State Party. Please also indicate how the State Party is ensuring, through legal and other measures, that the basic rights of these children, such as access to health, education and social services, is guaranteed.

29. Please provide further information relating to articles 37, 40 and 39 of the Convention in particular on:

- a) the use of arrest, detention or imprisonment of a child as a measure of last resort and for the shortest period of time;
- b) the possibility to have prompt access to legal and other appropriate assistance, as well as for challenging the legality of the deprivation of liberty before a court or other competent, independent and impartial authority, and of having a prompt decision thereon;
- c) the right of the child alleged as, accused of or recognized as having infringed the penal law to be treated in a manner consistent with the child's sense of dignity and worth, which reinforces the child's respect for human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society;
- d) alternative measures to institutional care made available to deal with such children in a manner appropriate to their well-being; and
- e) the establishment of laws and procedures specifically applicable to children alleged as, accused of or recognized as having infringed the penal law, in the light of article 40(3) of the Convention.

30. In relation to paragraphs 74 and 75 of the report, please provide additional information on the situation of children in detention, in particular on the following issues:

- the types of institutions that exist for the custody of young law offenders and what specific rules there are for their treatment;
- the opportunities for contact with families;
- the separation of child detainees from adults;
- the way in which the conditions in such institutions are monitored;
- the guarantee to periodic review of placement;
- the complaint procedures in cases of ill-treatment;
- the education, health and other facilities in these institutions.

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31. Please indicate the measures undertaken by the State Party to fully protect all the rights of the child victim in judicial hearings.

32. In relation to paragraphs 90 to 93 of the report, please explain how the authorities ensure that the legislation relating to the minimum age of employment is being applied in practice. Please also indicate whether the State Party is considering ratifying the ILO Convention NO 138 concerning the

minimum age for work.

33. In relation to paragraph 103 of the report, please indicate if there exist any cases of trafficking and/or sale of children. If so, please provide details on the prosecution of the perpetrators of those crimes.

34. Please provide information on the measures taken to prevent sexual exploitation of children, including prostitution and pornography. Please indicate whether the State Party is taking into account the recommendations formulated in the Agenda for Action adopted at the Stockholm World Congress against Commercial Sexual Exploitation of Children.

35. Please indicate the measures undertaken or foreseen by the State Party to fully implement article 39 of the Convention.

36. Please provide further statistics and information on children belonging to minority groups. What affirmative action has been taken or is foreseen by the State Party to ensure that these children are not discriminated against in the enjoyment of their rights?