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COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS
Pre-sessional working group
Geneva, 22-26 May 2006

**IMPLEMENTATION OF THE INTERNATIONAL COVENANT
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**List of issues to be taken up in connection with consideration of
the third report of HUNGARY concerning the rights covered by
articles 1 to 15 of the International Covenant on Economic,
Social and Cultural Rights (E/1994/104/Add.32)**

I. General framework within which the Covenant is implemented

1. Please provide further clarification as to why the provisions of the Covenant are not directly applied by the Hungarian courts (see paras.6-8 of the report), even though only few economic, social and cultural rights are protected as enforceable rights in the Constitution (see paras.18 of the report).
2. Please provide information on measures taken by the Parliament in response to recommendations of the separate ombudsmen for human rights, data protection, and minority affairs relating to economic, social and cultural rights. Please indicate whether the State party has a national human rights action plan, in accordance with the Vienna Declaration and Programme of Action of 1993.

II. Issues relating to the general provisions of the Covenant (articles 1 – 5)

Article 2 (2) – Non-discrimination

3. Please provide information on new regulations and measures, including positive temporary measures, taken by the State Party following the adoption of the Act on Equal Treatment and the Promotion of Equal Opportunities in 2003 (see para.55 of the report), disaggregated by minority group, gender and geographical region.

4. Please comment on reports that the Equal Treatment Authority established under the Act on Equal Treatment and the Promotion of Equal Opportunities, that began operating in 2005, is seriously under-funded. Please clarify to what extent the Equal Treatment Authority is independent and provide information on its mandate and composition.
5. Please provide updated information on the results of the National Equal Opportunity Programme (see para.14 of the report), especially for the Roma population.
6. Please indicate whether there is a comprehensive strategy for the integration of asylum-seekers and refugees in the State party, and provide information on the impact of the programmes implemented for that purpose.

Article 3 – Equal rights of men and women

7. Please provide information on measures taken to encourage the participation of more women in Parliament and in ministerial and other senior positions in the public sector, where they are seriously under-represented.

III. Issues relating to specific provisions of the Covenant (articles 6 – 15)

Article 6 – The right to work

8. Please indicate why the labour force participation rate is only 57 percent in the State party and provide information on measures taken to improve the situation. In particular, please provide information on the measures taken to regularize the situation of workers in the informal sector.
9. Recent employment figures indicate that 74 percent of Roma men and 83 percent of Roma women are unemployed and that the unemployment rate is ten times higher for Roma than for the rest of the population of the State party. Please provide information on the measures taken to improve employment opportunities for the Roma population, including vocational training.
10. Please provide information on specific measures taken to increase employment opportunities for persons with disabilities, of whom approximately 90 percent are not employed, as well as disaggregated statistical data in order to allow for an evaluation of the impact of the measures taken.

Article 7 – The right to just and favourable conditions of work

11. Please provide comparative data on the ratio between the minimum wage and the average wage and indicate whether the minimum wage ensures an adequate standard of living for all workers and their families. Please indicate the number of workers who receive less than the statutory minimum wage (see para.128 of the report).

12. Please provide comparative data on the gender gap in relation to equal pay for work of equal value and on measures taken to overcome the 13 to 14 percent wage gap (see para.135 of the report).
13. Please provide information on measures taken by the State party to overcome gender-based horizontal and vertical discrimination in the labour market.

Article 8 – Trade union rights

14. Please comment on the restrictions on the right to strike, such as the requirement that a strike can only be called by a trade union that is party to the agreement concluded between the Government and the trade unions concerned, or that civil service trade unions may only call strikes with the approval of a majority of the staff concerned, or that officials with “a fundamental function” are not allowed to strike.
15. Please indicate whether there are any conciliation or arbitration procedures to settle collective disputes in the public service.

Article 9 – Social Security

16. Please indicate the categories of workers (i.e. employees and self-employed, domestic, part-time and other specific groups of workers), covered by social security and the benefits, including family benefits, guaranteed to each category of workers, so as to enable a comparison of persons covered and benefits granted.
17. Please provide disaggregated data on the target groups (individuals and families) who receive social assistance (see para.188 of the report), the total monthly amounts received, and indicate whether non-nationals are also entitled to social assistance.

Article 10 – Protection of the family, mothers and children

18. Please provide information on the legal framework to combat domestic violence, including spousal rape, and on measures taken to prevent acts of domestic violence, such as awareness-raising campaigns and restraining orders for abusive partners. Please also provide information on assistance provided to victims of domestic violence, including special shelters for battered women and children.
19. Please provide updated statistical data on the number of women and children who are trafficked to, from and in transit through the territory of the State party. Please also indicate whether there is a coordinated national approach to counter-trafficking programmes.

Article 11 – The right to an adequate standard of living

20. Please indicate if the State Party has adopted an official poverty line and a national action plan to reduce poverty that will enable a systematic evaluation of the

coherence and the consistency of anti-poverty measures in place (see paras.362 to 372 of the report).

21. Please comment on reports that the Roma are often living in sub-standard housing, that they are systematically prevented from moving to certain neighbourhoods, that they are frequently discriminated in access to social housing, and that they are disproportionately subject to forced evictions. Please provide information on measures taken to address these problems, including through a comprehensive national policy for social housing.

Article 12 – The right to the highest attainable standard of physical and mental health

22. Please provide information on the results of the reform of the health system, especially on equal access to health care and medical services provided free of charge for disadvantaged and marginalized individuals and groups, including the Roma.
23. Please provide information on the impact of the measures taken to increase the life expectancy rate in the State party, which is one of the lowest among the OECD Member States, e.g. by raising awareness about bad dietary habits, lack of exercise and the negative effects of alcohol and tobacco consumption.
24. Please provide information on measures taken to combat abuse and neglect of patients in mental health care facilities and in government-funded homes for older persons.
25. Please provide information on measures taken to improve the sexual and reproductive health of women.

Articles 13 and 14 – The right to education

26. Please indicate the impact of the measures taken to reduce the school drop out rate, especially as regards Roma children and children belonging to other minorities, and provide comparative data, disaggregated by age, sex and ethnic group.
27. Please comment on reports that Roma children are segregated at school, e.g. by being placed in special remedial classes or in special schools for mentally disabled children, and that schools predominantly attended by Roma children are more crowded and more poorly equipped than those attended by non-Roma children.

Article 15 – The right to take part in cultural life

28. Please provide information on the role of national minority self-governments (MSGs) in providing wide cultural autonomy for minorities, and on whether MSGs are equipped with the necessary legal authority and financial resources to ensure that national minorities may exercise the right to enjoy their own culture.