



**Economic and Social
Council**

Distr.
GENERAL

E/C.12/2007/SR.7
10 May 2007

Original: ENGLISH

COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Thirty-eighth session

SUMMARY RECORD OF THE 7th MEETING

Held at the Palais Wilson, Geneva,
on Thursday, 3 May 2007, at 10 a.m.

Chairperson: Mr. TEXIER

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS:

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (continued)

Third periodic report of Hungary (continued) (E/C.12/HUN/3; E/C.12/HUN/Q/3 and Add.1; HRI/CORE/1/Add.11)

1. The CHAIRPERSON invited the delegation of Hungary to continue its replies to the questions raised at the previous meeting.
2. Ms. KARDOSNE (Hungary), replying to a question on the status and mandate of the ombudsman in Hungary, said that he was elected by Parliament, was independent and answered only to the Constitution. The ombudsman was responsible for investigating any cases involving irregularities in relation to constitutional human rights and could monitor officials' practices and request information from them. The ombudsman then submitted recommendations to Parliament, to which he reported every six months. It was to the Parliamentary Commission for Human Rights to follow up on those recommendations. She pointed out that there was also a specialized ombudsman responsible for the rights of minorities. Moreover, Hungarian law complied with the Principles relating to the Status of National Institutions (The Paris Principles) in that regard.
3. In response to a question on the status of the International Covenant on Economic, Social and Cultural Rights, she said the Covenant was indeed directly applicable under Hungary's national law and was an integral part of its legal system; judges could refer directly to the Covenant, although, for practical reasons, they tended to refer to domestic provisions.
4. Replying to a question on Hungarian judges, she said that they were fully independent; the number of judges was not fixed, but depended on the National Council of Justice and on the budgets of the courts. Only one Government official - from the Ministry of Justice - was a member of that Council.
5. She pointed out that Hungary's domestic laws - such as that on minorities and that on higher education - referred to international conventions, including not only United Nations conventions but also key conventions of the International Labour Organization (ILO), as well as to the European Social Charter and European Union directives.
6. Hungary had ratified six of the seven core international human rights treaties, and participated in all meetings related to minority rights, including European-level meetings on regional and minority languages. Also, the Hungarian Government was preparing to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, had signed the two optional protocols to the Convention on the Rights of the Child and would spare no effort in ratifying all relevant international instruments.
7. On the subject of ensuring social and economic coherence among different regions, Hungary's new development plan provided for compatible training, employment and infrastructure. The Government had allocated substantial funds for the development of about 30 disadvantaged regions - enough to cover the development of 600 small towns. It was

continuing to address the effects of the collapse of industry and infrastructure in the 1980s. Hungary was trying to increase expenditure for the development of disadvantaged regions, and also benefited from European resources to tackle that problem.

8. Mr. LAKATOS (Hungary) said that the Hungarian Government had just finalized a presidential decree to establish an inter-ministerial national human rights committee, which was expected to be operational by September 2007. That committee would monitor the implementation of recommendations by human rights treaty bodies and coordinate the preparation of periodic reports to those bodies. It would also be responsible for maintaining ongoing discussions on topical human rights issues and on reports and concluding observations with civil society, non-governmental organizations and academic circles.

9. Mr. FORGÁCS (Hungary) said he wished to clarify that his Government had no plans to abolish or assimilate minority cultures. Quite the contrary: it viewed minority cultures as an integral part of Hungarian and European culture. As a member of the European Union, Hungary attached importance to disseminating its culture - including its minority cultures - within the European Union.

10. Ms. HEGYINÉ (Hungary), replying to a question on positive discrimination, said that special funds were allocated, for example, for public education institutions having special education programmes for disadvantaged children. Scholarships were in place to foster equal opportunities for disadvantaged groups. The Government also fostered their learning in higher education institutions and tried to enhance their opportunities under special and vocational training programmes. Applicants to higher education institutions who were considered to be at a disadvantage - for example, mothers with young children or persons with disabilities - could enter those institutions through a preparatory programme in which they received mentoring and tutoring to help them with their studies and examinations.

11. Also, the Hungarian Public Education Act had recently been amended to give more disadvantaged children from poor families the opportunity to benefit from positive discrimination measures.

12. Mr. RIEDEL requested further clarification on the legal status of the Covenant in Hungary, as it was crucial to know whether the Government regarded the provisions of the Covenant merely as declarations of intent or considered them as legally binding obligations, as it should. The obligation to respect and protect economic, social and cultural rights under the Covenant was not wholly dependent on States parties' financial resources. Addressing the issues of non-discrimination and equality was not a matter of cost but of attitude. It was true that States parties had broad leeway in interpreting article 2 (1) of the Covenant, but they still had the legal obligation to progressively realize the relevant rights, as the Committee's general comment No. 3 stressed. If resource constraints impeded the fulfilment of that obligation, the burden of proof lay on the State party to explain that.

13. It was not enough for the Government of Hungary simply to state that the judiciary was independent. If judges continued merely to adopt an abstract approach to the Covenant without giving due attention to Hungary's legal obligations, then the Government would need to consider amending its Constitution, which was something quite a few other countries had done. Otherwise, it would be in breach of international law.

14. Ms. BARAHONA RIERA stressed that it was important for an ombudsman, whether in Hungary or elsewhere, to be able to take action on cases of violations of economic, social and cultural rights, even when the point was not specifically addressed in the country's Constitution.

15. She wished to know which institution was responsible for focusing and raising awareness on the issue of equal rights for women in Hungary, and whether Hungary had a specific law to deal with those rights and guide the actions of the State. The Government acknowledged a gap in the earnings of men and women for equal work, the segregation of women to given occupations, and the fact that women did not occupy enough high-level posts, even if they had the same professional qualifications as men. That was a serious issue that needed to be addressed. It was also of concern that Hungary did not have a law on sexual harassment, which was a serious problem in the workplace.

16. Ms. BONOAN-DANDAN requested further clarification on the Equal Treatment Authority. It was stated in Hungary's replies to the list of issues (E/C.12/HUN/Q/3/Add.1) that the staff of that Authority had been reduced from 17 to 15; she wondered whether that was sufficient to handle the workload. She would also welcome information on the number of substantive decisions taken by the Authority in cases of discrimination in relation to economic, social and cultural rights, what sanctions could be imposed and whether they were sufficient to act as a deterrent against violation of the right to equal treatment, especially when the violator was a large company, or a State agency or official.

17. While Hungary had ratified the European Social Charter in its original 1961 version, it appeared that it had not yet ratified the revised European Social Charter of 1996, or the Additional Protocol thereto Providing for a System of Collective Complaints.

18. Mr. SADI said he wondered why it was that, in spite of the State party's efforts and the measures in place to combat discrimination and segregation involving minorities, minorities still felt discriminated against. Indeed, a high percentage of minority group members ended up in segregated schools, lacked access to running water and lived in slum areas.

19. Ms. KARDOSNE (Hungary) said she wished to clarify that the Covenant was not considered by Hungary as a mere declaration; her Government was endeavouring to implement the Covenant's provisions, which might require amending the laws and perhaps the Constitution. As yet, there was no political consensus on that issue, but discussions to resolve it were under way.

20. Mr. TALLÓDI (Hungary) said that the Covenant had been an integral part of the Hungarian legal system since its promulgation through Decree No. 9 of 1976. Article 7 of the Constitution stated that Hungary's legal system accepted the generally recognized principles of international law. In case of a discrepancy between Hungarian domestic law and obligations under international law, national law must be brought into line with international law.

21. There had been cases in which judges had referred directly to the Covenant in proceedings of the Supreme Court, but it was true that they were few in number. Also, he clarified that the ombudsman did not follow court proceedings, but had the right to appear in court in special cases, and to institute legal proceedings if he deemed particular actions to be unlawful; the ombudsman could also initiate Constitutional Court proceedings.

22. Ms. RAUH said that the Equal Treatment Authority had the power to fine, make cases public and even refer them to court. Thirteen of the substantial number of complaints of discrimination received in 2006 - relating among other things to gender, ethnicity, disability, motherhood, age and harassment - had been found to be of merit, 11 of them involving persons of Roma origin. The role of the Council for Social Equality included monitoring Government decisions with respect to gender equity and enforcing or negotiating a consensus on gender equality. Provisions on equal opportunity were also embodied in the Labour Code and Education Acts.
23. On the question of national minorities, it should be emphasized that the problems of segregated education, bad housing and poor quality of life mainly concerned the Roma population, as distinct from the other 13 indigenous minorities in Hungary. The socio-economic disadvantage of the Roma was a long-standing problem that all Governments since 1995 had made strenuous efforts to overcome.
24. Ms. BONOAN-DANDAN wished to know, further to paragraph 4 of the Committee's list of issues relating to Hungary's third periodic report, whether the Equal Treatment Authority did or did not have the power to make decisions relating to the Covenant.
25. Mr. RIEDEL, noting that some 40 per cent of the labour force did not participate in the labour market, asked how far the innovative START, START-Plus and START-Extra programmes had been successful in practice.
26. The reported unemployment figures for the Roma population were 10 times higher than for the rest of the population. How successful were the various special programmes aimed at addressing the problem? If figures were not available, he would welcome the formulation of benchmarks to enable progress to be measured in Hungary's next report.
27. He asked what Hungary was doing to improve opportunities for persons with disabilities. Ninety per cent of disabled persons were said to be unemployed. Rather than a list of possible programmes for their benefit, the Committee was interested in programmes that had in reality been provided.
28. It had been said in response to the Committee's list of issues that the minimum wage was not sufficient to cover the subsistence costs of a single household. How had the situation changed as a result of the reported revisions of the Labour Code? The Committee was not concerned with details of legislative measures but with their effects on the groups affected.
29. Ms. WILSON asked the delegation to confirm that the root cause of Roma unemployment identified in the third periodic report was lack of education. Reference was also made in the report to regional differences in the domain of employment. What were the means being used to increase employment in the north of Hungary, and what were the results for those marginalized groups likely to be most affected? Concerning the right to favourable conditions of work, what was being done to reduce the large number of accidents at work by informing workers of their rights and employers of their duties in that regard?

30. Mr. RZEPLENSKI noted the absence in the periodic report of any reference to the problem of the creation of trade unions. Had there been any relevant legal case in Hungary, and was there any labour inspectorate responsible for monitoring the situation? Companies, particularly foreign corporations, were exerting increasing pressure on employees not to set up or join trade unions. He also wished to know whether anyone in Hungary's public administration was responsible for monitoring the situation of seasonal workers - including rates of pay and conditions of work - coming from countries such as Ukraine, or the situation of Hungarians working on a seasonal or long-term basis in countries of the European Union. To what extent was the Hungarian Government willing to protect workers against the irregularities to which they were frequently subject in that type of employment?

31. Mr. ABDEL-MONEIM expressed concern about the reported social security coverage in the State party. He would like to be given data on total State expenditure on social security and social insurance over the past 10 or 15 years. He also requested details on the coverage of social security expenditure by population segments.

32. Ms. BRAS GOMES asked for clarification as to whether Hungary had a national action plan on equal opportunity and if so, whether it was being implemented in practice. In relation to the right to work, she wondered whether enough had been done to promote the Roma population and raise the profile of Roma role models and trainers. Legislation by itself was often not sufficient to overcome negative stereotypes. There were circumstances where positive discrimination was necessary to place a group on a par with the rest of the population.

33. She noted with interest that workers in the informal sector received labour certification and that labour certificate holders moreover paid tax and social security contributions. She wondered what they received in return in terms of social security coverage.

34. The Committee had requested overall statistics on public social security in terms of the different categories of people covered. Although the report stated that the system did not differentiate between groups of workers, it went on to provide information on some but not other categories. It did not enable the Committee to understand the type of benefits provided - for example - to employees, the self-employed or domestic workers, whether the right to social security was being effectively exercised or whether the amounts of benefits were sufficient to ensure an adequate standard of living. How could the Committee assess that social assistance was granted on an equal basis? Given that such assistance was reportedly provided in part at the local level, how could the Committee be sure that the State was fulfilling its obligations under the Covenant? The Committee would need to be assured of the existence of criteria that guaranteed minimum standards.

35. With particular reference to pensions, she asked how the public system was to be funded following its near-privatization so as to ensure that existing contributors to the public system received a level of pension consistent with a minimum standard of living. In that connection, she wished to know more about the functioning of the voluntary mutual health-care funds described in the report as the second pillar of the pension system.

36. Ms. KARDOSNE (Hungary) noted that the Roma problem went back to the 1980s and could only be resolved in the longer term, probably over several decades.

37. Ms. SOMODI (Hungary), responding to questions on the employment situation in Hungary, said there existed - alongside the START programmes - a number of grant or subsidy systems designed to improve the prospects of disadvantaged groups entering the labour market: a direct wage grant that paid a part of the employer's employment costs; a training grant; grants to preserve jobs; and the provision of significant funds for community work. The State allocated 50 billion forint annually for employment promotion purposes.

38. A number of factors contributed to the relatively high level of inactivity in the workforce. Young people tended to remain longer in the education system, with the positive result that they often obtained a number of diplomas but the disadvantage that they found it more difficult later to find a job. The State was providing assistance to school-leavers and graduates to help find employment. The START card was a good and popular tool in that respect, but it was still too early to assess the results.

39. High unemployment rates among the Roma were linked to many factors, including very low levels of schooling, lack of professional qualifications and remoteness from places of employment. The Roma community was accordingly accorded preference when it came to training, wage grants and community work.

40. Concerning the disabled, it was difficult to make comparisons between States since different countries had different systems. It was true that 90 per cent of disabled people in Hungary were not employed. However, the disabled - known in Hungary as "people with changed working capacities" - included those who were not so classified in other countries. It was misleading, then, to speak of a 10 per cent employment rate among the disabled in Hungary, State expenditure on job promotion for the disabled amounting to 50 billion forint annually.

41. Ms. KARDOSNE (Hungary) said that the Government's general policy on persons with disabilities was that they should be given special attention to enable them to enjoy the same standard of living and opportunities as other citizens.

42. Mr. HORVÁTH (Hungary) said that the Ministry of Health defined the term "persons with disabilities" as referring primarily to persons with physical disabilities, such as deafness, blindness and autism, and persons with severe or multiple disabilities. The main challenges for improving the situation of persons with disabilities were to integrate children and young people with disabilities into mainstream education, including vocational training and higher learning; to promote attitudinal change towards persons with disabilities; and to make workplaces more accessible to workers with disabilities. A change was also needed in the social services system, which granted lifelong pensions to disabled persons, thereby providing them with a disincentive to seeking employment. The current classification system used to assess disability should be restructured to focus less on missing capacities and more on those that could be rehabilitated. In the past several months, the Ministry of Health had doubled the number of rehabilitation experts tackling problems relating to persons with disabilities. Moreover, the Government had set up a national disability programme and a national action plan on social protection and social cohesion. It should also be noted that employers were required to draw up equal opportunity plans in order to demonstrate the extent to which they offered equal opportunities to persons from disadvantaged groups. With regard to grant schemes funded by the European Union, special attention was paid to ensure that equal opportunity measures were applied in all grant schemes.

43. Ms. RÁCZ (Hungary) said that the philosophy underlying the Labour Code was that employees should be guaranteed a level of remuneration sufficient to provide a minimum basic level of subsistence. A minimum wage was set annually by the Government, taking into account such factors as workers' needs, national wage levels, the cost of living and the amounts of social security contributions. A three-year minimum wage agreement for the period 2006-2008 took into account workers' qualifications and established higher minimum wages for persons with higher levels of education.

44. Under the Labour Code, employers were required to guarantee safe working conditions for workers. That rule was enforced by the National Chief Inspectorate for Labour and Occupational Safety, which carried out inspections to ensure that safety regulations were being met and sanctioned employers who failed to comply with them. The right to organize trade unions was guaranteed by the Constitution. Rules for establishing trade unions applied to all enterprises, regardless of size. Employers could not compel job applicants to reveal trade union membership, nor could they terminate an employee on the basis of such membership. Employees who considered that their rights in that regard had been violated could seek legal remedy through the courts. There had been only a few such cases in Hungary.

45. The Hungarian Labour Code applied to seasonal workers in Hungary; its enforcement was monitored by the National Chief Inspectorate for Labour and Occupational Safety. Even when the parties agreed to recognize the jurisdiction of the courts of a foreign country, the Labour Code provided certain minimum guarantees, such as paid annual leave and a minimum wage. The Hungarian Labour Code applied to Hungarian nationals working abroad on a temporary basis; those working abroad on a long-term basis came within the purview of the domestic law of the country in which they were employed.

46. Ms. KARDOSNE (Hungary) said that multinational corporations in Hungary were bound not only by Hungarian law and the Covenant but also by various other norms, such as the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, the Organization for Economic Co-operation and Development (OECD) Declaration and Decisions on International Investment and Multinational Enterprises and the United Nations Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with regard to Human Rights.

47. Ms. LUKÁCS (Hungary) said that statistics on social security for the period from 1992 to 2004 were provided in annex 1 to Hungary's third periodic report; social security statistics for 2005 would be transmitted to the Committee in due course. Overall, it could be argued that the levels of social security expenditure for the past 15 years had followed the trend of Hungary's general economic development. As could be seen from annex 1, pensions were not funded exclusively from the social security pension fund; rather, a cross-financing system was used to fund pensions from a variety of sources. In the early 1990s, coinciding with Hungary's political transition, a basic shift in social security coverage had taken place, with an increased emphasis on normative funds. Although the official number of Health Insurance Fund beneficiaries was 4 million, in practice, the entire population received benefits from the Fund. Employers and self-employed persons were not exempt from paying social security contributions. The compulsory social security system provided a pension to persons who had reached retirement age; those who were not entitled to such pensions because they had not contributed for a sufficient number of years were entitled to an old-age annuity equivalent to a

percentage of the minimum pension. The public pension system had not been entirely privatized; it was a mixed system in which only a quarter was privately managed. It should be noted, however, that private pension funds had to comply with rules concerning portfolio management and with reporting obligations towards the National Inspectorate for Financial Services.

48. Mr. RZEPLINSKI requested more detailed information on foreign workers in Hungary, most of whom were active in the formal economy. He asked how many there were and how many had been forced to leave Hungary owing to infringements of Hungarian immigration laws. He would appreciate comparative statistics on employment accidents pertaining to foreign and domestic workers. It was important to maintain such statistics, particularly in the case of fatal accidents. He enquired how many Hungarian workers who were employed abroad were seasonal workers and how many were permanently employed. He also asked the delegation to provide information on foreign women working as domestic employees in Hungary. He wished to know to what extent such women were protected against exploitation and sexual abuse, and whether any cases of such abuse had been reported to the Hungarian authorities.

49. Ms. BRAS GOMES asked whether Hungary's pension system was financially viable and whether it was expected to remain so in the coming years. She requested clarification concerning the reported universality of coverage of the health-care system, which seemed inconsistent with the need for mutual health-care funds. Referring to the tables in paragraph 254 of the report, she asked why such a large percentage of unemployed persons were recipients of income subsidies instead of unemployment benefits.

50. Ms. BARAHONA RIERA asked whether Hungary had formulated draft legislation on equal opportunities for men and women; if not, she suggested that the Government should consider doing so. She wished to know what actions were taken by the Council on Equality between Women and Men to promote equal remuneration for women. She asked whether draft legislation concerning sexual harassment had been formulated in order specifically to define sexual harassment and prescribe appropriate punishment for that offence. Efforts should be made to address the shortage of childcare facilities for children under the age of 3, which hampered women's efforts to gain equal access to the labour market.

51. Ms. RÁCZ (Hungary), responding to questions concerning employment accidents said that, statistics from the National Chief Inspectorate for Labour and Occupational Safety would be sent to the Committee in due course.

52. Ms. LUKÁCS (Hungary) said that the public pension fund was operating under a considerable deficit of approximately 3 per cent of gross domestic product (GDP). That situation was attributable to the fact that the State provided a guarantee to cover all unpaid contributions to the public pension fund, as well as amounts paid into private pension funds. As a result, a serious debate was currently under way on the subject of pension system reform. Hungary's public pension system faced the same challenges as that of other European countries in terms of demographic trends, particularly the ageing of its population. Many measures had been taken in the past few years to reduce the deficit, but further steps would be needed to address the situation effectively.

53. Ms. KATONÁNE (Hungary) said that the social services system was complex and comprised several different pillars. Services were provided to different groups of people based on their needs. For instance, around 17 per cent of families regularly received family allowances, which had been increased to keep pace with inflation rates. There were strict procedures for assessing needs. People in need who did not receive assistance could file complaints in court. The Act on the Protection of Children and the Social Act contained certain guarantees with respect to the provision of social services. The preamble of the latter contained an explicit reference to the Covenant in that connection.

54. Ms. RÁCZ (Hungary) said that there were basically three different health-care packages. The first covered basic health care, such as emergency, maternity and vaccination services, and was available to all persons who required it, irrespective of their nationality.

55. The second package provided a wider range of services and was based on an insurance scheme. Some 3.5 million people contributed to the scheme, but the entire population (10 million) was eligible for care according to their needs. It was subsidized by the Government.

56. The third package consisted of services that were not covered in the first two packages and were not deemed essential, including private rooms in hospitals and non-prescription medicine and treatment. They were paid for by the voluntary mutual health-care funds or other supplementary insurance schemes, to which both employers and employees contributed. Alternatively, the services or care in question could be paid for in cash. The Government was promoting the voluntary and supplementary schemes as a form of saving plan as well as to raise awareness of health issues and encourage preventive health care.

57. Ms. RAUH (Hungary) said that there was no single comprehensive piece of legislation on gender equality, but drew attention to the Act on Equal Treatment and the Promotion of Equal Opportunities and other regulations prohibiting discrimination. Furthermore, the Women's Representation Council was currently drafting proposals for a national plan of action with a view to eliminating remaining disparities between the sexes. The Council comprised six working groups, with representatives from Government and civil society. Its functions were to prepare and submit proposals to the Government, to review draft legislation and to ensure the proper use of European Union funds with respect to gender equality.

58. Sexual harassment was not classified as an offence under criminal law, but that did not mean it could not be taken into account in criminal proceedings.

59. Women experienced two types of segregation in the labour market - horizontal and vertical. With regard to the former, Government research was being conducted into why men and women traditionally opted for certain occupations, with the aim of striking a better balance. In that connection, she remarked that women in other countries also had difficulty in reaching the top of their profession. What was needed was a change in attitudes, which could be achieved through awareness-raising. More flexible working arrangements should also be encouraged to allow women to share the responsibility of child-rearing.

60. Mr. PILLAY said that the State party's written reply to question 21 of the list of issues was unsatisfactory and gave the impression that the problem highlighted by the Committee did not exist. Information provided by the Ministry of Environment showed that the number of Roma

living in slum conditions had increased in recent years, and that around 40 per cent of Roma settlements had no access to water. Apparently, the Government was not stepping up efforts to eradicate the problem. Instead, it was allowing the sale of already limited social housing to private developers, with serious consequences for the Roma. They were the victims of forced evictions, not by the courts, but by senior officials of the local authorities. The evictions were enforced within eight days and not suspended even during appeal proceedings. The local authorities were not required to provide alternative accommodation for the persons evicted, which was not in line with the Committee's general comment No. 7.

61. One positive development was the enactment of legislation to prohibit discrimination against Roma in the housing sector. He wondered, however, to what extent it was being implemented. In its opening statement the delegation had made no reference to the housing situation, in particular that of the Roma. In conclusion, he recommended the adoption of a national policy on social housing, which took into account the needs of the Roma.

62. Mr. ATANGANA said that the Committee on the Rights of the Child had expressed concern about the high number of very young, disabled and mainly Roma children placed in institutional care for long periods of time, often for economic reasons. What steps was the Government taking to address the situation?

63. According to the written reply to question 18, the problem of domestic violence necessitated a change in people's attitude. It would therefore be interesting to know whether there were any education or awareness-raising programmes along those lines. The second part of the reply referred to legislative amendments without specifying the legislation concerned. He would welcome more information on the penalties imposed for domestic violence, with examples of recent case law. He hoped that the court decisions served to deter the culprits from further violence and to build a better relationship with the victims.

64. He sought clarification concerning reports that corporal punishment, although abolished by law, still existed in practice.

65. Mr. RIEDEL noted that in recent years there had been a significant increase in the number of homeless people and slums in urban and rural areas; he asked the delegation to provide some explanation for that. Information in the State party's fourth periodic report on any relevant benchmarks established with a view to resolving the problem would be welcome.

66. He enquired how the Government had followed up the recommendation of the Committee on the Elimination of All Forms of Discrimination against Women in the case of A.S. v. Hungary concerning the coerced sterilization of a Roma woman. He would also welcome information on reports that in Hungarian hospitals Roma women were kept in separate maternity wards.

67. He observed that there was a resurgence of diseases such as hepatitis B, tuberculosis, rubella and measles and wondered whether that might be due in part to a slackness in immunization programmes. It would be useful for the fourth periodic report to provide disaggregated data on the incidence of those diseases and the status of immunization programmes, where appropriate.

68. He asked what steps the Government was taking to ensure the availability of general practitioners in rural areas and access to primary and emergency health-care services for all people in Hungary, including non-nationals.

69. Mr. SADI asked why there was no specific legislation on domestic violence and sought clarification concerning the statement in the written replies about the need for a change in people's attitude. He asked whether there was a difference between the legal age of sexual consent and the age for marriage, and if so, what were the reasons for it.

70. Hungary was both a source and a destination country for trafficking in persons. He would welcome more information on the different penalties imposed for the offence according to the age of the victim. Reports had been received of corruption among border guards. He asked what action the Government was taking to stamp that out. Lastly, he enquired whether Hungary had any agreements with neighbouring States relating to trafficking in persons.

71. Mr. KOLOSOV noted that corporal punishment was prohibited in institutions but not in family life, and asked why that was so. He also enquired how the allowance for refugees compared with the legal minimum wage. He stressed the need to protect the basic rights of all persons, including criminals. Reports had been received of poor prison and detention conditions, and he wondered whether the Government had adopted any measures to improve them.

72. Mr. RZEPLINSKI said that for many years Hungary had had the highest suicide rate in the world. The situation had improved slightly and it was now ranked sixth. He was aware that some non-governmental organizations organized suicide-prevention programmes and enquired whether the Government did likewise. According to paragraph 460 of the report, 1 in 6 women and 1 in 11 men had mental health problems. Furthermore, according to World Health Organization statistics dating from 2003, the highest suicide rate was among women aged between 45 and 60. He would welcome some explanation of those figures.

The meeting rose at 1 p.m.