

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Amnesty International regrets Hungary's breach of refugee and migrants' rights

Human Rights Council adopts Universal Periodic Review outcome on Hungary

Amnesty International regrets Hungary's rejection of many recommendations relating to the rights of refugees and migrants,¹ in particular, its rejection of recommendations to end the criminalization of irregular entry, the use of "transit zones",² and the detention of asylum seekers.³ Amnesty International is also disappointed that Hungary did not support a recommendation to revise the national list of "safe countries".⁴ A "safe third country" mechanism cannot be used to sidestep Hungary's obligations under international law. Hungary's rejection signals a continued failure to respect the rights of refugees and migrants, including to provide access to a fair and effective asylum procedure through which individual claims for international protection can be assessed.

Amnesty International notes Hungary's partial acceptance of recommendations to guarantee the right to a fair and individualized asylum procedure,⁵ to respect the principle of *non-refoulement* without exception,⁶ to improve conditions in detention for migrants and asylum seekers, and to implement alternatives to detention.⁷ Amnesty International is concerned, however, that legal and policy measures in Hungary continue to contradict international refugee standards. Hundreds of asylum seekers remain in detention for months on end without having committed any crime,⁸ while recent legal amendments authorizing summary expulsion of non-citizens by police have enabled the unlawful push-back of thousands⁹ to Serbia from deep within Hungarian territory.¹⁰

Amnesty International welcomes Hungary's acceptance of a recommendation to strengthen the special police network for hate crimes by training its members and allocating sufficient resources.¹¹ The organization also welcomes its partial acceptance of a recommendation to adopt an investigation protocol for hate crimes to ensure that victims have effective access to remedy.¹² Amnesty International urges Hungary to implement these measures without delay.

¹ Human Rights Council, *Report of the Working Group on the Universal Periodic Review – Hungary*, A/HRC/33/9, 8 July 2016, recommendations 128.9 (Turkey), 128.10 (Uruguay), 128.11 (Egypt), 128.12 (Senegal).

² A/HRC/33/9, recommendation 128.207 (Iceland).

³ A/HRC/33/9, recommendation 128.187 (Uruguay).

⁴ A/HRC/33/9, recommendation 128.220 (Spain).

⁵ A/HRC/33/9, recommendations 128.197 (Finland), 128.198 (Germany).

⁶ A/HRC/33/9, recommendations 128.184 (Sweden), 128.188 (Argentina), 128.189 (Brazil).

⁷ A/HRC/33/9, recommendations 128.215 (Malaysia), 128.217 (Norway), 128.219 (Republic of Korea).

⁸ Hungarian Helsinki Committee, '*Hungary: Key Asylum Figures as of 1 August 2016*', available at: <http://www.helsinki.hu/wp-content/uploads/HHC-Hungary-asylum-figures-1-August-2016.pdf>

⁹ Hungarian Government communication, '*Mass migration is organised, aggressive and illegal*', 8 August 2016, available at: <http://www.kormany.hu/en/news/mass-migration-is-organised-aggressive-and-illegal>

¹⁰ Amnesty International, '*Hungary: Crackdown on the rights of refugees and migrants continues unabated amidst European Commission inaction*', 6 July, 2016 (Index: [EUR 27/4405/2016](http://www.helsinki.hu/wp-content/uploads/HHC-Hungary-asylum-figures-1-August-2016.pdf)).

¹¹ A/HRC/33/9, recommendation 128.77 (Canada).

¹² A/HRC/33/9, recommendation 128.107 (Islamic Republic of Iran).

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Hungary on 21 September 2016 during its 33rd session. Prior to the adoption of the report of the review Amnesty International delivered the oral statement above. Amnesty International also contributed to the information basis of the review through its submission on Hungary:

<https://www.amnesty.org/en/documents/eur27/3471/2016/en/>

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