**BESZÉDELEMEK**

**Szijjártó Péter miniszter úr nyitóbeszédéhez**

**Magyarország harmadik egyetemes emberi jogi felülvizsgálatán**

*Genf, 2021. november 2.*

1. **INTRODUCTION**

Thank you, Mister President.

It is my pleasure and privilege to address the UN Human Rights Council today on the occasion of the universal periodic review of Hungary.

**1.1. COMMITMENT TO THE PROTECTION AND PROMOTION OF HUMAN RIGHTS**

* Hungary attaches particular importance to the UPR mechanism and is fully committed to protect and fulfil all its human rights obligations – both at the domestic and international levels. We believe that this process should be constructive and fact-based, devoid of political and ideological preconceptions. Hungary has taken the review process seriously throughout all three cycles.
* We also pay special attention to cooperation with the Human Rights Council, the most important human rights body within the UN system. Hungary was a proud member of this august body from 2009 and 2012 and from 2017 to 2019, and remains active as an observer and a firm supporter of every reform initiative that strengthens its role as a platform for constructive, unbiased international dialogue and cooperation on the promotion and protection of human rights.

**1.2.** **IMPLEMENTATION OF HUMAN RIGHTS TREATIES IS A PROCESS AND IT IS INEVITABLY INFLUENCED BY NATIONAL POLITICAL IDENTITY**

* We highlight the importance of the universal, inalienable, indivisible, interdependent and interrelated nature of human rights. That being said, the process of the implementation of international human rights obligations is inevitably influenced by the priorities chosen by the democratically elected governments.

**1.3. HUNGARY WAS AND WILL ALWAYS BE READY FOR DIALOGUE AND DISCUSSION**

* Since choosing priorities falls within the sovereignty of each country, they will never be uniform and will evidently reflect national priorities. Having that in mind, Hungary was and will remain ready for dialogue and will seize every occasion to explain its position and national priorities.
* We believe that unbiased, continuous dialogue based on mutual respect is a prerequisite to understand the viewpoint of one another. Exchange of experiences and best practices is conducive to a smooth international cooperation, in fact, it is the only feasible way to work together with the members of this diverse international community.
* In this spirit, Hungary keeps a standing invitation to all special procedures of the HRC since March 2001. We are open to dialogue and constructive criticism while we expect mandate holders to approach our country based on mutual respect and understanding. Since 2016, three country visits took place and numerous inquires were responded by Hungary, all detailed in the Annex to our national report. Moreover, Madame Khan, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression will visit our country in two weeks time. We are looking forward to her visit and will use this opportunity to present all the steps the Hungarian Government has recently taken in the field of freedom of opinion and expression.

1. **PRESENTATION OF THE NATIONAL REPORT**

Now let me enter into the dialogue of today and present Hungary’s progress in the field of human rights in the past few years, evidenced by facts clearly articulated in our national report.

**2.1. HUNGARY FOLLOWS A VALUE-BASED APPROACH**

* Before going into details, it must be emphasised that Hungary’s legal system, including its human rights legislation, rests upon a strong basis of values. We are Europeans and Europe is built upon the Christian heritage. In addition, the main hallmarks of the Hungarian identity are the protection of the family, and the preservation of our national and cultural identity.
* Our idea of preserving these traditional values permeates the legal system, including our Fundamental Law, and is reflected in our work in the field of human rights, too.

**2.2. MAIN RESULTS DETAILED IN THE NATIONAL REPORT**

* Accordingly, Hungary’s Third Implementation Report presents significant progress made regarding the **protection of, and support, for families**. The ever more generous family support measures, including the family tax allowance, the extensive provision of child care fee or the Job Protection Action Plan introduced to help the employment of parents clearly underpin Hungary’s efforts in this regard. The Hungarian Government spends 5.2% of its total GDP on families (while the OECD average is 2.55%). Without the pro-family policies, to date 104.000 fewer children would have been born (in a country of 10 million; around 90.000 children are born per year).
* Moreover, our family support program was not stopped by the COVID-19 pandemic, but quite the opposite. During the state of emergency, the Hungarian Government prolonged the entitlement for family benefits, meaning that those would have had lost their entitlement during the pandemic, continued to receive family benefits. In addition, Hungary introduced a large scale home creation program, and this year, the Governments refunds the tax paid by families.
* Furthermore, the Government provides **continuous help to the persons with disabilities** by carrying out the Deinstitutionalization Strategy and the National Disability Program, all detailed in our report.
* Women’s empowerment and equality between women and men belongs to our main priorities. In 2020, even a separate Ministry was created for promoting this empowerment. Moreover, our efforts in helping women to return to the labor market without being discriminated for having children were also widely applauded. We amended the rules on part-time employment favorably, and established more than 70 family and Career Points to facilitate such return. The success of our policy is manifested by the fact that the gender pay gap shows a clear decline: it was 14.2% in 2018 (compared to the 15.3% of EU average).
* Hungary is committed to the **social inclusion and integration of the Roma** while preserving their own culture, traditions and communities. This approach prevails in all policies as a horizontal principle; nevertheless, the Government initiated and implemented targeted measures in certain areas such as child welfare, education, employment, health, regional development, discrimination, community participation and ethnic culture.
* To this end, Hungary also makes significant efforts **to reduce hate crimes**. In accordance with the recommendation of the UN Commission on Human Rights, a protocol-based norm was issued in 2019 in order to provide uniform, effective and professionallaw enforcement responses to hate crimes. Police officers are regularly briefed on the correct conduct of police officers, the importance of objectivity, the protocol to be followed, the prohibition of discrimination and the importance of prejudice-free policing.
* To be more specific, the Hungarian Government **declared a zero tolerance policy against anti-Semitism** back in 2011 and is fully committed to guaranteeing the safety of the Jewish people. We feel that it is both our constitutional and moral obligation to provide safe environment for our Jewish fellow citizens to be able to safely exercise their religious tradition and to be able to preserve and keep their identity. The Hungarian approach does not only benefit the members of the Jewish community in Hungary. Hungary always speaks up against biased attacks directed towards Israel on the international fora, including at the UN and the Human Rights Council.
* Finally, we believe that in a constantly changing world one thing cannot be questioned: the **rights of the children**. The Hungarian Government has been making considerable efforts to support children’s physical, mental, spiritual, moral and social development and has been providing comprehensive support directly to children in need, such as free school catering, or the protection of children on the internet via dedicated programs.

1. **REACTION TO THE EXPECTED CRITIQUES AND THE ADVANCE QUESTIONS**

Despite the numerous results achieved in the past few years and listed in our national report, we received numerous constructive as well as critical comments during the UPR process. Let me now reflect on some of these comments.

**3.1. MIGRATION**

* To begin with one of the greatest challenge of our times, migration flows have not decreased since 2015. And, to add more difficulties to an already burning situation, there are millions of stranded migrants and refugees around the world due to the COVID-19 pandemic.
* It is an undisputable fact that the spread of the pandemic is a serious concern, which could be further aggravated by a massive, uncontrolled inflow of migrants. Taking this into consideration, the Hungarian Government has made the political decision that besides remaining determined to stemming illegal migration we do not support legal migration to Europe either. Instead of promoting migration, we have to stem it and we should focus on providing assistance to the third countries locally by creating stable and secure conditions, thereby ensuring that that people can stay in their homeland in peace and prosperity.
* To sum up, my Government’s policy aimed at addressing migration challenges is based on two key pillars: addressing the root causes of migration locally and establishing long-lasting economic partnerships. By establishing fruitful economic partnerships, we can create local conditions more conducive to stable growth and development, thereby allowing us to most effectively address push factors.
* At the same time, we have to strengthen the protection of our external borders, while also focusing on combatting human trafficking and smuggling along the whole migratory route.
* Of course, when it comes to migration, we all have to comply with international law. International law says that if one has to escape from his or her home, than he or she can stay temporarily on the territory of the first safe country. What international law does not say is that picking a country in a random manner where to go would be a fundamental human right, but what is a fundamental human right is the right to have a safe and secure life. That is why states do not only have the right but also the obligation to protect their borders. Thus, they protect the safety and the security of their citizens. When countries fulfill this obligation, namely they protect their borders in order to protect the safety and security of their own citizens, we believe that it is unfair to attack these countries with politically biased allegations.

**3.2. FAMILY AND THE PROTECTION OF CHILDREN**

* Protection of our citizens not only includes the protection of their physical integrity. Hungary makes every effort to protect the safe upbringing of children, too. Children must be protected not only in the real, but also in the virtual world. We would like to make it clear to those who consider committing crimes against this defenseless group that they will be penalized very heavily for their actions.
* Having that in mind, we introduced a new law that focuses on guaranteeing the rights of parents and protecting minors from accessing contents that may contradict the educational principles. Despite the false allegations, what the law wishes to achieve is that children receive reliable, age-appropriate and evidence-based educational materials that are properly approved by the competent national authorities.
* We are on the view that it is the exclusive right of the parents to educate their children under 18 about sexual orientation.

**3.3. ALLEGED DISCRIMINATION OF THE LGBTI COMMUNITY**

* The aforementioned should not be interpreted as an attack against the LGBTI community. The Hungarian legal system does quite the opposite. Our Fundamental Law prohibits discrimination based on any ground, including sexual orientation and gender identity. This prohibition in also spelt out unequivocally by the consistent jurisprudence of the Constitutional Court and in the Act on Equal Treatment.

**3.4. MEDIAPLURALISM**

* Freedom of expression is a right guaranteed by our Fundamental Law and our relevant legislation.
* Our Media Council is also subjected to control by the independent Hungarian courts.

**3.5. CIVIL SOCIETY**

* In Hungary, more than 60.000 civil societies are operating and the State actively supports them, irrespective of their potential political orientation.

**EMPHASIZING THE HUNGARIAN HUMAN RIGHTS PRIORITIES**

**4.1. FREEDOM OF RELIGION AND BELIEF**

* We are deeply committed to upholding freedom of religion and belief, and we have been an active advocate for persecuted religious communities, with particular attention to Christians, as the most persecuted religious group facing harassment and outright violence for their faith.
* Through our dedicated program, called Hungary Helps, we have helped 70 thousand Christians and other religious communities to be able to stay in their homes in the Middle East and we have spent more than 50 million dollars so far on this program.

**4.2. MINORITIES**

* Due to our historic heritage and experience, we also pay special attention to the protection of the rights of the national and linguistic minorities. We support all initiatives and actions that are aimed at preserving and strengthening the rights acquired by these communities.
* The Hungarian Government supports the Hungarian people living abroad to preserve their cultural identity in line with international standards.
* Regarding Hungarian minorities living under the jurisdiction of another State, the Government acts as a responsible member of the international community.

**4.3. ENVIRONMENTAL PROTECTION**

* Another great challenge that does not have any borders is climate change and the risk of environmental degradation. I am proud to say that Hungary was the first country to sign up and ratify the Paris Agreement.
* Before the pandemic, we were among those 21 countries that could perform economic growth while simultaneously reducing emissions. We underline that economic development and the enhancing of competitiveness must go hand-in-hand with environmental protection.

**4.4. ARTIFICIAL INTELLIGENCE**

* Finally, let me briefly touch upon the impact of artificial intelligence and technology on our lives. We emphasize that these technologies effectively ease our daily life, but it must not go at the expense of endangering democracy. We already experience how big technological companies and their leaders are capable of influencing the political scene and they have the means to decide which democratically elected politician has access to voters to whom and to what extent. Such power eventually endangers the functioning of a democratic society.
* In this regard, Hungary works in close cooperation with the Council of Europe on researching how to govern algorithms (before the algorithms govern us). We have recently hosted a conference in cooperation with the Council of Europe, and are currently working on the second additional protocol to the Budapest Convention on Cybercrime.
* Again, all our efforts are for protecting the space in which open dialogue may take place. In this spirit, allow me to finish my speech and pass the floor to my esteemed colleague from the Ministry of Justice, who will listen to your questions and recommendations attentively, and will be more than happy to present the Hungarian position.

I thank you.