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STATE PARTY EXAMINATION OF HUNGARY'S INITIAL REPORT ON THE OPTIONAL PROTOCOL ON THE INVOLVEMENT OF CHILDREN IN ARMED CONFLICT

67TH SESSION OF THE COMMITTEE ON THE RIGHTS OF THE CHILD
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Hungary ratified the Optional Protocol on the Involvement of Children in Armed Conflict (OPAC) on 24 February 2010. On 10 September 2014, the Committee on the Rights of the Child (the Committee) examined the initial periodic report of Hungary.

Opening Comments

The delegation of Hungary was led by H.E. Ms. Tünde Fűrész, Deputy State Secretary from the Ministry of Human Capacities. She was supported by representatives from the Ministry of Human Capacities, Permanent Mission of Hungary to the United Nations in Geneva, the Ministry of Justice, the Ministry of Defence, the Ministry of Interior, the Ministry of Foreign Affairs and Trade, regional and district Courts, the office of the Prosecutor General and the General Directorate of Social Affairs and Child Protection.

Ms. Tünde Fűrész emphasised that the protection of children was an important task of the Ministry of Defence. There were legal guarantees to prevent enrolment.

Ms. Tünde Fűrész also spoke of the Hungarian forces present in Afghanistan as part of the International Security Assistance Force. She highlighted that the troops had been providing schools between 2009 and 2013.

Mr. Gehad Madi, the Country Rapporteur for the OPAC, welcomed the multidisciplinary delegation and the ratification of the Protocol.

General Measures of Implementation

Note: This report is prepared at the discretion of Child Rights Connect. The content is designed to give a summary of the key discussions during the session of the Committee on the Rights of the Child but it is neither an official nor fully comprehensive report. More reports and further information can be found at www.childrightsconnect.org/index.php/publications-resources/crc#countrysum

Legislation

The Committee asked if the prohibition of recruitment of minors also applied to police forces and private security companies. The delegation explained that the earliest possible age for applying to the police forces was 17. There were then 2 years of training which effectively meant that it was not possible to be in the field before the age of 19. The delegation pointed out that the military service had been discontinued and that the Criminal Code prohibited the recruitment of Hungarian nationals by a foreign country.

Dissemination and training

The Committee welcomed the training of armed forces and Peacekeeping forces on International Humanitarian Law; however, it noted that there was no mention of the OPAC in the training curriculum. The delegation acknowledged that the OPAC might not be singled out during trainings but it reassured that the OPAC provisions were taught. The Committee's suggestion to specifically mention the OPAC would be taken into account. The delegation also recognised that the dissemination of the OPAC outside of the military services was not widely undertaken and was limited to the website of the Ministry of Defence.

Cooperation with civil society

The Committee asked why civil society had not participated in the writing of the State initial report on the OPAC. The delegation explained that the report was elaborated before the creation in 2013 of a participatory mechanism for civil society.

Prevention

The Committee welcomed the Asylum Act and asked if there were any mechanisms for the early identification of children having been involved in armed conflicts. It also asked for disaggregated data. The delegation responded that the State party identified asylum seeking children as vulnerable beings and immigration officers had been trained accordingly. If a child was identified as having been involved in armed conflict he would receive the required help.

The Committee asked about military schools and the "Katonasuli" programme. It pointed out that these classes could be a good opportunity to introduce the OPAC in schools. The delegation explained that the State party aimed to broaden the reach of this programme. It aimed to disseminate information on defence and was available in secondary schools for A level exams. The delegation added that only 6 schools had chosen this programme until now.

Prohibition and related matters

The Committee asked if there was a specific reference to the prohibition of arms exports to States committing human rights violations. The delegation responded that there was a decree on the trafficking of arms. It further said that applications for arms export had to be rejected if they contradicted any international convention to which the State was party. The delegation specified that there were no exports to countries under embargo and underlined that any incompliance was on the practical level and not on the legislative level.

International assistance and cooperation

The Committee asked if extraterritorial jurisdiction was conditioned by the principle of double criminality. The delegation confirmed that the principle was applied. It added that for extradition cases, the State party had 43 bilateral agreements.

Concluding remarks

Mr. Madi, the country Rapporteur for the OPAC, thanked the delegation and pointed out that the main goal of the Committee was to facilitate the implementation of the OPAC.

The delegation said that one of the first steps would be to publish the Concluding Observations following their release. It thanked the Committee for the interesting and constructive comments.