

## Hungary: UN expert expresses outrage at attempt to criminalise homelessness

GENEVA (20 June 2018) – Hungary's move to make homelessness a crime is cruel and incompatible with international human rights law, the UN Special Rapporteur on the right to adequate housing said.

In an [open letter](#) sent to the Government of Hungary, Leilani Farha said that the Government's proposed amendment to the Fundamental Law of Hungary is pushing homeless people into illegality. The proposed amendment would render illegal living in a public space.

"It is absolutely unacceptable that the Government would fail to discharge its duty under international human rights law to address and prevent homelessness and then have the audacity to treat the homeless population in the harshest of ways through fines they obviously cannot pay and the threat of imprisonment. And what is this "crime" they have committed? Merely trying to survive."

There are currently about 50,000 people in Hungary living in a situation of homelessness, one third of them are estimated to sleep rough while about two thirds are living in emergency shelters. It is reported that there are insufficient emergency shelters to accommodate the entire homeless population in Hungary and that shelters do not conform with either short or long-term housing needs.

The proposed amendment to the Fundamental Law of Hungary is one in a long line of legislative moves aimed at controlling and eliminating the homeless population in Hungary, comprised predominantly of people living in poverty, persons with disabilities, refugees and migrants, and Roma. In November 2012, the Constitutional Court of Hungary deemed such laws unconstitutional. In response, the Fundamental Law of Hungary was amended in April 2013 to again provide authorisation to local governments to penalise the use of public space for habitual residence. And the latest amendment sent to Parliament on 14 June 2018 would make living in a public space generally illegal.

"Should the constitutional amendment be passed, Hungary would not only violate the right to adequate housing as enshrined in the International Covenant on Economic Social and Cultural Rights," said the Special Rapporteur.

"Removing homeless people from public space by force without providing sufficient short and long term accommodation, and subjecting them to fines or imprisonment may also constitute cruel, inhuman and degrading treatment in contravention of article 7 of the International Covenant on Civil and Political Rights," underlined the expert.

"I therefore urge the Members of Parliament not to adopt an amendment of the Fundamental Law of Hungary that is obviously incompatible with human rights law," said the expert.

Ms. Farha recalled that Hungary has committed itself to implement the Sustainable Development Goals, which includes ending homelessness by ensuring by 2030, access for all to adequate, secure and affordable housing.

"Instead of further criminalising homeless people in contravention of international human rights standards, Hungary should concentrate its efforts on adopting a rights based national housing strategy aimed at eliminating homelessness by 2030 in conformity with its international commitments and its human rights obligations," concluded Farha.

ENDS

**Ms Leilani Farha** is the [UN Special Rapporteur on adequate housing](#) as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context. She took up her mandate in June 2014. Ms Farha is the Executive Director of the NGO Canada without Poverty, based in Ottawa. A lawyer by training, for the past 20 years Ms Farha has worked both internationally and domestically on the implementation of the right to adequate housing for the most marginalized groups and on the situation of people living in poverty.

The Special Rapporteurs are part of what is known as the [Special Procedures](#) of the Human Rights Council. Special Procedures, the largest body of independent experts in the UN Human Rights system, is the general name of the Council's independent fact-finding and monitoring mechanisms that address either specific country situations or thematic issues in all parts of the world. Special Procedures experts work on a voluntary basis; they are not UN staff and do not receive a salary for their work. They are independent from any government or organization and serve in their individual capacity.

UN Human Rights country page: [Hungary](#)

For more information and media **requests** please contact: Gunnar Theissen at (+41 22 917 9321 / [gtheissen@ohchr.org](mailto:gtheissen@ohchr.org)) or write to [srhousing@ohchr.org](mailto:srhousing@ohchr.org)

For **media inquiries** related to other UN independent experts: Jeremy Laurence – Media Unit (+ 41 22 917 9383 / [jlaurence@ohchr.org](mailto:jlaurence@ohchr.org))

**Tag and share - Twitter:** [@adequatehousing](#)

This year is the **70th anniversary of the Universal Declaration of Human Rights**, adopted by the UN on 10 December 1948. The Universal Declaration – translated into a world record 500 languages – is rooted in the principle that "all human beings are born free and equal in dignity and rights." It remains relevant to everyone, every day. In honour of the 70th anniversary of this extraordinarily influential document, and to prevent its vital principles from being eroded, we are urging people everywhere to **Stand Up for Human Rights**: [www.standup4humanrights.org](http://www.standup4humanrights.org).