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Arbitrary imprisonment of homeless people in Hungary

Written declaration No. 548

This written declaration does not reflect the position of the Assembly; only of those members that have signed it. It will not be considered further by the Assembly.

In November 2012 the Hungarian Parliament passed a law defining homelessness as an administrative offence: people who get caught sleeping on the street twice in half a year can get punished with incarceration or with a monetary penalty of 150.000 Forint (490€) that no homeless person can afford to pay, therefore leading to incarceration as well.

After the constitutional court annulled the law for violating the human dignity of the homeless, the legal certainty and the right to property, the Hungarian Constitution was changed last March to assert and reinforce the political decision to criminalise homeless people.

Homelessness is one of the most extreme forms of poverty and deprivation and an unacceptable violation of human dignity. The right to housing in Article 31 of the revised European Social Charter should be guaranteed and Hungary's obligations of Article 12 paragraph 1 should be fulfilled by taking measures against homelessness. In contrast the policy of repression and criminalisation of poor people in Hungary is no answer to social problems.

We call on the Commissioner for Human Rights, the European Committee of Social Rights, the Parliamentary Assembly and the Committee of Ministers to monitor the deprivation of liberty of homeless people in Hungary.

Signed (see overleaf)



*Signed*¹:

HUNKO Andrej, Germany, UEL
ANDERSEN Karin, Norway, UEL
ANDREOLI Paride, San Marino, SOC
ANTTILA Sirkka-Liisa, Finland, ALDE
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COMTE Raphaël, Switzerland, ALDE
CRAMON-TAUBADEL Viola, von, Germany, SOC
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Total = 34

1. ALDE: Alliance of Liberals and Democrats for Europe
EDG: European Democrat Group
SOC: Socialist Group
UEL: Group of the Unified European Left