



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

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Implementation of the Convention on the Rights of Persons with Disabilities

List of issues to be taken up in connection with the consideration of the initial report of Hungary (CRPD/C/HUN/1), concerning articles 1 to 33 of the Convention

Hungary

A. Purpose and general obligations (arts. 1-4)

1. Bearing in mind the fact that the term “disability” in the Hungarian legal system is not applicable in relation to persons with psychosocial disabilities, please give more information on the measures taken to provide those persons with protection of their rights as set out in the Convention on the Rights of Persons with Disabilities (CRPD/C/HUN/1, paras. 1-2).
2. Please provide more information on whether the requirement of “reasonable accommodation” is applied to any other social sphere besides the employment of persons with disabilities (CRPD/C/HUN/1, para. 20).
3. Please provide more information on the follow-up to the National Council on Disabilities (NCD) studies on domestic legislation and on whether the results have been used to harmonize legislation with the provisions of the Convention (CRPD/C/HUN/1, para. 24).
4. Please provide additional information on the work of NCD and other methods and the framework for consultation with persons with disabilities and their representative organizations in Hungary (CRPD/C/HUN/1, paras. 24-25), in accordance with the provisions of article 4, paragraph 3, of the Convention.
5. Please provide information on the development of programmes to promote the rights of persons with disabilities amongst the Roma people.

B. Specific rights (arts. 9, 11, 12, 14-17, 19, 21, 23-25, 27-29)

Accessibility (art. 9)

6. Please provide more information on whether the deadlines prescribed for by the law for accessibility of public services rendered by the State (31 December 2010) and accessibility of educational, health and social services, and municipality client services (31 December 2008, 2009 and 2010 respectively) have been met as scheduled (CRPD/C/HUN/1, para. 51). Also provide information on whether there are any sanctions prescribed against those who violate the accessibility standards.

7. Please provide more information on implementation, in accordance with article 9 of the Convention, of Act LXXXVIII of 1997 on the formation and protection of the built environment and Government Decree 253/1997 (XII.20) on National Requirements of Spatial Planning and Building (CRPD/C/HUN/1, para. 52).

Situations of risk and humanitarian emergencies (art. 11)

8. Are there any protocols for the handling of emergencies and risks (earthquakes, floods, fires) and do they include persons with disabilities? (CRPD/C/HUN/1, paras. 72-73)

Equal recognition before the law (art. 12)

9. Please provide additional information on the practice regarding revisions of court orders on guardianship, including data disaggregated by sex on the number of persons under guardianship and decisions revising the orders on guardianship (CRPD/C/HUN/1, paras. 75-76).

10. Please provide information on any progress made with the reform of legislation that would provide for the abolition of excluding guardianship and the provision on the introduction of supported decision-making (CRPD/C/HUN/1, para. 78).

Liberty and security of the person (art. 14)

11. Please provide information on the number and situation of persons with disabilities who are being detained. Please explain whether reasonable accommodation is provided to detainees with disabilities.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

12. Please provide additional information on the legal guarantees given to “persons with limited ability to act or incompetent persons”, in order to protect them from any medical or scientific experiments carried out without their consent (CRPD/C/HUN/1, para. 91).

Freedom from exploitation, violation and abuse (art. 16)

13. Please provide information on which measures are being taken regarding the prevention, detection and treatment of abuse of children with disabilities as regulated by the Child Protection Act.

Protecting the integrity of the person (art. 17)

14. Please specify who is entitled to enter an application to the courts to sterilize an “incompetent” person. (para. 101)

Living independently and being included in the community (art. 19)

15. Please provide information on the number of users, the geographical distribution and the availability of various support services mentioned in the State party's report in both urban and rural areas (CRPD/C/HUN/1, paras. 108-111).
16. Please provide information on how living centres give persons with disabilities further access to independent living and inclusion in the community compared with large institutions.
17. Please provide information on the number of persons with disabilities who are in institutions and living centres, and on what steps are being taken by the Government to enable these persons to live independently in the community.

Freedom of expression and opinion, and access to information (art. 21)

18. Please provide information on the operation of sign language interpretation services from 1 January 2011, and figures for budgetary allocation of the resources for funding these (CRPD/C/HUN/1, para. 125).

Respect for the home and the family (art. 23)

19. Please provide information on plans to amend legislation in order to provide increased protection of the right to fertility of persons with disabilities, including the prohibition of forced sterilization of those persons, as prescribed in the Convention. (CRPD/C/HUN/1, paras. 101 and 103).
20. Please provide information on measures which are being taken to prevent children with disabilities from being separated from their families and placed in alternative care, many of them for long period of time, and being institutionalized, taking into account the concluding observations of the Committee on the Rights of the Child (CRC/C/HUN/CO/2).

Education (art. 24)

21. Please provide more information on reasonable accommodation and support provided within the general education system to students with disabilities to facilitate their effective education in accordance with article 24, paragraph 2, of the Convention. Furthermore, please provide information on the new Act on Public Education (Act CXC of 2011).

Health (art. 25)

22. Please provide data as to whether tools and services on sexual and reproductive health are accessible and available to persons with disabilities in accessible formats and technologies, and in augmentative and alternative modes (CRPD/C/HUN/1, paras. 157-158).

Work and employment (art. 27)

23. Please provide data, disaggregated by sex, on the number of persons with disabilities employed in the public and private sectors, social enterprises, and self-employed persons with disabilities, as compared with the general population.

Adequate standard of living and social protection (art. 28)

24. Please provide information on the new system of social security, disability and rehabilitation benefits that entered in force in Hungary on 1 January 2012. Please

provide data on the income of persons with disabilities as compared to the general population.

25. Please provide information on how homeless persons with disabilities, and more specifically with psychosocial disabilities, are being protected.

Participation in political and public life (art. 29)

26. Please provide additional information on the legal implications of the decision of the European Court of Human Rights in *Alajos Kiss v. Hungary*, Application no. 38832/06, and whether any action has subsequently been taken to amend the national legislation (CRPD/C/HUN/1, para. 232).

27. Is there any disability-based restriction on the right of Hungarian citizens to hold public office in accordance with their skills, qualifications and professional knowledge, and/or their right to petition (CRPD/C/HUN/1, para. 233)?

C. Special situation of women and children living with disabilities

Women with disabilities (art. 6)

28. Please provide additional information as to how a perspective on disability is being mainstreamed into the National Strategy Promoting the Social Equality of Men and Women (CRPD/C/HUN/1, para. 242).

Children with disabilities (art. 7)

29. Please provide information as to whether there have been cases where the Parliamentary Commissioner for Future Generations has had to intervene on behalf of children with disabilities (CRPD/C/HUN/1, para. 245).

D. Special obligations

Statistics and data collection (art. 31)

30. Please provide information, disaggregated by sex, age and ethnic origin, on the number of persons with disabilities and the percentage of the total population of Hungary they constitute, in accordance with data collected in the course of the 2011 census (CRPD/C/HUN/1, para. 255).

National implementation and monitoring (art. 33)

31. Please provide information on any progress made in appointing a national independent monitoring mechanism on the implementation of the Convention, and on the participation of organizations of persons with disabilities in the preparation of the State party's report, in accordance with the provisions of article 33, paragraph 2, of the Convention (CRPD/C/HUN/1, para. 261).
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