

HUNGARY

Specific references to women and girls with disabilities

CRPD Committee 2012 Country Review

List of Issues (LOI), 8 May 2012 CRPD/C/HUN/Q/1

Concluding Observations (CO), 22 October 2012 CRPD/C/HUN/CO/1

Compiled by Myra Kovary, 31 March 2013

General obligations (Articles 1 - 4):

The Committee recommended that the State party take effective measures to consult with and actively involve persons with disabilities, including children and women with disabilities, through their representative organizations, in the planning, execution and monitoring of public decision-making processes at all levels and in particular in the matters affecting them, giving them reasonable and realistic timelines for providing their views, and providing them with adequate funding in order to enable them to fulfil their role under article 4, paragraph 3, of the Convention. (CO, Para 14)

Women and girls with disabilities (Articles 6 and 7):

The Committee requested information as to how a perspective on disability is being mainstreamed into the National Strategy Promoting the Social Equality of Men and Women. (LOI, Para 28)

The Committee noted that the State party's Government Decree 1004/2010 (I.21.) on the National Strategy Promoting the Social Equality of Women and Men "treats the implementation of measures promoting the equality of women and specifically the equality of women with disabilities in their full integrity". However, the Committee regretted the lack of specific action aimed at promoting the equality of women and girls with disabilities in the Strategy. (CO, Para 19)

The Committee called upon the State party to adopt effective and specific measures to ensure equality and prevent multiple forms of discrimination of women and girls with disabilities in its policies, and to mainstream a gender perspective in its disability-related legislation and policies. (CO, Para 20)

Equal recognition before the law (Article 12):

The Committee requested 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. (LOI, Para 9)

The Committee made no follow up comments with respect to gender on this issue in its concluding observations.

Freedom from exploitation, violence and abuse (Article 16):

The Committee expressed concern that women, men, girls and boys with disabilities continue to face violence, abuse and exploitation and recommended that the State party take effective measures to ensure protection of women, men, girls and boys with disabilities from exploitation, violence and abuse, in accordance with the Convention, inter alia, the establishment of protocols for the early detection of violence, above all in institutional settings, procedural accommodation to gather testimonies of victims, and prosecution of those persons responsible, as well as redress for victims. (CO, Paras 31 and 32)

The Committee recommended that the State party ensure that protection services are age-, gender- and disability-sensitive. (CO, Para 32)

Respect for home and the family (Article 23):

The Committee called upon the State party to take appropriate measures to enable men and women with disabilities who are of marriageable age to marry and found a family, as well as to provide adequate support services to men and women, boys and girls with disabilities to enable them to live with their families, in order to prevent or reduce the risk of placement in an institution. (CO, Para 37)

Forced sterilization and abortion (Articles 5, 10, 12, 17, 23 and 25):

The Committee asked who is entitled to enter an application to the courts to sterilize an “incompetent” person. (LOI, Para 14)

The Committee requested 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. (LOI, Para 19)

The Committee called upon the State party to take appropriate and urgent measures to protect persons with disabilities from forced sterilization. (CO, Para 38)

The Committee noted with concern that the Act on the protection of the life of the foetus makes “abortive treatment possible for a wider circle than in general for the foetuses deemed to have health damage or some disability”, thereby discriminating on the basis of disability. (CO, Para 17)

The Committee recommended that the State party abolish the distinction made in the Act on the protection of the life of the foetus in the period allowed under law within which a pregnancy can be terminated, based solely on disability. (CO, Para 18)

Health (Article 25):

The Committee requested 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. (LOI, Para 22)

The Committee made no follow up comments on this issue in its concluding observations.

Work and employment (Article 27):

The Committee requested 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. (LOI, Para 23)

The Committee recommended that the State party further intensify its efforts to increase the employment opportunities for women and men with disabilities in the public and private sectors. (CO, Para 44)

Statistics and data collection (Article 31):

The Committee requested 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. (LOI, Para 30)

The Committee recommended that the State party systematize the collection, analysis and dissemination of data, disaggregated by sex, age and disability; enhance capacity-building in this regard; and develop gender- and age-sensitive indicators to support legislative developments, policymaking and institutional strengthening for monitoring and reporting on progress made with regard to the implementation of the various provisions of the Convention. (CO, Para 49)