



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

Concluding observations on the combined second and third periodic reports of Hungary*

I. Introduction

1. The Committee considered the combined second and third periodic reports of Hungary¹ at its 555th, 557th and 559th meetings,² held in a hybrid mode on 8, 9 and 10 March 2022. It adopted the present concluding observations at its 582nd meeting, held in a hybrid mode on 25 March 2022.

2. The Committee welcomes the combined second and third periodic reports of Hungary, which were prepared in accordance with the Committee's reporting guidelines and in response to its list of issues prior to reporting.³

3. The Committee commends the State party for having agreed to having its combined second and third periodic reports reviewed in hybrid format, given the extraordinary circumstances of the coronavirus disease (COVID-19) pandemic. It appreciates the fruitful and sincere dialogue held with the State party's delegation in Geneva and connected online from the capital, and commends the State party for its diverse and multisectoral delegation, which included representatives of relevant government ministries. The Committee also appreciates the participation of the Commissioner for Fundamental Rights in his capacity of independent monitoring mechanism, pursuant to article 33 (2) of the Convention.

II. Positive aspects

4. The Committee welcomes the measures taken by the State party to implement the Convention since its previous concluding observations in 2012 and welcomes the measures taken to promote the rights of persons with disabilities, such as the inclusion of children and women with disabilities as target groups in the proposals for European Union projects.

5. The Committee welcomes the legislative measures taken to promote the rights of persons with disabilities, in particular:

(a) Adoption of the National Disability Programme 2015–2025 by the parliament in resolution 15/2015 (IV.7);

(b) Adoption of decree No. 22/2016 (VI.29) issued by the Ministry of National Economy on equal accessibility of financial services in credit institutions for persons with disabilities in 2016;

* Adopted by the Committee at its twenty-sixth session (7–25 March 2022).

¹ [CRPD/C/HUN/2-3](#).

² See [CRPD/C/SR.555](#), [CRPD/C/SR.557](#) and [CRPD/C/SR.559](#).

³ [CRPD/C/HUN/QPR/2-3](#).



(c) Recognition of sign language at the constitutional level in 2011 through article H (3) of the Constitution, which states that the State party defends Hungarian sign language as part of Hungarian culture.

III. Principal areas of concern and recommendations

A. General principles and obligations (arts. 1–4)

6. The Committee notes with concern that:

(a) Disability-related legislation and policies have not yet been fully brought into line with the Convention, that there is an inappropriate translation of the terminology of the Convention into Hungarian and derogatory terms, such as “abnormal mental condition” used in the Criminal Code of 2012 and the Criminal Procedure Code of 2017;

(b) Different concepts of disability in various professional and legal areas result in the lack of recognition of all persons with disabilities, particularly persons with psychosocial disabilities, persons with intellectual disabilities and persons with speech impairments;

(c) The medical model of disability is still prevalent in the State party, including within its disability assessment system and in relation to the eligibility criteria for accessing necessary services and support measures, operating on the assessment of capacity of a person to understand and to live independently and “residual health” thresholds, which adversely affect the social inclusion of persons with disabilities;

(d) There is a lack of awareness of the rights recognized in the Convention among the judiciary and justice sector professionals, policy- and lawmakers, teachers, medical, health and social workers and all other professionals working with persons with disabilities.

7. **The Committee recommends that the State party:**

(a) **Review the existing disability-related legislation and policies and align them with the provisions of the Convention, including through ensuring the appropriate translation of the terminology of the Convention into Hungarian and through eliminating all derogatory language regarding persons with disabilities across its legislation;**

(b) **Adopt a unified concept of disability in all professional and legal areas that is aligned with the purpose and principles of the Convention and covers all persons with disabilities;**

(c) **Reorient its disability assessment systems by replacing elements of the medical model of disability with principles of the human rights model of disability and by establishing systems aimed at the assessment of legal and environmental barriers to persons with disabilities and the provision of the necessary support and assistance to promote the independent living of persons with disabilities and their full social inclusion;**

(d) **With the close involvement of organizations of persons with disabilities, provide capacity-building programmes on the rights of persons with disabilities and on the obligations of the State party, as contained in the Convention, for the judiciary and justice sector professionals, policy- and lawmakers, teachers, medical, health and social workers and all other professionals working with persons with disabilities.**

8. The Committee is concerned about:

(a) The lack of independence and non-substantive nature of the established consultation bodies, including the National Disability Council, the National Coordinating Body for Deinstitutionalization, the Human Rights Working Group and the Intergovernmental Disability Committee, and the lack of effective involvement of organizations of persons with disabilities in public decision-making;

(b) The lack of accessibility to informational material in public decision-making processes, limiting the participation of organizations of persons with disabilities;

(c) Reports of reprisals against and continuing pressure on civil society organizations for their advocacy work on the rights of persons with disabilities.

9. **The Committee recalls its general comment No. 7 (2018) and urges the State party to:**

(a) **Strengthen mechanisms for the effective involvement of persons with disabilities through their representative organizations in public decision-making processes by adopting measures to safeguard their independence from public authorities and with the participation of the full range of organizations of persons with disabilities, including children with disabilities, persons with intellectual disabilities, persons with psychosocial disabilities, intersex persons, women with disabilities, persons with disabilities living in rural areas, autistic persons, Roma and gender diverse persons with disabilities, those requiring high levels of support and refugees and migrant persons with disabilities;**

(b) **Provide organizations of persons with disabilities with accessible information, including information in Easy Read and other accessible formats, and with timetables of the consultation processes concerning any law and policy reforms related to persons with disabilities;**

(c) **Recognize the role of civil society organizations as human rights defenders, prohibit any reprisals against individuals and organizations promoting the rights of persons with disabilities and take measures to protect the civic space.**

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

10. The Committee observes with concern the lack of:

(a) Recognition of multiple and intersectional forms of discrimination against persons with disabilities, including gender-based discrimination against women with disabilities, in the anti-discrimination legislation of the State Party;

(b) Recognition of the denial of reasonable accommodation as a form of discrimination on the basis of disability in all areas of life;

(c) Investigation of reports of disability-based discrimination, effective remedies for victims of disability-based discrimination, and prosecution and enforcement of punishment for perpetrators.

11. **The Committee recalls its general comment No. 6 (2018) and targets 10.2 and 10.3 of the Sustainable Development Goals, and recommends that the State party:**

(a) **Recognize multiple and intersectional forms of discrimination in its anti-discrimination legislation, including all forms of gender-based discrimination against women with disabilities;**

(b) **Recognize the denial of reasonable accommodation as discrimination under Act CXXV of 2003 on equal treatment and the promotion of equal opportunities and ensure its effective enforcement across all sectors and all areas of life;**

(c) **Provide for mechanisms of effective remedy to victims of discrimination on the grounds of disability and ensure effective investigation of reports of such discrimination.**

Women with disabilities (art. 6)

12. The Committee notes with concern the reported gender inequality in the State Party, adversely affecting women with disabilities, including limited work opportunities for them in an open and inclusive labour market.

13. **The Committee recalls its general comment No. 3 (2016) and recommends that the State party ensure that the protection of the rights of women and girls with**

disabilities is included in the national strategy on gender equality and that it adopt targeted measures to implement the recommendations directed at European Union Member States in the European Union Gender Equality Strategy 2020–2025.

Children with disabilities (art. 7)

14. The Committee observes with concern that:

(a) The State party applies the concept of the best interests of the child by giving priority to the opinions of experts and to institutional care;

(b) The State party's legislation discriminates against children with disabilities through section 7 (2) a) of Act XXXI of 1997 concerning the protection of children and the placement of children under 12 years old in foster families, which exempts children with disabilities requiring higher levels of support, allegedly in their best interests, and thereby perpetuates their institutionalization;

(c) There is a lack of access to general community-based services for children with disabilities, including as a consequence of the "individual development" measure, which results in discrimination against children with disabilities.

15. With reference to the joint statement of the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities on the rights of children with disabilities (2022), the Committee recommends that the State party:

(a) **Ensure that the concept of the best interests of the child is applied by taking into consideration the human rights model of disability, including the right of children with disabilities to express their views freely on all matters affecting them, as well as their right to a family life, including foster care;**

(b) **Repeal provisions in the Child Protection Act that still allow for the institutional placement of children with disabilities and ensure the equality of children with disabilities with other children with respect to their right to a family life;**

(c) **Ensure access to the general community-based social and educational services for all children with disabilities on an equal basis with other children by providing the necessary support and assistance to them.**

Awareness-raising (art. 8)

16. The Committee is concerned about the prevailing negative stereotypes about persons with disabilities, particularly with respect to persons with psychosocial disabilities and persons with intellectual disabilities.

17. The Committee recommends that the State party, with the close involvement of organizations of persons with disabilities, develop awareness-raising programmes, including through media coverage, for combating negative disability-related stereotypes and foster respect for the dignity, skills, merits and abilities of persons with disabilities and their contribution to society.

Accessibility (art. 9)

18. The Committee notes with concern the lack of:

(a) A comprehensive strategy at the national level for developing accessible built environments, public services, public transportation, information and communication in the State party, particularly in rural areas and small towns;

(b) Progress in implementing the accessibility of built environments, public services, including automated teller machines (ATMs) for persons with visual impairment, public transportation, information and communication for persons with disabilities and the removal of accessibility deadlines by amending the Act on Passenger Transport services in 2013.

19. The Committee recalls its general comment No. 2 (2014) and recommends that the State party:

(a) **Adopt a comprehensive national strategy and implementation plan with clear time frames and adequate budget allocations for developing accessibility for built environments, public services, public transportation, information and communication in the State party to ensure the equalization of opportunities for persons with disabilities across the State party;**

(b) **Review its regulation in the areas of built environments, public services, public transportation, information and communication, including the regulations on public procurement, and establish mandatory requirements and timelines for ensuring accessibility for persons with disabilities, enforcement of such regulations, penalties for non-compliance and mechanisms for independent monitoring of the implementation of accessibility;**

(c) **Ensure that accessibility standards take into consideration Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies, and the Web Content Accessibility Guidelines 2.0 standard for all public websites;**

(d) **Complete the process of transposing Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services and the European Electronic Communications Code (Directive (EU) 2018/1972) into national legislation and regulations.**

Right to life (art. 10)

20. The Committee notes with concern the lack of investigation and prosecutions concerning the deaths of persons with disabilities, including of children with disabilities, in residential institutions.

21. **The Committee recommends that the State party expeditiously start investigations into the deaths of persons with disabilities in institutions, recognize such deaths as “extraordinary events”, which may be due to the abuse endured in institutions, and prosecute and punish perpetrators. It also recommends that the State party provide remedies and redress to the families of victims in cases of deaths of persons with disabilities and expedite deinstitutionalization for all persons with disabilities who remain in institutions.**

Situations of risk and humanitarian emergencies (art. 11)

22. The Committee notes with concern that:

(a) Neither the Fundamental Law, the Disaster Protection Act, nor their respective protocols provide for specific measures in relation to the safety of persons with disabilities and various types of impairments in situations of risk and emergencies arising from conflict, natural disasters or refugee and migration crises;

(b) Persons with disabilities placed in residential institutions and psychiatric settings, and persons with disabilities living independently have been disproportionately impacted by the COVID-19 pandemic, facing greater risks of contracting COVID-19, including due to lack of access to the general health system and social isolation;

(c) Persons with disabilities have had limited participation in decision-making processes to address the COVID-19 pandemic and its consequences and during the recovery period.

23. **The Committee recommends that the State party, following the guidance issued by the Office of the United Nations High Commissioner for Human Rights on COVID-19 and the rights of persons with disabilities and the United Nations policy brief on a disability-inclusive response to COVID-19, and in line with the Sendai Framework for Disaster Risk Reduction 2015–2030 and with the active participation of representative organizations of persons with disabilities:**

(a) **Revise its legislation, protocols, plans and measures in relation to situations of risk and humanitarian emergencies arising from conflict, natural disasters or refugee and migration crises by incorporating the requirements of all persons with**

disabilities in such situations, including access to emergency information and alarm signals through alternative modes of communication and information;

(b) Mainstream disability in COVID-19 response and recovery plans, with a specific emphasis on ensuring equal access to mainstream health-care systems for persons with disabilities, still in institutions or living independently, and safeguarding persons with disabilities from the effects of the pandemic, including increased social isolation;

(c) Ensure equal participation of persons with disabilities in all measures affecting them, including the measures to address the COVID-19 pandemic and its consequences, and measures taken during the recovery period.

Equal recognition before the law (art. 12)

24. The Committee notes with concern:

(a) The discriminatory nature of restriction on the legal capacity of persons with disabilities on the basis of impairment, the absence of measures to abolish the discriminatory provisions of the Civil Code and the persistence of the substitute decision-making regime, depriving persons with disabilities of their rights;

(b) That attributes of a substituted decision-making regime have been retained in the supported decision-making mechanism established in Act CLV of 2013, which resulted in a measure that is ineffective and discriminatory.

25. The Committee recommends that the State party, in line with article 12 of the Convention and the Committee's general comment No. 1 (2014):

(a) Recognize the discriminatory nature of the substitute decision-making regime and abolish all provisions allowing restrictions on the legal capacity of persons with disabilities on the basis of impairment;

(b) Adopt a mechanism to restore full legal capacity of all persons with disabilities, regardless of their impairment;

(c) Revise all provisions as regards the supported decision-making mechanism with the aim of ensuring that supported decision-making mechanisms respect the dignity, autonomy, will and preferences of persons with disabilities in the exercise of legal capacity by all persons with disabilities.

Access to justice (art. 13)

26. The Committee notes with concern the barriers that persons with disabilities, particularly persons with intellectual disabilities, persons with psychosocial disabilities, those placed under the substitute decision-making regime, those in residential and psychiatric institutions and persons with physical disabilities, face in the justice system owing to the lack of procedural and age-appropriate accommodation, the lack of accessible information and communication on legal procedures and inaccessible buildings.

27. The Committee recalls the International Principles and Guidelines on Access to Justice for Persons with Disabilities prepared by the Special Rapporteur on the rights of persons with disabilities and target 16.3 of the Sustainable Development Goals and recommends that the State party:

(a) Ensure that all necessary and effective procedural safeguards and accommodations are in place so that all persons who have restricted legal capacity and those placed in residential and psychiatric facilities can have access to an effective judicial review of decisions affecting them and to free and effective legal representation in all proceedings;

(b) Revise the Code on Civil Procedure and the Criminal Proceedings Act to guarantee procedural and age-appropriate accommodation for all persons with disabilities in any legal circumstances by developing alternative and augmentative means of information and communication, such as Braille, sign language, Easy Read, symbol systems and audio and video transcription.

Liberty and security of the person (art. 14)

28. The Committee notes with concern:

(a) The discriminatory provisions of Act CLIV of 1997 on health care, which allows for the arbitrary deprivation of liberty of persons with psychosocial disabilities and placement in mental health facilities on the basis of impairment and perceived dangerousness;

(b) The lack of legal safeguards for ensuring the rights to liberty and security of persons in psychiatric institutions, including in forensic psychiatric institutions, in which the detention and medical treatment of persons with disabilities can endure indefinitely, even when the periodic judicial review deems treatment and detention no longer necessary;

(c) The lack of availability and accessibility of human rights-based mental health services across the State party;

(d) The absence of accessibility and reasonable accommodation for persons with disabilities in penitentiary institutions, particularly for deaf persons and women and children with disabilities.

29. **The Committee recommends that the State party:**

(a) **Review and repeal all discriminatory legal provisions legitimizing the involuntary treatment and deprivation of liberty of persons on the grounds of their psychosocial disability and perceived dangerousness, and ensure that any treatment is always based on the free and informed consent of the person concerned;**

(b) **Ensure legal safeguards for the rights to liberty and security of persons in psychiatric institutions, including in forensic psychiatric institutions;**

(c) **Develop community and human rights-based mental health services and support across the State party;**

(d) **Guarantee full accessibility and procedural accommodation, including augmentative and alternative modes of communication, Braille and sign language, for all persons with disabilities at penitentiary institutions.**

30. **The Committee further calls upon the State party to be guided by its obligations under article 14 of the Convention, and the Committee's guidelines on the right to liberty and security of persons with disabilities⁴ in relation to the draft additional protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine (Oviedo Convention), and that it oppose its adoption. The State party should implement its obligations under the Oviedo Convention in a manner compatible with the human rights model of disability.**

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 5)

31. The Committee is concerned about:

(a) Reports of solitary confinement, mechanical and chemical restraints, forced medication and other forms of ill-treatment of persons with disabilities in residential and psychiatric institutions;

(b) The practice of placing children with psychosocial disabilities in isolation as a form of punishment.

32. **The Committee recommends that the State Party:**

(a) **Prevent any form of torture or cruel, inhuman or degrading treatment or punishment of persons with disabilities in residential and psychiatric institutions and ensure access to justice and reparations for victims, including through the establishment of an accessible complaints procedure;**

⁴ [A/72/55](#), annex.

(b) **End the placement of children with psychosocial disabilities in isolation and other types of punishment.**

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

33. The Committee is concerned about:

(a) The systematic abuse, including sexual abuse, mistreatment and neglect of persons with disabilities, particularly of children with disabilities and persons with intellectual disabilities, as a result of the perpetuation of institutional forms of care for persons with disabilities;

(b) The lack of independent monitoring of residential care and psychiatric institutions;

(c) The lack of well-defined investigation methods and procedures for combating hate crimes against persons with disabilities;

(d) The lack of accessibility and required accommodations for women with disabilities in services for victims of domestic violence;

(e) Insufficient consideration of the recommendations raised by the Committee on the Rights of the Child in 2020 on cases of child sexual abuse and maltreatment of children with disabilities in institutional care.⁵

34. **The Committee, recalling targets 5.1, 5.2 and 5.5 of the Sustainable Development Goals, recommends that the State party:**

(a) **Develop a comprehensive strategy and legal safeguards to prevent and combat all forms of violence and exploitation against persons with disabilities, including by repealing section 126 (9) of the decree of the Ministry of Public Welfare 15/1998 (IV. 30) on the tasks and operational conditions of child welfare and child protection services and professionals providing personal care in order to abolish the use of isolation rooms for children with psychosocial disabilities in institutions for children;**

(b) **Ensure that all facilities, residential care and psychiatric institutions are subjected to independent monitoring in line with article 16 (3) of the Convention, through the involvement of civil society organizations, including disability rights-based organizations, in order to prevent exploitation and abuse of and violence against persons with disabilities;**

(c) **Establish well-defined investigation methods, protocols and procedures for combating hate crimes against persons with disabilities;**

(d) **Ensure that all services for girls and women with disabilities who are survivors of domestic violence, including support centres and emergency shelters, are accessible and the required support is provided;**

(e) **Ratify the Convention on Preventing and Combating Violence against Women and Domestic Violence adopted by the Council of Europe, with the aim of ensuring the necessary protection of the rights of women with disabilities, including access to support services and redress for victims of violence;**

(f) **Ensure the full implementation of the recommendations of the Committee on the Rights of the Child in 2020.⁶**

Protecting the integrity of the person (art. 17)

35. The Committee observes with concern that women and girls with disabilities, especially those placed under substitute decision-making regimes and those still in institutions can be subject to sterilization and abortion without their consent. The Committee is particularly concerned that women and girls with intellectual and psychosocial disabilities and autistic women and girls are subjected to contraception without their consent in

⁵ See [CRC/C/HUN/CO/6](#).

⁶ Ibid.

residential institutions, including in group homes, and face discriminatory legal restrictions on their right to have a child.

36. The Committee recommends that the State party abolish all legal provisions, including the provisions of the Health Act (187/B) that allows for women and girls with disabilities to be sterilized and abortions carried out on them on the basis of third-party requests, including from guardians. The Committee also recommends that the State party adopt protocols on respect for the sexual and reproductive health rights of women and girls with disabilities, in particular women and girls with intellectual disabilities, and include the duty to provide them with accessible information and services concerning their sexual and reproductive health rights. The Committee further recommends that the State party ensure that the use of contraception by all women and girls with disabilities in all settings is based on free and informed consent, respecting the dignity and autonomy of women and girls with disabilities.

Liberty of movement and nationality (art. 18)

37. The Committee notes with concern the lack of:

(a) Procedural safeguards, accessibility and reasonable accommodation for asylum seekers and refugees with disabilities at border crossings and in reception and accommodation facilities;

(b) Accessible and understandable modes of information and communication for asylum-seeking or refugee children with disabilities;

(c) Measures to end the detention of asylum seekers in closed border transit zone facilities and accommodate asylum seekers in open reception facilities;

(d) Efforts to remove restrictions on non-governmental organizations providing support to asylum seekers, including restrictions on funding from the European Union Asylum, Migration and Integration Fund;

(e) Data on asylum seekers and refugees with disabilities, disaggregated by sex, age and type of impairment.

38. The Committee recommends that the State party, in close cooperation with organizations of persons with disabilities:

(a) **Assess the current status of asylum seekers and refugees with disabilities at border crossings and in reception and accommodation facilities, and ensure accessibility, reasonable accommodations and support measures for them;**

(b) **Ensure accessible and understandable modes of information and communication for asylum-seeking or refugee children with disabilities;**

(c) **End the detention of asylum seekers in closed border transit zone facilities and accommodate asylum seekers in open reception facilities;**

(d) **Remove restrictions on non-governmental organizations providing support to asylum seekers, including restrictions on funding from the European Union Asylum, Migration and Integration Fund;**

(e) **Collect data, disaggregated by sex and age, on asylum seekers and refugee persons with disabilities.**

39. **In the light of the growing humanitarian crisis in Ukraine, which has already pushed a large number of people into the neighbouring countries, the Committee recommends that the State party take appropriate measures to provide persons with disabilities, in particular children with disabilities, in need of international protection with all the necessary support and services, including their accommodation in foster care families.**

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

40. The Committee is concerned about:

(a) The perpetuation of institutionalization of children with disabilities by the refurbishing and building of new institutionalized settings and by placing children with disabilities who require higher levels of support in institutions for adult persons with disabilities;

(b) The lack of an independent monitoring mechanism for the deinstitutionalization of children;

(c) The lack of recognition of the right of persons with disabilities to live independently and be included in the community, in line with the provisions of the Convention. The Committee is also concerned about the transinstitutionalization of persons with disabilities moving from large institutions into small-scale institutions, including supported houses, and the refurbishment of existing institutions, including with the use of structural funds from the European Union, perpetuating institutionalization and exclusion on the basis of disability;

(d) The mistaken interpretation of the substitute decision-making regime, depriving persons with disabilities of the opportunity to exercise their right to choose their place of residence and live independently on an equal basis with others in the community;

(e) The continuing admissions of persons with disabilities into residential institutions under the Act on Social Administration and Social Benefits and government decree No. 1295/2019 (V.27), due to the lack of community-based services and individualized support for persons with disabilities to live independently;

(f) Insufficient measures to promote and ensure access by persons with disabilities on an equal basis with others to community services and facilities.

41. Recalling its general comment No. 5 (2017), the Committee reiterates the recommendations set out in its report on the inquiry concerning Hungary under article 6 of the Optional Protocol to the Convention,⁷ urging the State party to:

(a) Discontinue the institutionalization of children with disabilities and ensure their right to a family life by redirecting investments from institutions into support measures for families and the provision of inclusive community services, such as inclusive early intervention, across the State party;

(b) Ensure independent monitoring of the deinstitutionalization of children with disabilities and independent methodological support for that process, with the close involvement of disability rights organizations;

(c) Revise its deinstitutionalization strategy with the aim of redefining its objectives;

(d) Redesign its measures and redirect its efforts and budgets into community-based support services, including personal assistance, with the aim of providing for persons with disabilities to live independently in the community equally with others, regardless of their type of impairment, guarantee that community services and facilities for the general population are available for persons with disabilities and ensure that persons with disabilities have the opportunity and right to choose their place of residence on an equal basis with others in the community.

Personal mobility (art. 20)

42. The Committee is concerned about the lack of access to quality mobility aids, devices, assistive technologies and forms of life assistance and intermediaries for persons with disabilities, resulting from their compulsory linkage with health insurance, including the lack of involvement of organizations of persons with disabilities in the licensing of measures aimed at facilitating personal mobility.

⁷ CRPD/C/HUN/IR/1 and CRPD/C/HUN/IR/1/Corr.1.

43. **The Committee recommends that the State party, in close cooperation with organizations of persons with disabilities, revise the mobility aids system for persons with disabilities, including its mechanism for quality assurance, and facilitate the provision of quality mobility aids, devices and assistive technologies for all persons with disabilities, based on their individual needs, with the aim of promoting their autonomy and independent life.**

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

44. The Committee observes with concern the lack of access to media, telecommunication and information and communications technology services for persons with disabilities, in particular for persons with visual impairments, in the State party.

45. **The Committee recommends that the State party be guided by the Web Content Accessibility Guidelines 2.1 and take appropriate measures to:**

(a) **Ensure that persons with disabilities can exercise their right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice, including but not limited to sign language, Braille, Easy Read, symbol systems, induction loops, subtitles, audio description, transcription and all other accessible means, modes and formats of communication;**

(b) **Fully transpose the Audiovisual Media Services Directive ((EU) 2018/1808) into the State party's legislation.**

Respect for home and the family (art. 23)

46. The Committee is concerned about:

(a) Legal restrictions under the Civil Code depriving persons with disabilities, who have been placed under substitute decision-making, of their rights to marriage and family life;

(b) The lack of in-home and community-based services for families with a member with disability, particularly those with autistic children and children requiring higher levels of support, especially in areas outside the capital and in rural areas;

(c) The risk for children with disabilities of being separated from their parents based on their impairment or socioeconomic status and resulting in their institutionalization.

47. **The Committee recommends that the State party:**

(a) **Repeal all legal restrictions on marriage and family life for persons with disabilities on the grounds of their impairment and ensure their rights in relation to marriage, family and parenthood on an equal basis with others;**

(b) **Ensure the accessibility and availability of in-home and community-based services for families with a member with disability across the territory of the State Party;**

(c) **Prevent the separation of children with disabilities from their parents based on their impairment or socioeconomic status and ensure all necessary community-based support and services in the performance of their child-rearing responsibilities.**

Education (art. 24)

48. The Committee notes with concern that children with disabilities are excluded from the general education system. In particular, it is concerned about:

(a) The Public Education Act, which provides for segregated education and omits the obligation to admit children with disabilities into general education schools, as provided in the Convention, and legitimizes both the education of children with high support requirements in residential institutions and at home and a reduced number of teaching hours for children with disabilities;

(b) The lack of access to regular education facilities and transportation for children with physical disabilities in their communities, providing reasonable accommodation for the requirements of individuals, including in rural areas;

(c) The limited knowledge and skills of teachers in the general education system that are necessary for inclusive education;

(d) The barriers experienced by deaf and hard-of-hearing children in accessing the general education system and the lack of opportunities for bilingual education within inclusive educational settings;

(e) The lack of accessibility of general vocational education facilities and programmes, particularly for autistic children and children with intellectual disabilities;

(f) The segregation of children with disabilities, including Roma children, through poor-quality education and in special schools.

49. **Recalling its general comment No. 4 (2016) and target 4.5 and indicator 4.a of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Revise its Public Education Act with the aim of eliminating all discriminatory provisions regarding the education of children with disabilities and explicitly provide for quality inclusive education to ensure that no child with disabilities is excluded from the general education system on the basis of impairment;**

(b) **Ensure access to the general education system in the community and provide the necessary reasonable accommodations for all children with disabilities on an equal basis with other children;**

(c) **Guarantee access to regular education facilities and transportation for children with physical disabilities in their communities across the State party;**

(d) **Provide comprehensive and focused training for general education teachers and administrative staff on the principles and methods of inclusive education, the capacities of children with disabilities and the individualized support measures required by children with disabilities;**

(e) **Provide access to the general education for deaf and hard-of-hearing children and promote bilingual education opportunities within an inclusive educational setting, particularly through quality sign language and other support that is required;**

(f) **Ensure the accessibility of regular vocational education facilities and programmes for all children with disabilities, particularly for autistic children and children with intellectual disabilities, through measures of universal design and reasonable accommodation;**

(g) **Take measures aimed at ensuring access to inclusive, high-quality and free primary, secondary and vocational education for children with disabilities, including Roma children, on an equal basis with others.**

Health (art. 25)

50. The Committee is concerned about:

(a) The insufficient accessibility of health-care facilities, services and medical equipment, including physical and informational accessibility, for all persons with disabilities across the State party, particularly for persons with intellectual disabilities and autistic children in general treatment and women with disabilities in relation to their sexual and reproductive health;

(b) The attitudinal barriers and limited knowledge of the rights and requirements of persons with disabilities among health-care professionals.

51. **Taking into account the links between article 25 of the Convention and targets 3.7 and 3.8 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Develop action plans to ensure the accessibility and availability of health-care facilities, services and equipment for persons with disabilities across the State Party, with a specific emphasis on the sexual and reproductive health of women with disabilities, as well as on accessible information and communication for autistic persons, persons with intellectual disabilities and persons with visual and hearing impairments in general treatment in the health-care system;**

(b) **Develop training programmes, including in universities and in-service training curricula, for health-care professionals on the needs and rights of persons with disabilities.**

Work and employment (art. 27)

52. The Committee notes with concern:

(a) The very low employment rate of persons with disabilities, particularly in the open labour market, where those employed are mostly in underpaid, unskilled jobs and in sheltered workshops;

(b) The ineffectiveness of existing measures of support for the employment of persons with disabilities in an open labour market, including the obligation under the Labour Code to provide reasonable accommodation;

(c) The barriers that persons with disabilities face in their employment, resulting from the lack of accessibility to and reasonable accommodation in workplaces, including transportation.

53. **The Committee recommends that in line with target 8.5 of the Sustainable Development Goals, the State party:**

(a) **Revise the existing legislation and measures of support for the employment of persons with disabilities and take comprehensive measures aimed at effectively supporting the work and employment of persons with disabilities in the open labour market and in inclusive work environments;**

(b) **Adopt legislative and policy measures to protect the rights of persons with disabilities to just and favourable conditions of work, and ensure that persons with disabilities are not paid below the minimum wage and are provided with work contracts and equal remuneration for work on an equal basis with others;**

(c) **Redirect the allocations for the employment of person with disabilities from sheltered employment to support the employment of persons with disabilities, including of persons who require higher levels of support and deinstitutionalized persons, and ensure that the right to seek reasonable accommodation in the workplace is recognized for employees in the public and private sectors;**

(d) **Monitor, in close consultation with organizations of persons with disabilities, the accessibility of workplaces across the State party and adopt an action plan with the aim of outlining measures, with time frames and adequate budgets, to ensure reasonable accommodation in and the accessibility of workplaces, including access to transportation.**

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

54. The Committee notes with concern:

(a) The extremely low and inadequate disability allowances and benefits for persons with disabilities, particularly for persons with disabilities requiring higher levels of support, that, alongside the lack of community-based services, result in a high risk of poverty and social marginalization of persons with disabilities and their families;

(b) The legislative changes to the disability benefits schemes in 2012, which have adversely affected the living conditions of persons with disabilities and their families;

(c) The disability entitlement system, which maintain barriers to persons with disabilities in accessing social support services and the information they require.

55. The Committee recommends that the State Party take appropriate legislative steps to:

(a) **Recognize the right of persons with disabilities to an adequate standard of living for them and their families and to progressive improvement in their living conditions through decent disability allowances and benefits and accessible and available housing and services in the community;**

(b) **Redress the negative impacts of the reform of the disability benefits schemes in 2012 and ensure that persons with disabilities are compensated for the damage caused by the reform;**

(c) **Revise the disability entitlement system to make it accessible and easy to use for all persons with disabilities, through the provision of alternative and augmentative modes of information and communication.**

Participation in political and public life (art. 29)

56. The Committee notes with concern:

(a) Article XXIII (6) of the Fundamental Law and section 13/A and related provisions of Act XXXVI of 2013 on the electoral procedure, which allow for the restrictions on the right to vote for persons under guardianship through the discriminatory individualized judicial evaluation of a person's ability or capacity to vote;

(b) The lack of clarity in section 181 (1) of Act XXXVI of 2013 on the electoral procedure;

(c) The lack of accessibility to voting procedures, facilities and materials for all persons with disabilities, particularly for persons with physical, intellectual or psychosocial disabilities, hearing or visual disabilities and autistic persons;

(d) The low level of participation of persons with disabilities, in particular women with disabilities, in the State party's political life, including in high-level decision-making positions.

57. The Committee recommends that the State party:

(a) **Repeal article XXIII (6) of the Fundamental Law and section 13/A and all related provisions of Act XXXVI of 2013 on the electoral procedure, and recognize the right to vote and stand for election of all persons with disabilities without any individualized judicial evaluation of a person's ability or capacity to vote;**

(b) **Amend section 181 (1) of Act XXXVI of 2013 on the electoral procedure through recognizing the right of all persons with disabilities to access assistance to vote provided by a person of their own choice;**

(c) **Ensure that electoral and voting procedures, facilities and election materials provide reasonable accommodation for persons with severe impairments and are appropriate and accessible for all persons with disabilities regardless of impairment;**

(d) **Develop and ensure sustainable policies and measures to promote the election and appointment of persons with disabilities, including women with disabilities, in high-level decision-making positions at the national and local levels, and increase their participation in public service by taking into account indicator 16.7.1 of the Sustainable Development Goals.**

Participation in cultural life, recreation, leisure and sport (art. 30)

58. The Committee is concerned about the remaining barriers to access to recreational, leisure and sporting venues and activities for persons with disabilities, particularly persons with intellectual disabilities and children with disabilities.

59. **The Committee recommends that the State party ensure access to general recreational, leisure and sporting venues and activities for persons with disabilities, with a particular emphasis on persons with intellectual disabilities and children with disabilities, on an equal basis with others, and provide them with the necessary assistance and support to achieve this objective.**

C. Specific obligations (arts. 31–33)**Statistics and data collection (art. 31)**

60. The Committee notes with concern:

(a) The lack of disaggregated data and information on persons with disabilities, including on their living conditions and the assistance and services they receive in the State Party;

(b) The fragmented data systems on persons with disabilities, maintained by different authorities and providing different figures, particularly on persons placed under substitute decision-making regimes.

61. **The Committee recalls the Washington Group short set of questions on disability and the policy marker on the inclusion and empowerment of persons with disabilities of the Development Assistance Committee of the Organisation for Economic Co-operation and Development, and recommends that the State party:**

(a) **Collect data on persons with disabilities, disaggregated by age, sex, health status, race, ethnicity, income, migration and/or asylum-seeking or refugee status, level of education, employment situation, place of residence and services received, as well as on the barriers that persons with disabilities face in society, including data related to deinstitutionalization, legal capacity status and victims of violence, abuse and ill-treatment;**

(b) **Establish a unified statistics and data collection system on persons with disabilities.**

International cooperation (art. 32)

62. The Committee notes with concern the lack of:

(a) Harmonization of international investment programmes, particularly of the European structural and investment funds, with the purpose and provisions of the Convention;

(b) Involvement of representative organizations of persons with disabilities in the consultation, preparation, development and implementation of investment programmes that concern persons with disabilities.

63. **The Committee recommends that the State party:**

(a) **Harmonize and align the use of international investment programmes, particularly European structural and investment funds, with the purpose and provisions of the Convention;**

(b) **Establish a mechanism to involve representative organizations of persons with disabilities to ensure that they are effectively consulted and involved at all stages of development and implementation of international cooperation plans, programmes and projects.**

National implementation and monitoring (art. 33)

64. The Committee notes with concern:

(a) The narrow scope of actions of the current coordination mechanism for implementation of the Convention, which is mainly limited to social affairs, and the lack of capacity of the Intergovernmental Disability Committee that is designated to coordinate Governmental activities and promote the provisions of the Convention across all sectors of the Government and all areas of life in the State party;

(b) The lack of independence and capacity of the National Disability Council as the designated mechanism for monitoring implementation of the Convention;

(c) The absence of effective involvement of persons with disabilities and their organizations in monitoring the implementation of the Convention.

65. **The Committee recommends that the State party:**

(a) **Strengthen the governmental mechanism for coordinating implementation of the Convention and build the capacity of focal points to mainstream disability rights across different sectors and levels of the administration, including in the justice system, and all areas of life, and strengthen their mandates and attributions with respect to implementing the Convention;**

(b) **Revise its mechanism for monitoring implementation of the Convention to guarantee its full independence, in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), ensure equal participation of persons with disabilities and their representative organizations, including advocacy organizations, and provide the mechanism with appropriate budgetary allocations to support their participation;**

(c) **Ensure that organizations of persons with disabilities, including advocacy organizations, are effectively involved in the monitoring process of the implementation of the Convention, with reference to the Committee's general comment No. 7 (2018).**

IV. Follow-up

Dissemination of information

66. The Committee emphasizes the importance of all the recommendations contained in the present concluding observations. With regard to urgent measures that must be taken, the Committee would like to draw the State party's attention to the recommendations contained in paragraphs 9, on participation of persons with disabilities, and 41 on living independently and being included in the community.

67. The Committee requests the State party to implement the recommendations contained in the present concluding observations. It recommends that the State party transmit the concluding observations for consideration and action to members of the Government and the parliament, officials in relevant ministries, local authorities and members of relevant professional groups, such as education, medical and legal professionals, as well as to the media, using modern social communication strategies.

68. The Committee strongly encourages the State party to involve civil society organizations, in particular organizations of persons with disabilities, in the preparation of its periodic report.

69. The Committee requests the State party to disseminate the present concluding observations widely, including to non-governmental organizations and organizations of persons with disabilities, and to persons with disabilities themselves and members of their families, in national and minority languages, including sign language, and in accessible formats, including Easy Read, and to make them available on the government website on human rights.

Next periodic report

70. **The Committee requests the State party to submit its combined fourth and fifth periodic reports by 20 August 2025 and to include in them information on the implementation of the recommendations made in the present concluding observations. The Committee also requests the State party to consider submitting the above-mentioned reports under the Committee's simplified reporting procedure, according to which the Committee prepares a list of issues at least one year prior to the due date set for the report of a State party. The replies of a State party to such a list of issues constitute its report.**
