



Convention on the Rights of Persons with Disabilities

Distr.: General
17 October 2023

Original: English

Committee on the Rights of Persons with Disabilities

Report of the Committee on the Rights of Persons with Disabilities on its twenty-ninth session (14 August–8 September 2023)

I. States parties to the Convention and the Optional Protocol thereto

1. As at 8 September 2023, the date on which the twenty-ninth session closed, there were 187 States parties to the Convention on the Rights of Persons with Disabilities and 105 States parties to the Optional Protocol thereto. The lists of States parties to these instruments are available on the website of the Office of Legal Affairs of the Secretariat.

II. Opening of the twenty-ninth session of the Committee

2. The twenty-ninth session opened in a public meeting with welcoming remarks by the Chief of the Women's Human Rights and Gender Section, Rule of Law, Equality and Non-discrimination Branch, Thematic Engagement, Special Procedures and Right to Development Division, Office of the United Nations High Commissioner for Human Rights. The welcoming remarks are available on the Committee's website.

3. The Committee reviewed and adopted the provisional agenda¹ and programme of work for the twenty-ninth session.

III. Membership of the Committee

4. The list of members of the Committee as at 8 September 2023, indicating the duration of their terms of office, is available on the Committee's website.

IV. Working methods

5. The Committee discussed various issues related to its working methods and decided to continue updating and streamlining its working methods during the intersessional period. It piloted the use of task forces during the dialogues with Germany and Malawi, and implemented its follow-up procedure related to reports on inquiries under the Optional Protocol to the Convention.

* Reissued for technical reasons on 13 November 2023.

¹ [CRPD/C/29/1](#).



V. Activities related to general comments

6. The Committee continued, in private, its work related to the draft general comment on article 11 of the Convention.

VI. Activities related to the Optional Protocol

7. The Committee examined five communications submitted for its consideration under the Optional Protocol to the Convention. It found violations of the Convention in three of them: *J.M.V.A. v. Spain*,² *Sabadie v. France*³ and *S.M. v. Denmark*.⁴ It discontinued its consideration of the other two communications: *R.K.H.M. v. Canada*⁵ and *R.M.H. v. Sweden*.⁶ The Views and decisions adopted by the Committee regarding the communications were transmitted to the parties as soon as possible and subsequently made available on the Official Document System⁷ and the Committee's website. A summary of the Views and decisions adopted at the twenty-ninth session may be found in annex III to the present report.

8. The Committee considered matters related to inquiry proceedings pursuant to articles 6 and 7 of the Optional Protocol.

VII. Future sessions

9. The thirtieth session of the Committee is provisionally scheduled to be held in Geneva from 4 to 22 March 2024, and will be followed by the nineteenth meeting of the pre-sessional working group, from 25 to 28 March 2024.

VIII. Accessibility of the Committee's meetings

10. The twenty-ninth session of the Committee was held in Geneva, with Committee members and delegations of States parties participating in person. Stakeholders including organizations of persons with disabilities, civil society organizations, national human rights institutions, specialized agencies and other United Nations bodies participated in person or, exceptionally, online. International Sign interpretation, national sign language interpretation (during the dialogue with two States parties) and remote captioning were available. Public meetings were webcast. No plain language or Easy Read versions of documents were available during the session. The software used for the registration of participants for the meeting (Indico) was not fully accessible for participants with visual impairments. Current protocols for vehicles entering the Palais des Nations continued to pose barriers for participants with disabilities who required accessible transportation. Reasonable accommodation, including in the organization of travel for Committee members with disabilities, continued to be developed.

IX. Cooperation with relevant bodies

A. Cooperation with United Nations organs and specialized agencies

11. At the opening meeting of the session, the Special Rapporteur on the rights of persons with disabilities, the Chair of the Committee on the Rights of the Child and the Chair of the task force on secretariat services, accessibility for persons with disabilities and use of information technology of the Human Rights Council made statements. The Committee's

² CRPD/C/29/D/47/2018.

³ CRPD/C/29/D/52/2018.

⁴ CRPD/C/29/D/61/2019.

⁵ CRPD/C/29/D/57/2019.

⁶ CRPD/C/29/D/86/2021.

⁷ See <https://documents.un.org/>.

working group on women and girls with disabilities met with a representative of the Technical Secretariat of the United Nations Partnership on the Rights of Persons with Disabilities to discuss using the Partnership's Intersectionality Resource Guide and Toolkit and its inclusive gender transformative approach. At a side event, a representative of the World Health Organization addressed the Committee on that Organization's initiative on health equity for persons with disabilities.

B. Cooperation with non-governmental organizations and other bodies

12. At the opening meeting of the session, the Committee was addressed by representatives of the International Disability Alliance, the Center for the Human Rights of Users and Survivors of Psychiatry and the Association for Inclusion (Japan). The Global Coalition on Deinstitutionalization and several persons with disabilities made statements during the panel discussion on deinstitutionalization held on 18 August 2023. The Centre for the Human Rights of Users and Survivors of Psychiatry organized a side event on dismantling the medical model of psychosocial disability, building on the Committee's guidelines on deinstitutionalization, including in emergencies.⁸ Validity Foundation – Mental Disability Advocacy Centre, Fight for Right (Ukraine) and Disability Rights International organized a side event on recovery in Ukraine and humanitarian donors' obligations to ensure inclusion, not institutionalization, for persons with disabilities. Fundación Saraki offered Committee members pro bono training in the use of the inclusion dashboard it had developed, which would allow them to manage better the information submitted to the Committee and made available on the Committee's public website.

13. Representatives of the independent monitoring mechanisms of Austria and Germany and the national human rights institutions of Austria, Mauritania and Mongolia participated in the Committee's public review of the reports of their respective countries. During the private meetings on country situations, the Committee had the opportunity to gather information from and interact with several organizations of persons with disabilities, civil society organizations and independent monitoring mechanisms, including national human rights institutions.

14. At the closing meeting of the session, the disability rights specialist of the Rapporteurship on the Rights of Persons with Disabilities of the Inter-American Commission on Human Rights, the Secretary of the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities of the Organization of American States, a representative of the judicial branch of the Province of Buenos Aires, Argentina, and a representative of the International Disability Alliance addressed the Committee.

X. Consideration of reports submitted in accordance with article 35 of the Convention

15. The Committee held eight constructive dialogues, all of which were held in person. The Committee considered the initial reports of Andorra, Israel and Mauritania,⁹ the combined initial and second periodic reports Malawi¹⁰ and the combined second and third periodic reports of Austria, Germany, Mongolia and Paraguay.¹¹ It adopted concluding observations in relation to those reports.¹² A list of States parties whose initial reports are more than five years overdue may be found in annex II to the present report.

⁸ CRPD/C/5.

⁹ CRPD/C/AND/1, CRPD/C/ISR/1 and CRPD/C/MRT/1.

¹⁰ CRPD/C/MWI/1-2.

¹¹ CRPD/C/AUT/2-3, CRPD/C/DEU/2-3, CRPD/C/MNG/2-3 and CRPD/C/PRY/2-3.

¹² CRPD/C/AND/CO/1, CRPD/C/AUT/CO/2-3, CRPD/C/DEU/CO/2-3, CRPD/C/ISR/CO/1, CRPD/C/MWI/CO/1-2, CRPD/C/MRT/CO/1, CRPD/C/MNG/CO/2-3 and CRPD/C/PRY/CO/2-3.

XI. Other decisions

16. The Committee adopted the present report on its twenty-ninth session.
17. The full list of the decisions adopted by the Committee is available in annex I to the present report.

Annex I

Decisions adopted by the Committee at its twenty-ninth session

1. The Committee adopted concluding observations in relation to the initial reports of Andorra, Israel and Mauritania¹ and the combined initial and second periodic reports Malawi.² It also adopted concluding observations in relation to the combined second and third periodic reports of Austria, Germany, Mongolia and Paraguay.³
2. The Committee considered five individual communications submitted for its consideration under the Optional Protocol to the Convention. It found violations of the Convention in three of them and decided to discontinue its consideration of two of them. A summary of the Views and decisions of the Committee may be found in annex III to the present report. The Views and decisions were transmitted to the parties as soon as possible and were subsequently made public.
3. The Committee considered matters related to inquiries pursuant to the Optional Protocol.
4. The Committee held a panel discussion on deinstitutionalization and adopted a statement calling on States parties to develop their deinstitutionalization policies and plans in line with the Committee's guidelines on deinstitutionalization, including in emergencies.⁴
5. The Committee decided that its thirtieth session would be held in Geneva from 4 to 22 March 2024 and would be followed by the nineteenth meeting of the pre-sessional working group, from 25 to 28 March 2024. The Committee adopted a provisional programme of work for its thirtieth session.
6. The Committee decided to continue piloting its use of task forces for the preparation for and conduct of constructive dialogues with States parties.
7. The Committee decided to continue engaging with the United Nations Office at Geneva and the Office of the United Nations High Commissioner for Human Rights, with a view to improving the provision of accessible conference services and reasonable accommodation to members of the Committee and participants with disabilities at Committee meetings.
8. The Committee decided to adopt a statement on the right of persons with disabilities to social protection, including in situations of risk and humanitarian emergencies.
9. The Committee adopted the report on its twenty-ninth session.

¹ CRPD/C/AND/CO/1, CRPD/C/ISR/CO/1 and CRPD/C/MRT/CO/1.

² CRPD/C/MWI/CO/1-2.

³ CRPD/C/AUT/CO/2-3, CRPD/C/DEU/CO/2-3, CRPD/C/MNG/CO/2-3 and CRPD/C/PRY/CO/2-3.

⁴ CRPD/C/5.

Annex II**States parties whose initial reports are more than five years overdue**

<i>Party</i>	<i>Due date</i>
Guinea	8 March 2010
San Marino	22 March 2010
Lesotho	2 January 2011
Yemen	26 April 2011
Syrian Arab Republic	10 August 2011
United Republic of Tanzania	10 December 2011
Malaysia	19 August 2012
Saint Vincent and the Grenadines	29 November 2012
Belize	2 July 2013
Cabo Verde	10 November 2013
Nauru	27 July 2014
Eswatini	24 October 2014
Dominica	1 November 2014
Cambodia	20 January 2015
Barbados	27 March 2015
Papua New Guinea	26 October 2015
Côte d'Ivoire	10 February 2016
Grenada	17 September 2016
Congo	2 October 2016
Guyana	10 October 2016
Guinea-Bissau	24 October 2016
Madagascar	12 July 2017
Gambia	6 August 2017
Bahamas	28 October 2017
Democratic Republic of the Congo	30 October 2017
Sao Tome and Principe	5 December 2017
Antigua and Barbuda	7 February 2018
Brunei Darussalam	11 May 2018
Comoros	16 July 2018

Annex III

Summary of Views and decisions adopted by the Committee regarding individual communications

J.M.V.A. v. Spain

1. The Committee examined the communication in the case of *J.M.V.A. v. Spain*.¹ The author is a national of Spain born in 1964. He claimed that the State party violated his rights under article 27 (1) (a), (b), (e), (g), (i) and (k), read alone and in conjunction with article 3 (a)–(e); article 4 (1) (a), (b) and (d) and (5); article 5 (1)–(3); and article 13 (2) of the Convention by failing to allow him to continue working under the status of modified duty after acquiring a disability.

2. The author worked as an officer in the L'Hospitalitet de Llobregat municipal police in Catalonia. In 2008, he acquired a disability as a result of a traffic incident. The Ministry of Labour and Immigration declared that his status was one of "total permanent disability for the performance of his occupation". The author submitted an administrative application to L'Hospitalet de Llobregat Municipal Council requesting that he be assigned the special administrative status of "modified duty". However, the Municipal Council rejected his application and on appeal, Barcelona Administrative Court No. 5 confirmed that initial decision. The author's subsequent appeal was denied by the High Court of Justice of Catalonia. The author then filed a petition for *amparo* with the Constitutional Court, which was dismissed on procedural grounds.

3. The State party contended that the communication should be found inadmissible for failure to exhaust domestic remedies, or, if the Committee found the communication admissible, that the allegations were without merit.

4. In its considerations, the Committee recalled that article 27 (1) of the Convention requires States parties to recognize the right of persons with disabilities to retain their employment, on an equal basis with others; to take all appropriate steps, including through legislation, to prohibit discrimination on the basis of disability with regard to the continuance of employment; and to ensure that reasonable accommodation is provided to persons who acquire a disability during the course of employment. It also recalled its general comment No. 6 (2018) on equality and non-discrimination, in which it stated that in order to achieve de facto equality in terms of the Convention, States parties must ensure that there was no discrimination on the grounds of disability in connection with work and employment. The Committee further recalled that the process of seeking reasonable accommodation should be cooperative and interactive and aim to strike the best possible balance between the needs of the employee and those of the employer. In determining which reasonable accommodation measures to adopt, the State party must ensure that the public authorities identified the effective adjustments that could be made to enable the employee to carry out his or her key duties. The Committee noted that the failure to enact local modified-duty regulations had ruled out the possibility of evaluating the barriers to the author's retention within the police force, as he had been deprived of his status as a public official upon his mandatory retirement and had no possibility to request reasonable accommodation that would have enabled him to perform modified duty.

5. The Committee therefore concluded that the author's mandatory retirement constituted a violation of article 27 (1) (a), (b), (e), (g), (i) and (k), read alone and in conjunction with article 3 (a)–(e); article 4 (1) (a), (b), (d) and (5); and article 5 (1)–(3) of the Convention.

6. The Committee concluded that the State party was under an obligation to afford the author the right to compensation for any legal costs incurred in filing the communication and to take appropriate measures to ensure that the author was given the opportunity to undergo an assessment of fitness for alternative duties to evaluate his potential to undertake modified

¹ CRPD/C/29/D/47/2018.

duties or other complementary activities, including any reasonable accommodation that might be required. In general, the State party was under an obligation to take all necessary measures to align the modified-duty regulations of L'Hospitalitet de Llobregat municipal police with the principles enshrined in the Convention and the recommendations contained in the Views to ensure that assignment to modified duty was not restricted to public officials only; and to harmonize the various local and regional regulations governing the assignment of public officials to modified duty in accordance with the principles enshrined in the Convention and the recommendations contained in the Views.

Sabadie v. France

7. The Committee examined the communication in the case of *Sabadie v. France*.² The author is a national of France born in 1948. He claimed that the State party violated his rights under article 13 of the Convention on the grounds of a failure to investigate, which he describes as a denial of justice.

8. The author was a farmer against whom receivership and liquidation proceedings were ordered from 1993 to 2015. He claimed that the length of the proceedings affected his health to the point that he developed a disability. In 2004, the author was declared to be 80 per cent "disabled". According to a certificate issued in 2014, he was no longer able to express himself or walk, following a series of strokes. The author initiated criminal proceedings against the liquidator, but the Public Prosecutor dismissed his complaint as insufficiently defined. The Carcassonne Tribunal de Grande Instance (court of major jurisdiction) then declared the author's request to appoint an investigating judge inadmissible, a decision upheld by the Investigation Division of the Montpellier Court of Appeal. The latter then ordered the discharge of proceedings. On 26 July 2016, the author went to the Montpellier Court of Appeal to submit his cassation appeal. The registrar registered his appeal and had him sign his notice of appeal, but not the statement of claim. On 29 March 2017, the Court of Cassation declared the author's cassation appeal inadmissible as the author had failed to sign his statement of claim.

9. The State party contended that the communication should be found inadmissible for failure to exhaust domestic remedies, as the author had not brought an action for gross negligence or denial of justice provided for under article L.141-1 of the Code of Judicial Organization. Failing that, the State party argued that the allegations were without merit.

10. In its considerations on the admissibility of the communication, the Committee noted the State party's position that the registrar had not made a mistake under domestic law by not checking the author's signature on his statement of claim. The Committee did not accept the State party's argument that the author should have availed himself of the procedure provided for by article L.141-1 of the Code of Judicial Organization. The Committee found that the author had invoked the substance of his claim before the domestic courts. Nevertheless, it considered that the author's allegations regarding the behaviour of the liquidator, the alleged causal relationship between the liquidation proceedings and his disability, the refusal of the judicial authorities to investigate the matter and the length of compensation proceedings were insufficiently substantiated for the purpose of admissibility.

11. On the merits, the Committee noted that the European Court of Human Rights has referred to the role of the registrar as an officer of the court and has stated that courts must avoid both excessive formalism that would infringe the fairness of the proceedings and excessive flexibility that would result in the elimination of procedural requirements laid down by law. The Committee considered that, given this role, it would have been reasonable to expect the registrar to remind the author of the formalities to be completed, as she had done for his notice of appeal. In the light of the registrar's knowledge of the author's disability, the Committee considered that this would have constituted a procedural accommodation to ensure the author's effective access to justice on an equal basis with others. The Committee found that the failure to provide such accommodation breached the author's rights under article 13 of the Convention.

² CRPD/C/29/D/52/2018.

12. The Committee concluded that the State party should provide the author with an effective remedy, including reimbursement of any legal costs incurred by him, together with compensation. It also recommended that the State party take measures to prevent similar violations in the future, in particular measures to ensure reasonable accommodation for persons with disabilities in judicial proceedings.

S.M. v. Denmark

13. The Committee examined the communication in the case of *S.M. v. Denmark*.³ The author is a national of Denmark born in 1974. He claimed that the State party violated his rights under articles 14, 15 and 16, read in conjunction with articles 4, 17 and 25 of the Convention by subjecting him to forced psychiatric treatment.

14. In 2012, the author started sending threatening emails to various doctors and public officials responsible for psychiatric treatment, in connection with his concerns about the treatment of psychiatric patients in Denmark. As a result, the author was charged with various breaches of the Penal Code. A psychiatric examination concluded that the author had been “of unsound mind” when sending the emails. On 30 June 2016, the District Court of Hillerød convicted the author and sentenced him to psychiatric treatment, without indicating a time limit. On 26 September 2016, the Eastern High Court confirmed the judgment of the District Court. On 16 November 2016, the Board of Appeal to the Supreme Court decided not to grant leave to the author to file an appeal to the Supreme Court. The author underwent forced psychiatric treatment from 2 November 2016 to 13 March 2017.

15. The State party argued that the communication was insufficiently substantiated for the purpose of admissibility, and was, in any case, without merit.

16. In its considerations on the admissibility, the Committee found that the author’s claims under articles 15 and 16, read in conjunction with article 4 of the Convention, did not contain sufficient elements to enable it to assess to what extent the forced psychiatric treatment of the author breached his rights under those articles. The Committee therefore decided not to admit those claims, among others.

17. On the merits, the Committee reaffirmed that all persons with disabilities, and especially persons with intellectual and psychosocial disabilities, are entitled to liberty, pursuant to article 14 of the Convention. The Committee recalled that treatment is a social control sanction and should be replaced by formal criminal sanctions for offenders whose involvement in crime has been determined. The Committee also recalled that sentencing a person to treatment is incompatible with article 14 of the Convention. The Committee noted that, whereas the State party argued that the author was entitled to continuous judicial and medical review, the decision not to establish a maximum time on his treatment exposed him to the possibility of a much lengthier sanction than would be imposed on an offender not found to be “of unsound mind”. The Committee therefore found that the imposition of forced psychiatric treatment on the author breached his rights under article 14 of the Convention. The Committee recalled that forced treatment by psychiatric and other health and medical professionals is an infringement of the right to personal integrity and found that the forced administration of medication on the author, which caused him pain to the point of rendering him suicidal, was in violation of his rights under article 17 of the Convention, read in conjunction with article 25 of the Convention.

18. The Committee concluded that the State party should provide the author with an effective remedy, including reimbursement of any legal costs incurred by him, together with compensation; make a public acknowledgement of the violation of the author’s rights in accordance with its Views and adopt any other appropriate measure of satisfaction; and publish the Views and circulate them widely in accessible formats so that they are available to all sectors of the population. The Committee also recommended that the State party take measures to prevent similar violations in the future and ensure effective access to justice for persons with disabilities on an equal basis with others. Referring to the recommendations contained in its concluding observations⁴ and its guidelines on the right to

³ CRPD/C/29/D/61/2019.

⁴ CRPD/C/DNK/CO/1, paras. 35, 37 and 39.

liberty and security of persons with disabilities,⁵ the Committee requested the State party to adopt a policy to initiate a structural review of the procedures used to sanction persons with disabilities when they commit criminal offences; to take all necessary measures, including revision of the Psychiatric Act, to ensure that persons with disabilities enjoy the right to liberty and security of person; and to amend laws and regulations in order to abolish the use of physical, chemical and other medical non-consensual measures, with regard to persons with psychosocial disabilities in institutions.

R.K.H.M. v. Canada

19. The Committee decided to discontinue its consideration of the communication in the case of *R.K.H.M. v. Canada*.⁶ The author had been granted permanent residence in the State party and therefore no longer faced a risk of being returned to Sri Lanka. The State party had requested that the Committee discontinue its consideration of the communication, and the author had agreed to that request.

R.M.H. v. Sweden

20. The Committee decided to discontinue its consideration of the communication in the case of *R.M.H. v. Sweden*.⁷ The author had requested the discontinuance of his case as he had been granted residence in the State party and therefore no longer faced a risk of being returned to Afghanistan.

⁵ [A/72/55](#), annex.

⁶ [CRPD/C/29/D/57/2019](#).

⁷ [CRPD/C/29/D/86/2021](#).

Annex IV

Report on follow-up to the inquiry concerning Hungary

I. Introduction

1. During its twenty-second session (26 August–20 September 2019), the Committee adopted a report on an inquiry concerning Hungary under article 6 of the Optional Protocol to the Convention.¹ In that report, it requested the State party to submit a report within one year of the end of the inquiry proceedings, on the follow-up given to the Committee's recommendations.

2. During its twenty-sixth session (7–25 March 2022), the Committee considered the combined second and third periodic reports of Hungary and adopted concluding observations thereon, containing recommendations.²

3. On 4 November 2022, the Committee, through a note verbale, informed the State party of its decision to follow-up on the measures adopted by Hungary in response to the Committee's report on the inquiry, during the Committee's twenty-ninth session, to be held from 14 August to 8 September 2023.

4. On 25 April 2023, the Committee, through another note verbale, extended to 30 June 2023 the State party's deadline to submit a report on the follow-up given to the Committee's recommendations in its inquiry report. The Committee also informed the State party of the possibility of participating in a follow-up dialogue, to be held during its twenty-ninth session.

5. On 8 August 2023, the State party transmitted to the Committee, through a note verbale, written information on the measures taken by the Government in follow-up to the Committee's recommendations in its inquiry report. It also informed the Committee of its decision to participate in the follow-up dialogue to be held during the Committee's twenty-ninth session.

6. On 21 August 2023, during its 662nd meeting, the Committee held a public follow-up dialogue with the State party's delegation, which was headed by Mr. Prohászka, Head of the Disability Department, Ministry of the Interior of Hungary, and included members of the Department of European Health, Social Affairs and Education, the Ambassador and Permanent Representative of Hungary to the United Nations Office and other international organizations in Geneva and other members of the Permanent Mission.

7. On the same day, the Committee also held a private briefing with civil society organizations from Hungary. Beforehand, the Committee had received written information submitted by civil society on the State party's implementation of the recommendations.

II. General background

A. COVID-19 and its impacts on the situation of persons with disabilities

8. The Committee notes that in the State party, during the coronavirus disease (COVID-19) pandemic, restrictions on the autonomy and the exercise of legal capacity by persons with disabilities under guardianship were increased. Persons with disabilities under guardianship and in institutions lacked information about increased restrictions on fundamental rights, including on how to access their right to health, file complaints about a conflict of interest with guardians or supporters and request the recognition of their legal capacity. In accordance with government measures placing institutions on lockdown in March 2020, persons with disabilities were prohibited from leaving institutions or having

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

² CRPD/C/HUN/CO/2-3.

visitors. Information provided by the State party indicates that the Central Statistical Office reported that a total of 1,544 persons with disabilities died in residential institutions for persons with disabilities between 2020 and 2022. Nevertheless, the Committee noted the general lack of available statistics regarding the number of infections and the causes of death among persons with disabilities in institutions during the pandemic.

B. Independent monitoring mechanisms

9. The State party reported that it had established a disability advisory board within the Office of the Commissioner of Fundamental Rights as the independent mechanism required under article 33 (2) of the Convention. Together with the National Council on Disability, the disability advisory board was responsible for commenting on the content of draft legislation, making recommendations for amendments to existing laws and participating in the formulation, implementation and monitoring of the National Disability Programme and its associated action plans.

10. Civil society organizations reported that the Office of the Commissioner for Fundamental Rights had been downgraded from A status to B status in 2022 and provided details of its ineffective functioning.

III. Developments in the State party and the Committee's assessment of the State party's implementation of its recommendations

General obligations (art. 4 (3))

1. Limited participation of persons with disabilities in public decision-making

11. The Committee takes note of the information provided by the State party on Act No. CXXXI of 2010 on social participation in the legislative process, which provides for public consultations with and the participation of civil society organizations in public decision-making processes. It also takes note of the information relating to the participation of civil society organizations in the National Council on Disability and the State party's plans to invite members of that Council to participate in the preparation of the next national disability programme.

12. However, the Committee received information about the lack of measures for close consultation with persons with disabilities and their active involvement in measures to implement the Committee's recommendations in its inquiry report, including those relating to the right of persons with disabilities to equal recognition before the law (para. 110); the development of independent living schemes that respect the autonomy of persons with disabilities and their right to choose where and with whom they live (para. 111 (d)); the design and implementation of support for inclusion in the community (para. 112 (d)); the adoption of a comprehensive strategy to ensure employment and income-generation opportunities for persons with disabilities in the open labour market (para. 113 (d)); ending institutionalization and adopting a national plan for the effective deinstitutionalization of all persons with disabilities in all types of institutions (para. 114 (b) and (c)); and the design, implementation and monitoring of regular and systematic training activities for all professionals and staff working with persons with disabilities and for family members (para. 116 (c)).

13. The Committee takes note of reports indicating that persons with disabilities and their representative organizations have been excluded from the decision-making and policymaking processes. In particular, it is concerned at information indicating that meetings of the National Council on Disability take place only sporadically and are closed to the public, which prevents accountability of its impact in decision-making processes relating to issues affecting persons with disabilities.

14. The Committee therefore considers that its recommendations concerning the participation of persons with disabilities have not been implemented. This is particularly so given the lack of formal legal mechanisms to consult closely with persons with disabilities, through their representative organizations, and actively involve them in developing and enacting legislation and designing disability-related policies to give effect to the Convention and the Committee's recommendations. It is also due to the lack of mechanisms in place to protect such organizations from reprisals and prevent any such reprisals and to ensure that they have an independent advocacy role in public decision-making.

2. Data collection (art. 31)

15. The Committee takes note of the information provided by the State party on efforts made by the Hungarian Central Statistics Office to reinforce its data collection system, including by incorporating the Washington Group short set of questions on functioning in the 2022 national census to provide data on disability among various social groups (Roma, women, children, persons living in institutions). The Statistics Office also conducted internationally harmonized surveys and collaborated with international organizations to enhance its measurement tools for assessing impairments. The Committee welcomes the information indicating that the census has shifted towards a social and human rights-based approach, alongside the traditional medical assessment, with data available since 2016. Nevertheless, it notes with concern the current absence of a system for collecting consistent and systematic data disaggregated by sex, gender, age, ethnic origin and geographical location of persons with disabilities, including persons with disabilities under guardianship and in institutions.

3. Equal recognition before the law (art. 12)

(a) Legal framework and substituted decision-making

16. The State party reported that the Curia, or Supreme Court, of Hungary had established a working group to scrutinize legal practices concerning guardianship cases, focusing on legal capacity lawsuits, guardianship placements, changes, terminations and reviews. After concluding its operations in May 2023, the group had published its evaluation.

17. During the assessment period, the State party failed to align the provisions of the Civil Code with the Convention, as recommended by the Committee.

18. The State party's Civil Code, adopted in 2013, distinguishes between the capacity to hold rights and the capacity to act, retaining provisions for full or partial capacity restrictions and guardianship placements. That legal framework enables the courts to subject a significant number of people to full or partial guardianship, systematically employing a status and/or impairment-based approach to assess capacity to act. Persons under restricted capacity can be institutionalized at the request of guardians, often without the person's consent.

19. The Committee notes that the State party plans to revise the Civil Code in 2024.

20. Civil society organizations reported that in 2023, more than 55,000 persons remain under guardianship.

21. The Committee notes that the State party's Civil Code remains unchanged and that the provisions providing for partial guardianship have been reaffirmed on the basis of Constitutional Court case law, which considers the primary purpose of guardianship to be to protect persons and their assets on the basis of their alleged or perceived vulnerability and inability to manage their affairs effectively.

(b) Judicial mandatory reviews

22. The Committee notes that reviews of guardianship decisions are mandatory in the State party, pursuant to the Civil Code. Nevertheless, it also notes that the current framework does not provide adequate redress for persons with disabilities owing to procedural formalities, untimely processes and, ultimately, a low rate of capacity restoration. It further notes the absence of legal consequences for missed review deadlines, which contribute to

inadequate compliance, resulting in numerous persons with disabilities remaining under guardianship, impeding access to justice.

23. The Committee notes that the State party lacks a legal support system to enable persons with disabilities to access and participate in legal proceedings relating to the review of guardianship decisions. The percentage of judicial decisions concerning mandatory reviews indicates that the majority of judges uphold decisions of partial or full guardianship, while judges opt to restore legal capacity in specific areas in only about 3 to 9 per cent of cases. Fewer than 1 per cent of judicial decisions endorse supported decision-making.

24. The Committee received information from civil society organizations about a procedure initiated at the National Authority for Data Protection and Freedom of Information between 2019 and 2021 concerning statistics collected by the Central Guardianship Authority. Reportedly, one fifth of mandatory reviews were initiated after the statutory deadline or had not been initiated at all. Most mandatory reviews upheld restrictions of legal capacity: between 80 and 90 per cent of persons with disabilities remained under guardianship, fully restricting their legal capacity, having the same effect in practice as the former “guardianship excluding legal capacity” regime.

25. The Committee therefore concludes that its recommendations requesting the State party to restore the capacity to act of all persons with disabilities, including those in any form of institutional setting, have not been implemented.

(c) Transition from substitute decision-making to supported decision-making

26. The Committee takes note of the information on government decision No. 1295/2019 (V. 27) on the long-term deinstitutionalization, between 2019 and 2036, of persons with disabilities (the so-called revised concept), the National Disability Programme (2015–2025) and the services introduced under Act No. CLV of 2013. The State party pointed out that those instruments aimed to enable supported decision-making for all persons with disabilities.

27. Civil society organizations stressed that services for supported decision-making of persons with disabilities are typically provided by their guardians or institutional personnel.

28. The Committee notes that substitute decision-making remains the core of the framework, which, according to the State party, fulfils the requirement for supported decision-making. The system of substitute decision-making remains deeply entrenched and widespread in the State party, with numerous State institutions and resources reinforcing institutionalization, thus hampering persons with disabilities from making choices based on their own will and preference.

29. The Committee is concerned that revisions, amendments and changes in legislation, policies and practices that have occurred during the inquiry period, including government decision No. 1295/2019 (V. 27) and under the National Disability Programme (2015–2025) are not in line with the Committee’s recommendations and have not served as a basis for transitioning to supported decision-making, in accordance with the Convention. The Committee notes that the Guardianship Authority continues to be the main entity responsible for appointing, supervising and training supporters and that persons with disabilities who have supporters lack autonomy in managing their finances and are prevented from signing contracts autonomously. It also notes that in the National Disability Programme, intervention area No. 7 and objective 7.1 refer directly to the Hungarian legislation concerning supported decision-making, which the Committee found to be anchored in substitute decision-making, thus failing to provide persons with disabilities with support in the exercise of their legal capacity in accordance with the Convention.³ It further notes that the revised concept provides for supported decision-making only in the context of institutional settings, in particular supported housing. The Committee is thus concerned that its recommendations on modifying the State party’s system of supported decision-making⁴ have not been implemented.

³ CRPD/C/HUN/IR/1, para. 98 (g) and CRPD/C/HUN/IR/1/Corr.1.

⁴ Ibid., para. 110 (c).

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

(a) Absence of deinstitutionalization for persons with disabilities

30. The State party apprised the Committee of its plans to replace long-term residential facilities for over 50 persons and pointed out that the number of persons with disabilities, including persons with psychosocial disabilities, living in long-term residential institutions has decreased.

31. The State party indicated that the 2017 revision of the 2011 strategy for deinstitutionalization was driven by economic and social considerations within the country, accelerating the implementation timeline by five years. It also indicated that persons participating in the replacement process and receiving supported housing services are consistently consulted on their preferred living arrangements, including location and cohabitation preferences, and are actively engaged in the design of their living conditions. It further indicated that provision of personalized services within the framework of supported housing is underpinned by a comprehensive needs assessment.

32. According to reports from civil society organizations, human rights violations, serious abuse and ill-treatment of children and adults with disabilities continue to occur in institutions. The Committee received information about surveillance in institutions and the curtailing of freedom of choice of persons with disabilities in supported housing, such as the sheltered housing and independent living centre in Piliscsaba.

33. Approximately 22,000 persons still live in long-term institutional settings, based on impairment, as well as an additional 51,000 persons who permanently reside in other types of institutions, such as care homes for older persons. It remains extremely difficult to monitor conditions in all forms of institution and there are no data on the number of institutions that have been closed, replaced or transformed.

34. Information available to the Committee indicates large-scale transinstitutionalization in the State party. For instance, the deinstitutionalization plan for the House of Providence, formerly Topház Special Home, encompasses the establishment of a care home for 48 people, a group home for 10 people, supported housing (another group home) for 24 people, day care services for 100 people, developmental employment for 31 people and crisis care for 6 people.

35. The Committee was informed that in large institutions, the widespread presence of bedbugs and other poor sanitary and living conditions had not been resolved, the lack of privacy and the high level of control and surveillance continued, and access for monitoring and visits continued to be restricted. Apart from the issue of bedbugs, those issues have become integral features of the system of newly established small institutions.

36. The Committee is concerned that during the assessment period, the State party continued to implement measures in the context of its replacement programme that are incompatible with the Convention and that reinforce discrimination against persons with disabilities. In particular, the Committee is concerned that large-scale institutions still exist and that the State party has actively pursued the establishment of small-scale institutions as part of its revised concept. Nonetheless, this is contrary to the Convention as explained by the Committee in its guidelines on deinstitutionalization, including during emergencies, adopted in 2022.⁵ The adverse conditions prevailing in both types of institution for persons with disabilities pose risks to their health, safety and dignity.

37. Insufficient development of community-based support services, housing, supported decision-making, lack of accessibility and access to justice hampers freedom of choice for persons with disabilities, particularly persons with intellectual and/or psychosocial disabilities. Many persons with disabilities continue to reside in various forms of institution and remain under guardianship, with the decision on their institutionalization being made by substitute decision-makers.

⁵ CRPD/C/5.

(b) Lack of support in the community

38. The Committee notes the information provided by the State party on the service systems initiated on 1 January 2017 and the framework established in January 2020 for delivering differentiated support based on support needs, which should be available for persons with disabilities in their communities. It also takes note of the State party's statement indicating that basic social services are designed to help people in need in their home and living environment, and that those services include caretakers, food provision, home support, alarm-based care, community services and day care.

39. The Committee notes with concern the information provided by the State party indicating that if those services are insufficient for a person with disabilities or a psychiatric patient owing to the person's age, health or social situation, the person can seek specialized care tailored to his or her situation and condition. It is particularly concerned that, in the absence of suitable support services in the community, persons with disabilities are required to rely on institutionalization, which is the main form of specialized care available in the State party. The Committee regrets the fact that sections 69 and 70 of the Social Act on "specialized social care" remain in force and that the service systems initiated on 1 January 2017 and the framework established on 1 January 2020 for delivering differentiated support based on support needs still do not comply with the provisions of article 19 of the Convention, given that they reinforce discrimination on the basis of disability.

40. The Committee notes with concern that services the State party describes as aimed at promoting independent living for persons with disabilities do not constitute support services in the community. Those services do not encompass the diverse and, in some cases, complex requirements of support of all persons with disabilities, and they are not chosen by the persons with disabilities themselves. The Committee is also concerned that support services for persons with disabilities, including persons with intellectual and/or psychosocial disabilities, are predominantly delivered through entities linked to guardianship, often within institutional or segregated settings. Those services consistently involve segregation and a lack of individualization (supporting up to 45 persons at the same time) and are of a poor quality. Alternative sources of information available to the Committee indicate that the State party has not implemented an adequate system of community-based support services, including personal assistance, for persons with disabilities.

41. The Committee notes that the State party continued to develop smaller community-based social services for persons with disabilities in the form of supported housing, which it considered to constitute progress in terms of independent living for persons with disabilities in the community. The State party's concept of supported housing maintains features of institutionalization, such as a lack of choice about where, with whom and how to live, control of services in houses supported by the State party and large institutions, and lack of inclusion of residents in supported housing within their community. The Committee therefore considers that the State party has not implemented its recommendations to end institutionalization, including by halting programmes that develop institutions including supported housing, and provide reparations for persons with disabilities seeking redress for their institutionalization.

42. The Committee notes with concern the absence of a wide range of support available in the community, the lack of opportunities for self-management and making choices, the limited availability of support across regions and the insufficient funding for such support. The 309 organizations providing support services mentioned by the State party do not function on the basis of the independent living concept.

43. The Committee notes that the allocation of financial resources for support services remains ambiguous within the provisions of the Social Act and the reliance on project funds to sustain available support raises concerns regarding their temporary nature. The Committee therefore considers that its recommendations on support for living independently and in the community have not been implemented.

(c) Lack of progress in fostering inclusion in housing, education and employment

44. The Committee takes note of the information provided by the State party on the efforts it has made to educate and raise awareness in the context of health care, education, courts

and the guardianship system about disability rights and inclusion. Nevertheless, it notes with concern that access to existing mainstream community services remains difficult and depends predominantly on the intervention of individual guardians.

45. The Committee is concerned that no specific information has been provided on measures taken to provide accessible housing for persons with disabilities, in particular persons with intellectual and/or psychosocial disabilities, enabling them to live independently and ensuring autonomy, freedom of choice and privacy. It also regrets the lack of information on measures to ensure that persons with disabilities, in particular persons participating in sheltered workshops under institutional administration, can access the open labour market.

46. The Committee notes the information provided by the State party about Act No. CXC of 2011 on National Public Education, as revised in 2020, and the guidelines on education for students with special educational needs, which constitute the State party's strategy on inclusive education. The Committee is concerned that the State party's legislation, policies and practices continue to provide frameworks for segregated special education at different levels, that the State party has not completed the transition to inclusive education, and that the revised legislation contains few provisions on inclusive education, mainly providing for segregation, exclusion and institutionalization of children with disabilities. Available information before the Committee indicated the challenges restricting the access of children with disabilities to education, the lack of resources to ensure transportation and the absence of systematic funds and measures to ensure the accessibility of education.

47. The Committee notes the information about the State party's financial, human and material resources allocated to services in the community, including for various support services and accessibility, rehabilitation and habilitation measures. Nevertheless, it regrets that the research, project initiatives and allowances described are one-time or short-term solutions, which are insufficient to meet demand and will not deliver long-term results.

48. The Committee therefore considers that its recommendations relating to fostering the inclusion of persons with disabilities in the community through inclusive, mainstream services in the community have not been implemented.

5. Equality and non-discrimination (art. 5)

(a) Children with disabilities

49. The Committee takes note of the information provided by the State party on the intensive awareness-raising campaign and training for foster families, which resulted in a higher percentage of children with disabilities living in foster families. It welcomes the ongoing increase in allowances for families with children with disabilities and the improvement in their circumstances. Nevertheless, it is concerned that Act No. XXXI of 1997 on the protection of children and the administration of guardianship (the Child Protection Act), which permits the institutionalization of children with disabilities, remains unchanged. Available information provided to the Committee indicates that children with disabilities continue to face discrimination, exclusion and institutionalization, that measures such as the slight increase in financial support for families with children with disabilities, the training for foster families for children with disabilities and the awareness-raising initiatives, have had a limited impact and have failed to substantively address the prevailing exclusion of children with disabilities from society.

50. The Committee expresses its concern about the limited progress that has been made in terms of halting and precluding institutionalization for children with disabilities. The Committee therefore considers that its recommendations concerning children with disabilities have not been implemented.

(b) Women with disabilities

51. The Committee notes with concern the limited information provided by the State party about the situation of women and girls with disabilities and the extent to which its policies and programmes mainstreamed gender equality and promoted the empowerment of women and girls with disabilities and their inclusion in the community. It also notes with concern that information about pregnancies, forced sterilization, abortion and gender-based violence

against women and girls with disabilities under guardianship and/or in institutions is not available in the State party.

52. Information submitted to the Committee indicates that women with disabilities in the State party continue to be subjected to forced contraception, a lack of privacy and a lack of access to reproductive health services in institutions.

53. The Committee regrets the absence of information about measures taken by the State party to combat intersectional and multiple discrimination against women with disabilities, and the absence of appropriate protection mechanisms for them. In addition, it notes with concern that women and girls with disabilities, through their representative organizations, were not consulted closely or involved actively in planning, designing and monitoring disability and gender-related legislation, policies and practices during the assessment period.

54. The Committee regrets that the State party did not take appropriate action, including putting in place temporary positive measures aimed at improving access for women with disabilities to different areas of public life, including education and employment. It therefore considers that its recommendations concerning the rights of women and girls with disabilities, particularly in the context of institutionalization, have not been implemented.

IV. Conclusions

55. **The Committee considers that no significant progress has been made in the State party concerning the situation of persons with disabilities addressed in the inquiry proceedings. The Committee also considers that its recommendations issued pursuant to article 6 of the Optional Protocol have not been implemented. It regrets that the State party has failed to take measures to address discriminatory legislation, public policies and practices that continue to constitute grave and systematic violations of the human rights of persons with disabilities in Hungary.**

56. **The Committee notes that the measures taken by the State party have failed to eliminate the root causes of the exclusion of and discrimination against persons with disabilities and to operationalize the necessary paradigm shift concerning the rights of persons with disabilities to equal recognition before the law (art. 12) and to live independently and be included in the community (art. 19), in conjunction with the right of all persons with disabilities to equality before and under the law (art. 5).**

57. **The State party provided information regarding the increase in funding for allowances, services and disability-related programmes and initiatives, both from domestic public sources and international assistance, including support from the European Union. Reports available to the Committee indicate that, in 2023, the State party has 35 ongoing projects which collectively employ more than 67 million euros to establish segregated facilities like group homes, day-care centres and sheltered workshops for persons with disabilities.**

58. **The Committee regrets that the State party persists in allocating funds, including European Union support, for disability-related programmes that contravene the Convention and the Committee's recommendations, perpetuate discrimination and promote the institutionalization and segregation of persons with disabilities.**

V. Recommendations and follow-up

59. **The Committee welcomes the follow-up information provided by the State party on measures taken in response to the Committee's recommendations contained in its report on an inquiry concerning Hungary under article 6 of the Optional Protocol to the Convention. In relation to paragraphs 110 to 116 of that report, it recommends that the State party provide information on further actions taken:**

(a) **To ensure close consultation with and the active involvement of persons with disabilities, including those in institutions, through their representative**

organizations, in all public decision-making processes with the aim of implementing the Convention and the Committee's recommendations in its inquiry report;

(b) To conduct national gender- and age-sensitive research on the cumulative impact of guardianship and institutionalization on the lives of persons with disabilities, employing an intersectional approach that takes into account the current situation, intersectional discrimination implicit in and the impact of the State party's legislation, policies and practices on the lives of groups exposed to marginalization, including women and girls with disabilities, children with disabilities, older persons with disabilities and persons with disabilities with complex levels of support;

(c) To collect data, disaggregated by age, sex, ethnic origin and disability, on children with disabilities in institutions, including those in adult institutions, and to prioritize the establishment of a strategy to ensure their right to family life, to seek the technical cooperation of the relevant United Nations agencies in designing the strategy, which should include timelines, indicators and benchmarks, and to fully involve children with disabilities, through their representative organizations, in its design, implementation and monitoring;

(d) To include a gender perspective in the design, implementation and monitoring of policies regarding persons with disabilities, and to ensure that women with disabilities are fully involved in the design, implementation and monitoring of all policies and measures affecting them, including through temporary special measures;

(e) To ensure direct and effective access to justice for persons with disabilities, particularly those affected by the restriction of their capacity to act, those subjected to institutionalization or those who are victims of disability-based or other discrimination, through the provision of procedural and age-appropriate accommodation;

(f) To establish accessible complaints mechanisms for persons with disabilities concerning social services, and to strengthen the advocacy role of the Office of the Commissioner for Fundamental Rights and independent monitoring of facilities and programmes;

(g) To abolish the provisions of the Civil Code providing for the full or partial restriction of the capacity to act of persons with disabilities;

(h) To ensure that all persons with disabilities have access to supported decision-making, including a range of formal and informal supported decision-making, and to remove the procedure of supported decision-making from the remit of the guardianship authority;

(i) To restore the rights of all persons with disabilities to vote and be elected, including by ensuring that all persons with disabilities are registered in electoral registries and fully participate in elections;

(j) To eliminate legal and attitudinal barriers to access to justice, in particular those faced by persons with disabilities placed under guardianship and still residing in institutions;

(k) To end institutionalization for all persons with disabilities, particularly by repealing from its legislation all forms of "specialized social care" that still allows for institutionalization on the basis of impairment, by providing for community-based support to live independently and by developing independent living arrangements that comply with the Convention;

(l) To repeal legislation, policies and practices that provide for institutionalization on the basis of age and impairment, which particularly affect children with disabilities and older persons with disabilities, including by amending article 7 (2) of Act No. XXXI of 1997 on the protection of children and the administration of guardianship (the Child Protection Act) and ending the practice of turning large-scale institutions into retirement homes and the transinstitutionalization of older persons with disabilities to such homes;

(m) To remove all elements of institutionalization from its programmes to transfer persons with disabilities from large-scale to small-scale institutions (supported housing) and to ensure that programmes aimed at deinstitutionalization respect the autonomy, will and preferences of persons with disabilities and their right to choose where and with whom to live, and are in line with the Committee's general comment No. 5 (2017) on living independently and being included in the community and the Committee's guidelines on deinstitutionalization, including during emergencies;⁶

(n) To prevent any further placement of persons with disabilities in any institutional settings by halting programmes that develop institutions, including supported housing;

(o) To provide remedies and reparations for persons with disabilities seeking redress for their institutionalization that include pecuniary and non-pecuniary reparations and to ensure access to justice for persons with disabilities who are survivors of deinstitutionalization;

(p) To eradicate forced contraception and forced abortion for women with disabilities, especially those in institutions, and to take measures to ensure that they can fully exercise their right to sexual and reproductive health;

(q) To develop a system of support for living independently and being included in the community that includes a range of individualized support and personal assistance for persons with disabilities in the community, outside institutional settings, and to allocate appropriate human, financial and technical resources to that end, by:

(i) Allocating sufficient resources to the development of self-managed personal assistance;

(ii) Ensuring appropriate training on individualized support in compliance with the Convention;

(iii) Reorienting the investment of public funds – including the allocation of European structural and investment funds – from institutions to support in the community by accelerating the development of a full range of in-home and other community services offering support in daily life, including personal assistance, and other forms of supported decision-making;

(iv) Reviewing the system of disability entitlements by ensuring adequate social protection of persons with disabilities and their families, without discrimination, particularly in relation to the recognition of disability-related expenses, by adapting, expanding and periodically reviewing the social protection floors for persons with disabilities;

(r) To exclude from the concept of community-based services any form of refurbishment of institutions or group homes or construction of supported housing;

(s) To mainstream disability inclusion into general public policies related to education, health, employment and housing and incorporate the concepts of inclusion, inclusive education and reasonable accommodation in relevant legislation concerning education;

(t) To ensure that legislative, strategic and methodological materials pursue the implementation of inclusive education that goes beyond integration and provide adequate training to teachers about quality inclusive education and alternative communication methods;

(u) To ensure that children requiring high levels of support have access to quality inclusive education, without discrimination;

(v) To ensure that support measures at mainstream schools are provided in an individualized, flexible manner in accordance with the children's right to reasonable accommodation and by using the maximum of available resources;

⁶ Ibid.

(w) To establish effective and prompt complaint mechanisms providing real redress in cases of violations of the requirements of inclusive education, with particular regard to the provision of reasonable accommodation and educational segregation, including forced home-schooling, on the ground of disability;

(x) To adopt a comprehensive strategy to ensure employment and income-generation opportunities for persons with disabilities in the open labour market, without discrimination, and to move away from sheltered employment;

(y) To ensure that reasonable accommodation is provided to persons with disabilities in employment and in all other areas of life and to incorporate the denial of reasonable accommodation as a form of discrimination in Act No. CXXV of 2003 on equal treatment and promotion of equal opportunities (the Equal Treatment Act);

(z) To ensure the functional and budgetary independence of the National Council on Disability, in particular that it meets regularly, that it includes accountability mechanisms, that it provides information and methodologies on accessible formats and that its proposals are given due weight in the planning and developing of public policies and measures to implement the Convention and the Committee's recommendations;

(aa) To ensure the independence of the Office of the Commissioner for Fundamental Rights in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and that it fulfils its mandate being guided by the Convention, the Committee's views on individual communications, its general comments and guidelines, and to take measures to ensure the close consultation with and active involvement of persons with disabilities and their representative organizations in the work of the Office of the Commissioner for Human Rights and its disability advisory board and that their opinions and proposals are genuinely considered and provided due weight.

60. The Committee, having considered the information presented to it by the State party and civil society organizations at the meetings on the follow-up held on 21 August 2023 and the State party's written replies following the interactive dialogue, decides:

(a) To continue the follow-up proceedings pursuant to article 7 of the Optional Protocol to the Convention on the Rights of Persons with Disabilities, in relation to the implementation of the recommendations issued by the Committee in its report on an inquiry concerning Hungary under article 6 of the Optional Protocol to the Convention;⁷

(b) To request the State party to submit a report by 10 September 2024 and to include therein information on the implementation of the recommendations made in the above-mentioned inquiry report and those reiterated in the present follow-up report.

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