**QUESTIONNAIRE ON THE RIGHT OF PERSONS WITH DISABILITIES TO PARTICIPATION IN DECISION-MAKING**

**QUESTIONS FOR CIVIL SOCIETY (ENGLISH):**

1. Please provide information on the legislative and policy framework in place in your country related to the status, establishment, resourcing, and functioning of representative organizations of persons with disabilities at the national, regional and local levels.

**There is no special Hungarian regulation on the establishment, operation, resourcing and functioning civil organizations of people with disabilities (hereinafter referred to as: DPOs), neither on national, nor on regional or local level.**

**The establishment, operation, legal registration and the rules of financing with grants and applications of non-governmental organizations is regulated in a separate Act in general, which rules are also applicable to all civil organizations.**

**Section 26 2a) of Act XXVI of 1998 (hereinafter referred to as: Disability Act) contains the provisions for DPOs regarding their participation in advocacy activities on national level. According to this provision, the Government shall ensure the participation of the Hungarian National Council on Disability – consisting of national DPOs as members - in a consultative role in the creation of the National Disability Program.**

2. Please provide information on existing legislation and policies aimed at ensuring that persons with disabilities and their representative organizations, including children with disabilities, are consulted and involved in decision-making processes that directly or indirectly concern them;

**Legal participation of the DPOs in preparation and influencing the decisions is ensured only by the above mentioned section of the Disability Act, which only contains one reference mentioning the consultative role in the creation of the National Disability Program.**

**The Disability Act was significantly amended in 2013, making role and function of the National Council on Disability merely formal. Precisely, prior to the amendment, the Council had the role of a consultant organization to the Government, where - among the members themselves - were DPOs, beside the governmental representatives, which ensured the cooperation and direct partnership between the DPOs and the Government.**

**According to the current regulation [Government Decision 1330/2013. (VI.13.) on the National Council on Disability], the Council only has a consultative role regarding the National Disability Program and in the creation and implementation of the Government’s Action Plan aimed at the realization of the goals of the National Disability Program.**

**According to the Government Decision, the members of the National Council on Disability are advocacy DPOs working national scope, as well as Minister in charge of equal opportunities.**

**In our view, the reason of the amendment of the Act was political, because prior to the amendment, the role of all sectoral councils, advocacy forums have been changed, reducing their power and possibilities.**

**Recently, an Inter-governmental Committee has been created within the Government, where only governmental representatives of the different ministries have the right to take part, DPOs are excluded from representation.**

**We have no information available about the achievements of the Inter-ministerial Committee.**

**Links of legal resources:**

<http://njt.hu/cgi_bin/njt_doc.cgi?docid=161163.243028>

**Link to the 1330/2013. (VI.13.) Government Decision on the National Disability Council:** [**http://njt.hu/cgi\_bin/njt\_doc.cgi?docid=161163.243028**](http://njt.hu/cgi_bin/njt_doc.cgi?docid=161163.243028)

<http://www.kormany.hu/download/3/dc/50000/FTB.pdf>

**Description and draft of the Government Decision on the Disability Inter-ministerial Committee.**

<http://revprojekt.hu/hir/193/orszagos-fogyatekossagugyi-program-2015-2025->

**The Parliament’s 15/2015. (IV. 7.) decision on the National Disability Program (2015-2025), accessible in the Hungarian Gazette, Vol. 47. (IV.7.)**

3. Please provide information on any consultative body or mechanism established to consult and engage with representative organizations of persons with disabilities, including information about their composition, criteria for membership (nomination, appointment, election, etc.) and functioning;

**The already mentioned National Council on Disability is the only consultative organization working on a national level.**

**Its legal status and operation - in contrast to the period before the amendment of 2013 - is currently regulated in a Government Decision (which has a lower status in the regulative hierarchy than an Act or a governmental decree). We do not have positive experience about the Council’s operation, its role decision-preparation and decision-making after the mentioned amendment.**

4. Please provide information on the efforts undertaken at national, regional and/or local levels to strengthen the capacity of representative organizations of persons with disabilities, in order to facilitate their participation in legislative, policy and other decision-making processes;

**In the last 5 years there were no funds available either on national, regional or local level dedicated to strengthen the capacity of DPOs.**

**Only the Norwegian Civil Fund’s grants contain elements to support capacity building of DPOs, especially for the ones working locally.**

**DPOs with a nationwide competence receive earmarked support from the national budget, although it only covers the costs of the expenses of their operation.**

**Nevertheless, DPOs are still trying to improve their professional competence and extend their capacity without direct support, and at the same time give support to their member DPOs on regional and local levels for effective and professional advocacy activities.**

**DPOs do their utmost to do their advocacy work - apart from the formal mechanisms – with tools of lobbying, giving consultancy, putting forward policy recommendations, using their direct social networks, and also by the usage of the media and publicity.**

5. Please explain whether and how persons with disabilities participate in monitoring the implementation of the United Nations Convention on the Rights of Persons with Disabilities (art. 33, para. 3), and in the nomination of experts to the Committee on the Rights of Persons with Disabilities (art. 34, para. 3);

**Civil organizations may make their monitoring activities according to Article 33. Paragraph 3. of the Convention - within the frame of the National Council on Disability. and also by preparing shadow-reports.**

**The Office of the Commissioner for Fundamental Rights (the Ombudsman’s Office) is also active in monitoring, by keeping non-formal, direct, continuous contact with the major national advocacy DPOs.**

**The Government proposed already 3 experts to the CRPD Committee, while the members of National Council on Disability had the right to express their views, including the possibility of a proposal of another expert.**

**The National Council on Disability found the Hungarian candidates for CRPD Committee acceptable so far, regarding their expertise and all other circumstances.**

6. Please identify the main challenges faced by the diversity of persons with disabilities in participating in mainstream and disability-specific decision-making processes at the national, regional and local levels, including challenges faced by persons who experience multiple discrimination (e.g., on the basis of disability, age, gender, ethnic origin, geographical location).

**In Hungary, DPOs are usually active in all disability groups (autistic people, people with intellectual, physical, psychosocial disability, deaf and blind people and people with hearing and visual disability) and perform advocacy and other professional activities for all ages within their disability group.**

**DPOs representing various kinds of persons with disabilities established their umbrella organization, the National Council of the Organizations of People With Disabilities (in Hungarian, and therefore hereinafter referred to as: FESZT), which is an officially registered legal entity and intends to make its advocacy work for the common interests of social groups with all kinds of disabilities.**

**The representative of the FESZT is also a regular member of the National Council on Disability. FESZT, however, does not receive any state support at the moment, therefore it is trying to sustain its modest organization from membership fees, and by applying for grants. Also, the experts of FESZT and persons with disabilities working in other organizations on national, regional and local level are mainly volunteers. In order to let handle specific issues, some national organizations established impairment specific, or age or gender specific (e.g. youth) divisions, sections and workgroups.**

7. Please provide information on the existence of organizations of persons with disabilities in your country, including organizations of children and women with disabilities, as well as their composition and internal decision-making processes and procedures;

**In Hungary, DPOs of persons with disabilities are usually open to everyone regardless of gender and age - also for children through their legal representatives. There are some foundations and civil organizations which are expressly supporting children (people under the age of legal adulthood), although most of the time they are not making advocacy work. In organizations generally, there are workgroups and divisions for the specific issues of women and children.**

**According to our knowledge, there is no specific organization representing women with disabilities. All the DPOs of people with various disabilities are cooperating on a national level within the framework of the FESZT. This organization regards the representation of women with disabilities as a high priority issue.**

8. Please identify the main challenges faced by the diversity of persons with disabilities as members of mainstream or disability-specific non-governmental organizations, and in participating in the activities of such organizations, including challenges faced by persons who experience multiple discrimination.

**In Hungary, the unique challenges in the lives of PWDs are the following:**

**- Social security: the majority of PWDs are part of society’s deteriorating half (regarding quality of life), due to the lack of employment and the relative under-qualification, and also the low level of social financial benefits. The average income of a PWD is only around the half of the Hungarian national average.**

**- Low participation in employment, as the educational level of PWDs is much lower than the population’s average. The unemployment rate among them is also significantly higher than the population’s average. The main elements of a effective, capable supporting system to occupational rehabilitation are lacking (education, re-training, preparation for the labour market, mentoring network etc.).**

**- Low educational levels, while the proportion of elderly people with obsolete professions and education is also high. Among PWDs, the numbers of people with university education and competent degrees are a lot smaller than among people without disabilities. The majority of PWDs are older than 50 - as e.g. physical disability tends to evolve in the latter stages of life - which also acts as a barrier of the motivation and possibility for education or re-education.**

**- The access to the social welfare system may greatly vary with the location of residence. For people living in small towns in the countryside, it is a lot less accessible than people living in cities, as in most of these locations, the supporting system of institutions are not present at all.**

Prepared by the National Council of Persons with Disabilities (FESZT), Hungary

e-mail: feszt@etikk.hu