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**Minutes**

**Excerpt**

**Taken: on the 04 April 2012 at the meeting with the**

**civil participants of the National Disability Council (OFT)**

**held in the Ministry of National Resources**

**(1054 Budapest, Akadémia u. 3 Klubterem)**

**starting at 10 a.m.**

Present: according to the attendance register (attachment)

Represented: 10 OFT members and invited guests

Items of the Agenda:

1. Appointment of Dr. László Lovászy PhD to the UN Committee on the Rights of Persons with Disabilities (CRPD)

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**Dr. László** **Szőke (Secretary of OFT, Head of Disability Affairs Department, Ministry of National Resources)** welcomed the civil members of the National Disability Council and their escorts. He extended his special welcome to Dr. Beáta Borza, the Head of Department of the Office of the Commissioner for Fundamental Rights and her colleagues. (...)

Annamária Garamvölgyi from the Disability Department of the Ministry was assigned to take the minutes of the OFT meeting, and Piroska Gyene and János Wisinger the civil members of the OFT were made responsible for the authentication of the minutes.

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Dr. László Szőke, starting with point 1 of the agenda welcomed Dr. László Lovászy.

As it is well known, Hungary was one of the first countries to ratify the UN Convention on the Rights of Persons with Disabilities and its Optional Protocol. The UN Convention describes all the fundamental rights of Persons with Disabilities meeting the formal requirements of a code. Its optional protocol introduced an individual complaint mechanism, with the main goal of establishing an independent international body of human rights experts to examine individual complaints regarding alleged violations of the Convention by States Parties to the Protocol. The UN Committee on the Rights of Persons with Disabilities was established in 2008, tasked with monitoring the implementation of the Convention. The Committee consists of 18 members who can be proposed by the States Parties. The members of the Committee are elected by secret ballot at the conference of States Parties. Ever since its formation, the Committee has always had a Hungarian member. Until the 30 September 2010, Dr. György Könczei was the Vice-Chair of the Committee, succeeded by Gábor Gombos as member and his term will expire on 31 December 2012. At the Conference of States Parties to the Convention to be held in New York on 12-14 September, nine expired mandates will be renewed. Dr. László Lovászy is the candidate of the Hungarian Government, proposed before the official opening of the candidate-nomination period.

**Dr. László** **Lovászy PhD** is a professional with severe hearing impairment; he lost 80 percent of his hearing when he was a couple of days old. This did not stop him from studying and educating himself continuously. Five years ago, he became the first person in Hungary with hearing impairment to gain a PhD degree.

He was grateful to be given the opportunity to introduce himself to the nongovernmental organisations as a candidate expert member. In his introduction he highlighted the importance of consultation with nongovernmental organisations in case of Government nomination and related to the UN Convention, even though it is not specifically prescribed. Even when working as an administrator at the Disability Affairs Department belonging to the former Ministry between 2001 and 2008, he strove to cooperate with OFT members. Professional documents were produced within the framework of this cooperation, for which he refused to receive any remuneration. These documents that he is proud of were drafted in cooperation with József Szakály, the Secretary General of the National Federation of Disabled Persons' Associations - MEOSZ) and Géza Nagy (Civil Műhely- Civil Workshop) among others focussing on accessibility and the transformation of OFT. He said that he is personally motivated to become an expert candidate, since he seemed to have no chance of higher education due to his hearing impairment by experts in his childhood.

Besides gaining professional experience working for the government in cooperation with nongovernmental organisations, he was also a Board Member of the Hungarian Association of the Deaf and Hard of Hearing (SINOSZ) until 2011, so he is aware of all challenges that NGOs face. Furthermore, he worked as a lecturer at Bárczi Gusztáv College of Special Education of the Eötvös Loránd University (ELTE) for many years teaching EU and international law regarding people with disabilities. While working for the Ministry of Social Affairs and Labour, he represented Hungary in the relevant Committees in the Council of Europe. In 2005, he had a three-month internship at the European Commission. In 2007, he defended his PhD dissertation on EU, international and US law on persons with disability, including Hungarian legal developments. His opponent was Professor György Könczei, the first Hungarian expert nominated and appointed to the CRPD Committee. His consultant was Ottó Czúcz, the first Hungarian Judge at the European Court who has already been re-appointed.

Dr. László Lovászy mentioned that even before the submission of his PhD dissertation he had 23 publications to his name, and this number has grown since. In addition to his independent articles published in professional reviews, such as Hungarian Labour Review (Munkaügyi Szemle), Economics and Law (Gazdaság és Jog) and EU Law (Európai Jog), Attorney in Pest (Pesti Ügyvéd), Chance (Esély), he had joint publications with Dr. Ádám Kósa, current MEP, Dr. Lajos Hegedűs, President of MEOSZ as well as Mrs. Erzsébet Szőllösiné Földesi, Vice-President of the European Disability Forum. Furthermore, he collaborated with Gábor Gombos, the current Hungarian expert of the Committee, as the professional editor of the handbook entitled “Human rights, YES!” published in 2009 and well-known among nongovernmental organisations. In the 2010 alternative UN Convention Report (prepared by NGOs) his work was referred to several times. Since 2009 he has been working as Professional Consultant to Dr. Ádám Kósa, Member of the European Parliament. His preparatory professional work served as the basis for Dr. Ádám Kósa’s most important draft report, adopted by the European Parliament in 2011. The report redefines new and concrete tasks for EU institutions while, inter alia, partly criticising the European Commission. During the compilation of the report, in spring 2011 European and Hungarian nongovernmental organisations became involved; their recommendations were incorporated in the report that was eventually adopted by a strong majority. In this spirit, the nominated expert declared that in case of his nomination and appointment he intends to consult NGOs regularly. He believes that the knowledge and experience gained as an independent expert must be shared with NGOs, since we can never stop learning and he himself intends to learn from them.

**Dr. László Szőke (OFT Secretary, Head of Disability Affairs Department, Ministry of National Resources)** emphasised that it is not the OFT that nominates or delegates a candidate for this post. According to the UN Convention, it is the right of the States Parties. The UN Convention clearly states that the Government has to consult nongovernmental organisations concerning the nomination. This is taking place at the moment. The opinion of the nongovernmental organisations is a decisive factor in this issue, as well.

**Éva Klenovics-Hortobágyi (SINOSZ)** said that she had worked together with Dr. László Lovászy in the national board of SINOSZ, and she considers him a knowledgeable and skilled expert. SINOSZ fully supports his nomination.

**Zoltán Balogh (National Association of Protected Organisations, VSZOSZ):** Dr. László Lovászy is an extremely skilled expert. It is regrettable that he is working abroad because Hungary needs such well-prepared professionals. His question: as Dr. László Lovászy did not mention either in his application, or in his PhD dissertation, or in his present speech, could he explain his views concerning the complex living conditions, education, employment and social environment of persons with disabilities?

**János Wisinger (Hungarian Sport Federation for People with Special Needs, FONESZ)** congratulated the candidate, and noted that at an international level, a clear distinction must be made between disabled workers and persons with disabilities, because these two categories are far from being the same.

**Dr. Zsófia Kálmán (BLISS Foundation)** has known Dr. László Lovászy’s work for over 15 years; for example, they had many consultations related to the preparation of the Act on Hungarian Sign Language. Her question: what role does OFT play in the nomination, and when would Dr. László Lovászy’s term in the UN Committee on the Rights of Persons with Disabilities begin?

**Answer by Dr. László Szőke (OFT Secretary, Head of Disability Affairs Department, Ministry of National Resources)**: in line with the provisions of the UN Convention, the Government will have consultations with NGOs concerning the nomination. It seems practical to consult the member organisations of OFT as the forum representing the largest nongovernmental organisations. The election will take place in September 2012; the term of Gábor Gombos will expire on 31 December 2012. His successor will take up his position on 01 January 2013. Obviously, the weight of the Government’s nomination can be enhanced by strong support from the most concerned NGOs.

**Piroska Gyene (National Council of Association of People with Disabilities, FESZT)** said that FESZT supports the nomination of Dr. László Lovászy. They had **consultations with László Bercse, OFT delegate of the Hungarian Association for Persons with Intellectual Disability (ÉFOÉSZ)** and they offer to form a professional partnership to cooperate with Dr. László Lovászy in the area of supported decision-making related to guardianship and legal capacity.

**Dr. Ádám Ozvári-Lukács (Motivation Foundation - Motiváció Alapítvány)** considered it very important that, in terms of the UN Convention, the issue of equal treatment and its legal regulation shall be given priority in the work of the UN Committee.

**Zsuzsanna Kroll, representing Hungarian Federation of the Blind and Partially Sighted (Magyar Vakok és Gyengénlátók Országos Szövetsége), and Henriette Nelhűbel from Civilian Advocacy Network for the Non-Governmental Organizations Giving Service for the Disabled (CÉHálózat**) expressed their support for the nomination of Dr. László Lovászy.

**Dr. László Lovászy** thanked everybody for their trust. He stressed that it is not easy to find European solutions in the area of transformation of employment, for instance, since several areas come within the competence of nation-states and member states. Therefore, serious conflicts can arise concerning the views of the member states on employment or labour market. The new proposal of the European Commission regarding the Structural Funds was published last October. Unfortunately, in some areas a step back has been taken; for example, the obligation of considering the needs of persons with disabilities in the course of the programming, implementation and monitoring of Structural Funds is now excluded. They have to work hard to change this, and the support of nongovernmental organisations in this process is required. As for supported decision-making, similarly to the situation of sheltered workshops, there is no uniform European approach. In this area progress can only be made, if a really convincing set of arguments is provided where the importance of this institution is explained.

**Dr. László** **Szőke (OFT Secretary, Head of Disability Affairs Department, Ministry of National Resources)** informed those present that the representatives of the National Federation of Disabled Persons' Associations (MEOSZ) and Ability Park were unable to attend the meeting; however, they submitted a prior written statement that they support the nomination of Dr. László Lovászy.

The following nongovernmental organisations of the National Disability Council were present at the meeting: the National Association of Autistics (Autisták Országos Szövetsége), the National Association of Protected Organisations (Védett Szervezetek Országos Szövetsége), the Hungarian Association for Persons with Intellectual Disability (Az Értelmi Fogyatékossággal Élők és Segítőik Országos Érdekvédelmi Szövetsége), the Civilian Advocacy Network for the Non-Governmental Organizations Giving Service for the Disabled (CÉHálózat), the National Council of Disabled Persons' Organizations (Fogyatékos Emberek Érdekvédelmi Szövetsége), the BLISS Foundation (BLISS Alapítvány), the Hungarian Association of the Deaf and Hard of Hearing (Siketek és Nagyothallók Országos Szövetsége), the Hungarian Federation of the Blind and Partially Sighted (Magyar Vakok és Gyengénlátók Országos Szövetsége), the Motivation Foundation (Motiváció Alapítvány), and the Hungarian Sport Federation for People with Special Needs (Fogyatékosok Nemzeti Sportszövetsége). These organisations unanimously support the nomination of Dr. László Lovászy PhD to the UN Committee on the Rights of Persons with Disabilities.

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