

Advocacy Case Studies: Hungary

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المركز الدولي لقوانين منظمات المجتمع المدني
The International Center for Not-for-Profit Law

Background

- ▶ During the socialist times in Hungary, people with physical disabilities were separated from the rest of society. They lived in big institutions under constant care, which was, however, not responsive to their needs and rights.
- ▶ In the early 90's, new NGOs started a movement for “Independent Living.” The key idea was that people with disabilities should be able to live as part of society so society has to ensure for them access to services despite their disabilities.
- ▶ To aid in realizing this goal NGOs lobbied for a Law on Equal Opportunities.

Developing the Plan: Issue Identification and Analysis

- ▶ **Issue:** A Law that prescribes to government and licensed service providers the obligation to ensure access for people with physical disabilities.
- ▶ **Major Players + Positions:**
 - ▶ Ministry of Social Affairs, Prime Minister's Office
 - ▶ Parliamentary Committee on Social Assistance and Labor
 - ▶ Ministry of Local Administrations, Ministry of Finance
 - ▶ Budapest Self-Government
 - ▶ Hungarian NGOs dealing with disabilities
 - ▶ Broader NGO sector in Hungary
 - ▶ Private companies (licensees, e.g. Telecom, restaurant chains, transport companies etc.)

Developing the Plan: Cultivating Individual Relationships

- ▶ Key relationships were built with the Budapest City Administration which adopted a regulation on the issue at the local level, providing a good model.
- ▶ Government and Parliament representatives were in principle supportive, but many were sceptical about whether a law could be implemented.
 - ▶ NGOs provided other country examples to convince them.
- ▶ Some key stakeholders were opposed to the law because of its budgetary consequences – e.g., funding needed to convert all public buildings for disability access?
 - ▶ NGOs provided numbers from the UK showing how independent living is in the long-term cheaper for the state than maintaining institutions.
- ▶ The NGOs worked with the supportive government officials and lawyers to develop a draft law.
 - ▶ Government officials relied heavily on NGOs' substantial expertise on the topic in the drafting of the law.

Developing the Plan: Building a Coalition

- ▶ NGOs agreed among themselves to work together towards this goal.
- ▶ Challenge: friction between old system's "official" national disability federation and new, more proactive, more innovative NGOs.
- ▶ Differences were abandoned for the common goal -- the National Federation collected signatures from its members and their family members and other supporters – almost 10,000 signatures.
- ▶ Other NGOs joined the petition for the law.
- ▶ Well-respected, well-known doctors, psychologists and other scientists also endorsed the initiative.

Developing the Plan: Public & Media Outreach

- ▶ NGOs reached out in a few formal consultations during in the legal drafting process, mainly to professionals (e.g. architects, mayors, lawyers).
- ▶ Most public outreach and awareness raising occurred after the law's adoption – not before.
- ▶ Once the law was in place, people needed to know their obligations as well as assist in “enforcing” the law.
- ▶ Awareness raising happened in stages -- some major actions were taken every few years.
 - The leading NGOs of the coalition sued a company that rebuilt an old coffee house in the historic center of the city but did not include a disabled toilet. According to the law, all new building works, even if they are reproduction of old buildings, must include facilities accessible for the disabled. Because this coffee house was in a central area, this provoked big media interest. The NGO won the case.
 - Later, another NGO raised funding for and established the so-called Ability Park. The purpose of this was to show people what it is like to have a certain disability. They can try to do things as if they were disabled and learn from it.

Legislative Drafting

- ▶ NGOs worked with the City Council of Budapest on a local decree that became the base model for the law.
- ▶ NGOs were consulted at all stages of the law development due to their expertise.
- ▶ NGOs involved their beneficiaries to determine best practice principles for the law.
- ▶ In the Parliament, there was limited need for debate as the law was one of the few items of “consensus legislation,” with no opposition.
- ▶ Law XXVI of 1998 “On the rights of people with disabilities and the ensurance of equal opportunities for them” was adopted in 1998.

Follow-up

- ▶ Upon adoption of the law, subsequent governments always made its implementation a priority area.
- ▶ The original deadline to complete implementation was 2004, which appeared by 2003 to be unrealistic.
- ▶ In 2003 a new law was adopted that reinforced the law of 1998 and assigned responsibilities to the government in its implementation.
- ▶ Following a long and thorough consultation process, in 2006 amendments to the 2003 law were adopted and a government decree was issued. These included more realistic objectives for implementation, and envisioned complete access for disabled people in Hungary (to public institutions and licensed service providers) by 2023.
- ▶ NGOs now offer services to both municipalities and companies to assess and develop plans on how to make their buildings and services accessible for everyone.