



## European network of legal experts in gender equality and non-discrimination

### FLASH REPORT

<b>Country:</b>	Hungary
<b>Title:</b>	Successful procedure launched by civil society organisation to enforce equality body decision on providing accessibility
<b>Date:</b>	19 July 2019
<b>Expert:</b>	András Kádár
<b>Context</b>	
<b>Issue at stake:</b>	Difficulties concerning the enforcement of equality body decisions
<b>Grounds of discrimination:</b>	Disability
<b>Field of application:</b>	Goods and services
<b>Source:</b>	National equality body
<b>Applicable law:</b>	Act CXXV of 2003 on Equal Treatment and the Promotion of Equal Opportunities

### Content

**Case development:** In 2016, a complainant with disability initiated a case with the Equal Treatment Authority because in the course of a major reconstruction of one of the busiest Budapest tramway lines, accessibility of some tram stops was not guaranteed. The Authority concluded that the requirement of equal treatment had been breached and obliged the Budapest Public Transportation Company (BKK) to guarantee the accessibility of two tram stops and inform the Authority thereof by 15 July 2018. However, as this had not happened by January 2019, the National Federation of Disabled Persons' Associations requested information from the Equal Treatment Authority about what measures had been taken to enforce the decision.

When the Authority informed the Association that BKK referred to budgetary difficulties as the reason for non-compliance, the association officially requested the launching of an enforcement procedure. Since 1 January 2018, the National Tax and Customs Authority has been vested with the task of enforcing administrative decisions, including those of the Equal Treatment Authority. Upon official notification from the Equal Treatment Authority, the tax authority called on BKK to voluntarily comply with the decision and secure the accessibility of the stops by 30 June 2019. (In the absence of voluntary compliance, the tax authority can impose fines on the obliged entity until the respective administrative decision is complied with.) Although this deadline has not been met either, the transportation company informed the concerned authorities and the association in June 2019 that in April 2019 it had launched the public procurement for the necessary construction work and that once the procurement procedure was completed the works could commence, which means that the tram stops will be accessible before the end of the year.

**Key points of analysis:** The case shows the difficulties of enforcing those decisions of the Equal Treatment Authority that require sufficient financial resources to comply with and also how – in the absence of sufficient human resources – it may be difficult for the

Authority to follow up on the enforcement of its decisions. However, it is also an example of how effective action by CSOs can build on and complement the work of the authority.

**Internet link source:**

<http://www.meosz.hu/blog/villamosmegallok-akadalymentesitse/>.