



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

Follow-up progress report on individual communications, adopted by the Committee at its fourteenth session (17 August-4 September 2015)

A. Introduction

1. The present report was prepared pursuant to article 5 of the Optional Protocol to the Convention on the Rights of Persons with Disabilities, which states that the Committee shall hold closed meetings when examining communications under the Protocol and, after examining a communication, shall forward its suggestions and recommendations, if any, to the State party concerned and to the petitioner. The report is also prepared in line with rule 75, paragraph 7, of the rules of procedure of the Committee, which stipulates that the Special Rapporteur or working group to ascertain the measures to be taken by States parties to give effect to the Committee's Views shall regularly report to the Committee on follow-up activities. The Committee considered and adopted the present report at its fourteenth session.

2. The present report sets out the information received by the Special Rapporteur for follow-up on Views between the thirteenth and fourteenth sessions pursuant to the Committee's rules of procedure, and the analyses and decisions adopted by the Committee during its fourteenth session. The assessment criteria were as follows:

Assessment criteria

Action satisfactory

- A** Measures taken largely satisfactory

Action partially satisfactory

- B1** Substantive action taken, but additional information required
B2 Initial action taken, but additional action and information required

Action not satisfactory

- C1** Reply received but actions taken do not implement the Views/recommendations
C2 Reply received but not relevant to the Views/recommendations



*No cooperation with the Committee***D1** No reply to one or more recommendations or parts of recommendations**D2** No reply received following reminder(s)*Measures taken are contrary to the recommendations of the Committee***E** The reply indicates that the measures taken go against the Views/recommendations of the Committee**B. Communications****1. Communication No. 1/2010, *Nyusti and Takács v. Hungary***

Views adopted:	16 April 2013
First reply from the State party:	Due on 24 October 2013. Received on 13 December 2013. Analysed at the eleventh session (see CRPD/C/11/5).
Authors' comments (first set):	13 March 2014. Analysed at the eleventh session (see CRPD/C/11/5).
Decision of the Committee and actions taken:	Decision adopted at the eleventh session. Follow-up letter sent to the State party on 8 May 2014 (see CRPD/C/12/3), with a deadline for comments of 7 November 2014. 15 April 2015: Second reminder sent, with a deadline for response of 15 June 2015.
Recommendation of the Rapporteur:	Follow-up ongoing. State party's follow-up reply to be transmitted, upon receipt, to the authors for their comments.

2. Communication No. 4/2011, *Bujdosó et al. v. Hungary*

Views adopted:	9 September 2013
First reply from the State party:	26 March 2014 (see CRPD/C/12/3)
Authors' comments (first and second sets):	5 May 2014 (see CRPD/C/12/3)
Second reply from the State party:	8 July 2014 (see CRPD/C/12/3)
Authors' comments (third set):	6 October 2014 (see CRPD/C/13/4)
Actions taken:	15 April 2015: Second reminder sent to the State party, with a deadline for response of 15 June 2015. 24 August 2015: Note verbale received from the State party, in which it indicated that it was not in a position to meet the deadline in so far as, following a lengthy internal coordination process, the Government had only recently discussed the measures regarding the

compensation to be paid to the authors.

The State party indicated that the competent ministry was going to prepare the reply on the basis of the above-mentioned decision. A new deadline of two months from that date was given to the State party to provide that information.

Recommendation of the Rapporteur:

Follow-up ongoing. State party's follow-up reply to be transmitted upon receipt to the authors for their comments.

3. Communication No. 2/2010, *Gröninger v. Germany*

Views adopted: 4 April 2014

First reply from State party: 8 October 2014

Author's comments (first set): 8 December 2014 (see CRPD/C/13/4)

Second reply from State party: 10 February 2015 (see CRPD/C/13/4)

Author's comments (second set): 5 March 2015 (see CRPD/C/13/4)

Actions taken: 18 May 2015: Letter of the Special Rapporteur for follow-up on views sent to the State party (a) informing it that the Committee had decided to maintain the follow-up dialogue as ongoing; (b) transmitting a copy of the author's additional comments for commentary; and (c) reiterating the Committee's general recommendations, as contained in paragraph 7 (b) of its Views. Deadline for response: 15 July 2015.

15 July 2015: The State party replied to the letter of the Committee, reiterating the information as to the measures taken to enable Mr. Gröninger to apply for a job in Germany, indicating that the State party did not deem it necessary to provide further follow-up information with regard to the case.

20 July 2015: Secretariat acknowledged receipt of the note verbale.

Recommendation of the Rapporteur:

Follow-up discontinued with regard to the individual recommendations, with an "A" assessment of the measures adopted by the State party. However, the follow-up procedure is ongoing with regard to the implementation of the general recommendations (which received a "C" assessment).

4. Communication No. 8/2012, *X v. Argentina*

Views adopted: 11 April 2014

Author's comments (first and second sets): 16 June and 17 November 2014. Transmitted to State party for comment.

First reply from the State party:	16 December 2014 (see CRPD/C/12/3)
Author's comments (third set):	29 January 2015 (see CRPD/C/13/4)
Author's' additional submission:	13 February 2015, indicating that Mr. X had a new lawyer and that he would submit additional information to the Committee shortly.
Actions taken:	<p>16 February 2015: Letter sent to the new lawyer, acknowledging receipt of the new submission and power of attorney.</p> <p>15 April 2015: First reminder sent to the author for additional comments, with a deadline for response of 15 June 2015.</p> <p>23 June 2015: Acknowledgement of the information sent to the author and transmittal to the State party for its comments, with a deadline for response of 23 July 2015.</p> <p>24 July 2015: Request for extension received from the State party.</p> <p>13 August 2015: Receipt of State party's follow-up observations, providing detailed information about the measures taken to implement the Committee's recommendations, to adapt Mr. X's place of detention to his needs and to provide him with the medical treatment required. At that stage, 12 judges, in addition to the 18 members of the Committee, had taken part in the examination of Mr. X's case during different phases of the corresponding proceedings. The State party considered that, clearly, none of the measures adopted by the competent authorities would satisfy the author and his lawyers and experts, apart from the requested home detention, which could not be adapted to Mr. X's case. (The most recent request of Mr. X's lawyer in that regard had been rejected after various medical exams and reports by forensic experts.)</p>
Recommendation of the Rapporteur:	Follow-up discontinued, with an "A" assessment of the measures taken by the State party.
