



**Written submission by  
the Validity Foundation – Mental Disability Advocacy Centre  
to the UN Committee on the Elimination of Discrimination against Women  
for consideration when compiling the List of Issues on the ninth periodic  
report of**

**HUNGARY**

**under the UN Convention on the Elimination of All Forms of  
Discrimination against Women**

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## Introduction

1. Validity Foundation – Mental Disability Advocacy Centre is an international human rights organisation which uses the law to secure equality, inclusion and justice for people with mental disabilities worldwide. Validity’s vision is a world of equality where emotional, mental and learning differences are valued equally; where the inherent autonomy and dignity of each person is fully respected; and where human rights are realised for all persons without discrimination of any form. Validity has participatory status at the Council of Europe, and observer status at ECOSOC.
2. The aim of this written submission is to provide the UN Committee on the Elimination of Discrimination against Women with information on the coercive measure of involuntary contraception women with disabilities are facing in Hungarian institutions.

## Involuntary contraception of women with disabilities

3. It is a fact that institutions for persons with disabilities are “cannot handle pregnancy”<sup>1</sup> and there are no/very few babies are born there. Recently, some reports of the Hungarian National Preventive Mechanism (NPM) revealed that women in institutions are forced to take contraceptives either against their will or even without letting them know about the use of contraceptives.
4. In Report No. AJB-371/2015 on the visit to the Therapeutic House of Debrecen, the NPM reported that placement in the institution - which at the time of the visit housed 251 persons with psychosocial and intellectual disabilities - requires women to take contraception as a condition of admission. As for the management of the institution, "contraception is administered immediately"<sup>2</sup> upon admission. According to the report, “in practice, this means that women are only admitted to the institution if they give their consent to contraception. A gynaecologist injects Depo-Provera, a long-acting contraceptive.”<sup>3</sup> It shall be noted that persons with disabilities are often placed in institutions against their will, on the basis of the decision of a substitute decision-maker called guardian. It is often the guardian who gives consent for the institution to use contraceptives.
5. The Report No. AJB-371/2015 revealed that if the injection cannot be given, an intrauterine device (IUD) is used. In the absence of the free and informed consent of the person concerned, the guardian may consent to allow the doctor to use an IUD contraceptive tool.<sup>4</sup>
6. In Report No. AJB-518/2020 on the visit to the Platán Integrated Social Care Centre of Bács-Kiskun County, the NPM highlighted that “the institution, with the help of the mental health staff, educated residents about the nature of and the need for contraception.

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<sup>1</sup> National Preventive Mechanism Report No. AJB-371/2015 on Visit to the Therapeutic House of Debrecen (2015), p. 27. [English summary available.](#)

<sup>2</sup> Ibid. p. 24.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid. pp. 11 and 24.

Despite the awareness-raising sessions, women living in the institution do not take birth control pills on the basis of their own decision but on the consent of their guardians.”<sup>5</sup>

### **Recommended Questions**

What steps, if any, are taken by the government to ensure that persons with disabilities living in institutions are not subjected to forced contraception?

What steps, if any, are taken by the government to ensure that women with disabilities living in institutions may keep their foetus, may give birth to their babies and, with all necessary and appropriate support, to raise their own children (together with their partner) by being provided with the opportunity to live independently in the community before or soon as they become parents?

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<sup>5</sup> National Preventive Mechanism Report No. AJB-518/2020 on the visit to the Platán Integrated Social Care Centre of Bács-Kiskun County (2020), p. 1. [English summary available](#).