

**Question for written answer E-005898/2013
to the Commission**

Rule 117

Ádám Kósa (PPE)

Subject: UN Disability Convention and the problem of Treaty infringement proceedings

The UN Committee on the Rights of Persons with Disabilities (CRPD) has ruled against Hungary in response to a petition from a blind Hungarian couple concerning OTP Bank's cash machines. The international Convention and the Optional Protocol thereto, on the basis of which the petition was submitted, is one which Hungary was among the first countries in the world to sign at the beginning of 2007, and as a signatory state was also the first to allow the possibility of proceedings on the basis of an individual petition. The Hungarian Helsinki Committee submitted the petition in 2010. Since December 2010 the European Union has also been a signatory, but only to the Convention, and so complaints may not be submitted against it: for the time being this option is not available, as the EU has not ratified the optional protocol.

My question is this: if Hungary independently (either by legislation or via the Hungarian National Bank) adopts regulations as soon as possible – which personally I would urge it to do – to the effect that all cash machines used by banks operating in Hungary must comply with uniform accessibility and infrastructure conditions and rules on service provision, does this not violate competition-neutrality between banks operating in the European Union, and does it not make an unjustified distinction between banks and financial institutions operating in Hungary, thus incurring a new risk, that of Treaty infringement proceedings? Does the Commission plan to extend the Accessibility Legislative Package to cover this too, since the EU is also a signatory, though only to the Convention?