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FRONT COVER IMAGE

Google Earth 2012 coverage of Vandlík Márton street 28 in Nyíregyháza



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Introduction

Between 2004 and 2022, Hungary received over €83 billion in EU funding – more than four times the amount the country contributed to the EU budget.^[1] For the 2014–2020 programming period – the starting point of the analysis in this report – Hungary was allocated €21.9 billion in Cohesion Policy funds, supporting regional development, social inclusion, and environmental sustainability initiatives.^[2] In the 2021–2027 programming period, Hungary has been allocated approximately €21.2 billion in Cohesion Policy funds.^[3] However, significant portions of these funds have been withheld or delayed due to concerns over governance and rule-of-law compliance.^[4] Similarly, access to parts of the Recovery and Resilience Facility (RRF) has been suspended for related reasons. Less significant in its volume is the €34.5 million from the EU's Asylum, Migration, and Integration Fund (AMIF) for the 2014–2020 funding period, while for the 2021–2027 period, the allocation under AMIF increased to €721 million, however a portion of these funds have also been withheld.^[5]

The debate around EU funding is a recurring theme in Hungarian public discourse. Allegations of fraud, corruption, and the misuse of funds have been persistent, with suspicions that the political elite has benefited disproportionately.

While discussions about fraud and corruption in EU-funded projects are prevalent, the protection of fundamental rights often receives little attention. EU-funded initiatives are legally bound to uphold the Charter of Fundamental Rights.^[8] Yet, NGOs have documented numerous violations of 'marginalized groups' rights, including Roma, people with disabilities, and individuals with a migrant background. These abuses include discriminatory practices and the exacerbation of educational and housing segregation. This report aims to address this oversight by analyzing discrimination within EU-funded projects, particularly against marginalized communities (Roma, people with disabilities, people with a migrant background).

[2] European Commission. (2014). Partnership Agreement: Hungary (Summary). Retrieved December 2, 2024, from https://commission.europa.eu/system/files/2017-01/partnership-agreement-hungary-summary-aus2014_en.pdf

[3] European Commission. (n.d.). Partnership Agreement: Hungary 2021-2027. Retrieved December 1, 2024, from https://commission.europa.eu/publications/partnership-agreement-hungary-2021-2027_en

[7] G7.hu. (2024, July 16). A korrupciónál is nagyobb probléma van az uniós pénzekkel. Retrieved from <https://g7.hu/kozelet/20240716/a-korrupcional-is-nagyobb-problema-van-az-unios-penzekkel/>

Objective, scope, and structure

This report examines violations of fundamental rights in EU-funded projects in Hungary, focusing on marginalized groups such as Roma, people with disabilities, and people with a migrant background. While EU funds are legally bound to comply with the charter of fundamental rights and other human rights instruments like the UN convention on the rights of persons with disabilities, multiple cases of discrimination, segregation, and institutionalization have been uncovered by non-governmental organizations.

The report aims to analyze such violations within EU-funded projects, particularly in the areas of education, housing, and social services. It collects and evaluates documented cases from the 2014–2020 funding period and, where relevant, also examines developments in the 2021–2027 cycle. The findings contribute to raising awareness of fundamental rights obligations in EU funding and strengthening monitoring mechanisms. Additionally, the report supports capacity-building efforts by informing legal and policy advocacy, including recommendations for policy amendments, litigation, and complaints to national and EU authorities.

The structure of the report is as follows:

- Section 1 analyzes Hungary's relationship with the European Union since 2010, focusing on political, financial, and legal factors shaping EU-funded projects.
- Section 2 provides a literature review pointing out and summarizing key reports, studies, policy documents, and articles investigating fundamental rights issues in EU-funded initiatives.
- Section 3, 4, 5, and 6 detail findings from research conducted by Partners Hungary as part of the FURI consortium. This study, carried out between September and December 2024, employed questionnaires and interviews to explore questions related to rights violations and systemic fundamental rights challenges in EU-funded projects, accompanied by consultation meetings with civil society organisations.
- Finally, section 7 presents projects implemented between 2014–2024 where violations of fundamental rights have been proven or alleged.



Background and context

HUNGARY AND THE EU SINCE 2010

Hungary's relationship with the European Union (EU) has been marked by increasing tensions since 2010, particularly under the leadership of Prime Minister Viktor Orbán and his ruling Fidesz party. Upon returning to power in 2010, Orbán introduced sweeping constitutional and legal reforms. These included changes to the judiciary, media laws, and electoral system, which critics argued consolidated power and undermined democratic checks and balances. Orbán described his model as an "illiberal democracy", which conflicted with EU principles.^[9] While some EU leaders expressed concern, the EU's response during this period was limited to warnings and infringement procedures on specific issues, such as media freedom^[10] and judicial independence^[11].

Hungary's handling of the 2015 influx of refugees significantly strained relations. Orbán's government constructed border fences, implemented harsh asylum laws, and adopted anti-immigrant rhetoric, opposing EU efforts to redistribute asylum seekers through quotas. In 2016 and 2017, Hungary adapted its legislation on the right to asylum and on the return of non-EU nationals who do not have the right to remain in the EU. The laws created transit zones situated at the Serbian-Hungarian border and introduced the concept of a "crisis situation caused by mass immigration" allowing the Hungarian authorities to derogate from certain rules set out in the Asylum Procedures, Reception Conditions and Return Directives with a view to maintaining public order and preserving internal security.^[12]

[9] Amnesty International. (2018, May 31). What is going on in "illiberal democracy" Hungary? Retrieved from <https://www.amnesty.org/en/documents/euro/18/001/20180531/en/>. Budapest Times. (2024, July 16). EC to launch infringement procedure against Hungary over sovereignty protection law. Retrieved from <https://www.budapesttimes.hu/budapest/abc-soc-launch-infringement-procedure-against-hungary-claims-sovereignty-act-constitution-law/>.

[10] Concerns were raised about Hungary's media law and its impact on media freedom and pluralism. European Parliament. (February 16, 2012). Resolution on the EU Charter standard settings for media freedom across the EU. Retrieved from https://www.europarl.europa.eu/press/docs/press/76-7-2012-0063_EU.htm.

[11] European Commission. (2012, November 16). MEMO/12/632: Commission presents new framework to strengthen the rule of law in the EU. Retrieved from https://ec.europa.eu/commission/presscorner/detail/en/memo_12_632.

[12] European Council on Refugees and Exiles (ECRE). "Access to Territory and Push-Backs - Hungary." Asylum Information Database (AID4). <https://asylumineurope.org/reports/country/hungary/asylum-procedure/access-territory-and-territorial-access-territory-and-push-backs/>. Accessed December 13, 2024.

Based on concerns about compatibility with EU law, the Commission initiated infringement procedures against Hungary in December 2015^[5] culminating in the judgment of the European Court of Justice in December 2020^[6]. The European Commission launched proceedings due to concerns about Hungary's asylum regulations, particularly the mandatory confinement of asylum seekers in transit zones, widespread police pushbacks at the Serbian-Hungarian border, and the denial of legal residence to asylum seekers during the appeal process. In the 2020 ruling, the European Court of Justice determined that Hungary's pushback policies, implemented in July 2016 and expanded nationwide in March 2017, violated EU law. Since the legal changes in July 2016, Hungarian Police have reported nearly 350,000 pushbacks at the Serbian-Hungarian border.^[6]

Meanwhile, anti-EU rhetoric escalated in Hungary, with the government launching campaigns accusing Brussels of undermining the country's sovereignty. Among these was the controversial "Stop Soros" campaign^[6], which criticized EU migration policies and targeted NGOs involved in migration and human rights advocacy by insinuating conspiracy related to George Soros.

In recent years, several rule of law disputes have taken place between the EU and the Hungarian government. The European Parliament invoked Article 7 in September 2018, urging the Council to address risks to Rule of Law, Democracy, and Fundamental Rights in Hungary.^[7] In September 2022, the European Parliament reiterated its concerns in a follow-up resolution, highlighting persistent or worsening issues since the Sargentini Report^[8]. These included judiciary independence, corruption, conflicts of interest, media pluralism, and restrictions on civil society.

Prolonged Rule of Law violations and state capture led the EU in December 2022 to invoke the conditionality mechanism, linking Hungary's access to EU cohesion funds and the Recovery and Resilience Facility (RRF) to reforms on judicial independence, anti-corruption measures, academic freedom, and rights for LGBTQ+ individuals and asylum-seekers.^[9] While these financial pressures prompted some reforms, they have not addressed systemic issues such as weakened checks and balances, excessive regulatory power by the government, and lack of legal certainty. Independent media and civil society remain under strain, and vulnerable groups face ongoing rights violations, with limited protection from domestic or international institutions.

[13] European Commission, (December 10, 2015). Commission opens infringement procedure against Hungary concerning its asylum law. Retrieved from https://ec.europa.eu/commission/presscorner/detail/en/IP_15_6228

[34] Court of Justice of the European Union. (2020). Case C-808/18: Commission v Hungary. Retrieved from <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:3A62018CJ0808>

[35] Hungarian Helsinki Committee: "The Government's Refusal to Respect the EU Court's Judgement is Severely Harmful," Hungarian Helsinki Committee, <https://helsinki.hu/en/the-governments-refusal-to-respect-the-eu-courts-judgement-is-severely-harmful/>, Accessed December 13, 2024.

[16] Amnesty International. (2021). Hungary: Court of Justice of the EU rejects anti-migrant 'Stop Soros' law. Retrieved from <https://www.amnesty.org/en/latest/news/2021/11/hungary-court-of-justice-of-the-eu-rejects-anti-migrant-stop-soros-law/>

[17] Hungarian Helsinki Committee. (June 3, 2024). Article 7 alive but needs booster shot. Retrieved from <https://helsinki.hu/en/article-7-alive-but-needs-booster-shot>

[18] European Parliament, "Report on a Proposal Calling on the Council to Determine, Pursuant to Article 1(1) of the Treaty on European Union, the Existence of a Clear Risk of a Serious Breach by Hungary of the Values on Which the Union is Founded," European Parliament, 4 July 2018, <https://www.europarl.europa.eu/press/media/infodocs/infodocs/2018-07-04/EN.html>. Accessed December 11, 2024.

[99] Council of the European Union, "Rule of Law Conditionality Mechanism," Council of the European Union Press Releases, 12 December 2022, <https://www.consilium.europa.eu/en/press/press-releases/2022/12/12-rule-of-law-conditionality-mechanism/>. Accessed December 13, 2024.

Another significant event of the 2020s was the European Commission's decision to refer Hungary to the European Court of Justice (ECJ) over the Sovereignty Protection Act, arguing that the legislation breaches fundamental EU principles.^[20] The Sovereignty Protection Act, which came into effect in December 2023, established the Sovereignty Protection Office. This office is authorised to investigate individuals or organisations receiving foreign funding that are deemed capable of influencing public debate, and to publish reports on them. There is no legal remedy available against the initiation of an investigation or its findings.

The Hungarian government defends the law as a measure to prevent foreign interference in political and electoral processes. However, the European Commission and critics argue that the SPO's broad discretionary powers could be misused.

Concerns have been raised about its potential to disproportionately target civil society organizations, journalists, and media outlets. Investigations initiated against groups such as Transparency International Hungary and Átlátszó underscore fears of chilling effects on press freedom and watchdog activities.

Following an assessment, the European Commission initiated infringement proceedings in February 2024. It found the act in breach of EU principles, including democracy, internal market freedoms, and fundamental rights enshrined in the EU Charter, such as respect for private life, freedom of expression, and the right to assembly. The referral to the ECJ signals escalating tensions over Hungary's compliance with EU values and the potential implications for democratic governance within the bloc.

THE LAW ON THE PROTECTION OF NATIONAL SOVEREIGNTY AND THE OFFICE FOR THE PROTECTION OF SOVEREIGNTY

In recent years, new laws in Hungary have often served political interests rather than those of society. Many of these laws were passed without consulting the public and have negatively affected different groups. A key example is the Sovereignty Protection Act, which created a new Office with wide powers to investigate anyone at any time, without proper legal remedies.

The law was adopted on 12 December 2023^[21]. Its preamble does not aim to be neutral; it openly attacks opposition groups and names them as threats.

While political parties are already banned from receiving foreign funding under existing rules, the new law goes further by allowing investigations into anyone (parties, individuals, or civil society actors) who may influence public debate or elections as several NGOs have pointed out^[22]

The Office publishes its findings online, including a yearly report due by 30 June. These reports can name people and organisations and accuse them without needing proof. More importantly, there is no way to challenge these reports in court. This

[20] JURIST (2024, October). EU refers Hungary to ECJ over Sovereignty Protection Act. Retrieved from <https://www.jurist.com/news/2024/10/eu-refers-hungary-to-ecj-over-sovereignty-protection-act/>

[21] Act LXXXVIII of 2023 on the Protection of National Sovereignty

[22] See more: <https://transparency.hu/hirek/nyitok-honlap-az-orszagvedelmek-rol-az-ugybol/>

clearly goes against Article 47 of the EU Charter of Fundamental Rights, which guarantees the right to a fair trial and legal remedy.^[23]

Unlike other public authorities, the Office is not bound by normal legal procedures. It does not have to follow the same rules or provide opportunities for appeal. This creates serious concerns, as it allows the Office to publish potentially false or misleading claims as if they were facts. For example, Transparency International Hungary and the investigative news site Átlátszó were both targeted by the Office. Although they denied the accusations and issued public statements, they could not take any legal action to correct the reports. Átlátszó later filed a civil lawsuit for reputational damage, but the outcome is still uncertain.

One of the first investigations conducted by the Office against Transparency International Hungary, the results of which the organisation refutes in detail in a statement, but cannot do anything else. For example, it cannot bring administrative action^[24]. Átlátszó has also objected to the findings of the investigation report because it considers them to be untrue.

NO TRANSPARENCY, NO COMPETITION, NO OVERSIGHT

Hungary is in the very middle in the process to implement the biggest ever (300 municipalities), largest in amount, social-focused EU-funded program, called Felzárkózó települések - FETE (Catching up settlements). The program has been criticized heavily for handling EU funds inadequately. The implementation lacks transparency both in its

Among other things, the report found that the internet portal had conducted a disinformation campaign and had withdrawn domestic Brussels funding as a result. For these reasons, in January 2025, they filed a lawsuit against the Office for damage to his reputation, seeking a ban, an apology and damages of nearly four million forints (app. EUR 10.000)^[25]. The first annual report will be published during the summer of 2025, as the Office was created in February 2024.

At the same time, the organisation's website already contains a wealth of information that can be used to draw conclusions about the independence of the Office and its freedom from influence. From the investigations it has carried out so far, it is clear that it has targeted social actors that are in some way involved in activities related to the rule of law, anti-corruption, transparency in public investments or human rights. The functioning of the Office and its investigations also threaten freedom of expression and information, which is contrary to Article 11 of the Charter.^[26]

planning and contracting process. Just an example on technicalities: the official project start date (1 January 2024) precedes the date of application (2 May 2024) and grant approval (10 July 2024), raising the possibility that the program was launched retroactively, without public awareness or stakeholder input. Even more troubling is that the implementer was not selected through a competitive or open process.

[23] Everyone whose rights and freedoms guaranteed by Union law have been infringed shall have an effective remedy before a court or tribunal under the conditions laid down in this Article. Everyone has the right to have his or her case heard fairly, openly and within a reasonable time by an independent and impartial tribunal established by law. Everyone shall have the opportunity to receive advice, defense and representation. Legal aid should be granted to those who do not have sufficient financial means, where this is necessary for the effective administration of justice.

[24] See more: <https://atlatszo.hu/irodalom/2025/01/02/az-ati-irodalom-2025-01-02/>

[25] See more: <https://atlatszo.hu/irodalom/2025/01/02/az-ati-irodalom-2025-01-02/>

[26] Everyone has the right to freedom of expression. This right includes freedom to hold opinions and to impart information and ideas without interference by public authority and regardless of borders. (2) Freedom and diversity of the mass media shall be respected.

Instead, a single organisation, the Hungarian Charity Service of the Order of Malta, was appointed. It is also concerning that Miklós Vecsei, a well-known expert in social policy, has been serving since 2019 as the Prime Minister's Commissioner responsible for implementing the diagnosis-based inclusion strategy, while also holding the position of vice president of the Hungarian Charity Service of the Order of Malta, the organisation implementing the program itself.

These concerns create a situation where it is difficult to distinguish where the state's authority ends and where the implementer's begins. The same individuals are involved in shaping national strategies and in carrying out those programs on the ground, blurring the

line between policy and execution. This structural and personal overlap not only raises the risk of biased decisions and resource misallocation but also makes external monitoring and accountability nearly impossible. While the program assumes responsibility for tasks traditionally handled by the state, it does so without clear boundaries, safeguards, or independent evaluation mechanisms. The result is a system that lacks both public legitimacy and the checks and balances required by EU principles of transparency, fairness, and the right to participate in public decision-making — as enshrined in the Charter of Fundamental Rights of the European Union.

THE ROLE OF CIVIL SOCIETY IN MONITORING EU FUNDS

In the current 2021–2027 EU funding cycle, Hungary was required to include independent civil society organisations into the monitoring committees that exercise oversight how EU money is spent. This came after criticism of the 2014–2020 period, when committee members were often connected to the ruling party.^[27] At the request of the European Commission, independent groups like the Hungarian Civil Liberties Union and the Helsinki Committee were invited to participate more actively.^[28] These organisations used their role to suggest improvements to committee procedures and ensure that EU-funded projects respect fundamental rights. One success involved prison reintegration programs, where their advocacy helped bring legal changes to protect prisoners' rights.

Still, taking part in these committees can come at a cost. In early 2024, the Sovereignty Protection Office began investigating NGOs involved in monitoring EU funds, including Transparency International and Átlátszó. This raised alarms, especially since these groups are active in the Anti-Corruption Working Group alongside the Integrity Authority, a body tasked with protecting EU funds.

Following these developments, several civil society organisations asked^[29] the government to allow a representative of the Office to attend monitoring committee meetings, hoping to clarify the Office's role. The government refused. Consequently, the Helsinki Committee filed two complaints with the European Commission.

The first complaint is linked to the rule-of-law mechanism, which led the EU to freeze funds for Hungary. The complaint argues that the Office's unchecked powers and lack of accountability violate EU legal standards. The second complaint claims that the Office's actions interfere with the proper functioning of the EU-required monitoring system, potentially undermining the management of EU funds in Hungary.

In conclusion, the Sovereignty Protection Act and the newly established Office raise serious concerns about the protection of democratic rights, freedom of expression, and access to justice in Hungary, all of which are guaranteed under the EU Charter of Fundamental Rights. By undermining these core principles, the Office also threatens the ability of civil society to independently monitor the use of EU funds and to hold public institutions accountable.

[27] 6-Monitor (2021, April 7). 'Unde pénzek: kik ellen a monitoring bizottságnak?' Retrieved from <https://6-monitor.hu/2021/04/07/unde-penzek-kik-ellen-a-monitoring-bizottsagban>

[28] Ibid.

[29] Helsinkii Függetl. (2024, October 22). 'A Szuverenitásvédelmi Hivatal: Itt van az ország nyakán.' Helsinki Függetl. Retrieved from <https://helsinkiifuggetl.444.hu/2024/10/22/a-szuverenitasvedelmi-hivatal-it-zen-acsokas-csallan>

Literature review and desk research

The allocation and use of European Union funds in Hungary have increasingly come under criticism for facilitating or being associated with fraud, corruption and inadequate planning, particularly the lack of consultation with non-governmental entities. However, less attention has been paid to the violation of fundamental rights in EU-funded projects—particularly instances of discrimination against Roma communities, people with disabilities, and individuals with a migrant background.

Key documents prohibiting discrimination, including segregation of marginalised groups in EU-funded investments and projects are Partnership Agreements from 2014^[30] and 2020^[31]. Both of these documents emphasise desegregation in education and housing, including deinstitutionalisation for people with disabilities as strategic priorities, also detailing consultation mechanisms to be put in place with NGOs representing these groups' needs. The 2020 Partnership Agreement explicitly states that projects should not be implemented in segregated settings:

"Hungary has committed to promoting the integration of marginalized communities, including Roma and people with disabilities. The integration of Roma is to be supported by a wide range of integrated measures aligned with the EU Roma framework, particularly in the areas of housing and education. For vulnerable groups, we do not support investments that increase or reproduce segregation. Investments contribute to the prevention of segregation and, through the active reduction of segregation, to desegregation as well."^[32]

The document also explicitly prohibits segregation of people fleeing from Ukraine in the context of long-term integration efforts in education, housing, health, and employment.^[33] Similarly, OP documents from both the 2014-2020 and 2021-2027 periods reinforce the importance of desegregation and deinstitutionalisation.

[30] https://ec.europa.eu/eafsv/docs/2014/2014_en.pdf

[31] https://ec.europa.eu/eafsv/docs/2020/2020_en.pdf

[32] Ibid, p. 41.

[33] Ibid, p. 21.

Similarly, as stated in the Territorial and Settlement Development Operational Programme Plus 2021-2027^[56], the OP 'aims at desegregation and will not support any housing investments that maintain or reinforce segregation (e.g. in special needs schools, segregated (Roma) schools or neighbourhoods). The TOP Plus does not support the construction or renovation of long-term residential care facilities.'^[57]

In addition to the current Partnership Agreement and relevant OP documents in place, the following key domestic laws, regulations, and policy documents govern anti-discrimination:

- According to a report by the European Roma Rights Centre on Romani children in state care, in 2011 Romani children made up to 58% of those children's homes, while the proportion of Roma children in the overall Hungarian child population was estimated to be only 13%.^[36]
- The obligation of non-discrimination is based on Act CXXV of 2003 on equal treatment and the promotion of equal opportunities. Under this Act, the Commissioner for Fundamental Rights may act as an authority in cases of violations of equal opportunities.^[37]

[94] Human Resources Development Operational Programme Plus 2021-2027. Available: <https://www.palstat.gov.hu/programok/fejreschek-serv-plusz/efoc-plusz>
[95] Ibid. p. 8.
[96] Territorial and Settlement Development Operational Programme Plus 2021-2027. Available: <https://www.palstat.gov.hu/programok/fejreschek-serv-plusz/hoz-plusz>
[97] Ibid. p. 8.
[98] Available in English: <https://ec.europa.eu/commission-press/en/detail/169346>
[99] Available in Hungarian: <https://net.ior.turku.org/balazs/doi/dpocid/3000125>

- The rights of persons with disabilities and equal opportunities for them are governed by Act XXVI of 1998.^[40] The UN Convention^[41] was ratified by Act XCII of 2007 on the ratification of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto.^[42] The National Disability Programme (2015-2025) was adopted by Parliamentary Decision 15/2015 (IV. 7).^[43] Government Decision 1295/2019 (27 May 2019) adopted the long-term concept for the years 2019-2036 on the deinstitutionalisation of social care institutions for persons with disabilities, including disabled children.^[44]
- The Commission's report on the implementation of the national Roma strategic framework^[45] emphasises that although Hungary has made efforts to improve the situation of the Roma people in several areas there is still a need to take some effective steps.
 - Education: Widespread and increasing segregation in schools remains a key concern. The Commission calls for the effective implementation of policies that eliminate segregation and promote inclusive, quality education.
 - Employment: Roma are overrepresented in low-paid public work schemes rather than stable jobs. Stronger support is needed for sustainable, long-term employment.
 - Health: Access to healthcare is limited by discrimination and financial barriers. Services should be more inclusive.
 - Housing: Many Roma live in segregated settlements with poor infrastructure. There is a lack of clear targets and dedicated funding to address the issue.
- The Hungarian National Social Inclusion Strategy (HNSIS)^[46] is the key policy document for Roma and other disadvantaged groups but it does not focus on the problems of people with migrant background. The strategy acknowledges migration as a broader social phenomenon, but it does not frame it as a significant factor in Hungary's social inclusion policies. School segregation is addressed in the Education Strategy for the European Union 2021-2030.^[47]

While these documents suggest that efforts to enforce anti-discrimination principles are prioritised, the following brief literature review and the FURI research results highlight several EU-funded projects in which fundamental rights violations have been proven or credibly alleged.

[40] Available in Hungarian: <https://net.jogtar.hu/jogszabaly?docid=598000704>

[41] Available: <https://www.unhcr.org/en/instruments/megadonts/instruments/convention-right-persons-disabilities>

[42] Available in Hungarian: <https://net.jogtar.hu/jogszabaly?docid=607000704>

[43] Available in Hungarian: <https://net.jogtar.hu/jogszabaly?docid=600000000>

[44] Available in Hungarian: <https://net.jogtar.hu/jogszabaly?docid=600000000>

[45] Available in English: Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions

[46] Available in Hungarian: <https://net.jogtar.hu/jogszabaly?docid=600000000>

[47] Available in Hungarian: <https://net.jogtar.hu/jogszabaly?docid=600000000>

DISCRIMINATION OF ROMA IN EU-FUNDED PROJECTS

While studies consistently demonstrate that government policies have often perpetuated or failed to address systemic discrimination against Roma communities, there is a notable lack of literature documenting and assessing the impact of discrimination in the allocation and implementation of EU funds for Roma integration.

A key study evaluating the “Roma integration projects” was conducted in 2012 aiming to, formulate recommendations for future programming cycles.^[48] The study highlighted that while EU development policies broadly aligned with Roma integration objectives, they did not sufficiently address critical gaps. Marginalised regions, often heavily populated by Roma, received insufficient funding, and a lack of local capacity-building further limited project effectiveness. Funding mechanisms investigated by the evaluation were fragmented and lacked the long-term planning needed for sustainable Roma integration. Integration with mainstream services and inter-institutional cooperation remained weak, undermining the sustainability of initiatives.

According to the evaluation, projects often failed to target Roma-specific needs explicitly, relying instead on general approaches for disadvantaged groups, thereby diluting their impact. Roma stakeholders were frequently excluded from planning, and evaluation criteria rarely prioritized Roma-specific goals. Administrative burdens, resource constraints, and a lack of alignment with mainstream services hindered effective implementation.

The evaluation already highlighted in 2012 that without significant systemic changes, including better targeting and integration with mainstream policies, the potential of these initiatives would remain underutilized. The 2016 report of the European Court of Auditors^[49], which assessed the effectiveness of EU policies and funding in promoting Roma integration, focused on strategic alignment, program design, and project implementation between 2007 and 2015. While significant policy strides were made as the report notes, delays in national Roma integration strategies limited their influence on the 2007–2013 funding cycle. Persistent gaps included insufficient funding, underemphasis on combating anti-Roma discrimination, and inadequate engagement with Roma communities.

Improvements were noted for 2014–2020, including clearer integration priorities in EU funding regulations. However, the analysis emphasized that further efforts would be needed to translate these into impactful local projects. Many European Regional Development Fund (ERDF) and European Social Fund (ESF) projects achieved general objectives but were not specifically tailored to Roma inclusion. Data quality issues regarding Roma participants complicated progress monitoring, underscoring the need for comprehensive and reliable data collection.

Another body of evidence is the documents of the Roma Civil Monitor consortium, an initiative aiming at empowering Roma and pro-Roma civil society organisations to independently monitor, assess, and report on the implementation of national Roma integration strategies and other policies affecting Roma communities.

[48] Márta Kuzsábrics: (2012). Roma integráció szorgalmi EU-s fejlesztési értékelés. Retrieved from <https://marta.hu/wp-content/uploads/2012/03/Roma-integracio-szorgalmi-EU-s-fejlesztesi-ertekeles-2012-03-09.pdf>

[49] European Court of Auditors: (2016). The EU framework for national Roma integration strategies: A case study of Hungary (Special Report No. 8/2016). Retrieved from https://www.eca.europa.eu/press/rocm/rocm16/sr8_1619_roma_hu.pdf

However, such generalization limits the ability to evaluate and monitor Roma-specific outcomes effectively, according to the consortium. As per the report conclusions, the strategy lacked quantifiable goals, offering only vague objectives in selected areas without addressing all identified challenges comprehensively.

Civil society participation prior to adopting the HNSIS was minimal and non-transparent, with independent stakeholders given limited time to review the strategy. Problem analyses in the HNSIS were also deemed inconsistent across policy areas by the Roma Civil Monitor, and the strategy relied on prior interventions without incorporating innovative or transformative measures.

The Roma Civil Monitor furthermore noted that the HNSIS did not align well with the EU Framework's emphasis on combating discrimination and antigypsyism. While these issues were mentioned in the strategy, it failed to address systemic factors like political conditions and public attitudes affecting Roma communities. Additionally, its approach to diversity, including LGBTQ+ Roma groups, was minimal, focusing weakly on cultural representation without substantial support for Roma identity or rights.

The government has also committed to regular evaluations, aligning with its stated objectives. Among these, the evaluations of operational programs and thematic objectives for the 2014–2020 cycle stand out as particularly useful for the present report.^[55] While a detailed summary of this body of evaluations is beyond the scope of this literature review, the Evaluation of the Implementation of the Hungarian National Social

[51] Annual reports and mid-term evaluation are available:
https://commission.europa.eu/law-and-policy/policies-justice-and-fundamental-rights/combatting-discrimination/home.aspx?site-national-strategy-framework-commission-evaluation-and-policy-report_en

[52] https://commission.europa.eu/system/files/2020/12/interim_evaluation_report_national_strategy_framework.pdf

[53] Bona Civitas Report 2023, Civil society monitoring report on the quality of democratic governance in Romania regarding inclusion, and participation in politics. Retrieved from <https://www.civitas.ro/documente/cvras-anual-nem-2023-2024/cvras-2023-2024-hungary-16189d-catala/ogive/>

[54] <https://norman.hu/documents/civil-society-non-state-partnerships-reports/2023-2024>

[55] Evaluation reports available: <https://www.pwccapital.com/hu/informacio/munkaszervezetenek/tevesztendo-enkeleses/ok-pir-munkakiado-teljeszes-es-vizsgalat>

Inclusion Strategy (HNSIS) merits attention. This evaluation extends beyond Roma integration and raises significant concerns about achieving social inclusion goals, particularly in education, housing, regional disparities, and Roma integration.

One striking finding is that 61% of localities awarded funding in this period had low Roma populations, suggesting ineffective targeting in many cases. Regarding segregation, the report suggested that including all local stakeholders in drafting local desegregation and anti-segregation action plans could have significantly enhanced effectiveness. Additionally, clearer and more transparent communication at all levels was deemed essential for progress.

Finally, there are several media articles that address the specific topic of this report, namely the discrimination of Roma in EU-funded projects.

A key actor in revealing discriminatory practices supported by EU-funds is László Glonczí, a Roma activist. In 2017, the Nyíregyháza local government in Hungary received over 1.7 billion forints in EU funds for a social urban rehabilitation project intended to eliminate segregation.^[56] However, the project led to the relocation of Roma families from one segregated area, the Keleti settlement, to another, the Huszár settlement, which was also classified as a segregated area. The European

Commission, after receiving a complaint from Glonczí's local civil society group, determined that the project violated EU anti-discrimination rules and contributed to educational segregation for Roma children. These actions were in direct conflict with the EU's objectives for inclusive social integration.

László Glonczí brought the issue to the European Commission, highlighting the ongoing segregation and lack of meaningful integration. He noted that, following the relocation, Roma children who had previously attended integrated schools were now attending a segregated, Roma-majority school in Huszár.

The European Commission at the end of the process withdrew funding from the municipality. This case is seen as potentially setting a regional precedent for how EU funds for Roma integration should not be misused for segregation.

The situation in Tiszavasvári, where the local government planned to reopen a segregated school, has drawn significant attention due to concerns about educational segregation and discrimination.^[57] This school, previously closed due to its role in segregating Roma students, was being reintroduced with the assistance of a religious institution, raising legal and ethical questions. The Hungarian government has provided funds for school buses to improve access, but questions have emerged about the whereabouts of these buses, with no evidence of their deployment.

[56] Telex. (2022, January 7). Nyíregyháza: Szegregáció a keleti telepén – az Európai Bizottság vizsgálja a támogatott projektet. Telex. Retrieved from <https://telex.hu/belfold/2022/01/07/nyiregyhaza-segsegseleto-telepi-nem-huase-csokor-csokor-keletre-undis-temo-akad>

[57] Jelen. (2024, July 14). Idebúcsú a helyi iskolából: a Tiszavasvári köznevelési intézmény. Jelen. Retrieved from <https://jelen.media/keletre-telepi-nem-huase-csokor-csokor-keletre-undis-temo-akad>

Legal concerns are central to this issue. The reopening of the school may violate previous rulings and European Union requirements, which mandate non-discriminatory education. In particular, it could contravene binding national and EU laws that prohibit segregation in schools, which are meant to ensure equal access to education for all students, including Roma children.

There are multiple layers to the issue: while local officials were pushing for the reopening of the school, legal experts and human rights advocates, such as László Glonczl, argue that this would reinforce segregation. Glonczl had raised concerns about the lack of transport alternatives for students, which complicates the integration of Roma children into more diverse educational settings. The school bus situation was especially problematic, as the buses funded by the government appear to be unaccounted for, adding to substantiated suspicions of mismanagement. After months of advocacy actions by Glonczl, the potential EU-funding for the school reopening was cancelled.

DISCRIMINATION OF PEOPLE WITH DISABILITIES IN EU-FUNDED PROJECTS

Although specific government-commissioned evaluations focused solely on Roma-targeted EU-funded projects since 2012 are lacking, a 2023 independent evaluation report in the field of deinstitutionalization provides valuable insights into how people with disabilities are targeted by EU-funds.^[58]

The aim of the evaluation report was to assess the results and the impact of the professional support for people with disabilities provided by the European Union in the period 2014-2020, as well as the support for improving the development and accessibility of public services (notably deinstitutionalisation), to identify the experiences of implementation and to make recommendations on this basis. The main evaluation question was to what extent in which areas and these calls and projects have contributed to the improvement of the quality of life of the target group concerned.

According to the evaluation, the output indicator of the Human Resources Development Operational Programme (HRDOP; Emberi Erőforrás Fejlesztési Operatív Program - EFOP in Hungarian) set the target of 10,000 deinstitutionalized places in child protection and social care, but this had not been met, despite the fact that several national laws had set specific tasks and activities in the field of both deinstitutionalisation and development of services for disabled persons.

The evaluation identifies several reasons for challenges in the deinstitutionalization process. Key factors include deep-seated mistrust between stakeholders from the outset,

the overwhelming dominance of the Directorate-General for Social Affairs and Child Protection as the primary state actor among applicants, and the notable absence of representatives from Hungary's major churches. Additionally, the technical administration of tenders was significantly hindered by constraints such as the 2% property purchase limit, escalating construction costs, and strict requirements for procuring equipment and furniture. These issues collectively posed substantial barriers to the effective implementation of the process.

According to the evaluation, the rapid and large-scale nature of the deinstitutionalization process was interpreted by experts as a significant factor in its stalling and deviation from initial plans. Critics argue that the state, possessing all the necessary resources for successful implementation, bears primary responsibility for these shortcomings. Public administration officials, however, pointed to a fundamental disagreement over the approach: whether to pursue full or partial deinstitutionalization. Advocacy organisations communicated a demand for full deinstitutionalization to the European Commission, which public administration stakeholders viewed as unfeasible, contributing to the project's failure. This impasse also meant that no EU funds were allocated for the initiative in the subsequent programming period. The situation was further complicated by the broader political conflict between the Hungarian government and the European Commission. Additionally, the lack of a unified stance among disability advocacy organisations further hindered productive dialogue and collaborative efforts.

[58] KOPINT-TÁRKI Konjunktúrakutatói Intézet Zrt. (2023). A fejlesztések hatása a fogyatékos személyek életminőségének javítására. ERTEKELO JELENTÉS. Retrieved from <https://www.nalvarezat.gov.hu/informacio/ertekelesek/szechenyi-2020-ertekelese/tematikus-ciklus-szintek/ertekeles/a-fejlesztsek-hatasa-a-fogyatkos-szemelyek-letminsegnek-javitasra>

Protocol to the Convention on the Rights of Persons with Disabilities (CRPD), which was joined with the already existing complaint filed by the Validity Foundation. In April 2020, the CRPD committee published an inquiry concerning Hungary under article 6 of the Optional Protocol to the Convention.⁶⁰² Hungary was found responsible for “grave and systematic” violations of the human rights of persons with disabilities in the country.

The Hungarian Civil Liberties Union (HCLU) also engaged with the issue of deinstitutionalisation systematically. In 2017, the organisation was made aware of the Call for Proposals under the Human Resources Development Operational Programme (EFOP) 2.2.2 – 17. Under this call, residential institutions providing social care services for more than 50 persons each were encouraged to apply for grants funded by the European Regional and Development Fund (ERDF). As a result, 189 group homes, accommodating up to 12 persons with disabilities were being built, with many located away from the towns in sparsely inhabited rural areas. HCLU, together with the European Network on Independent Living (ENIL), filed a complaint under the Optional

The proposed model supported the creation of small 12-person institutions instead of large-scale ones. While these smaller institutions may offer more autonomy than the previous ones, they could still lead to new forms of segregation and social exclusion without reforms to the outdated social system. According to HCLU, to ensure long-term sustainability, new housing services should provide opportunities for independent living, not just a new form of group care. The HCLU proposal thus suggested reconsidering the concept of supported housing to prevent the creation of new services with 7-12 residents. The advocacy action this time proved successful, as the call for proposal was withdrawn.

[59] Validity Inquiry, "Tougher European Court of Human Rights Finds Hungary Failed to Protect Rights of Life of Residents, Must Investigate Links between Death 'Squad' and 'Validity' Inquiry, 10 October 2024.

Institutions frequently overlook accessibility requirements, leading to violations, such as narrow doorways in renovated buildings. Many decision-makers lack awareness of accessibility gaps in their services and buildings. Additionally, fragmented accountability among stakeholders complicates compliance, and legislation is often vague or insufficiently progressive.

Lastly, a key document is the United Nations Committee on the Rights of Persons with Disabilities (CRPD Committee) 2023 report⁽⁴²⁾ concerning Hungary's progress on implementing recommendations following its findings that the country is responsible for grave and systematic violations of the rights of persons with disabilities from 2020. The Committee underscores Hungary's failure to enact necessary reforms to abolish oppressive guardianship and institutionalization systems. It highlights the misuse of international funding and continued adherence to policies that perpetuate segregation and discrimination against disabled persons, reflecting deep structural issues that require urgent attention.

[41] <https://www.meszh.hu/wp-content/uploads/2019/02/22-2-aso%C3%A1s-helyszíneli-elemzes.pdf>

DISCRIMINATION OF PEOPLE WITH A MIGRANT BACKGROUND IN EU-FUNDED PROJECTS

Discrimination against people with a migrant background in EU-funded projects is a critically underexplored topic in the literature. One likely reason is the Hungarian government's sustained anti-migrant stance since 2015, marked by the introduction of restrictive laws, exclusionary policies, and xenophobic campaigns. This context creates an environment where the misuse of EU funds in ways that contradict EU principles on asylum and migrant integration is often assumed rather than scrutinized. As a result, the allocation and implementation of these funds, and their potential role in perpetuating discrimination, remain insufficiently examined. Furthermore, during the 2014-2020 cycle, independent civil society was not part of the monitoring committee with oversight on spending; this could also explain the lack of focus on this area.

The Hungarian Helsinki Committee has been a prominent advocate against Hungary's indiscriminate and violent pushback policy at the Serbian-Hungarian border since the mid-2010s. Summary removals (pushbacks) were introduced by the governing parties in July 2016 and the scheme was expanded to the entire territory of Hungary in March 2017. It means that anyone who is found to be staying irregularly in the country is arbitrarily removed to Serbia with no regard to their individual circumstances. Those who entered from Romania or at an international airport are also removed to Serbia, and even those who had originally entered lawfully. The unlawful Hungarian legislation applies to everyone indiscriminately; to children, the elderly, sick people, women or survivors of torture are no exceptions.^[64]

This policy has repeatedly been challenged for violating international and EU law. In July 2021, the European Court of Human Rights (ECtHR) ruled^[65] for the first time that Hungary's pushbacks, based on domestic regulations, breached the prohibition of collective expulsions under Article 4 of Protocol 4 to the European Convention on Human Rights. A subsequent ruling in September 2022 reaffirmed this^[66], declaring that Hungary's practices also violated the right to an effective remedy. Further, in January 2024, another landmark case brought by the Hungarian Helsinki Committee resulted in an ECtHR judgment against Hungary. The case involved an Iraqi Kurdish boy who was forcibly expelled to Serbia without any investigation.^[67]

Additionally, in December 2020, the Court of Justice of the European Union (CJEU)^[68] ruled that Hungary's legal framework enabling pushbacks violated EU law, reinforcing the international consensus against these practices. Since the government did not honour the 2020 judgement of the CJEU, in June 2024 the Court ordered Hungary to pay a lump sum of 200 million euros for failure to implement the earlier judgement of the Court. The Government is also to pay a penalty payment of 1 million euros per day for each day it fails to put an end to the often violent pushback of migrants.^[69]

[64] Hungarian Helsinki Committee: "The Government's Refusal to Respect the EU Court's Judgement is Severely Harmful," Hungarian Helsinki Committee, <https://helsinki.hu/en/the-government-refuses-to-respect-the-eu-courts-judgement-is-severely-harmful>, Accessed 13 December 2024.

[65] European Court of Human Rights (2021), CASE OF SHANKZAD v HUNGARY (Application no. 12625/17), Retrieved from <https://judges.echr.coe.int/eng?td=02-730683>

[66] Hungarian Helsinki Committee: "Shameful Case of the Thousands of Push-Backs from Hungary," Hungarian Helsinki Committee, <https://helsinki.hu/en/shameful-case-of-the-thousands-of-push-backs-from-hungary>, Accessed 13 December 2024.

[67] Hungarian Helsinki Committee: "ECtHR Condemns Hungary for Push-Back of Asylum-Seeking Child," Hungarian Helsinki Committee, <https://helsinki.hu/en/ecthr-condemns-hungary-push-back-asylum-seeking-child>, Accessed 13 December 2024.

[68] Helsinki Committee (2020, December 17), Hungary's legislation of pushbacks in breach of EU law, according to the Court of Justice of the European Union, Retrieved from <https://helsinki.hu/en/hungarys-legislation-of-push-backs-in-breach-of-eu-law-according-to-the-court-of-justice-of-the-european-union>

[69] Helsinki Committee (2024, June 13), The government's refusal to respect the EU court's judgment is severely harmful, Retrieved from <https://helsinki.hu/en/the-government-refuses-to-respect-the-eu-courts-judgement-is-severely-harmful>

These cases highlight the systemic violations of fundamental rights in Hungary's asylum and migration system, though they do not directly address the misuse of EU funds for anti-migrant initiatives. However, investigative work by Lighthouse Reports uncovered evidence linking EU funds to these practices. Notably, in 2017, two Hungarian border police prison buses —used to carry out illegal pushbacks— were purchased using €1.8 million from EU funding, further demonstrating how financial resources intended for lawful purposes can be diverted to support policies that undermine EU principles and human rights standards.[70]

[70] Lighthouse Reports. (2022, December 8). Europe's Black Sites. Retrieved from <https://www.lighthousereports.com/translations/europe-black-sites/>

Methodology

This report is based on a mixed-method research approach, combining quantitative and qualitative methods to analyse fundamental rights violations in EU-funded projects in Hungary. The research was conducted between September and December 2024 and involved data collection from multiple sources, including structured questionnaires, in-depth interviews, and consultation meetings with key stakeholders.

QUANTITATIVE RESEARCH

The quantitative component of the study was conducted through an online questionnaire designed to assess the prevalence of fundamental rights violations in EU-funded projects. The questionnaire was distributed among relevant stakeholders, including civil society organisations, public service providers, legal experts, and representatives of marginalised groups. It aimed to gather data on:

- The perceived effectiveness of existing safeguards for fundamental rights compliance in EU-funded projects
- The types of fundamental rights violations identified in EU-funded projects
- The extent of stakeholder awareness and involvement in monitoring mechanisms
- The accessibility and effectiveness of complaint mechanisms
- The social groups and policy areas most affected by fundamental rights violations

Despite repeated outreach efforts, state authorities responsible for EU fund management were largely unresponsive, resulting in a sample dominated by civil society representatives and independent experts. The final respondent's pool included 11 representatives from civil society organisations, 2 human rights lawyers, and 2 public service providers, among others.

The questionnaire responses were analysed using descriptive statistical methods, with key findings presented in charts and tables to illustrate trends and stakeholder perspectives.

QUALITATIVE RESEARCH

The qualitative component of the research aimed to provide deeper insights into the mechanisms and systemic issues contributing to fundamental rights violations. It consisted of:

Semi-structured interviews

Eighteen in-depth interviews were conducted with key stakeholders, including civil society representatives, legal experts, and researchers. The interviews explored:

- Experiences with EU-funded projects in relation to fundamental rights compliance
- The effectiveness of monitoring committees and other oversight mechanisms
- Gaps in legal and policy frameworks related to fundamental rights in EU funding
- Potential improvements in compliance mechanisms and accountability structures

The interviews were conducted in a semi-structured format, allowing for flexibility while ensuring consistency in key thematic areas. Interview transcripts were analysed thematically to identify common patterns, challenges, and recommendations.

CONSULTATION MEETINGS

Two consultation meetings were organised with civil society representatives and human rights advocates to validate preliminary research findings and refine policy recommendations. The first meeting, held in July 2024, focused on identifying projects where fundamental rights violations may have occurred. The second meeting, held in December 2024, provided an opportunity for stakeholders to review initial research results and discuss advocacy strategies.

DATA TRIANGULATION VALIDATION

To ensure the accuracy and reliability of the findings, data from different sources were triangulated. The questionnaire responses, interview insights, and consultation outcomes were cross-checked against existing literature, previous research reports, and legal cases. Whenever possible, case studies of specific EU-funded projects were verified through publicly available project documents and media reports.

By integrating both quantitative and qualitative data, this methodology provides a comprehensive understanding of how fundamental rights violations occur in EU-funded projects and offers evidence-based recommendations for improving compliance and oversight mechanisms. This approach is particularly unique in Hungary, where research on EU fund mismanagement has traditionally focused on corruption and financial irregularities, rather than breaches of fundamental rights. Previous investigations have typically aimed to uncover fraud,

nepotism, and misallocation of funds, often highlighting cases where politically connected businesses benefited from EU subsidies. However, the systemic discrimination, segregation, and human rights violations enabled by EU-funded projects have remained largely unexplored.

This research also takes place in a particularly hostile environment, where the relationship between Hungarian authorities and civil society organisations is anything but cooperative. Over the past decade, the government has actively sought to discredit and restrict the work of independent NGOs, particularly those engaged in human rights advocacy, anti-corruption work, or EU fund monitoring. Legal restrictions, smear campaigns, and institutional barriers have significantly hindered the ability of civil society organisations to participate in official monitoring mechanisms, making independent research even more critical.

Furthermore, there is a notable public perception gap regarding EU funds. Unlike in many other EU Member States, where EU funding is understood as public money subject to strict oversight, in Hungary, these funds are often seen as external financial injections from wealthier EU countries, rather than as resources that belong to the Hungarian public. This has created a widespread lack of accountability, with both the public and institutions failing to treat EU-funded projects with the same level of scrutiny as nationally financed initiatives. If there is already a significant latency in recognising and addressing corruption within EU-funded projects, the awareness of fundamental rights violations in these projects is even lower.



Key findings

The majority of participants in the FURI research identified the European Commission, Managing Authorities, and relevant ministries as the primary actors responsible for monitoring compliance with fundamental rights. Most agreed that only with the European Commission's exercising pressure on state authorities can significant change be achieved in preventing and tackling fundamental rights violations in EU-projects, under the current government.

* In summary, respondents recommend several measures to improve the enforcement of fundamental rights in EU-funded projects. They stress the need for early and meaningful civil society involvement in program design, including stronger guarantees in partnership agreements and operational programme documents to ensure inclusivity and accountability. Monitoring processes should be streamlined by reducing excessive documentation and integrating on-site evaluations and independent impact assessments focused on fundamental rights.

* Collaboration among rights-based organisations and domain-specific civil society groups should be strengthened, with an emphasis on effective knowledge-sharing and coordinated advocacy. In addition, complaint mechanisms should become more accessible and transparent, accompanied by best practices training at national and local levels.

* The respondents also advocate for stringent sanctions —such as fund suspension or repayment and exclusion from future EU funding— for projects that violate fundamental rights, with tiered penalties based on the severity of the breach.

EU Parliament calls to strip Hungary of voting rights in rule-of-law clash, January 18, 2024 photo: Mathieu Cugnot/EP



They emphasize that public awareness campaigns and specialized training for local actors and public officials are essential to build capacity and ensure compliance with key concepts like desegregation and deinstitutionalisation.

* Finally, integrating risk analyses for potential rights violations into all funding calls, along with inclusive application guidelines, will help align project implementation with EU standards and safeguard fundamental rights across all aspects of social policy.

RESULTS OF THE QUESTIONNAIRE

Following the drafting of a questionnaire by the project consortium on fundamental rights violations in EU-funded projects during the 2014–2020 and 2021–2027 cycles, the questionnaire was distributed online to a range of potential research participants from the initial target groups. However, despite repeated efforts to engage various state stakeholders, the final respondent pool differs from the original targets (see participant list in Annex 1):

Respondent group	Initial target	Achieved target
national/regional authorities responsible for EU funds management	3	1
sectoral policies (education, social affairs, health, housing, etc.)	3	0
civil society organisations	3	11
fundamental rights bodies	3	0
public services (education, social affairs, health, housing, etc.)	3	1
human rights lawyers and experts	3	2

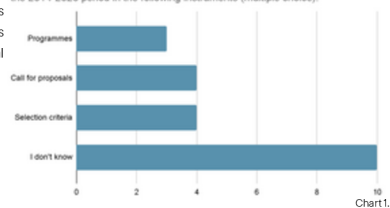
Table 1.

The majority of respondents (60%) represent entities operating nationwide, with 53.3% working with Roma communities, 53.3% with disabled individuals, and 26.7% with people with a migrant background. Most participants have experience in monitoring committees (60%) and project implementation, either as consortium leads (60%) or partners (33.3%). Additionally, one-third have submitted complaints to national authorities or engaged in legal proceedings against public institutions.

In the first part of the questionnaire, participants provided input on the safeguards in place to prevent fundamental rights violations.

In the comment field accompanying the question, several participants mentioned important aspects of the availability of safeguards:

Were sufficient safeguards in place to prevent fundamental rights violations in the 2014-2020 period in the following instruments (multiple choice):



- One participant noted that the prohibition of discrimination and the requirement to ensure accessibility for everyone were prescribed as horizontal conditions in this period. However, these guarantees were not widely understood, and the authorities did not facilitate their dissemination, leaving the protection of fundamental rights unfulfilled.
- According to another participant, a fundamental issue lies in the lack of clarity surrounding key concepts. When grant calls referenced social integration in this period, they failed to mention the prohibition of segregation. Moreover, Hungarian law does not clearly define desegregation. For instance, in the Nyíregyháza school segregation case, the Curia interpreted reducing segregation as allowing individuals to remain in a segregated environment but with improved housing conditions.
- As per another respondent, there was no system in place to monitor the unintended impacts of projects, leaving a significant gap in oversight. Ordinary citizens faced difficulties in identifying where to file complaints or access information about project oversight mechanisms.
- Another participant noted that during the 2014-2020 period, monitoring mechanisms were inadequate. Irregularities could be reported to the European Commission, fundamental rights complaints could be submitted to the European Ombudsman, and policy consultations could be held with the Commission and European Parliament. However, these measures proved insufficient, particularly regarding the Internal Security Funds, to prevent EU resources from being allocated to Hungarian legislation and practices that violated fundamental rights.

Are sufficient safeguards in place to prevent fundamental rights violations in the 2021-2027 period in the following instruments (multiple choice):

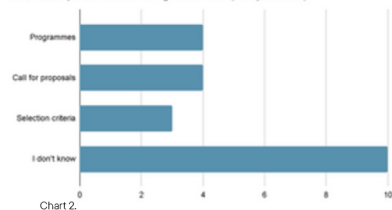
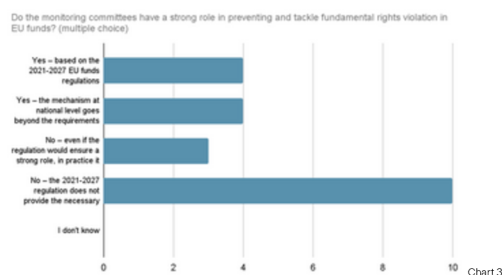


Chart 2.

From comparing chart 1. and 2., no significant improvement was assessed by respondents in available guarantees. Some key responses in the accompanying comment field are as follows:

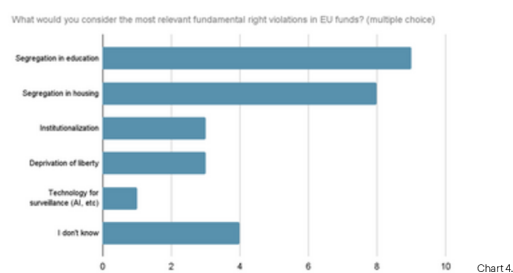
- Several respondents mentioned that although fundamental rights organisations are involved in the monitoring committees, they lack sufficient influence. Fundamental rights officers within the Managing Authority furthermore lack adequate knowledge and tools. The current national complaint mechanism is entirely inadequate for identifying, investigating, and addressing these issues. Furthermore, civil society is often unaware of or ill-equipped to use existing mechanisms effectively.
- There is insufficient understanding of key concepts like discrimination and accessibility as per another participant.
- One participant highlights that Local Equal Opportunity Programs (HEPs in Hungarian) still exist, but their practical impact is unclear. No evidence suggests that municipalities are denied EU funding for failing to improve conditions for minority groups.
- According to another respondent, in the programming of funds (such as the Internal Security Funds), fundamental rights were only addressed in retrospective evaluations since monitoring committees did not function at the adoption of the program. Currently, the work is much more transparent and open in their view. However, according to this respondent, *"unfortunately, this cannot be said for all cases of the European Commission representatives, who are experts in the use of funds, but lack sufficient knowledge in the field of fundamental rights, and their work is also defined by political frameworks. At the same time, the work of the Monitoring Committee is obviously limited to the use of the relevant EU funds and cannot do much if the laws and practices in the area inherently violate fundamental rights, and the government shows no intention to ensure alignment with EU law."*

As the majority of participants currently participate in the work of monitoring committees, the below chart illustrates quite well how they assess the efficiency of this mechanism:



In the second part of the questionnaire, respondents provided input on which social groups and policy areas are most impacted by fundamental rights violations. More than half of the respondents were and are currently aware of 1-10 projects that potentially violate fundamental rights, while key policy areas where violations are most like according to respondents are the following: reception of asylum-seekers (66,7 %), housing (60 %), education (53,3 %), urban regeneration (20 %). As for social groups impacted, respondents deemed that children (60%) and Roma (60 %) are the most affected currently, while people with disabilities (53,3 %) and people with a migrant background (50 %) are also significantly impacted.

Regarding the key fundamental rights violations persistent in Hungary, participants provided the



KEY FINDINGS FROM INTERVIEWS

The 18 interviews conducted as part of the FURI project examined the fundamental rights guarantees during the 2014-2020 and 2021-2027 programming periods. Additionally, interviewees were asked for their recommendations on improving the monitoring of fundamental rights compliance in EU-funded projects and addressing potential violations.

As independent civil society has been systematically excluded from monitoring committees in the 2014-2020 period (see the Background section for more details), interviewees' insights mainly addressed the present period and built on their experience from participating in monitoring committees. However, some interviewees highlighted the inconsistent quality of public consultations during that period. While some consultations were open for adequate durations and accepted meaningful input, others were rushed, with review periods spanning only a few days, sometimes coinciding with holidays, undermining their effectiveness.

Another expert suggested that issues arose from the very design of certain grant calls in this period. In the Nyíregyháza case (detailed in the Literature review and desk research part), the local government followed the grant criteria precisely, yet the outcome led to people being moved from one segregated settlement to another - an action aligned with

the grant's stipulations. In the interviewee's interpretation, the problem thus lies not in corruption or fraud but in poorly conceived guidelines and oversight mechanisms by the government. This highlights systemic flaws in ensuring that funding criteria and execution align with actual needs and fundamental rights in the 2014-2020 period.

Another expert noted that oversight during the 2014-2020 cycle was expected to be managed by the Ombudsperson, who did not fulfill this role adequately. They contrasted this with the current cycle, where compliance with the EU Charter of Fundamental Rights has become a mandatory horizontal enabling condition. This shift makes various charter provisions more enforceable according to them.

Several interviewees emphasized that the mandatory inclusion of independent civil delegates in the 2021-2027 cycle is a significant improvement. These delegates, who should be knowledgeable about the local context, have the right and duty to review all aspects of EU-funded projects, from criteria for grant awards to project implementation. However, concerns remain about whether civil delegates will have sufficient access to observe on-the-ground activities rather than just project documentation.

Regarding the 2021-2027 period, the key findings are the following:

- **Civil society participation in monitoring committees:** a participant noted that while civil representation exists in monitoring committees, many such organisations are aligned with governmental interests, undermining genuine oversight. This leaves independent NGOs, represented in smaller numbers, with a limited ability to influence decisions or address fundamental rights issues effectively. An example was shared where advocacy efforts led to the revision of an EU fund-related decision based on a fundamental rights issue, showcasing the potential influence of civil society when issues are raised effectively.
- **Fundamental Rights Officers:** in all the monitoring committees, so-called Fundamental Rights Officers are present, tasked with addressing complaints. A specific case was mentioned by an interviewee where a project was not implemented in the approved location, exposing discrepancies between documentation and reality. Despite these mechanisms, the influence of civil society members in these committees remains limited, as they lack decision-making power and mostly serve a watchdog role.
- **Complaint mechanisms:** the current process for addressing complaints is criticized for its lack of transparency and civil involvement. Civil members are not granted access to the complaints or the investigation outcomes during or after the process. While efforts like developing training for Fundamental Rights Officers exist, they have not been implemented so far. The present corruption-focused complaint mechanism, rather than a human rights-focused system, is seen as a mismatch. This tool is considered ill-suited for addressing fundamental rights violations.
- **Role of the Ombudsperson:** mixed experiences were shared regarding the Ombudsman's office. Positive feedback was given for the Ombudswoman for National Minorities in addressing rights violations, but concerns were raised about the overall lack of proactive measures and follow-through in addressing EU fund-related issues. One participant also noted that the disability advisory board, intended to oversee the implementation of the UN Disability Rights Convention in Hungary, is led by the Ombudsman, who is supposed to coordinate with advocacy and civil organisations to report on Hungary's compliance with the convention. However, the expected meetings to discuss ongoing issues in disability rights have been scarce, with only two meetings in the past one to one-and-a-half years, and these meetings have lacked substantive outcomes. This suggests a significant gap between the board's expected role and its actual functioning.
- **Priority projects:** priority projects in many operational programs prefer one type of applicants, such as faith-based organisations. An interviewee noted that some government-supported organisations, especially Caritas groups, are given preferential treatment over others and thus other non-governmental organisations are excluded.
- **Lack of political will:** despite legal frameworks and the inclusion of fundamental rights in the monitoring of EU-spending, their practical enforcement is hindered by insufficient political will. Examples include the continued operation of segregated schools despite the potential for EU funds to support their closure, especially taking into account that the operation of state schools is centralised by the government.

The recommendations formulated by the participants during the consultation can be summarised into several thematic areas:

1. Civil society involvement in program design

- Ensure civil society organisations could provide input at the earliest stages of operational program development with a fundamental rights perspective.
- Stronger guarantees in partnership agreements are needed to promote inclusivity, accountability and the strong monitoring of fundamental rights.
- At least 60 days should be provided for consultation processes to ensure meaningful participation.

2. Monitoring and impact assessment

- Simplification and enhancement of monitoring committee processes, such as avoiding sharing of excessive documentation for review only 10 days prior to meetings of monitoring committees.
- Carry out an evaluation of the work in monitoring committees and drawing on the results, design a more participative process with reviewed responsibilities, such as in the fundamental rights complaint investigation. The government should provide fair compensation for the advocacy work of monitoring committee members and their organisations.
- Develop capacity for on-the-ground project evaluation, combining resources from governmental, EU, and civil sectors. Instead of relying solely on administrative, paper-based checks, the process should benefit from on-site monitoring visits and ongoing communication with the project implementers, also concerning fundamental rights.

- Increase the frequency and thoroughness of independent impact assessments, with the involvement of civil society and specific focus on fundamental rights. Priority projects should be especially monitored in an ongoing manner and evaluated on the basis of compliance with fundamental rights.

3. Stronger collaboration among civil society groups

- Facilitate cooperation between rights-based organisations (e.g., Amnesty International, Helsinki Committee) and domain-specific CSOs (e.g., disability, Roma-focused groups) for monitoring and advocacy. This task could be taken up by the Ombuds Office.
- Strengthen knowledge-sharing mechanisms between rights-focused organisations and those directly working in affected communities

4. Complaint mechanism

- Increase awareness and accessibility of local and EU complaint mechanisms to ensure they are utilized effectively.
- Promote best practices and training on implementing complaint mechanisms at national and local levels.

5. Sanctions and accountability

- Enforce stringent penalties, including fund suspension or repayment, for rights violations or corruption.
- Implement tiered sanctions, considering the severity of violations (e.g., deliberate misuse of funds versus administrative errors).
- Prevent repeat offenders from accessing future EU funding cycles.

6. Education and awareness campaigns

- Conduct public awareness campaigns to educate citizens on fundamental rights and how to report violations.
- Introduce specialised training, such as capacity-building for local actors in project development and management.
- For greater accessibility, in calls for proposals, produce easy-to-digest text and more visual materials. Additionally, providing examples of successful projects might inspire applicants to generate their own ideas based on what has already been accomplished.

7. Inclusive and rights-focused program design

- Facilitate cooperation between rights-based organisations (e.g., Amnesty International, Helsinki Committee) and domain-specific CSOs (e.g., disability, Roma-focused groups) for monitoring and advocacy. This task could be taken up by the Ombuds Office.
- Strengthen knowledge-sharing mechanisms between rights-focused organisations and those directly working in affected communities

8. Mandatory training for stakeholders, support for under-resourced stakeholders

- Require training for grant implementers and public officials on fundamental rights and inclusive practices. These trainings should address defining key concepts as well, such as desegregation, deinstitutionalisation, etc. as awareness on the internationally accepted definitions is limited even in professional circles.
- Provide ongoing support to small, under-resourced municipalities and CSOs to enable them to navigate the funding and reporting process effectively, along with the topics of fundamental rights.

KEY FINDINGS FROM THE CONSULTATION MEETINGS

The interviews and questionnaires were complemented by consultation meetings convening civil society stakeholders. The first meeting, held in July 2024, brought together experts in Roma rights to inform the development of interviews and questionnaires and to identify projects where fundamental rights violations may have occurred. The second meeting, in December 2024 with Roma and disability rights experts and practitioners, provided participants with an overview of the preliminary research findings. The key insights from these meetings are as follows:

- The identification of projects with potential fundamental rights violations requires focused attention from civil society, the media, and the broader public. However, civil society organisations and independent media often face resource constraints and limited access to flexible funding, which hinders their ability to conduct systematic efforts, such as field visits and interviews with community members. Only a few cases have been legally challenged to date. To address this, building the capacity of civil society and watchdog organisations, along with fostering opportunities for cross-European experience sharing, should be a priority for human rights donors and the European Commission as well. Increased access to information and enhanced data transparency would also empower civil society organizations to engage in more effective advocacy.
- Participants highlighted that NGO representatives are often skeptical about the efficiency of legal advocacy and litigation in addressing fundamental rights violations in EU-funded projects. This skepticism stems from the lengthy nature of legal proceedings, which often extend beyond the current EU programming cycle, limiting their impact to the subsequent seven-year funding period. To address this, more rapid interventions, such as field visits by the European Commission, are necessary to ensure continuous monitoring of projects during their implementation, upon the request of watchdog groups reporting potential fundamental rights violations.
- The principles of meaningful involvement should underpin all EU programming. NGOs must be included throughout the programming cycle, and the European Commission should enforce stricter criteria for meaningful involvement and monitoring mechanisms. Additionally, members of entities responsible for program preparation, planning, and monitoring should receive mandatory training on the fundamental rights of marginalised groups.
- Participants further emphasized that EU funds should not be used to sustain or create discriminatory conditions. Applicants proposing projects that perpetuate segregation or other discriminatory practices should be excluded from funding during the assessment of ex-ante conditions, e.g. including segregated institutions.
- Finally, participants noted that development projects do not operate in isolation. Since 2010, various social policies in Hungary have been inconsistent with the principle of inclusion, creating systemic barriers that EU-funded projects cannot fully counteract, even if implemented without discrimination. Therefore, monitoring EU spending must include a broader environmental analysis that considers the impact of state policies across all areas of social policy, including education and housing.

Key recommendations based on the research

Strengthening EU institutional capacity for monitoring

Rather than creating an entirely new structure, efforts should focus on reinforcing the capacity of existing EU bodies tasked with financial oversight and fraud prevention—such as the European Anti-Fraud Office (OLAF), the European Court of Auditors, the European Public Prosecutor's Office (EPPO), and relevant units within the European Commission. These institutions should be equipped to systematically monitor compliance with fundamental rights in EU-funded projects, particularly those affecting marginalised communities. This can be achieved through targeted training, enhanced mandates, and the establishment of structured cooperation with local Roma NGOs and civil society watchdogs. Regular field visits and direct engagement with affected communities should be integrated into their monitoring routines to improve early detection of rights violations and ensure responsive, informed action. Strengthening these bodies in this way will help bridge the gap between EU-level oversight and local realities on the ground.

Strengthen transparency and access to data

Mandatory public disclosure of project impact assessments, including fundamental rights compliance evaluations, should be required. This would allow independent researchers, civil society, and affected communities to verify whether EU-funded projects align with human rights obligations. Additionally, data access protocols should be improved to facilitate long-term monitoring of systemic violations.

Ensure independent civil society participation in monitoring committees on local level

The selection of civil society representatives in monitoring committees should follow clear, transparent criteria to prevent government-aligned organisations from dominating the process. Civil society actors should be granted real decision-making power, not just observer status, and should have access to all project-related documents and decision-making processes. There should be also targeted EU funds supporting the work of these independent, local level whistleblowers and watchdogs.

Integrate fundamental rights monitoring into project design and implementation

Fundamental rights risk assessments should be mandatory part of project approval processes, preventing funding from being allocated to initiatives that reinforce discrimination or segregation. Regular on-the-ground monitoring visits should be conducted during project implementation to assess actual impact, rather than relying solely on self-reported compliance.

Enhance the effectiveness of complaint mechanisms

A clear, accessible, and enforceable complaint system should be established, ensuring that concerns about fundamental rights violations in EU-funded projects are properly investigated and acted upon. The system should guarantee protection for whistleblowers and provide technical and legal assistance for affected communities seeking redress.

Increase awareness on fundamental rights, and good governance

Educational systems should integrate structured programs that foster awareness of fundamental rights, and good governance from an early age. Schools should emphasise values such as integrity, accountability, and transparency through curricula that include real-world case studies, interactive learning, and civic engagement projects. By equipping young generations with critical thinking skills and ethical awareness, they will be better prepared to recognize and challenge corrupt practices in society. Additionally, collaboration with civil society and watchdog organisations can provide students with firsthand insights into the importance of good governance and the mechanisms available for reporting misconduct.

List of projects where violations of fundamental rights have been alleged/confirmed

EFOP-3.1.5-16-2016-00001 - Support for institutions at risk of early school leaving^[71]

- Type of EU fund: European Social Fund
- Beneficiary: Office for Education (Oktatási Hivatal)
- Budget: 11 623 516 728 HUF
- Year of implementation: 2017–2021
- Target group: educational institutions
- Locality: Szolnok county
- Objective: The project aimed to support complex and targeted institution-building programs covering the broad spectrum of public education institutions, from kindergarten to secondary school, through the development of a system of professional educational services at regional and local level and the contribution of sectoral and local community partnerships. The development was supposed to result in preventive, quality and inclusive early childhood education activities in pre-primary settings, linked to measures to reduce early school leaving without qualifications, and in selected public education institutions at risk of early school leaving without qualifications, segregated education and underperforming in national competency tests, to prevent early school drop-out. Through these programs, the risk of pupils dropping out was supposed to be reduced, pupils were expected to be helped to acquire qualifications, essential and employable competences for the labour market and 21st century skills, and a safe and inclusive school environment was expected to be created. According to the evaluation of the project^[72], among students in schools participating in the EFOP-3.1.5 project (sixth graders in 2017, eighth graders in 2019), although math test scores significantly improved compared to a control group selected on the basis of family background and competency assessment results the level of segregation remained intact or even slightly increased during the program.

The EFOP-3.1.5-16 program, one of the largest EU-funded educational initiatives targeting early school leaving (ESL) and disadvantaged students, failed to address fundamental rights violations, particularly segregation. The segregation index of disadvantaged students rose significantly between 2010 and 2020, and by the time the program was launched in 2016, it was already at an alarming level.

The EU protocol for combating segregation explicitly states that while ensuring high-quality inclusive education is essential, it must be accompanied by efforts to address territorial segregation, as the two issues are closely linked. However, EFOP-3.1.5-16 did not include meaningful desegregation measures, nor was it coordinated with broader efforts to reduce spatial segregation. No parallel EU-funded initiatives aimed at desegregation were identified in the education sector, and progress reports on Hungary's National Social Reintegration Strategy (MNTSF) confirm that by the end of 2019, the number of institutions participating in desegregation efforts remained at zero—despite an initial target of 50, later increased to 100.

[71] <https://www.alapvet.hir.hu/eredmenyek/hungary-efop-3.1.5-16-2016-00001>

[72] GKI. Gaskaságutató Zrt., Köpör-Tóth Zrt. (2022). Evaluation of EU-funded educational programs to reduce school dropout without a qualification. Retrieved from <https://www.alapvet.hir.hu/eredmenyek/hungary-efop-3.1.5-16-2016-00001>

This lack of integration across sectors and the failure to implement effective desegregation tools meant that EFOP-3.1.5-16, despite its scale, ultimately reinforced existing inequalities rather than mitigating them. By failing to connect educational support with territorial desegregation policies, the program allowed disadvantaged children to remain trapped in segregated environments, contradicting the EU's principles of inclusive education and equal opportunities. As a result, one of the most significant amounts of EU funds ever allocated to education in Hungary did not fulfill its fundamental rights obligations and missed a critical opportunity to address systemic discrimination.

- Violated fundamental rights:
 - Right to education (Article 14) – The program failed to address school segregation, which limits access to quality inclusive education for disadvantaged students.
 - Non-discrimination (Article 21) – The segregation of Roma and socially disadvantaged students violates the principle of equal treatment in education.

EFOP-2.4.1-16-2017-00009 - With you - For you - Housing sub-project to tackle segregated living situations^[73]

- Type of EU fund: European Regional Development Fund
- Beneficiary: Municipality of Kisvaszar
- Budget: 199 701 146 HUF
- Year of implementation: 2018-2021
- Target group: 43 persons living in segregated circumstances
- Locality: Kisvaszar
- Objective: The basic objective of the Housing Intervention Plan was to help solve the housing problems of people living in segregated housing and in deep poverty in the target area. The Housing Intervention Plan aimed at initiating and reinforcing desegregation processes, planning the construction of new social rented housing.

This case is a clear example of how EU funds were used for programs that violated fundamental rights. Money intended for Roma inclusion was spent on training sessions and events that often existed only on paper, with no real activities taking place. These training sessions were originally intended to promote social inclusion and improve the living conditions of the Roma community aiming to provide education, vocational training, and employment opportunities to empower individuals and facilitate their integration into society. The goal was to address systemic disadvantages faced by the Roma community by enhancing their skills and access to the labor market, thereby promoting equality and reducing social disparities. Despite these very ambitious goals and several articles^[74] on the program local Roma reported being made to sign attendance sheets for programs that never happened. In the housing projects, some families only had their windows replaced, while in some cases, the renovations left homes in worse condition than before. These abuses not only wasted resources but also deepened mistrust and exclusion within the Roma community. Instead of achieving social inclusion, the programs failed to improve the living conditions of those in need.

Light was shed on Kisvaszar when a Roma family contacted Ákos Hadházy MP.

^[73] <https://www.munkaszervezet.hu/infocentrum/cikkek/efop-24116-2017-00009>

^[74] See more <https://www.munkaszervezet.hu/infocentrum/cikkek/efop-24116-2017-00009>

They told and showed their and others' houses were to be renovated within this project. A sign was put up on the house, indicating that the project had started, some minor works were done, but later they were told the money had already been spent and there are no funds to finish their houses even though the plaster has already been removed from parts of the walls, and the door frames have been taken out.

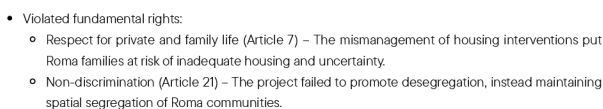


State of the buildings after renovation - source: Ákos Hadházy, MP

There are a few brand new houses built within the project, but these are on the edge of the village located far from essential village services (Kindergarden, bus stop). It is also very important that according to several articles there is a strong suspicion the project did not contribute to desegregation as opposed to its initial aim.



Newly build houses from the program - source: Google Maps photos



- Type of EU fund: European Regional Development Fund
- Beneficiary: Municipality of Köröm
- Budget: 200 000 000 HUF
- Year of implementation: 2018-2021

[77] <https://www.nai.gov.hu/eredmenyek/naposlatok-orszei/1726290201>

communal spaces, in the presence of others. There is a strong suspicion based on the availability of information that the project did not contribute to desegregation as opposed to its initial aim, thus maintaining segregation and contradicting the Charter.

- Violated fundamental rights:
 - Human dignity (Article 1) – The lack of access to running water and proper sanitation in the new housing violated the right to live in dignity.
 - Non-discrimination (Article 21) – The continued segregation of Roma communities contradicts EU anti-discrimination principles.

TOP-6.7.1-16-NY1-2017-00001 - Social urban regeneration in segregated areas of Nyíregyháza^[79]

- Type of EU fund: European Regional Development Fund
- Beneficiary: Municipality of Nyíregyháza
- Budget: 1 726 000 000 HUF
- Year of implementation: 2018-2021
- Target group: Roma living in segregated circumstances in Nyíregyháza
- Locality: Nyíregyháza
- Objective: The basic objective of the project was to improve the living conditions of people living in deprived urban areas of Nyíregyháza through the renewal of physical infrastructure for social integration at community and individual level. With this general objective the specific objectives were: 1. Improved housing conditions, 2. Strong community cohesion at action area and settlement level, 3. Equal access to high quality social, health and other public services, 4. Improved public safety.

The project objective was to move the residents out of the Keleti-telep (East Settlement). Although this settlement is in a relatively prominent location near the city center, the tender documents highlighted that 92.4% of the overcrowded, municipally-owned social housing was of low standard and could no longer be renovated. According to the municipality's housing contracts, at least 204 people could have been living in the estate in 2018, when the project started, but the actual number of residents may have been higher because not everyone was necessarily registered.

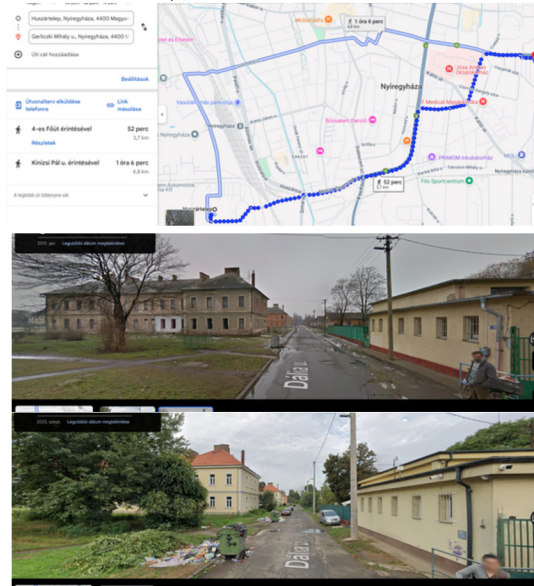
Light was shed on Kisvaszar when a Roma family contacted Ákos Hadházy MEP.

To give families moving out of the Keleti-telep a place to live, the municipality renovated apartments in the Huszár-telep. According to the municipality, 49 families have moved to this site, but local NGOs know of more than 60 families. The problem is that the Huszár-telep is also listed as a

^[79] <https://www.gov.hu/kelet-telep-nyiregyhaza>

segregated area in the city's strategy documents. So, the program and therefore EU funds were used to increase segregation instead of decreasing it. The new place is even described in the tender summary as 'physically segregated, separated from the main fabric of the city by a railway line'. In addition, it is also the site of a church school which was the subject of an infringement procedure against Hungary by the European Commission in 2016 for its segregated operation. With other words, the children were enrolled in a segregated school. After investigating the project, the European Commission concluded that the scheme was in breach of anti-discrimination rules and contributed to educational segregation of pre-school and school-age children.^[80]

The distance between the Keleti-telep (East Settlement) and the forced re-settlement Huszártelep.



Before and after the renovation of the segregated area on Huszártelep - source: Google Maps.

[80] 444.hu (2022, January 7). Miskolc milliórdot bukott az állam, mert Nyíregyházán undis pénzbezi szegregáltak a romákat. <https://444.hu/2022/01/07/miskolc-millardot-bukott/>.
Bukott az állam-mert nyíregyházán undis pénzbezi szegregáltak a romákat



Before and after the "integration project" in the Keleti-telep (East Settlement) - source: Google Maps photos



Before and after the "integration project" in the Keleti-telep (East Settlement)

- Violated fundamental rights:
 - Right to education (Article 14) – The relocation of Roma families resulted in school segregation, limiting children's access to inclusive education.
 - Non-discrimination (Article 21) – The program reinforced racial and social segregation rather than ensuring equal opportunities for marginalised communities.

TOP-4.3.1-16-HB1-2020-00017 - Rehabilitation of degraded urban areas in Hajdúhadház^[81]

- Type of EU fund: European Regional Development Fund
- Beneficiary: Municipality of Hajdúhadház
- Budget: 514 069 576 HUF
- Year of implementation: 2021-2023
- Target group: Roma living in segregated circumstances in Hajdúhadház
- Locality: Hajdúhadház
- Objective: The aim of the project was to stop and reverse the processes of deprivation in the run-down part of Hajdúhadház, to raise the status of the area and to improve the living conditions of the people living in settlement-like conditions. An important objective is to improve the accessibility of the neighbourhoods concerned, to strengthen their residential function, to expand and develop existing functions, and to develop social and community functions. Accordingly, the basic aim of the development is to integrate the segregated areas and action areas into the social and economic life of the city through soft activities and related infrastructure investments implemented under the TOP 5.21 program.

In May 2021, László Glonczy, a prominent advocate for Roma rights, filed a complaint with the European Commission regarding potential violations of EU law by the municipality of Hajdúhadház. Glonczy alleged that the local government planned to evict twelve families, totaling more than 80 residents, including over 50 children, under the guise of implementing the project. The evictions, which would place these families at risk of homelessness, were found to be in violation of both EU and Hungarian law. Specifically, Hungarian law on local self-government mandates that municipal authorities must prevent homelessness and ensure family unity^[82]

Glonczy's complaint also highlighted that families facing eviction were being told they would be relocated to distant settlements, sometimes over 100 kilometers away, which would not solve their housing issues and would risk family separation. He argued that such actions violated the Child Protection Act, as parents feared that housing problems could lead to their children being taken from them for financial reasons.

The European Commission took the complaint seriously and initiated consultations with Hungarian authorities, including the Ministry of the Interior and the Municipality of Hajdúhadház. The Deputy Ombudswoman for National Minorities also investigated the case. As a result of these consultations, Hungary took corrective actions to align its practices with EU law. By May 2022, the municipality of Hajdúhadház had revised its plans. The revised "Affordability and Mobility Plan" included renovating ten social rental apartments and providing temporary accommodation for the affected families during the renovations, resolving the issue and preventing further legal violations.

Violated fundamental rights:

- Non-discrimination (Article 21) – The project led to forced evictions of Roma families without adequate relocation support, disproportionately affecting a marginalised group.
- Respect for private and family life (Article 7) – The risk of forced displacement threatened family unity and stability.

[81] <https://www.palyazat.gov.hu/kezdmenyek/tematikus-csapatok/764850000>

[82] Jelen Media (2024, October 7). Lebukott Hajdúhadháza városának terve. Retrieved from <https://www.palyazat.gov.hu/kezdmenyek/tematikus-csapatok/764850000>

EFOP-PLUSZ-7.1.1-24-2024-00002 - Presence in the catching-up settlements^[87]

- Type of EU fund: European Social Fund
- Beneficiary: Magyar Máltai Szeretetszolgálat Egyesület (Hungarian Maltese Charity Association)
- Budget: 70 441 689 150 HUF
- Year of implementation: 2024-2029
- Locality: 300 municipalities across the country
- Target group: The target group of the project is the population living in "catching-up settlements" as defined in Annex 3 of Government Decision 1057/2021 (19.II.), including persons moving from catching-up settlements to non-segregated areas with better access to employment and services, and professionals providing services to them in the target area concerned.
- Objective: The project is aimed at the extension of the long-term programme of the "Catching-up settlements" (Felzárkózó települések - FETE in Hungarian), Government Decision 1057/2021 (19.II.) 3. In order to improve the living conditions of the excluded and deprived individuals and families living in the 300 most disadvantaged settlements in the less developed regions, with particular attention to children, and to reduce the negative effects of poverty, the Commission is planning to implement the new programme of the "Community Support for the Development of the Future of the Settlements", by means of locally available, intensive, complex social work based on the present Methodology, by providing services and tools to support families and childcare, by means of integration and community-building activities, and by providing the population living in the target settlements with professional methodological support for the activities carried out under the Call. The programme is implemented by 28 partner organisations.
- Scope of fundamental rights violation 1: The FETE program was launched in 2019 to help the 300 most disadvantaged municipalities in the country. Its coordination was entrusted to Miklós Vecsei, Vice President of the Hungarian Maltese Charity Association, who was appointed Prime Minister Viktor Orbán's Commissioner. A total of HUF 12 billion (app. EUR 36 million that time) has been earmarked for the first 30 settlements, with HUF 30 million per village or municipality per year, but the amount can be increased through centralised tenders. Since its inception, the program has been heavily scrutinized by Roma and pro-Roma NGOs. Their main criticism is that the program lacks any evaluation or impact assessment available to the public and implementing partners that are mainly faith-based charities selected in non-transparent manner. Roma NGOs also criticised the lack of competition and therefore no innovation can be observed, and the lack of transparent selection of implementing partners could discriminate against community-based NGOs.^[88] As there are no assessments publicly available that investigate compliance with fundamental rights, this should be carried out in the project framework.

[87] <https://www.mta.gov.hu/infocentrum/tema/efop-plusz-7.1.1-24-2024-00002>
[88] <https://www.mta.gov.hu/infocentrum/tema/efop-plusz-7.1.1-24-2024-00002>

- Scope of fundamental rights violation 2: As one can read on the project's official site this program focuses on people with many disadvantages but the original description fails to mention that in reality the number or percentage of Roma people is significantly higher than the overall national average. Based on other research it is highly plausible that no attention was paid to Roma culture, habits and most importantly the lively existing discriminatory procedures against Roma. The program therefore pays no attention to school desegregation, and also fails to focus at least on preventing the increase of school segregation.
- Scope of fundamental rights violation 3: as presented on the FETE program's 4th Thematic Committee Meeting^[85], 22nd May 2024, the implementing body plans to build or renovate 1.000 housing units to be used for social housing. As mentioned before there is no sign these housing units will be outside of the segregated areas, therefore these social housing projects will reinforce segregation instead of reducing it. Supporting housing mobility is crucial for labor market integration, yet current initiatives mainly focus on construction and renovation within segregated areas, making segregation likely to worsen over time.
- Violated fundamental rights:
 - Non-discrimination (Article 21) – The program lacked transparency in partner selection and potentially excluded community-based Roma organisations from participation, raising concerns about biased allocation of resources. Additionally, within the FETE program, 2,000 new or refurbished social housing units will be built or renovated. However, these homes appear to be located exclusively within already segregated areas, reinforcing rather than addressing spatial segregation and failing to provide real housing integration for marginalised communities.
 - Right to education (Article 14) – The program – although working primarily with Roma families – pays no attention to school segregation.

[85] See more on the [project's official site](https://fete.hu/app/uploads/2024/05/FETE_TB_RRF-Lehetse20240522-002.pdf) https://fete.hu/app/uploads/2024/05/FETE_TB_RRF-Lehetse20240522-002.pdf

Fundamental rights violation regarding people living with disabilities.

The EFOP-2.2.2 programme, titled "Transition from institutional care to community-based services", aimed to create personalized, community-based supported housing solutions for persons with disabilities by replacing large residential social care institutions with more inclusive forms of care. The original budget of the programme was 35 billion HUF (approximately EUR 115 million at the time), but when including additional related allocations under programmes such as EFOP-2.2.3, EFOP-1.91, and EFOP-1.10.2, the total resources dedicated to the deinstitutionalisation process reached 77 billion HUF (around 245 million EUR at the time).

The declared goals of the programme included promoting the social inclusion of people with disabilities, improving access to services, and establishing the conditions necessary for independent living. However, several professional and human rights organisations – most notably ÉFOÉSZ (the National Association of Persons with Intellectual Disabilities and Their Supporters) and MEOSZ (the National Federation of Associations of Persons with Physical Disabilities) – raised serious concerns regarding its implementation.

ÉFOÉSZ submitted a detailed petition to the Commissioner for Fundamental Rights (formerly the Ombudsman), highlighting that persons with disabilities and their representative organisations had not been meaningfully involved in the planning or decision-making processes. This lack of participation violated Article 4(3) of the UN Convention on the Rights of Persons with Disabilities (CRPD). The organisation also submitted public information requests to understand the professional content behind the submitted and approved EFOP-2.2.2 projects, but their concerns were disregarded by the decision-makers.

MEOSZ additionally emphasised that the programme was implemented exclusively in the less developed regions of Hungary, meaning that people with severe mobility impairments living in Budapest and Pest County were entirely excluded from the developments. This territorial exclusion resulted in significant discrimination, especially for those who live and wish to access services in these more developed regions.

Moreover, MEOSZ pointed out that over 70% of the newly supported housing units were in peripheral areas, often far from local communities and essential services. A large proportion of the houses are in small settlements – more than half in towns with under 3,000 residents, and a fifth in villages with fewer than 1,000. In many cases, multiple houses were established side-by-side, or even on the site of former institutions, contradicting the core principles of deinstitutionalisation. Transport accessibility is poor: the average distance to the county seat is 45 km, and in nearly one-third of cases, these homes can only be reached via multiple transfers. Accessible public transport is rarely available, particularly for wheelchair users. Access to healthcare and social services is also limited. While general practitioners are available in most areas, support services are only present in 28.6% of the municipalities. Only 40% of homes are in areas with existing day-care services or rehabilitative employers.

- Type of EU fund: European Regional Development Fund
- Beneficiary: Directorate General for Social Affairs and Child Protection
- Budget: 781 307 359 HUF
- Year of implementation: 2017-2023
- Target group: people with disabilities living in institutions
- Locality: Búcszentlászló
- Objective: The project aimed to replace the institutional care of the Zala County Fogyógy Unified Social Institution, as a result of which 72 psychiatric patients were supposed to be accommodated in a new, small-scale housing form with new form of care developed for them, responding to their individual needs. Clients of the original Fogyógy Unified Social Institution were moved to 10 different housing units. Two in Esztergályhorvát, Felsőrák, two in Bocfölde, two in Sármedék, Vaspör and also two Nagykanizsa, which is the only city in this list. Out of those, ten are considered as periphery, the other five are neither periphery nor centrum. Here are a few pictures of the first half to present how isolated these housing units are.
- Scope of fundamental rights violation: According to the analysis of the Federation of Associations of Persons with Physical Disabilities (MEOSZ)³⁹, the newly built infrastructure is in the periphery of the settlement, with limited public transportation options, no general practitioner or pharmacy available in the vicinity. Residents thus face serious challenges to independent living.
- Violated fundamental rights:
 - Right to independence and inclusion of persons with disabilities (Article 26) – The project placed people with disabilities in isolated housing, contradicting deinstitutionalisation principles.

[86] <https://www.szhazat.gov.hu/eredmenvek/tamogato-csopok/4473210201>

[87] <https://www.mecsz.hu/wp-content/uploads/2019/02/222-ijazati%C3%9C56ta-belviszinek-elmazese.pdf>



Esztergályhorváti, Kossuth u. 11. and 10. - source Google Maps photos



Felsőrajk, Dózsa György u. 16. and 30. - source Google Maps photos



Zalaötvő, namesless road - source Google Maps photos



Zalaszentiván, Kossuth L. u. 15. - source Google Maps photos



Bocsfölde, Dózsa György u. 1. and 17. - source Google Maps photos.

EFOP-2.2.2-17-2017-00016 - Harmony in supported housing^[88]

- Type of EU fund: European Regional Development Fund
- Beneficiary: Directorate General for Social Affairs and Child Protection
- Budget: 477,426,472 HUF
- Year of implementation: 2017-2023
- Target group: people living in institutions
- Locality: Kaskanytű
- Objective: The project aimed at the full integration of 60 people living at the "Harmony" Integrated Social Institution in Kaskanytű into supported housing services. The replacement plan included the provision of housing services in properties for 12 persons. Of the 60 people with addiction who were supposed to be displaced, 36 were supposed to be accommodated in 3 properties for 12 persons in the municipality of Tabdi and 24 in 2 properties for 12 persons in the municipality of Kaskanytű.
- According to the analysis of the Federation of Associations of Persons with Physical Disabilities (MEOSZ)^[99], the newly built infrastructure is in the periphery of the settlement, with limited public transportation options, no pharmacy and support services available in the vicinity. Residents thus face serious challenges to independent living.
- Violated fundamental rights:
 - Right to independence and inclusion of persons with disabilities (Article 26) – The housing provided was in remote areas, limiting access to services.
 - Right to social and housing assistance (Article 34(3)) – Residents faced inadequate infrastructure, making independent living nearly impossible.

[88] <https://www.palyazat.gov.hu/furedmervek/tamogatott-projektek/1472430201>

[89] <https://www.megsz.hu/wp-content/uploads/2019/02/222-hizsoo%20C3%84s-helyzinek-elemzese.pdf>

- Type of EU fund: European Regional Development Fund
- Beneficiary: Directorate General for Social Affairs and Child Protection
- Budget: 1136 535 076 HUF
- Year of implementation: 2017-2023
- Target group: people living in institutions
- Locality: Pásztori

- Objective: The project aimed at replacing residential care for more than 50 people with community-based forms of care, through the creation of quality, community-based new supported housing places, by the construction of 10 family-style, barrier-free houses for seven to twelve people in subsidised housing.
- According to the analysis of the Federation of Associations of Persons with Physical Disabilities (MEOSZ)^[9], the newly built infrastructure is in the periphery of the settlement, with limited public transportation options, no pharmacy available in the vicinity. Residents thus face serious challenges to independent living.
- Violated fundamental rights:
 - Right to independence and inclusion of persons with disabilities (Article 26) – The project did not support real deinstitutionalisation but instead placed residents in isolated settings.
 - Right to social and housing assistance (Article 34(3)) – The lack of accessible services undermined residents' ability to live independently.

[91] <https://www.megsz.hu/wp-content/uploads/2019/02/222-kisaj%C3%A1s-helvgaznek-elemzese.pdf>

- **Mátészalka District:**
 - Type of EU Fund: European Regional Development Fund
 - Beneficiary: Directorate General for Social Affairs and Child Protection
 - Budget: 480 648 164 HUF
 - Year of implementation: 2017-2023
 - Target group: people living in institutions
 - Locality: Géberjén, Fülöpárdoróc and Nagyecsed (Mátészalka county)
 - Objective: The project aimed at replacing residential care for 60 psychiatric patients with new supported housing places, through the construction of new houses in Géberjén, Fülöpárdoróc and Nagyecsed.
 - Scope of fundamental rights violation: According to the analysis of the Federation of Associations of Persons with Physical Disabilities (MEOSZ)⁹⁰, the newly built infrastructure is in the periphery of the settlement, with limited public transportation options, in some locations with no general practitioner and pharmacy available in the vicinity. Residents thus face serious challenges to independent living.
 -
 - Violated fundamental rights:
 - Right to independence and inclusion of persons with disabilities (Article 26) – The project did not support real deinstitutionalization but instead placed residents in isolated settings.
 - Right to social and housing assistance (Article 34(3)) – The lack of accessible services undermined residents' ability to live independently.

[92] <https://www.pahstat.gov.hu/eredmenyek/tamogatott-projektek/0473080201>

[93] <https://www.mepst.hu/wp-content/uploads/2019/02/222-ktago%C3%A9-helyszinek-elemzese.pdf>

ANNEX 1

List of participants in the questionnaire, interviews and consultation meetings

QUESTIONNAIRES

15 respondents, out of that:

- 2 human rights lawyers
- 10 civil society representatives
- 1 researcher, ex-Ministry official
- 1 independent researcher
- 1 project manager at a rural municipality
- 9 women / 6 men / 0 non-binary
- Civil societies involved range from theme specific local to nationwide general human rights protector NGOs.

CONSULTATION MEETINGS

15 participants, out of that:

- 2 human rights lawyers
- 8 civil society representatives
- 1 researcher at a national research centre
- 1 independent researcher
- 1 project manager at various NGOs
- 2 journalists
- 7 women / 8 men / 0 non-binary
- Civil societies involved range from theme specific local to nationwide general human rights protector NGOs.

INTERVIEWS

17 participants, out of that:

- 2 human rights lawyers
- 10 civil society representatives
- 3 researchers from university
- 1 independent researcher
- 1 project manager at a rural municipality
- 9 women / 8 men / 0 non-binary
- Civil societies involved range from theme specific local to nationwide general human rights protector NGOs.

