

# Czech national guidelines for preventing fundamental rights violations in the use of EU funds

Practical steps to ensure compliance with the Charter of  
Fundamental Rights



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# Executive summary

## Executive Summary – Czech Republic

EU funds have significantly shaped development in Czechia but have also, in some cases, reinforced segregation, institutionalisation and unequal treatment, even when projects formally met all indicators and were free of corruption. This guidance sets out practical steps to ensure that EU funds in the 2028–2034 period do not finance such outcomes and instead promote equality, inclusion and respect for fundamental rights.

The document targets managing authorities, ministries, regional and local governments, intermediate bodies and civil society partners involved in planning, allocating, implementing and monitoring EU funds. It focuses on three priority groups that evidence shows are at particular risk of rights violations in EU funded interventions: Roma communities, persons with disabilities and people with a migrant or refugee background, while remaining applicable to other groups such as children, older people and women.

The guidance builds on EU and international standards, including the EU Charter of Fundamental Rights, the Racial Equality Directive, the UN Convention on the Rights of Persons with Disabilities and European Commission guidance on desegregation and independent living. It also reflects findings from the FURI Czech Country Report, which documented EU funded renovations of segregated schools, investments in socially excluded localities without desegregation plans, continued support for large residential institutions and unequal treatment of Roma refugees.

Key principles are:

EU and national public funds must not support projects that create or maintain segregation in education, housing or services.

Institutional models in social and health care must be phased out in favour of community based, person centred services, in line with Article 19 CRPD and recent EU guidance on independent living.

Accessibility and reasonable accommodation are binding obligations in physical, digital, communication and organisational environments, not optional add ons.

Meaningful participation of affected communities and their representative organisations must be ensured at all stages of the funding cycle, from programming to evaluation.

Transparency, data availability and accountability mechanisms must enable public scrutiny of segregation risks, municipal practices and conditions in EU funded facilities.

If these principles are embedded into programming documents, calls for proposals, selection criteria and monitoring systems, EU funds will not only deliver financial value for Czechia but will also strengthen equality, inclusion and fundamental rights protection.

# 1. Introduction and background

## 1.1 Introduction

The Czech Republic enters the 2028–2034 programming period with persistent systemic challenges affecting Roma communities, persons with disabilities, and people with a migrant or refugee background. Evidence from the FURI research and the Czech Country Report shows that EU-funded interventions have at times reinforced segregation in education and housing, maintained institutional care, and contributed to unequal treatment of Roma refugees, despite formally meeting indicators and financial requirements.

These patterns stem not only from individual projects but also from structural weaknesses in municipal governance, insufficient oversight, and a lack of transparent demographic data and effective complaint mechanisms. While national strategies emphasise inclusion, everyday practice often diverges from these commitments, particularly in school enrolment, housing allocation, and the operation of social and refugee services.

This guidance responds by setting out a rights-based framework to ensure that EU funds in Czechia do not contribute to segregation, discrimination, or institutionalisation. Its purpose is to embed fundamental rights safeguards into programming, calls for proposals, project selection, monitoring, and enforcement. Although EU funds cannot resolve all systemic issues in education, housing, or social services, they must not finance developments that violate fundamental rights.

The following chapters outline the legal obligations, operational safeguards, exclusion criteria, monitoring mechanisms, and structural reform measures required to align EU-funded interventions with equality, inclusion, and independent living principles.

## 1.2 Background – The International and Domestic Context of the FURI Programme (Czech Republic)

The FURI – EU Funds and Fundamental Rights programme was implemented in cooperation with civil society organisations, research institutes, and community-based actors across several European countries, including the Czech Republic. Its overarching aim was to identify and document recurring patterns of fundamental rights violations linked to the use of EU funds, and to develop actionable recommendations to prevent such practices in the upcoming 2028–2034 programming period.

The programme is grounded in key international and EU legal frameworks: the EU Charter of Fundamental Rights, the Racial Equality Directive (2000/43/EC), and the UN Convention on the Rights of Persons with Disabilities (CRPD). Together, these frameworks establish clear obligations regarding non-discrimination, desegregation, independent living, participation, and equal access to public services. The FURI project places particular emphasis on promoting community-based services, inclusive public policies, and desegregation in both education and housing.

The research conducted in Czechia examined fundamental rights risks across several thematic areas:

- education and educational infrastructure,
- housing and social housing development,
- social and health services and the persistence of institutional care,
- migration management and refugee reception, and
- mechanisms for civic participation, public oversight, and access to remedies.

The study used case studies, policy analyses, demographic mapping, and extensive field interviews with affected communities. These findings demonstrate that practices incompatible with fundamental rights may persist even within well-intentioned development projects when planning, implementation, or monitoring lack a rights-based perspective. In Czechia, the Country Report identified critical issues such as the renovation of segregated schools with EU support, EU-funded investments in socially excluded localities without desegregation plans, the continued allocation of funds to large residential institutions, and discriminatory treatment of Roma refugees during the Ukraine crisis.<sup>1</sup>

As in other participating countries, the Czech research revealed that certain EU-funded interventions not only failed to reduce segregation or institutionalisation but, in some cases, inadvertently reinforced them—especially where municipalities lacked adequate oversight, transparent data systems, or inclusive decision-making processes.<sup>2</sup>

The national guidance builds on these findings by offering a forward-looking framework for aligning the use of EU funds in Czechia with fundamental rights obligations. Its purpose is not

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<sup>1</sup> Double standard for Ukrainian refugees [Link](#)

<sup>2</sup> Segregation of Roma children in education [Link](#)

merely to identify past shortcomings, but to set a positive direction for the future: a development policy environment in which EU support carries both financial and moral responsibility, and where human dignity, equality, and justice form the basis of all public investments.

Since joining the European Union in 2004, the Czech Republic has been a significant net beneficiary of EU cohesion and structural funding. Between 2004 and 2023, Czechia received approximately EUR 77.6 billion, while contributing around EUR 35.1 billion to the EU budget. This results in a positive net balance of more than EUR 42 billion, demonstrating the crucial role EU funds play in national and regional development.

During the 2014–2020 programming period, Czechia was allocated nearly EUR 24 billion under the European Structural and Investment Funds (ESIF). According to official reporting, almost the entire allocation was absorbed, with payments to beneficiaries exceeding EUR 25.7 billion, reflecting high implementation efficiency.

For the current 2021–2027 period, the Czech Republic has secured a cohesion policy allocation of approximately EUR 21.4 billion, forming the financial framework for investments in education, social inclusion, housing, infrastructure, public services, and regional development.

The macro-level scale of EU support underscores the responsibility associated with the use of EU funds. While EU resources provide substantial opportunity for improving public services and reducing inequalities, the FURI research shows that—without strong fundamental rights safeguards—projects may inadvertently reinforce segregation, institutionalisation, or unequal treatment. This national guidance therefore aims to ensure that EU funds contribute positively to inclusion and do not reproduce the systemic shortcomings identified in previous programming periods.

**Table 1 – Overview of EU Funding for the Czech Republic**

<b>Category</b>	<b>Amount in EUR</b>	<b>Source / Notes</b>
<b>Total EU funds received by Czechia (2004–2023)</b>	<b>€77.6 billion</b>	Based on CZK 1.94 trillion (official MFCR data)
<b>Czech contributions to EU budget (2004–2023)</b>	<b>€35.1 billion</b>	Based on CZK 876.6 billion (MFCR)
<b>Net balance for Czechia since EU accession</b>	<b>€42.5 billion</b>	Calculated from the two figures above
<b>ESIF allocation 2014–2020</b>	<b>€24 billion</b>	Official DotaceEU operational data
<b>Reported ESIF payments to beneficiaries (2014–2023)</b>	<b>€25.7 billion</b>	Payment data converted from CZK 642 billion
<b>Cohesion Policy allocation 2021–2027</b>	<b>€21.4 billion</b>	Based on EC partnership agreement allocations
<b>Absorption rate 2014–2020</b>	<b>~98%</b>	As reported by Czech authorities (DotaceEU)

## 1.3 Challenges in the use of EU funds

Debates about the use of EU funds are a recurrent topic in Czech public discourse. Media reporting and watchdog organisations frequently raise concerns about inefficient spending, non-transparent procurement practices, politically connected beneficiaries, and the limited long-term impact of certain EU-funded projects. Instances of overpriced infrastructure, unused facilities or projects with minimal social effect have contributed to a broader perception that EU funds are sometimes implemented without adequate oversight or strategic vision. Although the Czech context differs from that of other Member States, public discussions increasingly highlight governance shortcomings and insufficient accountability mechanisms rather than explicit, large-scale corruption.

Despite this attention on efficiency and governance, the protection of fundamental rights in EU-funded interventions receives far less scrutiny. Yet research conducted under the FURI programme, supported by independent findings of NGOs, the Czech School Inspectorate, the Public Defender of Rights, and international actors, shows that EU-funded projects have, in several cases, contributed to practices contrary to fundamental rights—even in the absence of corruption or intentional misuse.

In education, EU resources have been used to renovate or expand segregated or Roma-majority schools without requiring accompanying desegregation plans. Investments have reinforced existing patterns of school segregation by improving facilities in locations where the underlying structural problem is discriminatory enrolment practices or segregated catchment areas. Similar issues are documented in housing policy, where EU-funded projects implemented in socially excluded localities have contributed to the long-term consolidation of spatial segregation rather than supporting access to integrated housing.

In the field of social and health services, EU-funded interventions have at times strengthened institutional care structures, despite long-standing commitments of the Czech Republic to move toward community-based alternatives aligned with the UN Convention on the Rights of Persons with Disabilities (CRPD). Renovations of large residential institutions, support for collective accommodation, and insufficient investment in community services demonstrate the gap between EU obligations and national practice.

Moreover, during the reception of refugees fleeing the war in Ukraine, several EU-supported facilities operated under conditions that resulted in discriminatory or unequal treatment of Roma refugees, including their placement in inferior or segregated accommodation. These findings highlight that harmful outcomes can arise not from corruption, but from the absence of a rights-based approach and from weaknesses in planning, monitoring, and oversight.

The challenges observed in the Czech Republic align with those addressed by a growing body of EU and international guidance. The European Commission's **Guidance on the use of ESI Funds to tackle educational and spatial segregation** (2015)<sup>3</sup> explicitly prohibits the maintenance or creation of segregated schools or segregated housing through EU support. The **Guidelines on deinstitutionalisation, including in emergencies** (CRPD/C/5, 2022)<sup>4</sup> clarify that institutional care cannot be considered a form of independent living or community inclusion, and unequivocally require states to transition toward community-based services. The **Council**

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<sup>3</sup> Guidance on the use of ESI Funds to tackle educational and spatial segregation [LINK](#)

<sup>4</sup> Guidelines on deinstitutionalisation, including in emergencies [LINK](#)

**Recommendation on the social and economic integration of Roma** (2011)<sup>5</sup> and the **Recommendation on Roma housing** (2013)<sup>6</sup> further emphasise the need for Member States to eliminate segregation and to promote inclusive public policies.

In the area of deinstitutionalisation, the **Common European Guidelines on the Transition from Institutional to Community-based Care** (European Expert Group, 2012; expanded 2014) provide precise and detailed principles for phasing out institutional care and building sustainable community services. These principles directly apply to the Czech context, where institutional structures continue to dominate despite reform commitments.

Finally, the European Commission's **Communication on Independent Living and Community Inclusion for Persons with Disabilities** (2024) represents the most recent and authoritative guidance for aligning EU-funded interventions with fundamental rights. It clearly states that EU funds must not support institutional models and must prioritise community-based alternatives, personalised support, and the full participation of persons with disabilities.

For the Czech Republic, these documents are particularly relevant. They illustrate that the primary challenge is not a lack of legal standards, but a gap between these standards and how EU funds are planned, invested, and evaluated at national and municipal levels. Addressing these shortcomings is essential to ensure that EU investments do not inadvertently reinforce segregation, institutionalisation, and discrimination, but instead promote inclusion, equal access, and independent living.

## 2. Purpose and scope

### 2.1 Purpose of the guidance

This guidance provides practical and verifiable instructions to Czech managing authorities, intermediary bodies, ministries, regional and municipal authorities, and their partners on how to integrate fundamental rights compliance into every stage of the EU funding cycle for the 2028–2034 programming period. It defines a unified framework to ensure that planning, calls for proposals, project selection, implementation, monitoring, evaluation, and complaint handling all respect the principles of equality, non-discrimination, and inclusion.

The purpose of the guidance is twofold:

to prevent and exclude any EU-funded intervention that would lead to segregation, institutionalisation, discrimination, unequal treatment, or other violations of fundamental rights in areas such as education, housing, social and health services, and refugee or migrant support;

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<sup>5</sup> Council Recommendation on the social and economic integration of Roma [LINK](#)

<sup>6</sup> Recommendation on Roma housing [LINK](#)

to prioritise inclusive, community-based and rights-based solutions, and to ensure that participation, transparency, accessibility, and accountability are systematically embedded in the design and implementation of all EU-funded projects.

Through these objectives, the guidance aims to ensure that EU funds in the Czech Republic contribute to genuine social inclusion, desegregation, independent living, and equal access to public services, and that the shortcomings documented in previous programming periods cannot be repeated.

## 2.2 Target groups

This guidance focuses on groups identified in international law, EU strategic documents and the FURI research as being at heightened risk of discrimination, segregation, institutionalisation and unequal access to public services. The question “why them?” is therefore answered by both historical factors and current empirical data.

### **Roma Communities**

Roma have lived on the territory of today’s Czech Republic for centuries and have faced systemic exclusion across multiple historical periods: forced assimilation policies, spatial segregation, discriminatory school placement, and overrepresentation in institutional care. These structural barriers continue to shape present-day inequalities.

According to the 2021 census, approximately 21,000 people self-identified as Roma. However, consistent with FRA findings and domestic expert estimates, the real number is significantly higher. Most credible civil society and research organisations estimate the Roma population in Czechia at 250,000–300,000 people (2.5–3% of the total population). FRA Roma Survey 2024 confirms persistent barriers in housing, education, access to services and participation.

These inequalities remain highly visible in education: the Czech School Inspectorate reports that Roma children make up over 30% of pupils in schools with reduced curricula, and the MŠMT analysis (2024/2025) documents the continued existence of de facto segregated schools and catchment areas. Roma children are also disproportionately represented in institutional care and in socially excluded localities.

For these reasons, Roma communities represent a key target group: they face systemic barriers, bear disproportionate human rights risks and are central to the effectiveness of EU-funded inclusion policies.

### **Persons with Disabilities**

Persons with disabilities constitute one of the largest groups protected by fundamental rights obligations under the UN Convention on the Rights of Persons with Disabilities (CRPD).

The 2021 census estimates approximately 1.1 million people living with a long-term health condition or disability in the Czech Republic (roughly 10% of the population).

Eurostat data suggest that up to 22–24% of adults report some level of activity limitation.

The disability status of an individual often affects their entire household, meaning the impact extends beyond the individual alone.

Czechia has made commitments to transition from institutional care towards community-based services, yet institutional structures remain widespread: according to MPSV and NKÚ data, more than 7,000 children and tens of thousands of adults continue to live in institutional settings. EU-funded projects have sometimes reinforced rather than reduced institutionalisation. This makes persons with disabilities a priority target group for rights-based and community-driven reforms.

### **Migrants, Refugees and Persons with a Migrant Background**

Fundamental rights risks for migrants and refugees include access to fair procedures, non-discrimination, adequate accommodation, child protection, and equal access to essential services.

According to the Czech Statistical Office and Eurostat, the foreign-born population in Czechia has grown significantly and now exceeds 1 million people, representing roughly 10% of the population. The largest groups originate from Ukraine, Slovakia, Vietnam and Russia. Following the Russian invasion of Ukraine, the Czech Republic received hundreds of thousands of refugees, including a significant number of Roma families. FURI research documented cases where Roma refugees were placed in segregated or substandard facilities, faced unequal access to services, and experienced discriminatory treatment in reception systems. Such patterns demonstrate that persons with a migrant or refugee background require explicit attention in EU-funded policy frameworks.

## **2.3 The 2028–2034 programming period**

The European Commission’s proposal for the next Multiannual Financial Framework (MFF –), as presented on the Official Portal of the European Union, foresees an EU long-term budget of approximately EUR 2 trillion, representing around 1.26% of the Union’s average gross national income for the period 2028–2034.<sup>7</sup>

The proposed National and Regional Partnership Plan (NRPP) will serve as the central strategic document for each Member State, replacing the current programme-based architecture with a more coherent, policy-driven framework. Its key objectives include simplification, increased flexibility in crisis situations, stronger performance orientation, and smoother procedures for modifying plans—while maintaining the continuity of long-term investments. The NRPP is expected to integrate cohesion and agricultural funding into a single overarching document, with the final structure to be determined through the legislative negotiations.

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<sup>7</sup> Official portal of the European Union: [LINK](#)

A broader analysis of the proposed MFF reforms and their implications for regional development is available in the policy briefing of the Assembly of European **Regions**.<sup>28</sup>

According to ongoing expert debates and official position papers, the horizontal enabling conditions—such as compliance with the Charter of Fundamental Rights, non-discrimination, equality, and accessibility—known from the 2021–2027 Common Provisions Regulation should be retained and further strengthened in the 2028–2034 framework. Both Commission documents and civil society proposals support the continued application of these conditions. As stated on the European Commission’s official website, “Under the national and regional partnership plans, the rule of law and the enforcement of fundamental rights are prerequisites for investment, and reforms are also based on these. Strong safeguards and clear conditions will ensure that funds are used responsibly and effectively.”<sup>9</sup>

It follows directly from this framework that, during domestic programming—and already at the earliest planning stage—Member States must integrate a fundamental rights risk analysis, a coherent indicators system, and a functional complaints and redress mechanism. Any shortcomings in these areas are likely to generate significant financial risks during implementation.

## 2.4 EU funds covered

This guidance applies to the EU funds that will form part of the Czech Republic’s National and Regional Partnership Plan (NRPP) for the 2028–2034 programming period. It focuses primarily on funding streams where the FURI research, national analyses and international evidence have identified the highest risks of segregation, institutionalisation, discrimination or unequal treatment. The guidance therefore distinguishes between core funds, which are central to the scope of this document, and secondary instruments, which may indirectly influence fundamental rights but are not the primary focus.

### 2.4.1. Core Funds (direct relevance to segregation, institutionalisation and inclusion)

a) Cohesion Policy Funds – ERDF, Cohesion Fund and ESF+

These are the most relevant funds for the Czech Republic in terms of fundamental rights risks identified in the FURI Country Report. They finance interventions in:

- education and school infrastructure (including schools in socially excluded localities),
- housing and regional development,
- social and community-based services,
- health and long-term care,
- employment and social inclusion programmes for marginalised communities.

In previous programming periods, some ERDF and ESF-funded projects in Czechia inadvertently contributed to:

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<sup>8</sup> Assembly of European Regions – Policy Briefing: [LINK](#)

<sup>9</sup> Official portal of the European Union: [LINK](#)

- the renovation of segregated or Roma-majority schools without desegregation plans,
- investments in socially excluded localities that reinforced spatial segregation,
- support for large residential institutions instead of community-based services.
- Given these risks, ERDF, ESF+ and the Cohesion Fund remain at the centre of this guidance.

#### b) Recovery and Resilience Facility (RRF)

Czechia's National Recovery Plan includes reforms and investments in:

- education system modernisation,
- digital and physical school infrastructure,
- health and long-term care,
- community and social services,
- social housing pilots.

Several RRF measures have the potential either to support inclusion or to reinforce segregation or institutionalisation, depending on their design and implementation. For these reasons, RRF is explicitly included within the scope of this guidance.

#### c) Asylum, Migration and Integration Fund (AMIF)

AMIF is directly relevant for fundamental rights, especially in relation to:

- the conditions of reception centres,
- treatment of asylum seekers, including unaccompanied minors,
- integration of migrants and refugees,
- equal access to services.

In the Czech context, FURI research and other reports documented cases where Roma refugees from Ukraine were placed in segregated or substandard accommodation, and where EU-supported facilities operated with unequal access to services.

AMIF is therefore a core fund in this guidance.

## 2.4.2. Secondary Instruments (indirect relevance)

#### a) Internal Security Fund (ISF) and Border Management and Visa Instrument (BMVI)

These funds are implemented in the Czech Republic under the Ministry of the Interior. Their primary purpose is:

- border management,
- returns policy,
- security systems,
- cross-border cooperation,
- police information systems.

Although these funds can raise fundamental rights concerns (e.g., detention conditions, procedural rights, treatment at borders), they are not central to the segregation or institutionalisation risks identified in the Czech FURI Country Report.

ISF and BMVI may therefore be referenced for contextual completeness, but they are not the main focus of the guidance.

#### b) Common Agricultural Policy (CAP)

Czechia implements CAP through the CAP Strategic Plan 2023–2027, focusing on:

- sustainable agriculture,
- environmental measures,
- rural development,
- LEADER/CLLD initiatives.

While CAP funds may influence rural inequalities and access to services in disadvantaged regions, they are not directly linked to patterns of school segregation, spatial exclusion, or institutional care, which are the core concerns of this guidance.

For this reason, CAP is treated as a peripheral instrument, referenced only where rural development overlaps with social inclusion and territorial inequalities.

### **2.4.3. Summary of Fund Relevance**

The guidance therefore prioritises the following EU funds in the Czech Republic:

Core funds (primary scope)

ERDF – education, housing, services, infrastructure

ESF+ – inclusion, skills, social innovation, community services

Cohesion Fund – regional infrastructure impacting access to services

RRF – reforms and investments with potential segregation/DI risks

AMIF – refugees, migrants, equal treatment, reception conditions

Secondary instruments (referenced but not central)

ISF – only where procedural rights or detention are considered

BMVI – only in relation to human rights at borders

CAP – only to the extent it affects territorial inequalities in rural areas

#### **Final framing for placement in the Guidance**

All these funds will be incorporated into the Czech Republic's NRPP (National and Regional Partnership Plan). For each fund, Czech authorities will be required to define objectives, interventions, indicators and investments in accordance with the partnership principle and with full respect for fundamental rights, equality, non-discrimination and accessibility.

# 3. EU-level regulation and fundamental rights protection framework

## 3.1 Fundamental legislation

The Charter sets out the fundamental rights recognised by the European Union and its Member States. It is legally binding both on EU institutions and on Member States when they implement EU law, including the management of EU-funded programmes.

For the purposes of this guidance, Article 21 – Non-discrimination is of particular relevance, as it prohibits discrimination based on sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political opinion, membership of a national minority, property, birth, disability, age, or sexual orientation.

The Charter applies directly to ESF+, ERDF, the Cohesion Fund, AMIF, RRF and all other EU-supported instruments. A Member State that fails to comply with the Charter may be subject to corrective action, including the suspension of EU funds. This mechanism has already been applied in one Member State.

Treaty on the Functioning of the European Union (TFEU), Articles 10 and 19

Articles 10 and 19 require the EU to combat discrimination in all its policies and give the Council the power to adopt measures to promote equality. These provisions form the legal basis for key EU anti-discrimination directives, including:

Directive 2000/43/EC (Racial Equality Directive),

Directive 2000/78/EC (Employment Equality Framework Directive).

These directives are binding on Member States and directly relevant for areas such as education, employment, housing, access to services and the treatment of marginalised communities.

General Data Protection Regulation (GDPR – Regulation (EU) 2016/679)

The GDPR establishes EU-wide rules for the protection of personal data, including sensitive categories such as ethnic origin or health-related data. These rules are essential for ensuring that EU-funded projects handle data in compliance with fundamental rights.

In the Czech Republic, GDPR is implemented through the Act No. 110/2019 Sb., on Personal Data Processing, and supervised by the Office for Personal Data Protection (ÚOOÚ).

## **Ensuring lawful, proportionate and transparent data processing is crucial for:**

- monitoring segregation and discrimination,
- collecting data on disadvantaged communities,
- evaluating access to services.
- Rule of Law Conditionality – Regulation (EU) 2020/2092

This regulation allows the EU to suspend, reduce or condition funding when breaches of the rule of law in a Member State pose a threat to the sound financial management of the Union's budget.

## **In practice, this mechanism can address shortcomings in:**

- transparency and integrity of public procurement
- anti-corruption controls
- independence of the judiciary
- safeguards against misuse of public authority

The conditionality mechanism provides the EU with both preventive and corrective tools and must be considered during the programming and implementation of all EU-funded interventions.

## **Horizontal Principles**

All EU-funded programmes must respect horizontal principles such as:

- equal treatment,
- non-discrimination,
- gender equality,
- accessibility for persons with disabilities,
- equal opportunities in the broad sense.

These principles are mandatory elements of the Partnership Agreement and each Operational Programme. Beneficiaries must integrate them into project design, selection criteria, implementation, monitoring and communication. This may include:

- ensuring physically and digitally accessible services,
- applying non-discriminatory selection procedures,
- inclusive and accessible communication,
- gender mainstreaming.
- EU Rules on Public Procurement and State Aid

The transparent and efficient use of EU funds is governed by:

- Public Procurement Directive 2014/24/EU,
- Utilities Procurement Directive 2014/25/EU,
- EU State Aid rules and notifications.

In the Czech Republic, these rules are implemented through Act No. 134/2016 Sb., on Public Procurement and related implementing regulations. State aid is monitored by the “Úřad pro ochranu hospodářské soutěže” (ÚOHS) in cooperation with the European Commission’s DG Competition. The aim is to prevent market distortions, discriminatory practices and non-transparent allocation of public resources.

## 3.2. National legal and policy framework

The protection of fundamental rights in the Czech Republic is shaped by a combination of national legislation, EU law and institutional mechanisms that regulate the planning, implementation and oversight of EU funds. These frameworks establish binding obligations regarding non-discrimination, equality, the accessibility of public services and the transition from institutional to community-based care. However, findings from the FURI Country Report for Czechia demonstrate that despite the existence of these mechanisms, oversight has not always been sufficient to prevent segregation, institutionalisation or unequal treatment during previous programming periods.

At the EU level, the key pillars include the EU Charter of Fundamental Rights and its anti-discrimination provisions, sectoral directives such as the Racial Equality Directive (2000/43/EC) and the Employment Equality Directive (2000/78/EC), the European Commission’s rule of law instruments including the annual Rule of Law Report, infringement procedures and the conditionality mechanism under Regulation (EU) 2020/2092, as well as the data and analytical work of the EU Agency for Fundamental Rights (FRA). These tools have a strong legal basis and provide important ex-post protection for individuals and vulnerable groups. Yet, as the Czech FURI research shows, these mechanisms typically intervene only after a violation has already occurred.

In Czechia, shortcomings documented in previous programming periods—such as the renovation of Roma-majority schools without desegregation measures, investments that reinforced spatial segregation in socially excluded localities, continued support for large residential institutions rather than community-based alternatives, or unequal treatment of Roma refugees from Ukraine—often originated at the stage of project design, municipal decision-making or investment planning. Problems were therefore embedded in the logic of interventions long before they could be addressed through monitoring, complaints or EU supervisory mechanisms.

For this reason, the purpose of this chapter is to identify additional ex-ante safeguards that must be integrated into national programming documents for the 2028–2034 period. These safeguards should complement the existing legal framework and ensure that fundamental rights considerations are incorporated from the outset into the National and Regional Partnership Plan (NRPP), operational programmes, calls for proposals, project selection criteria, monitoring

arrangements and complaint-handling procedures. Embedding these requirements at the planning stage is essential for preventing the types of violations documented in the Czech FURI Country Report, particularly educational and residential segregation, the reproduction of institutional care, discrimination against migrants and refugees, and systemic weaknesses in municipal governance.

The emphasis of this framework is therefore on prevention: ensuring that EU funds cannot be used to support projects that may formally meet performance indicators but in practice violate human dignity, equal treatment or the right of Roma, persons with disabilities or migrants to full inclusion and participation in the community. For the Czech Republic, this requires a shift from reactive monitoring to proactive screening, risk assessment and meaningful participation of affected communities, so that segregation, discrimination and institutionalisation are filtered out before funding decisions are made.

### **3.3 Fundamental Law – Equality, Non-Discrimination, Equal Opportunities**

The constitutional basis for equality and non-discrimination in the Czech Republic is established by the Charter of Fundamental Rights and Freedoms, which guarantees equal dignity, equal treatment and protection against discrimination based on race, ethnic origin, sex, disability, language, religion, social status or other grounds. These principles are further elaborated in the Anti-Discrimination Act (No. 198/2009 Sb.), which applies to education, housing, employment, access to services, healthcare, and social protection.

In the context of EU funding, these constitutional and statutory duties mean that public investments must not lead to discrimination, segregation or unequal opportunities, whether directly or indirectly.

To meet these obligations, EU-funded programmes in Czechia must ensure consistent enforcement of equality, accessibility and non-discrimination principles throughout the entire project cycle—from planning and design to implementation, monitoring and closure. This requires a structured assessment of fundamental rights risks at project level.

#### **Required assessments during project planning and implementation**

##### **Impact assessment**

Projects must identify who is directly and indirectly affected by the intervention, and whether any protected group—such as Roma communities, persons with disabilities, migrants or women—could experience indirect disadvantage.

### **Relevance assessment**

It must be clear whether the intervention genuinely supports the target group or whether their inclusion is merely formalistic. This is particularly relevant in Czechia, where previous EU-funded programmes sometimes referred to marginalised groups without delivering meaningful change.

### **Equality risk analysis**

Programmes must demonstrate that the intervention will not contribute to educational or residential segregation, institutionalisation, unequal treatment, or other forms of structural disadvantage. FURI findings show that risks often arise not through intentional discrimination but through design choices—such as renovating segregated schools or investing in socially excluded localities without integration measures.

### **Participation mechanisms**

Stakeholder engagement must be credible and documented. Consultations should meaningfully involve Roma communities, persons with disabilities, persons with a migrant background, parents, and relevant NGOs. Participation is essential to prevent the recurrence of practices described in the Czech FURI report, such as segregated catchment areas or unequal treatment of Roma refugees.

### **Evidence required during selection and monitoring**

a dedicated equality and non-discrimination chapter in the project plan;  
stakeholder mapping and documented consultation processes;  
gender equality measures integrated into project activities;  
equality risk assessment supported by experts and representative organisations;  
minutes, reports and records demonstrating compliance.

### **Common shortcomings in previous programming periods**

Based on the Czech FURI research, frequent errors include superficial references to equality that are not backed by an action plan, and “inclusive” elements that exist only at communication level without altering access, methodology or actual outcomes. Several Czech projects formally declared support for inclusion while in practice reinforcing segregation or institutional care.

### **Legal remedy and control mechanisms**

In the event of a violation of fundamental rights, individuals or organisations may request an investigation by the Public Defender of Rights (Ombudsman). EU-funding authorities may also initiate corrective measures.

Where serious breaches occur—such as discrimination, segregation or violation of equal access—EU funds may be reclaimed, as such expenditures are ineligible under EU law. The Czech practice already includes cases where funding was suspended or corrected due to non-compliance with equal treatment obligations.

## 3.2.2. Act on Equal Treatment (Anti-Discrimination Act No. 198/2009 Sb.)

The **Anti-Discrimination Act (No. 198/2009 Sb.)** establishes the general and specific prohibition of discrimination in the Czech Republic. It covers direct and indirect discrimination, harassment, sexual harassment, victimisation, segregation and instructions to discriminate. The Act applies to key areas relevant for EU-funded interventions, including education, housing, employment, healthcare, access to services, and social protection.

In the context of EU funds, this legislation requires that all programmes, calls for proposals, project activities and services financed from public resources ensure **equal access**, prevent discrimination and avoid reinforcing patterns of exclusion documented in the Czech FURI Country Report—such as segregated schooling, discriminatory enrolment procedures, unequal allocation of housing or exclusion of Roma refugees from mainstream services.

### Project-level tasks

To comply with the Anti-Discrimination Act, EU-funded projects must incorporate an anti-discrimination compliance plan addressing selection and access criteria, internal procedures, complaint mechanisms and staffing rules.

Projects must ensure non-discriminatory access in public procurement and service provision, especially in areas where Czech practice previously demonstrated shortcomings—for example accessibility barriers, segregated or parallel services for Roma communities, or criteria that indirectly exclude persons with disabilities or migrants.

Training courses, workshops and events must be accessible to all participants, provide reasonable accommodation and consider the specific needs of target groups (e.g. language support, physical accessibility, childcare, digital accessibility).

Finally, project planning must involve representatives of affected groups, such as Roma organisations, disability advocates, migrant associations or parent groups. This is essential to avoid the repeat of past errors identified in FURI research, where policies were designed without meaningful participation and resulted in segregation or unequal treatment.

### Required evidence

- internal rules on equal treatment and documented complaint-handling procedures;
- training materials, attendance lists and information sheets proving staff have been trained in non-discrimination;
- a maintained and auditable complaint-handling log;
- documentation showing how equal access was ensured in project activities, procurement and service delivery.

### Common mistakes

A frequent error is indirect discrimination, where a service or training is formally open to all but structured in a way that effectively excludes certain groups—for example, courses held only in inaccessible buildings, digital tools that exclude people without devices, or selection criteria that disproportionately disadvantage Roma applicants or persons with disabilities.

Another recurring issue is the absence of a functional complaint mechanism, or its existence only “on paper”, without real access or follow-up. FURI findings show that in Czech municipalities and services, marginalised groups often have no effective channel to report discrimination.

### **Legal remedy and oversight**

Cases of discrimination can be addressed through administrative or judicial proceedings under Czech law. Individuals and organisations may also submit complaints to the Public Defender of Rights (Ombudsman), who monitors compliance with equal treatment obligations.

Where discrimination affects EU-funded activities, managing authorities may impose contractual or **financial consequences**, including suspension or recovery of funds, since discriminatory practices render expenditures ineligible under EU rules.

## **3.2.3. Act on Equal Treatment (Czech Republic – Anti-Discrimination Act No. 198/2009 Sb.)**

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Where discrimination affects EU-funded activities, managing authorities may impose **contractual or financial consequences**, including suspension or recovery of funds, since discriminatory practices render expenditures ineligible under EU rules.

## 3.2.4. Data Protection and Publicity (Czech Republic – GDPR + Act No. 110/2019 Sb.)

The processing of personal data in Czechia is regulated directly by the **General Data Protection Regulation (EU) 2016/679 (GDPR)** and complemented by the **Act No. 110/2019 Sb., on Personal Data Processing**. These laws define the rules for lawful and transparent processing, stricter protection of special categories of personal data, the conditions for accessing information of public interest and the powers of the **Office for Personal Data Protection (ÚOOÚ)**, which supervises, investigates and may impose sanctions for non-compliance.

For EU-funded programmes, these rules are particularly important due to the frequent processing of **special category data** (e.g. health data, disability-related information, ethnicity, socio-economic vulnerability), including in areas highlighted by the Czech FURI Country Report such as school enrolment, social housing, institutional care, monitoring of segregation risks, or documentation of services for refugees and migrants.

## Project-level tasks

Beneficiaries must prepare **data processing information notices** that clearly specify the legal basis for processing, the purpose limitations, rules for data storage, retention periods and access rights.

When handling special categories of data, stricter safeguards must be applied—particularly in cases involving disability, health, ethnic origin, or information relating to vulnerable persons such as children, persons with disabilities or Roma communities living in excluded localities.

Projects must also ensure transparent handling of **requests for information of public interest** (zákon č. 106/1999 Sb.). This includes respecting statutory deadlines, providing data in accessible formats and maintaining a public list of published information. Data must be collected and stored in a way that allows for timely and user-friendly disclosure when required.

## Required evidence

To ensure transparent, lawful and verifiable data processing—and compliance with Articles 30–32 GDPR—beneficiaries must maintain complete documentation, including:

- **Record of Processing Activities (ROPA)**: a mandatory registry detailing what personal data the organisation processes, for what purpose, on what legal basis, how long they are stored, who has access to them and whether any transfers occur (e.g. cloud services, IT providers, external evaluators).
- **Data Protection Impact Assessment (DPIA)**: required whenever processing is likely to pose a high risk to data subjects' rights, such as large-scale monitoring, processing of sensitive data or data about vulnerable persons in schools, institutions, social services or refugee accommodation.
- **Consent forms** for processing data (photos, videos, recordings), used only where no other legal basis applies. Consent must be voluntary, informed and specific; for minors, consent must be provided by a legal representative.
- **Data processing contracts** with external processors (e.g. IT firms, accountants, cloud service providers, external evaluators). These must confirm that the processor acts only on the controller's instructions, applies security measures and does not use data for its own purposes.
- **Publication lists, logs of information requests**, and documentation of responses.

## Common mistakes

Typical errors include collecting “everything just in case”, which violates the principle of purpose limitation. Another frequent mistake is the processing of **special category data without a lawful basis** or with insufficient safeguards.

Responding late or incompletely to access requests is also common, preventing data subjects from finding out what personal data (e.g. photographs) were created about them during project activities.

In several Czech cases referenced indirectly in the FURI Country Report, beneficiaries refused to provide **aggregated, non-identifying data**—for example on ethnic composition of schools or housing allocation—even where such data could not identify individuals, citing privacy concerns. This practice undermines transparency obligations and the monitoring of segregation.

Another recurring issue is the argument: “*We don’t know who Roma is and who is not.*” If voluntary self-identification is not systematically collected, authorities lose the ability to monitor discrimination or evaluate desegregation measures. GDPR does not prohibit the processing of ethnicity data—it allows it with explicit consent or strong public-interest safeguards, including for monitoring equality.

#### **Legal remedy and oversight**

Cases of unlawful data processing may be investigated by the **Úřad pro ochranu osobních údajů (ÚOOÚ)**, which can impose corrective measures, fines or binding orders.

Data subjects may also seek judicial protection in administrative or civil proceedings.

### **3.2.5. Public Procurement (Czech Republic – Act No. 134/2016 Sb., on Public Procurement)**

The Act on Public Procurement (No. 134/2016 Sb.) establishes transparent, competition-neutral and proportionate procedures for the procurement of goods, services and works financed from national or EU public funds. Its purpose is to ensure that public spending is lawful, economical, non-discriminatory and free from corruption, and that all bidders have equal access to remedies. The Act transposes the EU procurement directives and forms a cornerstone of the Czech system for the proper management of EU resources.

Public procurement plays a decisive role in enforcing accessibility, equal treatment and social sustainability. In Czechia, many EU-funded investments—including school infrastructure, social housing, IT systems, digital platforms and communication materials—reach the stage of concrete impact only through procurement. If equality and accessibility requirements are not built into procurement documentation, they cannot be meaningfully corrected later. This is one of the shortcomings identified in the FURI Czech research, where several projects failed to incorporate accessibility, inclusive design or non-discriminatory parameters at the procurement stage.

#### **Project-level tasks**

Beneficiaries must design procurement procedures in full compliance with the fundamental procurement principles of equal treatment, transparency, non-discrimination and proportionality. Technical specifications must include mandatory accessibility requirements, both physical and digital, where relevant—for example, barrier-free entrances in construction, WC and mobility standards, accessible communication materials, WCAG standards for digital outputs or inclusive service standards for training and community-based services.

At the design stage, contracting authorities should define clear and measurable social and inclusive criteria. They must also formulate exclusion and/or eligibility criteria that avoid favouring a single supplier and prevent situations where contractors declare accessibility “too expensive” or “not feasible”. Contract performance conditions must then clearly require that accessibility, non-discrimination and environmental/social criteria are actually delivered.

Active verification during implementation is crucial. Contracting authorities must repeatedly check that contractual obligations—such as accessible handover of buildings, deployment of assistive technologies, or delivery of inclusive communication outputs—are fulfilled in practice.

### **Required evidence**

- full tender documentation and publication records;
- evaluation reports demonstrating transparent and non-discriminatory decision-making;
- contracts with suppliers, subcontractors and performance certificates;
- reports proving itemised verification of contractual obligations (e.g. accessibility tests, audits, photographic evidence, verification logs).

### **Common errors**

Common mistakes include discriminatory technical parameters tailored to a specific brand or supplier, which directly contradict the principle of equal treatment. Another recurring error is the omission of accessibility requirements at the specification stage—these cannot be corrected later and often lead to inaccessible infrastructure or digital solutions. A further weakness lies in inadequate legal remedy or communication procedures, for instance failing to document objections, provide explanations or properly publish required procurement information.

### **Legal remedy and oversight**

Review mechanisms include administrative proceedings before the Office for the Protection of Competition (ÚOHS), judicial review before Czech courts, and financial corrections imposed by managing authorities or audit bodies where procurement breaches affect EU-funded projects. Ineligible expenditure due to discriminatory specifications, poor transparency or lack of accessibility may result in partial or full recovery of EU funds.

## **3.2.6. Domestic implementation rules for EU funds**

The use, management and control of EU funds in the Czech Republic are governed by a combination of national legislation, government regulations and programme-specific rules issued by individual Managing Authorities (Řídicí orgány). Together, these instruments ensure that EU funds are implemented in conformity with EU financial management standards, national budgetary rules and obligations relating to fundamental rights, non-discrimination and accessibility.

The central regulatory framework for the 2021–2027 programming period is established by Government Regulation No. 248/2021 Sb., which sets out the system for coordination, management and monitoring of EU funds in the Czech Republic. This regulation defines the responsibilities of managing authorities and intermediate bodies, the procedures for financial control, irregularity handling, reporting and performance-based evaluation, and requires the integration of horizontal principles—including equal opportunities, gender equality, environmental sustainability and the protection of fundamental rights—at all stages of programme implementation.

The legal basis is complemented by the Budgetary Rules Act (No. 218/2000 Sb.), which sets general obligations for the management of public funds, including the requirement for transparency, effectiveness and prevention of misuse. Individual managing authorities (e.g. MPSV for ESF+, MMR for IROP, MŠMT pro OP JAK, MPO pro OP TAK, MV pro AMIF/ISF/BMVI) then issue program-specific rules, which define eligibility criteria, procurement rules, irregularity management procedures, reporting obligations and methods for verifying the fulfilment of horizontal principles.

For the 2014–2020 period, these functions were governed by the earlier Government Regulation No. 562/2006 Sb. and subsequent implementing documents, which similarly emphasised proper management and the prevention of financial corrections. The shift to the 2021–2027 period brought greater emphasis on performance, transparency and outcome-based evaluation, but the core responsibilities remain consistent. According to current information, the upcoming post-2027 framework under the new MFF is expected to strengthen, rather than loosen, requirements for transparency, accountability and the enforcement of fundamental rights.

### **Project-level responsibilities**

Beneficiaries must ensure that horizontal principles—especially equal treatment, non-discrimination and accessibility—are not merely formal declarations but are operationally embedded in project implementation. These requirements must be specified in the grant agreement and monitored throughout the project cycle. This is particularly important in the Czech context, where FURI findings showed cases where projects formally referenced inclusion but in practice reinforced segregation or excluded target groups.

Proper irregularity management is a fundamental obligation. Beneficiaries must immediately report any detected or suspected irregularities to the managing authority, conduct internal self-checks if necessary, provide detailed justifications and submit corrective action proposals to remedy the issue. Delayed or incomplete reporting is considered a breach of conditions and may result in financial sanctions.

In the area of documentation, beneficiaries must maintain full audit readiness: this includes compliance with retention periods, keeping a complete audit trail and ensuring that all documents can be promptly provided to auditors. Required documentation includes annexes to the grant agreement, self-assessments, monitoring reports, indicator data, procurement files, irregularity reports and evidence of compliance with publicity and accessibility obligations.

### **Common errors**

A frequent issue is the inclusion of horizontal principles only at the level of formal statements in project documentation, without operational implementation or measurable action. Another recurring problem is late or incomplete reporting of irregularities and inadequate document retention. The FURI Czech research identified several cases where municipalities or service providers were unable to produce evidence demonstrating compliance with non-discrimination or accessibility commitments.

### **Oversight and enforcement**

Project implementation in the Czech Republic is subject to multi-level control. These include audits and verifications carried out by:

- Managing Authorities and Intermediate Bodies,
- the Audit Authority of the Ministry of Finance,
- the Ministry of Finance as the National Coordinating Authority,
- the European Commission, and
- the European Court of Auditors.

These bodies verify compliance with EU rules, national legislation, financial management obligations and the enforcement of horizontal principles. Where breaches are identified, corrective measures may include financial corrections, recovery of funds or suspension of payments.

### **3.2.7. Whistleblower protection, complaints and reports in the public interest (Act No. 171/2023 Sb.)**

The Act on Whistleblower Protection (No. 171/2023 Sb.), which transposes the EU Whistleblower Directive (EU 2019/1937), provides legal guarantees enabling individuals—whether inside or outside an organisation—to safely report violations, irregularities, discriminatory practices or abuses of public funds without facing any form of retaliation. The law applies to all public authorities, organisations using public or EU funds, and to private entities above the defined size threshold.

The legislation requires these organisations to establish a secure internal reporting system. This system must allow employees, contractors, partners or other stakeholders to submit reports confidentially or anonymously through a protected channel. Reports may concern corruption, financial irregularities, breaches of fundamental rights, discriminatory practices, misuse of EU funds or conduct that is detrimental to the public interest.

In the context of EU-funded programmes, this includes cases where a project—although formally compliant—produces outcomes that contradict the principles of equality, non-discrimination, desegregation or community inclusion, as documented in the Czech FURI **Country Report**. The law strictly prohibits retaliation. Organisations must ensure that whistleblowers are not dismissed, degraded, intimidated, disadvantaged or otherwise harmed. Each organisation receiving EU funds must designate an independent, confidential and impartial person (or unit) responsible for receiving, investigating and resolving reports.

The purpose of the Act is to reduce corruption and misuse of public resources, increase organisational transparency and strengthen trust in public institutions, municipalities and civil society organisations. Whistleblowing protection is therefore not only a compliance obligation but also a tool for building an ethical organisational culture where reporting concerns serves as a mechanism for improvement rather than a personal risk.

### **Project-level tasks**

Every project receiving EU or national public funds must establish a functional internal reporting channel. This channel must guarantee anonymity, confidentiality and data protection, and must enable impartial investigation. It may take the form of a secure online form, encrypted e-mail address, dedicated phone line or an external independent provider—what matters is that individuals can report concerns safely and without fear.

The beneficiary must adopt a written procedure specifying deadlines for processing reports, conflict-of-interest rules, steps of the investigation process and responsible persons. Staff and partners must receive regular training on ethics, conflict-of-interest prevention, anti-discrimination obligations and safe reporting procedures.

### **Required evidence**

- To demonstrate compliance, the organisation must maintain:
- a written whistleblower protection policy and reporting procedure;
- documentation of the reporting channel (URL, email, hotline, external service contract);
- a register of incoming reports and investigation conclusions;
- an action plan showing remedial steps taken in response to validated reports;
- an annual anonymised summary report in accordance with data protection rules.

### **Common mistakes**

A recurring problem is that reporting channels exist only “on paper” but do not provide real confidentiality, objectivity or safety. Another frequent error is the absence of measures preventing retaliation, which discourages whistleblowers from reporting irregularities. Some organisations close reports late or without clear reasoning, undermining the integrity of the reporting system.

These shortcomings can seriously jeopardise the credibility of the organisation, the lawfulness of project implementation and compliance with EU grant agreements. FURI research indicates that in the Czech context, staff in some institutions—schools, social services or municipal programmes—fear reporting discriminatory practices due to anticipated negative consequences.

### **Remedies and oversight**

If the internal channel does not provide an impartial or effective process, whistleblowers may turn to external channels, including the Public Defender of Rights (Ombudsman) or judicial bodies. Managing authorities may impose sanctions under the grant agreement if the beneficiary fails to ensure effective whistleblower protection.

In cases where internal reporting is ineffective or unsafe, whistleblowers may address their concerns to the media, civil society organisations, regional authorities, grant providers or EU institutions. Such “secondary crises” can result not only from the original irregularity but also from the organisation’s failure to respond appropriately. This can significantly damage the organisation’s reputation and undermine its eligibility for future funding.

A robust internal reporting system is therefore not merely a legal requirement but an essential tool for safeguarding organisational integrity, public trust and responsible use of EU resources.

## 4. Measures to ensure structural reforms in thematic areas

The previous chapters described the legal, institutional and procedural frameworks that should ensure that the use of EU funds in the Czech Republic complies with the Charter of Fundamental Rights of the European Union and the relevant national legislation. For the 2028–2034 programming period, the lawful and effective use of EU funds in Czechia will depend not only on whether individual projects meet technical requirements, but on whether the state, regions, municipalities, civil society organisations and professional institutions are able to abandon past development practices that often-reproduced segregation, institutionalisation or unequal treatment. This includes past patterns such as investing in segregated schools, reinforcing socially excluded localities, modernising large residential institutions instead of transitioning to community-based support, or providing parallel services for Roma communities and migrants instead of inclusive solutions.

The findings of the FURI Czech research show that the majority of fundamental rights violations do not stem from intentional misconduct by individual project implementers. Rather, they emerge from systemic weaknesses: poorly designed incentives, fragmented governance, lack of coordination between ministries and municipalities, insufficient data on vulnerable groups, absence of desegregation plans, and institutional cultures where equality is seen as a formality rather than a guiding principle.

The purpose of this chapter is not to introduce new legal obligations—many of which may only be developed in future EU regulations—but to identify thematic areas in which structural reforms are necessary for EU investments to genuinely contribute to social inclusion and the protection of fundamental rights in the Czech context. These include, in particular, education, housing, school infrastructure, community and social services, and independent living for persons with disabilities.

The chapter provides practical guidelines and illustrative examples of how to design integrated, participatory and people-centred interventions instead of the fragmented, project-based approaches that in the past often reinforced segregation or dependency. These measures are not limited to individual sectors; rather, they call for a fundamental shift towards a value-based development model grounded in human dignity, equality, accountability and partnership with affected communities.

The aim is to ensure that EU funds—regardless of their thematic focus—help dismantle structural barriers, strengthen inclusive public policies and prevent the reproduction of discriminatory patterns documented in earlier programming periods. Only through coordinated, systemic reforms can EU investments fulfil their potential to reduce inequalities, support desegregation and promote independent living, community inclusion and equal access to opportunities for all.

## 4.1. Education – inclusive education, transformation of small schools, teacher training

Education is one of the central areas where compliance with fundamental rights directly determines social mobility, equality of opportunity and long-term life chances. The findings of the FURI Czech Country Report show that in previous programming periods, a significant share of educational investments financed from EU funds did not contribute to reducing inequalities; on the contrary, many interventions stabilised or deepened existing patterns of segregation. Despite a long history of international criticism, including the judgments in *D.H. and Others v. Czech Republic* and *X and Others v. Czech Republic*, and repeated recommendations by the European Commission and FRA, the Czech education system continues to display structural inequalities. These arise from:

- segregated catchment areas and residential segregation;
- existence of Roma-majority primary schools;
- disproportionate placement of Roma children into reduced curricula programmes;
- insufficient support for children with diverse needs in mainstream settings;
- inadequate preparation and support for teachers working in disadvantaged localities.

### **EU-funded investments that reinforced segregation**

According to the FURI research, several EU-funded interventions—although formally designed to improve quality and accessibility had the opposite effect in practice:

- Renovation or extension of segregated schools in socially excluded localities without desegregation plans, which made segregation more durable.
- Infrastructure development (e.g. modernisation of small, ethnically homogenous schools) that was carried out without demographic analysis or consideration of integration pathways.
- Use of EU funds to support parallel or compensatory programmes delivered outside mainstream education, which inadvertently diverted resources from inclusive measures.
- Lack of coordination between municipalities, regional authorities and ministries when planning school capacities, leading to a continuation of segregated school networks.

These outcomes were not usually the result of intentional discriminatory conduct but stem from systemic failures—fragmented governance, a lack of mandatory desegregation planning, insufficient data, and incentives that reward individual project success rather than systemic change.

### **Transforming school networks and small schools**

The Czech school network includes a large number of small primary schools, many of which are ethnically homogenous and located in socially excluded areas. FURI research shows that if their transformation is not guided by clear inclusion principles, EU investments may inadvertently strengthen spatial inequalities.

- Structural reform therefore requires:
- demographic mapping and transparent planning of school capacities;
- analysis of catchment boundaries and their impact on segregation;
- transformation of isolated small schools into inclusive, high-quality community learning hubs;
- ensuring that closure or consolidation of schools does not disproportionately harm marginalised communities;
- and guaranteeing that any infrastructure investment is tied to measurable desegregation outcomes.

### **Teacher training and professional support**

The Czech system faces a long-term shortage of qualified staff, particularly in schools located in disadvantaged areas. Teachers are often expected to manage complex social and educational needs without training or adequate support. EU funds have historically financed a wide range of training activities, but these trainings frequently:

- lacked a clear pedagogical framework;
- failed to address anti-bias education, intercultural competence or classroom diversity;
- did not involve practical mentoring or long-term professional development;
- not linked to systemic reforms in teacher career paths.

To achieve inclusive education, teacher development must be a structural priority. This includes:

- compulsory training in inclusive pedagogy, anti-discrimination, Roma inclusion and work with multilingual children;
- mentoring systems and professional support teams at regional and municipal levels;
- incentives for highly skilled teachers to work in disadvantaged localities;
- and stable funding for assistants, specialist staff and interdisciplinary support.

### **Shifting from compensatory programmes to inclusive education**

- Previous programming periods relied heavily on compensatory and parallel programmes, which often treated children from disadvantaged backgrounds as “problems to be remediated” rather than equal participants in mainstream education. FURI findings show that this logic contributed to:
- stigma and lowered expectations;
- overuse of diagnosis and reduced curricula;
- segregation through “preparatory classes” and external tutoring programmes;
- fragmented interventions lacking long-term systemic effect.

A structural shift is needed towards:

- inclusive teaching methods in mainstream classrooms;
- school-wide and community-wide approaches;
- active participation of parents and Roma community leaders;
- and coordinated reforms linking education, social services and housing policy.

### **A systemic, not project-based approach**

The ultimate lesson from the FURI Country Report is that inclusive education cannot be achieved through isolated projects. It requires:

- coordinated planning at municipal, regional and national levels;
- mandatory desegregation considerations in all education investments;
- strong governance, accountability and transparent data;
- and a clear national vision for inclusive schools as the foundation of equal opportunity.

Without structural reform, even well-intentioned EU-funded interventions risk reproducing the very inequalities they were meant to overcome.

### **Starting point and systemic challenges**

Segregation and territorial separation:

A key principle for future educational investments must be that physical interventions in school infrastructure do not maintain or reinforce segregated education. Any investment in school buildings must be linked to a strategic plan that demonstrably reduces disparities between schools and promotes inclusive, mixed-environment learning. Renovation of schools in socially excluded localities may be justified only if it forms part of a broader transformation with clear desegregation objectives and does not serve to “lock in” isolated institutions. Equally important is strengthening the community function of schools so that they operate as open centres of local life, offering educational, leisure and support services for families. This increases parental involvement, supports social cohesion and reduces the risk that schools become perceived as institutions serving only one group within the community.

### **Segregation and territorial separation**

The Czech education system is deeply affected by long-standing patterns of residential segregation. In many municipalities, Roma-majority schools have operated for decades as parallel educational systems, often educating 70–90 % Roma pupils while neighbouring schools serve almost none. These divisions are reinforced by selective admission practices, parental avoidance of certain schools, the existence of “preferred” and “undesirable” institutions and catchment zones that mirror and reproduce social separation. Research by the Czech School Inspectorate, PAQ Research and FRA confirms that disadvantaged pupils—especially Roma—are concentrated in a small segment of schools characterised by lower expectations, weaker teaching quality, limited support services and chronic teacher shortages. The persistence of such patterns illustrates that, despite two decades of post-D.H. reforms, segregation remains one of the most visible and damaging systemic failures in Czech education.

### **Children with special educational needs (SEN) and misdiagnosis**

A significant share of educational segregation occurs through diagnostic procedures. The Czech Republic continues to record one of the highest proportions of pupils in reduced curricula programmes in Europe. The FURI Czech Report shows that Roma children are disproportionately placed into programmes designed for “mild mental disability”. Expert committees operate under severe capacity constraints with long waiting times and inconsistent

assessment practices. In many cases, diagnoses reflect social disadvantage, language barriers or behavioural responses to stress rather than disability. Schools sometimes use SEN status as a tool to access additional resources or to justify separate groups where teachers feel unprepared to manage diverse classes. These mechanisms contribute to what experts describe as “pseudo-SEN”: children’s social marginalisation becomes reinterpreted as an individual deficit, legitimising segregated provision instead of strengthening inclusive, high-quality teaching.

### **Educational situation of children with a migrant background**

Since 2022, tens of thousands of Ukrainian children have entered the Czech education system. Approximately half attend school full-time, while the remainder continue in hybrid or online Ukrainian schooling. Schools face challenges that the system was not structurally prepared for: a lack of trained Czech-as-a-second-language teachers, insufficient methodological support for language integration, inconsistent enrolment processes between municipalities and limited psychological and social services for refugee children. Administrative uncertainties around temporary protection or residency status often complicate school placement. Ukrainian Roma children face compounded exclusion, shaped both by ethnic discrimination and the vulnerabilities associated with forced displacement. National guidance on migrant integration remains fragmented, leaving schools and municipalities to improvise responses without coherent long-term planning.

### **Fragmentation of the school network and teacher shortages**

The Czech school network is highly fragmented. Many small schools operate with declining pupil numbers but without strategic transformation or consolidation. At the same time, the country faces one of the most severe teacher shortages in the EU, particularly in mathematics, languages, natural sciences, special education and second-language instruction. More than 40 % of teachers are over 50, and the number of new graduates entering the profession is insufficient to replace those retiring. Schools in disadvantaged areas are least able to attract and retain qualified staff, resulting in high turnover, burnout and reliance on unqualified personnel. Although the overall number of pupils is declining, resources remain dispersed across too many institutions, undermining both quality and equity.

### **Lack of data and accountability**

Czechia lacks a systematic, ethically grounded and GDPR-compliant system of disaggregated data that would allow monitoring of segregation, equal access or the effectiveness of educational investments. Schools generate extensive administrative data, yet these are rarely analysed according to socio-economic background, parental education, residential characteristics, ethnicity (on a voluntary and anonymised basis), disability status or the availability of support services. Without such data, policymakers cannot determine whether EU-funded measures reduce or exacerbate inequalities. Accountability mechanisms for municipalities and school founders are weak, and responsibility for desegregation remains diffuse.

### **Strategic objective: embedding inclusion as a system-wide principle**

The strategic goal for Czech educational development must be the transformation of inclusive education from a series of isolated projects into a foundational principle of the entire system. Access, quality and outcomes must no longer depend on a child's origin, ethnicity, socio-economic status, disability, migration background or place of residence. EU funds must be used not merely to improve infrastructure but to dismantle structural barriers that have limited equal opportunity for generations.

The essential test of every EU-funded intervention is therefore whether it contributes to inclusive, high-quality, desegregated education—or whether it risks reproducing the patterns of separation and exclusion documented across the Czech Republic.

## **Areas for intervention and recommendations**

### **Educational infrastructure and school network transformation**

A key principle for future educational investments must be that physical interventions in school infrastructure do not maintain or reinforce segregated education. Any investment in school buildings must be linked to a strategic plan that demonstrably reduces disparities between schools and promotes inclusive, mixed-environment learning. Renovation of schools in socially excluded localities may be justified only if it forms part of a broader transformation with clear desegregation objectives and does not serve to “lock in” isolated institutions. Equally important is strengthening the community function of schools so that they operate as open centres of local life, offering educational, leisure and support services for families. This increases parental involvement, supports social cohesion and reduces the risk that schools become perceived as institutions serving only one group within the community.

### **Teacher training and professional support**

High-quality and inclusive education is possible only if teachers receive appropriate professional preparation, methodological support and long-term professional development. Student teachers must complete mandatory coursework focused on inclusive pedagogy, work with heterogeneous classrooms, desegregation principles, cultural and linguistic diversity and the fundamental rights of children. Equally essential is the strengthening of continuous professional development for in-service teachers through systematic mentoring, supervision and expert guidance delivered directly within schools. Key supporting roles include teaching assistants, special educators, school psychologists and social workers, who help bridge communication gaps, support families and reinforce inclusive practices—particularly in disadvantaged areas. Without stable financing for these professions, genuine inclusion cannot be achieved.

### **Learning support and social compensation**

Inclusive education cannot function in isolation if children and families face housing insecurity, poverty, health problems or psychological hardship. Schools must therefore be connected with social and health services to ensure continuity of support. The integration of school psychologists, social workers, health screenings and financial or material support programmes is

essential for regular attendance and improved learning outcomes. Linking schools with community centres, outreach services and family-support programmes creates an environment in which children can learn and develop safely.

### **Data collection, monitoring and accountability**

The Czech education system requires regular, ethical and anonymised data collection to monitor the impact of educational measures on different groups of pupils. Transparent information on student composition, early school leaving, educational trajectories, numbers of pupils with special educational needs and the effectiveness of inclusive practices is essential for informed policymaking. Evaluation of EU-funded projects cannot be limited to documenting renovated buildings or counting participants in training sessions; it must measure genuine improvements in equal access and reductions in disparities between schools.

### **Expected results and impacts**

A comprehensive approach to infrastructure, teacher preparation, social support and monitoring will reduce school segregation, stabilise and improve the quality of small schools and strengthen teaching conditions. Children—especially those from Roma families, children with disabilities, those facing socio-economic disadvantage and pupils with a migration background—will achieve better learning outcomes, transition more successfully into secondary and tertiary education, and leave school prematurely less often. EU investments will thus generate not only infrastructural improvements but also measurable social and integration impacts.

## **4.2. Housing – social housing construction, deinstitutionalisation (de-segregation)**

Housing is not only a basic human need but also one of the most decisive factors shaping access to education, employment, health and participation in society. In the Czech Republic, the long-term absence of a clear national housing policy, insufficient public investment and a heavy reliance on market mechanisms have produced structural patterns of exclusion. These include residential segregation, deepening spatial poverty, the overuse of institutional or shelter-based solutions and an acute shortage of stable, affordable social housing. Findings of the FURI Czech Country Report confirm that these patterns have a direct impact on the allocation and effectiveness of EU funds.

### **Segregated neighbourhoods and spatial exclusion**

Residential segregation remains one of the most visible structural problems in Czechia. Hundreds of socially excluded localities—many with a predominance of Roma residents—continue to function as isolated, under-serviced and stigmatised zones. The combination of poor housing conditions, high indebtedness, predatory rental markets, lack of municipal housing capacity and discriminatory practices creates an environment where people cannot move to

better neighbourhoods, even when employment or school opportunities exist elsewhere. Research shows that:

- the overwhelming majority of municipalities have no functioning system of social housing;
- many segregated localities remain outside mainstream urban planning and lack basic services;
- Roma families face systemic discrimination in the rental market, limiting mobility even when housing is available;
- relocation policies sometimes reinforce segregation by moving families to other low-quality or isolated areas.

These patterns lead to a structural “lock-in”: people born into segregated housing areas have significantly reduced access to quality education, health care and employment. EU-funded projects aimed at area-based regeneration have often failed to break this cycle because they did not address the underlying housing mechanisms that maintain segregation.

### **4.3. EU-funded interventions and their unintended consequences**

Past EU investments in housing-related projects were frequently framed as “regeneration”, “environmental improvements” or “urban revitalisation”. However, FURI research documents that several interventions produced symbolic rather than structural change:

- renovation of buildings in already segregated zones, which improved facades but did not increase mobility or integration;
- construction or purchase of social rental housing directly in segregated neighbourhoods, which effectively deepened long-term spatial isolation;
- temporary relocation programmes, where families were moved to other low-opportunity areas without long-term housing stability;
- area-based projects lacking desegregation targets, where infrastructure improvements did not change spatial patterns of exclusion.

These outcomes were rarely intentional but stemmed from a lack of national leadership in housing policy, weak municipal capacity, the absence of desegregation requirements in EU funds, and fragmented coordination between ministries, regions and municipalities.

#### **Shortage of social housing and systemic barriers**

The Czech Republic remains one of the EU’s least prepared countries in terms of accessible social housing. Social housing supply is extremely limited, unevenly distributed and often administered without transparent criteria. As the FURI report notes:

- municipalities manage only a fraction of former public housing stock;

- there is no binding national framework for the development, allocation or monitoring of social housing;
- waiting lists are long, opaque and often inaccessible to marginalised groups;
- municipalities tend to avoid responsibilities towards vulnerable families by referring them to shelters or commercial hostels.

Many local authorities have invested in accommodation facilities that do not meet standards of adequate housing—shared rooms, overcrowding, high rents and lack of privacy. These environments create instability and make integration into mainstream education and employment more difficult.

### **Deinstitutionalisation and inappropriate institutional responses**

A significant portion of vulnerable families and individuals—including children, people with disabilities and people leaving institutions—continue to be placed in settings that contradict the principles of independent living and community inclusion. These include:

- large-capacity hostels and “commercial accommodation facilities”;
- long-stay shelters designed for short-term use;
- institutional care for children who could be supported in families;
- segregated facilities for people with disabilities.

The Czech deinstitutionalisation process has progressed unevenly. While some regions have developed community-based services, others continue to rely on large residential institutions. EU funds have sometimes supported infrastructure in these institutions instead of catalysing the shift to community-based living.

### **Discrimination in the private rental market**

FURI findings reaffirm long-standing evidence that Roma families, single parents, people with disabilities and refugees regularly face discrimination when seeking rental housing. Even when they have stable income, many landlords refuse to rent to them or require discriminatory conditions. This entrenches dependency on low-quality housing in segregated areas and limits access to basic services. Municipalities are frequently aware of these practices but lack enforcement tools or willingness to intervene.

### **Strategic objective: Housing as a driver of integration, not segregation**

For the 2028–2034 period, EU-funded housing interventions must shift from localised, infrastructure-led projects to systemic, rights-based strategies. This requires:

- development of a national framework for social and affordable housing with clear targets;
- mainstreaming desegregation criteria into all housing-related investments;
- increasing the supply of municipal and non-profit rental housing in mixed urban environments;
- phasing out investments into segregated areas unless part of an approved desegregation plan;

- supporting mobility programmes that enable families to move from high-poverty to opportunity-rich neighbourhoods;
- ensuring that deinstitutionalisation investments genuinely support community-based living.

EU funds must be used to promote inclusive, mixed-neighbourhood housing solutions, strengthen municipal capacity and create pathways out of segregation—rather than reinforcing existing patterns.

## 4.4 Areas of intervention and recommendations:

A fair, community-based housing system in the Czech Republic can only emerge if both EU and national investments move beyond construction-focused interventions and recognise housing as a core driver of social inclusion. Housing policy must aim not only to provide physical shelter but also to dismantle structural barriers that restrict access to services, mobility and participation. In line with findings from the FURI Czech Country Report, the following strategic directions should guide interventions in the 2028–2034 period.

### **Strengthening housing security for the most affected groups**

Housing policy must prioritise groups that face the most acute and systemic housing barriers. For Roma communities, this means addressing segregated living environments, legal insecurity and restricted mobility in the rental market. Programmes must avoid any intervention that directly or indirectly reinforces residential segregation or concentrates Roma families into isolated or low-opportunity neighbourhoods.

For persons with disabilities, the priority is to move individuals out of institutional settings and provide small, community-based supported housing linked to accessible services, transport and healthcare. Housing interventions must be aligned with Article 19 of the CRPD and ensure that people retain the right to choose where and with whom they live.

For families with a migrant or refugee background, interventions must reduce administrative, legal and linguistic barriers to securing stable housing, while supporting models that link housing with school enrolment, language learning and access to employment.

Effective interventions require local partnerships and data-based needs assessments. Instead of uniform national templates, programmes should be designed and implemented at local level to produce measurable improvements in housing security, rights protection and community integration.

### **Creating integrated and non-segregated living environments**

All housing investments must undergo a mandatory ex-ante social impact assessment evaluating the risk of segregation. New housing units or renovations may only be supported if they provide direct access to essential public services—schools, transport, healthcare, social services—and do not isolate residents in peripheral or service-poor areas. EU funds must not support developments that create or reinforce “social ghettos” or confine disadvantaged groups to inferior public services.

Urban regeneration should focus on mixed-income and mixed-tenure developments, strengthening local cohesion and reducing concentrations of poverty. Housing must not be treated merely as construction but as a tool for building inclusive and diverse neighbourhoods.

### **Deinstitutionalisation and community-based housing**

Previous Czech deinstitutionalisation efforts have shown that replacing large institutions with smaller facilities does not automatically lead to community inclusion if new facilities are located in isolated areas or replicate institutional practices. All future projects must ensure genuine integration into community life, supported by access to employment, public spaces and local services.

Deinstitutionalisation must prioritise independence rather than simply reducing capacity. Supported housing must be small-scale, flexible and rights-based, respecting individuals' autonomy over living arrangements. A new performance indicator—**social embeddedness**—should be introduced to evaluate proximity to services, participation in community life and the strength of local networks. Consultation with representative organisations—particularly those representing persons with disabilities and psychiatric service users—must be mandatory before any investment is approved.

### **Energy poverty and environmental sustainability**

EU-funded housing programmes must address both climate and social objectives. Energy-efficiency investments must be accessible to low-income households, with specific attention to those living in energy poverty. Renovations and new construction should prioritise renewable energy, cost-saving technologies and local workforce training. Reducing energy poverty is essential for stabilising households and preventing forced mobility or homelessness.

### **Local partnership and participation**

Housing interventions can only be sustainable when built on strong partnerships between municipalities, civil society organisations, local communities and the groups directly affected. Participation must go beyond formal consultation; communities must be involved in determining the purpose, location and design of interventions. Stakeholders must have the right to raise concerns when proposed investments risk reinforcing segregation or weakening access to services.

True partnership means shared decision-making, transparent justification of choices and ensuring that interventions reflect residents' long-term interests rather than short-term administrative goals.

## **4.5 Accessibility of Infrastructure and Services**

The overarching objective is to guarantee uniform physical, communication and digital accessibility across all newly built or renovated facilities and services, in line with the principle of universal design. Accessibility and reasonable accommodation are legal obligations under EU and national law, not optional “good practice”.

Accessibility must be ensured in the built environment (step-free entrances, lifts, accessible toilets, tactile markings, induction loops), in transport and public spaces (barrier-free stops and platforms, audio-visual information), in service provision (easy-to-understand information, sign-

language interpretation, accessible customer service) and in digital tools (WCAG-compliant websites, accessible documents, alternative formats).

Public procurement procedures must include accessibility requirements in technical specifications and verify compliance before final approval. Investments that fail to include essential accessibility features—such as a lift in a new public building or a non-WCAG-compliant e-government system—are not eligible for EU support.

## **4.6. Community-Based Inclusion and Inclusive Housing**

The goal is to replace institutional logic with community-embedded support, ensuring that services reach people in their natural environment. This requires coordinated local networks of social, health, educational and employment services (“one-stop” models), inclusive social rental housing in mixed neighbourhoods and community mentoring for migrants and refugees.

Supported accommodation must be located near essential services and designed to promote social participation. Homelessness services should prioritise permanent supported housing (“Housing First”) over temporary or institutional forms.

Segregated “social settlements”, large-capacity reception centres, or clustered transitional houses operating with “mini-institutional” logic are incompatible with fundamental rights principles and must not be funded.

## **4.7. Independent Living – Restructuring Social, Health and Housing Services**

The aim is to enable individuals to live independently in their homes and communities, supported in their decisions rather than managed by institutions. Independent living requires personal assistance, supported decision-making, integrated health and social services, and interoperable systems enabling flexible access to support over the life course.

Support must be personalised, regularly reviewed and coordinated across sectors. Expanding institutional capacity or maintaining guardianship-based restrictions contradicts Article 19 CRPD and must not be financed through EU funds.

### **Mandatory Fundamental Rights Requirements**

All EU-funded housing interventions must comply with strict requirements:

- No investment may create or reinforce segregation.
- Accessibility and reasonable accommodation are mandatory across physical and digital environments.
- Community-based services and supported housing must be prioritised.
- Stakeholder participation and co-decision with Roma, disability and migrant organisations is compulsory.
- Transparency, accountability and accessible communication are required.

- Data protection and dignity must be upheld in all processes.

## 4.8. Expected Results and Impacts

### Short-term (1–3 years)

Households from Roma, disability and migrant backgrounds gain more stable access to safe and affordable housing. Local partnerships strengthen, municipalities build capacity and the first genuinely community-based supported housing models emerge.

### Medium-term (3–6 years)

The number and concentration of segregated areas decreases. Mixed-tenure, integrated housing options become more common. People with disabilities achieve greater independence and community presence. Refugee and migrant families stabilise their housing situations, improving access to services. Energy-efficiency programmes reduce energy poverty and generate local employment.

### Long-term (6–10 years)

A fair, community-based housing system emerges, replacing fragmented programmes with coherent structures. Housing poverty decreases, segregation declines and social participation grows. EU and national investments become more transparent, rights-based and impact-oriented, contributing tangibly to human dignity and equal opportunity.

# 5. Programming fundamental rights requirements in national and regional partnership plans

## 5.1. The role of fundamental rights in programming

The European Union's Multiannual Financial Framework for 2028–2034 provides a unique opportunity—and a clear obligation—for Member States to ensure that development programmes serve not only economic objectives but also advance social cohesion, human dignity and the protection of fundamental rights. This requires that horizontal principles such as equal treatment, gender equality, accessibility, sustainability and participation be integrated into

national and regional programming in a substantive and verifiable manner, not merely as formal requirements.

Both EU and domestic legal frameworks stipulate that the principles of human dignity, equality, non-discrimination and accessibility constitute binding legal obligations. These obligations arise from the EU Charter of Fundamental Rights, the Common Provisions Regulation, the EU rule of law conditionality mechanism, the Anti-Discrimination Act (No. 198/2009 Sb.), the Act on Accessibility (No. 99/2019 Sb.), the CRPD and its Optional Protocol, and other relevant national legislation. They are not aspirational political commitments, but enforceable standards that must guide the entire cycle of EU-funded interventions.

The requirement that programming comply with fundamental rights is therefore not new. What is new—and critical for the 2028–2034 period—is the expectation that these principles be embedded systematically and coherently throughout all stages of development policy: from diagnosis and planning, through calls and project selection, to implementation, monitoring, evaluation and corrective measures. The challenge is to ensure that fundamental rights are incorporated not only in evaluation templates or project documentation, but also in the underlying logic of programming decisions, governance arrangements and investment priorities. Successful programming will require Member States to adopt planning models that proactively identify and mitigate risks of discrimination, segregation, exclusion or institutionalisation, and that strengthen inclusive, community-based solutions. In this sense, fundamental rights compliance becomes both a legal condition for accessing EU funds and a framework for designing interventions that produce meaningful, measurable improvements in equality and social justice.

## **5.2. Partnership principle and social participation**

Regulation (EU) 2021/1060 (the Common Provisions Regulation) establishes the partnership principle as a core organising mechanism of cohesion policy. Member States are legally required to involve regional and local authorities, economic and social partners, and civil society organisations in the preparation, implementation, monitoring and evaluation of EU-funded programmes. This obligation includes meaningful engagement with groups affected by discrimination, social exclusion or structural disadvantage.

However, as documented in the FURI Czech Country Report and in numerous evaluations of EU funding in Czechia, the partnership principle has often been applied only superficially.

Consultations are frequently held late in the process, conducted within narrow timeframes or targeted at a limited set of pre-selected organisations. This undermines transparency and limits the ability of the communities most affected—such as Roma, persons with disabilities, people with a migrant or refugee background, and children in alternative care—to influence programming decisions that directly shape their lives.

For the 2028–2034 programming period, a fundamentally stronger and more inclusive partnership model is required. This should include:

- Early and proactive consultations, beginning during the design phase of strategic documents and continued throughout the programming cycle.
- Mandatory documentation of civil society engagement, including summaries of inputs received and explanations of how feedback was incorporated.

- Rebalanced monitoring committees, ensuring proportional representation of organisations advocating for Roma, disability rights, migrants and refugees, and other marginalised groups.
- Eligibility of participation costs, such as travel, interpretation, caregiving replacement time or wage compensation, especially for smaller NGOs and community-led initiatives.
- Transparent selection criteria for committee membership and consultation processes, allowing open access rather than closed invitations.
- Capacity-building support for organisations representing disadvantaged groups to ensure they can participate effectively and on equal footing.

The partnership principle is not merely an administrative requirement; it is one of the key guarantees for fundamental rights compliance in EU-funded programmes. When those most affected by inequalities are excluded from planning and oversight, the entire development system becomes vulnerable to decisions that reproduce discrimination, segregation or institutionalisation. By contrast, meaningful participation strengthens legitimacy, transparency and the effectiveness of public investment.

### **5.3. Integrating fundamental rights compliance into the programming process**

Integrating fundamental rights into the design and execution of EU-funded programmes requires a structured approach across all stages of the programming cycle. Fundamental rights must not appear as an isolated chapter or checklist, but as a guiding logic embedded in diagnosis, planning, implementation and evaluation. For the 2028–2034 period, this integration must be demonstrable, systematic and measurable. It must also reflect the specific risks identified in the Czech context—segregation in education and housing, institutionalisation, discrimination in access to services and barriers for Roma, persons with disabilities and people with a migrant background.

During the preparation of national and regional programmes, a fundamental rights impact assessment must be carried out. Its purpose is to identify whether proposed measures could directly or indirectly disadvantage protected groups or reinforce segregation or exclusion. This assessment must evaluate:

- Equal opportunities and access – whether planned interventions support equal treatment and do not create disproportionate barriers for any group.
- Risks of territorial and social segregation – whether investments may unintentionally produce or stabilise segregated environments, especially in education and housing.
- Non-discrimination and equality impacts for Roma communities, persons with disabilities, migrants and refugees, children in care and other vulnerable groups.
- Accessibility and participation – whether mechanisms for stakeholder engagement are accessible, inclusive and reflect the partnership principle.

The ex-ante assessment should be prepared early in the programming process, integrated into the Partnership Agreement, and form part of the documentary evidence required during the

Commission's approval process. Failure to incorporate a credible fundamental rights analysis may delay or prevent programme approval.

During implementation, managing authorities and intermediate bodies must ensure ongoing verification of fundamental rights compliance. This includes preparing annual fundamental rights compliance reports for the Monitoring Committee. These reports must focus not only on indicator fulfilment, but primarily on social and rights-based impacts, including:

- whether supported projects were implemented in non-segregated and accessible environments;
- whether access to public services improved for disadvantaged groups;
- how many interventions strengthened inclusive, community-based solutions rather than institutional or segregated ones;
- how accessibility, participation and equal treatment requirements were applied in practice;
- corrective measures adopted when risks or violations were identified.

Monitoring Committees must have the capacity and expertise to evaluate these reports meaningfully. Their composition should reflect organisations representing Roma, disability rights, migrants and children's rights so that compliance can be assessed with appropriate insight.

After programme completion, an independent fundamental rights evaluation must be conducted to verify compliance with EU and national requirements. This evaluation should combine quantitative and qualitative analysis and involve academic institutions, civil society organisations and experts with practical knowledge of discrimination, segregation and inclusion. In the Czech context, relevant partners may include academic faculties specialising in social policy, organisations working on Roma rights or disability rights, and NGOs focused on housing, migration and community organising.

The purpose of the ex-post evaluation is to determine whether EU funds have:

- reduced or increased segregation in education or housing;
- strengthened or weakened community-based and non-institutional services;
- improved access to mainstream public services;
- addressed or reproduced discriminatory practices;
- delivered measurable improvements in equality and social cohesion.

Findings from the evaluation must be incorporated into the next programming cycle. The assessment is not optional: before approving programmes, the European Commission may verify whether fundamental rights obligations were built into the logical framework and whether the Member State has mechanisms to prevent rights violations.

## 5.4. Practical tasks and recommendations

To ensure that fundamental rights are meaningfully integrated into the 2028–2034 programming period, Czech managing authorities, intermediate bodies and central coordinating institutions must adopt a coherent set of operational measures. These measures should strengthen institutional capacity, reduce the risk of segregation, institutionalisation and discrimination, and ensure that EU funds generate measurable improvements in equality and social inclusion.

### **Develop a National Fundamental Rights Compliance Manual for EU Funds**

A unified, binding guidance document should be created for all institutions involved in the management and implementation of EU funds. The manual should provide:

- practical methodologies for applying the EU Charter of Fundamental Rights, the Anti-Discrimination Act (No. 198/2009 Sb.), the Act on Accessibility (No. 99/2019 Sb.), and CRPD requirements;
- step-by-step procedures for impact assessments, segregation-risk screening, accessibility requirements, meaningful participation, and community-based alternatives;
- templates for fundamental rights assessments, monitoring reports and corrective measures.

This manual should be publicly available and updated regularly.

### **Introduce mandatory fundamental rights training for evaluators and beneficiaries**

All evaluators, project assessors, monitoring committee members and beneficiaries must complete training covering:

- desegregation principles in education and housing;
- accessibility and universal design;
- anti-discrimination and equal treatment obligations;
- risks of institutionalisation and community-based alternatives;
- participation and partnership principles;
- data protection and ethics.

Training must be certified, regularly updated and adapted to practical cases from Czech experience.

### **Establish an independent Fundamental Rights Advisory Body**

A national advisory body, independent of managing authorities, should be created to provide:

- preliminary opinions on controversial or high-risk investments;
- expert review of segregation risks, institutionalisation risks and accessibility compliance;
- guidance on difficult cases where local authorities or beneficiaries may lack the required expertise;
- support for Monitoring Committees in evaluating social impacts.

Membership should include experts from academia, Roma organisations, disability rights organisations, housing specialists, migration experts and community organisers.

### **Introduce systematic data collection on fundamental rights indicators**

Managing authorities must ensure continuous, standardised, GDPR-compliant data collection on key fundamental rights dimensions, including:

- educational and residential segregation;
- accessibility of public infrastructure and digital services;
- participation of Roma, persons with disabilities and migrants;
- gender equality indicators;
- deinstitutionalisation progress and community-based service availability;
- complaints, irregularities and corrective measures.

Data must be disaggregated, anonymised and regularly analysed to identify trends, gaps and systemic risks.

### **Ensure transparent communication and accessible public information**

Information about the social impact of EU-funded programmes must be communicated in accessible formats, through platforms meeting **WCAG 2.1 AA** requirements. This includes:

- public summaries of fundamental rights assessments;
- non-technical reports explaining how EU funds affect equality and inclusion;
- accessible infographics, videos, plain-language summaries and sign-language versions;
- open access to monitoring and evaluation results.

This transparency strengthens public trust, enhances accountability and enables civil society to participate effectively.

## 6. Mechanisms for implementing fundamental rights requirements

The enforcement of fundamental rights in EU-funded programmes is credible only if these principles are embedded in concrete, measurable and enforceable mechanisms. Horizontal principles—equal treatment, non-discrimination, accessibility, participation and inclusion—are not abstract values but **conditions for the lawful and socially legitimate use of EU funds**.

Experiences from 2021–2027 in several EU Member States, including Czechia, demonstrate that when fundamental rights compliance is treated merely as a formal requirement, the risk of systemic irregularities increases and EU funding may be suspended or corrected. For the 2028–2034 period, the European Commission is expected to apply **stricter scrutiny**, especially in areas with a history of segregation, institutionalisation, discrimination or lack of accessibility. It is therefore essential that implementation mechanisms be robust, transparent and verifiable.

### 6.1 Practical Implementation Measures

Fundamental rights are enforced at project level when interventions actively support inclusion, accessibility and equal opportunities. The following areas illustrate how these principles must be operationalised in the Czech context.

#### a) Inclusive education

Educational projects must comply with the Anti-Discrimination Act (No. 198/2009 Sb.), the Education Act (No. 561/2004 Sb.), and the principles arising from *D.H. and Others v. Czech Republic* and subsequent EC monitoring. EU funds may not support:

- segregated schools or classes (including “practical schools” or separate preparatory classes used systematically for Roma children);
- renovations or expansions that reinforce segregated schooling;
- interventions that divert disadvantaged pupils into parallel or inferior programmes.

Supported developments should include:

- creating mixed-composition learning environments;
- teacher training modules in inclusive pedagogy, anti-bias education and work with multilingual pupils;
- building networks of support professionals—assistants, psychologists, special educators, intercultural mediators.

### **b) Community-based housing**

In line with the CRPD (Article 19), the Social Services Act (No. 108/2006 Sb.) and Czech deinstitutionalisation strategies, EU-funded housing interventions must promote independent living and social inclusion. Eligible measures include:

- integrated, small-scale social rental housing in urban or well-served areas;
- support services necessary for independent living, including personal assistance and community outreach;
- creation of shared community spaces used jointly by people with and without disabilities, migrants and local residents.

Projects must not finance housing placed in segregated or peripheral zones or models that replicate institutional logic.

### **c) Digital and physical accessibility**

All investments must comply with WCAG 2.1, Act No. 99/2019 Sb. on accessibility of websites and mobile applications, and relevant construction standards. Eligible investments include:

- development of accessible websites, apps and e-services;
- barrier-free public buildings and service points;
- accessible transport infrastructure, including visual and audio information systems.

Accessibility must be verified during project implementation and at handover.

## **6.2 Excluded Investments**

The following types of investments violate fundamental rights and are therefore **not eligible** for EU or national funding:

- construction, expansion or renovation of residential institutions (for persons with disabilities, children, seniors or other groups) inconsistent with Article 19 CRPD or Czech deinstitutionalisation strategies;
- construction or renovation of segregated housing units, “Roma housing projects”, or social housing located exclusively in excluded localities;
- immigration detention centres or closed refugee reception facilities;
- development of separate special schools, parallel school tracks or ghetto-like educational facilities;
- infrastructure that reduces or prevents access to public services for persons with disabilities, migrants, Roma or other vulnerable groups.

Exclusion criteria do not aim to limit support for disadvantaged communities, but to ensure that public resources promote **integration, rights protection and dignity**, rather than reinforcing segregation or institutionalisation.

## 6.3 Monitoring Mechanisms

A credible monitoring system must assess not only numerical indicators but also whether interventions contribute to **fundamental rights compliance**.

The Monitoring Committee (MC) must:

- regularly evaluate the enforcement of horizontal principles, including equal opportunities, accessibility, participation and non-discrimination;
- publish an **annual fundamental rights compliance report**, in accessible formats;
- initiate corrective measures when negative impacts or risks are identified.

The Public Defender of Rights (Ombudsman) plays a complementary role:

- investigating complaints related to discrimination, segregation, institutionalisation or accessibility;
- issuing recommendations to managing authorities;
- handling public interest reports.

Monitoring must be based on rights-relevant indicators, such as:

- degree of educational and residential segregation;
- proportion of accessible public buildings and digital services;
- participation of Roma, migrants and persons with disabilities in programmes;
- number and nature of complaints and corrective actions;
- deinstitutionalisation progress and community-based service coverage.

## 6.4 Complaint Mechanisms

Accessible and impartial complaint mechanisms are essential. All beneficiaries must operate a transparent system allowing individuals to report violations safely.

Complaints may be submitted to:

- the project manager (internal investigation required);
- the Public Defender of Rights (ombudsman), who can initiate an independent inquiry;
- administrative courts, where a violation is serious or repeated;
- the European Commission or European Ombudsman in cases of systemic non-compliance.

Since 2021, discrimination complaints are handled by the Ombudsman following the dissolution of the Equal Treatment Authority. Beneficiaries must publish an **annual anonymised report** summarising the number, type and resolution of complaints and any corrective measures taken.

## 6.5 Designing Calls for Proposals

Calls for proposals must include **fundamental rights screening criteria** to prevent discriminatory, segregating or inaccessible projects.

Tender documentation must clearly specify:

- the legal basis for fundamental rights compliance;
- the requirement that applicants demonstrate no direct or indirect disadvantage to protected groups;
- mandatory physical, communication and digital accessibility standards;
- desegregation and community-inclusion obligations in education and housing.

Consultations with stakeholders must be conducted at the drafting stage, including organisations representing Roma, persons with disabilities, migrants, children in care and community-based services.

## 6.6 Project Selection and Sanctions

During project selection, managing authorities must apply fundamental rights screening. If risks are identified:

- the application must be returned for revision, or
- the grant must be refused.

If violations are discovered later:

- payments may be suspended;
- grants may be reclaimed;
- contracts may be terminated under Government Decree No. 248/2021 Sb. or corresponding Czech regulations.
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Fundamental rights requirements are therefore **conditions for receiving funding**, not merely post-award control elements.

This ensures that EU funds in Czechia genuinely support equality, inclusion, desegregation and human dignity.

# 7. Designing calls for proposals and selecting operations

Fundamental rights considerations must be embedded at every stage of the grant cycle—from strategic planning and the drafting of calls for proposals, through project evaluation and selection, to implementation, monitoring and closure. Their application cannot remain superficial or symbolic. In the 2028–2034 period, compliance with fundamental rights will function as a **precondition for funding**, a quality assurance tool and a safeguard preventing discriminatory, segregating or inaccessible interventions.

## 7.1 Fundamental Rights Planning in Calls for Proposals

When preparing new schemes, managing authorities must proactively integrate fundamental rights into the design of each call. This requires that every intervention be assessed not only for economic rationale but also for its social impact and potential risks.

A **fundamental rights screening** must be carried out for each call. This ex-ante assessment identifies whether any measures could negatively affect protected groups—such as Roma communities, persons with disabilities, women, persons with a migrant background, children in care or older persons. It must examine risks of territorial segregation, unequal access, institutionalisation, discrimination or barriers to participation.

Calls for proposals should also incorporate **positive measures** aimed at compensating disadvantage. Scoring criteria may award additional points to projects implemented in structurally disadvantaged areas or to proposals containing robust inclusion mechanisms (e.g. desegregation plans, accessibility commitments, community involvement).

Draft calls must be subject to **transparent consultation**, with particular emphasis on organisations representing stakeholders who are most affected by the intervention. Public consultations should begin early, be open for sufficient time, and allow for iterative feedback. Good practice requires that all comments be processed and responded to in writing, including a justification of whether and how they were incorporated.

## 7.2 Evaluation Criteria and Fundamental Rights Scoring

During evaluation, fundamental rights must constitute a **distinct and weighted assessment dimension**, not a secondary or symbolic category.

Evaluation panels should assess:

- the depth and authenticity of target group involvement in project design;
- the specificity and enforceability of equal opportunity commitments;
- whether the intervention demonstrably reduces segregation or strengthens integration;
- accessibility of communication, services and outputs, including compliance with WCAG 2.1;
- risks of institutionalisation, exclusion or discriminatory impact.

To apply these criteria meaningfully, evaluators must be trained in fundamental rights and non-discrimination. Training must enable them to distinguish between formalistic declarations and substantive commitments.

Evaluation documentation must include a written justification for every decision related to fundamental rights compliance. This ensures transparency and traceability for national authorities, monitoring committees and the European Commission.

## 7.3 Procedure for Selecting Projects

In accordance with Czech legislation (e.g. Government Decree No. 248/2021 Sb. and related sectoral regulations), managing authorities must ensure that **compliance with fundamental rights is a prerequisite for funding**. This obligation applies throughout the entire selection process.

The practical implementation includes:

- **Preliminary legal screening:** proposals that conflict with the Fundamental Rights Charter, the Anti-Discrimination Act (No. 198/2009 Sb.), the Education Act, the Social Services Act, Act No. 99/2019 Sb. on accessibility, or the CRPD cannot be funded. This applies, for example, to segregated schools, institutional housing projects, inaccessible infrastructure or discriminatory service designs.
- **Conditional approval:** if partial shortcomings are identified, approval may be conditional on submitting and implementing a corrective plan addressing the identified risks.
- **Independent expert opinion:** in case of doubt, managing authorities must seek an assessment from an independent fundamental rights expert, such as the Public Defender of Rights or a recognised civil society organisation with relevant expertise.
- **Public decision-making:** all support decisions must be published in an accessible format, including an explanation of how horizontal principles were respected during the selection process.

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This system aims to ensure that the selection of projects is not a procedural formality but a substantive safeguard against socially harmful or unlawful interventions.

## 7.4 Contractual Guarantees and Legal Remedies

Grant agreements must contain a **dedicated fundamental rights clause**, which explicitly defines the obligations of beneficiaries. This includes:

- equal opportunities plan with measurable commitments;
- physical, digital and communication accessibility measures;
- procedures for preventing discrimination and segregation;
- internal complaint handling mechanisms;
- sanctions applicable in case of breach, including suspension of payments, termination of the contract, or repayment of the grant.

Multiple levels of remedies must be available to individuals and groups affected by potential violations:

1) **Internal project-level complaint handling**

Beneficiaries must operate impartial and accessible complaint channels.

2) **National-level remedies**

Complaints can be submitted to the Public Defender of Rights, who may intervene, investigate or make recommendations.

3) **Judicial remedies**

Individuals may seek protection through administrative or civil courts.

4) **EU-level remedies**

Systemic issues may be reported to the European Commission or the European Ombudsman.

Managing authorities must publish an **annual anonymised report** summarising all fundamental rights-related complaints and the corrective measures taken. This strengthens transparency and reinforces accountability.

## 7.5 Fundamental Rights Compliance as a Selection Criterion

Compliance with fundamental rights is not a retrospective audit tool. It is a **material selection criterion**, a condition for signing the grant agreement and a mandatory obligation throughout implementation and the post-completion maintenance period.

Projects that fail to respect inclusion, accessibility, non-discrimination or desegregation principles cannot be financed. This ensures that public resources genuinely contribute to strengthening social cohesion, equality and human dignity—rather than reinforcing inequalities or creating new segregated structures.

# 8. Social accessibility and support for independent living

## 8.1 Starting point and systemic challenges

Independent living cannot be reduced to the idea that individuals must “adapt” better or compensate for systemic barriers through personal effort. Rather, it reflects society’s obligation to remove obstacles, ensure accessibility and create the conditions in which people can make decisions, act and participate in community life on an equal basis with others. Accessibility is therefore not merely an architectural or technical standard, but a broad social principle encompassing physical, communication, digital, organisational and attitudinal dimensions.

In the Czech Republic, accessibility continues to be understood primarily as a construction-related requirement—ramps, lifts, or adapted bathrooms—while the path to independent living is shaped by much wider systemic factors. Public services remain fragmented, unpredictable and strongly dependent on location. Roma communities, people with disabilities, migrants, refugees, elderly people, single parents, and people with chronic illnesses face persistent barriers in accessing health care, schools, employment services, transport, housing, and administrative procedures.

The FURI Czech Country Report highlights several structural issues:

- Public buildings may meet formal “barrier-free” criteria while remaining unusable in practice due to steep ramps, inaccessible signage, or communication barriers.
- Digital accessibility is insufficient; large parts of e-government and municipal websites do not comply with WCAG 2.1 AA, excluding users with disabilities or low digital skills—groups significantly larger than official data suggests.
- Community-based support services—personal assistance, community mental health care, social activation services, respite care—are unevenly distributed or entirely absent in many regions.
- Long-term dependency is produced by institutional pathways: individuals who cannot access local services, transport or information have no real choices and remain dependent on institutions or family members.

These gaps illustrate that accessibility and independent living in Czechia are not yet systemic rights but remain highly contingent on local conditions, inconsistent funding and individual project decisions.

## 8.2 Strategic Objective

The strategic objective for the 2028–2034 programming period is to build a **comprehensive system of social accessibility**, ensuring that all individuals—regardless of physical, sensory, intellectual or social circumstances—can live independently, safely and with dignity. This requires eliminating structural and attitudinal barriers, strengthening community-based support, and creating environments in which people have real choices.

All interventions should be aligned with **Article 19 of the United Nations Convention on the Rights of Persons with Disabilities (CRPD)**, which guarantees the right to independent living and inclusion in the community. This right applies beyond the disability sector: it is equally relevant to Roma communities facing spatial exclusion, migrants confronted with administrative barriers, or elderly people unable to access basic public services.

## 8.3 Areas for Action and Recommendations

### Accessibility as a Horizontal Obligation

Accessibility and usability must become mandatory criteria across all development investments—not only in public buildings, but in digital systems, communication channels, and service delivery. All new or renovated infrastructure and digital tools must comply with **WCAG 2.1 AA** and universal design principles.

Projects must include a dedicated budget line for accessibility measures, usability testing and expert review. This should not rely on mere declarations of compliance: actual testing by users with disabilities or low digital literacy must form part of the approval process. In the same way that a building cannot be occupied without a use permit, an EU-funded programme should not be considered complete without verifiable documentation confirming accessibility in practice, not just on paper.

### Development of Community-Based Services

Independent living requires a stable system of local services. Personal assistance, support services, day programmes, community psychiatric care and early intervention must become **standard, guaranteed services**, not isolated project outputs. Funding must be long-term and predictable rather than dependent on short-term grants.

Where possible, development should be anchored in local partnerships—including municipalities, civil society organisations and community actors—to ensure coverage across regions and to avoid “white spots” where no services exist.

### Support for Independent Living and Personal Decision-Making

Ending institutional pathways requires that individuals have genuine choices in housing, employment, education and leisure. Interventions must therefore include measures that strengthen autonomy: supported decision-making, financial and digital literacy, assertiveness training, and access to personal assistance.

Professional training for service providers must incorporate a rights-based approach grounded in dignity, privacy, data protection and anti-discrimination. Independent living is not achieved through compliance alone, but through a shift in institutional culture.

### **Participation and Monitoring**

Planning, implementation and evaluation must involve representatives of the groups concerned—Roma organisations, disability rights advocates, migrant associations and community groups. Their participation must be substantive rather than formal.

Regular monitoring reports should document not only physical accessibility but also improvements in usability, quality of life, social participation and community integration.

Monitoring should rely on both quantitative indicators and qualitative tools such as user feedback, interviews and community consultations.

## **8.4 Expected Results and Impacts**

If implemented effectively, the 2028–2034 programming period can create lasting, systemic improvements in independent living and accessibility in the Czech Republic.

- **Public services, institutions and digital systems will become significantly more accessible**, with WCAG and universal design principles fully integrated into development practices.
- **Roma communities, persons with disabilities and migrants will be able to travel, communicate, access services and participate in public life more independently.**
- **A nationwide network of community-based support services** including personal assistants, community mental health services and social activation programmes will cover all regions, eliminating gaps in service availability.
- **Cooperation between municipalities and civil society will strengthen**, ensuring the sustainability and transparency of community-based services.
- Accessibility will no longer be a secondary or symbolic project component but a **core condition for enforcing fundamental rights**.
- As a consequence, human dignity and autonomy will be strengthened: developments will not only remove barriers but also affirm the agency, value and self-determination of all individuals.

## 9. Conclusions and recommendations

This guide does not describe the present state of affairs, but offers a vision of what the future could—and should—look like: a system in which public resources in the Czech Republic, especially EU funds, are not merely distributed and absorbed, but serve as catalysts for genuine social change. The proposals presented here outline the contours of a system capable of observing, responding and learning; a system in which decision-making is guided not by administrative routines or political convenience, but by human needs, evidence and rights. In such a system, fundamental rights would not be decorative additions or bureaucratic formalities, but essential preconditions for development.

At the same time, it must be acknowledged that the reality in the Czech Republic today differs significantly from this vision. As the FURI Czech Country Report shows, current managing and support structures are predominantly compliance-driven. They often reproduce formalistic approaches to participation, overlook structural inequalities and fail to ensure that interventions reach the people who need them most. Partnerships remain uneven; data are insufficiently disaggregated; and rights-based concerns are frequently treated as secondary considerations rather than binding obligations.

This guide—and the FURI programme more broadly—did not aim to document corruption or to restate familiar criticisms. We did not avoid the topic out of naïveté, but because the explicit purpose of FURI was to elevate the discussion: to remind all actors involved in EU programming, selection and implementation that misuse of public funds does not occur only through unlawful enrichment. As Transparency International notes, **“corruption is the abuse of entrusted power for private gain.”** We take this definition seriously—but we argue that it is not sufficient. EU funds can be misused even when all invoices are genuine, all indicators are formally met, and all attendance sheets are signed. **Development projects can comply with the rules and still worsen the situation of the most vulnerable groups.** This “abuse within the law” is harder to detect, yet it is deeply corrosive: it undermines public trust, violates human dignity, and contradicts the values the European Union is built upon. EU funds can reinforce segregation, deepen inequalities or restrict access to services—even without a single koruna being stolen. The ambition of the FURI programme was therefore to offer an alternative vision: one in which legality alone is not considered sufficient if fundamental rights are violated in the process; one in which compliance is not confused with justice; and one in which development is judged not only by outputs but by its impact on people’s lives. FURI’s findings make it clear that even procedurally correct programmes can unintentionally entrench segregated schools, spatial exclusion, institutional dependency and unequal access to public services.

Drawing on research, fieldwork and stakeholder consultations, the recommendations of this guide therefore point to **three essential directions for the 2028–2034 period:**

### **Elevating transparency and participation**

Participation must become substantive rather than symbolic. Communities—especially Roma families, persons with disabilities, migrants, children in care and other groups most affected by interventions—must not remain passive recipients of development decisions, but active co-

creators. This requires early, continuous and well-documented consultation, with participation costs covered and monitoring committees restructured to include meaningful representation.

### **Embedding fundamental rights into all levels of decision-making**

Fundamental rights compliance must be integrated into the design, selection, implementation and evaluation of programmes as a core quality requirement, not an administrative appendix. This means stronger ex ante assessments, clear exclusion criteria, accessibility standards, desegregation safeguards and transparent consequences for non-compliance.

### **Strengthening flexibility and local learning**

Development must be grounded in local data, needs and partnerships. Instead of static, top-down templates, systems must enable continuous adjustment, feedback loops and co-design with municipalities, schools, service providers and civil society. Learning—not mechanical rule-following—is what allows programmes to respond to real social challenges.

If these principles are adopted, EU funds will become more than a development instrument: they will become a **confidence-building mechanism** that strengthens the relationship between the state, communities and European institutions. They will demonstrate that public money can support not only infrastructure and economic growth but also dignity, equality and social cohesion.

Achieving this does not require a radical break, but a shift in perspective: from ticking boxes to transforming lives; from formal compliance to substantive fairness; from development “for people” to development “with people.”

If such a transformation is realised, the Czech Republic will move closer to the values that define the European Union—not only in administrative terms, but in lived reality. And dignity, rights and opportunities will no longer be aspirations, but ordinary elements of everyday life.

