

FURI programme – Hungarian 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

The FURI – EU Funds and Fundamental Rights programme focuses on the question of how the use of EU funds affects the most vulnerable groups in practice. Research conducted in six countries, focusing on the situation of Roma communities, persons with disabilities and people with a migrant or refugee background, found that EU funds can lead to serious violations of fundamental rights even without corruption. Developments have been implemented that formally met the indicators but nevertheless reinforced segregation in education and housing, institutional care or disenfranchisement.

This guide aims to provide Hungarian development policy actors – managing authorities, ministries, local governments, intermediary organisations, civil society and professional partners – specific, verifiable guidelines on how to incorporate the enforcement of fundamental rights into the entire cycle: programming, call for proposals, project selection, implementation, monitoring and complaint handling. Although the document focuses specifically on three priority target groups: Roma, persons with disabilities, and persons with a migrant or refugee background, who, according to domestic and international data, are disproportionately affected by developments that violate fundamental rights, but the principles set out in the guide also apply to all other groups in need of protection, such as the elderly or women.

The fundamental guiding principles of the guidelines are:

- respect for the Charter of Fundamental Rights of the European Union, in particular with regard to human dignity, equal dignity, non-discrimination and the right to independent living and community inclusion;
- the exclusion of all forms of segregation in education, housing and services – developments should have a desegregating rather than a segregating effect;
- consistent support for the transition from large-scale residential institutional care to community-based services ();
- ensuring accessibility and reasonable accommodation in the physical, digital and organisational environment;
- enforcing the principle of participation – 'nothing about them without them' – involving the groups concerned and their organisations in planning, implementation and monitoring;
- strengthening transparency, data collection and accountability.

The guide expressly seeks to provide practical guidance that is not an isolated Hungarian solution, but is in line with existing EU and international standards. In the document, we have endeavoured to refer thoroughly and in detail to existing documents that provide precise guidance, including the European Commission's guidelines on segregation in education and housing, the CRPD Committee's guidelines on deinstitutionalisation, EU documents on the social inclusion of Roma people, and the Commission's 2024 guidance on independent living and community inclusion for persons with disabilities ().

The conclusions of the document, detailed in Chapter 9, do not claim that EU funds can fix all the problems in Hungary's education, housing and social systems in one fell swoop. On

the contrary, they assume that the political, institutional and market frameworks are partly in place and often allow little room for manoeuvre. At the same time, they clearly state one thing: EU and other public funds cannot be used to finance developments that violate fundamental rights, even if, for example, all indicators are formally met and the financial accounting appears to be flawless.

The guidelines therefore emphasise prevention: ensuring that programming, calls for proposals, selection criteria and monitoring systems exclude educational and housing segregation, the reproduction of institutional care and the violation of the rights of vulnerable groups from the outset. If this is achieved, EU funds will represent not only financial added value for Hungary, but also real added value in legal and moral terms.

1. Introduction and background

1.1. Introduction

The European Union's development funds play a key role in achieving the social inclusion, regional development and cohesion objectives of the Member States. However, the use of EU funds is not only an economic tool, but also one of the most important mechanisms for enforcing fundamental rights and promoting social equality. The Charter of Fundamental Rights of the European Union and EU and international human rights conventions clearly stipulate that Member States are obliged to ensure that EU funds do not lead to discrimination, exacerbate social inequalities or perpetuate segregated or institutional systems.

Research and analyses of the FURI programme in Hungary have clearly shown that many developments during previous programming periods did not fully comply with these fundamental rights requirements. Some EU-funded investments, particularly in the areas of housing, education and social care, may have contributed very effectively to social segregation or the exclusion of disadvantaged groups, primarily Roma, disabled communities and, to a lesser extent in Hungary's case, people with a refugee background.

These experiences have made it clear that simply declaring rights is not enough: it must be ensured that they are enforced in practice, especially where developments affecting the lives of the most vulnerable people are taking place. The new 2028-2034 programming period therefore requires not only technical but also value-based redesign. When allocating resources, setting development priorities and implementing programmes, all actors – from national authorities to local governments and civil society organisations – have a responsibility to ensure that EU funds truly serve human dignity, equality and social inclusion.

This national guidance aims to help ensure that future domestic development policy is based on the protection of fundamental rights and prevents any interventions, withdrawals of funding or other negative events – as yet unknown at the time of writing – that are contrary to human rights standards. Its aim is to formulate specific recommendations for Hungarian managing authorities, intermediary organisations, local governments and civil partners on how to ensure that the use of EU funds complies with fundamental rights.

1.2. Background – the international and domestic context of the FURI programme

The FURI – EU Funds Fundamental Rights programme¹ was implemented in partnership with civil society organisations and research institutes from several European countries.

The aim of the programme was to identify and document patterns of fundamental rights

¹ The project was coordinated by Bridge Network (BE), with strategic partners including the European Network on Independent Living (ENIL), the Validity Foundation, and various national civil society organisations, including Partners Hungary Foundation in Hungary.
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violations in the use of EU funds and to develop recommendations for preventing them in the next programming period. The FURI project was based on the principles of 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), with an emphasis on promoting desegregation, community-based services and inclusive public policies.

The research examined several thematic areas:

- education and educational infrastructure,
- housing and social housing development,
- social and health services,
- immigration and asylum measures, and
- mechanisms for civil participation and oversight.

The study included numerous case studies, policy analyses and field interviews, which showed how practices that violate fundamental rights can persist even in the context of well-intentioned developments if the planning and implementation lack an appropriate fundamental rights approach.

The Hungarian research placed particular emphasis on examining housing and education interventions affecting target groups. Partners Hungary's analysis showed that certain EU-funded investments – such as programmes referred to as "settlement clearance" but which in fact involved resettlement – did not reduce segregation, but in some cases actually increased it. In several cases, the use of subsidies reinforced physical separation or institutional care rather than inclusive community solutions.

The national guidelines are based on a summary and further reflection on these experiences. Their task is to provide guidance for the future programming period on how to bring the use of EU funds into line with fundamental rights, avoiding the mistakes of previous years and reinforcing practices that promote social inclusion.

The document not only seeks to identify shortcomings, but also sets out a positive direction: to create a development policy culture in which EU support entails not only financial but also moral and legal responsibility, and in which all investments are centred on the principles of human dignity, equality and justice.

1.3 Overview of EU funding for Hungary

Between 2004 and 2022, Hungary received more than EUR 83 billion in EU support – more than four times what the country contributed to the EU budget. For the 2014-2020 programming period, which is the starting point for the FURI report's analysis, Hungary received €21.9 billion in cohesion funding, which supports regional

development, social inclusion and environmental sustainability initiatives . For the 2021-2027 programming period, Hungary has been allocated approximately €21.2 billion in cohesion funding. However, a significant portion of these funds has been withheld or delayed due to concerns about governance and the rule of law. Similarly, access to certain parts of the Recovery and Resilience Facility (RRF) has been suspended for similar reasons. Less significant in terms of volume is the EUR 34.5 million allocated to the EU's Asylum, Migration and Integration Fund (AMIF) for the 2014-2020 funding period, while the

amount allocated under the AMIF for the 2021-2027 period has increased to EUR 72.1 million, but part of these funds has also been withheld. These examples also highlight the need to develop guidelines that ensure Hungary's access to EU funds under normal circumstances.

1.3 Challenges in the use of EU funds

The debate surrounding EU funding is a recurring theme in Hungarian public discourse. Allegations of fraud, corruption and misuse of funds have become commonplace, and there are suspicions that the political elite has gained disproportionate benefits. Media reports often highlight corruption scandals and the emergence of a government-linked capitalist class financed by EU projects. Social media is often flooded with posts about poorly executed or seemingly wasteful EU-funded projects, such as miniature observation towers or incomplete canopy walkways, which symbolise broader governance problems. Complementing the continued emphasis on fraud and corruption, a growing body of academic discourse has begun to examine broader issues of the effectiveness of cohesion policy and its associated funding mechanisms.

While debates about fraud and corruption are common in the context of EU-funded projects, the protection of fundamental rights often receives little or no attention. EU-funded initiatives are legally obliged to respect the Charter of Fundamental Rights. However, civil society organisations have documented numerous cases of violations of the rights of marginalised groups, including Roma, people with disabilities and people with a migrant background. These abuses include discriminatory practices and increased segregation in education and housing. The main message of the FURI programme is that EU funds can be used in ways that harm the interests of the original target group, even without specific corruption.

The fact that the FURI programme is not the first to provide well-defined tools for those working on this issue is best demonstrated by the existence of numerous international guidelines. The European Commission's Guidance for Member States on the use of European Structural and Investment Funds in tackling educational and spatial segregation (2015)² explicitly emphasises that ESI funds cannot be used to maintain or create educational and housing segregation, while the Guidelines on deinstitutionalisation, including in emergencies (2022)³ related to the UN Convention on the Rights of Persons with Disabilities, CRPD/C/5 Guidelines on deinstitutionalisation, including in emergencies (2022) clearly states that institutional care cannot be considered a legitimate form of independent living and community inclusion, and therefore states must transition to community-based services. The Council's 2011 Recommendation on the social and economic integration of the Roma⁴ is not a binding legal instrument, but its aim is to accelerate progress by providing guidance to EU countries and drawing their attention to a number of specific measures that are key to the more effective implementation of their strategies. The

² Guidance for Member States on the use of European Structural and Investment Funds in tackling educational and spatial segregation (2015) - [link](#)

³ Note on the use of EU Funds in tackling educational and spatial segregation 2021-2027 programming period – [link](#)

⁴ Social and economic integration of Roma - [link](#)

2013 Recommendation on the housing integration of Roma⁵ is part of the same effort.

Deinstitutionalisation is defined precisely and clearly in the Guidelines on deinstitutionalisation, including in emergencies (2022)⁶ , leaving very little room for programme implementers to misunderstand it (even accidentally).

The European Expert Group on the Transition from Institutional to Community-based Care, in its November 2012 publication “Common European Guidelines on the Transition from Institutional to Community-based Care⁷ ”, provides precise guidance on how to achieve a sustainable transition to family- and community-based alternatives. A more detailed version of this was published in 2014⁸ .

However, from our point of view, the most important document is the Commission Communication published in 2024,⁹ , which contains guidelines on independent living and community inclusion for persons with disabilities in the context of EU funding.

⁵ Integration of Roma in the area of housing – [link](#)

⁶ CRPD/C/5: Guidelines on deinstitutionalisation, including in emergencies (2022) - [link](#)

⁷ Common European Guidelines on the Transition from Institutional to Community-based Care – [link](#)

⁸ Toolkit on the Use of European Union Funds for the Transition from Institutional to Community-based Care – [link](#)

⁹ Commission notice: Guidance on independent living and inclusion in the community of persons with disabilities in the context of EU funding – [link](#)

2. Purpose and scope

2.1 Purpose of the guidance

The guidance provides practical, verifiable guidance to Hungarian managing authorities, intermediary bodies, policy-making ministries, local authorities and their partners on how to integrate compliance with fundamental rights into the entire programme cycle for the period 2028-2034, from planning through implementation and monitoring to complaint handling. The objective is twofold:

- to prevent and exclude any intervention that would result in segregation, institutionalisation, discrimination or other violations of fundamental rights;
- to give priority to inclusive, community-based services and solutions, while enforcing the requirements of participation, transparency and accountability.

2.2 Target groups

The guidance focuses on groups affected by legal and policy obligations and identified as at risk in the FURI research. The following explanation answers the question ‘why them?’ and is accompanied by the best available, most recent approximate data:

Roma people have lived in Europe for more than 600 years. Their social situation has long been defined by systemic exclusion: slavery, forced assimilation, evictions and segregation in Eastern European regions, discrimination in education, employment and public participation during the Porrajmos during the Second World War and continuing to the present day. This historical arc directly shapes the barriers to participation today.

Numerous studies , including regular reports by the European Union Agency for Fundamental Rights (FRA), show that Roma communities still often face a lack of access to public services, institutionalised barriers and discrimination, which affects their health, safety and dignity. FRA surveys, for example, indicate persistent overcrowding, lack of care and, particularly relevant to this guide, unequal access to services and opportunities; a significant proportion of Roma people experience discrimination when seeking services, training or employment opportunities.

The EU Strategic Framework on Roma (2020-2030) sets the goal of increasing political, social and economic participation and expects Member States’ strategies to include measurable national targets and accountability. EU financial instruments are key to achieving this: with proper planning and implementation, they can help reduce discrimination, improve access to quality public services, build skills and leadership capacity, and strengthen participatory mechanisms (in line with the principle of ‘nothing about us without us’). This guide therefore considers Roma communities to be one of the priority target groups: because evidence shows that they bear the brunt of systemic failures, and because the effective use of EU funds in line with fundamental rights can yield the greatest social return here.

Why them? The Hungarian case studies of FURI and the FRA data confirm the persistence of segregation, the shortcomings of inclusive public policies and the need for targeted, fundamental rights-sensitive interventions. The three target groups – even though an individual may belong to all three groups at the same time – make up a significant proportion of the Hungarian population.

Roma: in the most recent census in 2022, 315,000 people identified themselves as Roma. However, authoritative experts, civil society organisations and Roma organisations put the figure much higher, at 800,000-900,000, which is around 8-10% of the country's population of approximately 9.6 million.

- Persons with disabilities: according to the same census, based on voluntary responses to questions about individuals' health status, 273,558 persons have a "disability", 639,450 persons have a "severe disability" and 1,713,711 persons live with a "chronic illness".
- According to relevant Eurostat data, also based on self-reporting, approximately 22% of Hungarians lived with some degree of activity limitation in 2023. In other words, according to the data, at least 2-22% of people live with some form of disability. However, it is important to note that in the case of people with disabilities, in many families the condition of the individual has a direct impact on the lives of family members.

Although not considered a disability in the traditional sense, it is important to note that in 2022, there were nearly 100,000 students with special educational needs (SEN) in Hungary, for whom inclusive education and access to EU funds to support it would have been a key issue.

- Persons with a migrant background and asylum seekers – fundamental rights risks include access to asylum procedures, detention, protection of unaccompanied minors and access to reception services. According to data from the Hungarian Central Statistical Office, the foreign-born population in Hungary was approximately 600,000 in 2023, or nearly 6.3%. It is important to note, of course, that we cannot accurately determine how many of these people live in both countries or have dual citizenship.

The above data clearly shows that these three groups together comprise several million people, whose interests should be taken into account by all decision-makers.

2.3 The 2028–2034 programming period

The Commission's proposal for the Multiannual Financial Framework (MFF -), the EU's long-term budget will be approximately EUR 2 trillion, which will represent 1.26% of the EU's average gross national income between 2028 and 2034.¹⁰ The main directions of the

¹⁰ Official portal of the European Union: https://commission.europa.eu/news-and-media/news/eu-budget-2028-2034-stronger-europe-2025-07-16_en

National Regional Partnership Plan¹¹ (NRPP) are: simplification, greater flexibility in crisis situations, performance and reform orientation, and easier plan modifications – without compromising long-term investments. The new architecture would replace the current programme-based approach with a policy-based logic and a single, comprehensive NRPP document for each Member State, integrating cohesion and agricultural resources; the details will be finalised during the legislative process.

According to professional debates and position statements, the horizontal framework of conditions (e.g. compliance with the Charter of Fundamental Rights, non-discrimination, equality, accessibility) known from the 2021-2027 Common Provisions Regulation should be retained and strengthened in the 2028-2034 framework. Both the Commission's documents and civil society proposals support the regulated maintenance of these conditions. As stated on the Commission's official website¹² : "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."

It automatically follows from the above that during the domestic programming period, even at the planning stage(!), a fundamental rights risk analysis, an indicator system and a functioning model for complaint mechanisms must be incorporated, because any subsequent shortcomings in these areas will almost certainly pose a financing risk.

2.4 EU funds covered

This guide covers the funds that appear in the NRPP (and any thematic chapters) at the national level, with a particular focus on areas typically exposed to fundamental rights issues:

- Cohesion policy resources – ERDF, Cohesion Fund, ESF+ (including the social inclusion and skills development dimensions of ESF+). For the new period, cohesion policy is planned with greater flexibility and a focus on performance, in line with NRPP logic
- CAP – rural development and agricultural structures, with particular regard to territorial inequalities and accessibility (in addition to the expected application of horizontal principles)
- Home Affairs Funds – AMIF, BMVI/ISF: inclusion, integration, fundamental rights-compatible procedures and services;

In the case of the above funds, the NRPP (National and Regional Partnership Plan) will be the framework document in which domestic actors must set out their objectives, interventions, indicators and investments in accordance with the partnership principle and in line with fundamental rights.

¹¹ Assembly of European Regions – policy briefing: <https://aer.eu/policy-briefing-mff-2028-2034-regional-development-at-stake/>

¹² Official portal of the European Union: https://commission.europa.eu/topics/budget/eu-budget-2028-2034-explained/investing-people-member-states-and-regions_en

3.1. EU-level regulation and fundamental rights protection framework

In the European Union, Member States – including Hungary – **must respect fundamental rights and the principles of Community law** when using EU funds and planning and implementing public policy interventions. These frameworks define legislative, implementation and control obligations.

3.1.1 Fundamental legislation

- Charter of Fundamental Rights of the European Union (2000) The EU Charter of Fundamental Rights sets out the fundamental rights recognised by EU citizens and Member States. The Charter is binding on EU institutions and Member States when implementing EU law. In our case, Article 21 (Non-discrimination) is particularly relevant, as it prohibits any discrimination based on, among other things, sex, race, colour, ethnic or social origin, genetic features, language, religion, political or other opinion, membership of a national minority, property, birth, disability, age or sexual orientation. The principles of the Charter apply directly to the implementation of all EU-funded programmes (e.g. ESF+, ERDF, CERV) and also form the basis for fundamental rights compliance requirements. **In short, any Member State that fails to comply with the Charter may lose its entitlement to EU funds. At the time of writing, this has only happened in the case of Hungary.**
- Articles 10 and 19 of the Treaty on the Functioning of the European Union (TFEU) stipulate that the Union shall combat all forms of discrimination in the implementation of its policies and activities and shall provide the Council with the possibility of adopting appropriate measures to promote equality. The equality provisions of the TFEU provide the legal basis for anti-discrimination directives (e.g. 2000/43/EC – the Racial Equality Directive, 2000/78/EC – the Employment Equality Framework Directive), which are binding on Member States.
- The GDPR (Regulation (EU) 2016/679) The General Data Protection Regulation sets out EU standards for the protection of personal data. The GDPR is particularly important in the context of data processing from a fundamental rights perspective (e.g. collection of data on disadvantaged situations, ethnic origin, health data). The domestic implementation of the regulation is ensured by the Infotv. (Act CXII of 2011), which also sets out the legal basis for data processing, the form of consent, the balancing of legitimate interests and the powers of the NAIH.
- Rule of Law Conditionality: Regulation (EU) 2020/2092 introduced the rule of law conditionality, which allows the EU to suspend or reduce EU funds in Member States participating in the where violations of the rule of law threaten the Union's financial interests. In addition to financial corrections, this mechanism may also provide for preventive and corrective measures, for example in cases of shortcomings in the transparency of public procurement, anti-corruption controls or the independence of the judiciary.
- Horizontal principles: The horizontal conditions for the implementation of all EU support programmes include equal treatment, equal opportunities (in the general

sense), gender equality and accessibility for persons with disabilities. These principles are mandatory elements of the Partnership Agreement and Operational Programmes and must also be incorporated by beneficiaries in project design and implementation (e.g. obligation to develop project selection criteria from an equal opportunities perspective, accessible communication, enforcement of gender equality).

- EU rules on public procurement and state aid: In the case of programmes implemented with EU funding, the transparent, competition-neutral and efficient use of public funds is ensured by the public procurement directives (2014/24/EU, 2014/25/EU) and state aid rules. In Hungary, these rules were incorporated into the legal system through Act CXLIII of 2015 on public procurement (Kbt.) and the related implementing regulations. The State Aid Monitoring Office and the European Commission's Directorate-General for Competition (DG Competition) are responsible for registering and monitoring state aid, which serves to prevent market distortions and discriminatory aid practices.

3.2. National legal and policy framework

The following elements are the main pillars of the Hungarian legal system that guide the planning, implementation and control of EU funds.

In the European Union, the protection of fundamental rights is ensured by several mutually reinforcing mechanisms: the EU Charter of Fundamental Rights and related legislation (in particular anti-discrimination directives and the establishment of national equality bodies), the European Commission's rule of law and fundamental rights monitoring tools (annual Charter reports, rule of law report, conditionality mechanism under Regulation 2020/2092/EU, infringement proceedings), and the data and analytical work of the EU Agency for Fundamental Rights (FRA). However, these national and EU-level protection mechanisms typically intervene retrospectively, once a violation has already occurred.

The aim of this chapter is therefore to provide additional safeguards at the programming level to complement these existing mechanisms. Specifically, it shows how fundamental rights considerations should be incorporated into partnership plans, operational programmes, calls for proposals, project selection and monitoring in such a way that educational and residential segregation, the reproduction of institutional care or other serious violations of fundamental rights can be filtered out at the planning stage. The emphasis is therefore on prevention: ensuring that EU funds cannot be used to finance projects that formally meet the indicators but in practice violate human dignity, equal treatment or the right of people with disabilities and Roma to community inclusion.

3.2.1. Fundamental Law – equality, prohibition of discrimination, equal opportunities (Article XV (1)–(4))

The Fundamental Law¹³ enshrines equal dignity and equal treatment and prohibits various

¹³ Hungary's current Fundamental Law: based on the legislation in force at the time of writing this document: <https://net.jogtar.hu/jogszabaly?docid=A1100425.ATV>

forms of discrimination. The use of public funds, including EU funds, must not lead to discrimination and must ensure equal opportunities.

Project-level tasks: Consistent enforcement of equality and accessibility considerations from planning to the final closure of programmes. In doing so, the following assessments must be carried out:

- impact assessment criteria: who is directly and indirectly affected by the intervention, could any protected group suffer indirect disadvantage?
- relevance assessment criteria: does the planned programme clearly help and support the target group, or are they only included in the programme as a token gesture?
- equality risks: can it be ruled out that the programme will contribute, either directly or indirectly, to the continuation or exacerbation of the disadvantage of protected groups?
- participation mechanisms: consultations with stakeholders, with particular attention to the involvement of women, persons with disabilities, persons with a migrant background and Roma communities.

Evidence:

- equal opportunities chapter in the project plan; stakeholder map and consultation minutes;
- documented steps to enforce gender equality;
- equality risk assessment involving experts from the groups concerned, minutes.

Common mistakes:

- mere "mentioning" or "ticking off" equality aspects, without a substantive action plan and, above all, without actual implementation.
- "Inclusive" elements that appear only at the communication level, without substantive changes in access/methodology.

Legal remedy/control:

- in the event of a violation of fundamental rights, an ombudsman investigation may be initiated;
- In cases of serious infringement of interests, support funds may be reclaimed (they are not eligible for EU funding).

3.2.2. Act on Equal Treatment (Ebkvt., Act CXXV of 2003)

General and specific prohibition of discrimination (direct, indirect, harassment, retaliation, segregation, etc.) in employment, service provision, education, social care, etc.

Project-level tasks:

- anti-discrimination compliance plan: development of selection/access rules, complaint procedures, personnel and partnership procedures;
- ensuring non-discriminatory conditions and access in public procurement and service provision;

- training courses, events: accessibility, reasonable accommodation of the needs of the target group;
- involvement of affected groups in the planning process.

Evidence:

- house rules/procedures for equal treatment and complaint handling;
- training materials, attendance sheets, internal information sheets; presentation of complaint handling log

Common mistakes:

- indirect discrimination (e.g. a training course is formally open, but technical conditions effectively exclude certain groups; a piece of legislation does not name specific groups, but the criteria are formulated in such a way that in reality they apply to a single, otherwise easily identifiable group);
- complete lack of a complaint mechanism or only formal operation.

Legal remedy/review:

- administrative/judicial channels;
- ombudsman submission;
- contractual legal consequences for the sponsor.

3.2.3. Act on the Rights of Persons with Disabilities (Act XXVI of 1998)

Rights and state obligations in the areas of accessibility, reasonable accommodation, independent living and inclusive services.

Project-level tasks:

- incorporating accessibility requirements into infrastructure, equipment procurement and communication;
- ensuring full and universal accessibility (for example, a residential institution for people with disabilities cannot be built even if it is accessible, but the settlement cannot be reached by accessible public transport);
- ensuring reasonable accommodation in services (e.g. sign language interpreters, easy-to-understand communication).
- ensuring digital accessibility in accordance with the principles of the WCAG (Web Content Accessibility Guidelines), i.e. the development and publication of web and other digital content (websites, online forms, e-learning materials, videos, mobile applications) comply with the requirements of the international accessibility standard (WCAG 2.1 AA level). This includes, among other things, providing text alternatives for images, subtitles and sign language interpretation for videos, keyboard navigability, understandable and predictable operation, and full compatibility with various assistive devices (screen readers, magnification software, etc.).

Evidence:

- technical descriptions, design drawings, certificates;
- accessibility plan and implementation report for events;
- documentation of accessibility requirements and performance certificates in contracts;
- obtaining WCAG certificates for digital products.

Common mistakes:

- only addressing physical accessibility, without communication and digital access;
- thinking about it "too late" – technical parameters can no longer be modified;
- "it would be too expensive" – services, buildings, equipment, etc. created without accessible access "do not fit" into the financial framework, so they risk having the entire amount reclaimed.

Remedy/review:

- ombudsman channel;
- reports from disability advocacy organisations;
- supportive official inspections.

3.2.4. Data protection and publicity (Infotv., Act CXII of 2011 – domestic implementation of the GDPR)

Legislation regulating the processing of personal data, the enhanced protection of special data, the possibility of accessing data of public interest, and the powers of the National Authority for Data Protection and Freedom of Information (NAIH) , which is responsible for managing, supervising and, where appropriate, sanctioning such data.

Project-level tasks:

- creating data processing information(s) that precisely sets out the legal basis, purpose limitation, data storage and access rules;
- providing stricter guarantees in the case of special data (e.g. data relating to health, ethnic origin, political preferences);
- handling requests for data of public interest: deadlines, format, publication list, and collection of data in a way that allows it to be transferred easily, quickly and, above all, in a user-friendly manner in the event of a data request.

Evidence:

- In order for data processing to be transparent, lawful and verifiable, i.e. to comply with Articles 30-32 of the GDPR, the organisation conducting the tender must comply with the following documents and ensure that the winning organisations also comply with them:
- the organisation's 'data processing map', record of processing activities (ROPA): this is a mandatory record showing what personal data the

organisation processes, for what purpose, on what legal basis, for how long, who has access to it, and whether data is transferred (e.g. to third parties or abroad). ;

- DPIA – Data Protection Impact Assessment: a mandatory assessment that must be carried out if data processing may pose a high risk to the rights or special situation of data subjects (e.g. continuous, large-scale monitoring, such as in residential institutions, storage of sensitive data, processing of data relating to vulnerable persons, such as children or persons with disabilities).
- Consent forms: documents or online forms in which the data subject (or, in the case of minors, their representative) voluntarily, knowingly and unambiguously consents to the processing of their data, including photos, videos, digital or other images.
- Important: consent must only be obtained and signed if there is no other legal basis that directly includes it (e.g. a contract) or if no other automatic legal basis applies (e.g. in the course of fulfilling an obligation or for legitimate interests).
- Contracts with data processors: if the organisation entrusts another company or person with the processing of data (e.g. accountant, IT service provider, cloud service provider, external tender manager, evaluator, etc.), a written data processing contract must be concluded or a separate section of the existing contract must refer to data processing, stipulating that the processor may only act in accordance with the instructions of the data controller, apply appropriate security measures and may not use the data for its own purposes;
- publication list, filing and responding to data requests.

Common mistakes:

- "we collect everything, just in case" – purpose limitation is violated;
- processing of special data without adequate legal basis/guarantees;
- delayed or incomplete responses to access requests, meaning that data subjects cannot find out in time what data (e.g. photos) have been created about them during the course of their work.
- despite the fact that the data is available, the data controller – citing the protection of the target group – does not disclose even aggregated data that is true for the group as a whole but cannot be broken down to the individual level;
- "We don't know who is Roma and who is not" – if there is no intention to collect responses given on a voluntary basis, then there will be no information about this.

Legal remedy/review:

- NAIH investigation, fines;
- court proceedings and legal remedy.

3.2.5. Public procurement (Public Procurement Act, Act CXLIII of 2015)

What it stipulates: It lays down transparent, competition-neutral and proportionate

procedural rules for procurement from state and EU funds, ensuring that the use of public funds is lawful, economical and non-discriminatory. The Act stipulates open competition, the principle of equal treatment, freedom from corruption and the availability of legal remedies for all parties concerned.

Procurement documentation plays a key role in enforcing accessibility and equal opportunity considerations: when designing and evaluating it, it must be ensured that suppliers, service providers and products meet the requirements of accessibility, environmental and social sustainability, and non-discrimination.

This is particularly important for procurements involving infrastructure investments, communication materials, IT developments or service provision, as it is at this stage that equal opportunity and accessibility requirements can be effectively incorporated into project implementation.

Project-level tasks:

- ensuring compliance with fundamental principles: equal treatment, transparency, proportionality;
- accessibility requirements (physical and digital) incorporated into technical specifications;
- definition of inclusive service standards;
- defining exclusion/eligibility criteria (e.g. excluding suppliers who have previously 'thought about it too late' or 'found it too expensive' to invest in true accessibility);
- accurate and repeated verification of contractual performance conditions (e.g. accessible handover).

Evidence:

- the call for tenders and its documentation;
- evaluation reports;
- subcontractor and other supplier contracts and performance certificates;
- reports on the itemised verification of the commitments made in the tenders/contract.

Common errors:

- discriminatory technical parameters (tailored to a specific manufacturer/supplier/contractor);
- omission of access requirements, which cannot be remedied later;
- inadequate legal remedy/communication procedure.

Remedies/review:

- Public Procurement Arbitration Committee;
- court(s);
- financial corrections initiated by the managing authority (MA).

3.2.6. Domestic implementation rules for EU funds

The use and control of EU funds received by Hungary are regulated by government

decrees, which set out the management, control and irregularity handling processes, as well as the responsibilities of beneficiaries for the lawful and effective use of funds. This legal framework ensures that the use of EU funds is in line with EU-level financial management and fundamental rights requirements and enables national authorities to prevent and sanction abuses, irregularities and discriminatory practices.

Government Decree 272/2014. (XI. 5.) applied to the 2014-2020 programming period. This contained the rules applicable to the closure and maintenance period: the maintenance obligation for projects, the procedure for ex-post checks, and the conditions for withdrawal or repayment of support if the project does not meet the objectives or legal requirements.

For the 2021–2027 programming period, the framework is defined by Government Decree 256/2021. (V. 18.). This designates the individual Managing Authorities (MAs) and Intermediate Bodies, sets out the rules for control, irregularity management, repayments and sanctions, and lays down the requirements for financial and performance-based evaluation, transparency and conflicts of interest. The regulation also requires the integration of horizontal principles such as equal opportunities, environmental sustainability, gender equality and the protection of fundamental rights at all levels of programme implementation.

According to all currently available information, these rules and regulations will not change substantially in the new financial support period under the Multiannual Financial Framework (MFF); if they are amended, it is expected that this will be in the direction of tightening, increasing transparency and strengthening accountability.

Project-level tasks:

- During the implementation of projects, it must be ensured that horizontal principles – in particular equal treatment and accessibility – do not remain mere formal commitments, but are actually incorporated into the implementation of the project. These principles must be laid down in the grant agreement and their fulfilment must be continuously monitored during implementation.
- Irregularity management is a fundamental obligation of the beneficiary: any detected or suspected irregularities must be reported immediately to the MA, self-checks must be carried out if necessary, the results must be justified in detail, and corrective proposals must be submitted to resolve the problem.
- In the area of document management, it is essential to comply with retention periods, maintain an audit trail and ensure that the project can be audited at any time ('audit readiness'). Documented evidence includes annexes to the grant agreement, self-assessment reports, responses to audit reports, indicator reports, and materials confirming compliance with communication and visibility obligations (e.g. publications in accessible formats or event reports).

Common errors:

- Horizontal commitments, such as equal opportunities considerations, may be included in the documentation only formally, but not implemented in practice.
- Another common problem is late or incomplete reporting of irregularities and failure to retain documents.

Remedies and control:

- The implementation of projects is subject to multi-level control:
- the Managing Authorities (e.g. KEHOP, EFOP, GINOP Plus, TOP Plus),
- the Government Control Office (KEHI), and
- the European Commission and the European Court of Auditors may also audit compliance, effectiveness and adherence to horizontal principles.

3.2.7. Whistleblower protection, complaints and reports in the public interest (Act XXV of 2023)

The purpose of the Act is to provide the rights and guarantees that allow anyone, whether inside or outside an organisation, to safely report violations, abuses or unfair practices without suffering any disadvantage. This regulation establishes the legal basis for whistleblowing systems in Hungary, in line with the provisions of the EU Whistleblower Directive (EU 2019/1937).

The legislation requires all public bodies, organisations using public funds and enterprises above a certain size to set up an internal reporting system. This system must enable employees, partners or other stakeholders to report anonymously or through a secure channel any irregularities, abuse, discrimination, suspected corruption or other conduct that is contrary to the public interest. Such irregularities include cases where a programme is implemented, even if it is not linked to corruption, but its effects and actual impact on the target groups to be protected are contrary to the spirit of the EU Charter of Fundamental Rights.

The law strictly guarantees the protection of whistleblowers: it is prohibited to discriminate against them, dismiss them or subject them to any form of retaliation. Organisations, in this case the Hungarian Government and any of its bodies, are required to designate an independent and confidential person or organisational unit to receive and investigate reports and, if necessary, take action.

The aim of the regulation is to reduce the risk of corruption, abuse and violations, particularly in the use of public funds and EU resources, to strengthen organisational integrity and transparency, and to increase public confidence in public and civil society institutions. The law is not only about protecting whistleblowers, but also about creating a culture of responsible and ethical operation within organisations, where reporting problems is not a risk but a means of improvement and trust-building.

Project-level tasks:

- In order to implement whistleblower protection in practice, all projects using public funds or EU support must establish a functioning internal whistleblower protection channel. This must guarantee anonymity, data protection and confidentiality, as well as the possibility of impartial and independent investigation. The channel may take the form of an electronic interface, a separate e-mail address, or even a reporting hotline operated by an external, independent organisation – the key is that those concerned can report abuse safely and without fear of consequences.

- The project must have a written procedure that specifies the deadlines for handling reports, the rules for dealing with conflicts of interest, and the transparent steps of the investigation process.
- Prevention is also important: project staff and partners should receive regular training on ethics and abuse prevention so that they are aware of their rights, obligations and safe ways to report concerns.

Evidence:

- To demonstrate compliance with the law, it is expected that a whistleblower protection policy is in place, the reporting interface or official email address is documented, and records of incoming reports and investigation reports are retained. An action plan should be drawn up for closed cases, outlining the steps taken to resolve the issues.
- An annual summary report on the handling of reports must be prepared, in anonymised or aggregated form, in accordance with data protection principles.

Common mistakes:

- In many organisations, the whistleblowing channel exists only formally ("on paper") but does not actually provide a safe, confidential or impartial reporting option.
- A common mistake is the lack of guarantees against retaliation, which discourages whistleblowers, or the closure of reports without justification or with disproportionate delay. These shortcomings can jeopardise the integrity of the organisation and even the lawful performance of the grant agreement.

Remedies and oversight:

- If the internal channel does not provide an effective or impartial procedure, those concerned may turn to external reporting channels, such as the Ombudsman or the courts.
- The authorities providing the grant may also apply the sanctions set out in the grant agreement if the organisation fails to ensure the practical implementation of whistleblower protection.
- It is important to understand that in cases of inadequate, formal or unsafe internal reporting mechanisms, whistleblowers often turn to the public, the media, the maintaining or managing bodies, or even EU-level decision-makers. In such situations, it is no longer just the original infringement or abuse that needs to be addressed, but also the fact that the organisation did not respond appropriately or credibly to the report.
- This type of 'secondary crisis' – when the problem becomes visible to the public – can seriously damage the organisation's credibility, its chances of cooperation and its position of support, especially if it uses public funds or EU resources.
- An internal reporting system is not merely a compliance obligation, but one of the most important tools for protecting reputation and maintaining trust in the organisation.

4. Measures to ensure structural reforms in thematic areas

The previous chapters have presented the legal, institutional and procedural frameworks that ensure, or at least could ensure, that the use of EU funds in Hungary is in line with the Charter of Fundamental Rights of the European Union and related national legislation. However, these principles will only become a reality if lasting, structural changes are also made during programming and implementation.

In the period 2028–2034, the effective and lawful use of EU funds will depend not only on the suitability of individual projects, but also on whether the state, local authorities, civil society partners and professional institutions are able to replace the often segregating, discriminatory and generally anti-Charter development practices of the past with inclusive, community-based models. The FURI programme's research has clearly shown that the vast majority of fundamental rights violations do not stem from deliberate and targeted violations by individual project implementers, but rather from systemic shortcomings – flawed incentives, lack of coordination or a complete lack of an inclusive approach.

Therefore, the aim of this chapter is not to present new legal requirements – which may not even exist at this point – but to show the thematic areas (education, housing, infrastructure, community services, independent living) require deeper structural changes in order for future developments to truly serve the enforcement of fundamental rights and social inclusion.

The chapter provides practical guidelines and examples of how to plan integrated, participatory, people-centred interventions instead of previous programmes that often reproduced segregation or dependency. The measures proposed here do not only apply to individual sectors, but aim at a complete change in the approach to development policy: instead of project-based implementation, they support a value-based development policy based on partnership, human dignity and equality.

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

The education system is one of the most important areas where the enforcement or violation of fundamental rights has a direct impact on social equality, mobility and dignity. Hungarian research conducted as part of the FURI programme clearly showed that during previous programming periods, numerous EU-funded educational investments – although perhaps well-intentioned – actually reinforced segregation and exclusion.

Institutions that on paper served to promote "catch-up" in practice segregated Roma and disadvantaged children. In other cases, infrastructure developments – such as the modernisation of "settlement schools" – reinforced territorial segregation. The problem is

not a case of individual abuse, but a systemic deficiency in approach and structure that reflects the deep-rooted inequalities in Hungarian public education.

Starting point and systemic challenges

Segregation and territorial separation:

In Hungary, the learning environment of students is strongly determined by their residential status. The proportion of disadvantaged children, mainly Roma, in some schools exceeds 80-90%. As a result of 'white flight', middle-class families avoid these institutions, resulting in a self-reinforcing spiral of segregation. In Hungary, family background is one of the strongest factors influencing student performance in the OECD: according to [PISA 2022](#), the difference between the most advantaged and most disadvantaged students is 121 points in mathematics (OECD average: 93 points), and socio-economic status explains 25% of performance (OECD average: 15%). The proportion of 'resilient' students – those who achieve in the top quarter despite their disadvantaged background – is 8% (OECD average: 10%), and the difference linked to social background has not decreased significantly between 2012 and 2022. Taken together, these findings indicate that the link between family status and school performance is particularly strong in Hungary.

At the same time, [Ombudsman's Position Statement No. 6/2025](#) uses local data to show that the parallel operation of church and state schools results in strong residential-school selection and segregation: in several municipalities, the proportion of disadvantaged pupils in state institutions is extremely high, while in denominational schools it is extremely low. For example, in Átány, the proportion of disadvantaged pupils is 71% in the state school and 0% in the Reformed school; in Baktalórántháza, the proportion is 83% in state schools and 7% in Reformed schools; in Encsen, the proportion is 56-90% in the three state schools and 5% in the Catholic school. These patterns directly support the phenomenon of "white flight" and the consequences of selection.

These two sources together highlight that the influence of family background and structural selection reinforce each other, maintaining differences between schools – in practice, this means a self-perpetuating spiral of segregation.

The situation of children with special educational needs (SEN) and misdiagnosed children:

There are also persistent structural problems in the education of SEN children. According to official statistics, around 7-8% of pupils have special educational needs, but experts estimate that the actual proportion is higher. Studies conducted in recent years (e.g. the 2023 report of the Commissioner for Educational Rights¹⁴) point out that, especially in the case of Roma and disadvantaged pupils, incorrect or exaggerated diagnoses are common, leading to "pseudo-SEN" status. In this way, the education system formally legitimises segregation: children are placed in separate classes or institutions, when in fact

¹⁴ Report of the Commissioner for Educational Rights on his activities in 2023 (Office of the Commissioner for Educational Rights, 2024. Budapest. Available at: https://www.oktbiztos.hu/ugyek/jelentes2023/ojb_2023_beszamolo.pdf)

it is not disability but social disadvantage that is the underlying cause.

Early school segregation is further exacerbated by a lack of sufficient specialists: speech therapists, special needs teachers, psychologists and special education teachers. Expert committees are overburdened, and in many areas there are no diagnostic services available at all, so children wait years for a review. As a result, SEN status does not reflect actual needs, but becomes a systemic stopgap solution to address teacher shortages, large class sizes and methodological unpreparedness.

The educational situation of children with a migrant background

In Hungary, this situation remains partially invisible in the statistics and is underregulated at the systemic level, even though the issue has gained real significance in education policy since the arrival of refugees from Ukraine after 2022. Thousands of Ukrainian children still live along the Ukrainian-Hungarian border, in Budapest and in a few other large cities, but it is estimated that only about half of them attend regular Hungarian schools. The rest study online in the Ukrainian distance learning system, in some cases attending two schools at the same time, which causes a double burden and linguistic and psychological difficulties.

Hungarian public education lacks targeted integration programmes, language catch-up modules and pedagogical guidelines for receiving students with a migrant background. There are no separate, state-funded "language preparatory" classes, and the vast majority of schools do not have qualified Hungarian as a foreign language teachers or any methodology designed to effectively address the educational problems of children with a migrant background. The situation is exacerbated by the fact that the status of the children – refugees, beneficiaries of temporary protection, dual nationals or holders of residence permits – often poses administrative obstacles to school enrolment.

Ukrainian Roma families are in a particularly difficult situation, suffering a double disadvantage: discrimination on the basis of ethnicity and as refugees. For them, inclusive education is not primarily a language issue, but also a matter of social security. All this points to the fact that the education system is currently unable to provide an effective, rapid, coherent, legally based and inclusive response to the mass migration situation caused by war or other reasons.

At the same time, the integration of Ukrainian refugee children would also be an opportunity for teachers and schools to develop intercultural education, linguistic diversity and an inclusive learning environment – if this were accompanied by appropriate methodological and institutional support and, of course, adequate financial resources.

Segmentation of the education system:

One of the less visible but fundamental elements of the crisis in the education system is that there are fewer and fewer students, while the shortage of teachers has reached dramatic proportions. According to data from the Hungarian Central Statistical Office and the Education Authority, the number of children of primary and secondary school age has fallen by more than 150,000 over the past ten years, while at the same time, despite the fact that there is agreement on this among the various actors at all levels, it can be established that there are many thousands, according to some estimates as many as 16-18,000, unfilled teaching positions. There is a particularly acute shortage of teachers specialising in natural sciences, languages and special education, i.e. precisely those who should be teaching the subjects that are essential for increasing Hungary's competitiveness. The age structure is ageing rapidly: more than 45% of teachers are over 50, and there are not enough new entrants to replace those retiring.

However, this has not led to a more rational distribution of resources. The school network, especially in small towns, remains fragmented, with institutions often teaching only a few dozen children. Instead of using the declining number of students to improve the quality of education and strengthen teachers' salaries and professional support, resources are fragmented and wasted. Many small schools are unable to provide modern education precisely because of a shortage of teachers, but the centralised system does not encourage institutional cooperation, shared use of resources or networking. Thus, paradoxically, the declining number of children and the shortage of teachers have not led to rationalisation, but have reinforced structural inequalities: better-off areas and church-run schools are able to attract and retain teachers, while in poorer regions, teacher shortages further undermine the quality of education and children's opportunities.

Lack of data and accountability:

Due to the lack of regular, ethical and data protection-compliant disaggregated statistical data collection, it is difficult to track how developments affect equal opportunities for students. Despite the fact that teachers spend a significant part of their working time collecting data and entering it into the system, school results are rarely analysed according to social dimensions (e.g. parents' educational attainment, type of residence, proportion of Roma pupils, specialists provided for children with disabilities/special educational needs, etc.).

Strategic objective: making inclusive and equitable education systematic

The aim of educational developments is to ensure that access, quality and effectiveness do not depend on children's origin, social status, disability, migration status or place of residence. This can only be achieved if inclusion in Hungarian public education is not a separate programme, but a fundamental principle of all educational decisions.

When using EU funds, the most important question is therefore whether the supported development contributes to inclusive education, social integration and equal access, or whether, on the contrary, it reproduces segregation.

Areas for intervention and recommendations

1. Educational infrastructure and network transformation

(Gradual) elimination of segregated institutions, not renovation.

- When planning new school investments and renovations, it is a mandatory principle that the development must not maintain or create new forms of segregated education. Environmental and social impact assessments must be carried out in connection with physical developments to demonstrate that the investment does not exacerbate regional differences. At present, only a fraction of segregated schools in Hungary can be explained by regional segregation (i.e. settlements or micro-regions where there is basically no one left to integrate); on the other hand, every large city has segregated schools with low enrolment and a shortage of specialist teachers.

Strengthening community functions.

- Schools should function not only as educational institutions but also as local community centres, offering afternoon clubs, parental programmes, adult education and youth activities. Developments of this kind strengthen social cohesion and parental involvement, while also reducing the 'institutional' nature of schools.

2. Reform of teacher training and professional support

Incorporate an inclusive approach into teacher training.

- The topics of inclusive education, anti-segregation, children's rights, human dignity and cultural diversity should be made compulsory in university curricula. Teacher training students should gain practical experience in an inclusive school environment during their training.

Further training and supervision.

- Regular, accredited continuing education courses should be provided for active teachers, with a focus on addressing local issues and case studies. Pedagogical supervision (which is not the same as the current system) and which is virtually non-existent in Hungary, should be made a mandatory part of institutional operations.

Strengthening support professionals and assistants.

- It is of paramount importance to employ and financially reward pedagogical assistants, special education teachers and NOKS (public education workers employed in non-pedagogical positions). They form a bridge between the school and the family and are able to bridge cultural or communication gaps.

3. Learning support and social compensation

Inclusive education cannot be achieved without accompanying social measures. Safe

housing, adequate nutrition, and mental and health support are essential for children's learning success.

It is recommended that educational developments be linked to social services, for example through the integration of school social workers, psychologists, health screenings and scholarship programmes.

4. Data collection, monitoring and accountability

Disaggregated, anonymous data reporting should be made mandatory in relation to student diversity, dropout rates, early school leaving, further education rates and student performance.

At the end of projects, it is not enough to document infrastructure or participation: indicators must be introduced to measure actual improvements in equal opportunities (e.g. proportion of integrated classes, inclusion indicators for SNI students, further education of Roma students).

5. Expected results and impacts

- The education system will show declining segregation and increasing integration in statistical data.
- Small schools will retain their community function while joining regional learning networks.
- Teachers will develop a stronger fundamental rights, inclusive and reflective approach, which will also be encouraged by school management.
- Pupils, especially Roma, disabled, disadvantaged and multiply disadvantaged children, as well as those from migrant backgrounds, will show better academic results, higher rates of further education and lower school drop-out rates.
- The use of EU funds in education has not only infrastructural but also social impacts, contributing measurably to social cohesion and equal opportunities.

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

Housing is not only a physical necessity, but also a fundamental human right and a prerequisite for social integration. In Hungary, however, housing policies in recent decades have tended to follow market logic rather than social equity. EU and domestic development funds have rarely been directed specifically at reducing housing poverty, segregated neighbourhoods or exclusion resulting from housing.

According to research conducted by the FURI programme, previous EU programmes – particularly interventions aimed at slum clearance, residential environment rehabilitation and social urban regeneration – often yielded symbolic rather than structural results. In many cases, investments did not increase housing security but reproduced segregation in

new forms, for example through the construction of 'social housing estates' on the outskirts of settlements or the "temporary" relocation of residents, or – perhaps the most long-term and negative process – social rental housing purchased and renovated in segregated areas.

4.2.1 Starting point and systemic challenges

Housing poverty and segregation:

According to research^{15,16}, approximately 15-20% of households in Hungary live in housing conditions that do not meet the criteria for fair housing. In the case of Roma households, this proportion is over 60%, and more than half of the housing stock is uncomfortable, overcrowded or harmful to health. Housing segregation is reproduced in urban peripheries and rural segregated areas: the location of social housing often spatially segregates those in need, and local authorities often use administrative measures (e.g. difficulties in registering a place of residence, shortening contracts) to restrict people from moving in.

Lack of social housing construction and declining state responsibility:

In Hungary, social rental housing accounts for 2-3% of the total housing stock, which is among the lowest rates in the EU. The municipal housing stock has fallen to a fraction of its 1990 level, while energy poverty and the cost of housing have increased. Rental housing policy is unregulated and unevenly distributed across the country: a sustainable model exists in a few large cities, but institutional housing assistance is almost completely absent in small towns.

The predominance of institutional care and the geographical and social dead ends of exclusion – the main findings of the MEOSZ 2019 analysis:

A significant proportion of people with disabilities or in need of psychiatric care live in large residential institutions, which perpetuate social exclusion and dependency. Although the aim of the deinstitutionalisation programme launched in 2011 was to replace these institutions with small-scale, community-based forms of housing, the process often remained formal: in many cases, the new residential units were built in isolation, on the outskirts of towns, and did not result in real social integration, but merely in "institutional downsizing". Furthermore, the programme did not implement the provisions of Article 19 of the UN Convention on the Rights of Persons with Disabilities (CRPD). This is the point that makes it clear that an acceptable form of deinstitutionalisation is not the "division" of large (50-70 person) institutions into smaller 10-12 or even 5-6 people, but rather the implementation of programmes that ensure that persons with disabilities have the same right as others to choose where, with whom and in what form they wish to live, and therefore

¹⁵ Eurostat – ["EU statistics on income and living conditions \(EU-SILC\)" database](#)

¹⁶ Habitat for Humanity Hungary – ["Annual Report on Housing Poverty 2024"](#)

cannot be forced into a specific form of housing. It follows that only deinstitutionalisation that actually provides individual housing integrated into the local community, with a personalised support package, and does not create new closed residential units functioning as "mini-institutions" can be considered compliant with the CRPD. Small numbers alone are therefore not sufficient: if the residents' lives are organised collectively and there is a lack of meaningful choice and independent living, then it still constitutes institutional placement, regardless of the number of people living there. In other words, deinstitutionalisation cannot mean that people with disabilities are forced to live together, regardless of the size of the institution.

In 2019, the National Federation of Associations of People with Physical Disabilities (MEOSZ) conducted a comprehensive analysis of the geographical and sociological characteristics of 231 supported housing (SH) locations created during the deinstitutionalisation process under the EFOP 2.2.2 programme. The study showed that a significant proportion of the new forms of housing affected by the relocation do not provide real community integration, but continue to place those affected in isolated, difficult-to-access environments with a lack of services. According to the survey, TL houses:

- 73.6% are located on the outskirts of settlements, often far from the inner city or even from the settlement itself.
- Nearly half of the locations (48.5%) were established in close proximity to each other, on a single plot of land or on the site of former institutions, which, according to MEOSZ's interpretation, results in "mini-institutional" accommodation.
- The homes are located on average 45 km from the county seat, and in more than 40% of cases there is no railway station, and local transport is typically not accessible.
- Only 40% of the locations have day care or rehabilitation facilities for persons with disabilities, and in 20% of cases there are no support services at all.
- GP care and pharmacies are relatively accessible (93% and 67% respectively), but specialist clinics are located an average of 16.5 km away and can often only be reached by changing transport and booking in advance.

4.2.2 Legal uncertainty and housing vulnerability:

Tenants' rights are weak and protection against loss of housing is minimal. With the expiry of the eviction moratorium, 3,000-5,000 families lose their homes each year, in many cases households with children. Due to rising property prices and energy poverty, more and more low-income families are falling into the zone of "invisible homelessness" – living with relatives () or acquaintances, or in temporary accommodation.

4.2.3 Strategic objective: developing a fair, community-based housing system

In the period 2028-2034, the aim of housing interventions will not be merely the physical construction or renovation of housing, but to ensure that housing truly becomes a means

of social inclusion, human dignity and community participation. This is particularly critical for the three most vulnerable groups mentioned above: Roma, people with disabilities, and families with a migrant or refugee background.

The basic principle of the strategic direction is that housing interventions should not reproduce spatial and social segregation, but actively break it down. Community-based housing does not only mean new construction, but also the fairer, integrated use of the existing housing stock, solutions based on community participation and support for independent living. Housing should thus become a space for self-determination and social participation rather than dependency.

To achieve this goal, future programmes must have an impact on three levels:

- At the structural level, housing policy decisions must be made in accordance with human rights and equality principles, in close connection with the EU Charter of Fundamental Rights and Article 19 of the UN CRPD.
- At the institutional level, cooperation between local authorities, civil society organisations and communities must be ensured so that developments are not merely top-down investments, but are based on individual and/or local needs and participation.
- At the individual level, housing programmes should support the independent decision-making, employment and community relations of the persons concerned, as well as the necessary support services.

The strategic goal is therefore to create a housing ecosystem in which physical infrastructure, community services and social support reinforce each other and ensure the right to safe, affordable and fair housing for all.

4.2.4 Areas of intervention and recommendations:

A fair and community-based housing system can only be achieved if EU and national developments go beyond construction investments and treat housing as a complex social integration process. To this end, the following lines of action are proposed:

1. Ensuring housing security for the most affected groups, with developments based on three priorities:

- In the case of Roma communities: eliminating segregated living environments, legalising informal housing, but most importantly creating programmes that do not directly or indirectly reinforce the housing segregation of Roma.
- For persons with disabilities: moving them out of large institutions, developing small, community-based supported housing, and improving the actual accessibility of services (support services, transport, healthcare); but definitely creating programmes that do not directly or indirectly reinforce the housing segregation of

- people with disabilities.
- In the case of families with a migrant or refugee background: reducing barriers to stable housing (administrative, linguistic, legal) and promoting housing models linked to school and labour market integration; but definitely creating programmes that do not directly or indirectly reinforce the housing segregation of people with a migrant or refugee background.

Interventions must always be based on local partnerships and data-driven needs assessments. Rather than uniform, nationwide "housing policy packages", what is needed are targeted programmes that can be interpreted at the community level and that measurably improve the housing security, rights and community integration of the three groups.

2. Creating a non-segregated and integrated living environment

All (!) housing investments must be subject to a preliminary (!) social impact assessment that examines the risks of segregation. New homes and residential units, or renovations, can only be financed if they are within easy reach of public services – schools, GPs, pharmacies, public transport, (in the case of people with disabilities, special medical and health care appropriate to their needs), etc. They should not be built on the outskirts of towns in areas lacking services.

It is prohibited to support interventions that segregate disadvantaged groups, force them into reduced or inferior public services, or create "social ghettos". Urban regeneration programmes should pay particular attention to the development of mixed housing solutions, where different social groups live side by side and development is not only an architectural process but also one that strengthens community and social inclusion.

3. De-institutionalisation and community housing

The lesson learned from previous institutional replacement programmes is that formal deinstitutionalisation often did not result in genuine integration, as the new housing units were built in isolated environments lacking services.

In the next cycle, all deinstitutionalisation projects must ensure genuine integration into community life, for which access to local public services, jobs and community spaces is essential.

The aim of deinstitutionalisation is not simply to reduce capacity, but to increase independence: creating small (4-6 person) supported housing is not enough if it doesn't comply with Article 19 of the CRPD, which says that people can make their own decisions about who they want to live with (or not) and that support services help them live independently. Where appropriate, completely independently. In the project evaluation, it is proposed to introduce a new indicator, the level of "social embeddedness", which can be measured on the basis of the accessibility of services, community participation and the strength of local relationships. Before any (!) investment, it should be mandatory to consult in advance (!) with representatives of the largest advocacy organisations (in the case of

people with disabilities, MEOSZ and ÉFOÉSZ) to ensure that, in the case of institutions that have been closed down on paper, it does not turn out that nothing has actually changed.

4. Energy poverty and environmental sustainability

As a basic principle, we can say that all investments made with EU funds, especially housing interventions, must respond to both climate protection and social challenges.

Household energy efficiency investments must be made available to those most in need, with particular attention to households living in energy poverty. Renovations and new construction should be carried out using renewable energy sources, genuine (!) cost-cutting technologies and community implementation linked to local training programmes.

5. Local partnership and participation

Housing developments are sustainable if there is genuine partnership between local authorities, civil society organisations, local communities and, above all, stakeholders in the planning, implementation and maintenance phases.

The involvement of stakeholders means not only formal consultation, but also joint decision-making: stakeholders, local organisations and professionals jointly determine the purpose, location and form of interventions; but as a minimum, they will certainly know if a planned investment does not primarily serve their interests, or creates a situation where a new investment (which may appear more attractive or better in some cases) reproduces and reinforces their segregation or provides poorer access to public services.

4.2.5 Accessibility of infrastructure and services

Objective: To ensure uniform physical, communication and digital access in all new and renovated facilities, services and IT solutions, in line with the principle of 'universal design'.

Basic principle and legal background (in brief): Accessibility and reasonable accommodation are mandatory – not merely 'good practice'. Physical (built environment), information and communication (information, administration) and digital (web, apps, documents) access are required.

Areas of intervention and minimum requirements:

- Built environment: step-free access, appropriate ramps and lifts; barrier-free entrances, counters, toilets; contrasting tactile markings and guide strips; solutions to improve the hearing environment (e.g. induction loops).
- Transport and public spaces: barrier-free kerbs, stops, platforms; audio-visual passenger information; pre-announced and effectively provided assistance.
- Services and administration: easily understandable information; sign language and subtitling options; priority lanes; accessible customer service areas.
- Digital and communication access: WCAG compatibility of websites, applications

and e-documents; alternative text, keyboard navigation, subtitles; accessible PDF/HTML; accessible forms.

- Enforcement in public procurement: accessibility and compliance as specified in the technical description, verified upon performance certification.
- Prohibitions: any investment that does not provide essential access elements (e.g. lack of ramp/lift in a new public building; new e-administration system that is not WCAG-compliant) is not eligible for support.

4.2.6 Community-based inclusion and inclusive housing

Objective: Community-based models that replace the 'institutional' logic of inclusion, where services go to people – not the other way around.

Principle: Open services embedded in the residential community instead of segregating, isolating solutions; integrated case management and assistance provided in a natural environment.

Areas of intervention:

- Community service network: a coordinated package of local social, health, employment and education services (one-stop "case management").
- Inclusive housing: social/regulated rental housing in mixed residential environments; scattering instead of "mini-institutions"; community spaces.
- Community-based reception of migrants/refugees: community mentoring, language and legal support, exploration of school and labour market opportunities; supported accommodation in residential communities instead of detention and large reception centres .
- Exiting homelessness: priority for permanent (supported) housing; rent support and service package; pathways out of institutional accommodation.
- Minimum: proximity to services (healthcare, transport, education, administration) for all accommodation, and participation of those affected in planning.
- Prohibitions: isolated "social settlements", large-capacity reception/transitional centres, TL houses built next to each other with a "mini-institutional" logic.

4.2.7 Independent living – restructuring social, health and housing services

Objective: People should live in their own homes and communities and receive support in their decisions – not be dependent on institutions.

Principle: Independent living is not about the individual "adapting", but about society's responsibility to create a supportive environment (personal assistance, access, decision support).

Areas of intervention:

- Personal assistance and supported decision-making: flexible personal assistance

on an hourly basis; ensuring genuine decision-making autonomy within the existing legal framework; review of guardianship practices.

- Integration of health and social care: coordinated provision of GP, psychiatric, rehabilitation and social services on a community basis; home care pathways instead of hospitalisation.
- Interoperability between services: flexible entry/exit; removal of bureaucratic barriers; digital accessibility and mobile services.
- Life course approach: children in care, young adults with disabilities, people with psychosocial difficulties, older people – a personalised pathway into community life for everyone.
- Minimum: personalised support plan with regular reviews; service-oriented housing; stakeholders have a say in their own support package.
- Prohibitions: expansion/renovation of institutional places; the practical "total" application of guardianship; the replacement of community services with large-capacity care, including small-scale group housing forms that operate according to institutional rules and structures.

Mandatory fundamental rights requirements that all EU funding must comply with

- Anti-discrimination and desegregation: investments that create/reinforce segregation (in education, housing, services) are prohibited.
- Accessibility and reasonable accommodation: physical, communication and digital accessibility; WCAG-compliant digital content in procurement.
- Priority for community-based solutions: community services and supported housing () instead of institution building/expansion.
- Participation: consultation and co-decision-making with stakeholders (organisations representing Roma, people with disabilities, people with a migrant background); their costs are eligible for reimbursement.
- Transparency and accountability: public justification of decisions; communication in accessible formats; complaint mechanisms and corrective measures.
- Data protection and dignity: data minimisation, lawful data processing; prohibition of stigmatising practices.

Recommended indicators and performance measurement tools (sample – for programming)

Structural/outcome indicators:

- Number and capacity of closed institutions, number of newly created places, possibly the ratio between the two.
- Number of people using community-based services (broken down by life situation).
- Number of people receiving personal assistance and average number of hours of support.
- Number of people living in their own homes or in the community who were previously in institutions.
- Number of children returning to their families from child protection care; ratio of

- foster care placements.
- Number of people moving from homelessness to permanent housing ("Housing First" outcomes).
- New/modernised social rental housing capacity (number of units, m²), with a dispersion index.
- Proportion of accessible public service points (buildings + digital).
- Proportion of WCAG-compliant systems among new/modernised e-services.
- Desegregation indicator: reduction in the proportion of segregated student/residential environments.
- Number of complaints and resolution rate, number of corrective measures.

Data collection and quality assurance:

- Mandatory disaggregated, anonymous data reporting (gender, age, type of disability, Roma/migrant background with voluntary self-identification, type of settlement).
- Annual fundamental rights report by the IH (in accessible formats).
- Focus groups and interviews with data subjects as qualitative control – with feedback.

4.2.7 Expected results and impacts

The aim of housing interventions in the period 2028–2034 is to ensure that subsidies are not merely construction projects but social investments, bringing about concrete, measurable change in the lives of the three most affected target groups. The results should therefore be based not (only) on quantitative indicators, but (also) on qualitative indicators that measure whether the interventions actually promote the enforcement of rights, independent living and social participation.

In the short term (1–3 years) – during the programme implementation period

- Safe and affordable housing becomes more accessible to people with Roma, disability and migrant backgrounds, including legal status regularisation, rental housing programmes and community-based renovations, or any EU programme that has supported housing in some way.
- Partnerships and capacity among local authorities and civil society partners will be strengthened to plan housing interventions in a lawful manner, in line with the spirit of the Charter of Fundamental Rights and the principles of non-segregation and better access to public services.
- The actual decommissioning of large residential institutions will begin, and the first truly community-based, supported forms of housing will appear.

In the medium term (3-6 years) - within the mandatory maintenance period undertaken in the programme

- The number of people living in segregated residential areas, as well as the number and proportion of such settlements and neighbourhoods, will decrease.
- The proportion of integrated housing solutions within settlements, where different social groups live together, will increase.
- People with disabilities living in supported housing will achieve greater independence and community presence – there will be a measurable decrease in service dependency and an increase in the proportion of independent decision-making.
- The housing situation for migrant and refugee families is stabilising and the conditions for access to basic public services are being created.
- The energy and employment components of housing programmes reduce energy poverty, thereby creating new types of jobs and more jobs at the local level.

In the long term (6-10 years) - beyond the programme monitoring period

- A fair, community-based housing system will be created, providing the three target groups with an interconnected, sustainable structure rather than separate programmes.
- The proportion of people living in housing poverty will decrease steadily and continuously, and social cohesion and participation will strengthen instead of segregation.
- The use of EU and domestic resources will become more transparent and impact-based, and housing programmes will truly serve to uphold fundamental rights and human dignity.

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

5.1. The role of fundamental rights in programming

The European Union's new multiannual financial framework for 2028-2034 provides an opportunity – and indeed requires – that Member States' development policy programmes not only target economic growth, but also promote social cohesion, human dignity and the enforcement of fundamental rights. This requires that horizontal principles – equal treatment, gender equality, accessibility and sustainability – be incorporated into decisions at all levels in a substantive rather than a formal manner during the national and regional programming process.

Both the EU and domestic legal frameworks – from the Charter of Fundamental Rights of the European Union and the EU regulation defining the conditions of the rule of law to the Fundamental Law, the Ebktv. and the law on the rights of persons with disabilities – stipulate that the principles of human dignity, equality, non-discrimination and accessibility are legally binding, enforceable norms, not merely political objectives.

The compliance of national programming with fundamental rights is ***therefore not a new requirement, but rather the integrated enforcement of existing EU and domestic legal obligations***. One of the biggest challenges for the period 2028-2034 will be to ensure that this requirement is effectively implemented at all levels of development policy decision-making – not only in evaluation tables, but also in the logic of planning, implementation and monitoring.

5.2. Partnership principle and social participation

Regulation (EU) 2021/1060 of the European Parliament and of the Council (on general provisions) states that the partnership principle is a fundamental organising principle of cohesion policy. Accordingly, Member States are required to involve regional and local authorities, economic and social partners and civil society in the preparation, implementation, monitoring and evaluation of programmes.

As numerous studies, including one conducted by us as part of the FURI programme, have shown, the application of the partnership principle in Hungary is often formal in nature: consultations are often ex post, limited in time or restricted to selected organisations. This not only undermines transparency, but also means that the communities most affected – such as Roma communities, people with disabilities, people with a migrant background or children in care and their representatives – are unable to exert any real influence on programming.

A new partnership approach is therefore needed for the period 2028–2034, which includes:

- the early launch of public consultations, already during the preparation phase of strategic documents;
- mandatory documentation of the involvement of civil society and interest groups;
- restructuring the composition of monitoring committees so that representatives of disadvantaged groups are proportionally represented;
- making the costs of partnership participation (travel, interpretation, time spent) eligible for reimbursement, especially for smaller civil society organisations.

The partnership principle is not merely a democratic gesture, but one of the guarantees of the enforcement of fundamental rights: if those most affected by interventions are excluded from decision-making, the entire development policy system becomes vulnerable.

5.3. Integrating fundamental rights compliance into the programming process

Fundamental rights considerations can be incorporated into programming at three levels:

a) Ex ante – planning stage

A fundamental rights impact assessment must be carried out during the preparation of national and regional programmes. The aim of this is to identify whether any of the programme's measures could indirectly disadvantage protected groups. The impact assessment must cover:

- equal opportunities and access considerations,
- risks of territorial and social segregation,
- equal opportunities for different groups, and
- the accessibility of participation mechanisms.
-

b) In medias res – implementation phase

During implementation, all managing authorities are required to prepare fundamental rights compliance reports, at least annually, for the Monitoring Committee. These reports must assess not only the fulfilment of indicators, but also the quality of social impacts (e.g. how many projects were implemented in a non-segregated environment, to what extent the proportion of accessible public services increased).

c) Ex post – evaluation phase

After the programme has been completed, an independent fundamental rights assessment must be prepared to measure compliance with EU and national requirements. It is advisable to involve the civil and academic spheres in this (e.g. ELTE Faculty of Social Sciences, MEOSZ, Habitat for Humanity Magyarország, 1Magyarország Egyesület).

The lessons learned must be incorporated into the preparation of the next programming cycle.

The assessment is not optional: the European Commission may check whether fundamental rights requirements have been incorporated into the logical framework before approving programmes.

5.4. Practical tasks and recommendations

The following measures are recommended for Hungarian managing authorities and intermediate bodies in the next programming period:

- Developing a fundamental rights compliance manual for all institutions using EU funds, containing guidelines for the practical application of the Charter, the Ebktv. and Act XXVI of 1998.
- Incorporation of a compulsory fundamental rights module into the training of tender evaluators and beneficiaries.
- Establishment of an independent fundamental rights advisory body to provide preliminary opinions on contentious issues during programming and implementation.
- Consistent data collection on indicators relating to fundamental rights (e.g. segregation, accessibility, gender equality, civil participation, etc.).
- Transparent communication on the social impact of EU funds, in accessible formats, on online platforms compliant with WCAG 2.1.

6. Mechanisms for implementing fundamental rights requirements

The enforcement of fundamental rights principles can only be considered credible if they are reflected in a concrete, measurable and enforceable form in the implementation of development policy programmes. Horizontal principles are not merely "overarching considerations" but conditions for the legality and social acceptance of the use of funds. In Hungary, compliance with fundamental rights remained at a formal level in several cases during the 2021-2027 period, resulting in the country losing significant EU funds. This process has two consequences: at present, it is impossible to know how much of the suspended funds has been lost entirely, and that in the 2028-2034 cycle, the implementation mechanisms must be designed in a robust, verifiable and transparent manner. It does not take a genius to predict that the Commission will exercise even stricter control in the next cycle than it has done so far.

6.1. Practical implementation measures

Fundamental rights are enforced at project level when measures directly support inclusion, accessibility and equal opportunities.

a) Inclusive education

Educational developments must be in line with Act CXXV of 2003 on equal treatment and Act CXC of 2011 (on national public education). Projects may not finance segregated educational institutions or support renovations that reinforce segregation.

Examples of possible (and, in the authors' view, most feasible) developments that could be supported include:

- the creation of mixed-composition classes providing a shared learning environment;
- integrated teacher training to learn inclusive teaching methods;
- building a network of support professionals (assistants, psychologists, special needs teachers).

b) Community housing

According to Act XXVI of 1998 and Article 19 of the UN Convention on the Rights of Persons with Disabilities, supported forms of housing should promote independent living and social inclusion.

Possible examples of supported developments (and those considered most feasible by the authors) include

- integrated, small-scale housing units in an urban or public service environment, with special services where appropriate;
- provision of services necessary for independent living (personal assistance, support services);
- creation of community spaces where people with and without disabilities use services together.

c) Digital and physical accessibility

Based on the WCAG 2.1 standard and the provisions of Government Decree 253/1997. (XII. 20.) (OTÉK), all developments must ensure accessibility.

Examples of supported developments (and those considered most feasible by the authors) include:

- the development of accessible websites and applications;
- design of public buildings accessible to people with disabilities;
- the installation of visual and audio information systems in transport infrastructure.

6.2. List of excluded investments

The following types of investments violate fundamental rights and are therefore not eligible for support from either EU or domestic sources:

- the creation, expansion or renovation of residential social institutions that are contrary to Article 19 of the CRPD and/or Act XXVI of 1998;
- the development of segregated housing estates or "Roma housing projects" that preserve or reinforce spatial segregation;
- immigration detention centres, closed refugee reception facilities;
- development of separate special schools and ghetto-like schools;
- infrastructure investments that hinder or prevent persons with disabilities, migrants or other disadvantaged persons from accessing public services.

It is important to note that the aim of the exclusion logic is not to further aggravate the situation of the most disadvantaged target groups or to restrict developments in a "general sense", but to ensure that resources are actually used to promote social integration and a dignified life.

6.3. Monitoring mechanisms

The purpose of a truly effective monitoring system is not only to track indicators numerically, but also to examine whether developments contribute to the enforcement of

fundamental rights. For this reason, the Monitoring Committee is tasked with:

- regularly assess the implementation of horizontal principles (e.g. equal opportunities, accessibility);
- publish an annual report on compliance with fundamental rights;
- initiate corrective measures if projects have a negative impact on certain groups.

The Office of the Commissioner for Fundamental Rights (AJBH) plays a complementary, awareness-raising role in identifying violations: it can investigate complaints, make recommendations to the managing authorities, and receive reports in the public interest.

Monitoring should also be based on fundamental rights indicators, such as:

- the degree of segregation in education;
- the proportion of accessible public buildings;
- the rate of inclusion of people with a migrant background, disabilities, or Roma in projects;
- the number and type of complaints received and closed.

6.4. Complaint mechanisms

The complaint mechanism is the last but crucial element of fundamental rights protection. All beneficiary organisations are required to operate an accessible and impartial complaint handling procedure.

Those affected may contact:

- the project manager, who will conduct an internal investigation;
- the Commissioner for Fundamental Rights (ombudsman), who may initiate an investigation;
- the courts, if the violation is serious or repeated;
- the European Commission or the European Ombudsman if the infringement is systemic.

In 2021, the Equal Treatment Authority merged with the AJBH, so complaints relating to discrimination are also investigated by the ombudsman.

To ensure the transparency of the complaint handling mechanism, an anonymised summary report must be prepared annually, which includes the number and type of complaints, the measures taken and their impact.

6.5. Planning calls for proposals

Funding calls must apply fundamental rights screening criteria to filter out projects that are discriminatory, segregating or restrict access.

When preparing calls for proposals, it is mandatory to consult with stakeholders, in particular with organisations representing the target groups (e.g. MEOSZ, Partners Hungary, Phiren Amenca, Habitat for Humanity Hungary, Migration Aid).

The tender documentation must clearly specify:

- the legal basis for compliance with fundamental rights;
- how applicants must prove that their projects do not cause indirect disadvantage;
- how accessibility (physical, communication, digital) will be ensured.

6.6. Project selection and sanctions

Managing authorities are required to apply fundamental rights screening during project selection. If the planned investment contains unlawful or risky elements:

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

In the event of a subsequent discovery of a violation, the authorities may suspend payments, reclaim the grant and/or terminate the contract in accordance with Government Decree 256/2021. (V.18.). Decisions on compliance with fundamental rights must be made public in a justified and traceable form.

In practice, this means that fundamental rights requirements are not ex post control criteria, but conditions for the award of support. This ensures that EU funds truly serve the principles of equality, inclusion and human dignity.

7. Designing calls for proposals and selecting operations

Fundamental rights considerations must be applied at every stage of the grant cycle: from planning, through selection and implementation, to evaluation and closure.

7.1. Fundamental rights planning in calls for proposals

When preparing calls for proposals, managing authorities must ensure that fundamental rights are reflected in the text of the call. This can be achieved through the following elements:

- Fundamental rights screening: a fundamental rights risk assessment must be carried out for each new scheme to determine whether the intervention in question could adversely affect any protected groups (e.g. Roma communities, persons with disabilities, women, persons with a migrant background).
- Incorporation of positive discrimination (disadvantage compensation) principles: scoring criteria favourable to target groups (e.g. if the project is implemented in a disadvantaged area or includes specific inclusion and equal opportunity measures).
- Consultation obligation: draft calls for proposals must be submitted for public consultation, with particular attention to organisations representing the target group in question.

It is good practice for consultations to be informal and supplemented by feedback mechanisms, i.e. the authorities provide written justification for the processing, acceptance or rejection of proposals received on an ongoing basis, on a partnership basis and not just by complying (to some extent) with the letter of the law.

7.2. Evaluation criteria and fundamental rights scoring

When evaluating applications, compliance with fundamental rights should constitute a separate evaluation dimension, which should be given significant weight in the scoring.

It is recommended that the criteria related to horizontal principles include the following :

- the degree of actual involvement of target groups in project planning and

- implementation;
- the specificity of equal opportunity commitments (gender equality, accessibility, anti-discrimination measures);
- the expected impact of the project on reducing segregation or strengthening integration;
- the accessibility of communication and visibility elements (e.g. online content in accordance with WCAG 2.1).

In order to perform all these tasks well, the experts participating in the evaluation must undergo training in fundamental rights, which ensures that the evaluation criteria are applied not formally but substantively. The documentation of the evaluation process must include a brief justification of each decision regarding compliance with fundamental rights.

7.3. Procedure for selecting projects

During the selection process, the managing authorities must ensure, in accordance with Government Decree 256/2021. (V. 18.), that compliance with fundamental rights is a prerequisite for the award of support. In practice, this is implemented as follows:

- Preliminary legal screening – the application is not eligible for support if any element of the project is contrary to Article XV of the Fundamental Law, the Ebktv. or the provisions of Act XXVI of 1998 (e.g. segregated education, development of residential institutions).
- Conditional support – if compliance with fundamental rights is partially lacking, support can only be approved after a corrective plan has been submitted.
- Expert opinion – in case of doubt, an independent fundamental rights expert (e.g. AJBH or an accredited civil society organisation) must be consulted.
- Public decision-making – a summary of all support decisions must be published in an easily understandable and accessible form, setting out how the horizontal principles have been fulfilled.

The aim of this system is to ensure that the selection of applications does not become a mere formality, but a genuine quality assurance tool that filters out unlawful or socially harmful interventions.

7.4. Contractual guarantees and legal remedies

Funding agreements should include a separate section setting out fundamental rights commitments, including:

- equal opportunities plans,
- accessibility measures,
- a description of the complaint handling procedure,
- and, most importantly, the sanctions applicable in the event of a breach of horizontal principles (suspension of payments, termination of the contract, repayment of the grant).

Remedies for violations of fundamental rights must be provided at several levels:

- internal project complaint handling;
- national-level reporting to the Office of the Commissioner for Fundamental Rights (AJBH);
- EU-level reporting to the European Commission or the Ombudsman if the violation is systemic.

To ensure transparency in complaint handling, managing authorities are required to publish an annual anonymised report on the number and type of fundamental rights complaints and the measures taken.

7.5. Fundamental rights compliance as a selection criterion

Compliance with fundamental rights is not a "retrospective document" that can be checked at the end of a project, but a prerequisite for drawing down funds and even a maintenance obligation.

This ensures that programmes financed from public funds actually serve to strengthen social inclusion, equality and human dignity – and not merely formal accountability.

8. Social accessibility and support for independent living

8.1 Starting point and systemic challenges

Independent living should not be a question of individuals 'adapting' or 'increasing their adaptability', but rather of society's responsibility to remove barriers. True accessibility is not only physical, but also social: it is an environment where everyone is able to make decisions, act and be present, regardless of their life situation, abilities or background.

In Hungary, accessibility is still, at best, interpreted only as an architectural and technical category, while the path to independent living is much more complex: social, communication, digital and attitudinal barriers also determine whether someone is actually able to participate in community life.

For people with disabilities, members of Roma and migrant communities (but also large groups such as the elderly, people with chronic illnesses or single parents), access to public services is still fragmented, often unpredictable and location-bound. Many investments are formally classified as "barrier-free", but lack real usability: developments are characterised by ramps that are too steep, poorly placed signs, customer interfaces that are difficult to understand and inaccessible communication channels.

The problem is structural in this respect as well: the accessibility of public institutions, schools, clinics and community spaces has not simply been implemented in line with existing uniform regulations (if at all), but as a result of project-dependent decisions. The accessibility of digital services is also unsatisfactory – most websites, e-government interfaces and application systems do not meet WCAG 2.1 AA level requirements, so users with disabilities or low digital skills (and this group is many times larger than the target group discussed in this guide) are often excluded from basic information and services.

Community-based services necessary for independent living – support services, personal assistance, community psychiatric care, day care facilities – are also lacking or unevenly available: in many districts they do not exist at all, while in others capacity is limited or funding for the service is uncertain. Because of these gaps, the people affected don't have real choices, but are forced to follow certain paths – they remain permanently dependent on public services, transport, their workplace or access to information.

8.2 Strategic objective

The goal is to develop a comprehensive system of social accessibility that ensures that all people, regardless of their physical, sensory, intellectual or social situation, can live independently, safely and with dignity.

This means not only removing physical barriers, but also reorganising support and services: the basis of independent living is that everyone has access to the conditions that enable decision-making, transport, communication and community participation. Future

developments should be based on Article 19 of the UN Convention on the Rights of Persons with Disabilities (CRPD), which establishes the "right to independent living and inclusion in the community".

8.3 Areas for action and recommendations

1. Accessibility as a horizontal obligation

- All new or renovated infrastructure, digital systems and services must comply with WCAG 2.1 AA level accessibility and universal design principles.
- Projects should include a separate budget line for accessibility and usability testing, involving civil society experts. In other words, in future, just as it is not possible to move into a property until a housing permit has been obtained, it should not be possible to consider a programme financed by EU funds to be approved until there is documentation proving that it is accessible in a social sense.
- Instead of the previous "declaration of conformity", the assessment should be based on actual testing (e.g. testing by users with disabilities).

2. Development of community-based services

- Services necessary for independent living – personal assistance, support services, day care facilities, community psychiatric care – should become guaranteed minimum services at district level.
- Funding must be secured in the long term, not on a project basis.
- In terms of development, preference should be given to models that work with local civil or church service providers and are based on community participation.

3. Support for independent living and personal decision-making

- A prerequisite for ending institutional dependency is that those affected have real choices in terms of housing, work, education and leisure.
- Interventions should include elements that promote supported decision-making, financial independence and assertiveness training.
- The professional training of service providers should include a human rights-based approach (), particularly in the areas of communication, data protection and respect for dignity.

4. Participation and monitoring

- Representatives of the target groups concerned (Roma, people with disabilities or people with a migrant background) and their advocacy organisations must be involved in the planning and evaluation of developments.
- The progress of programmes should be presented in regular, public monitoring reports that measure not only physical accessibility but also the impact on quality of life and community participation.

8.4 Expected results and impacts

- The usability and accessibility of public services, institutions and digital systems will improve, and WCAG and accessibility standards will be incorporated into development practices.
- People with Roma, disability and migrant backgrounds will be able to travel, conduct business and participate in community life with greater independence and security.
- The network of support services and personal assistants will cover every district in the country, eliminating "white spots".
- Cooperation between civil society and local authorities among community-based service providers is strengthened, increasing sustainability and transparency.
- Accessibility is not a secondary project component, but is integrated into the development policy approach as a condition for the enforcement of human rights.
- As a result of the programmes, human dignity will be strengthened: developments will not only create access, but also recognise and reinforce the social value and self-determination of all people.

9. Conclusions and recommendations

This guide is not a description of the current situation, but an attempt at a possible vision for the future: that public funds in Hungary – especially EU funds – should not simply be spent, but should bring about real social change. The proposals set out in this document relate to a system that would be capable of observing, responding and learning: where decision-making is not merely a matter of political will, but is shaped by human needs, and where rights are not add-ons or tasks to be ticked off, but fundamental prerequisites for development.

At the same time, it cannot be denied that everything described in these chapters as ideal functioning is not the reality in Hungary today. The current management and support distribution structures reinforce the logic of compliance rather than meaningful social learning. Resources are often not used where they are most needed, and partnerships are often formal rather than genuine.

For this reason, the FURI research and this guide did not aim to investigate corruption or analyse well-known practices that are often taken for granted. We did not ignore it because we were naive, but because the express aim of the programme was to take the discussion to another level: to remind all those involved in planning, selecting and implementing EU programmes that abuse does not only take the form of theft.

As Transparency International puts it¹⁷, "Corruption is when we abuse the power entrusted to us for personal gain." We take this definition as a starting point, but we also argue that it is not enough. This is because EU funds – or any public funds – can be spent for the wrong purposes, in the wrong way, disregarding human dignity and the EU Charter of Fundamental Rights, even if all the indicators are met, all target groups sign the attendance sheet on time, and the money is spent correctly and accounted for without error using genuine (i.e. not overpriced) invoices. This type of "abuse within the law" is the most difficult to detect, but it is the most destructive in terms of public trust, dignity and European values.

That is why the aim of the FURI programme was not to document corruption, but to offer an alternative: an approach in which legality is not enough if fundamental human and social rights are violated in the process; and to show that even without corruption, it is possible to implement programmes and investments that will make the situation of the most vulnerable target groups a little worse. They will live in even greater segregation, their access to public services will be even worse, and the obstacles to their social integration will be even greater.

We believe that the use of EU funds can only be meaningful, forward-looking and competitive if it not only "complies" and "ticks boxes", but also restores, involves, guarantees rights and, above all, gives dignity.

Based on the research and field experience of the FURI programme, the recommendations point in three key directions:

- Raising transparency and participation to a new level, where communities are not

¹⁷ Transparency International: What is corruption: <https://www.transparency.org/en/what-is-corruption>

external, and in some cases passive, subjects of development policy, but its shapers.

- Incorporating fundamental rights compliance into all levels of decision-making, not as an administrative requirement, but as a professional quality requirement.
- Encouraging flexible, local-level learning, which allows programmes to not only follow rules, but also respond to real social needs.

In such a system, EU funds would not simply be a development tool, but a confidence-building mechanism: a common space for the state, communities and European institutions to take responsibility.

If all this is achieved, Hungary will become a European country not only administratively but also in terms of its values – where dignity, rights and opportunities are not expectations but natural parts of everyday life.

