

The hungarian minority policy
How Hungary's largest minority is integrating?
The minority integration of the European Union.

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Introduction

At the international level, the question of national minority protection is a contested issue. In most situations, the term "minority" refers to national, ethnic, linguistic, religious, and other minorities, and there are numerous possibilities for defining the term in the absence of an internationally accepted definition. The minority is defined as "a group that is numerically inferior to the rest of the population of a state and in a non-dominant position, whose members possess ethnic, religious, or linguistic characteristics that differ from those of the rest of the population and who, if only implicitly, maintain a sense of solidarity, directed toward preserving their culture, traditions, religion, or language."¹

A minority group is defined as "any group of people who, because of their physical or cultural characteristics, are singled out from the others in the society in which they live for differential and unequal treatment, and who thus regard themselves as objects of collective discrimination," according to sociologist Louis Wirth.²

"A national minority is generally understood to mean a non-dominant population that is a numerical minority within a state but shares the same nationality/ ethnicity as the population constituting a numerical majority in another, often neighboring state," according to documents from the Organization for Security and Cooperation in Europe."³

The purpose of this paper is not to provide a historical review of minority protection; rather, specific milestones will be provided in order to get a sense of the general picture of the issue. Minority rights are not a recent, since they date back to the seventeenth century. Special rights for religious minorities were included in the Treaty of Westphalia (1648), and in the nineteenth century, the three major conferences of Vienna (1814-15), Paris (1856), and Berlin (1878) established minority protection clauses in their treaties. However, the true breakthrough occurred after World Wars I and II, when boundary modifications (after World War I) led to the emergence of new minorities.⁴

¹ Francesco Capotorti: The Protection of Minorities under Multilateral Agreements on Human Rights. The Italian Yearbook of International Law (1976), II, 14; and: Study on the Rights of Persons Belonging to Ethnic, Religious and Linguistic Minorities. Geneva UN Center for Human Rights, UN Doc E/CN.4/Sub.2/384/Add.1-7.

² Christian Joppke: Minority Rights for Immigrants? Multiculturalism versus Antidiscrimination. Israel Law Review, Volume 43., N. 49., 49.

³ UN Guide for Minorities-<http://www.ohchr.org/Documents/Publications/GuideMinorities9en.pdf>

⁴ Antonija Petricusic: The Rights of Minorities in International Law: Tracing Developments in Normative Arrangements of International Organizations. Croatian International Relations Review, Vol. XI., No. 38/39., (2005)

The League of Nations was established to prevent conflicts and recognize the rights of these minorities. Different minority duties were integrated into General Peace Treaties by certain nations, while minority protection requirements were acknowledged outside of these treaties by others. Despite being a true international organization, the League of Nations was frequently skewed in favor of state interests, and so failed to create an effective minority protection mechanism. Following WWII, the United Nations organization was established, which gave birth to a variety of human rights issues as well as legislation governing the acknowledgement of minority rights.⁵

When it comes to the European Union's minority protection, national or traditional minorities are frequently brought up. It is a delicate issue not only because member states are not equally concerned about national minorities and some countries focus on the issues for political and other reasons, but also because of the complicated situation of national minorities with varying historical backgrounds political and legal goals. There are more than 400 European minorities in Europe, according to the Federal Union of European Nationalities (FUEN), the umbrella organization for Europe's autochthonous national minorities and ethnic groups. One out of every seven Europeans is a member of an autochthonous minority or speaks a regional or minority language, and there are over 60 regional and minority languages spoken in Europe, with an overall population of 40 million speakers. In Europe, there are 90 languages: 37 national languages and 53 "languages without a state."

It is evident that dealing with the concerns of national minorities should be given more priority in the EU; yet, as previously said, member states have various perspectives on the subject, and it also does not fall within the category of urgent issues to be handled. In fact, the EU as a whole deals with the most pressing concerns, such as the economy, migration, and high-level politics; the plight of national minorities is rarely discussed. Furthermore, one of the most notable differences among EU member states is their various historical backgrounds, which result in varying numbers of minorities in their respective territories. It also has an impact on the political and legal attitudes toward this social group, with some governments being permissive and others being restrictive, or in other words, certain states adopting assimilationist and integrationist inclinations and methods towards minorities.

The study, on the other hand, concentrates on the EU as a whole, rather than on individual countries. The instruments significant from the perspective of minority protection will be discussed and briefly studied in the following sections, since they are the only legal reference points for people belonging to national (and other) minority groups.⁶

⁵ Peter Hilpold: The League of Nations and the Protection of Minorities – Rediscovering a Great Experiment. In: Max Planck Yearbook of United Nations Law. 2013. 87., 90. See also other well-know experts of the topic e.g.

⁶ Official website of the Federal Union of European Nationalities- <https://www.fuen.org/european-minorities/general/>

Hypothesis

The purpose of my hypothesis is to provide a comprehensive picture of the state of integration of the largest minority in our country that can bring others closer to learning about these procedures. As a member of the European Union, in order to know this, we need to have a clear view of the EU's minority protection policy, from the big to the narrower situation in Hungary. Most people and citizens do not follow up and receive adequate information on the issue of integration and the European Union's support in this regard in Hungary. Furthermore, in order to the integration need to coexist properly should be aware of the majority measures, as this would facilitate the achievement of long-term goals. Reducing these ethnic differences in the image and economy of the country could go a long way. I also consider all this to be an extremely momentous topic from a sociological and ethnic point of view, which has a complete impact on the whole country. As with much of the protection of minorities, it could be much more successful and feasible if people were properly sensitized and informed on both sides.

"For one everything is difficult; for many nothing is impossible." Count István Széchenyi

"Everyone must feel that they are a member of the national community!" Count István Tisza, Prime Minister (1861-1918)

1.Components of the European Union's minority protection policy

1.1 In the 1990s, Europe's general framework for minority rights was established

Minorities in Central and Eastern Europe found themselves in a better position when communism fell, and they began to demand "greater" rights in their native countries. The collapse of nations where numerous minority groups previously resided (Yugoslavia, Czechoslovakia, the Soviet Union) resulted in these minorities claiming "greater" rights from the governments where they lived. It was not a futile endeavor because this was the decade in which several proposals and treaties on minority rights were drafted. The main issue was that only a small portion of these laws were legally enforceable, and even these papers featured primarily ambiguous phrasing and lines of behavior in relation to national minority groups.

The challenge of interpretation, as well as the unwillingness of governments, were (and continue to be) the most significant barriers to dealing with the matter properly. In the absence of enforcement mechanisms, states read the aforementioned articles differently and make decisions on minority issues at their discretion. However, it should be noted that, beginning with the French Revolution in 1789, European governments were formed on a nationality basis; in other words, nation was the basic principle on which nations were built. The oneness of the country implied the unity of language and culture. This trend was continued following the end of World War I, when new nations were formed. It was understood, however, that more and more minority populations are forming in Europe, and that this trend will continue in the future.⁷

When looking at the condition of national minorities, particularly in the 1990s and in the new century, it is clear that their situation has altered dramatically with the fall of the Soviet Union in 1991, Czechoslovakia in 1993, and Yugoslavia's split. Because of boundary changes and partitioning, a large number of national minorities stayed in newly formed nations, campaigning for acknowledgement of their rights in their home countries and combating discrimination of any type.

Apart from the EU, though, significant and globally relevant normative mechanisms emerged in the 1990s. For instance, the European Charter for Regional or Minority Languages (1992) and the Framework Convention for the Protection of National Minorities (1995) of the Council of Europe and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities of the United Nations (1992).

⁷ Vizi Balázs: Protection without definition – notes on the concept of "minority rights" in Europe . *Minority Research*, 15 .

Focusing on the subject of the European Union's approach to minorities' rights, the 1990s brought about a number of developments. The Copenhagen criteria (also known as the Accession criteria) were created by the Copenhagen European Council in 1993 and set out the essential requirements for entrance to the EU (which are reinforced by Article 49 of the Treaty on European Union and Article 6(1) of the Treaty on European Union). The first of these characteristics is institutional stability, which ensures democracy, the rule of law, civil dignity, and minorities' respect and protection. Moreover, in order to begin accession discussions, a nation must fulfill this initial condition. Although the above features did not originate in Copenhagen, the relevance of democratic systems and human rights has been underlined since the OSCE framework's inception (Organization for Security and Co-operation in Europe; its roots were founded at the 1973 Conference on Security and Co-operation in Europe). There has also been a flood of Copenhagen-related publications, the majority of which have been issued by the Commission; for example, views, progress reports, composite papers, strategy papers, and regular reports, all of which link to the Copenhagen criteria in some way.⁸

These criteria had to be met before the accession period for Central and Eastern European countries, creating a "double standard" at the institution, according to many experts, because member states were not required to adhere to the conditions, nor were they asked to close up and implement them in their residential societies. In this context, the European Union's Charter of Fundamental Rights, promulgated in 2000 (and made legally contract with the Treaty of Lisbon's entry into force in December 2009), was a watershed moment in terms of establishing the rights of every individual within the EU at various times, in various ways, and in various forms. This is why the EU sought to clarify matters and compile everything into a single document that has been updated in light of societal changes, social growth, and scientific and technological advancements.⁹

The articles of the Charter must be enforced by EU institutions and organisations, as well as national authorities of member states, in accordance with the concept of subsidiarity, but only when they are enforcing EU law. The Charter clarifies the essence of minorities by referring to them as national minorities.

⁸ Tanja Marktler: The Power of the Copenhagen Criteria. *Croatian Yearbook on European Law and Policy*, N. 2. (2006) 345., 347.

⁹ European Commission's official website-http://ec.europa.eu/justice/fundamental-rights/charter/index_en.htm

It is vital to include the word "national minority" because it has become a component of EU legislation that will be construed in the future. One potential stumbling block to the Charter's implementation of minority rights is that the parties addressed include EU entities and institutions, along with EU members, but only if they implement EU law. It signifies that any discriminating acts taken by a member state against minorities can be repealed only if the action or provision in question has an EU source or component.¹⁰

Discrimination on the basis of sex, race, color, ethnic or social origin, genetic traits, language, religion or belief, political or other opinions, membership in a national minority, property, birth, handicap, age, or sexual orientation is prohibited by Article 21 of the Charter. The Charter, on the other hand, contains no specific examples of the prejudice outlined above, nor does it define the word minority. Article 21's phrasing is also extremely similar to other clauses that outline the stated purpose of protecting minorities in general. Article 19 of the Treaty on the Functioning of the European Union states that the Council, with the permission of the European Parliament, may adopt measures to combat discrimination based on sex, race, or ethnic origin, among other things.¹¹

There is a distinct contrast between the different sections, although these two sentences are not in conflict, according to the official Charter interpretations. Article 19 has a different scope and purpose, granting the Union the power to enact legislative acts, including harmonization of Member States' laws and regulations, in order to combat certain forms of discrimination, which are exhaustively listed in that Article at any time within the Union's powers. Article 21(1), on the other hand, does not give the Union the power to enact anti-discrimination laws in these areas of Member State or private action, nor does it prohibit discrimination in such broad areas; it only discusses discrimination by Union institutions and bodies when exercising powers conferred by the Treaties, and by Member States when implementing Union law. As a result, paragraph 1 has no bearing on the scope of powers conferred by Article 19 or the interpretation accorded to that Article.¹²

In addition to the aforementioned accomplishments, Article 2 of the Treaty on European Union (TEU) discusses the European Union's principles, which include respect for human dignity, freedom, democracy, equality, the rule of law, and respect for human rights, particularly the rights of minorities.

¹⁰ Czika, Tihamér: A kisebbségi jogok kérdése az EU-jogban Lisszabon után. (The topic of minority rights in the EU after Lisbon.) In: Európai kisebbségért. Budapest, EU-Grund Kft., 2009. 104.

¹¹ Charter of Fundamental Rights of the European Union, (2007/C 303/01), Article 21

¹² Explanations relating to the Charter of Fundamental Rights, Official Journal of the European Union (OJEU). 14.12.2007, No C 303. [s.l.], Explanation on Article 21

As can be seen, the Union views respect for minority rights as a value that must be safeguarded. Nevertheless, precise standards or established processes are lacking in order to achieve the aforementioned aims in member nations. Another issue with Article 2's language is that it can not specify what constitutes a minority. Is it truly about national, ethnic, linguistic, racial, or immigrant minorities rights? On the one hand, this position can be advantageous since it avoids resolving long-standing interpretation issues, but on the other hand, it also has the downside of making intentment more difficult.¹³

Article 7 of the Treaty is similar to Article 2 in that it proclaims that, on a reasoned proposal from one-third of the member states, the Parliament, Commission, or Council can evaluate if there is a clear danger of severe infringement of the values set forth in Article 217 by a member state. In the event that the determination is made, the Council may suspend some rights of the member State at issue, such as the voting rights of its government representative in the Council. The paragraph raises numerous concerns; on the one hand, the lack of a clear and precise description of minorities' rights, for example, makes it impossible to enforce these rights in many circumstances. Some, on the other hand, believe that the paragraph serves solely as a "deterrent" to member states, but that the Council would not implement it since it would upset the EU's balance.

The Commission says in its explanation that Article 7 "seeks to secure respect for the conditions of Union membership. There would be something paradoxical about confining the Union's possibilities of action to the areas covered by Union law and asking it to ignore serious breaches in areas of national jurisdiction. If a Member State breaches the fundamental values in a manner sufficiently serious to be caught by Article 7, this is likely to undermine the very foundations of the Union and the trust between its members, whatever the field in which the breach occurs".¹⁴

According to Kochenov, the Article refers to the suspension of "certain rights arising from the execution of the Treaty," and it is apparent that sanctions can be both economic and non-economic in nature. Although there is no successful example to cite here because Article 7(3) TEU has never been invoked, the academic literature is skeptical about the effect of the sanctions.

¹³ Treaty on European Union and the Treaty on the Functioning of the European Union, 2012/C 326/01, Article 2.

¹⁴ European Commission, 'Article 7 of the Treaty on European Union – Respect for and promotion of the values on which the Union is based' [2003] (COM(2003) 606 final), 5.

In cases where a Member State is heavily reliant on EU funds and the prestige of the EU Institutions, these could probably have the desired effect. It is unusual in that it created processes for declaring a Member State's danger of breaching EU values, the occurrence of such a breach, and a potential sanctions mechanism.¹⁵

Article 6 of the Treaty on European Union, which states that the EU should accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms, but that this will not affect the Union's competences defined in the Treaties, deserves special attention in relation to the aforementioned human rights and fundamental freedoms. The article continues, "These basic rights, protected by the European Convention, should form general principles of EU law because they are derived from member states' constitutional traditions."¹⁶

The ECJ will be constrained by the ECHR's rules, and will be required to consider them when deciding Member States' responsibilities under Union law to defend basic rights. Otherwise, the ECJ runs the danger of failing to uphold its responsibilities as an EU institution. The ECJ's "dilemma" is most likely to result in the ECJ interpreting the Charter's provisions as similar to the ECHR's relevant provisions in the vast majority of situations. In this way, the recommendations of the Council of Europe and the European Union will converge, or, to put it another way, their practice will become intertwined at some level.

The EU's previous section successes demonstrate the institution's steady efforts, primarily in combating discrimination and supporting the rights of national and other minorities in general, although it is impossible to speak specifically about actions directed at them. The next section of the article focuses on traditional/autochthonous or ethnic minorities in the EU, who clearly fall into the category of minorities but also have distinct features and are in a unique predicament.¹⁷

¹⁵ Dimitry Kochenov: Busting the myths nuclear: A commentary on Article 7 TEU. *EUI Working Papers, Law 2017/10*, Department of Law, 10–11.

¹⁶ The Union shall accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms. Such accession shall not affect the Union's competences as defined in the Treaties. 3. Fundamental rights, as guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms and as they result from the constitutional traditions common to the Member States, shall constitute general principles of the Union's law.

¹⁷ Karoline Mathisen L.: The Impact of the Lisbon Treaty, in particular Article 6 TEU, on Member States' obligations with respect to the protection of fundamental rights. *Law Working Paper Series, University of Luxembourg, Paper number 2010-01.*, 34.

1.2 Traditional or ethnic minorities in the European Union

It is common knowledge that most European nations have varying numbers of minority groups or populations residing on their lands. The bulk of these nations have ethnic minorities that make up less than 20% of the overall population, while 11 have a higher share of ethnic minorities. These minority groups have a variety of beginnings; they have national, transnational, indigenous, or immigrant roots, which means they have a variety of features, as indicated above. National or traditional minorities dwell in a host territory states but they are ethnic relatives of the titular country of another, frequently nearby, kin-state. They are therefore historically, emotionally, and racially tied to that state and to their nation, while simultaneously having broad ties with their native state.¹⁸

National minorities' rights and positions must be separated from those of new, migratory minorities; yet, this distinction is frequently overlooked, even at the level of European minority politics and expert forums. Traditional or national minority groups become minority members of a nation as a result of power politics on the outside; they are part of spontaneous mass migration or population migrations; or they are subject to organized relocation of people, for example. They have a dual identity in that their customs, culture, history, and language differ from those of the host society, yet they should ideally assimilate into the host country's society to some degree.

These minorities' collective rights should be respected, and their identity, language, culture, customs, and so on should be preserved, not only because they were forced into minority status without their consent in many cases, but also because their language, culture, and other characteristics are valuable assets that should be protected. Members of minority groups have the same basic human rights as everyone else, including the right to identify, which is recognized by international law as an inalienable fundamental right. Furthermore, because individuals of a group can only exercise a limited number of rights in a group, acknowledgment of collective rights is essential (language, culture, etc.).

Migrants or new minorities, on the other hand, Gordos claims, belong to the minority by choice, and their integration must be accompanied by a commitment to assimilation. Gordos also believes that if the group's members do not accept the host country's integration or assimilation, they have the option of leaving for their home nations.

¹⁸Stefan Wolf: Ethnic Minorities in Europe: The Basic Facts- <https://pdfs.semanticscholar.org/75b5/06975eb5fb135f1c259641d08f1589784e92.pdf> 1., 3.

These minorities have "only" individual human rights, with the ability to exercise those rights collectively in some situations. This assertion must be qualified by the reality that not every migrant decides to leave his nation freely; in many situations, they are threatened by or confronted with war, political turmoil, harassment, natural disasters, or other hardships.¹⁹

Toggenburg said of new and old minorities, "new minorities seek to avoid their 'being different' from becoming a foundation for exclusion and discrimination,". In order to escape assimilation, old minorities strive to actively retain their "being distinct." In other words, the Union is becoming increasingly preoccupied with concerns of integration, while preservation issues are left to the discretion of the Member States. However, as stated in the preceding section of the essay, the EU also promotes the protection and management of national identity and opposes all forms of discrimination. A distinct resemblance can be noted between new and old minorities, according to Toggenburg's perspective: the optimal approach utilized by the host nation towards them is integration, which is also the adopted "technique" at the EU level.²⁰

When it comes to the EU's minority protection, the European Parliament's actions should not be overlooked. Members of the European Parliament, or more precisely, many groupings, have engaged extensively with the problem during the last 2-3 decades. For instance, the work of Minority Intergroup, which began operations in 1983 and is largely concerned with minority languages and cultures, is noteworthy. Rather than "harder" political topics, it concentrates on politically "soft" and non-controversial matters. The Intergroup's focus at the start of the 1990s was primarily on the then-new European Charter for Regional or Minority Languages, and it continues to play an important role in providing financial assistance to less used language groups. Under the presidency of Csaba Tabajdi and the vice-chairmanship of Kinga Gál, it was renamed the Intergroup for Traditional National Minorities, Constitutional Regions, and Regional Languages in 2004, and it moved into the larger domain of minority protection. It was resurrected in 2009 under the term Traditional Minorities, National Communities, and Languages.²¹

¹⁹ Gordos Árpád: Új jogalkotói szándékok az európai térben és az EU-ban a nemzeti kisebbségek védelmére (New Intentions for Legislation in European space and in the EU for the Protection of National Minorities). Európai Jog, 2014/6. 6.

²⁰ Toggenburg op. cit. 19.

²¹ K. Gál– D. Hicks– K. Eplény (written and ed.): Traditional Minorities, National Communities and Languages, European Parliament's Intergroup 2009-2011. Brussels–Budapest,

Similarly, many members of the European People's Party want to see the EU build a working minority protection system, with the goal of achieving respect for national minorities' rights and ending discrimination based on nationality and culture. The EPP changed the wording of its manifesto in such a way that it dedicated a separate subsection to its goal of protecting traditional minorities: "We reaffirm the rights of traditional minorities within the Member States and we protect our European traditions and cultural heritage," according to the Bucharest congress in 2012.²²

The European Union Agency for Fundamental Rights' (FRA) competence is also obvious, and as one of the EU's decentralized agencies, it offers the expertise necessary for the institution and member states to ensure complete respect for fundamental rights across the EU. Since its inception in 2007, the organization has collected and analyzed data on respect for basic rights in member countries, provided help and expertise, and communicated and raised awareness leading to better outcomes.²³

The organization's project implementation is guided by themed five-year Multi-annual Framework plans. The strategic and thematic objectives for the period 2013–2017 are to "assist in making basic rights a reality for everyone in the European Union." The Agency is not a monitoring or standard-setting body like the Council of Europe, nor does it have the authority to investigate individual complaints like the European Court of Human Rights (ECtHR). It does not have the authority to make regulatory decisions.

In the European Union Minorities and Discrimination Survey, the FRA also addressed minorities' discrimination in the EU (EU-MIDIS). The first EU-MIDIS survey was conducted between 2008 and 2010, and the second began in 2014. It was the first EU-wide survey to specifically interview a predominantly random sample of immigrant and ethnic minority groups using a standardized questionnaire (in 2008, 23,500 people from various ethnic minority and immigrant groups were surveyed across the EU's 27 Member States). The major component of the survey addressed respondents' experiences with prejudice because of their immigrant or ethnic minority status, criminal victimization (including racially motivated crime), and police.²⁴

²² European People's Party, Manifesto EPP Statutory Congress, 17–18 October 2012. Bucharest, Romania.

²³ <http://fra.europa.eu/en/about-fra/what-we-do>

²⁴ <http://fra.europa.eu/en/publication/2012/eu-midis-main-results-report>

The survey's closing statements highlighted the problem of discrimination and criminal victimization of ethnic minorities and immigrants in the EU and gave evidence for revisiting existing anti-discrimination laws and policies, especially racist crime legislation. These findings are not surprising, given that individuals of minority status frequently experience feelings of vulnerability and discrimination from the majority. The majority, on the other hand, frequently alludes to a minority group's surplus of rights. „The special right” nature of minority rights will be considered in the following portion of the paper, as will whether minorities are actually discriminated against by the majority in some circumstances.²⁵

1.3 Individual vs. collective rights-Special rights for minorities of the European Union

As previously mentioned, EU minority leaders are certain that their rights must be widely recognized and protected, and that "special rights" should be granted to them in order to provide equal chances; in general, favorable discriminatory trends. In practice, these "special rights" frequently cover rights that are clearly granted to the majority, such as the freedom to speak their own language, the right to receive education in their mother tongue, the right to use their own symbols, and the preservation of their own culture. The rights won for minorities, on the other hand, appear to be special for the majority.

True opponents of minority rights comprise another faction, claiming that national minorities should adapt to the host state's conditions. In this environment, privileges granted to minorities may be viewed as "exceptional," making them appear unjustified in the eyes of the majority. It sends the message to them that minorities have more rights than the majority: in addition to the rights acquired for the majority (which are also available to the minority to some extent), they have a surplus of rights.

However, it is essential to note that the problem with minority rights is not that they do not exist. Individual rights such as freedom of association, freedom of expression, and freedom of religion exist for minorities. In the United Nations Charter (1945), the International Convention for the Elimination of All Forms of Racial Discrimination (1965), and the International Covenant on Civil and Political Rights (1967), the postwar policy of universal minority protection expanded these individual rights (1966). However, as previously noted, the situation altered in the 1990s as a result of the adoption of many minority-related rules, and the international community began to focus on the collective component of minority rights.

²⁵ EU-MIDIS European Union Minorities and Discrimination Survey, Main Results Report, European Union Agency on Fundamental Rights. [Publications Office of the European Union] 2010. 268., 270., 272.

Without a doubt, national minority rights in the EU must emphasize the communal aspect of these rights. Because of the parallel between the international and EU legal systems, various globally important texts were and will be stated at this point, saying that collective rights in the EU have the same meaning as on the international stage.

Individual rights for members of minority groups are protected by international law, and all people are entitled to equal rights regardless of whether they are members of a group that may be entitled to special treatment. Collective rights, on the other hand, are derived from group differences, which distinguish the minority group from the dominant group.

To realize collective rights, specific steps must be taken to guarantee that the minority group's unique and often vulnerable identity and interests are adequately protected. The precise rights given to a group are determined by its nature, but regardless of the rights, they are bestowed upon the minority owing to their distinctiveness as a group.²⁶

In plenty of other terms, national (and other) minorities belong "only" to the category of other people if collective minority rights are not respected and secured, and they are unable to enjoy these rights with other members of their group. Member States have the authority to adopt special or affirmative measures to protect minority rights without discriminating against the majority.

Individual and collective protection of national minorities must be incorporated into the framework of individual human rights. Collective rights are explicitly mentioned in the Copenhagen Document of 1990, which was agreed upon the Conference on Security and Cooperation in Europe's participants. According to paragraph 32, national minorities have the right to freely express, preserve, and develop "their ethnic, cultural, linguistic, or religious identity," as well as their culture in all of its forms. It further states that "national minorities can exercise and enjoy their rights individually as well as in community with other members of their group." A person belonging to a national minority may not suffer any disadvantage as a result of the exercise or non-exercise of any such rights."

²⁶ Yousef T. Jabareen: Redefining Minority Rights: Successes and Shortcomings of the U.N. Declaration on the Rights of Indigenous Peoples. U.C. Davis Journal of International Law and Policy, 119., (Fall 2011) 124–125.

Collective rights include not only the fundamental right to official recognition and the right to existence and identity, but also other fundamental rights arising from that recognition, such as the right to use one's own language in the larger society; the right to education in one's native language; the right to form separate organizations, including political groups; and the right to maintain contacts with kin-sate or people and establishments who share the same clout.²⁷

When it comes to collective minority rights, the issue of the EU's "double standard" process is frequently challenged by minority specialists and various EU member states, as previously indicated. It alludes to the fact that the Union takes distinct approaches to existing and new members. The EU requires new applicant nations to transmit and implement internal democracy, state council, and precise regulatory protection norms that the EU-15 have had more than a half-century to adapt.

It also applies a double standard in some areas, like the protection of ethnic minority rights, by requiring aspirants to satisfy requirements that the EU-15 have never adopted for themselves. These standards might be difficult for some new member states or candidate nations to meet.²⁸

This complaint is correct, according to Henrard, when focusing on minority specific rights, in the sense of rights granted to persons belonging to minorities; there are no explicit demands in EU law on member states to submit to particular minority rights, such as those enshrined in the Framework Convention for the Protection of National Minorities. In terms of conformity with minority-specific rights, the ECJ has not examined the acts of EU institutions or member states. Conversely, some historic member states have not enacted special legislation and policies to provide complete minority protection, some due to the absence of minorities on their lands.²⁹

From this vantage point, a more nuanced perspective is that not all EU member states have or intend to keep up with minority rights significant improvement (and there are instances when political will is lacking), while trying to respect human rights (such as the right to identity, non-discrimination, the right to education, and so on), and not pay special attention to the development of definite minority-specific norms. As a result, while dealing with national minorities, EU member states' approaches and viewpoints range greatly, according to differing arguments. Article 27 of the International Covenant on

²⁷ Szekler National Council official website-http://www.sznt.sic.hu/en/index.php?option=com_content&view=article&id=194:legal-instruments-of-minority-protection-in-europe-an-overview&catid=18:cikkek-tanulmanyok&Itemid=24

²⁸ Andrew Moravcsik – Milada Anna Vachudova: National Interests, State Power, and EU Enlargement. Center for European Studies Working Paper, No. 97., 2003. 7–8.

²⁹ Kristin Henrard: 'The EU, Double Standards and Minority Protection': A Double Redefinition and Future Prospects. In: K. H.(ed.): Double Standards pertaining to Minority Protection: a critical and multi-dimensional re-appraisal. Leiden, Brill, 2010. 23–24.

Civil and Political Rights, which also supports the collective aspect of human rights, stipulates that nations must ensure that ethnic, linguistic, and religious minorities have the chance to experience these rights in community with other members of the group.³⁰

Since EU member states have differing perspectives on the issue of minorities, there are two schools of interpretation for the aforementioned Covenant Article: the minimalist or passive school and the radical or activist school.

According to the minimalist philosophy, the article can not be understood as granting any collective rights, and states with national minorities are not obligated to preserve them beyond avoiding impediments to the minority group's use of their own language and development of their own culture. Minorities are only given a rudimentary level of protection under the aforementioned Article.³¹ The radical school favors active and long-term efforts, preferring to depart from the traditional meaning of minority protection and increase the rule's efficacy. States, they argue, should encourage and safeguard minority activities, but they also have other responsibilities towards them that must be met. As previously said, each state must decide whether to adopt the minimalist or radical school of thought and practice. According to experience, the majority of member states are in favor of minimalist policymaking. Countries that favor minority protection are pushed to the background, and there is a lack of universal desire to put minority protection measures in place. Minorities have a wide range of natural traits and features, making the issue even more complicated. The issue arises: what are the chances for EU minority protection policy supporters; is there a way to achieve greater success inside the organization? The challenges and potential future possibilities of EU minority protection will be briefly discussed in the next section of the study.³²

³⁰ International Covenant on Civil and Political Rights, 1966, Article 27, No. 14668.: "In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language."

³¹ Emilia Papoutsis: Minorities under International Law: How protected they are? *Journal of Social Welfare and Human Rights*, Vol. 2., No. 1., (March 2014) 339.

³² European People's Party, Manifesto EPP Statutory Congress, 17–18 October 2012. Bucharest, Romania. 6.

1.4 Challenges to adopting a common EU minority protection strategy and opportunities

International experiences, as well as countless initiatives by some EU member states, demonstrate the difficult and complicated nature of minority protection in the EU; some of these were also discussed in the article. However, various options remain open for strengthening the status of national minorities, which must be explored on a larger scale.

Insofar as EU institutions have the most voice on many subjects, it is vital to consider whether EU entities have the capacity to secure minority policy guidelines based on a specific article or provision of the founding treaties. According to Article 352 of the Treaty on the Functioning of the European Union, the Council must take suitable measures to grant the necessary authority for the Treaties' political purposes.³³

The clause might potentially be used in conjunction with minority protection. Nevertheless, the requirement for an EU minority protection strategy is a hotly discussed topic not just among EU member states but also within EU institutions, which have mostly ignored the matter. As previously stated in the paper, EU treaties establish objectives such as non-discrimination, freedom, equality, and the rule of law (for example, Article 2 of the TEU specifies that the rights of individuals belonging to minorities are a value that must be upheld in the Union). For the first time in EU history, the phrase "rights of individuals belonging to minorities" appears in an EU treaty. Furthermore, discrimination based on many traits, such as language, race, and so on, is prohibited by Articles 21 and 22 of the Charter of Fundamental Rights. It indicates that the rising legal legislation dealing primarily with non-discrimination and minority rights provides a relatively hazy prospect for EU minority protection.³⁴

To put it another way, the protection of national minorities may be deduced from the aforementioned practices, which can be used as a foundation or reference point for increasing respect and recognition of minority rights in the EU.

The aforementioned goals can be achieved by the implementation of relevant measures, but the drafting and legislative process must begin with a proposal from the European Commission and European Parliament on a specific issue, which must then be approved by the European Council.

³³ Treaty on the Functioning of the European Union, Article 352 (1), ex Article 308 TEC, Official Journal 115, 09/05/2008 pp. 0196: "If action by the Union should prove necessary, within the framework of the policies defined in the Treaties, to attain one of the objectives set out in the Treaties, and the Treaties have not provided the necessary powers, the Council, acting unanimously on a proposal from the Commission and after obtaining the consent of the European Parliament, shall adopt the appropriate measures.

³⁴ Kristin Henrard: 'The EU, Double Standards and Minority Protection': A Double Redefinition and Future Prospects. In: K. H.(ed.): Double Standards pertaining to Minority Protection: a critical and multi-dimensional re-appraisal. Leiden, Brill, 2010. 37.

Progress is slow since the issue of national minorities is debated and addressed by a limited number of EP parties and MEPs.

Vermeersch also believes that the extent of minority rights can be either small or very extensive, depending on a variety of circumstances such as the state's political system, its distinctive state structure, and the size of the minority group. It could range from the establishment of minority self-governments, the grant of territorial or cultural autonomy to minority groups, the funding of national minority activities and organizations, to grant representation, consultation, and funding of bilingual education or mother-tongue instruction, as he describes it.³⁵

Conflicting interests, aspirations, values, and objectives usually compete with one another. National minorities occasionally want autonomy in a particular state, but delving into the concept of autonomy and offering instances would take us too far, so it will not be discussed in this article.

Furthermore, in the sense that autonomous territories have or will have their own decision-making bodies, the topic of autonomy and governance of autonomous territories would not fall under the prospective control of general EU minority protection policy. Furthermore, when it comes to the issue of autonomy, states are the key decision-makers (as well as with regard to the secured rights of their minorities). Another controversial aspect of implementing minority protection in the EU is its actual implementation; the "appearance" of a framework for minority protection. Should the EU adopt the Council of Europe's norms and tools or develop its own? Is it feasible to get an agreement on common norms among member states and ensure that the subject is treated as a deciding and crucial topic? Effective mainstreaming means that all actors from legislators to the Commission's various departments and national civil servants must adopt a minority viewpoint, which necessitates proper sensibility and competence, as Toggenburg points out. This, along with a clear definition of the scope, processes, and techniques of minority policy, is still absent.³⁶

Another contentious topic is the extension or growth of minority rights for national minorities, which might lead to unhappiness among other emerging minorities in Europe. Should the EU treat all minorities equally in order to prevent unrest, and if so, what are the criteria by which this may be accomplished? Not only should national minorities' rights, such as the right to use their own language and, under some conditions, the right to receive education in their mother tongue, and the

³⁵ Fukuyama Memisoglu: The European Union's Minority Rights Policy and Its Impact on the Development of Minority Rights Protection in Greece. Third Hellenic Observatory PhD Symposium on Contemporary Greece: Structures, Context and Challenges Hellenic Observatory, European Institute, LSE June 14–15, 2007, University of Nottingham, 4.

³⁶ Gabriel N. Toggenburg: A remaining share or a new part? The Union's role vis-a-vis minorities after the enlargement decade. EUI Working Papers, 15. (2006) 11.

encouragement of their culture and communities, be defined, but also the precise measures and goals must be established, providing a proper reference point for the group.

As previously stated, amongst the most significant roadblocks is that most European Commission or European Parliament proposals (as well as Council of Europe regulations) contain ambiguous phrasing that allows for multiple interpretations. However, in certain circumstances, referring to specific rights that may be inferred from broad terminology, it turns out to be a desirable outcome for minorities.

Moreover, the adaptation and integration policies of individual member states, as well as the EU as a whole, should be investigated. It is not debatable if a state's or institution's primary goal in relation to minority policy is assimilation or integration. For example, in the 1990s, the Hungarian minority in Slovakia numbered about 570.000 individuals; now, it is roughly 458.000.

Although the EU's lack of a broad minority protection system cannot be criticized as the only cause of assimilation, in many situations, assimilationist inclinations arise because members of national minorities may better succeed in Slovakia if they acquire and utilize the Slovak language. They will be able to obtain better jobs or education options as a result of this.³⁷

However, by renouncing their nationality, individuals might experience a sense of belonging to the majority, to the larger community. "Integration, on the other hand, is a collaboration, with host and migrant cultures (or people) meeting in the middle of the bridge, where they take time to comprehend one another path."³⁸

Throughout this vein, and moving on to the paper's findings, prospective mechanisms to assist EU institutions in dealing with minority protection should be mentioned, the first of which is the European Citizens' Initiative. It was created in 2011 with the goal of bringing EU decision-making "closer" to EU people so that they might participate. The initiative essentially invites the European Commission to draft legislation on issues over which the EU has legislative authority. At least one million EU citizens from at least seven of the EU's 28 member states must back a citizens' initiative. Each of the seven member states must have a certain number of signatures.³⁹

³⁷ Mária Homisinová: Slovaks living in Hungary and Hungarians living in Slovakia. Empirical analysis on the construction of national identity. *Človek a spoločnosť*, 12/1., (2009)

³⁸ Joanne Appleton: Assimilation or integration: migrants in Europe. *Encounters Mission Journal*, Issue 36, (2011) 2.

³⁹ Official website of the European Commission: <http://ec.europa.eu/citizens-initiative/public/basic-facts>

Finally, a significant proposal to strengthen the protection of national and linguistic minorities in the EU became available for signing. The Federal Union of European Minorities (FUEN) presented the European Commission with the "MinoritySafePack" - one million signatures for diversity in Europe" initiative in July 2013, and it was taken to the European Court of Justice after the European Commission rejected the initiative in September 2013. The General Court of the European Union overturned the Commission's first decision from 2013 to refuse registration of the initiative.⁴⁰

It ensured that the FUEN may begin collecting signatures in the EU in April 2017, with individuals having until April 2018 to sign (electronically and on paper). The success of the Minority Safepack is hoped for by EU nations with a large number of nationals residing in another EU member state, as it serves as a fantastic chance to draw attention to the issue of national minorities. Furthermore, if the campaign does not gain one million backers, it will send a negative message to EU decision-makers, casting doubt on the issue's seriousness. According to the initiative's online signatures, only Romania and Hungary have surpassed the initiative's online signature threshold.

Based on experience and queries from others, it appears that the effort was not widely pushed in EU member states (possibly with the exception of Romania), even in countries with a significant minority population. Furthermore, only the future will reveal the destiny of the Minority Safepack, which is, in general, a fantastic opportunity for minorities and EU member states to seize. The Open Method of Coordination is another tool that has been mentioned multiple times (OMC). The OMC is an EU policy-making mechanism or regulatory tool that was established in 2000 as part of the Lisbon strategy. It falls under the category of 'soft law,' since it may be implemented at the intergovernmental level without resulting in obligatory EU legislation. It means that EU countries are exempt from amending or enacting new legislation. It allows for cooperation across multiple Member States for those who are willing to develop partnerships on issues that impact them (such as employment, social protection, education, youth and vocational training). As a result, national policies might be aimed towards achieving certain common goals. The EU nations are assessed by one another under this intergovernmental process, with the Commission's involvement confined to observation. In the OMC procedure, the European Parliament and the Court of Justice play almost limited role.⁴¹

⁴⁰ FUEN official website: <https://www.fuen.org/key-topics/european-citizens-initiative/>

⁴¹ The EP's official website: <http://www.europarl.europa.eu/EPRS/EPRS-AaG-542142-Open-Method-of-Coordination-FINAL.pdf>

Because minority concerns do not affect all EU member states, the OMC might be a viable option for a group of nations to define minority objectives and devise measurement methods. The absence of impact sanctions, whether through private enforcement (direct effect) or governmental enforcement (Commission/Member State involvement and litigation), is frequently considered as a flaw in the OMC. However, the OMC's importance should not be overlooked.

The OMC methods have recently been used in areas where Member States have defended their competence, where there are still significant disputes between Member States, or when a fragile compromise has been reached. The OMC is a covert intrusion into areas of expertise that are not within the Community's purview.⁴²

These are only two of the most well-known instances that EU national minorities might use to advocate for the protection of their rights. The purpose of this study is not to discuss alternative types of minority advancement, such as various forms of autonomy, which is a fantastic opportunity in and of itself. In general, since the 1990s, international minority norms have provided opportunities for minorities to enhance their representation on the world stage. These possibilities, however, remained at the level of informal diplomacy and were not institutionalized in a way that would provide a representative platform for minorities on an international level. Minorities, according to Vizi, are subjects rather than objects of international law norms. National and linguistic minorities will be moulded by the nation-state structure in the future, and national sovereignty will not be changed in most circumstances. Even so, this is true; national minorities have a number of opportunities in their hands that could be wisely utilized and developed further, as well as a continuous call for EU bodies and member states to pay attention to the neglected situation of national minorities, in the hopes that this step-by-step approach will yield more notable results in the future.⁴³

⁴² Erika Szyszczak: Experimental Governance: The Open Method of Coordination. *European Law Journal*, Vol. 12, No. 4, July 2006. 500.

⁴³ Vizi Balázs: Kisebbségek politikai szerepe és a nemzetközi szervezetek Európában. (The political role of minorities and international organizations in Europe.) Conference material at Thucydides vs. Kant In Our Time: Reconsidering The Concepts of War and Peace (4 December 2014), written version prepared by: OTKA Nr. K105432 research, 140–141.

2. Hungary and the European Union's treatment of Roma as ethnic or national minorities

2.1. The term „Roma” is frequently misunderstood: does it relate to a socioeconomic class, a race, an ethnicity, or a national minority?

The objective of typologies and categorization in the social sciences and law is to help us comprehend the inherent logic and substance of concepts and organizations. Although most international and local texts on minority rights, human rights, and social rights contain only hazy formulations of race, ethnicity, and nationality, most minority rights, human rights, and social rights discourses are largely law-based. The following subchapter will provide an overview of what race, ethnicity, and nationality can mean in reference to this unique, transnational, and multifaceted group with a diverse set of claims and a complex socio-political environment in order to evaluate and contextualize the potential policy ramifications of different conceptualizations of „the Roma.

2.2. The Hungarian legal framework for minorities' rights

Hungary passed comprehensive legislation on national and ethnic minorities' rights in 1993. The law defined national and ethnic minorities as groups that have been present in Hungary for more than 100 years and that constitute a statistical minority within the country's population, whose members hold Hungarian citizenship and vary from the rest of the population in terms of their own language, cultures, and traditions, and who demonstrate awareness of national or ethnic cohesion, which is to aim at conserving all of these and putting into words and clarifying these.

Bulgarian, Armenian, Roma, Croatian, Romanian, German, Greek, Polish, Ruthenian, Serb, Slovak, Slovenian, Ukrainian and are among the 13 recognized minorities listed in the legislation. To increase the list, a difficult method was established, which included a popular initiative, an advisory opinion from the Hungarian Academy of Sciences, and a vote in Parliament altering the Act. So far, no such projects have been effective. The Act protects these groups' cultural and linguistic rights, and it includes provisions for minority education and the development of a distinctive Hungarian institution, the minority self-governments (MSGs).

MSGs are elected bodies that operate at the local, regional, and national levels and have special responsibilities for protecting cultural heritage and language use, establishing festival and celebration calendars, fostering the preservation of traditions, participating in public education, managing public theatres, libraries, and science and arts institutions, and awarding study grants.⁴⁴

MSGs have an uncertain role and design: they combine political representation and empowerment, cultural skills, and a hazy promise of social integration potential. In 2006, the Organization for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights produced a thorough study that identified several flaws in the system. Uncertain skills, a lack of separation between various minority needs, funding issues, and voter enfranchisement regardless of ethnic identity were among them. (NDI, OSCE/ODIHR 2006/ OSCE/ODIHR 2014)⁴⁵

The OSCE also mentions budget issues, noting that financial support is insufficient to carry out socio-cultural programs and that most MSGs can't even pay a part-time employee's salary. Some other contentious aspect of the legal system is what is commonly referred to as "ethno-business" or "ethno-corruption." School administrators encourage parents of „Hungarian” pupils to declare their children „German,” according to Deets. 'According to Hungarian official figures, about 45,000 primary school kids were enrolled in German-minority programs in 1998, which, according to the census, was roughly 8,000 higher than the number of ethnic Germans in Hungary.⁴⁶ The minority rights ombudsman also noted that 62,233 people claimed to be German in the 2001 census, while 46,693 students were enrolled in the German minority education scheme (The Minority Rights Ombudsman 2011), and that German minority education was available in several municipalities where neither the 2001 nor the 1944 census (which prefigured the large-scale expulsion of some 380,000 ethnic Germans from Hungary) confirmed the presence of a German community.

⁴⁴ Darquennes, J., Melis, A., Nelde, P.H., Salmasi, S., Tikka, M., and Weber, P.J. (2012). *Euromosaic III Presence of Regional and Minority Language Groups in the New Member States*. European Commission: Directorate-General for Education and Culture; Katholieke Universiteit Brussel, Brussels.

⁴⁵ <https://www.osce.org/files/f/documents/6/c/20200.pdf>

⁴⁶ Deets, S. (2002). 'Reconsidering East European minority policy: liberal theory and Euro- pean norms'. *East European Politics and Societies: and Cultures*, Vol. 16, No. 1, pp. 30–53.

When Roma parents are forced to obtain a specialist minority education, which was initially intended to protect Roma culture, educational segregation can occur. As a result, Roma youngsters are only given low-quality Roma folklore education once a week and are kept in separate, segregated schools in deplorable circumstances.⁴⁷

MSG elections have also been a persistent source of fraud because of the fact that the ability to vote in these elections is unrestricted. Following repeated complaints of widespread manipulation of the voting system, a „soft” form of registration was adopted in 2005, requiring minority voters to sign up on a separate register but with no objective criteria or formal qualifications for affiliation. This also allows members of the majority to take advantage of the system by seizing the MSGs. For example, the non-Roma wife of the mayor of Jászladány a hamlet known for separating Roma and non-Roma pupils in primary school were voted to the local Roma MSG. According to a research, 49 per cent of Hungarians were aware of candidates competing in minority elections while not belonging to the group.⁴⁸

Non-Romanians were said to be in charge of almost 40% of Romania's self-governments. At one point, a group of the National Ukrainian Self-government refused to rise for the Ukrainian national anthem, claiming to be Hungarian and demanding that no Ukrainian be used during official meetings because they didn't understand it.⁴⁹ The judicial system's flaws can occasionally lead to total absurdity. For example, a tiny village's whole football squad registered as German minority candidates to show their support for German football. Even though no Roma legally lived in the hamlet, the mayor of a disadvantaged community on the verge of bankruptcy, unable to maintain its public school, demanded that all 13 kids identify themselves as Roma and request minority education since this entitled the school for extra money.⁵⁰

⁴⁷ Balogh, L. (2012a). 'Jog a kultúra őrzésére – vagy ürügy a szegregációra? A roma nemzetiségi oktatás mint kétélű kard Magyarországon [The right to protect culture – or an excuse for segregation? roma minority education, a double-edge sword in Hungary]', PRO MINORITATE, Vol. 20 (Spring), pp. 207–223.

⁴⁸ Magyar Nemzet Online (2012). 'Etnobiznisz: magas az új szabályozás lakossági támogatótsága [Ethno-business: high popular support for the new law]'. Magyar Nemzet, <https://magyarnemzet.hu/archivum/belfold-archivum/etnobiznisz-magas-az-uj-szabalyozas-lakossagi-tamogatottsaga-4108784/>

⁴⁹ Nol.hu. 'Kakukktojások? Balhé a román kisebbségnél [Cuckoo's eggs? Scandals at the Rumanian minority]', http://nol.hu/belfold/kakukktojasok_balhe_a_roman_kisebbsegnel-974661 (accessed 20 February 2018).

⁵⁰ Nagy, J. (2010). 'Angyalok kertje'. Népszabadság: Budapest, 7 July. National Development Agency, Hungary (2008). Ex-Post Evaluation of Roma Pro-programmes in Hungary Financed by Phare, Budapest. NDI, OSCE/ODIHR.

In 2010, Prime Minister Viktor Orbán's Fidesz party won a supermajority, allowing him to reformulate the country's legislative and public law frameworks, as well as pass a new minority law. The previous institutional and conceptual framework was largely intact by Act CLXXIX of 2011 on the Rights of Nationalities Act. However, the new regulation resulted in a strange change in wording, which is to be expected when reconceptualization is taking place behind the scenes. „National and ethnic minorities,” which were the subjects and „objectives” of the former legislation, were renamed „ethnicities” and the term 'minority self-government' was substituted with 'nationality self-government. There is no indication that this shift in language was founded on broad theoretical or conceptual reasoning or that it was followed by systematic political commitments, for example, in legislative debates or government publications.

Sui generis parliamentary participation for recognized minorities is a key component of the new law, which has been on the agenda of Hungarian politics and legislation since the 1989 democratic revolution. The 13 recognized minorities currently have the right to one preferred seat in the 199-member Parliament, and the national-level self-governments have the power to nominate candidates. Citizens have the option of voting for a political party or a minority list. A preferred mandate requires just a small number of votes, around 20.000–25.000, but given Hungary's demographics, only the Roma and German minority have a possibility of really achieving this barrier. The historical legacy of ethno-corruption and the Orbán government's well-documented gerrymandering attempts, suggest that this was a significant factor in the legislation's development. No minority MPs were elected in the 2014 elections, and just one German, who happens to be a member of Orbán's Fidesz Party, was elected in 2018. The nationality advocate, a non-voting member of the House who may file proposals and speak on the floor on behalf of minorities who were unable to elect an MP, was also established under the new legislation. Let us now focus our attention on the nation's sole ethnic minority, having established the main aspects of the Hungarian multicultural legal system.⁵¹

⁵¹ Pap, A.L. *Democratic Decline in Hungary: Law and Society in an Illiberal Democracy*, First Edition. Routledge: Abingdon, Oxon; New York.

2.3. Roma in the Hungarian minority-rights legislative framework

According to the Council of Europe, Hungary's cultural rights and the conditions of new minorities and immigrants are minor concerns. The number of immigrants is quite low, and the vast majority are ethnic Hungarians from neighboring states who do not form a cultural minority. In 2012, Hungary's immigration officials registered 213.000 foreigners residing lawfully in the country, which has a population of roughly ten million people. 6.5 percent of the population claimed that they belonged to a few of the minority groups in the 2011 census. According to the Council of Europe, Hungary is home to around 7 per cent of the world's Roma population, making it the country's largest minority community. About 3.2 percent of the population, or 308.957 people, were recognized as Roma in the 2011 census, but the Council of Europe estimates that the true figure is closer to 700.000–1.000.000.⁵²

The Roma have been present in Hungary for generations and are essentially the only visible minority. In Hungary, the Roma are linguistically integrated; nearly all speak Hungarian, with some speaking exclusively Hungarian and others being bilingual, and they do not distinguish greatly in terms of religious affiliation from the majority. Furthermore, unlike several Roma groups in Europe, Roma in Hungary live a sedentary lifestyle — and only a tiny number of Sinti, believed to be fewer than 1 per cent of the Roma population, some of whom operate touring carnivals are semi-sedentary.

In terms of cultural and linguistic traits, the Hungarian Roma community is quite diverse. There are three major groups (and various subgroups) of Roma in Hungary. The Romungros, who have been linguistically integrated and speak Hungarian as their mother tongue, the Boiash, many of whom speak an old variety of Romanian, and others who speak various dialects of the Romani language are among them (the most widely spread group is the Lovari). The Hungarian Roma population is exceedingly varied and heterogeneous, united primarily by the majority's 'othering' and the political notion of Roma as created by state policy, with the worldwide Romani movement playing a minor role.⁵³

⁵² Hungarian Central Statistical Office. 'Központi Statisztikai Hivatal, A népesség anyanyelv, nemzetiség és nemek szerint [Population according to native language, nationality and gender]'.

⁵³ Szuhay, P. 'Ez egy eredeti "cigányélet" (An authentic "Gypsy" life)'. *Beszélő Online*, Vol. 8, No. 5.

2.4. The state of post-communism and historical path dependency

When it comes to analyzing legislative practices in Central-Eastern Europe's new democracies or, in the case of Hungary, a new non-democracy, the explanatory power of the post-communist context frequently comes into play. Despite the fact that the collapse of the communist state gave rise to a freshly formed nationalism in Hungary, the causes of path-dependence stretch back even further in history. Whenever it comes to Hungary, debates and theories about multiculturalism in a diversity management context must be adjusted appropriately, and discussions about Hungarian minority rights and policies must go back to 1920, when Hungary lost two-thirds of its territory and population to its neighboring states as part of the Treaty of Versailles that ended World War I. This resulted in a dramatic increase in post-WWII Hungary's racial homogeneity. Since then, the desire to reclaim the country's former glory and territorial integrity, or at the very least a sense of responsibility for ethnic kin in neighboring countries, has been a centerpiece of conservative and also liberal dissident and anti-communist domestic politics, and after the 1989 political transition, it has also been seen as a constitutional responsibility and a policy primary concern foreign.

When emerging Central and Eastern European democracies were divided between satisfying European integration standards and caving in to nationalist revivals in the 1990s, the Hungarian administrations used all of the resources at their disposal to enhance linkages between the country and ethnic relatives in the diaspora. With neighboring nations, bilateral accords on minority rights were negotiated and signed. Hungary ratified European minority rights treaties and conventions aimed at traditional national minorities, such as the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages, and governments did everything they could to ensure that neighboring countries followed suit. Their positions and status were radically different. In terms of national minorities, Hungary was almost ethnically homogenous, having only one ethnic group, the Roma. Only 271.000 people, or 2.6 per cent of the total of Hungary's total population, claimed an ethnic heritage other than Hungarian in 1990, out of a total population of 10.4 million; hence, 97.8 per cent proclaimed themselves to be Hungarian.⁵⁴

⁵⁴ Pogonyi, S. 'Transborder kin-minority as symbolic resource in Hungary'. *Journal on Ethnopolitics and Minority Issues in Europe*, Vol. 14, No. 3, pp. 73–98.

2.5. In the framework of European policy-the Hungarian system

The Hungarian instance is particularly unique in that Roma identity fostering and nation building were seen as a way of conforming to European integration norms and applying critical social inclusion policies by envisioning Roma as holders of cultural and political minority rights. Both domestic and EU policymakers, it may be said, appear unconcerned about the distinction between customized social-inclusion policies and a minority-rights framework that strengthens minority identity. As commentators have pointed out, the EU undertook steps to support the social integration of marginalized Roma populations throughout the entrance process in order to reduce undesirable mass migration following membership.⁵⁵

Based on a comprehensive examination of admission reports, it was discovered that there was no acknowledgement or commitment to a separate evaluation of assimilation, integration, and inclusion policies that are based on and rely on a distinct ethno-cultural identity. Given the diversity of Roma in Hungary and their advanced level of assimilation, this was a significant oversight. In a sense, the European Commission turned out to be just as obtuse, blinded, and intellectually disobedient as the Hungarian legislature, albeit doing the exact opposite. Despite the fact that average yearly accession progress reports and documents adopted by the European Parliament and the Commission discussed Roma-related issues under the 'minority rights' labels, suggestions and issues only focused on anti-discrimination, very broad social integration measures, and complaints about police and other authorities' treatment of Roma – none of which have much to do with minority rights. Even the issue of minorities' parliamentary representation was considered as a means of tackling societal unification. Furthermore, the preservation of cultural identity was never mentioned in any of the progress reports on the accession process.⁵⁶

Notwithstanding the ambiguity surrounding the conceptual framework of EU accession demands, analysts agree that it put pressure on Hungarian policymakers to improve Roma social inclusion, which improved significantly after 1997. It should be noted that some suggest that this might also be because the weakness of the 1993 law was becoming obvious to governments at the time.

⁵⁵ Vermeersch, P. 'EU enlargement and minority rights policies in Central Europe: explaining policy shifts in the Czech Republic, Hungary and Poland'. *Journal on Ethno-politics and Minority Issues in Europe*, Vol. 1, pp. 1–33.

⁵⁶ Vizi B. *Európai Kaleidoszkóp. Az Európai Unió És a Kisebbségek* [European Kaleidoscope. The EU and the Minorities]. L'Harmattan

Despite the fact that the first government resolution on Roma integration was approved in 1997, the number of government papers, strategies, action plans, and other documents adopted, as well as the widening of viewpoints within such documents, has increased significantly. Considering Hungary's measures as effective, the EU provided major funding for Roma integration as part of the Phare program throughout the accession process, including 18 million euros between 1999 and 2001 and a total of 34.5 million euros between 1999 and 2006.⁵⁷

The inadequacies of one-sided Roma policy programs are highlighted by focusing on the European level and urging for a better and broader conception of "Roma representation": Policies that focus primarily on minority rights tend to overlook the negative dynamics of socioeconomic interactions between Roma and others, whereas policies that focus solely on social inclusion 'forget' to significantly raise measures against discrimination, human rights abuse, and 'Romaphobia' the dialogue with Roma themselves at both the 'elite' and 'grassroots' levels in conceptualising, implementing, and evaluating these policies – a methodology that is frequently dubbed "Roma. They assert that, having acknowledged the ethnic distinctiveness of Roma as "non-regular" societal subjects, the EU has attempted, but failed, to achieve a balance between redistribution and acknowledgment, i.e., a culturalized "framing" of Roma and a heavier emphasis on societal-wide structural factors. They acknowledge the EU's policy trajectory of promoting minority rights, anti-discrimination laws, and cultural initiatives in the fields of anti-racism and Holocaust commemoration on the one hand, and policies explicitly dedicated to social inclusion and the application of regional unity and structural money to Roma issues on the other. The merging of rights discourses and neoliberalism has resulted in a sustained assault on the very idea of egalitarian redistribution. This combined politics of recognition and redistribution turned into a rhetorical battle about who were the „deserving” welfare beneficiaries, and, by extension, who were the 'non-deserving.' It also promoted the notion of distinguishing those who are "able and willing" to adapt to post-socialist conditions from those who are socioeconomically or ethnically "inadaptable.

⁵⁷ National Development Agency, Hungary. Ex-Post Evaluation of Roma Pro-grammes in Hungary Financed by Phare, Budapest. NDI, OSCE/ODIHR (2006). The Hungarian Minority Self-Government System as a Means of Increasing Romani Political Participation: National Democratic Institute Assessment Report September/October 2006, National Democratic Institute for International Affairs, Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe, pp. 1–31.

" All of this is in line with well-documented and well publicized disputes about the politics of 'recognition' and „redistribution." For comparison purposes, Van Baar emphasizes the contentious nature of „double discourse" politics that speaks to different audiences in relation to Roma in contemporary neoliberal Europe, where, on the one hand, a pro-Roma global microcosm of non-governmental and intergovernmental organizations promotes Roma integration, rights, and equal opportunities. While the recognition of, and ways to address, enduring structural violence and rising social insecurity are denied by various national and local bodies, activists, experts, and politicians, as well as international policy frameworks such as the EU Framework for National Roma Integration Strategies, and previously the Decade of Roma Inclusion, this rhetoric masks rather than challenges the structural oppression and inequality faced by Roma under the current era.

Researchers also point out how different courses might encourage paternalistic attitudes while also provoking antagonistic sentiments. When it comes to social inclusion, for example, a similar discourse is utilized in the course on "refugees," which distinguishes between "false," "undeserving," "economic," and "poor" migrants on the one hand, and "genuine," "deserving," and "persecuted" refugees on the other. The imagery of neoliberal undeservingness is also applied to Roma, preventing class solidarity among subordinated, precarious populations by juxtaposing the white, deserving poor with the racialized, undeserving Roma, the latter being seen as work-shy, lazy, parasitic, over-supported, and thankless internal aliens who would not reciprocate the benefits they were given even if they could. The idealized, paternalistic image of those entertaining 'Hungarians,' especially musicians and, more lately, clothes designers and gourmet entrepreneurs, is therefore restricted to the 'good Roma' cluster.⁵⁸

⁵⁸ Van Baar, H. The European Roma: Minority Representation, Memory, and the Limits of Transnational Governmentality. Universiteit van Amsterdam

3. Roma social integration

Poverty-related situations are a major cause of social isolation. The rate of social segregation and mass exclusion from important aspects of social life in Hungary today is a critical social problem that affects the public sector, social coexistence, and economic progress. As a result, attaining social inclusion necessitates addressing the causes of poverty, preventing poverty from forming, and dramatically decreasing the negative consequences of poverty.

Following the economic crisis, Hungarian society must discover new ways to effectively address issues that cause poverty and problems that arise from poverty. According to statistics and research, in the aftermath of the crisis, greater attention should be paid to those in the most acute deprivation and marginalized groups. Extreme living circumstances, conspicuous social disparities, the growth of social exclusions and their related lack of chances, and hereditary disadvantages through generations all jeopardize society's stability and sustainability. Due to a lack of social cohesiveness – the key factors being age, ethnicity, area, and so on – Hungarian society is disintegrating, and this process of social separation is a barrier to economic progress.

The government has recently used new tools and ways to address the concerns of disadvantaged socioeconomic groups. This is especially true, according to research, for those issue areas that primarily determine social disparities. The employment rate and career opportunities of members of the most disadvantaged social groups, education issues, housing problems, as well as the problems of underprivileged populations, improving the situation of children living in poor families, creating opportunities for all children, and especially the situation of the Roma population; in these areas, significant systematic transformations have taken place; in these areas, significant systematic transformations have taken place.

The government plans to turn a number of field-related projects into systematic problem-solving techniques. Without this, it will be impossible to assure adequate utilization of program experiences and the long-term viability of effectively established programs. Where applicable, measures and programs established for individual issue areas should be transformed into unified interventions.

In order to track interventions, it is critical to develop evidence-based policies that are supported by scientific methods. In the formulation of multi-regional sectoral policies and efficient monitoring of existing programs in multiple domains, it is critical to build and manage comprehensive evaluation systems. This is also necessary because of our EU requirements.

One of the most important requirements for an intervention's effectiveness is that it be practical, with active participation from those impacted, in order to meet the demands and interests of the target group concerned in terms of social inclusion.

The National Roma Municipal Government (NRMG) is a key partner of the Government and public organizations in this regard. It supports the State Secretariat for Social Inclusion (SSSI), which oversees civic and professional forums such as the Roma Coordination Council (RCC) and the Strategy Evaluation Committee "Make Things Better for Children!"

Following the implementation of measures, additional development of planning and assessment mechanisms is required for complete problem-solving initiatives. The formulation of evidence-based policies based on research and measurements backed by scientific methodologies, is a high priority for good governance and social inclusion, as is the tracking of interventions in this context. In the formulation of multi-regional sectoral policies and effective monitoring of existing programs in diverse domains, it is critical to continue to build and run comprehensive assessment methods.

Poverty and social cohesion, economic development, which is strongly related to the economic crisis – are playing an increasingly important role in European Union policy. Under the so-called Open Method of Coordination (OMC) against poverty, Member States submit biennial reports to the European Commission on social inclusion measures, which the Commission monitors using standard metrics. This collaboration provides governmental and non-governmental actors alike with countless possibilities to learn about one other's approaches. Following the year 2010, which was designated as Europe's Year to Combat Poverty and Social Exclusion, the EU presented a plan for 2020 ("Europe 2020"), with one of the five primary goals being to combat poverty and social exclusion.

In their comprehensive approach to social concerns and the creation of interventions across diverse policy and administrative domains, the European Union's structural underpinning and the planning process of targeted initiatives are gaining strength. For the effective use of EU funding and the successful execution of common European policies, a comprehensive policy approach is required.⁵⁹

Contributing to the creation of the EU Framework Strategy for Roma was an important endeavor during the Hungarian EU Presidency. The European Commission adopted a message titled "EU Framework for National Roma Integration Strategies up to 2020" on April 5, 2011. With the exception of Malta, which has a small Roma community, the Council accepted its conclusions on May 19, 2011, in which Member States pledged to submitting their own Commission plans by the end of 2011, in addition to participating in framework strategies. Hungary was one of the first countries to submit a national strategy and action plan to the Commission, which highlighted particular domestic actions as examples after completing a full assessment of all Member State papers.⁶⁰

⁵⁹ COM (2011) 173 final

⁶⁰ An EU Framework for National Roma Integration Strategies up to 2020. Council Conclusions 10658/11

Introducing targeted measures for Roma social integration will not result in a transformation on its own. This necessitates Roma integration as well as a more stringent implementation of the horizontal component of major inclusion possibilities in certain localities (economic policy, education, employment, housing, healthcare). Support for people in need and the implementation of specific programs do not guarantee a one-time, automatic improvement in Roma conditions, life prospects, or labor market position, much alone the engagement of Roma populations in government policies. The environment and priorities of economic policy should be addressed; nevertheless, more dynamic economic growth, higher employment, and the reduction of public debt to sustainable levels should take precedence. Furthermore, safeguards must be put in place to ensure that Roma and other disadvantaged groups have access to essential public services following structural reforms and benefit from the outcomes of government actions.⁶¹

The exclusion of disadvantaged socioeconomic groups, such as Roma, generates particularly serious economic and budgetary cost difficulties as the population ages. Hungary's population may decline by 3.2 percent by 2021 compared to 2009, but the number of people aged 65 and up would climb to 20.6 percent. These demographic changes place a greater pressure on the shrinking working-age population, and pension and health-care expenditures are likely to rise significantly as a result. This predicament can only be improved if all communities' working-age populations actively engage in the labor market. Marginalized elements of society, Roma integration, and the status of Roma women are all vital investments that will pay off in the long term. Returning the jobless to the labor market has enormous potential; such measures also help to improve competitiveness and the sustainability of social security systems by lowering the number of persons on benefits.

⁶¹ CSO Census population and forecast (TeIR)

3.1. Roma integration on a social and economic level

The social and economic integration of Roma is a two-way process that involves a shift in mindset on the part of both the majority and the Roma group. The social marginalization of Roma has resulted in mutual hostility, aggressiveness, the continuance of prejudice, and a sense of fear until this point. This condition must be changed since it is impeding 21st-century cohabitation as well as long-term social and economic prosperity.⁶²

In a report published by the World Bank in September 2010, the EU framework for National Roma Integration Strategies also mentions the economic benefits of Roma integration, concluding that "full Roma integration in the labor market could bring economic benefits estimated to be around € 0.5 billion annually for some countries." Increased Roma labor market participation would boost economic productivity, reduce government social assistance expenditures, and enhance revenue from income taxes. The fiscal advantages of Roma inclusion in the labor market are anticipated to be roughly € 175 million per nation per year, according to the same World Bank research. All of these significant economic and financial effects of Roma integration might generate a climate of increased receptivity toward Roma people among the broader public, facilitating their easy absorption into their communities."⁶³

Roma are Europe's biggest transnational minority and, at the same time, one of the poorest groups, frequently barred from mainstream employment. In terms of economic performance and budget balance, Roma socioeconomic exclusion is a negative for the entire community.

Roma women face the most complicated forms of discrimination (i.e. concentrated discrimination based on gender and ethnic background). Multiple (intersecting) social exclusion is caused by unemployment, low levels of education, persistent poverty, bad health, and insufficient housing, all of which are exacerbated by low economic and social status.

Inadequate levels of employment among Roma, as well as the direct economic consequence of Roma low incomes, stifle national economic output. At the same time, it has an impact on the budget's development, having an equal impact on both expenditure and revenue.

⁶² COM (2010) 133, p. 5

⁶³ World Bank, Roma Inclusion: An Economic Opportunity for Bulgaria, the Czech Republic, Romania and Serbia, September 2010.

Low work rates and low pay result in increased net social security payments for Roma, since fundamental requirements must be met through social transfers and services; also, due to a lack of or low income, they will be beneficiaries rather than providers to tax and social security systems.

The World Bank report gives quantitative estimates of the costs associated with Roma labor market exclusion. Low levels of employment and low-wage worker incomes result in annual performance losses of hundreds of millions of Euros: the gross national product of the studied countries (Bulgaria, Czech Republic, Romania, Serbia) reports an estimated annual loss of 13% due to Roma exclusion from the labor market. These four countries are thought to have lost between 2 and 5.7 billion Euros in total.⁶⁴

The annual budget deficit is in the hundreds of millions of euros. Lower tax collections and greater welfare expenditure add up to a total of 2 billion Euros per year for the four Central and Eastern European nations, or 0.5 billion Euros per country on average. Total losses for all four nations are estimated to be at least 0.9 billion Euros at the most conservative estimate.

The Roma group accounts for a sizable proportion of the working-age population. This percentage continues to rise, owing to the fact that the age composition of the population is substantially younger than the general population. In 2010, the Roma population's 0-14-year-old kid ratio was predicted to be 36. Per cent.

The integration policy, new strategy, and government framework provide a holistic approach that, through policy coordination, manages complex interventions of the country's most pressing social problems in terms of social cohesion, thereby contributing to and reinforcing the country's social and economic ability to compete.

⁶⁴ World Bank, Economic Cost of Roma Exclusion, April 2010.

3.2. The inclusion policy's goal is to

1. reduce the social divide for disadvantaged children, so weakening the tendency of poverty perpetuation
2. bridge the social divide between Roma and non-Roma people,
3. improve the status of Roma women, and
4. reduce the amount of individuals living in poverty or social exclusion.

3.3. The following objectively valid targets indicate the attainment of these objectives in terms of important elements of social problems

1. improve labor market opportunities for long-term unemployed people of working age;
2. reduce discriminatory treatment against Roma in institutions and communities;
3. start reducing multiple disadvantages for Roma women;
4. overcome socialisation and socio-cultural negatives;
5. reduce disadvantaged areas' lagging behind, ameliorate social disadvantages arising from territorial and housing disadvantages;
6. reduce child poverty.

Reaching out and raising awareness in society as a whole is a necessary requirement for the successful execution of the inclusion policy. We need the help of those who, due of their social status or their employment, can help build a stronger approach to social inclusion, as well as increase the viewpoint and active participation of local communities and individuals. Also, civic and religious groups, Roma advocacy organizations, national-municipal governments, governmental agencies, and public institutions that work closely with family and academic education.⁶⁵

3.4. The Situation of Roma population

According to the 2019 census, 555.000 persons identified as Roma. Thanks to the methodological advancement of identification questions and the intensification of identity campaigns, this number is substantially higher than the 316.000 reported in the 2011 census, and it is closer to the actual situation. Researchers estimated the Roma population to be about 320.000 in 1971, 468.000 in 1993, and 570.000 in 2003, based on the findings of representative Roma studies. This equates to approximately 5% of the

⁶⁵ I. Kemény, B. Janky, G. Lengyel: Hungarian gypsies, 1971-2003. Budapest

country's overall population. The number of Roma in 2010 was expected to be between 650.000 and 750.000, according to researchers. Researchers stated it thus way at one time, in a report giving extreme values: "the Roma population undoubtedly does not surpass one million individuals, but is unquestionably more than 700,000. (7,05%)"

The Roma community is substantially younger than the non-Roma population, as seen by their age distribution. The Roma population has a 34.5 percent 0-14-year-old ratio, whereas the non-Roma population has a 16.3 percent 0-14-year-old ratio. The ratios reverse when people get older, and one of the reasons for this is the Roma population's poor health.

The Roma population is geographically dispersed throughout the country. According to the most recent census, their proportion of the overall population ranges from one to one and a half percent in various counties, while it is around 8 percent in Borsod-Abaj-Zemplén and Szabolcs-Szatmár-Bereg. It should be emphasized that, if we look at population estimates, these ratios might be doubled. Furthermore, regional inequalities evaluated in smaller territorial units are extreme: Roma make up the majority of the population in numerous settlement groupings. More than 60percent of Roma reside in rural areas, where they are primarily separated and have very poor living conditions.⁶⁶

In 2000, the number of Roma at danger of poverty was at its greatest (5.5 times the national average), and it was at its lowest in 2005. (3.1 times). The poverty rate increased dramatically (obviously statistically significant) in 2009, with the 70% figure agreeing with the 2000 year number."⁶⁷

The Roma population's educational attainment is lower than the national average for those over the age of 15. While 24.6 percent of the general population did not have a higher level of education than eighth grade in 2015, this percentage rose to 77.7% among Roma people. For GCSE and post-secondary education, the gap between Roma and national rates is likewise quite wide.

⁶⁶ https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/roma-eu/roma-inclusion-eu-country/roma-inclusion-hungary_en

⁶⁷ Inequality and polarisation in Hungarian society. TÁRKI Monitor Reports, 2012 Edited by: Péter Szívós – István György Tóth Budapest, Page 43

While 31.3 percent of the country's population has completed high school, only 4.6 percent of the Roma community has done so. The overall proportion of post-secondary graduates in the country is 18.5 percent, while it is less than 1% among Roma.⁶⁸

The Roma population's employment percentage has constantly remained below 20 percent. Including the most recent census statistics, just 12 percent of Roma women are working, which is a very concerning ratio. Poor health, a lack of education (less than 5% of high school graduates), and slum-like bad housing are all linked to this. Crime and ethnic violence are both prevalent in these places.⁶⁹

Traditionally, Roma employment has been viewed as a structure that represents both the disadvantaged's labor market status and the major direction of interventions, or opportunities, defining the role of government employment in the population's life. The Roma population's employment indices have improved as a result of increased regional distribution of public jobs, mainly in villages. More research, however, shows that raising credentials might result in long-term labor market repercussions. Skilled professionals are 3.9 times more likely to work than those with only an eighth-grade education. Those who graduated from high school are 4.1 times more likely to work. Similarly, persons who live in cities have a 1.2 times better probability of finding long-term work than those who live in countryside. Change also entails comparing total employment in the test model to long-term employment in the long-term employment model, so that education and settlement type have a greater influence.

A variety of socioeconomic phenomena have been found that have negative consequences for the most impoverished areas and social groups. When compared to other countries, a relatively low employment rate and non-competitive education will lead to dangerously high public debt. These processes have a cumulative effect on the Roma people, who are both a cause and a result of social segregation and prejudice, thereby cyclically perpetuating a phenomena that has been passed down through generations.⁷⁰

3.5.The Situation of Roma women

⁶⁸ Concluding Study of supporting activities for examination of poverty, social exclusion and group needs: targeted research – research on Roma for NIFYPP-SROP 5.4.1-12 priority project.

⁶⁹ The poverty trap. Roma in Hungary – social-economic status, health status, access to social and health services. Delphi Consulting, 2004. pp. 48

⁷⁰ Concluding study of poverty, social exclusion and group needs evaluation supports action: targeted research – priority research project on Roma NIFYPP-SROP 5.4.1-12. 30 Manuscript, p. 32

Multiple characteristics, such as gender, ethnicity, and social group membership, influence individual living situations. A number of elements, as well as the unique circumstances of persons for whom these inequality factors are cumulative and "intersect each other," are linked to the causes of disadvantages. These areas of intersection and cumulative disadvantages must be taken into consideration while studying society and designing treatments. Multiple discrimination is a type of intertwined discrimination based on gender and ethnic background that mostly affects Roma women.

Even when compared to Roma men, education and employment levels are much lower. In regards to health and opportunity to health care and social services, they are at an even bigger disadvantage.

Unfortunately, not enough focus is placed on their vulnerabilities: defenselessness within the family, being married when still a kid in some situations, and being vulnerable to human trafficking and prostitution. Certain types of problems are exclusive to Roma women and almost exclusively affect them; hence, targeted solutions are necessary in these circumstances.

A poor level of education, which results in a disadvantageous labor market position, is one of the most basic sources of vulnerability among Roma women. One of the most important tasks is to give early assistance and focused tools in order to improve their prospects in education and in the job market.

Since the Roma population is substantially younger than the non-Roma population, the number of children living in impoverished homes among Roma is quite high. Families are more likely to slip into poverty as the number of children grows. When compared to a family who planned an acceptable number of children, the chance of slipping into poverty for families with more children than anticipated is estimated to be twice as high. The majority of Roma people who live in economically depressed and impoverished areas are disproportionately affected (in northern and eastern Hungary). Targeted projects for underserved communities provide opportunity for effective intervention to improve Roma conditions.

The Roma majority's precarious position is the product of a more complex social and economic issue. Complex programs can provide outcomes if we focus complete issue management solutions on a number of problem areas (as education, job, social, and health care interact). Roma women are seen as the group most afflicted by multiple discrimination for socio-cultural reasons, necessitating special programs for them. It is critical to foster their participation in civic society and public life.

We do not currently have enough tools to track and assess activities targeted at improving Roma conditions (also). Regular study and data collecting are required to break down and compare gender

statistics, as well as challenges affecting the Roma population, particularly the position of Roma women. For Roma who are subjected to discrimination and prejudice, effective actions are required.⁷¹

3.4 The Situation of children

Hungary's future economic, social, and political growth is contingent on whether today's children, as adults, are happy, healthy, well-educated, safe, and exhibit great self-confidence and self-esteem. A rapidly aging population plainly demonstrates that, in order to optimize the human resources required for the future, i.e., to maximize the potential of all children in the future, poverty and social exclusion must be efficiently controlled.

Improving the circumstances of individuals who are underprivileged, particularly Roma children, and preventing poverty from persisting is a critical problem for social inclusion.

If a youngster lives in a vulnerable environment, their possibilities and options for happiness are severely limited. The work of child welfare and child protection systems in providing protection and care for those at risk has not resulted in a reduction in the number of children removed from their families, which are often the result of the child's school failures, severe behavioural and integration problems, and poor health status.

Significant contributor factors include family lifestyle problems, a lack of income, inadequate housing, and which are often the result of the child's school failures, severe behavioural and integration problems, and poor health status. Due to regional disparities in services and a lack of cross-sectoral collaboration, it is difficult to address the problems of inadequacies within the child welfare and social care systems. Children from low-income households or those labeled as vulnerable have a substantial geographical concentration, according to the data. The situation is many times worse in socioeconomically challenged areas than in other areas. Parents' engagement in interventions, beginning at the earliest age, is required in those targeted regions that are trailing behind, where the most disadvantaged populations exist, taking into consideration local circumstances. Special effort should be made to preventing Roma girls from dropping out of school without receiving a certificate.

⁷¹ Lidia Balogh, Policy Approaches related to Roma women. Roma policy evaluation methods and the Hungarian Government Roma policy, NCU, Budapest, p. 21

Child and youth age-integrated community services should be offered to a large number of children living in tiny communities with limited services. Meals for children with long-term needs (weekends, summer) necessitate additional interventions. Early childhood development assistance – especially in terms of social inclusion – and childcare for poor children are difficult to come by for disadvantaged households.

The public school system is confronting a variety of issues, including lagging layers, which impact Roma, and which can only be addressed by long-term growth. In addition to successful action based on the idea of justice, it is essential to remember that the Roma school-age population is a significant and rising group of future employees. Following the constant experience of numerous studies, there is a definite association between those who have achieved a level of education and those who have a degree of social integration.

Higher levels of education have clearly benefited with maintaining employment and avoiding unemployment during a crisis, as the Public Education Strategy highlights in light of OECD data. Various student performance comparison studies (IEA, PISA) have revealed considerable variations between schools and classes. The majority of the pupils are chosen based on their social backgrounds. These experiments have revealed that student selection can greatly affect the efficacy of the educational system.

Differences across schools in Hungary have been discovered at the outset of schooling, independent of the tested topic of study, according to lessons learnt from the IEA. One of the reasons behind this is that the first choice is made when students attend school. Following modest reorganization in the fourth and sixth grades after primary school, secondary school students are subjected to a second round of selection. The average performance for different levels is growing in several specific subject areas. According to IEA and PISA test findings, there are significant variations in schools between abilities that are less tied to curriculum knowledge and school settings than topic knowledge. The findings also demonstrate that selection within schools (class selection) is more important than selection between schools, implying that students' understanding of the selection process is the most important factor.⁷²

This is closely linked to the primary issue of exclusion from high-quality education and higher social standing, which leads to student emigration and geographic isolation. Professional teachers are retained

⁷² Benő Csapó, Gyöngyvér Molnár, László Kinyó: The selectivity of the Hungarian education system in the light of results from international comparative studies. *School Culture* 2009/3-4

for limited hours (70 percent do not have a sufficient supply of professionals) and affected institutions are underequipped when compared to other local education systems in schools or classes where such processes persistently deprive and segregate Roma students, the result is an inferior standard of education: professional teachers are retained for fewer hours (70% do not have a sufficient supply of professionals) and affected institutions are poorly equipped when compared to other local schools and classes. As a result, existing socioeconomic divides become even more pronounced.

The pre - identified issue of quality disparities in public education may result in substantial changes in how schools are funded by the state. Efforts to minimize segregation, carried out in line with the regulatory framework and conditions, as well as properly devised programs, may eventually result in the establishment of an universally high-quality basic education system.

The core issue with social inclusion is that educators lack the necessary basic or in-service training to educate impoverished children, as well as children from varied socio-cultural backgrounds, and to work with parents. Teacher education is inconsistent and lacks a practical strategy to tackling the issue of providing opportunity for underprivileged children. There are a variety of practice-oriented training resources and aids available on the topic, but many teachers face significant barriers to them.⁷³

3.5. Improving the adaptation of Roma and persons with various disadvantages in terms of boosting the labor market's flexibility

Both the Government program and the New Széchenyi Plan presume that companies can generate a considerable number of new jobs that can be sustained over time, thus it is the State's responsibility to establish favorable conditions for them to do so. To achieve so, business operating circumstances must be improved, the regulatory environment and tax system must be reformed, and help to the new Széchenyi plan must be provided. An economic strategy that supports and fosters legitimate employment is essential to combine the increase of employment with growth. One direct approach of

⁷³ János Havas Gábor-Zolnay: Impact Assessment of the Integration of Education Policy. Research report.

assisting employment development, which is funded by both national and EU money, but is far from exclusive.

Economic and business development and investment programs that assist the self-employment and entrepreneurship of disadvantaged individuals, especially the Roma minority, should be given special attention.

Special attention should be paid to the growth of Roma businesses and the provision of methodological and professional assistance, which includes counseling, mentorship, and training. Microcredit programs should be established to aid disadvantaged people's self-employment and job-creating social enterprises in the social economy that are unable to secure bank finance. Subsidies linked with microcredit, as well as the use of a variety of financial instruments, should be considered to strengthen the long-term viability of outcomes. It must be made easier for business development funding to be conditional on the training and employment of the long-term jobless and persons with low levels of education, particularly the Roma community, in specific aspects of economic development programs.

Eco-innovation programs have the potential to greatly contribute to the spread of sustainable and competitive rural lifestyles, as well as an increase in rural employment. Job opportunities should be created for the most disadvantaged groups, including Roma, in areas employing semi-skilled and skilled employees, as part of the development of green economy investment programs connected to alternative energy sources.

Through the restoration of previously existing incentives and the provision of new aid, the protection of the local market and local production (local use and consumption) should be enhanced. A portion of these funds should be utilized for sophisticated programs that boost the output of disadvantaged areas and municipalities, as well as non-skilled activities.

The government should lead by example and constantly use the regulations in the sphere of public procurement that favor businesses that employ disadvantaged communities, such as Roma. Alongside appropriate data collection and regional surveys of the labor demand for state and municipal investments and the disadvantaged inactive job-seeking working-age population, public procurements linked to state investments should prioritize the employment of non active working-age people living in the investment asset and prepare them for employment without jeopardizing the employment of active job-seekers in the region.

A flexible labor market gives firms a competitive edge and can result in a large increase in job options for people. Unemployment benefits that stimulate job searching, labor market policies that successfully support reemployment, and chances for lifelong learning are all necessary. When these factors are combined, an atmosphere may be created in which it is advantageous for companies to hire more people, and do so lawfully, and employees receive enough assistance in adapting to the economic situation. Improving workplace flexibility necessitates the creation and transmission of a responsible business culture, the promotion of legal employment, and the enhancement of workplace health and safety. Versatile types of employment provide job prospects to groups of employees as well as individuals who are unable to find work in the regular labor market.

Flexible forms of employment have the advantage of adapting well to atypical employment offers arising from workers' life situations on the one hand, and reducing the risks associated with the employment of workers with atypical employment offers on the other hand, thus mitigating the disincentives to being selected for a given job.

The growth of unconventional and flexible forms of employment contributes to a better balance of work and family life, which can assist to reduce the risk of poverty associated with having children while also improving the labor market participation of those who are disadvantaged. To this final moment, it is necessary to promote family-friendly workplace practices and develop family-friendly working environments, such as by establishing corporate and institutional child care and developing alternative forms of childcare (family day care centers), to assist parents with small children in returning to the labor market.

Furthermore, creative local efforts may make it simpler to reconcile work and family life. It is critical to assist businesses and other employers in implementing solutions tailored to work schedules and work orders that assist employees in balancing their obligations at work and at home, taking into account the needs of individuals and groups of individuals arising from their personal circumstances and other lifestyle-specific needs.⁷⁴

⁷⁴ As regards developments from EU funds, the employment of unemployed or long-term unemployed persons, being an assessment criterion under Act CXXIX of 2003 Article 57(4) f) on public procurement, can be applied primarily in the context of public procurement proceedings to be conducted in the framework of certain tenders of the New Széchenyi Plan's Environment and Energy Operational Programme, Transport Operational Programme, Social Infrastructure Operational Programme and regional operational programmes, subject to consultation with the European Commission.

4. The social inclusion policy's organisational and institutional background

4.1. Creating possibilities for equal treatment

It's important to draw a distinction between assuring equal treatment and an opportunity-creation policy. Equal treatment indicates that discrimination is prohibited and that everyone has the right to live a life free of prejudice. The idea of equal treatment compels legislators and law enforcement officials to treat people in similar situations and with similar relevant features similarly, rather than treating or evaluating various situations in the same manner.

In contrast to equal treatment, the Treaty of Amsterdam's Article 13 requires Member States to take steps to provide protected groups with equal rights (based on sex, race, ethnic origin, religion or belief, disability, age, or sexual orientation) in all areas of life, including education, health care, the labor market, and social security.

The strategy of generating opportunities in Hungary is based on a set of acts derived from the Fundamental Law, national law, and international agreements, directives, and treaties. The presence of a distinct legislation for the given sector is a crucial need of institutionalised equal chances. As a result, the creation and approval of Act CXXV of 2003 on equal treatment and the promotion of equal chances was a significant step forward in the domestic process (ETA). The statute identifies the discriminated-against groups, establishes a process for penalizing discrimination, and plainly states that equal opportunity is essentially the duty of the state. As a result, it is reasonable to assume that the state establishes and enforces a policy that does not discriminate against any social group and gives equal opportunities for all to advance socially. During the drafting of the act, great emphasis was paid to ensuring that it complied with the wording of the framework directives on race equality and employment. In addition, the legislation complies with Hungary's other international legal commitments.

In Hungary, the commissioner for fundamental rights is a key participant in the work of opportunity creation. The Fundamental Law established a single system of ombudsmen to provide the most effective and comprehensive protection of fundamental rights based on a common methodology. On January 1, 2012, Act CXI of 2011 on the Commissioner for Fundamental Rights went into effect.

As a result, instead of the previous four ombudsmen (general, data protection, representing future generations, and ethnic), the commissioner for fundamental rights now handles the ombudsman's duties; this work is aided by two deputies, a deputy commissioner for the protection of the rights of nationalities living in Hungary and a deputy commissioner for the protection of future generations' interests.

4.2. The State Secretariat for Social Inclusion

By creating the State Secretariat for Social Inclusion, the government made social inclusion of people in permanent need (especially Roma) a focus of its policy through an unique economic and social development program. Its work is guided by three principles: complexity, regionalization, and horizontalization. Its work is distinguished by a holistic strategy that integrates policy and implements complicated interventions to strengthen Hungary's social and regional cohesion.

The State Secretariat's main goal is to ensure that disadvantaged persons and groups receive a fair share of new possibilities. As a result, it brings about a complete shift in mindset in the field of social inclusion: qualitative improvement in the lives of disadvantaged social groups will be realized if measures enhance educational, social, health, and work situations all at the same time. The underlying attitude toward the social inclusion process is one of foresight, responsibility, and awareness.

Aside from the development of a spiraling, lifelong, and controlled support system, the novelty is the introduction of Roma inclusion programs that focus on building on and stimulating their own activity, and even the introduction of a performance and values-based approach and the provision of an integrated system that combines employment, education, and training.

People living in impoverished communities find it difficult or impossible to enter the workforce due to their low levels of education and poor health. Because Roma make up the majority of these groups, extra attention must be paid to the features deriving from Roma identity, even if the government does not intend to develop separate Roma programs but rather projects that provide true social inclusion chances. The State Secretariat for Social Inclusion considers it critical to achieve inclusion via the establishment of opportunities and to prevent racial discrimination in the workplace. On the one hand, programs aimed to enhance inclusion that were previously run by several ministries were merged under the jurisdiction of the State Secretariat, allowing for more transparent and efficient inclusion activity. The State Secretariat devised a practical and integrated inclusion program based on a single method, which provides a meaningful chance for all those concerned, in order for the improvements to be felt in the long run.

The State Secretariat is in charge of developing, coordinating, monitoring, and reviewing the strategy's execution. The State Secretariat for Social Inclusion is the EU framework strategy for Roma's national contact point.

4.3. The Government established the Roma Coordination Council

The Roma Coordination Council was founded by the government with the goal of developing and implementing measures for Roma inclusion, as well as expressing opinions on the outcomes. Representatives from the National Roma Municipal Government, several of whom is a co-chair of the Council and the Roma Minority Regional Municipal Governments, as well as civil actors, municipal governments, churches, the deputy ombudsman (ombudsman for fundamental rights) in charge of nationality rights protection, and government representatives, make up the 27-member organization. The Minister of Human Capacities serves as the Council's president.

The Council is an advising and consultative organization that promotes inclusivity. Its commitments entail raising awareness of all issues that make implementing Roma inclusion measures difficult; providing an opinion on proposals, as well as national and international reports, information, and reports; drafting proposals; and contributing to the configuration and development of professional networks to facilitate inclusion. It also participates in the evaluation of the impacts of tasks boosting the social status and social integration of Roma, such as the monitoring of the strategy's execution, the yearly review of the action plan, and the strategy's frequent modification.

4.4. The Inter-Ministerial Committee for Social Inclusion and Roma Affairs

The Inter-Ministerial Committee for Social Inclusion and Roma Affairs was created by the government to coordinate the government's efforts to enhance the living circumstances and social standing of Roma and those in persistent need.

The Committee's goal is to coordinate the government's efforts to assist effective inclusion of underserved social groups, ensuring that ministries' efforts complement one another to promote social inclusion and make the most efficient use of state funds available for integration. The functioning of the Committee ensures that the Government's priority issues include equal access to public services, improvement of the social status of those living in disadvantaged regions or in substandard housing conditions, as well as the provision of training and employment to such people, in accordance with the goals of public administration renewal.

The Committee oversees the execution of the inclusion strategy and action plan, appoints a policy and monitoring working group to carry out its oversight responsibilities, and offers expert assistance for monitoring and evaluation.

The Committee's chairperson is the state secretary for social inclusion in the Ministry of Human Capacities. The Ministry of National Economy, Ministry of National Development, Ministry of the Interior, Ministry of Public Administration and Justice, Ministry of Human Capacities, Ministry of Rural Development, President of the Central Statistical Office, and the Prime Minister's Office are all represented on the Committee.

4.5. National Strategy Evaluation Committee

In order to effectively implement and monitor the National Strategy, the Government has set up the "Making things better for children!" National Strategy Evaluation Committee of experts delegated by the Government, professional and civil society organizations, as well as churches, in accordance with Parliamentary Resolution 47/2007 (V. 31) on the "Making things better for children!" National Strategy 2007 to 2032.

The Committee is a group that oversees and supports the execution of the inclusion plan, provides feedback, and makes recommendations. Its mission is to plan and implement the Strategy in a systematic and planned manner, to improve monitoring tools and procedures, to develop an indicator system consisting of indicators that measure and are most representative of children from low-income families, and to collect, analyze, and publish data. As a result, it aids in the monitoring of the inclusion strategy's implementation, yearly review, and three-year modification.

4.6. Anti-segregation Round Table

The Anti-Segregation Round Table was established by the Government Minister in Charge of Public Education with the specific goal of allowing the governmental and civil sectors to review pressing situation of education integration and social separation, discuss the competencies of clerical, civil, state, and municipal government participants and the possibilities of their engagement, supervise currently valid professional norms, and, if necessary, make proposals for new directions. The advisory forum thinks that clarifying concepts, reviewing the situation, and defining precise aims are the most crucial starting responsibilities for long-term collaboration. Representatives from the Ministry of Human Capacities and civil specialists make up the round table.

The government's goal is to not only ban any segregated way of operation that impedes the participation of socially disadvantaged children through legislation, but also to adopt effective efforts to remove both spontaneous and planned social isolation.

4.7. Human Rights Round Table and Work Group

Through Government Decision 1039/2012 (II. 22), the Government formed the Human Rights Work Group, which serves as the government's proposing and consulting body. The Work Group's major responsibility is to monitor the implementation of human rights in Hungary, consult with various organizations in this regard, and encourage professional communication related to the implementation of human rights in Hungary. The Work Group is an inter-ministerial group formed of state secretaries of ministries representing several sectors in terms of human rights and led by the State Secretariat of the Ministry of Public Administration and Justice, which is in charge of social relations. The Work Group operates a Human Rights Round Table, according to the Government Decision, whose goal is to consult with civil, representative, professional, and constitutional organizations about the assertion of human rights in Hungary and to make recommendations on the Work Group's activities related to its responsibilities. Moreover to the Work Group members, the Round Table includes the Commissioner for Fundamental Rights, the President of the Equal Treatment Authority, the President of the National Authority for Data Protection and Freedom of Information, as well as delegates from constitutional and civil society organizations invited by the President and Vice President to participate and express their views. Thematic work groups are formed with the participation of civil society and governmental actors, and their functioning is overseen by the relevant ministries. The State Secretariat for Social Inclusion coordinates the activity of the Thematic Work Group on Roma Affairs.⁷⁵

4.8. The Türr István Training and Research Institute

Families living in large numbers in micro-regions, particularly in rural areas in extreme poverty, whose present and future are determined by the consequences of permanent need, absence of knowledge and information, lack of relationships, lack of motivation and who "transmit" this fate to their children, are the main target groups of the institutions' operation.

⁷⁵ Report of the Parliamentary Commissioner for the rights of national and ethnic minorities regarding the 2010 local national municipal government elections.

The Institute is the regional coordination centre for social integration, a central budgetary organization with countrywide competence that performs regional inclusion coordinating responsibilities, implements social inclusion policy measures, and fulfills its obligations connected to public employment as a priority component.

The institutions collaborate with local governments, civil society organizations, churches, social, educational, vocational, and higher education institutions in their operating areas, regionally relevant government offices, employers' and workers' organizations, and competent regional chambers to assess and coordinate social inclusion activities in their operating territory. In terms of public employment, they are in charge of initiating, managing, and training.

In the field of social inclusion, the Türr István Training and Research Institute carries out the following tasks:

1. providing the individual and resource conditions for mentoring disadvantaged groups and coordinating the process;
2. trying to assess the competencies of disadvantaged groups and developing the necessary tools; training and competence development for the disadvantaged, development and application of the necessary tools as teaching materials;
3. implementation of social inclusion pilot projects as a beneficiary or consortium partner in the context of EU programs;
4. monitoring the data collection of the Roma population;
5. ongoing coordination and support of inclusion programs through daily contacts with intermediary organizations, institutions, and parties involved;
6. preparing those involved in assistance for the job, coordinating, and supervising their activities in the context of a "process mentoring" function;
7. broad social presentation and promotion (the National Social Inclusion Strategy) ;
8. participation in the coordination of the monitoring systems by strengthening cooperation between the institutions entitled to supervise the programs and measures;
9. support in the creation and implementation of convergence program methods, with an emphasis on evidence-based policy and the distribution of results-based management tools;
10. development of a measurement and evaluation system that comprehensively examines the results and impacts of the interventions;

11. participation in the coordination of the monitoring systems by strengthening cooperation between the institutions entitled to supervise the programs and measures.⁷⁶

⁷⁶ Document No. J/12618, report on the situation of the nationalities living in the territory of Hungary, Budapest 2013

5. Roma integration goals at the regional and local levels

5.1. The role of civil society organizations

The importance to the promotion and long-term success of integration and inclusion is that target groups, especially Roma community representatives, be actively involved at all stages of policy creation, implementation, and monitoring.

According to the European Union's Roma framework strategy, Roma integration goals can only be fulfilled at the EU, national, regional, and local levels if responsible authorities are explicitly committed to it and Roma civil organizations are involved. Civil society is important not only because it is an essential component of democratic operation, but also because it possesses enormous capacity in terms of being able to respond flexibly to societal needs, and since strengthening civil society can assist Roma communities in becoming self-sufficient. That is why, at the EU, national, regional, and local levels, special attention must be paid to building Roma civil society organizations and including them in decision-making, implementation, and oversight.

In Hungary, a varied civil society has emerged over the last decade, representing a wide variety of interests and meeting current demands, and Roma activists and professionals are more visible in both the civilian and government sectors. Roma self-organization began in the 1990s, with a range of Roma organizations forming at the time, and by the middle of the decade, there were over a hundred Roma organizations with a diversity of characteristics.

The National Cooperation Fund, which was established to assist civil society in Hungary and increase civic organizations' social participation, focuses on the organization, development, and execution of civil society activities in the Carpathian Basin. The activities that are sponsored cover the entire range of civic life, from programs that promote European integration to scientific research in the civil sector to monitoring operations.

5.2. Role of churches

Churches and other groups reach out to members of Roma communities as part of missionary operations to investigate the prospects of improving their lives, give mental care and advice, and urge them to take action to achieve a better life.

Pastoral care, particularly pastoral care for Roma, is an organic extension of churches' missionary work. Pastoral care permits church members who are serving in the community to come to know the people who live there. They are aware of cultural norms and attitudes and use them (interculturally) to aid in the attainment of specific personal objectives. These goals might be religious, moral, relational, or daily aims. Churches assist in maintaining motivation and teaching how to draw strength from religious beliefs while also offering operational assistance to help people face life's challenges. Roma pastoral work leads to the development of long-term social ties between Roma and non-Roma, which are based on Christian principles and equally effective in human interactions. In Roma pastoral work, Roma and non-Roma work together. This gives the majority of society the chance to alter their attitudes, enhance tolerance, and broaden their social awareness. Cooperation between Roma and non-Roma can also help to reinforce Roma people's multiple identities. As a result, these relationships provide a suitable model for members of society, and they may include others from both the nationality and the majority of the population, independent of religious convictions. As a result, churches' intermediate function in terms of Roma nationality strengthens the ability of the majority of society to encourage openness and inclusion.

The churches' assistance in conquering a range of challenges include distinct functions that go beyond religious motivation. They assist with social and charity activities, as well as education and cultural transmission, employment and labor mediation, the resolution of certain housing issues, and the administration of official procedures. They take part in the development and execution of inclusion programs at the local and national levels, as well as running their own programs. They may collaborate with municipal authorities as a result, increasing the efficacy of cooperative work and community cohabitation.

Apart from this unique motive, church programs are distinguished by social, educational, and job-creation activities that respond to real-world societal problems. Genuinely good Roma examples that

emerge as a consequence of churches' Roma pastoral and Roma missionary operations can set off astonishing social processes in both the Roma population and the rest of society.⁷⁷

5.3. The framework of EU development projects (2014-2020)

Between 2014 and 2020, EU-funded social inclusion development initiatives will be based on the strategy's goals. These initiatives touch on a variety of operational programs, either through direct development programs or by showcasing OP interventions as prospective job opportunities for the unemployed (large-scale investments, use of renewable energy sources, environmental protection). Many operating programs impacting the poor include development initiatives that can help reach the European Union's poverty-fighting targets by 2020.

The strategy's initiatives, which are being prepared with EU co-funding, are anticipated to:

1. improve children's prospects of social inclusion and good education through various programs spanning different stages of life and focused at combating child poverty, with a specific focus on parental engagement;
2. manage and prevent regional breakaway processes through the complex development of settlements on the verge of becoming or already being disadvantaged, as well as the most disadvantaged micro-regions; the success of interventions supporting regional inclusion can be ensured through the harmonisation and coordination of various EU thematic objectives and operative programs through the development of long-term programs;
3. increase the employability of disadvantaged people, especially Roma, and expand their work options; in terms of the latter, interventions promoting creation of jobs and entrepreneurship, as well as social economy tools, are particularly important;
4. increase public service accessibility, quality, and effectiveness, particularly social, child welfare, child protection, and healthcare services;
5. minimize housing inequalities by implementing sophisticated programs aimed at segregated neighborhoods, involving human and housing investments;
6. anti-discrimination and intercultural programs, community programs, and awareness-raising; enhance coexistence within society by involving disadvantaged groups, including Roma;

⁷⁷ COM(2001) 366 Green Paper: Promoting a European framework for Corporate Social Responsibility

7. improve the efficacy of governmental initiatives targeted at eliminating disadvantages by developing new tools;
8. contribute to the growth of human resources working in human and administrative services institutions, as well as the collaboration of all parties involved.

In terms of poverty, the condition of Roma living in large numbers in settlements or regions must be dealt with individually, but investments should not be restricted to Roma living in segregated communities. There have been four major approaches to advances aimed at improving the position of Roma:

1. targeted disadvantages that disproportionately afflict Roma, such as low credentials, poor employability, generational unemployment, child poverty, and difficulty accessing public services;
2. people in difficult situations are targeted, with priority given to Roma, and quotas are established in their favor in programs that compensate for disadvantages that affect a disproportionately high proportion of Roma, such as programs aimed at promoting further education and lowering the drop-out rate;
3. Roma-specific programs, such as education and employment for Roma women, assistance for Roma culture, and Roma health screening, are being implemented;
4. certain boosting methods, such as mandatory collaboration with Roma national local governments, Roma coordinators, and mentorship, are used to ensure that programs removing disadvantages and aiding inclusion reach Roma as effectively as possible.

A measuring project is developed and implemented to allow for the tracking of resources allocated to improving Roma conditions through development programs.⁷⁸

⁷⁸ https://ec.europa.eu/eurostat/cros/content/research-projects-under-framework-programmes-0_en

5.4. Components and goals that are essential in this regard

Through the coordination of numerous operational programs, the foundation for complex interventions and the circumstances for their integration into local processes in the most disadvantaged regions should be developed. In order to reverse settlement segregation trends and improve the unfavorable economic-social situation in permanently deprived or segregating settlements, complex investments aimed at community development and social capacity development, as well as programs designed to promote economic activity and replace missing services, should be implemented. The efficiency and technical oversight of public investments in order to mitigate disadvantages. Interventions aimed at eradicating child poverty and increasing children's prospects of inclusion and education should be maintained. The coordinated implementation of active inclusion methods should increase the prospects of employment and work opportunities for individuals who are disadvantaged, including Roma (employment, pecuniary support and services). Innovative programs should be implemented to enhance the circumstances of those who are permanently disadvantaged. Complex human and housing programs should help the integration of persons living in segregated or slum-like housing circumstances. Projects aiming at improving access to high-quality government services should be supported. Various programs aiming at combating prejudice, regulating views, and enhancing the participation of disadvantaged groups and Roma, as well as multicultural and community-led programs, should enhance social cohabitation.⁷⁹

⁷⁹ Opportunities for children in Hungary. Report for 2010 of the Evaluation Committee of the "Make it better for children" National Strategy Budapest, 2011 and Opportunities for children in Hungary. Report for 2009 of the Evaluation Committee of the "Make it better for children" National Strategy Budapest, <http://www.gyerekmonitor.hu/>

6. Latest outstanding studies and surveys in Hungary

6.1. Racism and other forms of intolerance- Legal and policy changes linked to the Racial Equality Directive's implementation

Legal developments:

There have been no legislative standards relating to the Racial Equality Directive or its transposing Act adopted as of 2020. In 2020, there would be 41 legal decisions addressing the Equal Treatment Act, which implements the Racial Equality Directive. Only three of the complaints were about racial or ethnic prejudice.⁸⁰

In one case, the Supreme Court (Kúria) upheld the rulings of lower courts. According to these, requesting a donation from a person accompanying a woman giving birth in a hospital who does not have their own special hygienic garment ("zsilipruha") constituted discrimination on the basis of Roma origin, because Roma people were disproportionately burdened by such a practice due to their disproportionate rate in Hungarian society.⁸¹

In some other specific instances, the Regional Court (Debreceni Ítéltábla) obliged the authority responsible for sectoral administration of education to examine whether children perceived as Roma are disproportionately classified as children with special needs from January 2021 for the next five years, and to report on this and the initiatives needed to eliminate the violation by 31 March the succeeding year.⁸²

In another example, ethnic origin was asserted as a foundation for legal treatment, but the court rejected this argument. The Debreceni téltábla concluded that isolating a newborn from his or her mother for seven days after the first nursing was a violation of their right to family and human dignity. However, it concluded that equal treatment had not been violated because the infant had not been taken away because the mother was a member of the Roma cluster.⁸³

⁸⁰ Hungary, Act CXXV of 2003 on equal treatment and promotion of equal opportunities (2003. évi CXXV. törvény az egyenlő bánásmódról és az esélyegyenlőség előmozdításáról).

⁸¹ Hungary, Supreme Court (Kúria), Pfv.IV.20.677/2019/8.

⁸² Hungary, Debrecen Regional Court (Debreceni ítéltábla), Pf.I.20.214/2020/10,

⁸³ Hungary, Debrecen Regional Court (Debreceni ítéltábla), Pf.I.20.266/2019/19,

The Equal Treatment Act has seen no legislative changes as a result of the COVID-19 epidemic. Even so, as mentioned in the Policy and Legal Highlights section as well as Chapter 1, in December 2020, Parliament passed a law ending the function of the Equal Treatment Authority (which was the authority designated for the promotion of equal treatment under the Race Equality Directive) and replacing it with the Commissioner for Fundamental Rights (the Ombudsperson).⁸⁴

In this regard, a news piece published before the law's passage theorized that the reason for this may be that the Authority occasionally decided against the government's political inclinations.

Regrettably, the Authority appeared to avoid confrontation with the government in at least one case: as reported in last year's FRANET contribution to the Fundamental Rights report, the Hungarian Civil Liberties Union specifically requested the Authority to investigate whether the government had committed racial and ethnic origin abuse with one of its anti-migrant poster campaigns.

The Authority first turned down the opportunity, claiming that the government's migration policy had been approved by Parliament and that the Authority had no authority over Parliament. According to the press story, the Metropolitan Tribunal (Fővárosi Törvényszék) recently determined that the Authority can not reject the request on that formal basis and must rule on the merits of the case. By the end of 2020, neither the court ruling in the judicial database nor any material on the Authority's webpage on this subject could be discovered.⁸⁵

Policy developments:

In connection to COVID-19, the government has not proposed any measures particularly referenced or suited to the requirements of ethnic minorities (Roma in particular).⁸⁶

6.2. Roma equality and inclusion Measures and developments addressing Roma

In a well publicized case, Hungary's Supreme Court, the Curia (Kúria), dismissed appeals to the lower-level Debrecen Court's verdict and upheld the legitimacy of compensation for 63 plaintiffs who were denied equal educational opportunities and forced to attend segregated schools.⁸⁷

⁸⁴ The Equal Treatment Authority was abolished by Act CXXVII of 2020 amending certain laws to ensure more effective enforcement of the requirement of equal treatment (2020. évi CXXVII. törvény egyes törvényeknek az egyenlő bánásmód követelménye hatékonyabb érvényesítését biztosító módosításáról)

⁸⁵ Franet National contribution to the Fundamental Rights Report 2020, Hungary, p. 14.

⁸⁶ The impact of COVID-19 on ethnic minorities in Hungary pages 7-9 of the Franet Country Study and pages 14-15 of the Country Study

⁸⁷ Hungary, Supreme Court (Kúria), judgment of 12 May 2020, Pfv.IV.21.556/2019/22. The Chance for Children Foundation, the key actor in Hungarian desegregation litigation, sued a Gyöngyöspata school and the local government running the school for ethnicity-based segregation and discrimination (lower quality education). This action was an *actio popularis*, where NGOs active in the field are allowed to litigate without the need to name individual plaintiffs. The NGO won the case and the fact of segregation and discrimination was confirmed. The Foundation

The court decided that the injury suffered by people subjected to segregated education should be recognized without more proof, and that the court had to analyze the magnitude of the harm, the degree of loss of life perspectives, as well as the evidential foundation for the compensation. A total of nearly HUF 100 million (approximately € 280.000) in damages was granted.⁸⁸

Racist accusations that Roma people received money without working or deserved it was one of the political responses to the payout. Providing training as a kind of compensation was one of the proposals already made and rejected in court. The Curia was constrained to publish a statement against in-kind compensation, which is a legal remedy only available upon the agreement of the parties.⁸⁹

The administration launched a fresh round of "National Consultations" in February 2020. These are nationwide campaigns that use guided questions that do not conform to polling norms to survey individuals about subjects that are hot on the agenda. The new round is planned to include two questions on the aforementioned Gyöngyöspata litigation: regardless of whether compensation is justified, and if financial compensation should be substituted with educational help. In conclusion, these questions were removed from the questionnaire, which was issued on June 9, 2020, and replaced with questions on the COVID-19 outbreak.⁹⁰

Prime Minister Viktor Orbán weighed in on the case, saying it's "inacceptable" that individuals get money "for nothing," and describing it as "provocation" by "Soros organizations" rather than human rights enforcement. Local citizens who are opposed to the lawsuit are correct, according to the Prime Minister, and individuals should never be given money without working for it. Before even the judge's decision, the administration slammed previous decisions and expressed its hope that the Supreme Court would look into the issues "in substance."⁹¹

The Parliament modified the education legislation on September 1, 2020, to make monetary compensation illegal and create a special overriding provision requiring judges to award compensation "in the form of education and training service." The reimbursement was finally awarded in two installments in the matter at hand. According to legal criticism, the change was criticized as violating international and European norms on the right to an appropriate remedy and nondiscrimination.

brought the action for damages based on these findings, allowing the courts in the second case to focus on damages only, the fact of violation having been established.

⁸⁸ Hernádi, E., Kegye, A., Gárdos, P. and Sahin-Tóth, B. (2020), 'A gyöngyöspatai szegregációs per jogi krónikája', Új Ptk. – az új Polgári Törvénykönyv és Kommentár

⁸⁹ Hungary, Supreme Court (*Kúria*) (2020), "'Gyöngyöspatai szegregációs per': a nem vagyoni károk megtérítésénél a kártérítés megítélésének egyetlen módja a pénzübeli kártérítés, természetbeni kártérítés alkalmazására nincs jogszabályi lehetőség',

⁹⁰ Government of Hungary (2020), 'Gyöngyöspata iskolapere két kérdésben is téma lesz az új nemzeti konzultációban',

⁹¹ HírTV (2020), 'Fidesz: A gyöngyöspatai ítélet csak feszültséget szít',

The pro bono counsel for the plaintiffs contended that the government's response violates the compensating logic of civil and human rights law, requiring victims and courts to accept an alternative consequence that they had already rejected. In reaction to the incidents in Gyöngyöspata, NGOs urged the Commissioner for Fundamental Rights to take action.⁹²

The Institute of Economics' Centre for Economic and Regional Studies released its predictors on public education in January 2020, concluding that segregation has been increasing in Hungary for the past few years, owing to the fact that disadvantaged students typically attend different schools than their non-disadvantaged peers.⁹³

The European Roma Rights Centre (ERRC) stated in March 2020 that it was defending a Roma student in a dispute against the segregated school's director, who had allegedly attacked the 12-year-old boy. The inquiry was halted by the Gyöngyös District Prosecution Office due to what it considered to be mitigating considerations: no criminal record, acting in a fit of rage, demonstrating regret and the fact that the director had already left the institution and now works as a teacher in a nearby school. The victim, who was represented by ERRC, filed a lawsuit against the ruling, claiming that it was an example of institutionalized violence.⁹⁴

Extremist speeches and a rally against a double murder in Budapest that later proved not to involve a Roma people were part of a campaign stigmatizing Roma people. Despite a police prohibition, the far-right group „Our Country Movement” (Mi Hazánk Mozgalom) held a protest outside the headquarters of the National Roma Self-Government (Cigány Kisebbségi Önkormányzat). The protest was centered on "gypsy crime." For associated misdemeanors, the police initiated action against 34 people.⁹⁵

The Debreceni Court of Appeals (Debreceni Ítéltábla) issued a ruling in January 2020 in a case involving at least two Roma couples who contested custody orders that had taken their children away from them. The Court partially overturned the lower court's decision, finding errors in administrative processes and supervision. The action to prevent the mother from nursing her newborn was considered to be a significant breach of the mother's right to family and human dignity by the court.

⁹² Hernádi, E., Kegye, A., Gárdos, P. and Sahin-Tóth, B. (2020), 'A gyöngyöspatai szegregációs per jogi krónikája', Új Ptk. – az új Polgári Törvénykönyv és Kommentár

⁹³ After a sudden increase in 2013, at least partly due to changes in classifications, there has been a continuous increase in two out of the three segregation indicators. Varga, J. (ed.) (2019), 'A közoktatás indikátorrendszere 2019', pp. 180–183,

⁹⁴ European Roma Rights Centre (ERRC) (2020), 'Director of segregated Gyöngyöspata School must not get away with assaulting a 12-year-old Romani boy',

⁹⁵ Infostart (2020), '34 embert jelentett fel a rendőrség a Deák téri demonstráció miatt',

The Court, on the other hand, dismissed the claim based on ethnic discrimination, noting that there was no direct relationship between the parents' Roma ancestry and the actions adopted, including the deprivation of parental rights in one couple's instance.⁹⁶

Similar examples of children being taken into custody and removed from their families were recorded by the Hungarian Civil Liberties Union (Társaság a Szabadságjogokért). The family at issue live in abject poverty and are frequently subjected to disparaging remarks, such as the suggestion that the mother should be sterilised for being "so reckless" in having more children despite their financial hardships.⁹⁷

In response to frequent complaints from parents against local guardianship organizations, the HCLU approached the Ministry of Human Resources. Officers are claimed to have discouraged parents from appealing child removal rulings, claiming that appeals just slow down the process and are counterproductive if they want their children back. The HCLU turned to the Ministry, which affirmed that the practice was illegal based on a written judgment given by the Borsod county office.⁹⁸

A Roma man died because the ambulance refused to enter the neighborhood without a police escort, and he did not receive medical care in a timely manner. The medical workers involved have been subjected to a criminal inquiry. Both the ambulance and the mayor's reports incident that this was not a single incidence, but rather part of a larger pattern.⁹⁹

The Supreme Court heard a lawsuit brought by Romani women with the help of the European Roma Rights Centre (ERRC) against a hospital in Miskolc that required the purchase of a new-born clothes package as a condition of admission. The practice was held to be discriminatory by the court since refusing to buy the apparel might result in visits being denied, leaving mothers to give birth without the accompaniment of their chosen attendants. The Supreme Court concurred with two lower court rulings that the practice was discriminatory both directly (mothers giving birth based on their financial status) and indirectly (Roma origin). It also approved the HUF 2.000.000 (€ 5.600) public interest fine.¹⁰⁰

⁹⁶ Hungary, Debrecen Court of Appeals (*Debreceni Ítéltábla*) Pf.I.20.266/2019/19, judgment of 23 January 2020.

⁹⁷ Hungarian Civil Liberties Union (HCLU) (2020), "Csak sírnak és azt kérdezik, hogy anya, még hány nap?",

⁹⁸ Hungarian Civil Liberties Union (HCLU) (2020), 'A szülőket nem lehet arra kényszeríteni, hogy válasszanak a gyerekük és az igazuk között',

⁹⁹ European Roma Rights Centre (ERRC) (2020), 'Romani man dies while paramedics stall at the outskirts of the poorest village in Hungary',

¹⁰⁰ Hungary, Supreme Court, Pfv.IV.20.677/2019/8, judgment of 20 May 2020.

Based on a complaint from the national Roma minority advocate (nemzetiségi szószóló) the national representative of a minority with restricted membership rights in the Parliament), the Commissioner for Fundamental Rights opened an inquiry. The complaint was over a village mayor's decision on a publicly sponsored burial for a Roma inhabitant. The mayor determined that the deceased should be buried someplace else after receiving a call from an anonymous source and conducting a reconnaissance of the site, claiming that the burial site prepared by the contractor blocked the road. The ruling was contested by both the contractor and the family. The contractor was no longer accessible to create another burial at a more remote spot because the choice was made so close to the funeral, so family members had to prepare the plot themselves. The underlying reason, according to the lawsuit, was the visitors' fear that a Roma might be buried close to their family's tomb. The Commissioner for Fundamental Rights concluded that this was not only a breach of integrity and due process rights, but also a form of ethnic discrimination.

Predicated on a complaint made by a local German minority council, the Commissioner for Fundamental Rights adopted a report on the rights of minority local governments. The implications apply to Roma involvement as well. The right to consent is the most powerful entitlement granted by current law to minority local governments in relation to the minorities they represent. This essentially equates to a veto over some local executive matters, such as the appointment of local school principals. The nominee, who was backed locally, including by the minority self-government, was not appointed by the National Education Chief (the State Secretary responsible for public education). The Ministry of Human Resources, likewise, did not disclose any justification for its denial. During the inquiry, the statute governing national minority rights was revised, including adjustments to the consent rule cited in the complaint, according to the report. The Commissioner slammed the modification for generating confusion, cutting a critical date without explanation, and claiming that the bill was passed without adequate consultation with minority groups. The scenario, according to the study, amounts to bad administration, endangering the rule of law.

In a second case, the Commissioner urged the state body in charge of pensions to adhere to the law's requirements and to make information easily accessible to Roma applicants. The specific cases included an application for a widow's pension where the agency failed to react sufficiently and immediately to the applicant's request, but there was no evidence of racial discrimination.¹⁰¹

¹⁰¹ Hungary, Office of the Commissioner for Fundamental Rights (Alapvető Jogok Biztosának Hivatala) (2020), 'Az alapvető jogok biztosa és a Magyarországon élő nemzetiségek jogainak védelmét ellátó biztoshelyettes közös jelentése az AJB-1376/2020. számú ügyben',

The social consultation on the „Hungarian National Social Inclusion Strategy 2030” was started by the Ministry of Interior in December. The application date was January 5, 2021.¹⁰²

Hungary was the subject of a report by the Advisory Committee on the Implementation of the Framework Convention for the Protection of National Minorities. The opinion observes that Roma "continue to endure prejudice in all aspects of public life," including "education, work, housing, and access to health care," among other critiques and suggestions. The Committee raises "doubts about the state's ability to deliver solutions" and criticizes the minority representation system for failing to satisfy the Roma's demands, particularly social inclusion. In its response to the opinion, Hungary's government emphasized its many Roma-related programs and institutions.¹⁰³

6.3. Inclusion of Roma is addressed overtly or covertly via policy and legal initiatives and advancements

Pandemic situation-COVID-19

Roma are disproportionately exposed to poverty, lower qualifications, and inadequate accommodation. These factors contribute to their increased vulnerability to the health, social, and economic effects of the pandemic.¹⁰⁴ Families without computers or associated skills may face insurmountable obstacles when it comes to online learning.¹⁰⁵ In the initial wave of the pandemic, an eviction ban was imposed, but it was lifted over the summer. Between the conclusion of the eviction moratorium and the start of the winter moratorium in November, allegations of evictions targeting Roma families surfaced, posing a significant health risk in the context of the pandemic.¹⁰⁶

¹⁰² Ministry of Interior (2020), 'Magyar Nemzeti Társadalmi Felzárkózási Stratégia 2030 tervezet'

¹⁰³ Advisory Committee on the Framework Convention for the Protection of National Minorities (2020), 'Comments of the Government of Hungary on the Fifth Opinion of the Advisory Committee on the implementation of the Framework Convention for the Protection of National Minorities by Hungary',

¹⁰⁴ ERRC (2020), 'Roma Rights in the Time of COVID', pp. 16–17

¹⁰⁵ Bagázs Public Benefit Association (Bagázs Egyesület) (2020), 'On the situation of Roma' (A romák helyzetéről), in: Nyitottak Vagyunk – Amnesty International – Bagázs – Háttér Társaság – Salva Vita (2020), 'What can the employer do? – Report on the impact of COVID-19 on women, LGBTIQ people, Roma and people with disabilities' (Mit tehet a munkaadó? – Beszámoló a COVID-19 hatásáról a nők, LGBTIQ emberek, romák és fogyatékosággal élők helyzetére), pp. 12–15,

¹⁰⁶ ERRC (2020), 'Hungary: Forced evictions of Roma mark the end of the Covid-19 moratorium'

People in smaller towns who live in extreme poverty confront repeated problems with accessing to safe drinking water. According to the Hungarian Civil Liberties Union (HCLU), anti-pandemic efforts restricting access to public water wells harmed people who had no alternative source of water. It cited UN norms and the Commissioner for Fundamental Rights' report, indicating that access to drinking water is a human right that must be protected in times of disaster.¹⁰⁷

The public's perception of Roma

In a study released in February 2020, the Equal Treatment Authority and the Centre for Social Sciences analyzed discriminatory perceptions and legal understanding of rights and remedies. The poll was conducted in 2019, following previous polls conducted in 2010 and 2017. All throughout the decade, the Roma were determined to be in the poorest position in terms of reported discriminatory encounters.¹⁰⁸

After "alcoholism and addiction," Roma ethnicity is the second most common source of disadvantage, which is linked to prejudice. Roma were one of the groups most likely to face numerous forms of prejudice. Roma were also more likely to be discriminated against in employment. Discrimination was more likely to occur among those working in the "public work scheme" (közmunka program, a state-funded municipal employment program) and those who were regularly on short-term labor, many of whom were of Roma background.

The ERRC produced a study on Romani women's reproductive rights. The report stated that, "Romani women have limited access to maternity care facilities, and whenever they do, they face discriminatory treatment, verbal abuse, segregation, and obstetric violence". The research is based on 13 individual interviews with female members of local (Romani) communities and five focus group sessions. The Centre supported two lawsuits challenging discriminatory practices in public hospital maternity units based on the results.¹⁰⁹

¹⁰⁷ Hungarian Civil Liberties Union (HCLU) (2020), 'A járvány idején különösen súlyos jogsértés, ha az önkormányzatok nem biztosítják a közutak működését a szegénytelepeken',

¹⁰⁸ Neményi, M., Ságvári, B. and Tardos, K. (2019), Personal and Social Perception of Discrimination and Legal Awareness of the Right to Equal Treatment. Survey Findings, 2019, Budapest, Equal Treatment Authority – Centre for Social Sciences, Hungarian Academy of Sciences, p. 17.

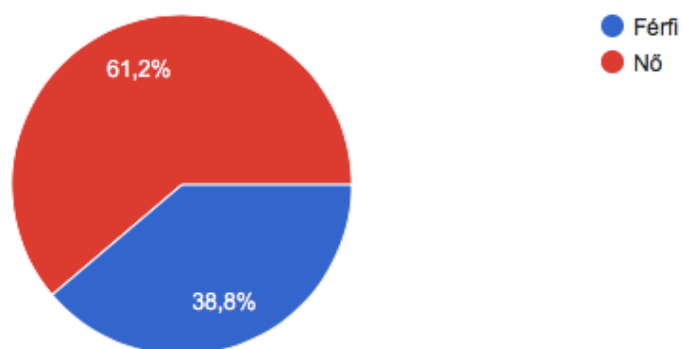
¹⁰⁹ European Roma Rights Centre (ERRC) (2018), 'ERRC ends discriminatory hospital charges affecting Romani mothers',

7. Questionnaire and its evaluation

In addition to my thesis, I conducted a short questionnaire survey on the opinions and views of Hungarian citizens, how open-minded, informed and how they think about the country's minority integration. In order to overcome the language difficulties, issues and to obtain the most authentic answers, the questionnaire was prepared in Hungarian. Examining the basic aspects, the gender, age and place of residence of the respondents determine how much they are informed about the current affairs of the European Union and Hungary in this matter. Furthermore, how open-minded they are to any integration solution for peaceful coexistence, what experience they have with minority groups. I designed the questionnaire to get as much information as possible from simple and understandable questions. The majority of the respondents were women, especially the middle-aged people from the micro-region of Hungary. The largest percentage of Roma were recognized as the majority minority, which is the feedback of the respondents, they are aware of which is the outstanding number of minorities in the country. Summarizing the answers in addition to the optional questions, I asked the respondents to express their own opinions. About their experiences and how much they believe in the integration of the Roma population that the country has been struggling with for hundreds of years. Much could be deduced from everything they wrote as their own experiences. First of all, the relationship between their acceptance and ability to act was controversial. Most of them would be open to change in order to establish proper economic and social peace, yet they are turning to minorities with great prejudice. A large percentage of them all have some experience, mostly negative, about their place of residence, work and environment. Aid and poverty distort the personality and perception of the Roma, both respondents agreed, as almost everyone mentioned it without exception. There are few who believe in social sensitization and that this can be affected by any action and cooperation. Signs of discrimination were to be found, yet it highlighted the difficulty and emotional damage it caused to the Roma. As I mentioned, the contradictions were significantly observable. Those who took the time to complete the questionnaire are less aware of the minority protection policy of the European Union and Hungary. Unfortunately, the majority of people do not see the way out and the possibility of a solution, Hungarian society associates already established stereotypes, work ethic and skin color with the concept of a minority. As a conclusion to my research, it was instructive to confront so many different opinions, but the answers and the percentages of the questionnaire dare to conclude that no unanimous agreement is expected in the future, which is why this will be an eternal question for Hungary.

Neme

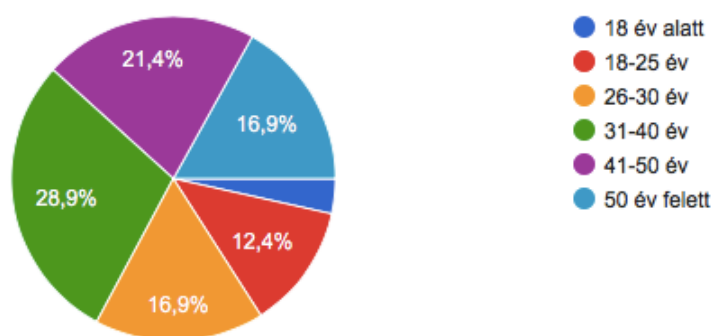
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According to the Google Forms „Kisebbség integrációja Magyarországon” Questionnaire

Életkora

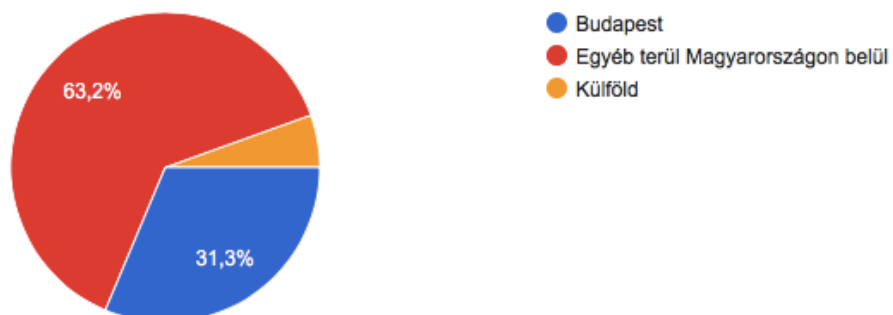
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Lakhelye

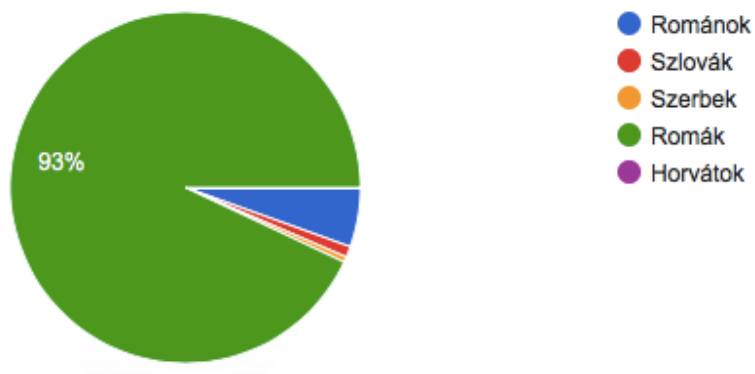
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According to the Google Forms „Kisebbség integrációja Magyarországon” Questionnaire

Ön szerint melyik a Magyarországon élő legnagyobb etnikai kisebbség?

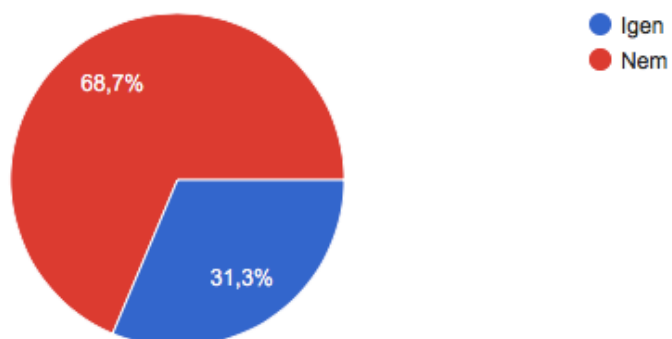
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According to the Google Forms „Kisebbség integrációja Magyarországon” Questionnaire

Magyarország az Európai Unió tagállama, Ön értesült az Unió kisebbségvédelmi előírásairól az ország csatlakozása óta (2004)?

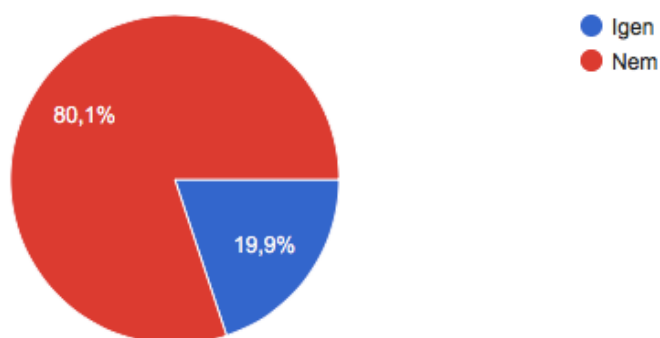
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According to the Google Forms „Kisebbség integrációja Magyarországon” Questionnaire

Nyomon követi Magyarország kisebbségvédelmi stratégiáját és annak fejlesztését, eredményeit?

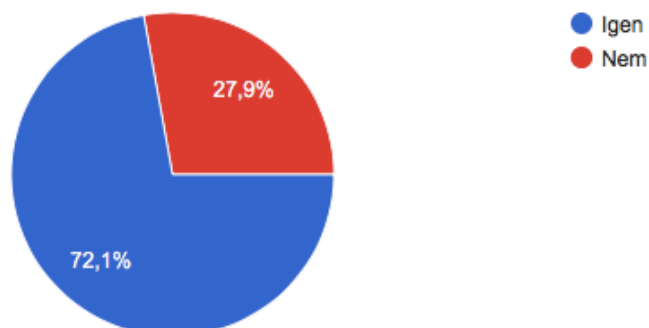
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According to the Google Forms „Kisebbség integrációja Magyarországon” Questionnaire

Véleménye szerint Magyarországon bármely kisebbségi csoport tagjai részesülnek-e negatív/pozitív diszkriminációban, vagy egyéb megkülönböztetésben?

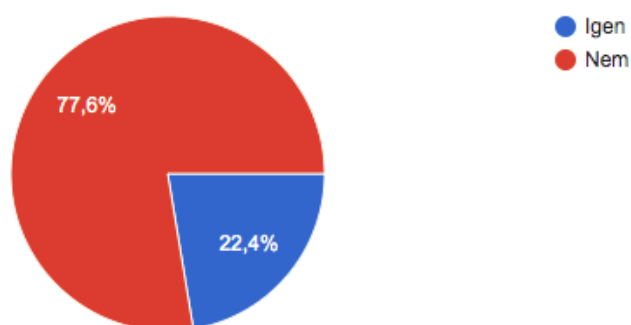
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According to the Google Forms „Kisebbség integrációja Magyarországon” Questionnaire

Ön szerint Magyarországon ugyanolyan esélyekkel indul mindenki, függetlenül attól milyen kisebbségi /etnikai csoporthoz tartozik?

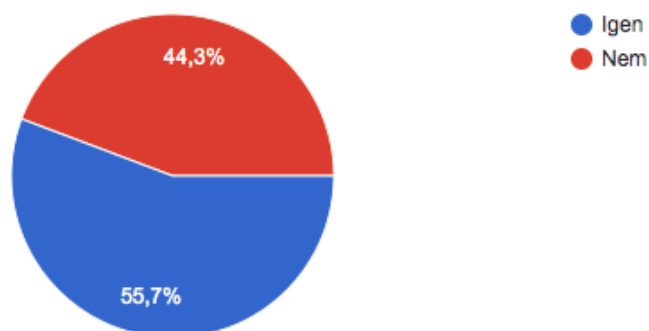
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According to the Google Forms „Kisebbség integrációja Magyarországon” Questionnaire

Rendelkezik bármilyen tapasztalattal a környezetében élő kisebbségi csoport tagjaival kapcsolatban?

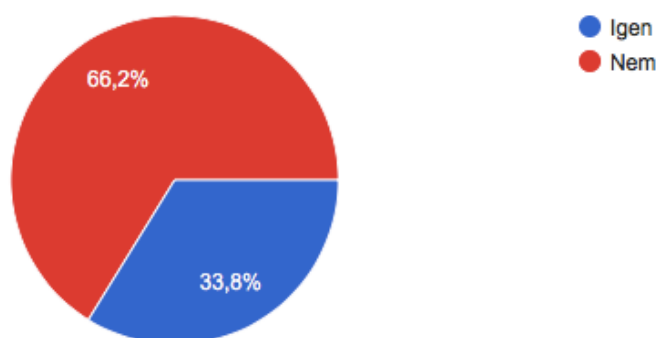
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According to the Google Forms „Kisebbség integrációja Magyarországon” Questionnaire

Ön szerint a társadalmi érzékenyítés megfelelő mértékben van jelen Magyarországon?

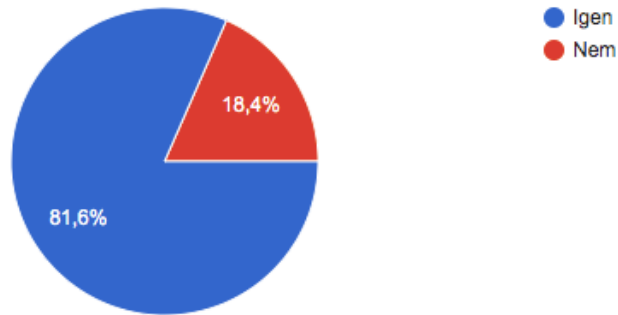
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According to the Google Forms „Kisebbség integrációja Magyarországon” Questionnaire

Ön megfelelő tájékoztatás és szervezethez mellet, nyitott lenne a helyzet jobbá tételére a békés együttélés érdekében?

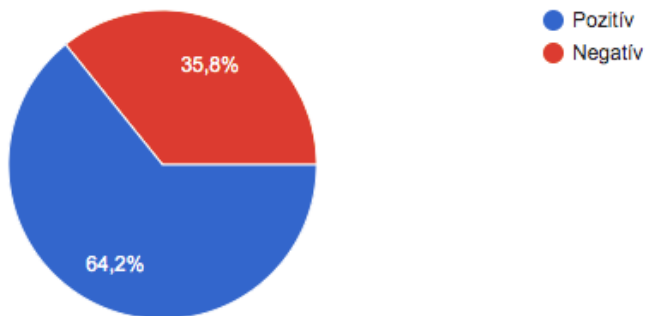
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According to the Google Forms „Kisebbség integrációja Magyarországon” Questionnaire

Ön szerint a roma társadalom megfelelő integrációja pozitív, vagy negatív irányban formálná Magyarország társadalmát-gazdaságát?

201 válasz



According to the Google Forms „Kisebbség integrációja Magyarországon” Questionnaire

Main questions:

1. In your opinion, do members of any minority group in Hungary suffer from negative / positive discrimination or other discrimination?
2. Do you have any experience with members of the minority group living in your area?
3. In your opinion, would the proper integration of Roma society shape Hungary's society and economy in a positive or negative direction?
4. If the answer to the previous question is "POSITIVE", please state your views in a few words.
5. If the answer to the previous question is "NEGATIVE", please state your views in a few words.

8. Conclusion

The steady deterioration of the position of those living in poverty, particularly the Roma minority, is one of Hungary's most serious concerns today. Segregation, exclusion from life's prospects in the sectors of education, work, and health care, as well as worsening in living circumstances in poor regions and on the outskirts of communities, are all consequences of this process.

In Hungary now, one-third of the population lives in poverty, with 1.8 million of them living in extreme poverty. Poverty has an especially negative impact on children and individuals who live in low-income areas. The majority of Roma, between 500,000 and 600,000 people (estimated total population: 750,000), belong to the latter category. As a result, a strategy aiming at integrating Roma into Hungary's society cannot be divorced from the country's overall struggle against poverty and development of social and economic competitiveness. Simultaneously, we must devote special attention to the Roma ethnic group, since evidence suggests that they are the lowest of the poor and have been left out of numerous inclusion programs. We need unique means, techniques, and approaches for the Roma population's engagement, in accordance with the EU's primary premise of explicit but not exclusive targeting. The 1993 Act on the Rights of National and Ethnic Minorities allows us to engage Roma as legitimate participants in matters affecting their life, promoting active engagement and responsible behavior on their side. The new national minority legislation, which is presently being drafted, will expand and strengthen these rights (parliamentary representation). The Roma in Hungary, the only country in Europe, have state-guaranteed participation in national elections, which gives them with cultural autonomy, thanks to the system of minority self-governments explained later in this article. More than 130,000 Roma registered for the minority elections held in connection with the most recent local municipality elections on a voluntary basis, gaining the ability to vote in the minority elections (58 percent of the total minority electors). They chose almost 6,000 local delegates to elect the 20 regional Roma minority self-governments (counties and Budapest) as well as the National Roma Government. In May 2011, Prime Minister Viktor Orbán signed a "Framework Agreement" with the President of the National Roma Self-government, Flórián Farkas, on behalf of the government, outlining concrete commitments on the most pressing Roma concerns. This document, signed at the highest level, demonstrates the Government's commitment to Roma inclusion in relation to the majority, non-Roma Hungarian society, while also conveying the message to Hungary's largest ethnic minority (according to the new Constitution, "national minority") that the Government counts on their cooperation as a partner. As a result, purposeful efforts are being made to preserve the dual strategy, which simultaneously fights poverty that affects all people, not just the Roma, and maintains track of the

evolution of the Roma situation, if required, through particular anti-discrimination programs. This is also a matter of legitimacy for Hungary, twenty years after the second birth of parliamentary democracy. We cannot tolerate a situation in which a dictatorship gives greater benefits to citizens in any field than democracy. How can anybody appreciate civil society freedom if they are unable to enjoy the benefits of such freedom due to social exclusion? The government stated as a main goal in the chapter of its program headed "Improving the conditions and fostering the social integration of the Roma," that it wanted to tackle Roma concerns as a national issue rather than a simple poverty policy issue. To this end, the government aims to determine the medium-term challenges and targets of social and labor market integration of those living in poverty, including Roma, as well as the necessary interventions, over a 10-year period, in accordance with the EU framework of National Roma Integration Strategies up to 2020.

In order to plan and implement effective social inclusion programs, it is necessary to conduct a systematic review of the programs implemented to date for the improvement of the Roma situation in Hungary, and to develop a plan of action that serves to effectively and genuinely improve the Roma situation while simultaneously targeting all individuals living in poverty and identifying the methods and measures that ensure the actual involvement of the Roma.

To this end, the Government also discusses the governmental action plan related to the National Social Inclusion Strategy (hereinafter referred to as the "Strategy") for the years 2012 to 2014, which determines specific tasks, identifies responsible Members of Government, and sets deadlines in the areas of child welfare, education, employment, health care, housing, individual involvement, and awareness. As the Government Program constantly points out, dealing with the challenges of disadvantaged socioeconomic groups has brought minimal results in recent years. The deteriorating labor market situation in the aftermath of the economic crisis, as well as the essential budgetary adjustment measures, have exacerbated the condition of vulnerable socioeconomic groups. Simultaneously, disputes and violent actions involving Roma, which have shocked and alarmed Hungarian society, have intensified and, in some cases, taken a deadly turn.

Poverty, as well as the issue of social cohesion, which is linked to economic growth, is becoming more prominent in European Union policy. The struggle against poverty and social exclusion, which must be handled in tandem with economic and employment measures, is one of the five primary objectives outlined in the EU's policy for the period up to 2020. The EU policy has a broad objective of reducing the number of people living in poverty or social exclusion by 20 million. Hungary's related goal is to assist half a million individuals in escaping poverty.

Their contribution to the establishment of the EU's Roma integration framework has been a notable success of Hungary's EU Presidency. On the 24th of June 2011, the European Council validated the Council Conclusions on the EU framework for National Roma Integration Strategies, which had been adopted by the sectoral Council concerned (EPSCO) on the 19th of May, and the Member States committed to participation in the framework. As a result, by the end of December 2011, Member States must draft or amend their national plans for Roma inclusion and submit them to the Commission.

In order to more effectively enforce inter-sectoral methods, the Hungarian inclusion strategy aims to encourage the integration, extension, and management of specific issue areas important to poverty (strategies affecting child poverty, Roma, and disadvantaged regions) in a standard target system. As a result, the Strategy combines the techniques and objectives of the National Strategy "Making Things Better for Our Children" and the Strategic Plan for the Decade of Roma Integration Programme (DRIP).

The strategic idea of the inclusion strategy is in line with the Government Program; it helps to the achievement of the Government Program's primary objectives, such as the growth of the economy, the significant expansion of employment, and the strengthening of social security. The proposed measures are based on the strengthening of collaboration, social cohesiveness, and personal responsibility for the society and individual. The Strategy establishes a framework for achieving the inclusion goals set forth in the Government Program. The Strategy views the solving of problems relating to the exclusion of Roma and other disadvantaged people as a national cause rather than a simple poverty strategy. The recommended intervention areas include employment, education, and social and health care services, all of which are highlighted as development priority in the Government Programme.

The Strategy also aligns with the goals of the government's family strengthening program. The inclusion strategy contributes to the realization of the principle that "every family counts"; we must simultaneously assist the poorest families whose housing is at risk, manage the deteriorating situation of those who have already started down a social path, and prevent the impoverishment of the lower middle classes.

The ten-year strategy and three-year action plan are directly tied to the EU framework, which was accepted as one of Hungary's primary commitments during the EU Presidency. The European Commission published "An EU Framework for National Roma Integration Strategies up to 2020," a communication. The Council responded to the EU Roma framework outlined in this document with its Council Conclusions, which were approved in, 2011, and by which the Member States committed to participating in the framework strategy, i.e., submitting their national Roma inclusion strategies or action plans to the EU Commission by the end of 2011, in order to be included in the framework

strategy. The strategy and action plan are also tied to the Europe 2020 Strategy's inclusion goals in employment and education, as well as social inclusion. The quantified Hungarian targets approved on the basis of these priorities – increasing the employment rate of people aged 20 to 64 to 75% by 2020, lowering the proportion of early school-leavers to 10%, and halving the number of people living in poverty and social exclusion by half a million – can only be met if the Strategy's interventions are properly implemented and the goals set.

The Strategy summarizes the key conclusions of the situation analysis, which is attached as an appendix, and displays the results of previous processes. The situation analysis summarizes the situation of the target group, which can be identified using the three most serious poverty risk factors (Roma, children, and people living in disadvantaged areas), and identifies the most pressing issues in the four problem areas also highlighted in the EU framework (employment, education, health care and housing). The most relevant results linked to the problems identified are summarized in the conclusions at the end of each chapter of the scenario analysis.

On the basis of the difficulties identified, the Strategy's vision and goals describe a realistic and quantifiable medium-term vision and specify the principles connected to the direction and methods of implementing the inclusion policy.

In line with the Europe 2020 Strategy's poverty reduction goals, the comprehensive aims are as follows: Decrease in the number of people living in poverty and social exclusion, with a focus on the Roma minority. Preventing poverty and social disadvantage from resurfacing. Enhancing equitable access to social and economic well-being, as well as societal cohesiveness.

The instruments assigned to the objectives may be classified into six intervention categories. At the conclusion of each intervention area, the most significant tools and strategies for enforcing the political aims of inclusion emerge as priorities. It is required to establish a monitoring system in order to track the achievement of the strategy's objectives as well as the execution of the programs and measures, and there is a need for focused, large-sample studies and sociological research. Annually, the State Secretary for Social Inclusion evaluates the strategy's three-year action plan and produces reports for the government. We'll revisit the plan on a frequent basis.

The EU framework for National Roma Integration Strategies, the Decade of Roma Integration Programme, and the National Strategy "Making Things Better for Our Children" all prioritize monitoring the success of initiatives and interventions, as well as the usage of indicators. While large preparatory initiatives for the establishment of evaluation systems have been begun, none of the local policies has

a full and cohesive system of indicators and assessment. The availability of the essential data as a result of studies, data collecting, and administrative processes is a prerequisite for developing indicators. There are a lot of challenges in this section due to the nature of the social problems that the plan is designed to solve. To obtain adequate information on the main factors affecting the situation of the most disadvantaged social groups, their income and living conditions, and their development, we need data surveys with large samples planned with great precision and capable of responding to the challenges of this unique type of data collection. For the evaluation of programs and initiatives aimed at improving the Roma people's position, ethnic data on the Roma population is required. The necessity for such data for targeting purposes may be questioned on the grounds that, with the exception of ethnic prejudice, the social disadvantages impacting the Roma people are not ethnic disadvantages; they come from the individuals' socioeconomic circumstances rather than their ethnicity. The need to investigate the consequences of initiatives on the Roma community, on the other hand, is scarcely debatable. The operational programs connected with the Széchenyi Plan will provide short-term finance for the Strategy's implementation up to 2014. In terms of the Strategy's medium-term funding up to 2020, we can rely on the fact that the Strategy directly supports the achievement of Hungarian targets set in accordance with the Europe 2020 Strategy, which are treated as priorities under the general rules governing the use of EU aid available between 2014 and 2020. In multiple rounds, the National Roma Self-Government examined the proposed Strategy and agreed on the objectives, interventions, means, and techniques. Any clarifications or extra ideas from them were appropriately analyzed and put into the working material's content. The Inter-Ministerial Committee for Social Inclusion and Roma Affairs examined and approved the draft plan summary at its meeting on July 13, 2011. This is the body in charge of coordinating collaboration amongst the relevant ministries and agencies (12 State Secretaries and a representative from the Prime Minister's Office make up the membership). After that, they began preliminary written and verbal talks with the relevant ministries. Individual ministries refined and added to a pre-defined indicative list of actions during this round of discussions. As a result, preparations for the construction of the Strategy's action plan began as well. The Roma Coordination Council was established in order to facilitate the broadest possible collaboration among social actors and stakeholders involved in or interested in Roma inclusion. Its members include representatives from minority self-governments, local municipalities, the Hungarian Academy of Sciences, employers, employees, churches, civic organizations, and the Central Statistical Office, in addition to officials from the government. The bulk of the 27 members are Roma organizations.

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