



Questionnaire for the Transatlantic Council on Migration

Please Return to:

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Name of Equality Body: Ombudsman for the Rights of National and Ethnic Minorities

I. About Your Institution

1) Basic Competencies:

a. Does your institution meet the requirements of the Racial Equality Directive?
Yes, it does.

b. Do you receive complaints?
Yes, we do.

c. Do you offer advice or counseling to those racially discriminated against?
Yes, we do.

d. Can you conduct surveys, make recommendations, or issue reports?
We can and do all these.

e. Do you offer potential victims referral to legal support?
We do not have the right to represent clients at the court.

f. Do you offer funds for legal fees?
We do not have the competence and the budget for that.

g. Does your institution offer a clear path to a deliberative body or trial?
No, we have soft powers, but can advise our complainants to go to court, to a non-discrimination lawyer or to the Equal Treatment Authority.

h. Can you issue decisions or opinions on cases of racial or ethnic discrimination?
We can issue opinions and recommendations in such cases.

i. If so, are these decisions legally binding?

No, our recommendations are not legally binding.

j. Can you demand penalties or impose sanctions?

No, we have soft powers.

2. Are the 2009 budget figures available? How does this year's budget compare with the 2008 budget?

The budgets for years 2009, 2009 and 2010 approximately stayed the same.

3. Do you expect a similar number of cases to be completed or receive assistance this year as in previous years?

Yes, we expect around 1000 cases, as it was alike last year and the year before.

4. About your staff:

a. How large is the staff?

The staff is made up altogether of 21 persons (including Ombudsman, head of the secretariat, 15 executives, 3 administrative staff, 1 chauffeur).

b. How many are lawyers?

There are 15 lawyers in our staff.

c. How many staff member belong to racial and ethnic minority groups?

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d. Is the current staff size sufficient to handle the number of complaints in a timely fashion?

We can handle complaints, but regarding the large number of complaints and other activities, such as comprehensive ex-officio investigations, we are in need of more staff.

e. Have staffing levels changed in the past year?

Yes, 3 new lawyers arrived to work at our institution in 2009. (However, one colleague has gone for maternity leave.)

5. Are there particular court decisions which have been very influential in determining how individual cases should be handled?

We work with an eye to decisions of the Hungarian Constitutional Court, as well as on international and EU standards.

II. Utilization and Dissemination of Services

6. Which groups generally use your services?

People belonging to a national or ethnic minority listed in Act LXXVII of 1993 on the Rights of National and Ethnic Minorities: i.e. Bulgarian, Gypsy, Greek, Croatian, Polish, German,

Armenian, Romanian, Ruthenian, Serbian, Slovakian, Slovenian or Ukrainian. Sometimes, people with no minority background seek our help, mainly because of their desperate socio-economic situation.

7. Are certain demographic groups reporting discrimination more this year? Are there groups using your services less this year?

No, mostly, Roma people come to us with discrimination cases, and there is no change in this tendency.

8. Have you noted an increase in migrants using your services in the past year?

Our institution is not competent to protect the rights of migrants, only for the 10 minority groups enumerated above.

9. How do you broadcast your services to the wider population? Have these efforts increased use?

As we are a Budapest-based organisation, complainants living under poor conditions outside the capital may have difficulties to reach us. In order to ease the mechanism of complaining, the Ombudsman for Minorities signed a co-operation agreement with the Minister of Social Affairs and Labour. The aim of the agreement is to offer the possibility to clients living in the countryside requiring our help to make complaints through the national Equal Opportunities Network, who submit these complaints to our office. (The network has 19 centres all around the country.)

In 2008, we started to visit systematically Hungarian regions (the initiative is called "tour of the country") where we meet local minority self-governments and NGO-s. During the visits, we get to know better the specific needs and problems of the given regions, and people can also file their complaints to the colleges of the ombudsman, while he is meeting local stakeholders.

The number of complaints has increased with these initiatives.

10. Do you aim publicity campaigns at certain groups? If so, have they increased use among these groups?

We have information brochures, but we don't have financial resources for other publicity campaigns.

III. Looking Forward

11. Do you have information campaigns planned for the future? What do these entail?

We do not have new plans at this time, but we continue the initiatives described at question no. 9).

12. What level of contact does your institution have with other anti-discrimination institutions? With the EU?

We are the member of Equinet. Equinet has a cooperation with FRA.