

A complainant of Roma nationality turned to the Office of the Commissioner for Fundamental Rights about discrimination at work, but withdrew his complaint, claiming that he had managed to resolve the conflict in the meantime. Subsequently, another employee of the institution concerned requested that the case be investigated further.

## CASE LAW MOSAIC

A complainant of Roma nationality who had been evicted due to the demolition of a flat owned by the local government and was living in a caravan in the same place asked for help to resolve his housing situation. On the basis of a signal by the Minority Ombudsman, the local family assistance service visited the family and drew the attention of the Mayor to the municipal care obligations of the municipality in case of circumstances endangering the life and physical integrity of the person in need.

A complainant of Roma nationality had his contract for a municipal rental apartment terminated due to rent arrears and was placed under temporary guardianship. In his complaint, the complainant asked the Minority Ombudsman for help in resolving his housing conditions and his problems with guardianship.

A petitioner of Roma nationality complained that the building authority had ordered him to demolish his residential building within 180 days. He reported that they were raising four minor children, one of whom was severely visually impaired, in difficult financial circumstances. They are afraid that if their property is demolished, they and their children could end up on the street.

A public statue of emblematic value for a nationality community was removed from the façade of a property under renovation without prior consultation with the nationality self-government. In response to a request from the Minority Ombudsman, the property investor replied that the statue would be preserved and that it would be housed in a museum in the future. In her reply to the parties, the Minority Ombudsman stressed the importance of direct dialogue and consultation with the representatives of the nationality community concerned on the final placement of the work of art.

A petitioner spoke on behalf of Roma refugees from Ukraine. In his complaint, he complained about the discriminatory treatment of Roma at the Nyugati railway station, where he was told that Roma from Ukraine were received differently by volunteers and police officers than Ukrainian refugees. Due to the reorganisation of refugee care in Budapest, the Minority Ombudsman was no longer able to investigate the specific complaint, but indicated that she would keep a close eye on the conditions of provision of services to refugees.

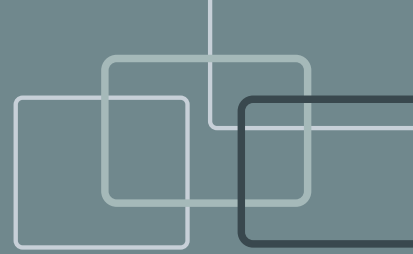
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A complainant of Roma nationality approached the Office with a **workplace affair that the head of an institution with which he had a regular working relationship had spoken about him in a degrading tone in front of other members of the staff because of his Roma origin**. The complainant referred the matter to the Office of the Commissioner for Fundamental Rights, but shortly afterwards **withdrew his complaint**, claiming that he had managed to resolve the conflict with the head of the institution. Subsequently, the Office was contacted by mail by **another staff member of the institution concerned, who indicated that, although the complainant had withdrawn his complaint, he, as a witness to the events, wished to pursue the matter and asked for information on how he could do so**.

In response to the request, the Minority Ombudsman provided detailed information on the possibilities under the Equal Treatment Act to enforce rights in cases of discrimination at work on the grounds of nationality or other protected characteristics.

According to the Act, **complaints of discrimination in employment may be brought by the employee concerned or by an NGO which, according to its statutes, is fighting for the interests and rights of a social group with a protected characteristic listed in the Act**, if the harm or threat of harm directly affects members of that particular group. In the course of the procedure, the applicant must establish that he or she has a protected characteristic and has suffered a disadvantage. If these conditions are fulfilled, the Directorate General for Equal Treatment of the Office will examine the case in the framework of an official procedure and invite the employer to make a declaration as to whether the requirement of equal treatment has been respected or not. During the administrative procedure, the authority will also have the opportunity to hear witnesses.

In her letter, the Minority Ombudsman pointed out that, as the complainant had withdrawn his application and the case had not been opened, it was **not possible to assess the testimony of the staff member who had subsequently contacted the Office**. However, the Minority Ombudsman also informed the person who wished to testify that, in the event of a new conflict arising in the future in the workplace, which might be related to the nationality or other protected characteristics of a worker, the persons concerned could of course contact the Office, in particular the Directorate General for Equal Treatment, even repeatedly, and request it to take administrative action.