

Minority Ombudsman

1

The Deputy Commissioner for the Protection of the Rights of Nationalities in Hungary is **the central figure in the three-decade-old Hungarian system for protection of the rights of nationalities.**

The Deputy Commissioner for Nationalities (better known as the Minority Ombudsman) **monitors the enforcement of the individual and community rights** of the thirteen nationalities, which make up almost ten percent of the Hungarian population. She has wide-ranging **powers of inspection, investigation and recommendation** in order to identify shortcomings and maladministration in legislation and the application of the law.

The importance of the Minority Ombudsman's position in public law is reflected in the fact that he or she is elected for a six-year term by Parliament from among **highly qualified and experienced** Hungarian professionals by a **two-thirds majority of the MPs.**

2

Responsibilities of the Ombudsman for the Rights of National Minorities

- regularly **inform** the Commissioner for Fundamental Rights, the institutions concerned and the public of his/ her **experience** regarding the enforcement of the rights of nationalities living in Hungary
- **draw the attention** of the Commissioner for Fundamental Rights, the institutions concerned and the public to the **danger of infringement** of rights affecting nationalities living in Hungary
- **propose** that the Commissioner for Fundamental Rights institute **proceedings ex officio**
- **participate in the inquiries** of the Commissioner for Fundamental Rights
- **propose** that the Commissioner for Fundamental Rights **turn to the Constitutional Court**
- **comment** on the Governments's social inclusion **strategy** and monitor the implementation of objectives thereof concerning nationalities living in Hungary
- **propose the adoption and amendment of legislation** on the rights of nationalities living in Hungary
- **promote** through his/her international activities, the presentation of the merits of domestic institutions related to the interests of nationalities living in Hungary

ELISABETH SÁNDOR-SZALAY



DEPUTY COMMISSIONER FOR THE PROTECTION OF THE RIGHTS OF NATIONALITIES IN HUNGARY,
PROFESSOR

In addition to professional and human commitment, independence and impartiality are essential requirements for the performance of the Minority Ombudsman's duties

The post has been held since 2013 by **Elisabeth Sándor-Szalay**, as she was re-elected in 2019.



The staff of the **Secretariat of the Minority Ombudsman** consists of professionals qualified in law, social work and a mental health, who assist her by performing complex professional and coordination tasks.

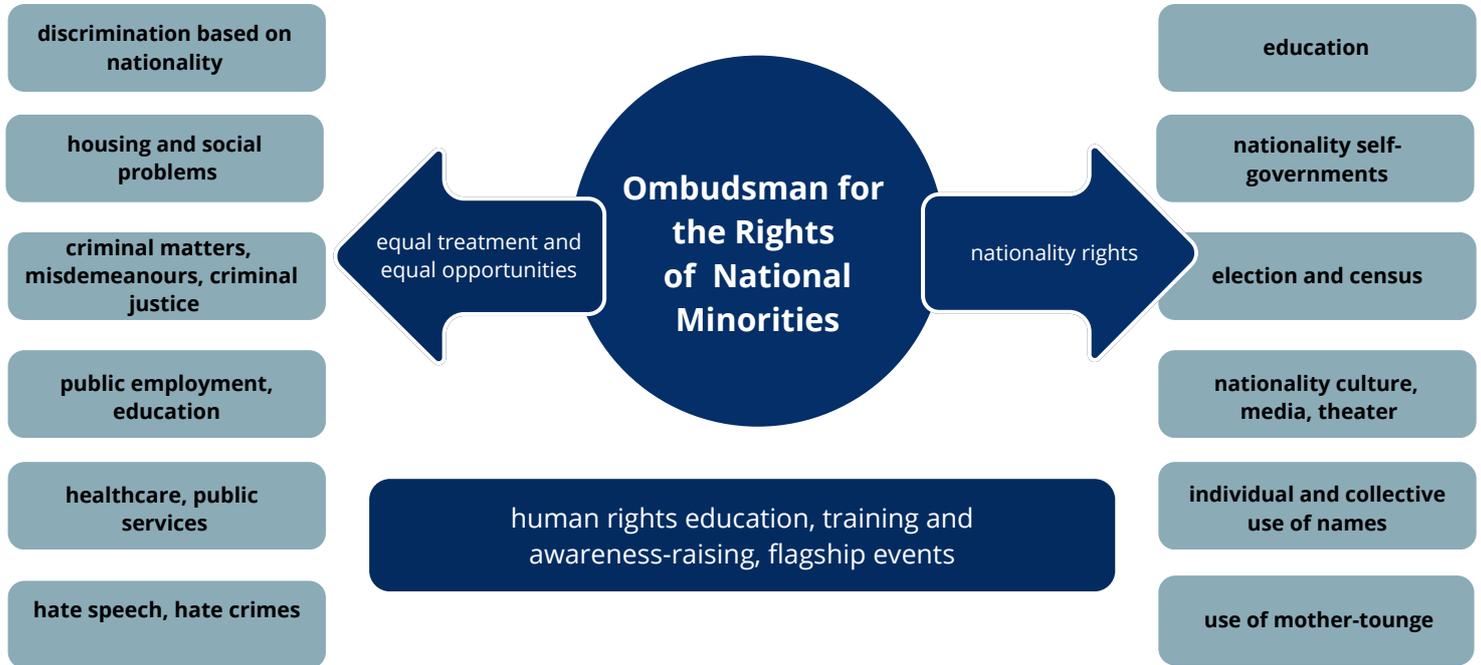
The **duties and powers** of the Minority Ombudsman are defined by the provisions of the Fundamental Law, the cardinal Act on the Rights of Nationalities and the Act on the Commissioner for Fundamental Rights. On the basis of these, the Minority Ombudsman carries out her activities partly **in cooperation** with the Commissioner for Fundamental Rights and partly **independently.**

Her powers of **inspection and investigation** extend to almost all institutions and authorities that perform public or municipal functions, as well as to bodies that carry out public services.

Her **scope for action** is correspondingly wide: it includes taking action on individual complaints and proposing the amendment or adoption of legislation or professional strategies in the case of a comprehensive disfunction.

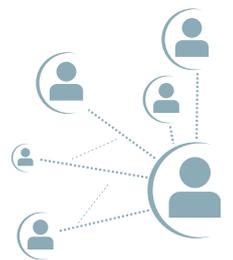
3

The Minority Ombudsman receives an average of **400 petitions** a year from members of nationality communities and their organisations. The cases encompass a wide range of situations, but in general they are of two basic types. The problems of enforcing **individual and community nationality rights** regulated by the Act on the Rights of Nationalities account for half of the caseload. In addition to the above, in the case of the Roma communities, **equal treatment and the promotion of specific equal opportunities** measures are also a priority, as a means of combating historical disadvantages and the discrimination that is still often experienced today.



4

Keeping continuous **contact** with our partners, and the **acquisition and processing of information**, are essential tools for the substantive underpinning of professional work.



The Minority Ombudsman pays particular attention to social, public, legal and other professional developments affecting nationalities. She also maintains close contacts with elected representatives of the communities, cultural organisations, research institutes, NGOs and churches, as well as with international minority protection institutions. This takes the form of:



- professional meetings
- professional forums
- conferences
- cultural events
- programmes abroad

After examining the individual or overall problems, the Minority Ombudsman prepares a final document containing the facts found, the conclusions to be drawn, professional recommendations and the concrete measures to be taken. The law also provides for the possibility of issuing joint documents with the Commissioner as well as independent ones. The **types of documents** are:



- joint reports
- general comments
- closing letters containing a legislative proposal
- communications

**Office of the Commissioner for Fundamental Rights
Secretariat of the Deputy Commissioner for Nationalities**

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