

## CASE LAW MOSAIC

Complainants of Roma nationality complained that the guardianship authorities had terminated the placement in family of two of their grandchildren/children by their grandparents and decided to take them into foster care. The complainants also complained that they were not informed of the decision of the guardianship authority and that when they received it later, they were unable to interpret the appeal notice. They also complained that the guardianship authorities did not try to find guardians for the children within the family.

The Minority Ombudsman, following the police's rejection of a report of atrocities against a Roma family, has sent a signal to the competent prosecutor general to investigate whether the case involves a suspicion of violence against a member of the community.

A Member of Parliament has complained to the Minority Ombudsman that a teacher in a primary school in a town in northern Hungary is treating Roma pupils and their parents inappropriately. Most of the parents have good daily contact with the teachers, and there are a number of projects for children's development in addition to the compulsory lessons. However, a few years ago, the complaint report indicated that, in addition to the good experiences, there were many problems with one of the mathematics teachers in the institution.

A complainant of Ukrainian nationality living in Hungary turned to the Minority Ombudsman for help, complaining about the actions of the common representative of the condominium property she owned and the statements she made in public at the condominium's general meeting, which insulted her Ukrainian nationality.

**A Roma complainant with a lung disease and his spouse turned to the Minority Ombudsman for help in settling the rent arrears of an oxygen concentrator they had rented, sharing their difficulties in making a living. In their petition, they indicated that they felt that they had been discriminated against because of their Roma origin.**

One complainant complained that the districts of Tetemvár and Ózegró in Miskolc are not connected to the city's public transport network, which raises the possibility of discrimination against Roma residents living there, primarily in terms of access to public education, employment, health and social services.

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The complainant, a Roma national, was prescribed an oxygen concentrator at the county hospital in 2020. He and his spouse complained that in February 2022, the company that rented the concentrator asked the patient for a prescription/voucher for continued use of the concentrator, but according to their complaint, this should have been forwarded to the company by the responsible pulmonary care center. They complained that they had subsequently received a payment notice for HUF 70,000, which they were unable to meet due to their difficult financial circumstances, and therefore the concentrator was returned to the company in December 2022 by mutual agreement.

According to the complaint, the couple received several payment notices for their outstanding debts, which they were unable to settle due to their difficulties in making ends meet. They claimed that the health authority should have forwarded the missing information and documents to the company. They have indicated to the Minority Ombudsman that they would like to have the debt cancelled.

In order to get a fuller background of the case and to inform the complainants as accurately as possible, taking into account the serious health condition of one of the complainants, the Minority Ombudsman contacted the Director General of the competent county hospital and the CEO of the company that provides the oxygen concentrator and asked them for information on the case.

In his reply, the CEO informed the Minority Ombudsman in detail about the background of the case, the use of the oxygen concentrator in question, the creation of the unpaid rent arrears related to it, and the removal of the equipment in December 2022.

The CEO also underlined a relevant point in the rental agreement between his company and the patient, according to which it is the patient's task and sole responsibility to obtain a valid medical prescription and send it to the company.

The CEO also informed the Minority Ombudsman that, at the request of the complainants, and taking into account the difficult financial circumstances of the patient, in March 2023, their company had fairly credited the unpaid rent and cancelled the complainant's debt.

On the basis of the above, the Minority Ombudsman informed the complainants that their case had been resolved and that the disputed debt had been settled as a result of the exercise of the equitable powers. On the basis of the information received from the director of the competent hospital, she drew the complainants' attention to the fact that the primary responsibility for the patient's pulmonary care lay with the pulmonary care provider of the place of residence.

Finally, the Minority Ombudsman asked the complainants to do their utmost to avoid similar problems in the future during the treatment of the complainant, because the fair settlement of the outstanding debt was only an ad hoc measure, but the use of the concentrator may be necessary on a permanent basis due to his serious illness.