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Brussels, 23 April 2026

**Complaint regarding the violation of the right to education of Romani children from Ukraine in Hungary**

I.

The European Roma Rights Centre (ERRC)<sup>1</sup> is a Roma-led organisation whose vision is for Romani women and men to overcome antigypsyism and its legacy, to achieve dignity, equality, and full respect for their human rights, and to use their experience to contribute to a more just and sustainable world.

The ERRC hereby files this

**c o m p l a i n t**

because we believe that the right to access to education of Romani refugee children from Ukraine in Hungary is being violated and that they face discrimination in accessing education. We believe that the Hungarian authorities have a responsibility to ensure their right to education.

The complaint is based on the facts and arguments below.

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<sup>1</sup> [www.errc.org](http://www.errc.org)

## II.

### **Romani refugees from Ukraine in the Hungary**

Hungary is one of the countries which serve as an entry point for refugees from Ukraine to the European Union, even though, the number of arrivals significantly decreased compared to the first months of the Russian invasion to Ukraine. As of December 2025, there were about 65.000 refugees from Ukraine in Hungary.<sup>2</sup> Many of them are of Roma origin.

A significant number of refugees from Ukraine face poverty. The at-risk-of-poverty rate for Hungarians has been around 14% in the last 15 years. In comparison, around one in three refugee families are at risk of poverty. About 38% of refugees interviewed by the UNHCR indicated that their income is insufficient to meet basic needs. About 25% of refugee families face severe material and social deprivation which is almost three times the rate of Hungarian nationals, and almost four times the average rate across the EU.<sup>3</sup>

However, there is no official data on the numbers of Roma from Ukraine currently living in Hungary. The Hungarian authorities do not collect disaggregated data on the ethnicity of refugees from Ukraine. As a result, there are only estimates of numbers usually made by NGOs or international organisations according to whom there are several thousands of Roma from Ukraine staying in Hungary.<sup>4</sup> Even though, the numbers are not negligible, the real numbers could be much higher among others due to increased rates of mobility amongst some Romani refugees and their invisibility to Hungarian authorities and organisations. Furthermore, many Roma from Zakarpattia Region have double Ukrainian-Hungarian citizenship which means that they are officially not refugees in Hungary.

In theory, Romani refugees have access to the same rights as other refugees who found themselves in Hungary. However, the reality does not always correspond to the theory as there are several obstacles which prevent Romani refugees from effectively exercising their rights – e.g. structural discrimination, poverty, lack of personal documents and administrative barriers.

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<sup>2</sup> UNHCR: Ukraine Refugee Situation – Hungary, available here: <https://data.unhcr.org/en/situations/ukraine/location/10783>

<sup>3</sup> UNHCR: Hungary: Socio-Economic Insights Survey 2025 - Key Findings (January 2026), available here: <https://data.unhcr.org/en/documents/details/121267>

<sup>4</sup> See e.g. Eredics, L.: The Marginalization of Roma Refugees From Ukraine Experiences From Hungary and Poland, available here: <https://www.gmfus.org/sites/default/files/2024-12/Eredics%20-%20Roma%20refugees%20-%20paper.pdf> or UNICEF: Hungary: 2025-2026 RRP Progress Dashboard, available here: <https://data.unhcr.org/en/dataviz/423>

According to the ERRC report from 2024, Romani refugees in the Hungary face a lot of general problems such as limited access to information and problems with accessing temporary protection. When it comes to the human rights situation, Romani refugees faced problems accessing adequate housing, education employment and healthcare.<sup>5</sup>

### **Access of Romani refugee children to education in Hungary**

Refugees from Ukraine, especially those from vulnerable households, continue to encounter significant barriers in Hungary when trying to secure stable housing, access basic services, and obtain essential information. According to the survey published by the UNHCR in October 2023, when asked about their most urgent needs (while allowing multiple responses) 32% of the refugee respondents living in Hungary named education as one of them.<sup>6</sup>

Although, the enrolment rate among Ukrainian refugee children in Hungary is, according to the UNHCR survey, relatively high (91%)<sup>7</sup>, these are not official but self-reported data. Those who are not enrolled in Hungarian schools, either attended Ukrainian schools remotely or had home schooling.<sup>8</sup> There are no data on children who are formally enrolled in schools but do not attend the classes. Furthermore, official data or estimates regarding Roma refugee children are missing, too.

According to another UNHCR survey, the state support for refugee students in Hungary is not coordinated and consistent and it is largely dependent on the individual capacities of schools and teachers. Children in upper primary grades have more problematic adaptation and they reportedly face language-related rejections from multiple schools, leading some to choose online Ukrainian education instead of Hungarian. The report also mentions that several Hungarian-speaking Ukrainian Roma families reported being placed in part-time

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<sup>5</sup> ERRC: Temporary Protection; The ongoing Struggle of Romani Refugees from Ukraine in the Czech Republic, Hungary, Moldova, Romania, and Slovakia, 2024, available at: [https://www.errc.org/uploads/upload\\_en/file/5601\\_file1\\_temporary-protection-the-ongoing-struggle-of-romani-refugees-from-ukraine.pdf](https://www.errc.org/uploads/upload_en/file/5601_file1_temporary-protection-the-ongoing-struggle-of-romani-refugees-from-ukraine.pdf)

<sup>6</sup> UNHCR: Hungary: Protection Profiling & Monitoring Factsheet - October 2023, available here: <https://data.unhcr.org/en/documents/details/104662>

<sup>7</sup> UNHCR: Hungary: Socio-Economic Insights Survey 2025 - Key Findings (January 2026), available here: <https://data.unhcr.org/en/documents/details/121267>

<sup>8</sup> Ibid.

school programs, while other refugee students were enrolled into regular mainstream classes.<sup>9</sup>

Although, precise nationwide figures are missing, the evidence available to us supports the conclusion that Roma children are disproportionately “out of system” compared to Hungarian children or non-Roma Ukrainian refugees children. It is important to note that Roma refugee children have multiple characteristics at once: ethnicity (Roma), refugee status, possibly language barrier and often also poverty which makes them vulnerable to (intersectional) discrimination.

In 2023, the Hungarian Helsinki Committee reported that a lot of Roma refugee families complained that their children had not received education and they had not have any opportunities to participate in any meaningful activities appropriate to their age. In some locations, the competent school was first reluctant to receive the Romani children claiming that their educational level does not match their age-appropriate grade/class. In other places, parents and/or their children expressed their fear to attend school due to the perceived lesser quality of education received in Ukraine.<sup>10</sup>

Even though, most of Roma refugee children of school-age have been formally enrolled in schools in Hungary, many of them have not attended regularly or have faced serious educational difficulties and have been transferred to a lower grade. Additionally, it has been difficult to keep Roma refugee youth in school beyond the age of 16 which is the last year of compulsory education, when it makes more economic sense for them to search for a job.<sup>11</sup>

According to the 2024 report by the ERRC, the main reasons for not enrolling Romani refugee children in Hungarian schools included: attending online education instead, education being provided directly in shelters, no assistance with enrolment, and an inability to travel to school. Additionally, the financial aspect presents a barrier for Romani refugee families living in precarious economic situations. Money is needed for travelling to school, meals, textbooks,

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<sup>9</sup> UNHCR: EDUCATIONAL INCLUSION OF UKRANIAN REFUGEE CHILDREN IN HUNGARY, 2025, available here: <https://data.unhcr.org/en/documents/download/119314>

<sup>10</sup> Hungarian Helsinki Committee: The Situation of Romani Refugees Fleeing Ukraine, Experiences gathered in the framework of the Ukraine refugee crisis response of the Hungarian Helsinki Committee, available here: <https://helsinki.hu/en/wp-content/uploads/sites/2/2023/04/Romani-refugees-from-Ukraine.pdf>

<sup>11</sup> Eredics, L.: The Marginalization of Roma Refugees From Ukraine Experiences From Hungary and Poland, available here: <https://www.gmfus.org/sites/default/files/2024-12/Eredics%20-%20Roma%20refugees%20-%20paper.pdf>

school equipment, clothes, shoes, and so on. For families with several children of school age, the costs are multiplied.<sup>12</sup>

Furthermore, many Romani refugee children require specialized assistance in accessing education. Some Romani refugee adults are illiterate, which makes the enrolment process more difficult. Some of the Roma refugee children never went to kindergarten or school and would need catch up education first. Some of the children had attended schools but their school attendance was interrupted and they have not been to school ever since the war started. Moreover, there is often a natural fear from parents resulting from past discrimination that their children might face discrimination and bullying if sent to schools which can discourage them from enrolling their children. Roma children often cannot rely on education from their parents. The majority of adults arriving to Hungary have completed up to four grades of elementary school and the majority of those above 30 years of age are completely illiterate.<sup>13</sup> All of the above-mentioned issues can create barriers to in-person education.

Refugee children could also be enrolled in the education system through online learning, attending classes online from home. This was also possible for many Romani refugee children; however, Romani families often do not have access to the electronic equipment and stable internet connections necessary for children to effectively participate in online learning. Even though online education is better than no education whatsoever, reliance on online education can result in weaker integration, lower language acquisition and higher long-term dropout risk.

When considering the situation of Roma refugee children from Ukraine, the historical context of Roma education in Hungary has to be taken into account. Historically, Roma in Hungary have faced systemic educational discrimination, including placement in “special schools” or segregated classes, a practice condemned, among others, by Hungarian courts, the European Court of Human Rights<sup>14</sup> and the European Union<sup>15</sup>. Although, reforms have been introduced,

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<sup>12</sup> ERRC: Temporary Protection; The ongoing Struggle of Romani Refugees from Ukraine in the Czech Republic, Hungary, Moldova, Romania, and Slovakia, 2024, available at:

[https://www.errc.org/uploads/upload\\_en/file/5601\\_file1\\_temporary-protection-the-ongoing-struggle-of-romani-refugees-from-ukraine.pdf](https://www.errc.org/uploads/upload_en/file/5601_file1_temporary-protection-the-ongoing-struggle-of-romani-refugees-from-ukraine.pdf)

<sup>13</sup> The Eastern Frontier Initiative: Transcarpathian Roma Refugees in Hungary: From Ukraine's Margins to New Hardships, 18 September 2024, available here: <https://easternfrontier.eu/eastern-frontier/7,193611,31316068,the-most-vulnerable-ukrainian-refugees-living-in-hungary-are.html?disableRedirects=true#:~:text=The%20labour%20market%20is%20still,can%20send%20money%20or%20not>

<sup>14</sup> Horváth and Kiss v Hungary, ECtHR judgment, 2013 or Szolcsán v Hungary, 2023

<sup>15</sup> See e.g. ERRC: Segregation in Hungary: The Long Road to Infringement, 30 May 2016, available here: <https://www.errc.org/news/segregation-in-hungary-the-long-road-to-infringement>

structural biases persist.<sup>16</sup> According to October 2025 data from the European Union Agency for Fundamental Rights (FRA), 62% of Roma children aged 6–15 in Hungary attend schools where all or most pupils are Roma, making it one of the highest rates of educational segregation in the region.<sup>17</sup> Thus, Roma refugee children are entering a system that is already unequal for Roma, compounding their disadvantage.

As a result of the abovementioned deficiencies, many Romani refugee children find themselves out of any education system. This creates a parallel educational reality that disproportionately affects this vulnerable group and creates space for further exclusion, especially for Romani children who face compounded barriers (poverty, discrimination, documentation gaps, mobility/housing insecurity). The longer the war in Ukraine lasts, the bigger the gap and exclusion will become.

The Hungarian Government has failed to adopt measures and policies targeting Roma refugees specifically. Moreover, there is overdependence on NGOs and community organizations when it comes to support and assistance to Roma refugees. Civil society, even if it plays crucial role helping refugees, cannot and should not completely replace the state authorities.

### **Lack of disaggregated data and monitoring**

A further concern relates to the absence of reliable data regarding the participation of Romani refugee children in education.

Hungarian authorities do not collect disaggregated data based on ethnicity, which makes it difficult to assess the scale of exclusion affecting Romani children including those coming from Ukraine. While data protection concerns are legitimate, the absence of any monitoring mechanisms or proxy indicators prevents authorities from evaluating whether vulnerable groups are effectively accessing education.

Due to this shortcoming, the educational situation of Romani refugee children remains largely invisible in official statistics, limiting the ability of public institutions to adopt targeted and effective measures and monitor any progress.

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<sup>16</sup> See e.g. Roma Civil Monitor: HUNGARY Country Fiche Assessment of the progress in the NRSF implementation between 1 June 2023 and 30 March 2025, available here:

<https://www.romacivilmonitoring.eu/wp-content/uploads/2025/10/C1-HU-Country-Fiche-2025.pdf>

<sup>17</sup> FRA: Rights of Roma and Travellers in 13 European countries - Perspectives from the Roma Survey 2024, available here: <https://fra.europa.eu/en/publication/2025/roma-survey-2024>

The ERRC notes that according to the decision of the European Committee of Social Rights in the case of the European Roma Rights Centre (ERRC) v. Czech Republic (Complaint No. 190/2020), the lack of data and statistics on ethnicity and the lack of alternative means to map the extent of the discrimination risk may amount to indirect discrimination.<sup>18</sup>

### III.

The right to education is a nationally and internationally recognized human right. It provides a key pathway to all aspects of life – health, employment, freedom of expression – but also a way out of the vicious circle of poverty and marginalization.

Article XV of the Fundamental Law (Alaptörvény) (Constitutional Act no. 2/1993 Coll.) guarantees fundamental rights to everyone without discrimination. The protected grounds include among others nationality, ethnicity and race.

The Act CXXV of 2003 “Act on Equal Treatment and the Promotion of Equal Opportunities” is Hungary’s core anti-discrimination law. It prohibits discrimination in multiple areas of social life including access to education.

According to Section 1 of the Act CXC of 2011 on National Public Education (the Education Act), the entire system of public education in Hungary is defined by the moral and intellectual values of knowledge, justice, order, freedom, fairness, and solidarity, by equal treatment, as well as by education for sustainable development and a healthy lifestyle.

The right to education is also protected on international level e.g. by the European Convention of Human Rights, UN Convention of the Rights of the Child, UN Covenant on Economic, Social and Cultural Rights etc. These instruments also guarantee that this right should be provided on equal basis for everyone notwithstanding their nationality, ethnicity, gender, religion and other characteristics.

According to the European Court of Human Rights (ECtHR), in many states in Europe, Romani children face difficulties in accessing quality education (see *D.H. and Others v. the Czech Republic* [GC], 2007, § 205). As a result of their turbulent history and constant uprooting the Roma have become a specific type of disadvantaged and vulnerable minority. They therefore require special protection and this protection extends to the sphere of education (*ibid.*, § 182).

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<sup>18</sup> <https://hudoc.esc.coe.int/eng/?i=cc-190-2020-dmerits-en>

The ECtHR has addressed the issue of the prohibition of discrimination (Article 14 of the Convention) on numerous occasions. It has stated that discrimination is the treatment of persons in relevantly similar situations differently, without an objective and reasonable justification (e.g. *Willis v. the United Kingdom*, 2002, § 48). However, Article 14 of the Convention does not prohibit a Member State from treating groups differently in order to redress “de facto inequalities” between them; in certain circumstances, the failure to attempt to redress the inequality through differential treatment may in itself give rise to a violation of Article 14 (see, for example, *Thlimmenos v. Greece [GC]*, 2000, § 44). The ECtHR has also held that a general policy or measure which has a disproportionately adverse impact on a particular group of the population may be considered discriminatory, notwithstanding that it is not specifically targeted at that group (e.g. *Hugh Jordan v. the United Kingdom*, 2001, § 154) and that discrimination which is potentially contrary to the Convention may not be the result of legislative action but may arise from a factual situation (e.g. *Zarb Adami v. Malta*, 2006, § 76).

Based on the information available from the resources above and also from the NGOs working in the field in Hungary with Romani refugees from Ukraine, we believe that Romani refugee children find themselves in a more disadvantaged situation compared to Hungarian majority population as well as non-Roma Ukrainian refugees in relation to access to education. Many of the Romani refugee children do not have access to any education whatsoever.

It is important to emphasize that right to education is not only a *right* — it’s a key to long-term stability, employment, and integration. When Roma refugee children are left out of schooling, the effects are intergenerational: reduced future opportunities, continued social exclusion, and perpetuated poverty.

Unfortunately, due to failure of the state to collect and process data disaggregated on the basis of ethnicity, it is impossible to monitor and analyse the exact situation and any progress in this field and to adopt targeted measures to address the situation of Roma refugee children from Ukraine.

#### IV.

According to international human rights law, Hungary has the duty to respect, protect and ensure the right to education. The state is also responsible for remedying past discrimination if there is a history of discrimination when it comes to right to education.<sup>19</sup>

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<sup>19</sup> See e.g. *Horváth and Kiss v Hungary*, ECtHR judgment, 2013

The Hungarian Government is not only responsible for providing formal access to education, but also for ensuring that Roma refugee children can genuinely benefit from it. The facts described above suggest that the right to education of Romani refugee children from Ukraine in Hungary is not effectively ensured.

Thus, the ERRC asks your institution to investigate and identify human rights violation and discrimination of Romani refugee children from Ukraine in Hungary regarding their access to education. We also ask you to provide recommendations to Hungarian authorities for legal and policy changes which could be adopted to improve the situation.

In particular, we believe that the Hungarian authorities should:

- ensure effective enrolment and school attendance of all refugee children in Hungarian schools;
- establish monitoring mechanisms for participation of Romani children from Ukraine in education including collection of disaggregated ethnic data in conformity with human rights standards;
- implement targeted outreach and information campaigns;
- introduce and fund Romani mediators to provide assistance to Roma refugees;
- prevent school segregation;
- provide language and integration support programmes;
- enhance cooperation with Roma civil society organisations;
- strengthen services for Roma refugee youth as a distinct priority group across education, employment, and protection systems to ensure their meaningful inclusion and long-term opportunities;
- provide material support for vulnerable families.

We will be looking forward to hearing from you soon.

Sincerely,

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European Roma Rights Centre  
Dorde Jovanovic, President