



Commission responds to Ombudsman suggestions in inquiry on alleged human rights abuses in social care institutions that receive EU funding

Case 417/2018/JN - Opened on 23/04/2018 - Decision on 17/09/2019 - Institution concerned European Commission (No further inquiries justified) |

The European Commission has responded to suggestions made by the Ombudsman in her inquiry into how it dealt with allegations of human rights abuses in a social care institution for persons with disabilities. The institution in Hungary had received European Structural and Investment Funds.

The complainant, a Hungarian NGO, had raised with the Commission its concerns about human rights abuses in the institution, but turned to the Ombudsman as it considered the Commission had not addressed its concerns.

The Ombudsman was concerned that the Commission's interpretation of a key provision of the United Nations Convention on the Rights of Persons with Disabilities, was at odds with that of the relevant UN committee and urged it to ensure that EU funds are not used to maintain existing institutions. While the Ombudsman accepted that the Commission did not have a legal basis to recover EU funds from the social care institution, she suggested that Commission consider addressing this legal gap. She also urged the Commission to monitor the 'deinstitutionalisation' process in Hungary.

In particular, the Commission responded positively to the Ombudsman's suggestion that EU funds should, to the greatest extent possible, not be used to maintain institutions and should instead be used to support deinstitutionalisation.