



Permanent Representative of Hungary to the United Nations Office
and Other International Organizations in Geneva

Ms. Jane Connors
Chief
Special Procedures Branch
Office of the United Nations High Commissioner for Human Rights

Dear Jane,

Geneva, 19 April, 2013

Please, find attached the response of the Government of Hungary to the joint urgent appeal /UA Housing (2000-9) Poverty (1998-11) HUN 1/2013/ sent on 12 March, 2013 by Ms. Raquel ROLNIK, the Special Rapporteur on adequate housing as a component of the right to adequate standard of living, and on the rights to non-discrimination in this context, and by Ms. Maria Magdalena SEPÚLVEDA CARMONA, the Special Rapporteur on extreme poverty and human rights. May I ask your kind cooperation to forward this response to the two distinguished Special Rapporteurs.

Let me also emphasise that the issue of addressing in an even more efficient way the situation of the homeless is currently on the agenda of the Government. As soon as the relevant new legal provisions and the refined measures for assisting the homeless people are adopted, we would be happy to inform the distinguished Special Rapporteurs and the Office of the High Commissioner for Human Rights.

Let me reiterate that Hungary attaches primordial importance to having a close, cooperative and meaningful relationship with all the mechanisms of the Human Rights Council, as well as with the Office of the High Commissioner for Human Rights.

Sincerely yours,

András Deák

András DEÁK
Ambassador



Enclosure: 1

**Response of the Government of Hungary to the
Joint Urgent Appeal
UA Housing (2000-9) Poverty (1998-11)
HUN 1/2013 dated 12 March, 2013**

The Hungarian Government remains committed to resolve the issue of homelessness, as it was also stated in its letter dated 21 February 2012. In general terms the Government considers the habitual residence in public places non-admissible. In order to address this problem, the Government is enhancing existing extensive care system, which is operated jointly with local governments and non-governmental organizations. With support allocated from the European Structural Funds financed through national resources, the Government provides for programs aimed at the care and housing of homeless people and for assistance enabling access to employment and successful reintegration into society. The main target groups of these programs are rough sleepers, particularly long-term rough sleepers.

Numerous governmental measures have been taken in order to make the care system more transparent and efficient. Despite the challenges caused by the economic crisis, we have succeeded, for instance, in increasing the efficiency of the structure by converting the system of outreach services in a way that providers now receive a substantially higher amount of aid, though the input remained unchanged. Furthermore, a number of programs supporting homeless people have received additional national funding.

Hungary is committed to counter in every possible way threats that endanger human lives. Accordingly, providing accommodation for homeless people serves to protect human life. The measure which is the subject of the letter of the distinguished Rapporteurs is only a single tool among many others. We would like to use this opportunity to present the methods applied by the Governments and municipalities in order to offer additional information.

General background – The 4th Amendment of the Fundamental Law concerning the use of public areas

In December 2012, the Constitutional Court annulled several provisions of the Act on 'Transitional Provisions to the Fundamental Law', for formal, technical legal reasons, arguing that the Transitional Provisions contained rules which in fact were not transitional, but rather substantial ones. According to the Constitutional Court, these substantial rules should be incorporated into the main text of the Fundamental Law.

The main objective of the Amendment is to formally incorporate these rules, annulled for formal procedural reasons, into the text of the Fundamental Law itself. That is why the Fourth Amendment (hereinafter: Amendment) is, to a great extent, merely a technical modification to the Fundamental Law.

Consequently by transposing the Transitional Provisions into the Fundamental Law, the two-thirds parliamentary majority does not overrule the Constitutional Court, because in its decision 45/2012 the Constitutional Court has not assessed substantial unconstitutionality of the Transitional Provisions. The Constitutional Court stated that “Following the decision of the Constitutional Court, it is the task and the responsibility of the constituent power to clear up the situation after the partial annulment. The Parliament shall make an evident and clear legal situation. The Parliament shall revise the subject matters of the annulled non-transitional provisions and decide on which matters should be re-regulated and on which level of legal sources. It is also for the Parliament to decide which provisions should be incorporated into the Fundamental Law and which should be laid down on level of [ordinary or cardinal] Acts.” [Part V of the reasoning of the Constitutional Court decision of 45/2012. (XII.29.)]

Provisions of the Amendment concerning the use of public areas (homelessness)

The Amendment, in accordance with the international obligations of Hungary, neither aims at criminalizing homeless people nor does it contain a general prohibition regarding homelessness. The Amendment provides the State and local governments with a constitutional possibility of regulation: the Amendment entitles them to prohibit permanent living in specific areas (but only in certain and not all areas) of public spaces, when necessary in the interest of protecting public order, public safety, public health and cultural values.

Besides providing the State and local governments with a constitutional possibility of regulation, the Amendment, taking into account the decision of the Constitutional Court [38/2012. (XI. 14.)], provides the following safeguards:

The right to adopt a restrictive regulation by the State and local governments can be used solely if *the interest of protecting public order, public safety, public health and cultural values requires it*. A prohibition referring to an inhabited area without any cultural values will certainly be considered as unconstitutional and repealed by the Constitutional Court or the Curia (Supreme Court).

The second safeguard is that a prohibition of permanent living may be issued only to *specific areas, but only to certain and not all areas of public spaces*. If the prohibition extends to the whole territory under local jurisdiction, the Constitutional Court or the Curia will repeal the prohibition as unconstitutional municipal ordinance.

The third safeguard is that *the prohibition must have a legal form* (law or municipal ordinances), which can be challenged before the Constitutional Court or the Curia. The Constitutional Court or the Curia can review these rules without any restriction. If the laws or municipal ordinances do not correspond to the Fundamental Law, the Constitutional Court or the Curia will repeal those ones.

Based on the above, it is important to reiterate that the Amendment merely offers a possibility that might be used by municipalities if they consider legal regulation to be necessary in the

interest of public order, public safety, public health and cultural values. However, this possibility is restricted and may be applied solely in cases bearing particular importance from the point of view of the community. The conditionality of the legal provisions is guaranteed by the fact they can be challenged before the Constitutional Court or the Curia.

This month the Government has submitted a draft amendment of the Misdemeanours Act which fully incorporates the guarantees ensured by the Fundamental Law of Hungary, as described above. In this context local governments will be entitled to designate the protected area of the public place where the long-term habitual residence is unlawful. In accordance with this ruling, an offense is committed if the person in question doesn't leave the protected area of the public place designated by the municipal order despite the request of the acting official. The offender should be alerted every time before the infringement action is imposed against him or her. However spot-fine cannot be imposed against him or her.

Please find below the answers to the questions raised by the distinguished Rapporteurs:

1. Did public consultations take place (including with potentially affected persons) prior to the adoption of article 8 of the Fourth Amendment to Hungary's Fundamental Law? If yes, please give the details, dates and outcomes of these consultations. Was the Act on civil participation CXXI/2010 implemented in this case?

As mentioned in the introduction above, the Amendment is mostly of a technical nature, instead of being content related or introducing brand new rules without former precedents. With regards to the content of the article in question, there had been a possibility for extensive commenting and consultation as described in detail in the response of the Hungarian Government dated 21 February 2012. During the public debate, which enjoyed wide-spread media attention, anyone had the opportunity to offer their opinions. Owing to this, the present Amendment did not make any further consultation necessary.

The Amendment was tabled in the Parliament as an individual motion by an MP, in which case the regulations of the Act CXXI of 2010 on Civil Participation do not apply.

2. The letter of response from your Excellency's Government of 21 February 2012 indicates that any draft legislation is to be submitted to Parliament with a „general impact assessment”, which evaluates, inter alia, the compatibility of the legislation with the international legal obligations of Hungary. Was such an assessment prepared with regard to the Fourth Amendment to Hungary's Fundamental Law and particularly with regard to article 8 of the amendment? If so, please provide us with a copy of this assessment.

The Amendment was not proposed by the Government. It was submitted as an individual motion by a Member of the Parliament. The rules of procedure concerning the submission of

an individual motion by an MP do not require the Government to prepare a general impact assessment.

3. Was any assessment conducted with regard to the impact of previous national and municipal legislation which outlawed sleeping in public places (the subject of our previous communication dated 21 December 2011) and was struck down by the Constitutional Court in its decision II/1477/2012? How many people were arrested and/or detained based on this legislation? How many people were fined? Did this policy have any impact on the extent of homelessness and rough sleeping in Budapest and other municipalities?

The legislative regulations referred to by the distinguished Rapporteurs did not generate any procedural obligations with regards to the competent authorities, therefore, no such impact assessment has been compiled. However, regarding busy public places and transport hubs, overcrowding decreased visibly and public health conditions were improved as a consequence of the measures.

Prior to the decision of the Constitutional Court, a total of 185 on-the-spot fines have been imposed nationwide in 2012 for the misdemeanour referred to above. An offence procedure has been initiated in one case. The latter was forwarded to the competent government agency. Following the decision of the Constitutional Court, the on-the-spot fines were withdrawn. Since then, no police action has been taken against homeless persons on the basis of habitual residence in public places.

The police personnel responsible for the security and order of public places are highly alert to the problems of rough sleepers. According to Section 37 of the Act XXXIV on the Police of 1994, measures in the interest of the security of homeless persons were taken in 1380 cases in the winter period between 1 December 2010 and 25 February 2013 – a high number, similar to previous years. These measures involved the transportation of the homeless to shelters and crisis centres, health care facilities, saving their lives in most of the cases.

In the course of the preparation of the present response, municipalities of several Hungarian cities were requested to provide information. Contributions were sent by the following cities affected by the problem of homelessness: Tatabánya, Miskolc, Debrecen, Nyíregyháza, Pécs, Kecskemét, Kaposvár, Nagykanizsa, Szombathely, Győr, Székesfehérvár and Zalaegerszeg.

According to the information received, no fines or penalties were imposed because of rough sleeping in these cities. The reason behind this is that the listed municipalities, with one exception, did not use the legal opportunity to adopt a regulation under which the use of public places as a habitual residence would qualify as misdemeanour. Only the city of Tatabánya indicated to have introduced a municipal ordinance on the prohibition of residence in public places. According to the reasoning supplied, the municipality aimed to ensure the

proper use of bus stops, playgrounds, and park benches. It must be pointed out again though, that no offence procedure, fine or any other sanction has been imposed.

Nevertheless, it has to be added that even though the issue of homelessness poses significant challenges in these cities, the scale and extension of the problem is of course different from those in the Capital.

4. Please provide specific details on the measures that are currently being implemented in order to improve homeless shelter conditions in the country.

Following a decision by the Government in 2011, the host capacity of homeless shelters in Budapest was expanded in an unprecedented scale in the framework of the “Heated Street Program”. The project ensured a significant enlargement of shelter capacities and contributed to the modernisation of accommodations and care provision services. Since February 2012, the implementation of the programme has been successfully finalized in all four assigned buildings.

The renovation of the facility in the 13th district of Budapest (Address: H-1135 Budapest, Szabolcs utca 33-35.), which was indicated in our reply last year, has been successfully completed, as well. In addition to offering accommodation, the centre has been designated to provide complex health services for homeless persons. The structural features of the renovated building are optimal for the accommodation of chronic medical, nursing and convalescent wards, as well as units suitable for 24-hour general medical care services. It is worth mentioning that 24-hour general medical care services are also operated in 6 out of 7 Hungarian regions, as well as 4 further units in the capital.

With this, the objectives of the “Heated Street” programme have been achieved by the beginning of 2013. The Municipality of Budapest provided a financing of 354 million HUF (1,2 million EUR), whereas the governmental support for the program amounted to 500 million HUF (1,7 million EUR)¹.

The programme resulted in the overall expansion of night-time shelter facilities by an additional 555 places, seasonal night-time shelters by 86 capacities and a total of 708 day-time shelter capacities. At the same time, with the acquisition of apparatus and technical equipment needed for continuous operation, the functioning of the facilities providing new and high quality service has been launched.

Annex 1 contains capacity and occupation data of homeless care concerning the month of the winter season, which is the most demanded period of the year. Though the utilization rate of shelter capacities is extremely high in winter, it normally does not exceed or only slightly exceeds 100%. In general, the number of places available is sufficient in most regions.

¹ 1 EUR = 289,415 HUF. Average exchange rate for 2012 calculated on the basis of data by the Central Bank of Hungary (Magyar Nemzeti Bank).

Besides normative support, the Hungarian Government provides resources through the Public Foundation for the Homeless for service providers. These aim *inter alia* at improving the conditions of the care system and supporting care provision programs that specifically target homeless persons. Every year, the Ministry of Human Resources (MHR) supports organizations providing service for homeless persons in the winter period. In 2012, the organisations received a total funding of 379 million HUF (1,3 million EUR). The providers obtained most of the required resources for their programs: compared to their demands, the rate of the granted subsidies was extremely high, 82% in terms of average of the three subprograms², contrary to the average of 60-70% of previous years.

Please find below an overview of the key data related to the call for tenders “Ensuring care for homeless persons during wintertime 2012-2013”, (For detailed figures, please refer to Annex II):

Call for tenders)*	Financial framework allocated (HUF) (EUR)	Amount requested (HUF) (EUR)	Nr. of tenders submitted	Percentage rate of requested amount (as compared to the framework)	Nr. of tenders accepted	Amount granted (HUF) (EUR)	Percentage of funded grant (requested and granted)
KMR	189.000.000 653 000	256.048.000 885 000	111	+ 36%	101	189.000.000 653 000	74,00%
KONV	145.000.000 501 000	165.030.000 570 000	166	+ 14%	166	148.397.000 513 000	89,90%
DISZP	45.000.000 155 000	41.790.000 144 0	6	-7,14%	6	41.603.000 144 000	92,45%
Total:	379.000.000 1 300 000	462.868.000 1 600 000	283	100%	273	379.000.000 1 300 000	

*The subprograms: KMR – Statistical Region of Central Hungary; KONV – convergence region, DISZP – regional dispatcher service support

Nevertheless, it is important to mention that the resources granted through these tenders are only supplementary funds. Service providers in possession of an operating permit, when included in the financial support system, may apply for normative state contribution for the annual operation of services. This subsidy varies by the type of the service offered, the total expenditure financed by the state budget amounted to 8,3 billion HUF (28,7 million EUR) in 2012.

² The tender “Ensuring care for homeless persons during wintertime 2012-2013” has been divided into three subprograms as follows: “Ensuring care for homeless persons during wintertime in the **Statistical Region of Central Hungary 2012-2013**”; “Ensuring care for homeless persons during wintertime **in the convergence regions 2012-2013** “ and “Ensuring care for homeless persons during wintertime through **regional dispatcher service support 2012-2013**”.

5. In the reply dated 21 February 2012, your Excellency's Government indicates several short and mid-term objectives related to housing which are summarized in the National Social Inclusion Strategy (NSIS) and Governmental Action Plan, such as the improvement of social services and housing conditions in segregated areas and the transformation of the social housing system in Hungary.

Please provide details on the implementation stages of the objectives related to housing included in the NSIS and the respective budget allocated towards the implementation of these objectives.

Did public consultations take place during the formulation of the NSIS? If so, please provide details, dates and outcomes of these consultations.

The National Social Inclusion Strategy (NSIS) was presented at the Roma Coordination Council's meeting held on 26 September 2011 and was negotiated at the meeting held on 26 October. The draft of Strategy was accessible and open for comments on the website of the Hungarian Government (www.romagov.kormany.hu). Furthermore, it was sent to several hundred non-governmental organizations. With the help of the National Roma Self-government (ÖRO), the draft NSIS was also introduced at discussion forums organized in three different counties. The remarks thus received were taken into account and most of them were incorporated into the strategy and action plan.

Presently, the following programs are in progress under the framework of the implementation of the strategy:

I. „Trust and Work” Program

The „Trust and Work” model program promoting the inclusion of disadvantaged families living in extreme poverty was devised by the State Secretariat for Social Inclusion of the Ministry of Human Resources. At local level, it was realized in cooperation with the Türr István Training and Research Institute (“TKKI”), a specialized expert institution of the Ministry.

Based on the agreement, pilot projects were carried out at local level in pursuance of a complex housing and labour market model program, combined with training courses. The projects targeted people living under segregated living conditions and extreme poverty in the following places:

- a) Ózd-Velencetelep and Hétes-telep,
- b) Tiszaroff, Szolnok - Motor Street,
- c) Vajszló and Komló in Baranya county,
- d) Nyíregyháza Huszár-telep, Keleti lakótelep

The main objective is to improve the quality of life for those living on segregated estates by providing training, by improving housing conditions and employment perspectives, as well as

by including social and community projects in the program. The budget of the program amounts to 410 million HUF (1,4 million EUR).

Please, find below the aggregated monitoring indicators of the program:

A) Indicators of completed activities in terms of the community:

Number of segregated estates supported with local projects: 8

Number of institutions and measures providing community services within the framework of the program: 26

Number of public spaces established within the framework of the program (e.g. institutions providing community programs or essential hygiene conditions): 10

Number of renovated housing units, community buildings: 137

B) Indicators in terms of the individual participants:

Number of people involved in the program: 1370

Number of people who participated in social projects within the framework of the program with positive results: 786

Number of people who participated in subsidized trainings within the framework of the program: 652

Number of people who successfully completed subsidized trainings within the framework of the program: 590

Number of participants in public employment within the framework of the program: 273

Number of people remaining at least 4 months in employment within 6 months after the end of the program: 65

Due to its innovative and comprehensive approach, the „Trust and Work” Program has been the first nationally funded model programme which serves as an example for complex, EU-funded programs targeting segregated neighbourhoods in several townships of Hungary.

The experience gathered has also been used both during the planning and the implementation period of the Social Renewal Operational Programme (TÁMOP) 5.3.6 – a complex programme targeting segregated neighbourhoods. The so-called TKKI information points established by the program assist people in job searching and related activities, such as writing CVs, obtaining the necessary documents, preparing for job interviews. These information points assume the function of community hubs for people living on segregated housing estates, offering a common space for community programmes, and training courses, providing services.

The purpose of the program was to establish the widest network possible in the townships concerned by the time the project ended on 30 June 2012, involving as many persons and stakeholders as possible in the course of implementation. Within the framework of this complex initiative, social and public projects, as well as programs to improve housing conditions and the living environment were accomplished. To enhance employment and reintegration into the labour market, inclusion programs, employability and competence

development courses were held, as well. The program was implemented with the cooperation of TKKI, ORÖ and local partners.

As there are approximately 1600 segregated estates in Hungary and the resources of the national budget in 2012 were rather modest, further EU-funds were needed for the renovation or the demolition of flats on segregated estates. Thus the Ministry of Public Administration and Justice initiated the modification of the Social Infrastructure Operational Program (TIOP) with the purpose to open the funds of this program to housing projects, as well, in accordance with the amendment of the relevant EU-regulation adopted in 2010.)³.

II. Complex Settlement Program (TÁMOP 5.3.6.-11/1) **(Access to complex human services) SZÁMOK**

The complex settlement program (TÁMOP 5.3.6) aims first and foremost at the development of human capacity and service provision. The complex program targeting segregated settlements was announced with EU-funding of 4,68 billion HUF (16,2 million EUR), in addition to the 1 billion HUF (3,5 million EUR) provided by the Government.

The first round of the call for proposals was announced on 13 February 2012. Out of 34 applications⁴ received, 33 applications met the content requirements of the call for tenders. Following the evaluation, 22 applications received funding. In the second round until 16 April 2012, 62 applications were received. Of these 56 applications are still under consideration. The number of accepted applications will be between 30 and 50. Each project must cover at least 45 persons, where 75% of the participants will be involved in various training courses.

Targeted groups of the program include of both Roma and non-Roma people, individuals and families with multiple disadvantages, persons of low or out-of-date educational background and mainly struggling with social and financial problems, who live in segregated neighbourhoods and in settlement-like environment. The program offers services for the whole township, assisting the inclusion of disadvantaged people and encouraging their integration into the township's life. The program consists of social, community building, education, health care and employment components and promotes the enhancement of living conditions of people living in settlement-like environments. The supported activities must be designed to accommodate complex, back-to-back interventions. To facilitate the cooperation with local stakeholders, the Roma Self-government is a mandatory partner in each project. To formally establish the cooperation, the Roma Self-government concludes cooperation agreements with the stakeholders whose tenders have been accepted.

³ Amendment of EU regulation in relation to using the resources of the European Regional Development Fund (ERFA).

⁴ The call for tenders was open for consortiums composed of both governmental and civil stakeholders.

III. Social Infrastructure Operational Program (TIOP) 3.2.3.A (Housing Investment Support)

Taking into account that the complex settlement program described above does not contain housing elements, the objective of this tender is precisely the improvement of housing conditions. To ensure a truly complex approach, the Housing Investment Support tender is being designed for applicants who were granted support in the framework of TÁMOP 5.3.6. to obtain additional funding. The call for proposals is planned to be published in the first half of 2013.

In December 2012 a call for registration entitled “Realization of experimental tenders about social purpose settlement rehabilitation modelling housing integration” was published in three regions. The related tender provides an opportunity to use EU funds for the demolishing and replacing of properties in segregated housing areas besides the renovation and remodelling of already existing buildings. The targeted areas are mostly settlements inhabited by Roma, being parts of the city in the worst condition both in the social and the physical sense. Thus the objective of the tender is to prevent and resolve further deepening of segregation.

6. In the reply dated 21 February 2012, your Excellency’s Government refers to the House Protection Action Plan that aims to address the situation of households which have been affected by the recent mortgage crisis.

Please indicate whether your Excellency’s Government has also developed an Action Plan to address the specific housing needs of the homeless community and for low-income households.

What long-term solutions are envisaged as a means of addressing the housing needs of homeless persons in order to comply with the newly adopted article XXII (2) of the Fundamental Law?

Complex settlement programs are also given priority in the 2014-2020 programming period. Therefore, the Government Resolution No. 1657/2012. (XII.20). stipulated the drafting of a housing strategy with the focus on complex settlement programs. The draft is intended to be elaborated by the autumn of 2013.

In order to offer shelter for homeless persons, to provide accommodation and services for persons living in the streets, as well as to assist them in finding a way out of homelessness, the Hungarian Government has taken numerous measures in recent years.

Generally, the Government launches programs to solve the problem of homelessness by adopting a comprehensive approach, encompassing all fields which are crucial for rehabilitation and reintegration, such as employment, education, health etc.

I) „Back from the Streets” Program

The program launched in 2012 is conducted by the Public Foundation for the Homeless with a governmental funding of 104 million HUF (*0,36 million EUR*). The projects supported within this framework are tailor-made, innovative and adapted to the local environment. They offer help for persons, couples, groups, families threatened by or being in crisis and living in public places, in order to assist them in overcoming their current situation and finding long-term solutions for their housing problems.

The organizations that were awarded support have committed themselves to provide individual assistance for 209 rough sleepers. A secondary aim of the projects is to assist 61 persons living in shelters in finding permanent residence, thus opening capacities for those living in public places.

Within the framework of 7 projects realized in Budapest, services were provided for a total of 100 chronically homeless persons living in public places and for 42 homeless persons living in shelters. Projects took place in 10 further cities, where support contracts were concluded to improve the housing situation of a total of 109 persons sleeping rough and 19 persons living in shelters.

As a result of these projects, 167 persons have successfully reintegrated from the 207 homeless persons previously living in public places.

As for the secondary target group of the program, 22 persons from those moving out of temporary shelters found accommodations available on the market by the end of September 2012, whereas a further 38 persons were accommodated in hostels.

II) Social Renewal Operation Program (TÁMOP) 5.3.3. (Social Reintegration and Successful Labour Market Integration of Homeless Person Living in the Streets)

TÁMOP 5.3.3. builds partly on the experiences of the housing programs financed from national resources. It aims to reduce the number of rough sleepers and to enhance their social reintegration by developing their employability and by enhancing independent living. The latest call for tenders took place in December 2012, with a deadline set for 28 February 2013.

In order to realize the aforementioned objectives, funding may be granted to the following types of projects:

- Developing institutions providing care for the homeless in order to allow increased access for rough sleepers, including those with complex needs, as well as developing innovative institutional services that further their integration;
- Supporting independent accommodation for persons living in shelters, and thus making institutional capacities available for rough sleepers;

- Supporting independent housing of homeless persons;
- Improving the labour-market position and enhancing employability through personalized training and skills development of homeless persons.

Each project is to cover 10 to 150 persons. The total budget amounts to 917 million HUF (3,2 million EUR), of which 58 million HUF (0,2 million EUR) may be allocated to the region of Central Hungary, whereas the other 6 Hungarian regions may be awarded a total sum of 859 million HUF.⁵ The financial support available is maximized in 140 million HUF (0,48 million EUR) per tender.

The evaluation of methodological tools, professional training and the dissemination of innovative practices is financed by the Social Renewal Operation Program (TÁMOP 5.3.2.), and executed by the Public Foundation for the Homeless with a budget of 105 million HUF (0,36 million EUR).

Furthermore, homeless persons are also entitled to cash and in-kind benefits on the basis of the Social Act, within the framework of the social welfare system. Homeless persons can typically receive income replacement benefits (benefit for people in active age, old-age allowance), public health care card (which certifies the right to access of health care services), and temporary allowance.

The social service system also offers measures to prevent beneficiaries from becoming homeless. These provisions include the *housing support* and *the debt management services*. The *housing support* ensures housing by preventive means: it provides continuous contributions to the payment of overhead costs, potentially preventing arrears from accumulating. The Social Act regulates two types of this benefit: the normative housing support and the housing support related to debt management service.

As for the normative type, the allowance may be awarded to socially disadvantaged households – including one-person-households – as a subsidy to cover regular household maintenance expenses. It may be granted as a contribution to cover the costs of electricity, water, gas, central heating, sewer and waste disposal bills, as well as rent, loan instalments, common charges and heating fuel. Households are entitled to this form of support if the monthly income for one consumption unit does not exceed 250% of the prevailing minimum of the old-age pension^[1] (and if none of the members of the household have property exceeding the statutory proportions). In order to ensure compliance with the regulation, household maintenance support must be awarded first and foremost in kind. Its minimal amount is 2 500 HUF (8,6 EUR), and may add up to 10 000 HUF (34,5 EUR) depending on the size and the income of the family. According to the latest statistics, in 2011 the total number of beneficiaries was 486 113.

⁵ According to EU regulation, Central Hungary cannot receive a higher support due to its economic development.

^[1]The minimum of old-age pension in year 2013 is 71,250 HUF (EUR 240,2)

² Yearbook of welfare statistics

The other type of support consists of debt management aiming at consolidating arrears that have been accumulated. These services provide follow-up assistance to those who have arrears in relation to their home maintenance expenses (public utility fees, rentals, condo fees, loans). Within the framework of these services – typically operated in family support centres –, a three-element assistance is provided combining in-kind benefits and services: debt reduction support, housing support and debt management counselling.

7. Please provide an impact assessment of the „More humane conditions instead of using public space” programme, mentioned in your Excellency’s Government reply dated 21 February 2012, currently implemented in Budapest. Does this programme include „residency” criteria?

Stakeholders of the „More humane conditions instead of using public space” program have provided us with the initial impact assessment paper of the program, dated February 2013. At present, the document is only available in Hungarian; therefore we would like to offer the following summary to the distinguished Rapporteurs:

The document specifies measures to be taken in order to address street homelessness in Budapest. To achieve this aim, the paper defines the framework for cooperation and support amongst NGOs providing care services for homeless persons in the Capital. The program gives a comprehensive description of tasks from outreach services to inclusion and housing. It contains elements regarding the necessary capacities to provide care for homeless person, such as increasing the number of available places, involvement of institutions focusing on other target groups, such as persons living with disabilities, or receiving psychiatric care, etc. The program concentrates on the activities of the social care provision system.

The Budapest Homeless Consortium was established within the framework of the program. The project is led by the Hungarian Maltese Charity Service and the Shelter Foundation, along with the participation a further 11 service care providers. The primary objective of the consortium is to persuade as many rough sleepers as possible to use shelters. The consortium provides stakeholders with a mechanism to coordinate care services reinforce and complement each other’s operations and adapt to emerging needs in a flexible manner. Organizations participating in the implementation may comment on and evaluate decisions by the leader organizations and are invited to put forward proposals concerning the main directions and proportions of care provision.

The three main areas of the activities of the consortium are the following:

I. Dispatcher Service

The Dispatcher Service functions as a coordination unit. Its tasks are to maintain a non-stop phone service available for the service providers, collecting and distributing information

about care provision in a systematized way, and coordinating street work. It also organizes forums for professionals and monitors the performance of organizations participating in the consortium.

II. Crisis Cars and specialized street service

Crisis cars offer service 24 hours a day, particularly during the winter. They provide homeless persons living in public places with access to care and assistance to resolve crisis situations. During crisis periods in winter, crisis car activities are complemented by special outreach services, which can be mobilized even outside of their area of care provision.

III. “First Safe Shelters”

The leader organizations maintain “first safe shelters” for rough sleepers. To ensure the availability of capacities, they also conclude contracts with organizations providing accommodation. Within the framework of the program, the places offered for rough sleepers aim to encourage the use of shelters instead of public places. Depending on the type of the accommodation offered, various arrangements are provided to meet the various needs. Places are available in night-time shelters, temporary shelters, workers’ hostels providing a more independent lifestyle, as well as rented lodgings. Based on the experiences gathered in 2012, the “first safe shelters” also offer specialized services for rough sleepers with the most complex and difficult needs. According to the report on the implementation of the program, the consortium provided 133 places for rough sleepers with complex needs.

Outreach services operating in the capital registered 2 507 rough sleepers who were referred to the Shelter Foundation for accommodation during the period between 1 December 2011 and 31 December 2012. Of these, 783 found shelter in the facilities maintained by the organizations participating in the consortium. More than 30 % of the homeless persons thus provided with accommodation have stayed at least three months at the shelters.

Are there similar programmes implemented in other municipalities? If so, please provide information on these programmes and their impact.

Most municipalities, being responsible for the provision of care for homeless persons, have established local systems of cooperation to coordinate the work of relevant organizations in recent years. Numerous towns maintain consultation forums to manage the operational activities. Along with service providers for the homeless, the stakeholders include a wide range of participants from experts from the social care system to representatives of the police, ambulance services, health care. The Hungarian Government supports the coordination of cooperation by means of the aforementioned TÁMOP 5.3.2. programme, defining the support of the process itself as a separate objective.

Packages of specific measures⁶ aiming at assisting poor and homeless persons with their housing problems are offered in almost every sizeable Hungarian city and in further 145 settlements. Even though municipal programs may vary due to local conditions and peculiarities, both housing support in cash and social housing are available in most places.

Related to this, the city of **Győr** maintains approximately 5000 rental apartments for social purposes and has established a successful rent support system for people with low income. The estimated 500 homeless people are receiving services from the care provision system. At present, 50 people live in rented apartments financed from resources granted in the framework of the TÁMOP 5.3.3 mentioned above.

As for the city of **Kecskemét**, 605 rented apartments for social purposes are maintained for poor or homeless persons. Rent subsidies are also available, if needed. Furthermore, a care provision system with new, modern infrastructure is maintained.

The Municipality of **Miskolc** voluntarily committed itself to subsidize the regular household maintenance support for individuals with low incomes.

The city of **Székesfehérvár** maintains 1200 social apartments, out of which 80 % is inhabited by individuals and families in need.

The situation is similar in the city of **Zalaegerszeg** where disadvantaged persons are occupying 564 of the 850 flats available.

Notwithstanding to the above, street homelessness is still prevailing in a couple of cases. The service care providers have therefore made an effort to coordinate their activities in an increasingly focused manner and to operate programs with a complex approach. In numerous Hungarian cities, this led to establishing the relationship between the housing policy system and the social care provision network for homeless persons. Strengthening this newly formed relationship is a priority task of the future at both national and municipal level.

⁶ These measures include services described in the reply to question No. 6. of the distinguished Rapporteurs (pg. 13.), as well rental apartments for social purposes.

1. Capacity and occupation data of homeless care system⁷

	November 2012		December 2012		Until 20 of January 2013		Number of institutions	Permanent capacity	Temporary capacity
	Total number of acceptance - weekday	Total number of acceptance - weekend	Total number of acceptance - weekday	Total number of acceptance - weekend	Total number of acceptance - weekday	Total number of acceptance - weekend			
Daytime shelters	163,85%	78,62%	121,18%	89,73%	121,74%	86,77%	122	7260	0
Central Hungary	168%	91%	132%	96%	136%	92%	52	3876	-
Western Transdanubia	166,90%	45,27%	127,92%	84,77%	133,63%	80,83%	8	290	-
Central Transdanubia	145,73%	134,85%	102,04%	97,30%	103,27%	96,14%	16	735	-
Southern Transdanubia	144,73%	43,81%	107,78%	65,24%	107,66%	53,54%	11	786	-
Southern Great Plain	168,15%	87,53%	123,06%	106,93%	116,09%	108,41%	16	632	-
Northern Great Plain	157,59%	53,24%	126,14%	60,61%	126,43%	59,04%	9	441	-
Northern Hungary	197,07%	98,79%	133,04%	119,41%	134,01%	119,44%	10	500	-

* In case of daytime shelters the utilization rate of 100% does not mean overcrowding as the service is not used simultaneously by clients.

⁷ Source: Központi Elektronikus Nyilvántartás a Szolgáltatást Igénybevevőkről (KENYSZI – Central Electronic Registration System about the Users of Social Services) and Emberi Erőforrások Minisztériuma (EMMI - Ministry of Human Resources)

	November 2012		December 2012		Until 20 of January 2013		Number of institutions	Permanent capacity	Temporary capacity
	Permanent	Permanent + temporary	Permanent	Permanent + temporary	Permanent	Permanent + temporary			
Night-time shelters	96,43%	77,28%	110,46%	86,46%	114,71%	89,59%	99	4372	1269
Central Hungary	136%	116%	146%	125%	149%	127%	37	2016	653
Western Transdanubia	98,49%	62,39%	113,50%	71,58%	121,19%	76,29%	7	268	125
Central Transdanubia	105,60%	75,57%	112,94%	80,61%	118,72%	84,07%	14	469	148
Southern Transdanubia	68,97%	63,82%	82,30%	75,44%	82,92%	75,93%	9	526	104
Southern Great Plain	115,48%	91,85%	121,28%	96,71%	125,30%	100,25%	12	419	92
Northern Great Plain	96,95%	92,91%	101,08%	97,07%	106,18%	102,20%	7	281	12
Northern Hungary	66,38%	51,01%	108,22%	71,95%	111,02%	73,62%	13	393	135
Temporary shelters	88,65%	83,64%	87,71%	82,89%	87,89%	83,05%	112	5295	254
Central Hungary	96%	92%	97%	93%	99%	95%	35	2992	154
Western Transdanubia	97%	97%	97%	97%	97%	97%	11	408	0
Central Transdanubia	86%	81%	81%	77%	79%	75%	19	746	24
Southern Transdanubia	72%	67%	76%	71%	75%	70%	9	176	28
Southern Great Plain	96%	93%	97%	94%	97%	94%	18	372	9
Northern Great Plain	87%	78%	84%	76%	87%	78%	9	207	18
Northern Hungary	90%	80%	85%	76%	85%	76%	11	394	21

	November 2012		December 2012		Until 20 of January 2013		Number of institutions	Permanent capacity	Temporary capacity
	Permanent	Permanent + temporary	Permanent	Permanent + temporary	Permanent	Permanent + temporary			
Rehabilitation institution for homeless persons	97,51%	-	93,42%	-	92,28%	-	10	228	0
Central Hungary	89%	-	84%	-	83%	-	6	115	0
Western Transdanubia	102,00%		97,81%	-	98,00%	-	1	50	0
Central Transdanubia	-	-	-	-	-	-	-	-	-
Southern Transdanubia	93,00%	-	90,00%	-	90,00%	-	1	10	0
Southern Great Plain	108,25%	-	104,76%	-	99,76%	-	1	21	0
Northern Great Plain	-	-	-	-	-	-	-	-	-
Northern Hungary	95,42%	-	90,93%	-	90,63%	-	1	32	0
Permanent residence for homeless persons	100,77%		99,86%		99,27%		15	460	0
Central Hungary	95%		95%		94%		3	76	0
Western Transdanubia	95%		100%		100%		2	66	0
Central Transdanubia	105%		99%		99%		2	67	0
Southern Transdanubia	101%		99%		99%		3	75	0
Southern Great Plain	103%		102%		102%		2	40	0
Northern Great Plain	105%		104%		103%		1	50	0
Northern Hungary	100%		100%		98%		2	86	0

2. „ Table summarizing the information on programmes and grant contracts for the call for proposals entitled „Ensuring care for homeless persons during wintertime in the convergence regions in 2012-2013”⁸

Nr. of the programme	Title of the programme	Nr. of tenders submitted	Amount requested (HUF) (EUR)	Grant decision				Capacity
				Amount granted (HUF) (EUR)	Nr. of tenders		Percentage of funded grant	
					Accepted	Refused		
1.	Meal provided for persons staying in daytime shelters, night-time shelters and for rough sleepers	59	61 904 000 214 000	52 248 000 181 000	59	0	84,40%	3 360 (daily) portion of food: primarily cold cuts (bread, toppings and hot tea)
2.	Healthcare provided for homeless persons during wintertime	37	27 073 000 94 000	24 752 000 86 000	37	0	91,40%	- sickroom and convalescent care during wintertime for a capacity of 87 persons - medicines, bandages, vitamins, immune boosters, medical devices (such as glasses, walker etc.) as well as complete medical kits for a total of 3100 homeless persons
3.	Supporting the provision of social care in streets for those not receiving state aid	12	7 991 000 28 000	7 504 000 26 000	12	0	93,90%	12 services providing social care in streets

⁸ Source: Hajléktalanokért Közalapítvány (HKA - Public Foundation for the Homeless) and Emberi Erőforrások Minisztérium (EMMI - Ministry of Human Resources)

Nr. of the programme	Title of the programme	Nr. of tenders submitted	Amount requested (HUF) (EUR)	Grant decision				
				Amount granted (HUF) (EUR)	Nr. of tenders		Percentage of funded grant	Capacity
					Accepted	Refused		
4.	Supporting the operation of so-called „crisis car services”	14	12 297 000 42 000	11 883 000 41 000	14	0	96,60%	11 services in the municipalities, and 3 services in cities
5.	Procurement of durable, low-value equipments, extension of capacity of accommodations in times of crisis related to rough sleepers	36	27 764 000 96 000	25 591 000 88 000	36	0	92,20%	- providing low-value objects/equipment - establishing 65 capacities in 4 townships (in addition to the already existing shelters and temporary accommodation facilities)
6.	Maintaining the results of the programmes implemented through the call for proposals entitled „Back from the street” (code: 2012-UNY) Monitoring the long-term effects of the programs	8	28 001 000 97 000	26 419 000 91 000	8	0	94,40%	Strengthening the integration of 95 rough sleepers by supporting independent living and employment, providing mental and social care
IN TOTAL:		166	165 030 000 570 000	148 397 000 513 000	166	0	89,90%	

3. Table summarizing the information on programmes and grant contracts for the call for proposals entitled „Ensuring care for homeless persons during wintertime in the Central Hungary region in 2012-2013”⁹

Nr. of the programme	Title of the programme	Nr. of tenders submitted	Amount requested (HUF) (EUR)	Proposal of the Assessment Committee			Capacity	
				Amount granted (HUF) (EUR)	Nr. of tenders proposed to be			Percentage of funded grant (requested and granted)
					accepted	refused		
1.	Supporting meals during wintertime provided for persons staying in night-time shelters and convalescent care	14	27 114 000 94 000	25 795 000 89 000	13	1	95%	1 707 (daily) portion of meal, basically one cold meal per day and a portion of hot meal occasionally
2.	Supporting extended opening hours (including weekends) of daytime shelters during wintertime	7	17 140 000 59 000	13 928 000 48 000	7	0	81%	Weekend opening hours of 8 daytime shelters (1 in Pest county and 7 in Budapest) Providing care for 1151 persons in daytime shelters per day in the weekends (from 1 November to 30 April)
3.	Supplementary support for the provision of social care in streets during wintertime	16	9 428 000 33 000	7 465 000 26 000	14	2	75%	33 services providing social care in streets for an average of 433 rough sleepers per day

⁹ Source: Hajléktalanokért Közalapítvány (HKA - Public Foundation for the Homeless) and Emberi Erőforrások Minisztérium (EMMI - Ministry of Human Resources)

Nr. of the programme	Title of the programme	Nr. of tenders submitted	Amount requested (HUF) (EUR)	Proposal of the Assessment Committee			Capacity	
				Amount granted (HUF) (EUR)	Nr. of tenders proposed to be			Percentage of funded grant (requested and granted)
					accepted	refused		
4.	Supporting integration and access to services for permanent rough sleepers	4	7 083 000 24 000	3 282 000 11 000	2	2	46%	3 institution providing accommodation, inclusive services for 60 long-term rough sleepers per day, accommodation for 28 persons
5.	Supporting healthcare provided for homeless persons	11	66 185 000 229 000	44 316 000 153 000	10	1	67%	869 persons receive medicine support per month, prosthesis for 172 persons, glasses for 135 persons, vaccination for 120 persons, and 33 convalescent places in the wintertime
6.	Supporting institutional investments: supporting missing care provision and service provision	0	No applicants.					
7.	Supporting institutional investment and modernisation	13	52 998 000 183 000	38 526 000 133 000	12	1	74%	Modernisation of 12 institutions
8.	Supporting the procurement of low-value equipments/objects	20	35 645 000 123 000	22 521 000 78 000	19	1	63%	Purchase of equipment in 54 institutions (daytime shelters, night-time shelters, temporary shelters, convalescent)

Nr. of the programme	Title of the programme	Nr. of tenders submitted	Amount requested (HUF) (EUR)	Proposal of the Assessment Committee			Capacity	
				Amount granted (HUF) (EUR)	Nr. of tenders proposed to be			Percentage of funded grant (requested and granted)
					accepted	refused		
9.	Supporting supplementary programmes	17	15 375 000 53 000	13 407 000 46 000	16	1	86%	Supplementary recreational programs in 50 institutions (daytime shelters, night-time shelters, temporary shelters, in-patient care) recreational programs, development programs aiming to the socialization and rehabilitation of homeless persons, programs supporting independent living and employment, legal assistance
10.	Maintaining the results of the programmes implemented through the call for proposals entitled „Back from the street” (code: 2012-UNY) Monitoring the long-term effects of the programs	6	16 631 000 57 000	15 550 000 54 000	6	0	94%	Strengthening the integration of 80 former rough sleepers by supporting independent living and employment, providing mental and social care
11.	Supplementary support for new, experimental reintegration programs	3	8 449 000 29 000	4 210 000 15 000	2	1	50%	Supporting the employment of 35 persons
IN TOTAL:		111	256 048 000 885 000	189 000 000 653 000	101	10	74%	