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OPENING GATE OR RISING WALL? SOME THOUGHTS ABOUT THE ACCESSIBILITY AND EQUALITY OF DIGITAL PUBLIC ADMINISTRATION IN HUNGARY

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Abstract: *Digitalisation is transforming public administration, offering efficiency and transparency. However, it risks excluding citizens who struggle with digital systems. In Hungary, automated decision-making and accessibility challenges reveal tensions between innovation and equality before the law. This paper argues that while digitalisation boosts efficiency, it can undermine substantive equality for vulnerable groups, especially persons with disabilities. Genuine digital progress requires a human-centred approach, inclusive design, and legal accountability.*

Key words: *digitalisation, disabilities, accessibility, human interference, vulnerable groups*

1. Introduction: From Automation to Accessibility

In the past decade, the Hungarian public administration has undergone a significant digital transformation, marked by the increasing use of online platforms, the introduction of digital citizenship, and automated decision-making, which is also already on the agenda (Czékmann, Cseh-Zelina & Ritó, 2022, p. 38). Earlier empirical research into automated decision-making in simple administrative cases revealed critical structural issues (Csatlós, 2024a, p. 35-38). These systems, which automatically match claim data with information stored in authentic databases, often deliver unexplained negative decisions that individuals struggle to challenge effectively. Legal remedies exist only in the form of judicial review, where courts are limited to assessing legality rather than fairness or factual correctness. Consequently, typographical errors or outdated records in official databases can result in unfavourable outcomes that citizens cannot easily correct without initiating a new administrative procedure (Csatlós, 2025, 184-189).

These experiences highlighted how transparency, proper and individualised reasoning, are central to the principle of *good administration* (Csatlós, 2025, p. 196; Chevalier & Menéndez Sebastián, 2022, p. 5-6). Personalised communication is, in many situations,

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more beneficial (Postma and Brokke, 2002, p. 142; Jos and Tompkins, 2009, pp. 1078–1079), especially at a time when the need for transparency and accountability in the public sector has never been greater (Naumovski et al., 2017, pp. 58–59) due to the necessary adaptation to the technological change (Carloni, 2024, p. 11) and when communication must adapt to clients' evolving needs, which are also changing due to digitalisation (Csatlós, 2023, pp. 20–21). Digitalisation without these human-centric elements risks producing what *Eubanks* discovered (2007, p. 134), and later called *"automating inequality"*—systems that efficiently reproduce existing injustices (2019). Against this background, this paper extends the analysis beyond automation to examine accessibility and equality in Hungary's broader digital public administration. It poses a simple but pressing question: if authority procedures are now only a click away, what happens to those who cannot click?

This is not a rhetorical provocation but a social and legal reality. As digital platforms become the default mode of governance, access to public services increasingly depends on digital literacy, connectivity, and adaptive technology. For many citizens—particularly persons with disabilities, the elderly, and those with low income—these prerequisites are absent. Thus, digitalisation, while formally universal, may in practice construct new barriers to participation and rights protection. The following sections examine this tension in the Hungarian context.

2. The Digital Scarp and Vulnerable Groups in Hungary

The promise of digital administration is accessibility for all. Yet, in Hungary, the *digital divide* remains profound (Budai, 2024a, p. 23). According to Eurostat, 24% of EU citizens aged 16 and over live with some form of disability. In Hungary, this proportion is around 22%—19.55% among women and 24.9% among men. More than half of these individuals are outside the labour market, and many experience poverty or social isolation (Statistics 1). Digital skills data paint a similar picture: only 31 % of Hungarians possess basic digital competencies, and among those aged 65–74, the proportion drops below 10 % (Statistics 2; Statistics 3). Internet use and digital activity among people with disabilities are lower than among those without disabilities. For instance, in the European Union in 2024, 87.2% of individuals aged 16–74 with disabilities had used the internet in the previous 12 months, compared with 95.2% of those without disabilities (Statistics 4).

These statistics reveal a strong overlap between disability, age, and digital exclusion—precisely among the groups who most rely on public services (Győrffy et al. 2023). It is not a country-specific phenomenon that some individuals are disadvantaged in multiple dimensions, and significant heterogeneity exists even within the same type of vulnerable group (Liu et al. 2025, p. 102019). In such cases, promoting digital inclusion is a complex task, and it is uncertain whether providing digital skills training for people without digital competencies or for citizens with disabilities alone will adequately address the issue, as envisioned by the National Digitalisation Strategy 2020-2030 (p. 115). People with disabilities encounter various barriers in accessing online administrative services. If websites fail to meet WCAG accessibility standards, they exclude blind, low-visioned, or deafblind people (Silverman, 2023; Zając and Królak, 2025); while cognitive barriers,

including overly complex language and the absence of easy-to-read versions, mean exclusion for others (Björnsdóttir, et al. 2024; Kjellstrand, et al. 2022). Technical and infrastructural issues—such as limited device or internet access and the high cost or incompatibility of assistive technologies—further restrict participation. Finally, insufficient user involvement in system design and limited staff training perpetuate social and institutional exclusion. In Hungary, *Piskóti and Bihariné Kalászdi* (2024, p. 129) recently also drew attention to the importance of including people with disabilities through various means, as currently widely accepted definitions of disability already include the influence and role of the social environment, as well as the fact that the fact of disability is accompanied by limited participation in social life. This factor further exacerbates the disadvantages of people with disabilities.

The Hungarian public administration has increasingly shifted administrative procedures online, from renewing identity cards to applying for social benefits. While these innovations enhance efficiency for digitally literate users, they simultaneously exclude others who lack access to devices, internet connectivity, or accessible formats. This exclusion is not merely technical; it has direct legal and social consequences as these processes may push others – typically socially vulnerable, digitally disadvantaged or disabled groups – increasingly further away from public services (Eurofound 2025; Grammenos, 2024, p. 116-117; Budai, 2024b, p. 5). A telling example is the *travel cost reimbursement system* introduced in 2022 for patients seeking medical care. Claims are submitted online, and the reimbursement is automatically calculated based on the distance between a hospital and the claimant's residence. However, if a hospital fails to upload a required data element, the system rejects the claim due to a data mismatch. Citizens typically receive no explanation and have no means to correct the error; legal remedies merely confirm that the system acted "lawfully". In practice, this leaves the most vulnerable—often persons with limited mobility—without reimbursement or recourse. The case illustrates how algorithmic rigidity can transform administrative legality into substantive unfairness (Csatlós, 2024, p. 36).

Such experiences expose the paradox of digitalisation: the more processes are automated, the less responsive they become to human diversity and error. Without a flexible and accessible design, the efficiency of digital administration risks eroding the right to good administration and equality before the law.

3. Accessibility as a Legal and Human Rights Obligation

Accessibility is not a matter of convenience but of legal obligation. Hungary's Constitution guarantees the protection of persons with disabilities and their equal access to public services (Fundamental Law of Hungary, 2011, Art. XV & XIX). At the international level, the *UN Convention on the Rights of Persons with Disabilities* (CRPD), ratified by Hungary in 2007, imposes a duty on States to ensure accessibility in all areas of public life, including digital environments (Art. 9). The Constitutional Court already clearly states in its decision 22/2019. (VII. 5.) AB that the rule of law requires not only the formal establishment of institutions, but also their operation, including the provision of budgetary resources (para. 86). This is particularly relevant when access to public

services affects one of the most vulnerable groups in society – people with disabilities – for whom the availability of services supplemented by human assistance and personal attention is a matter of fundamental rights, not a factor of convenience. Decision 3023/2015. (II. 9.) AB also argues that the State has a continuous obligation to promote accessibility, regardless of whether there is a specific deadline for implementation (paragraphs 24, 35). The fact that the State does not have an obligation specified at a specific time does not mean that its failure to do so would not constitute a violation of the law; individuals may claim a breach of rights if the failure to comply with this obligation results in a violation of their fundamental rights, such as the right to human dignity or freedom of movement (para. 39). This breach is particularly evident in the human interaction dimension in the world of digital administration, where the State's task is not only to provide the platform, but also to guarantee its so-called "functional accessibility" - that is, to ensure that everyone can actually use the services. Human intervention (e.g. personal administration, assisted online navigation, telephone customer service with a real human responder) is a key tool in ensuring this access.

The prohibition of discrimination and the promotion of equal opportunities are distinct yet closely related State responsibilities, applicable to areas such as the accessibility of public transport and other public services for individuals with various types of disabilities. Ensuring legal equality and respect for human dignity is a primary State obligation, while promoting equal opportunities is a legal option that becomes a duty when addressing objectively disadvantaged groups (e.g. by age, illness, or disability). The CRPD preamble recognises the inherent dignity and worth of all people, emphasising non-discrimination, autonomy, and full social inclusion. States Parties commit to taking legislative and administrative measures to realise these rights and to eliminate discriminatory laws and practices. The Ombudsman likewise highlighted that the CRPD's core principles—autonomy, independent decision-making, participation, and accessibility—are general obligations underpinning all detailed provisions. Member States have undertaken, inter alia, to take all appropriate legislative, administrative and other measures to implement the rights set out in the CRPD, to take all appropriate measures, including legislative action, to modify or abolish laws, regulations, customs and practices that constitute discrimination against persons with disabilities (AJB-222/2024, p. 12-13; AJB-1092/2022, p. 11; AJB-1622/2024, p. 3-4). Section 6 of the Act on the rights of persons with disabilities and ensuring their equal opportunities (Act XXVI of 1998), provides that persons with disabilities must have equal access to information of public interest, as well as to information concerning their rights and available services. Under Section 7 (1)–(2), persons with significant communication disabilities must be ensured appropriate conditions for receiving information and personal assistance when using public services. The opportunities of the information society reinforce equal opportunities for persons with disabilities, who are entitled to equal access to information when using such services. According to Section 4, information is equally accessible if it is understandable, interpretable, and perceptible to all—particularly for persons with mobility, visual, hearing, mental, or communication impairments—and if access is barrier-free for users (AJB-1092/2022, p. 13-14). Meanwhile, most recently, the State Audit Office of Hungary reported that 22 of 25 electronic forms examined were still inaccessible (2024).

Despite repeated reminders from internal control bodies, later international and domestic assessments continue to identify persistent deficiencies. In 2020, the *UN Committee on the Rights of Persons with Disabilities criticised* Hungary for failing to ensure accessible public services and reasonable accommodation, leading to the segregation of persons with disabilities (UN CRPD Committee, 2020). The European Parliament (2022) similarly urged reforms to align with the European Accessibility Act (Directive (EU) 2019/882).

These findings reflect a deeper normative shift: whereas earlier drafts of Hungarian law required authorities to "ensure" accessibility (T/6076), the law that entered into force only obliges them to "strive to ensure" it (Act CIII of 2023, 5. § (7)). This softening of language marks a subtle but significant retreat from enforceable equality. Accessibility is a precondition for the enjoyment of other rights; failure to guarantee it amounts to systemic discrimination (Roszewska, 2021, p. 173). The Hungarian experience shows how digital transformation, without corresponding regulatory vigilance, risks replacing traditional exclusion with technologically mediated exclusion.

4. Digital Inclusion Initiatives: Achievements and Limitations

Recognising these challenges, the Hungarian government has introduced several initiatives to improve access. Three deserve particular attention: the *Government Office Bus*, the *KONTAKT VRI* sign language service, and the *MIA Points* (AI Assistant Kiosks).

The *Government Office Bus* brings public administration to rural areas and citizens with mobility difficulties. In 2023, it reportedly served over 50,000 people (Soós, 2023, p. 240-243; KEMMA 2024). However, its accessibility is limited by physical and technical constraints: an ageing vehicle fleet, weak internet connections, and cramped space. For some clients, especially wheelchair users, boarding is impossible, and administrators cannot transport equipment to bedridden individuals. Thus, while the programme symbolises outreach, it often fails to reach those in greatest need. The *KONTAKT VRI* (Video Remote Interpreting) system offers sign language interpretation through online connection. In theory, it enables communication between hearing-impaired clients and administrators. In practice, its operation depends on the client's own internet bandwidth, compatible device, and digital competence. Moreover, the legal framework does not clearly define how such remote interpretation is to be formally integrated into administrative proceedings. With only 129 registered sign language interpreters serving thousands of potential beneficiaries, the system's capacity remains limited (Hungarian Association of Sign Language Interpreters, 2025; JTON, 2025).

The *MIA Points*, launched in 2022, are self-service AI-kiosks located at government offices and high-traffic public sites. Equipped with cameras, microphones, voice control, and speech recognition, they are intended to provide independent, human-free administration. In principle, such a design supports users with visual or hearing impairments. Yet, their actual use remains low—only around 5,600 transactions were recorded in early 2024—and most kiosks are situated within government offices themselves. For those who can already reach the office, direct personal service often remains simpler than engaging with a touchscreen machine, especially when the MIA kiosk is out of service (BM, 2023; BM, 2024).

Taken together, these initiatives reflect a sincere commitment to digital inclusion, but they also reveal its inherent limits. Most strategies continue to prioritise technological solutions, often overlooking the structural inequalities that hinder equal access—such as inadequate connectivity in rural areas, limited digital literacy and education, or the absence of clear procedural guarantees to ensure fairness and accessibility for all users. In this regard, Finland's approach provides a useful benchmark, demonstrating that accessibility requires what has been termed '*responsible digital administration*'—that is, systems designed with human diversity in mind from the outset, rather than merely adapted to it afterwards. Consistently ranked among the most digitally advanced EU Member States (COM 2024, Annex 3/2, pp. 2–5), Finland has adopted hybrid models that integrate technological innovation with direct human support. Public offices provide assisted digital services to those who need guidance in using online systems, while digital inclusion is systematically embedded into policy evaluation processes (Esko and Koulu, 2023, pp. 10–11). Moreover, Finnish scholars and policymakers have articulated a broader critique of artificial intelligence systems that treat citizens uniformly, rather than offering tailored and personalised public services capable of reflecting the diverse needs of individuals (Esko and Koulu, 2023, p. 13).

5. Conclusion: Towards Human-Centred Digital Administration

Digitalisation is irreversible and, when properly implemented, can enhance transparency, efficiency, and user satisfaction. However, as Hungary's experience shows, it can also deepen inequality when accessibility is treated as an afterthought. The challenge is not to halt technological progress but to *humanise* it. The birth of *Homo Digitalis* (Tóth and Kardosné Kaponyi, 2024, p. 55) is inevitable; what remains essential is to ensure that everyone can truly feel at home in this new digital world — not only those who were born into it, but also those who must adapt to it, and above all, those who require support to participate fully, including persons with disabilities.

A genuinely inclusive digital public administration should rest on three pillars. First, *hybrid service models* combining digital platforms with human assistance, ensuring that no one is excluded for lack of skills or equipment. Second, universal design, creating systems usable by everyone without requiring proof of disability or special adaptation. Third, training public servants in inclusive communication and awareness of accessibility needs, so that technology complements rather than replaces empathy. Ultimately, a State that can identify its citizens instantly, process data automatically, and issue tax assessments in real time, but cannot assist a person to complete an online form, is not truly modern; it is merely *efficiently unequal*.

Digitalisation is here to stay: Member States are continuing to progress towards the target of making 100% of key public services for citizens and businesses accessible online by 2030, and in 2023, the score was 79 of 100 (COM 2024, Annexe I. p. 39). Nonetheless, the development should be carried out in accordance with the *European Digital Rights and Principles*: putting people and their rights at the centre of the digital transformation and supporting solidarity and inclusion (EP, 2023, I-II). The pressing question is whether it becomes a gate that opens wider or a wall that quietly rises.

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