Combating Violence Against Roma in Hungary

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About Us

Human Rights First believes that building respect for human rights and the rule of law will help ensure the dignity to which every individual is entitled and will stem tyranny, extremism, and violence.

Human Rights First protects people at risk: refugees who flee persecution, victims of crimes against humanity or other mass human rights violations, victims of discrimination, those whose rights are eroded in the name of national security, and human rights advocates who are targeted for defending the rights of others. These groups are often the first victims of societal instability and breakdown; their treatment is a harbinger of wider-scale repression. Human Rights First works to prevent violations against these groups and to seek justice and accountability for violations against them.

Human Rights First is practical and effective. We advocate for change at the highest levels of national and international policymaking. We seek justice through the courts. We raise awareness and understanding through the media. We build coalitions among those with divergent views. And we mobilize people to act.

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The Fighting Discrimination Program

Since 2002, Human Rights First (HRF) has been fighting hate crimes—violence driven by racist, antisemitic, anti-Muslim, antigay, anti-Roma, anti-immigrant bias. We document trends and press governments in Europe, the Russian Federation, and North America to put the proper tools in place to take a firm stance against hate crime. We advance concrete, practical recommendations to improve hate crime legislation and its implementation, public reporting, training, the work of antidiscrimination bodies, and the capacity of civil society organizations and international institutions to fight hate crimes.

Human Rights First’s Blueprints

Through a combination of policy research and targeted advocacy, Human Rights First is working to ensure that the Obama Administration develops an effective strategy to restore American leadership in human rights in critical spheres. Human Rights First’s team of experts has released and widely distributed a series of strategy papers, or “blueprints,” developed to guide the Obama administration’s decision-making on a number of critical foreign and domestic policy related issues. The blueprint series draws on the organization’s extensive body of work on a range of issues.
Combating Violence Against Roma in Hungary

“Because of the effects of this series of killings this is not merely a Gypsy issue. We have come to the point that this case threatens the stability of Hungary, and on the other hand this is a point of honor. We all know well…that the situation is stretched to the breaking point.”

Hungarian President László Sólyom, on the wave of murders of Roma in Hungary in 2009

“Protecting and promoting the human rights of Roma everywhere has long been a personal commitment for me, and under the Obama Administration it is a priority of the United States.”

U.S. Secretary of State Hillary Clinton
April 2010

Introduction

In Hungary, an alarming upsurge of racist violence has victimized many members of the country’s Roma population, estimated between 400,000 and 600,000 people. Violence is not a new manifestation of anti-Roma prejudice, yet there has been a particularly sharp rise in serious—sometimes deadly—violent attacks since 2008, inflaming social tensions and weakening the sense of protection from discrimination for minorities across the country.

The violence occurs in an environment where Hungarian citizens of Roma origin have long experienced widespread discrimination. In the wake of the global economic downturn and a recent national election campaign, the already rampant anti-Roma sentiments have merged with antisemitism and xenophobic extreme nationalism.

In April 2010, following Hungary’s national parliamentary elections, a new government led by the center-right Fidesz party took power in Hungary. The new government, headed by Prime Minister Viktor Orbán, should make combating hate crime—and racist violence against Roma in particular—a policy priority. Thus far, the Hungarian authorities have demonstrated the resolve to respond to individual high-profile hate crime cases, although their overall response is still marred by significant shortcomings.

This Blueprint puts forward a set of concrete and achievable measures that the Hungarian government should take to improve the mechanism of addressing hate crime in policy and practice. Combating such crime is a crucial step to a more conducive environment to address other obstacles to equal rights and opportunities for all in Hungary.

Among the measures required, the Hungarian government should:

- **Show political leadership on this issue.** Political leaders should speak out against hate crime and address the intolerant discourse that colors the context in which such violence occurs.

- **Publicly commit to investigate all hate crimes.** Law enforcement authorities should investigate hate crimes committed against any individual, including Roma, and...
to provide regular public updates into the investigation and prosecution of such crimes.

- **Update legislation, and adopt and firmly implement practices to address hate crime.** As the police play a particularly pivotal role in efforts to prevent and respond to hate crime, senior law enforcement officials should adopt sound practices to respond to and adequately investigate all hate crime cases.

- **Strengthen accountability for police misconduct** and take other measures to increase confidence among hate crime victims and civil society groups.

Although the Hungarian government has the primary responsibility for adopting measures to combat hate crime, there is a role for bilateral and multilateral relationships in this process. It is clear that the European Union must work to address the physical security, as well as the social integration of Roma citizens, across the borders of its twenty-seven member States. In addition to fighting against the racist violence targeting Roma, the E.U. must ensure that Roma in Europe are not discriminated in the fields of public housing, education, employment, and healthcare.

The United States and Hungary enjoy a solid relationship that can benefit from deeper cooperation on combating hate crimes. The United States has played and should continue to play a key role in providing political and technical support to the Hungarian authorities on this human rights issue. Indeed, on the occasion of International Roma Day in April 2009, U.S. Secretary of State Hillary Clinton said the following:

> The United States is committed to protecting and promoting the human rights of Roma through our bilateral relations and through our involvement in organizations such as the United Nations and the Organization for Security and Cooperation in Europe.

Governments have a special responsibility to ensure that minority communities have the tools of opportunity they need to succeed as productive and responsible members of society. I urge governments throughout Europe to continue their efforts to address the plight of Roma, end discrimination and ensure equality of opportunity in education and employment so that Roma can fulfill their greater promise of success and achievement.2

As a U.S.-based organization committed to enhancing the role of the U.S. government in advancing human rights globally, Human Rights First also includes in this Blueprint recommendations to the U.S. government on how to press for action from the Hungarian government to fight hate crimes within the framework of the bilateral ties between the U.S. and Hungary.

### Violence Against Roma

Although there are no official statistics on the number of cases of targeted violence against Roma, domestic and international organizations have documented a disturbing pattern of violent attacks that have struck the nation since 2008, ranging from severe beatings in broad daylight to murders by arson, shootings or the throwing of Molotov cocktail explosives. What has been documented is likely only the tip of the iceberg—it is widely believed that many incidents—particularly lower level violence and harassment—go unreported, in large part due to mistrust of the police.

The Desegregation Foundation led by the former European Parliament Member Viktória Mohácsi, the leading domestic monitor of anti-Roma attacks and hate crimes documented 68 attacks, of which 11 led to death between January 2008 and June 2010.3

According to the European Roma Rights Centre, forty-eight attacks against Roma and/or their property in Hungary—many believed to be racially motivated—were reported in the media between January 2008 and July 2010. Nine people were murdered—including two minors—and dozens injured. Perpetrators used firearms, Molotov cocktails, or hand grenades in at least twenty-four attacks. Nine incidents of property damage were also reported.4

Intergovernmental organizations, too, have drawn attention to the problem in special reports. In a recent assessment of anti-Roma violence in Hungary, the OSCE’s Office for Democratic Institutions and Human Rights (ODIHR) reported the following:

> A number of violent incidents took place in Hungary in late 2008 and the first half of 2009 that resulted in the deaths of several Roma, the injury of numerous others, and the destruction of houses and other property owned by Roma. Media and NGO sources reported that approximately 40 violent attacks on Roma and their property occurred over an 18-month period in 2008 and 2009, resulting in a high level of insecurity and fear among the Roma population. Similarities
among these incidents included the apparent targeting of Roma on the outskirts of small villages with a combination of incendiary devices and small-arms fire.\(^5\)

### Selected Examples of Targeted Violence Against Roma

#### Siófok
On March 18, 2010, Molotov cocktails were thrown into the houses of four Romani families in Siófok. There were no injuries. Zsolt Németh, the chairman of the Siófok Roma Minority Self-Government stated that the Molotov cocktails were clearly an attack against Roma since four Roma houses in the same area were targeted.\(^6\)

#### Verőce
In the town of Verőce a pregnant Roma woman and a young Roma boy were beaten by skinheads on August 5, 2009. The town is known to host an annual event called Hungarian Island where participants advocate for a “white Hungary.”\(^7\)

#### Kisléta
On the night of the August 3, 2009, a 45-year-old woman and her daughter were attacked by strangers in their home. The mother died after being shot while still in bed. Her daughter survived but was badly injured. Charges are being brought as part of the case of “serial” killings and attacks.\(^8\)

#### Abádszalók
On May 27, 2009, a man broke into a house at 3:00 a.m. and attacked the Romani family inside with a razor blade. The man, known to have had connections to the Hungarian Guard, entered the house through a window and injured the father by cutting into his neck and chest and harmed the mother by cutting into her legs. The family managed to overtake the perpetrator, who was also armed with a gun. The couple was taken to the hospital.\(^9\)

#### Tiszalök
On April 22, 2009, a 54-year-old Roma man was shot as he was leaving for work from his home in Tiszalök. The man was killed instantly. Charges are being brought as part of the case of “serial” killings and attacks.\(^10\)

#### Budapest
On April 15, 2009, three minors and an 18-year-old man, all of Roma origin, were waiting for the tram in front of the Keleti train station, when they were attacked by a group of people wearing hoods. They were beaten so severely that they were comatose by the time the ambulance arrived.

#### Tatárszentgyörgy
On April 7, 2009, the home of Hungarian Roma politician Lidia Horvath was set on fire. Rooms in the house were completely burned out. She was not present at the burning and there were no injuries.\(^11\) Her home was a few hundred meters from the home where a Roma father and son were shot fleeing their burning house several weeks earlier.

#### Tatárszentgyörgy
On February 23, 2009, the house of a Roma family in Tatárszentgyörgy was set on fire by a Molotov cocktail. The perpetrators shot and killed a 27-year-old man and his five-year-old son while they were fleeing from their burning home. The man’s six-year-old daughter, three-year-old child, and wife were also injured in the attack.\(^12\) Charges are being brought as part of the case of “serial” killings and attacks.

#### Alsózsolca
On December 15, 2008, a 19-year-old Romani man went to chop wood in his yard when he was shot twice. His injuries were life-threatening. Charges are being brought as part of the case of “serial” killings and attacks.\(^13\)

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**The Hungarian Guard**

The political party Movement for a Better Hungary, commonly known as *Jobbik* established in 2007 a paramilitary organization called the Hungarian Guard (Magyar Guarda) that aims, among other objectives, to protect Hungarians from “Gypsy criminality.” It has led many anti-Roma and xenophobic rallies across Hungary. The uniforms of the Hungarian Guard—subsequently banned in a court decision—were reminiscent of those worn by the Arrow Cross, Hungary’s wartime Nazi party. Although the Hungarian Guard was outlawed (the Municipal Court of Budapest in December 2008, upheld by the Supreme Court in December 2009), the organization continues to hold events and recruit members.
Antisemitic and Antigay Rhetoric

While anti-Roma rhetoric has been among the most pervasive and blatant, some of those who have been outspoken against Roma have been similarly antisemitic and homophobic in their public statements:

The cover of the Jobbik magazine *Barricade* included a photograph of the famous statue of martyred bishop St. Gellert, overlooking the city of Budapest on its hills, holding a menorah (Jewish candlestick) with the words: *Ébresztő Budapest! Ezt akarjátok?* (Wake up Budapest! Is this what you want?)

The newsletter of the police trade union *Tettrekész Magyar Rendőrség Szakszervezet*, which has had links to Jobbik stated: “Given our current situation, antisemitism is not just our right, but it is the duty of every Hungarian homeland lover, and we must prepare for armed battle against the Jews.”

In September 2009, Oszkar Molnar, the mayor of Edeleny claimed at a local council meeting that Roma women living in two nearby villages had deliberately harmed their unborn children in order to receive higher state benefits. Approximately 400 Roma women filed a defamation suit against the mayor and called for his resignation.

Mr. Molnar also said that homosexuals “will get to know what homosexual marriage means if they happen to be in prison.”

**Nagycsécs**

On November 3, 2008, in Nagycsécs, a 43-year-old Roma man and a 40-year-old Roma woman were shot dead. Their home was set afire by a Molotov cocktail and the two were killed while they were trying to flee the burning house. A firebomb thrown at another Roma home, across the street, failed to explode. Charges are being brought as part of the case of “serial” killings and attacks.

**Fényeslitke**

On June 15, 2008, a 14-year-old Roma boy was stabbed to death by a drunken man in Fényeslitke. The man reportedly voiced anti-Roma threats. The boy’s 16-year-old brother was also seriously injured. The police determined that there wasn’t any bias motivation for the crime, and the man was convicted of murder by the court of first instance and sentenced to 11 years in prison.

**Fadd**

On April 13, 2008, in Fadd, Molotov cocktails were thrown at a house into which a Roma family were about to move. The family was forced to look for a new home after the fire destroyed all of their belongings. A woman who was going to sell the family a new home was allegedly told by a member of the local government to not sell the home to the family and was also verbally threatened. She ignored the threat and sold the home to the family. A few days later on April 18, 2008, the Roma family’s new home was set on fire with Molotov cocktails.

**The Context**

The violence committed against Roma has occurred against a backdrop of underlying factors. Persistent discrimination, negative societal attitudes, and hateful rhetoric have exacerbated the marginalization of Roma.

**Discrimination**

Roma are the victims of widespread discriminatory practices in nearly every area of life. According to the *European Union Minorities and Discrimination Survey*, 62 percent of Hungarian Roma surveyed in 2008 felt that they were the victims of discrimination based on their ethnicity in the twelve previous months—whether when looking for work, entering a shop, trying to open a bank account—revealing patterns of discrimination in housing, healthcare, or education services. Tellingly, in a survey of 3,500 Roma across 7 European countries, 624 respondents (18 percent) claimed to be victimized by a racially motivated assault, threat or serious harassment in the last twelve months. Respondents were also asked to identify experiences of discriminatory treatment by the police. In that respect, 41 percent of Roma from Hungary indicated that they were stopped by Hungarian law enforcement authorities in the past year, of which 58 percent of those believed that they were stopped on the basis of their ethnic profile.
Societal Attitudes and “Gypsy Criminality”

The perpetuation of the notion of “Gypsy criminality” (cigánybűnözőség) is perhaps one of the most telling examples of the widespread anti-Roma stereotypes that have pervaded Hungarian society. It stems from the racist stereotyping of Roma as individuals prone to criminality—a view that continues to permeate in the Hungarian media, to slip clumsily in the public debate, or to be discussed more crudely in local pubs. Extremist groups, in particular the xenophobic Jobbik, have nurtured such anti-Roma prejudices. Jobbik’s campaign call in the 2010 parliamentary elections, from which they emerged as the third largest party in the country, was based on the idea of “restoring order” and fighting “Gypsy criminality.”

When high rates of petty crimes are committed, the government is under heavy pressure to fight crime and restore law and order. Within this context, security is a rightful concern for many Hungarians: clearly, those who transgress the law should be sanctioned. The challenge is to develop systems of accurate disaggregated data collection that can identify trends in the field of criminal justice, but that steer clear of the type of racist stereotyping and scapegoating inherent in many current discussions of “gypsy criminality.” When pressed as to why there is no data on the extent of discrimination against Roma, officials have been quick to point out that the collection of such ethnic data violates constitutional norms. Yet, there is little if any rigor in adhering to those norms in talking about the perpetrators of crime, especially when Roma are alleged to be the perpetrators. In such cases, elected politicians from mainstream political parties as well as state officials have succumbed to score populist points by publicly associating the Roma community to criminality.

For example, in January 2009, Albert Pasztor, the police chief in the city of Miskolc, located in one of Hungary’s poorest regions, claimed that Roma were responsible for all street robberies. He was subsequently removed from office, but after significant public pressure in support of him, the Minister of Justice and Law Enforcement accepted the motion to reinstate him.

One month later, in February 2009, the leader of the main opposition party (Fidesz) Viktor Orbán, currently holding the office of the Prime Minister of Hungary, stated publicly: “It is clear that the ratio of perpetrators of serious crimes of Gypsy origin is increasing day by day, considerably and tangibly. Those that keep that fact silent … will but aggravate the problem.”

Anti-Roma and Antiblack Stereotypes: U.S.-Hungary Parallels?

István Sértő-Radics, a mayor of the town of Uszka (Hungary), largely populated by Roma residents, co-wrote a research paper with John Strong, Professor Emeritus from Long Island University (United States), comparing the plight of the Roma in present day Hungary to the hardships of African-Americans in Mississippi in the mid-1960s and 1970s. Describing prejudiced psychological patterns, Sértő-Radics says: “There are several important similarities between the Roma and the African-Americans. Similar stereotypes are frequently used to describe them. They are both viewed as lazy, crime prone, intellectually inferior, emotionally immature, albeit gifted in music.” In addition, the structural problems of high unemployment rates, ghettoized housing areas, discrimination in healthcare and education, as well as tense relations with the police, are all other factors that bring about historical resemblances.

The Government’s Response

Despite significant shortcomings, the Hungarian authorities have responded to the violent attacks on a number of levels.

Firstly, senior government officials publicly spoke out against some of the most serious recent cases of anti-Roma violence, although in most cases only after the violence had escalated considerably. For example, after the murder of Maria Balogh in Kisléta in August 2009, Prime Minister Gordon Bajnai issued a statement saying the perpetrators’ actions were condemned by the whole of
Hungarian society. He added: “Today I share the pain of the victims’ relatives and friends, as well as the concern of my Roma countrymen,” Bajnai said.\textsuperscript{25} One week later, Hungarian President László Sólyom similarly condemned the wave of attacks of which Balogh’s murder was just one, underlining that the incidents could undermine the country’s stability.\textsuperscript{26}

As important as these public statements of condemnation were, they have to some extent been overshadowed by the focus of many political leaders on the petty crimes committed by the Roma, rather than the serious, targeted attacks against them.

Secondly, some progress has been made in investigating a number of the most serious violent attacks. Hundreds of investigators were engaged in an effort to unravel these high-profile cases. A reward of 50 million Hungarian forints ($250,000), later doubled, was offered for useful information on the attacks. In identifying the perpetrators of these murders and other attacks, the Hungarian government at the time committed significant law enforcement resources to the investigations and sought international cooperation in those efforts, including by involving experts from the United States Federal Bureau of Investigation in the analysis of evidence.

According to a national police spokesman, “investigators met with and interviewed more than 200 witnesses, checked more than 1 million phone calls and information concerning more than 1.5 million cars, and examined the files in cases involving the illegal use of weapons by 30 different persons.”\textsuperscript{27}

According to the Hungarian National Police Chief, József Bencze, racism appears to have been the main motive of the attacks. He described the attacks, as the “biggest, most complicated and most serious series of murders in the history of Hungarian criminology.” It was reported that the group of suspects detained by police in connection to many of the murders were planning their next attack when they were arrested.\textsuperscript{28}

Among the multiple acts of murder, six are presumed to be committed by one group of individuals who systematically targeted Roma in 2008 and 2009. The investigation pertaining to the “serial” murders and attacks was concluded on June 30, 2010. According to Bencze, four suspects, who were arrested on August 21, 2009, have been charged with multiple coordinated acts of homicide, robbery, abuse of weapons, and vandalism.\textsuperscript{29} The case is expected to go to trial in the coming months.

While the Hungarian authorities should be given credit for their efforts to bring to justice those responsible in these high-profile murders and attacks, they generally have a poor record in bringing perpetrators to justice in the large majority of other serious cases of violence documented by human rights and other groups.

Thirdly, the authorities have taken some steps to holding accountable law enforcement officials for misconduct in the course of hate crime investigations. In February 2010, one year after the double murder in Tatárszentgyörgy, and after considerable public pressure, the Hungarian national police recognized that there was police misconduct in the course of the initial response to the double murder. As a result of an inquiry conducted by the police, internal disciplinary procedures were initiated against two police officers involved in the case, although their sanctions were not made public.\textsuperscript{30}

Despite these efforts, particularly in the higher-profile cases, there are significant obstacles and challenges to a better overall response to hate crime.

\section*{Challenges and obstacles to better responses

Underreporting of Hate Crimes

Although the most serious racist crimes have attracted media attention and resulted in police investigations, many lower-profile cases go unreported and thus unrecorded by the police. Enhancing the level of reporting of incidents lies at the very root of what needs to be done to address racist violence. The discrepancy between the documentation among nongovernmental monitors and the police also illustrates the problem of underreporting. Despite the number of serious cases of targeted violence against Roma, the Hungarian authorities—in their submission for

\textsuperscript{30} Although the police did make mistakes, grave errors were also committed by others in the hate crime case committed in Tatárszentgyörgy: the firefighters believed that the flames were due to electricity devices and as a result, the Molotov cocktails were not used initially as evidence; and the doctor’s opinion did not recognize the trace of shootings in the initial diagnostic of the victims and concluded that the legal injuries were made by the pieces of house in the fire—which was an erroneous professional judgment.
The Police and Jobbik

According to a report by the Hungarian Helsinki Committee, one of the police trade unions (Tettrekész Magyar Rendőrség Szakszervezet)—who have approximately 5,000 members out of a police force of 45,000—signed a cooperation agreement with the radical party Jobbik in May 2009. Police leaders expressed their disapproval, and it was later determined that the agreement constituted a breach of the law. Nonetheless, the impact of such relationships seriously calls into question the ability of the police to exercise their duties to provide equal protection under the law.

the OSCE’s annual hate crime report—reported only seventeen recorded hate crimes overall in 2008 and did not submit any information on hate crimes specifically targeting Roma.

Mistrust Rooted in Police Misconduct

Instances of police ill-treatment and discrimination against Roma—recognized by the Council of Europe’s European Commission Against Racism and Intolerance (ECRI) as problematic in Hungary—contribute to the high levels of mistrust of authorities among Roma communities, and thus to the severe underreporting of racist and other violent acts. This sentiment of distrust is also confirmed in a recent survey published in 2009 by the European Union Agency for Fundamental Rights (FRA), in which the overwhelming majority of Roma respondents indicated they did not report hate crime incidents to the police. One can assume as a result that the level of officially recorded racist crime in the twenty-seven E.U. states—including in Hungary—significantly undercounts the real extent of the problem.

Other sources have similarly documented police misconduct. The U.S. State Department’s Country Report on Hungary affirms that “human rights problems included police use of excessive force against suspects, particularly Roma.” Police abuse have also included arbitrary arrests, repeated misuse of legal procedures or verbal abuse.

When racism provokes police ill treatment, this entrenches even deeper assumptions that Roma are not entitled to the same standards of protection, security and justice than non-Roma citizens. It also weakens the Roma citizens’ trust in the justice system and provides an incentive for them not to report to the police on future incidents, out of fear of reprisal. This trust is only further eroded when the police forces are not held accountable for misconduct.

Inadequate Data Collection Mechanisms

At present there is no effective system for collecting data on violent hate crimes, or that permits even the identification of the ethnicity of the victim of a crime—a key factor in determining if the crime was motivated by bias.

The absence of an adequate system for monitoring and public reporting on hate crimes impedes policymakers from seeing and understanding the full scope of the problem and developing adequate responses.

According to the European Union Fundamental Rights Agency, which has assessed criminal justice data collection systems among E.U. member states, Hungary is in a lower tier of countries that collect and makes available only limited data on racist violence and crime.

An Inadequate Legal Framework for Hate Crimes

There is one provision of the Hungarian criminal code - Article 174/B—which does allow for certain violent crimes committed with a bias motivation to be prosecuted as a separate offense. The article relates to specific offenses, notably acts of violence, cruelty or coercion by threats committed against persons who are members of national, ethnic, racial or religious groups. There is, however, little evidence that this provision is systematically used. Even in cases where there is reason to suspect a bias motivation, police more frequently open their investigations with a view to pursuing non-hate crime charges.

General aggravating circumstance provisions also exist and, although rare, judges have handed down enhanced penalties on the basis of those provisions in cases where a crime was motivated by bias. However, such provisions could be strengthened by an express mention of bias as an aggravating factor that mandates such enhanced penalties in hate crime cases. Such an amendment would bring Hungary’s criminal code and law enforcement
practices in line with the requirements of the E.U. Framework Decision on Racism and Xenophobia and to longstanding Council of Europe recommendations.

The lack of an adequate legal framework means that ordinary offences committed with racist motivations are not systematically prosecuted or punished as such. It also renders monitoring of the state response to violent racist acts nearly impossible.

Adequate training is an important part of the successful enforcement of such legislation. It requires that police are adequately trained to gather evidence of racial and other bias motivations in the commission of a crime, that prosecutors are trained to present evidence of such motivations before a court and know to request enhanced penalties, and that judges are trained to hand down sentences that adequately reflect the more serious nature of hate crimes.

Racism as an Aggravating Circumstance

On January 22, 2008, in Szigetvár, five young men who were intoxicated boarded a train from Barcs to Pécs. Due to the fact that they did not have tickets, a conductor ordered them off the train in Szigetvár. Once departed from the train, the men attacked a Roma woman and her daughter. The woman was kicked and beaten, and her daughter managed to leave the scene to call for help.

When the men were arrested by the police, they admitted that they attacked the woman and her daughter because of their ethnicity. However, they later retracted their statements, saying that the influence of the alcohol was the cause of their aggressive act. The Pécs City court sentenced four of the men to eight to 11 months in prison. Despite the initial statements made by the perpetrators, the judge ruled that there was insufficient evidence to consider the attack to be racially motivated.

In April 2009, the Baranya County Court, as the court of second instance, overturned the first ruling and ruled that racial motivation could be substantiated according to the facts of the case, considering an anti-Roma poem tattoo on one of the perpetrators, personal items of the accused that had fascist and totalitarian symbols on them, and racist public statements. The perpetrators were then given new sentences with prison terms ranging from one to two-and-a-half years.
Recommendations to the Government of Hungary

I. The Political Response

- Senior government officials should speak out against violence against Roma or the members of any other group whenever such acts occur and ensure that there is a rapid response of the law enforcement and the criminal justice authorities.

- The Hungarian authorities should develop and enact provisions that establish enhanced penalties for violent crimes committed because of the victim’s race, religion, ethnicity, sexual orientation, gender, gender identity, mental and physical disabilities. The systematic use of such penalty enhancement provisions in appropriate cases will send a strong message of condemnation of hate crimes.

- The Hungarian authorities should establish specialized bodies or empower the appropriate existing bodies to diffuse community tensions as well as foster collaborative approaches between local government, local law enforcement, civil society groups, and community leaders to ensure effective responses to violence.

- The Hungarian authorities should commit to taking advantage of training opportunities offered by international organizations such as the Organization for Security and Cooperation in Europe (OSCE) and in the context of bilateral relationships, such as with the United States.

II. The Law Enforcement Response

- Law enforcement agencies should publicly commit to investigate all hate crimes, committed against any individual, including Roma, and to provide regular public updates into the investigation and prosecution of such crimes.

- The Ministry of Interior should ensure that law enforcement officials have clear guidelines to vigorously address crimes—including those committed against Roma—that are motivated in whole or in part by racism or other forms of bias.

- The Ministry of Interior, the Ministry of Administration and Justice and other relevant ministries should commit to collecting and publishing data on the incidence and response to all hate crimes. Data collection systems should include disaggregated data on violent crimes committed because of the victim’s race, religion, ethnicity, sexual orientation, gender, gender identity, mental and physical disabilities. In developing such systems, privacy laws must solidly be in place and enforced.

- Law enforcement officials should take steps—including by reaching out to community and other nongovernmental groups—to increase the confidence of crime victims from marginalized groups such as Roma to report crimes to the police. The authorities should ensure thorough investigations and prosecution of any reports of police misconduct or abuse.

- Senior law enforcement officials should ensure that police receive adequate training on community policing, conflict resolution at local level and identifying and recording bias motivations when hate crimes do occur.

- Adequate security must be provided to individuals, communities and religious or other institutions that face threats of violence.

- The Hungarian authorities should enhance incentives and scholarship opportunities to its Roma citizens to work in national and local police units. Inclusion of more Roma in the police forces would help reflect the ethnic diversity of Hungary’s population and fight stereotyping through positive measures.

III. The Criminal Justice Response

- The Hungarian authorities should ensure adequate training for prosecutors and judges in bringing evidence of bias motivations before the courts and in handing down consistent, enhanced sentences that reflect the more severe nature of hate crimes. Judges should use the opportunity of the sentencing process to clearly and publicly articulate when and how a bias motivation was factored into the sentence.

- With regard to arrests already made in August 2009 in the murder of six Roma and other hate crime attacks, the Hungarian authorities should move quickly bring
the suspects to account through an open and transparent trial, which could play a role in elevating the problem of racist violence against Roma to the forefront of the public debate.

IV. Responding to Intolerant Discourse

Hungarian political leaders, government officials serving in public office as well as local mayors should:

- Pledge to refrain from using rhetoric that incites violence or promotes discrimination or other acts that curtail the enjoyment of rights by others.
- Consistently condemn such speech when it occurs; build political consensus—reaching out across political party lines—to encourage public denunciation and disapproval.

The Hungarian Government should:

- Routinely implement and provide diversity training sessions for civil servants—particularly those that often engage with the public. The discussions and training sessions are to serve as a venue to encourage diversity and respectful dialogue as well as to identify and combat negative stereotypes and discrimination against individuals and groups.

Recommendations to the Government of the United States

- The U.S. authorities should consistently raise, both publicly and privately, the problem of violent hate crime, including against Roma, with representatives of the Hungarian government at all level of bilateral exchanges and encourage adequate legal and other policy responses, including those articulated in this Blueprint’s Recommendations to the Government of Hungary.
- Maintain strong and inclusive State Department monitoring and public reporting on racist, antisemitic, xenophobic, anti-Muslim, homophobic, anti-Roma and other bias-motivated violence—including by consulting with civil society groups as well as providing appropriate training for human rights officers and other relevant mission staff.
- Offer appropriate technical assistance and other forms of cooperation, including assistance from experts in the Federal Bureau of Investigation in the investigation of individual hate crime cases, as well as the training of police and prosecutors in investigating, recording, reporting and prosecuting violent hate crimes, including against Roma.
- Consider inviting a group of law enforcement officials and civil society activists to the United States as part of the International Visitors’ Program to learn about practices in the United States to combat hate crime.
- Consider extending targeted funding through the Democracy Fund and other initiatives to civil society organizations engaged in documenting hate crimes, providing victim support, and engaging in advocacy for better government responses.
- Continued support for the ODIHR’s Tolerance and Nondiscrimination Unit (TnD), in particular to encourage: efforts to ensure that the Law Enforcement Officer Program on Combating Hate Crime (LEOP) has the support it needs and that Hungary use this and other OSCE tools to enhance its response to hate crime.