



Dr. Ildikó Barna,
Associate Professor
Department Head
Eötvös Loránd University, Faculty of Social Sciences
Department of Social Research Methodology

Bulcsu Hunyadi
Analyst, Political Capital Institute

Report on Xenophobia and Radical Nationalism in Hungary (January–June 2015)

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1. Positive and negative changes in legislation affecting minorities

Discriminatory legislation and practices affecting minorities

The legislation concerning minorities did not change between January and June 2015. However, it should be mentioned, that since Fidesz¹ (Fidesz – Hungarian Civic Alliance, *Fidesz – Magyar Polgári Szövetség*) won more than two-third of seats in Parliament in April 2010, it constantly has been using its supermajority to adopt far reaching legal and constitutional changes, also touching upon serious human rights issues. Human Rights Watch underlined also that the EU did not do anything about Hungary's problematic laws and practices.²

Discriminatory practices in Hungary affect mainly the Roma, the biggest minority group living in Hungary³, however one should keep in mind that in these cases latency is very high, meaning that many cases remain unseen. Most Roma lag behind the society in many respects: extreme disadvantages in education, employment, and living conditions.⁴ Prejudice is the strongest against the Roma, and its prevalence has been quite stable in the past two decades. Anti-Gypsy sentiments are openly expressed.

In January 2015 the Jobbik⁵, Hungary's far-right party, proposed the segregation of Roma children in public schools. They insisted that kids with behavioural and learning disabilities should be put into special separated classes, in extreme cases to boarding schools. Jobbik MP, Dóra Duró, who also serves as a Chairperson of the Parliamentary Committee on Education and Culture said that party wants to deflate the political balloon" that integration in schools should take place at "any price". Duró said that instead of "spontaneous segregation", when parents transfer their children to schools with a low ratio of Roma pupils, "disruptive children" should be the ones to leave, adding that Jobbik recommended the solution of

¹ In the course of the whole essay, the name of the party Fidesz stands for the party alliance Fidesz-KDNP. Since there is no real difference between Fidesz and KDNP (Christian Democratic People's Party, *Keresztény Demokrata Néppárt*), and the latter does not have an electoral base independent from Fidesz, there is no reason to make a distinction between Fidesz and KDNP, even though if they have separate groups in the parliament officially.

² Hungary: Outstanding Human Rights Concerns. 18 February, 2015. <https://www.hrw.org/news/2015/02/18/hungary-outstanding-human-rights-concerns>

Hungary: Little EU Action on Rights Concerns. 18 February, 2015. <https://www.hrw.org/news/2015/02/18/hungary-little-eu-action-rights-concerns>

³ Their estimated number is between 550-700 thousand.

⁴ FRA, UNDP. 2012. *The Situation of Roma in 11 EU Member States. Survey results at a glance*. Luxembourg: Publication Office of the European Union. http://fra.europa.eu/sites/default/files/fra_uploads/2099-FRA-2012-Roma-at-a-glance_EN.pdf

⁵ Jobbik, the Movement for a Better Hungary (*Jobbik Magyarországért Mozgalom*) was founded in 2003. In the parliamentary elections of 2006, in alliance with MIÉP, the Movement for a Better Hungary won only 2.2 percent of the votes. After this failure, Jobbik broke up the alliance and it started to find its own voice. The growing impact of the party became clear in the 2009 European Parliamentary Elections, where Jobbik won almost 15 percent of the votes and could send three members to the European Parliament. In the 2010 National Parliamentary Election the party got 17 percent of the votes. These results unequivocally indicated the enormous growth of the acceptance of radical right-wing thoughts in the Hungarian society. By 2014, the support of Jobbik grew further and the party secured 20 percent of the votes in the recent national elections.

boarding schools, since many children have fallen way behind, inter alia, because of the “culture” surrounding their families. While she said that no child should be discriminated against, and educational problems should not be handled on fundamentally ethnic lines, she added that the majority of disadvantaged kids “are of Gypsy origin”, and the resulting social and cultural differences should not be overlooked. Ms Dúró said that changes in the education system are needed because as current demographic processes⁶ and educational standards stand, it will be necessary one day “to integrate Hungarian children into Gypsy classes.”⁷

Hungarian Government was quick to react. Zoltán Balog, Minister of Human Capacities⁸ said, that the government “rejects and condemns illegal school segregation and is committed to quality education that develops the conditions for equal opportunity. He also said that there can be schools having only Roma students, »but they should be afforded a proper level of education«”.⁹

However reality seems to be somewhat different. The most important case is the so-called Huszár-telep¹⁰ school in Nyíregyháza. This is a local council-run elementary school, with exclusively Roma pupils. In April 2015 the Supreme Court of Hungary (Kúria) decided in a final ruling that the complaint about the segregation of Roma children was unfounded. The Kúria said that the principal of free choice was not violated, and the free choice of religion and school supersedes the prohibition of segregation.¹¹

The story of the school is even more interesting if we look back in time. In 2007 the local government with socialist majority, surrendering to the pressure of a Hungarian NGO fighting for the education rights of the Roma (*Esélyt a Hátrányos Helyzetű Gyerekekért Alapítvány*, Chance for Children Foundation, CFCF), closed the school, and the children were taken by bus across the city to the other school.¹² In 2011, after the right-wing Fidesz won the municipal elections in the city also, the school was reopened and transferred to the Greek Catholic Church. The Chance for Children Foundation sued both the Church and the

⁶ Ms. Dúró referred to the higher fertility rate of the Roma population.

⁷ Jobbik: Nem kell mindenáron erőltetni az iskolai integrációt. [Jobbik: integration in schools should not be forced at any price]. 24 January, 2015. http://mandiner.hu/cikk/20150124_jobbik_nem_kell_mindenaron_eroltetni_az_iskolai_integraciot

Government rejects Jobbik's Proposal on School Segregation”. 26 January, 2015. <http://hungarytoday.hu/news/government-rejects-jobbiks-proposal-school-segregation-49521>

⁸ The official title of the minister. Source: <http://www.kormany.hu/en/ministry-of-human-resources/the-minister>

⁹ Government rejects Jobbik's Proposal on School Segregation”. 26 January, 2015. <http://hungarytoday.hu/news/government-rejects-jobbiks-proposal-school-segregation-49521>

¹⁰ Huszár-telep is located close to downtown of Nyíregyháza, a city in North-East Hungary with approximately 112,000 residents. The estimated number of Roma living in Nyíregyháza is around 10,000 people. Huszár-telep has a population of around 2,000 people, 85 percent of them are Roma. This is the largest socially and territorially segregated slum in the city, where people live in extreme poverty. All the key indicators (educational level, employment, housing etc.) are significantly worse than the city average. (http://urbact.eu/sites/default/files/lap_abstract_nyiregyhaza_hu_en.pdf)

¹¹ Hungarian Supreme Court Decided: Segregation is Lawful in Parochial Schools. 28 April, 2015. <http://hungarianspectrum.org/2015/04/28/hungarian-supreme-court-decided-segregation-is-lawful-in-parochial-schools/>

Nyíregyháza school did not segregate according to supreme court. 23 April, 2015. <http://www.politics.hu/20150423/nyiregyhaza-school-did-not-segregate-according-to-supreme-court/>

¹² This was modelled after anti-segregation projects in the United States.

Hungarian state for segregation in 2011. In February 2014 local court decided for the NGO, saying that the current functioning of the school violates not only the Hungarian laws on equal opportunity, but also the recommendations of the Council of Europe. The minister was so committed, that he even testified in the trial. The Church appealed, but in the beginning of November the appellate court reaffirmed the decision. After the court's decision Balog said, that "this verdict only increases my fighting spirit. We will continue to fight for a good, decent verdict which is good for the children". Just two weeks after the decision, Zoltan Balog filed a bill to amend Hungary's Public Education Act of 2011. The Amendment, which was accepted by the Hungarian Parliament in December 2014, eventually exempts some schools operated by the Church or other religious organization, from the requirements of the Equal Opportunities Act. CFCF representatives, other NGOs and scientific experts said that this not only the legalization of segregation, but also "open violation of EU equal opportunities standards to be observed by member states". And then came the decision of the Kúria, which overturned the decisions made by the lower and the appellate court. It seems now that the case will end up in the European Court of Human Rights.¹³

It turned out in June 2015 that the opening of a new elementary school has been planned in Komádi, a small town in Eastern Hungary. 65 percent of the pupils of the elementary school currently functioning in the town, are coming from very poor and disadvantaged environment, most of them are Roma. Many non-Roma families therefore brought their children to neighbouring settlements. According to the mayor, parents of school-aged children initiated the opening of the new school, and it would be run by the Hungarian Reformed Church. Although it was clear for both the Ministry of Human Capacities and the central school administration office called KLIK¹⁴, as well as for residents in the town, that the main goal is to set up a school exclusively for non-Roma children, not even the authorities could impede its establishment, because of the right to religious freedom, as it was said. However in this case both authorities opposed the explicit segregation of Roma children, it seems that the example of Huszár-telep, in Nyíregyháza established a precedent, and has long-lasting consequences.¹⁵

¹³ Hungary court orders school closure over Roma segregation. 28 February, 2014. <http://www.bbc.com/news/world-europe-26390357>

Hungarian Supreme Court Decided: Segregation is Lawful in Parochial Schools. 28 April, 2015. <http://hungarianspectrum.org/2015/04/28/hungarian-supreme-court-decided-segregation-is-lawful-in-parochial-schools/>

Some Hungarian schools to remain segregated. 25 November, 2014. <http://budapestbeacon.com/public-policy/hungarian-schools-remain-segregated/15511>

Zoltán Balog, who is in Charge of Roma Integration, Fights for Segregation. 26 November, 2014. <http://hungarianspectrum.org/2014/11/26/zoltan-balog-who-is-in-charge-of-roma-integration-fights-for-segregation/>

¹⁴ The Public Education Act, coming into force on 1 January 2013, centralized the Hungarian Education System in all sense, and a new central office was established, named Klebersberg Institution Maintenance Centre (KLIK, Klebersberg Intézményfenntartó Központ), which "administers more than 4,000 schools, 1.2 million pupils and 120,000 teachers, making it the largest employer in Hungary". (<http://www.eurofound.europa.eu/observatories/eurwork/articles/government-plans-to-shake-up-education-system>)

¹⁵ Kevesebb a gyerek: új iskolát nyitnak. [Less children: new school to be opened]. 16 June, 2015. http://hvg.hu/itthon/20150615_Kevesebb_a_gyerek_uj_iskolat_nyitnak

There are also other cases concerning school segregation where the stance of the authorities is dubious. In May 2015 it turned out from a proposal made by KLIK that the state has no intention to close down a school in Piliscsaba, a small town near Budapest, attended only by Roma pupils, but on the contrary would like to make it as a centre for “problematic children”. However, a consensus was reached earlier that the school providing very poor education, will be closed down, when the KLIK became responsible for the school, it overturned the former agreement. Besides other factors the KLIK felt this decision important, because many schools in this School District had been refusing to enrol Roma pupils before. On the other hand in the middle of June Zoltán Balog, Minister of Human Capacities said that they do not enrol children anymore to this segregated school, and therefore the school will be phased out. Despite all the facts described above, he also stated, that the KLIK never have supported the reopening of this school.¹⁶

Some local governments apply discriminatory measures concerning housing. One of the most severe one is the forced displacement of families from the so-called “Numbered Streets” neighbourhood in Miskolc, a city in North-Eastern Hungary with approximately 164,000 residents. The planned evictions affect around 450, mainly Roma families. In May 2014 an amendment accepted by local authorities of Miskolc, led by city Mayor Ákos Kriza, a member of Fidesz, made possible to terminate its contract with residents in “low comfort” social houses. However, it offered monetary compensation for only those purchasing a property outside of Miskolc and not selling it for at least five years. In this way it served as a mean for the ethnic cleansing of Hungary’s third largest city. In May 2015 the Supreme Court of Hungary (Kúria) ruled, that these regulations are highly discriminatory, and they violate the right to privacy and freedom of movement. The Court’s decision, however, only addressed the issue of monetary compensation, and not the evictions as a whole, and national-level authorities have so far avoided to force the local government of Miskolc to comply with these rules, therefore the unlawful practices continued even after the Supreme Court’s decision. Besides that after the decision has been made, local authorities conducted raids in these areas, where most of the residents are Roma. Not only NGOs, but Hungary’s ombudsperson for human rights ruled that these inspections are illegal, and urged János Lázár, Minister of the Prime Minister’s Office, to launch investigations whether other local governments follow such procedures. The Miskolc case creates a new and very dangerous precedent with a tacit support of the government of Hungary.¹⁷

Az Emmi sem tudja megakadályozni a szegregált iskola megnyitását. [Not even the Ministry of Human Capacities can hinder the opening of the new segregated school]. 16 June, 2015. http://index.hu/belfold/2015/06/16/az_emmi_sem_tudja_megakadalyozni_a_szegregalt_iskola_megnyitasat/

¹⁶ Gyűjtőiskola „problémás gyerekeknek” Piliscsában? [School for “problematic children” in Piliscsaba?]. 12 May, 2015. <http://nol.hu/belfold/gyujto-iskola-piliscsaban-1533627>

Balog Zoltán nem engedi, hogy „cigány osztály” induljon. [Zoltan Balog does not allow to start a “Gypsy class”]. 13 June, 2015. <http://nol.hu/belfold/balog-zoltan-most-szemben-a-szegregacioval-1539769>

¹⁷ A Kúria törvénysértőnek találta a miskolci önkormányzat egy határozatát. [Supreme Court (Kúria) found the regulation of the local government in Miskolc unlawful]. 14 May, 2015. <http://www.sajomente.hu/reszletek/hirek/12224>

Surveys on police and minority relations were done in connection to the Roma showing serious problems. Just to mention a few examples. While 15 percent of majority citizens living in the same area were stopped by police in the last 12 months, the same percentages among the Roma was 41, and 58 percent of these people perceived ethnic profiling when stopped. Besides that Roma people in Hungary reported much more often that they were treated disrespectful by police officers. These experiences also have severe consequences on the trust in the police. While 62 percent of majority Hungarians trust the police and 22 percent of them do not, the percentages for the Roma are 28 and 51 percent, respectively.¹⁸ Hungarian National Police was accused many times of ethnic profiling. @@@ In 2014 six Hungarian NGOs sent a letter to the chief commissioner of Hungary's National Police, where they urged an investigation on the discriminatory practices of police against the Roma. These practices include not only the stopping of citizens based on their ethnic origin, but also disproportionate and extreme fines.¹⁹ These practices continue to exist till now. Some cases came out, although latency is very high. In the given period the most known case happened in January 2015, when Béla Lakatos, the mayor of Ács, a small town in North-Western Hungary, member of Fidesz, was stopped by police for a roadside check only because he was a Roma. He was convinced of that since he overheard one of the policemen saying on radio to the headquarters that an "identity check of a minority person is under way"²⁰. He said, that "when I handed them my identity papers, the smile disappeared from their faces. They said that everything was in order. I, however, asked them for their identification numbers, as I plan to report their behaviour."²¹ He did so, but later in the end of February or the beginning of March he withdrew the complaint, however it turned out almost accidentally only 3–4 weeks later.

Countermeasures against hate crimes: criminal cases against organizers and participants

Hate crime is defined by OSCE (Organization for Security and Co-operation in Europe) as a crime as defined by the criminal code, which has been motivated by prejudice against a certain group of people. There are also hate motivated incidents, which are offences, also

Forced Displacement in Hungary Sets Dangerous Precedent. 28 July, 2015. <http://www.neweasterneurope.eu/articles-and-commentary/1669-forced-displacement-in-hungary-sets-dangerous-precedent>

¹⁸ FRA (2009): *European Union Minorities and Discrimination Survey (EU-MIDIS). Data in Focus Report 01: The Roma*. Luxembourg: Publication Office of the European Union. http://fra.europa.eu/sites/default/files/fra_uploads/413-EU-MIDIS_ROMA_EN.pdf

FRA (2010): *European Union Minorities and Discrimination Survey (EU-MIDIS). Data in Focus Report 04: Police Stops and Minorities*. Luxembourg: Publication Office of the European Union. http://fra.europa.eu/sites/default/files/fra_uploads/1132-EU-MIDIS-police.pdf

¹⁹ Absurd Fines Imposed against Hungary's Roma. 5 September, 2014. <http://tasz.hu/en/romaprogram/absurd-fines-imposed-against-hungarys-roma>

²⁰ The phrase "minority person" is often used as a politically correct version of Gypsy, however in many cases with a strong prejudiced overtone.

²¹ Roma mayor accuses Hungarian police of racial profiling. 23 January 2015. <https://budapestbeacon.com/public-policy/roma-mayor-accuses-hungarian-police-of-racial-profiling/>

based on prejudice against a certain group of people, but not reaching the level of criminal conduct.²²

Although legislation concerning hate crimes did not change in the given period, first the current legislation should be introduced. Hungarian criminal law identifies two forms of hate crimes: violent offences committed against a member of a group and incitement to hatred against a community. In case of other types of crime, it is considered an aggravating circumstance if they were committed with a racist motivation. In that case, the court has to deliver a more serious sentence.²³ In addition, the Civil Code details the crime of the public denial of the crimes of National Socialism (and also that of Communism), and also the distribution, use before the public at large and public exhibition of symbols of totalitarianism (such as the swastika, the insignia of the SS the arrow cross, but also the five-pointed red star, or the hammer and sickle) in a way to offend the dignity of victims of totalitarian regimes and their right to sanctity or when it is capable of breaching public peace in any way.²⁴

In addition, in March 2014 a new Civil Code came into effect penalizing hate speech, stating that “any member of a community shall be entitled to enforce his personality rights in the event of any false and malicious statement made in public at large for being part of the Hungarian nation or of a national, ethnic, racial or religious group, which is recognized as an essential part of his personality, manifested in a conduct constituting a serious violation in an attempt to damage that community’s reputation, by bringing action within a thirty-day preclusive period” including the obligation to pay restitution.²⁵ Moreover, the Fourth Amendment of the Hungarian Constitution declares that the right to free speech is restrained by the dignity of communities and created the possibility for members of the violated communities to turn to the legal system to enforce their claims.²⁶

In general, the number of hate actions reported or documented is much smaller than the number of those committed. Victims often fail to report these incidents to the police. Firstly, they might not trust the authorities to handle these incidents properly either because of their unpreparedness or their prejudice. Secondly many victims might not be familiar with the applicable legislation. Moreover victims might also be ashamed or afraid of the exposure of their identity. Does not help the situation that under-classification is common too, that is, the authorities do not ascertain the motivation as hate.²⁷

The trial of seven members of the paramilitary far-right organization, the New Hungarian Guard²⁸ and thirteen Roma residents of Cegléd, a middle-sized city in Central Hungary, began

²² OSCE/ODIHR (2009): *Preventing and responding to hate crimes. A resource guide for NGOs in the OSCE region*. Warsaw: OSCE/ODIHR.

²³ Hungarian Criminal Code does not include racist motives verbatim, but for example the case of “contemptible motive” is fulfilled if someone commits a crime out of such a motivation.

²⁴ Barna, Ildikó (2015): *Anti-Semitic Hate Crimes and Incidents in Hungary 2014. Annual Report*. Budapest: Brussels Institution. p. 41–42. (http://tev.hu/wp-content/uploads/2015/02/TEV_%C3%A9ves_jelent%C3%A9s_2014.pdf)

²⁵ Ibid. p. 42.

²⁶ Ibid. p. 15.

²⁷ Ibid. p. 46.

²⁸ The New Hungarian Guard (*Új Magyar Gárda*) was founded in 2009, after the court disbanded and banned the original Hungarian Guard (*Magyar Gárda*). This is one of the biggest and most influential extreme groups in

in May 2015. In August 2012 the members of the extremist group marched against Roma families in Cegléd. They shouted slogans like “smelly Gypsies, we will kill you”. Some members and sympathizers of the Guard and the For A Better Future Hungarian Self Defence²⁹ gathered together for a grill-party in the garden of a local resident, and some of the Guardists later marched from here to the outskirts where the Roma live. They threw squibs, and constantly shouted besides other things slogans like “You will die smelly Gypsies, go back to India, you’re not Hungarians”. During the march they caused panic, frightened the Roma, and their action provoked alarm and outrage among the residents. The Chief Persecutor of Pest County filed charges against seven people for violent offences committed against a member of a group. However he also did so against thirteen Roma for armed hooliganism.³⁰

In June 2015 in the first instance the court passed a suspended prison sentence for 10 months for throwing stones on houses of the Roma in August 2012, when six far-right, mostly paramilitary organizations held an anti-Gypsy demonstration in Devecser, a small town in Western Hungary. Approximately 1,000 demonstrators arrived to the town of roughly 5,000 residents. Besides marching on the streets and shouting racist rhymes some hard-core demonstrators began to throw stones on Roma houses. Although video recording was available, police could identify only one suspect. He was accused of violent offence committed against a member of a group.³¹

In June 2015, Szilard Vig, the mayor of Konyár, a small village in Eastern Hungary filed a complaint against Jenő Setét, a Roma human right activist, saying that Setét committed defamation when called him a child-abuser. In 2013 Vig in his speech at a far-right event said that in some cases corporal punishment would be acceptable in schools. He primarily complained about Roma children, saying that they are “primitive, dirty, and smelly”. He also said that these children should be sent to special boarding schools torn apart from their

Hungary. “The HNG follows a far-right racist, anti-Semitic and homophobic ideology.” (<http://www.athenainstitute.eu/en/map/olvas/42#read>) For more on the organization see chapter “Radical nationalist groups and parties”.

²⁹ The For a Better Future Civil Guard (*Szebb Jövőért Polgárőr Egyesület*, FBFCG) „sprung from the New Hungarian Guard in 2010, but they only became widely known in 2011, after the month-long hate and intimidation campaign against the local Roma community at Gyöngyöspata. [...] The FBFCG was explicitly founded to »protect the Hungarians« from »Gypsy criminality« and »Gypsy terror«. [...]The Hungarian Parliament enacted a new section in the Hungarian Penal Code specifically against the FBFCG called ‘unlawful organisation of public security activity’, however the police have only enforced this law once in 2012 in Miskolc. In January, 2013, the group changed its name to For a Better Future Hungarian Self Defence (*Szebb Jövőért Magyar Önvédelem*).” (<http://www.athenainstitute.eu/en/map/olvas/58#read>)

³⁰ „Meg fogtok halni, büdös cigányok”, kiabálták, miközben „cigarettaért mentek”. [They shouted „You will die smelly Gypsies, while they “went to buy some cigarettes.”]. 20 May, 2015. <http://mno.hu/ahirtvhirei/meg-fogtok-halni-budos-ciganyok-kiabaltak-mikozben-cigarettaert-mentek-1287169>

³¹ Felfüggesztett börtönt kapott a dobálózó gárdista. [Member of the Guard who threw stones got a suspended prison sentence]. 2 June 2015. <http://mno.hu/ahirtvhirei/felfuggesztett-bortont-kapott-a-dobalozo-gardista-1288990>

family.³² In June 2015 the legally binding decision of the court found that the crime of defamation was unfounded, but the concrete fact of child abuse was not investigated.³³

The most important criminal case in the period though was the trial of the “Roma murders”. In 2008 and 2009, a group of right-wing extremists committed a series of terrorist attacks against Roma people in different villages. They used guns, grenades and petrol bombs, and killed six people, including a five-year old boy, and seriously injured several others. Four men were accused by the state of committing the attacks with racist motivation. The trial at first instance took place in 2011–2013, lasting for two and a half years, shed light on the serious faults made by the different actors at all levels, especially in the detection and investigation of the crime as well. It can be assumed that some of these errors occurred because the actors were biased by prejudices.³⁴ In August 2013 the court found the four men guilty in racist killing. Three of them received life sentences without parole, while the fourth defendant, who was the driver, got a 13-year prison sentence. The four were also ordered to cover trial costs, which totalled around 105 million Forint (approximately 338 thousand Euro). Defendants appealed. The trial continued in April 2015, and in May the Budapest Court of Appeals confirmed the convictions and agreed on the previous verdicts of all four defendants. The three perpetrators sentenced to life imprisonment, appealed to the Supreme Court of Hungary (Kúria), while the verdict of the fourth one is already legally binding. In June 2015 a task force of seven law enforcement agencies investigating the Roma murders found that the four men had no additional accomplices.³⁵

Two prominent members of the Sixty-Four Counties Youth Movement (SCYM, *Hatvannégyszéki Ifjúsági Mozgalom*)³⁶ were charged with violent offences committed against a member of a group committed in a group in a trial that started in February 2015. According to

³² The Hungarian central office of education (KLIK) dismissed Vig from his position because of his derogatory behaviour and the offence of the dignity of Roma communities.

³³ Vesztett a polgármester a rasszizmus-perben. [The mayor lost in the racism-lawsuit]. 3 June, 2015. <http://nol.hu/belfold/vesztett-a-polgarmester-a-rasszizmusperben-1537885>

Pert vesztett a cigányozó polgármester. [Mayor offending Roma people lost lawsuit]. 3 June, 2015. <http://romasajtokozyzpont.hu/pert-vesztett-a-ciganyozo-polgarmester/>

³⁴ An award-winning documentary, titled “Judgement in Hungary”, was made about the trial, directed by Eszter Hajdu. The 167 days of hearings was documented continuously only by her and her crew. The film is a courtroom-drama, taking place in a small, claustrophobic court room, in Budapest.

³⁵ Hungarian gang jailed for racist Roma killings. 6 August, 2013. <http://www.bbc.com/news/world-europe-23586440>

Disciplinary proceedings launched against Roma murders judge. 9 July, 2014. <http://budapestbeacon.com/public-policy/disciplinary-proceedings-launched-roma-murders-judge/9878>

Hungary appeals court confirms verdicts in Roma murders. 8 May, 2015. <http://news.yahoo.com/hungary-appeals-court-confirms-verdicts-roma-murders-122203963.html>

Roma murders task force says perpetrators acted alone. 8 June, 2015. <http://news.yahoo.com/hungary-appeals-court-confirms-verdicts-roma-murders-122203963.html>

³⁶ The Sixty-Four Counties Youth Movement (*Hatvannégyszéki Ifjúsági Mozgalom*) was founded in 2001. It is a racist, anti-Semitic, anti-Roma extremist group which “regularly organises propaganda actions and participates in other extremist groups’ actions.” They follow extreme racist, anti-Semitic, chauvinist ideology, however they “mostly spreads hostile propaganda and initiates intimidation campaigns against the Hungarian Roma community.” (<http://www.athenainstitute.eu/en/map/olvas/55#read>) For more on the organization see chapter “Radical nationalist groups and parties”.

the charge in July 2012 after the Budapest Pride³⁷ they insulted a pair of siblings because of their presumed homosexuality. The attackers aggressively jolted them shouting “filthy faggots”, while one of them also kicked one of the victims from behind.³⁸

In July 2013, after the Pride while a man was going home from the Pride he passed a group of counterdemonstrators shouting “filthy faggots”. Suddenly a woman from the group stepped over to him, and threw down his cockade of rainbow colours, and also hit him. The attack was recorded by the crew of a well-known Hungarian daily newspaper, which was used later in the trial. The victim pressed charges of violent offence against a member of a group with the help of the legal aid group of the Háttér Association³⁹. In the same proceeding the defendant was also charged with incitement of hatred against a community, since in the same summer she shared a picture of a Roma child with the following text: “Infectious Gypsy genetic waste. Their extermination is recommended and required! Do not let them grow up! They will be murders!” In April 2015 the court passed a prison sentence of 3 years in its legally not binding decision. It was the first time that a Hungarian court made an award for violent offence against a member of a group based on sexual orientation since its introduction to Hungarian Criminal Law in 2008.⁴⁰

The Action and Protection Foundation (TEV) is a registered civil organization founded in 2012. The three main pillars of its activity: legal aid, monitoring and research, as well as education and training. Since its foundation, Action and Protection Foundation has been actively providing legal aid to minorities as a non-governmental organization aspiring to protect the Hungarian Jewish identity. They think that the most serious manifestations of hate actions have reached the level where the government has no choice but to use the instruments of criminal law as a recourse to defend its communities, citizens and all injured persons.⁴¹ In the period in question, Action and Protection Foundation pressed charges eight times. In five cases for the denial of the Holocaust and in one case each for incitement against a community, violence against a member of the community, and religious bias.⁴²

In January 2015, Action and Protection Foundation filed a complaint at the Department of Investigation of the Budapest Police Department for the denial of the genocide of Jews in the Holocaust under the Nazi regime and for incitement against a community. On

³⁷ Hungary’s greatest LGBTQ event. It is a week-long festival with its most visible part, the march. The first Pride (then under the name of “Gay Dignity Procession” [*Meleg Méltóság Menet*]) was held in 1997. Since 2007 the marches have been disrupted, and in some years severely attacked by extreme right-wing demonstrators and hooligans.

³⁸ Buzizós erőszakkal vádolnak két hatvannégy vármegyést. [Two members of the Sixty-Four Counties Youth Movement charged with violence and homophobia]. 12 February, 2015. http://index.hu/belfold/2015/02/12/buzizos_eroszakkal_vadolnak_ket_hatvannegy_varmegyest/

³⁹ The Háttér Association (*Háttér Társaság*) is one of the largest and most active LGBTQ organization in Hungary

⁴⁰ Erőszak a Pride-on: 3 év letöltendő egy homofób nőnek. [Violence on the Pride: three years imprisonment for the homophobic woman]. 30 April, 2015. http://hvg.hu/itthon/20150430_Eroszak_a_Prideon_3_ev_letoltendo_egy_ho

⁴¹ Barna, Ildikó (2015): *Anti-Semitic Hate Crimes and Incidents in Hungary 2014. Annual Report*. Budapest: Brussels Institution. pp. 11., 13.

⁴² See monthly reports on anti-Semitic hate crimes and hate incidents in Hungary. (<http://tev.hu/en/publikaciok-2/>) The descriptions of legal cases in this report are based on these monthly reports.

14 August 2014, an individual shared an image with on Facebook the following text: “This user hates Jews, and doesn’t believe in the legend of the Holocaust!” Above the caption an arrow could be seen pointing to the user’s profile picture. On 5 October 2014, the user shared an image of a schoolgirl slumped over books with the following caption: “This Holocaust thing has really done me in: Half of it is nonsense, the other half is lies!” (Verbatim quote) On 20 September 2014, the user posted the following status update: “Fucking Jews, they are to blame for every war, every illness, from the common cold to Ebola, to cancer, the Jews are to blame for everything that is bad! DEATH TO ALL JEWS, DEATH TO ISRAEL!!!” (Verbatim quote) On 17 October 2014, the user repeated the “DEATH TO ALL JEWS, DEATH TO ISRAEL!!!” (Verbatim quote) as a caption for a montage depicting Slomó Köves, Executive Rabbi of EMIH. On 7 September, 2014, the user shared a montage which showed a girl holding an assault rifle on the left side, and the following text on the right side: “We must learn how to operate weapons, and we must kill every Jew, because if we don’t, we won’t live to see adulthood!” (Verbatim quote). The Department of Investigations of Budapest Police Headquarters informed the Foundation in February 2015 that the investigation of the above crimes was ordered already in January. It was also determined that the posts shared on 7 September and 20 September, 2014 were not suitable to establish reasonable suspicion of criminal action. The case of posts shared on 14 August and 5 October, 2014 were moved to the 5th District Police Headquarters because of lack of jurisdiction and competence. The investigation was ceased by a decision issued in March, because the posts were not suitable to establish reasonable suspicion of criminal action, since it cannot be proved that the shared image was made by the given user. The Foundation filed a complaint in April 2015 to continue the investigation. Undoubtedly, both montages fit into the category of the public denial of the crimes of the Nazi regime, and the uploading to a social site covers the large public. Investigating the authorship of the montages is only relevant as far as the person, who created the work, if someone other than given user, can be brought to justice as well. But this does not change the fact that the given user committed the crime.

In February TEV filed a complaint for public denial of the crimes of the Nazi regime against unknown offender at the Füzesabony⁴³ Police Headquarters. As antecedents of the case, the Foundation reported in July 2013 on the content of an article on kuruc.info⁴⁴ titled “Letters of resignation, payment records, precise data handling – »unorthodox« documents from Auschwitz”, as public denial of the crimes of the Nazi regime. In January 2015 the Budapest Prosecutor’s Office proposed to make the electronic content temporally inaccessible. The news was taken over by other major national media over the day, and also an interview was published with Dániel Bodnár, the Chairman of the Board of Trustees in TEV, on the occasion of the above mentioned proceedings. A Facebook user shared on two occasions the kuruc.info article in comments to the posts published, while being aware of its content denying the crimes of the Nazi regime. Sharing on Facebook in January 2015 one of the articles he made the following comment: “it should not be prohibited but REFUTED!!! Oh, so you can’t? Thanks!” (Verbatim quote). In a later comment he wrote: “here you are,

⁴³ A small town in North-Eastern Hungary.

⁴⁴ The leading new site of the far-right. For more on kuruc.info see chapter „Calls for ethnic and religious hatred in mass media, mass communication”

filthy Jews!“. In its decision in May 2015, Füzesabony Police Department terminated the investigation due to the suspect's death.

Also in February 2015, the Foundation filed a complaint for public denial of the crimes of the Nazi regime against unknown offender. In January 2015 the kuruc.info portal published the article “An uncomfortable list: the children »immediately gassed as they arrived to Auschwitz« were very much alive at their »liberation«”. Sz. I. made an embedded Facebook comment below the article: “This holocaust must not be denied, for everyone knows who reads this news portal that this is a *holokamu* (approx. holohoax) and nothing more, this Auswitz (sic) wasn’t a death camp but a collection camp from where people who were able to work were taken to various industrial plants, military plants and other places, so there was no gassing, a Jewish person said this, so they got paid for their work, and full subsistence, they were quite well off compared to the circumstances, and weren’t harmed in any way. of course for the Zionist Jewish gang the truth is the biggest pain, and this is their biggest illness, they get billions as compensation just for these lies.” (Verbatim, original full of spelling mistakes). In its decision in May 2015, competent Police Department agreed that the comment denied the Holocaust, but it was impossible to find personal and material evidence in order to identify the perpetrator and therefore the investigation was suspended.

In March 2015, the Foundation filed a complaint for public denial of the crimes of the Nazi regime against unknown offender at the Budapest Police Headquarters. Four days earlier, TEV published an article entitled “Dismissal of Jobbik member desecrating the memory of the Chief Rabbi”, and posted it on its Facebook page as well. The article referred to the event, when László Benke from Jobbik, a local council representative in one of the districts in Budapest, remained seated when district’s mayor requested that all alderperson stand up in the memory of the former chief rabbi, József Schweitzer.⁴⁵ Users with a Facebook account of their own can post comments to the article. User M. T. wrote the following comment: “Where’s that Holohoax monument on the Danube shore? I’ve been looking for it for twenty years, but have not found it... and I can’t imagine the Jews using pickaxes on the Danube... because the Danube was quite frozen then... clip clop? Karinthy⁴⁶ guffaws in his grave... for he invented the whole story...” (Verbatim quote) “There are no Hungarian Jews... there’re either Jews, or Hungarians... I’ve got nothing to do with their invented humbug Holohoax... What kind of people lives on its own dead even after 60 years? and they kill Palestinian children after their Holohoax?” (Verbatim quote) By a decision issued in April 2015, the Budapest Police Headquarters moved the case to Budapest District V Police Headquarters for lack of jurisdiction and authority.

Dániel Bodnár, the Chairman of the Board of Trustees in TEV filed a complaint in March 2015 for violence against a member of the community at Budapest Police Headquarters, against unknown offenders. User Gy. G shared a photomontage on his/her Facebook news feed in January 2015, which displays the image of Dániel Bodnár and the logo of TEV Foundation with the following text: “Dániel Bodnár multiple killer and Jewish terrorist who gets millions from taxpayers’ money in our country to kill Hungarian people! Every Hungarian should note the face of this killer! If you kill a Jew you’ve not lived for

⁴⁵ Later Előd Novák, deputy-chairman of Jobbik, also remained seated in the National Assembly.

⁴⁶ Frigyes Karinthy is a very famous Hungarian writer.

nothing! It's not a crime to kill a Jew! »Do it so that no one sees it or knows about it... Or if there's still a witness, the witness must be killed!«” (Verbatim quote). The image was shared by further twelve FB users. In the same month the Foundation filed a complaint at the Central Investigative Prosecutor's Office for the public denial of the crimes of the Nazi regime against suspected offender Gergely Kulcsár, Jobbik MP. News portal 444.hu published the letter attributed to Gergely Kulcsár, that in April 2012 Gergely Kulcsár asked for guidance on the mailing list of the Jobbik parliamentary fraction for the event that “some Jewish-hireling” fraction would initiate some commemoration of the “so-called victims of the hoaxcaust”. In April 2015 the Central Investigation Office of the Prosecution ordered the investigation of Kulcsár for the suspicion of public denial of the crimes of the Nazi regime.

TEV also filed a complaint in April 2015 for the use of symbols of autocracy against unknown offender at Budapest 5th District Police Headquarters. An antique shop in the same district offered for sale several objects named in the Criminal Code that fit the notion of symbols of autocracy, most of which were displayed in a separate window, in a place well visible to potential customers. The photos accompanying the complaint showed, among others: a ring with swastika, a seal ring with SS symbol, badges with the red star and the sickle and hammer sign, lighters and badges with swastika, iron crosses, merit medals, and an SS-badge. The shop is located in one of the busiest parts of Budapest. In May 2015 District Police Department rejected the charges claiming that there was no criminal offence. The decision was based on a former decision by the Constitutional Court. It was said that it was clear that the public display of the totalitarian symbols in the given textual and visual context was not to maintain the persistence of the symbols, keep them alive in public knowledge, popularize them or make them publicly known as widely as possible. Right after receiving this decision the Foundation filed a complaint, reasoning that the rejecting decision referred to an inappropriate decision of the Constitutional Court. The new legislative text did not include the part that an offense is only committed if a symbol is used in connection with the relevant totalitarian system and/or if the offender identifies with the symbol but it says that an offense is committed if the act is capable of disturbing public peace. In June the Prosecutor's office rejected the complaint because the Foundation had no legal right to file the complaint. At the same time, it officially overruled the negative decision from May and ordered investigations in the case. In the end of July Police Headquarters informed the Foundation that a private person also filed a complaint in the case. The two complaints were unified because of the identical subject, and are treated in the same process.

In June the Foundation brought an action for religious bias before the court of labour under legal aid. A young woman started her trial period in the call-centre of a commercial bank on 1 April, 2015. In the end of April she stuck up a poster with the Israeli flag on it in her own cubicle. On the next day the manager of the call-centre ordered her to remove it adding that if she does not remove it, they cannot work together. He also told his employee that she does not consider other employees, who have to see an Israeli flag reminding them for the Jews and Israel. J. V. removed the flag, but in a later meeting the manager asked her the following question: “You really think, that the most important thing [in the evaluation of your work] will be, that how well you executed you duties?”. After this the defendant was dismissed without notice.

Although in the period of January–June 2015 there were 25 ongoing legal cases initiated by the Foundation, only in four cases were decisions reached. The Foundation filed a complaint against Goy A. K. in April 2014 for publicly denying the crimes committed by the Nazi regime. In the same month, Goy A. K. posted the following comment on Facebook: “There was no Holocaust!!!!!!!!!!!!!!” The investigation into the matter was closed in June, as the Prosecutor believed the charges could not be proven beyond a reasonable doubt, and because A. K.’s defence was that he uses the word “holocaust” to refer to the genocide committed by the Mexican Junta.⁴⁷ The Foundation filed a complaint against the verdict, in which it cited further status updates and comments by A. K. in order to prove that A. K. is without a doubt aware of the meaning of the word “holocaust”. The complaint was accepted in the same month, the decision closing the investigation was repealed, and further investigation was ordered. The investigation was concluded in October 2014, and all documents relevant to the investigation were sent to the authority, with an indictment proposal. The first hearing in the case was held in January 2015. Later in this month the Foundation was informed that the court reached a verdict in the case, but no further information was released as another party appealed the verdict, and therefore the verdict is not legally binding.

The Foundation filed a complaint in October 2014 for public denial of the crimes of the Nazi regime. User B. Cs. shared a montage on his/her Facebook page in September 2014. The image stylizes the logo of Disneyland, the world’s most famous theme park franchise. The Disneyland inscription was changed to Auschwitzland, preserving the same font style; above it there is the drawing of the entrance to the extermination camp Auschwitz. The sign above the entrance reads: “Promotional Summer Camp – Free for the “Un-tar-privileged”⁴⁸ and hook-nosed!” Below the Auschwitzland sign, as a reference to Auschwitz, there is the following text: “The greatest fairy tale camp of the world!” The Gyöngyös⁴⁹ Police Headquarters informed the Foundation in February 2015 that the investigation had been completed, and the documents created were sent to the Gyöngyös District Prosecutor’s Office. In the decision issued in March 2015 the competent Prosecutor’s Office postponed the accusation for two years and ordered parole for B. Cs. The order prescribed as an obligation for the accused: to visit the Holocaust Memorial Centre in Budapest on his/her own expense and report on the exhibition he/she saw there to his/her supervisor, and read László Karsai’s work titled “Holocaust” (*Holokausz*). According to the justification, the author of the Auschwitzland montage publicly denied the crimes of the Nazi regime, but due to the extenuating circumstances (Cs. B. has no criminal record, is not registered as an offender, admitted to committing the crime, stopped the offending situations as it was brought to his/her attention, he/she deleted the image from Facebook) the prosecutor thought it was the right solution to postpone the accusation.

In January 2014 in a speech given at the commemoration events of the soldiers who died by the Don River, Tibor Ágoston, then deputy chairman of Jobbik’s Debrecen⁵⁰ and

⁴⁷ This kind of defence is not at all rare among far-right perpetrators of Holocaust denial or relativization. It can be clearly seen that they follow a common line on purpose.

⁴⁸ “Kátrányos helyzetű” - Untranslatable pun combining the term “hátrányos helyzetű” (underprivileged) and “kátrány” (tar).

⁴⁹ Gyöngyös is a town in Northern Hungary.

⁵⁰ The second largest city in Hungary, after Budapest, and the seat of Hajdú-Bihar county.

Hajdú-Bihar Country organization, first called the Holocaust a holohoax, then pretending it was a slip of the tongue, he corrected himself, using the word “hollokoszt”, then after an “it was intentional, I’m sorry” he continued his speech. Furthermore, he also objected to the commemoration of the Holocaust, feeling that it is forced onto people. Legal action was taken against Tibor Ágoston for the public denial of the crimes of the Nazi regime, based upon accusations made by several persons and TEV Foundation. The date of the first hearing was in February 2015, but it was postponed to March, because, according to his lawyer, the defendant could not appear for the first hearing due to poor health. In March, the District Court of Debrecen fined the Jobbik local government representative Tibor Ágoston with 750 thousand forints for publicly denying the existence of the crimes of the national socialist regimes. At the hearing, he denied the crime, stating he only wanted to take action against the double standards. He acknowledged that the expression was an unfortunate slip of the tongue, and apologized if he offended somebody. The verdict is legally not binding.

TEV filed a complaint in December 2014 against an unknown offender for the public denial of the crimes of the Nazi regime, because the owner of Facebook profile A. V. Z. H. wrote the following comment to the article published on the event of the visit to Hungary of the grandson of Rudolf Höss, former Auschwitz concentration camp commander. The comment read: “Let’s forget this holohoax, and even if it was true, what does this man have to do with his grandfather’s actions???...” (Verbatim quote). In April 2015 the District Court of Szeged⁵¹ condemned him/her. The court held the defendant guilty for public denial of the crimes of the Nazi regime, and convicted him/her for one and a half years’ probation and supervision. As a special behavioural rule, the court also ordered that the defendant must visit the Holocaust Memorial Centre in Budapest, and give an account of his/her visit to his/her supervisor.

Misuse of anti-extremist legislation

“Based on the tendencies of Hungarian legislation we can ascertain that legislation was carried out mostly in a dynamic way, with regard to social correlations and has established an appropriate legal environment for action against hate crimes.”⁵² Besides the lack of the reporting of crimes, there are two other major reasons for the high level of latency. “On the one hand, the application of the above mentioned categories of ‘violence against a member of a community’ and ‘incitement against a community member’ is rare because of alleged data protection reasons although these cases involve a perpetrator knowing or assuming that the victim is the member of a group. [...] On the other hand, the category of »hate crime« is often dismissed because it is hard to prove.”⁵³ The confirmation of hate crimes is encumbered by the fact that the motivation of the perpetrator needs to be proved. “According to the wording of the regulation [...] it is not sufficient to investigate whether there is a causal connection between being the member of a protected group and the action of the perpetrator but their

⁵¹ The third largest city in Hungary, after Budapest and Debrecen. It is also the seat of Csongrád county.

⁵² Balogh, Lídia, Dinók, Henriett, and Pap, András László (2012): „A jog által láthatatlan? A gyűlöletbűncselekmények szabályozási kérdései és gyakorlati problémái.” [“Invisible for law? Regulatory issues and practical problems of hate crimes.”] *Fundamentum*, 16, 4:91–98. p. 91.

⁵³ Ibid. p. 95.

prejudiced and adverse position has to be confirmed, too.”⁵⁴ When judging whether the perpetrator was motivated by prejudice, it is especially important to “investigate the personal and factual aspects of the crime.”⁵⁵

The Working Group against Hate Crimes (*Gyűlölet-bűncselekmények Elleni Munkacsoport, GYEM*) was founded in 2012 by five Hungarian NGOs⁵⁷. It was established in order to work collectively for more efficient actions against hate crimes. In their study on law enforcement problems they distinguished various types of these. In case of underclassification the investigating authorities disregard a possible prejudiced motivation, and do not identify the crime as hate crime. „For the success of the procedure (the appropriate identification and adequate punishment) it is critically important that the investigating authorities adequately take into account the motivation of hate from the very beginning of the procedure. If they ignore the classification circumstance, they fail to make the necessary steps of the investigation – probably impossible to replace later –for identifying the motivation.”⁵⁸ We may often speak about omissions by police which lead to extremely lengthy legal redress, and „because of measures missed at the scene the offender(s) may be very hard to identify.”⁵⁹ It is also very frequent that the police misses certain steps of the investigation. It has been considered a general problem that the investigating authorities fail to interrogate the witnesses, fail to recover the recordings of surveillance cameras before being deleted, do not order house searches in order to identify the motivation, do not conduct environmental studies, and fail to ask questions about the motivation during the interrogation or identify the network of contacts.

Action and Protection Foundation also experienced these deficiencies both in law enforcement, and also in courts. Although laws against different kind of hate crimes are in effect, courts often fail to make an award. Several complaints have been filed for incitement against the community, but most of them were stopped because of the law enforcement practices inconsistent with pertaining EU directives and disregarding the content of the norm. In this respect, the Foundation’s goal is to change the practice of the law. One instrument to achieve this could be providing the right of the victim to the offended community. To

⁵⁴ Átol, Dorottya, Dombos, Tamás, Jovánovics, Eszter, M. Tóth, Balázs, Pap András László, and Udvari, Márton (2013): „Közösség tagja elleni erőszak. Alternatív kommentár.” [“Violence against a member of the community. Alternative Commentary”] *Fundamentum*, 17, 3:79-92. p 89.

⁵⁵ Ibid. p. 89.

⁵⁶ Barna, Ildikó (2015): *Anti-Semitic Hate Crimes and Incidents in Hungary 2014. Annual Report*. Budapest: Brussels Institution. pp. 46–47.

⁵⁷ *Amnesty International Magyarország* (Amnesty International Hungary), *Ebony Afrikai Kulturális, Művészeti és Emberi Jogi Egyesület* (Ebony African Cultural, Artistic and Human Rights Association), *Háttér Társaság* (Háttér Association), *Magyar Helsinki Bizottság* (Hungarian Helsinki Committee, civil society providing legal assistance to those whose human rights have been violated by the public authorities), *Nemzeti Etnikai és Kisebbségi Jogvédő Iroda* (Legal Defence Bureau for National and Ethnic Minorities), *Társaság a Szabadságjogokért* (Hungarian Civil Liberties Union, a non-profit human right watchdog NGO).

⁵⁸ Dombos, Tamás, dr. Jovánovics, Eszter, Dr. Kirs Eszter, Dr. M. Tóth Balázs, dr. Udvari Márton (2014): *Jogalkalmazási problémák a gyűlölet-bűncselekményekkel kapcsolatos eljárásokban. A Gyűlölet-bűncselekmények Elleni Munkacsoport (GYEM) tapasztalatai.* [Law Enforcement Problems in the Proceedings concerning Hate Crimes. Experiences of the Working Group Against Hate Crimes] Budapest: Gyűlöletbűncselekmények Elleni Munkacsoport. p. 9.

⁵⁹ Ibid. p. 12.

accomplish the above, they acted as accusers, took part in a substitute legal action with the offended community and helped submit a constitutional law claim. An important task is to show how the ideas in the report from the Commission to the European Parliament and the Council on the implementation of Council Framework Decision 2008/913/JHA failed to combat certain forms and expressions of racism and xenophobia by means of criminal law failed directly because the law enforcement in Hungary consistently equate incitement to hate with incitement to crime.⁶⁰

As both listed crimes can be committed only before the public at large, and as the most typical such venue nowadays is the internet, the Foundation pays special attention to monitoring it, and take legal actions if necessary. After the new Criminal Code came into effect and pursuant to the relevant provision of the Act on Criminal Proceedings, they initiated that electronic information be made unavailable in a number of cases.^{61 62}

⁶⁰ Barna, Ildikó (2015): *Anti-Semitic Hate Crimes and Incidents in Hungary 2014. Annual Report*. Budapest: Brussels Institution. p. 17.

⁶¹ Section 77 of the Criminal Code of Hungary (Act C of 2012) regulates the permanent rendering inaccessible of electronic data, whereby data disclosed through an electronic communications network shall be rendered irreversibly inaccessible: (1) the publication or disclosure of which constitutes a criminal offense; (2) which is actually used as an instrument for the commission of a criminal act; or (3) which is created by way of a criminal act. This provision may be implemented on its own, alongside a penalty. Section 158/B of Act XIX of 1998 on Criminal Proceedings regulates the temporary rendering inaccessible of electronic data: if the proceedings are underway for a crime requiring public prosecution, relating to which electronic data can be rendered permanently inaccessible, and is necessary in order to prevent the continuation of the criminal offense, the electronic data may be rendered temporarily inaccessible. This can be done by temporarily removing the electronic data, or by temporarily rendering the electronic data inaccessible.

⁶² Barna, Ildikó (2015): *Anti-Semitic Hate Crimes and Incidents in Hungary 2014. Annual Report*. Budapest: Brussels Institution. p. 17.

2. Xenophobia and hate inciting statements made by members of the authorities

During the first half of 2015 the public discourse in Hungary was dominated by the refugee crisis. The topic was politically used by the government, the governing party Fidesz and the far-right party Jobbik to capitalize on xenophobic and anti-immigration sentiments. While members of the authorities responsible for asylum seekers (e.g., Office of Immigration and Nationality), and ethnic and religious minorities (e.g., Office of the Commissioner for Fundamental Rights) made no xenophobic and hate inciting statements during the period in question, statements by leading government officials and politicians pushed the political discourse in a more xenophobic and radical direction.

Initiator of the radicalizing course was Prime Minister Viktor Orbán and his right-wing populist party Fidesz in January 2015. When referring to the influx of asylum seekers to Hungary, government officials and Fidesz politicians deliberately and consistently use the terms “subsistence immigrants”, “economic immigrants” and “illegal immigrants”⁶³, suggesting that all migrants have left their homeland due to economic reasons and they only pretend to be refugees. Fidesz politicians have made no distinction between people coming from war zones and having the perspective on asylum status, and people who do not come from crisis areas and whose chance to receive asylum status is rather low. By doing this, the government had political motives, as Political Capital⁶⁴ presented it in many of its analyses: to stabilize its electoral support and regain momentum in domestic politics by setting the tone and stealing the topic from Jobbik and presenting the Hungarian population a “common enemy” against which the government takes a determined stance in order to defend the nation.⁶⁵ In order to dominate the public discourse, the government aimed at splitting the

⁶³ During his visit to Hungary’s second largest city Debrecen, where a refugee camp exists, PM Orbán corrected the terminology used by the mayor who referred to the camp as refugee camp. PM Orbán said he would rather use the term immigrant camp. According to him, the distinction is important due to the fact that refugees are accepted in Hungary, while immigrants are asked to leave. “We want them not to come. And we want those who are already here to go home.” Orbán elnökélte, bezárátja a debreceni menekülttábor. [Orbán is determined to close the refugee camp in Debrecen]. 18 May, 2015. http://index.hu/belfold/2015/05/18/orban_eltokelte_bezaratja_a_debreceni_menekulttabort

⁶⁴ Political Capital is an independent political research and consultancy institute based in Budapest, Hungary. Core activities of the institute include research on right-wing extremism and its social impacts, prejudices against the Roma and the Jews, projects on debunking conspiracy theories and election research. The think tank is widely acknowledged for its research and awareness-raising work on Anti-Semitism, Anti-Gypsyism and right-wing extremism by both the national and international media, expert community and decision makers in Hungary and in the EU.

⁶⁵ Lajos Kósa, deputy chairman of Fidesz told in a video interview in June 2015 that 99 percent of migrants entering Hungary are not refugees but illegal immigrants. Akik itt élösködnek, azok a plakátokat is megértik. [Parasites who are in Hungary surely understand the billboards, too]. 8 June, 2015. http://index.hu/video/2015/06/08/plakat_korkerdes_parlament/ (2:40) However, statistical data does not support the explanation of Kósa. According to the numbers of the Office of Immigration and Nationality, around 70 percent of those who ask for asylum status in Hungary come from Afghanistan, Syria and Iraq. Still, only 9.4 percent of asylum seekers were granted the asylum status in Hungary in 2014. 60 millióan vannak, és mind ide tartanak? [Are they 60 million and are they all coming here?] 19 June, 2015. http://index.hu/gazdasag/2015/06/19/menekult_statisztika_menedek/

political spectrum into two conflicting camps: to those, who serve national interests and, therefore, oppose immigration and reject to accept any refugees in Hungary, and to those, who support migration and, therefore, betray Hungarian interests.⁶⁶ Moreover it intended to completely monopolize the position of opposing migration.⁶⁷

The anti-immigration course of the government and the governing party Fidesz was launched by PM Orbán in January 2015 when he took part in the march to commemorate the victims of the Charlie Hebdo attack in Paris. He stated to the Hungarian News Agency (MTI) that immigration is a bad thing in Europe since it only brings trouble and danger to the peoples of Europe.

1. Picture: Hungarian PM Viktor Orbán at the solidarity march in Paris in January 11, 2015.

Source: vagy.hu⁶⁸



According to PM Orbán, “We [Hungarians] do not want to see significantly sized minorities with different cultural characteristics and backgrounds among us. We want to keep Hungary

⁶⁶ In his Baile Tusnad speech in July 2015, PM Orbán claimed that the Hungarian Left was welcoming illegal immigrants and greeting them. According to him, “these people, these politicians, do not like the Hungarian people – and they do not like them because they are Hungarians”. Prime Minister Viktor Orbán’s presentation at the 26th Bálványos Summer Open University and Student Camp, 27 July, 2015. <http://www.kormany.hu/en/the-prime-minister/the-prime-minister-s-speeches/prime-minister-viktor-orban-s-presentation-at-the-26th-balvanyos-summer-open-university-and-student-camp>

⁶⁷ For further information on the political motives of the government’s anti-immigration stance see: Juhász, Attila and Krekó, Péter (Political Capital Institute) (2015): Desperate Search for the lost popularity. Governmental campaign against refugees and migrants in Hungary. Friedrich Ebert Stiftung Budapest. <http://library.fes.de/pdf-files/bueros/budapest/11351.pdf>

⁶⁸ Jesu(i)s! January 15, 2015. http://www.vagy.hu/tartalom/cikk/8306_jesu

as Hungary.”⁶⁹ The very next day, Antal Rogán, leader of Fidesz’s parliamentary group, made anti-Muslim and anti-immigrant statements saying that the presence of Muslim communities demolishes the internal order of Christian countries in Western Europe and that it is not in Hungary’s interest to accept economic migrants with traditions completely different from Hungarian ones.⁷⁰

At the initiative of Fidesz, the Parliament held a debate on the refugee crisis on 20 February. During the debate entitled “Hungary does not need subsistence immigrants”, Fidesz MPs availed themselves of a harsh anti-immigrant argumentation including the most popular and widespread prejudices against refugees: they used coarse terms to describe the refugees and to demonize them. In the views of Fidesz lawmakers, immigrants pretending to be refugees misuse international law, spread diseases, commit arson (as they set the streets in fire in Sweden), commit theft and violent crimes.⁷¹

Following the harsh rhetoric, the government turned to actions and launched a so called “National Consultation on Immigration and Terrorism” in April 2015.⁷²

2. Picture: Foreword and questionnaire of the National Consultation on Immigration and Terrorism.

Source: vastagbor.atlatszo.hu⁷³

Tisztelt Magyar Polgár!

Mi, magyarok 2010-ben úgy határoztunk, hogy minden fontos kérdést megbeszélünk egymással, mielőtt döntéseket hozunk. Ezért indítottunk nemzeti konzultációt többek között az ország új alapítóirányáról, mindannyiunk szociális biztonságáról, a nyugdíjakok helyzetének javításáról. És ezért indítottunk most is nemzeti konzultációt a megélhetési bevándorlás kérdéséről.

Mint bizonyára emlékszik, Európát az év elején példátlan terrorcselekmény ráta marta. Párizsban áratlan emberek dőttek oltótták ki a károgdós lakóteret és újították ki a válságát. Mindannyiunkat megdöbbentette mindez, ami történt. És az emberi ésszel felfoghatatlan szörnyűség ugyanakkor az is megmutatta, hogy Brüsszel és az Európai Unió nem képes megfelelő módon kezelni a bevándorlás kérdését.

A megélhetési bevándorlók tervezetelménél lépik át a határt, és miközben menekülnek állítják be magukat, valójában a szociális juttatásokért és a munkalehetőségért jönnek. Csak az elmúlt néhány hónapban mintegy hatszazötvenezer a megélhetési bevándorlók száma Magyarországon. Ez egy új típusú fenyegetést jelent, amit meg kell állítanunk.

Mivel Brüsszel kudarcot vallott a bevándorlás kezelésében, Magyarországnak a saját útját kell járnia. Nem fogjuk hagyott, hogy a megélhetési bevándorlók veszélyeztessék a magyar emberek munkahelyeit és megélhetését.

Döntést kell hoznunk arról, hogyan kell védekezni Magyarországnak a tervezetelmén határolási-akkal szemben. Döntésünk kell, hogyan korlátozzuk a ruházásukon szerelvény megélhetési bevándorlót.

Tiszteltelt arra kérem, lépjen velünk kapcsolatba, mondja el nekünk is, hogy mit gondol a fültezt kérdésekről, többé ki, és küldje vissza a kérdőívet. Számítok a véleményére.

Üdvözléssel:

Orbán Viktor

NEMZETI KONZULTÁCIÓ
a bevándorlásról és a terrorizmusról

Töltse ki a kérdőívet!

1) Iskolás világméretű lehet hallani az előzőtti terrorcselekmények kapcsán. Ön szerint a terrorcselekmények a terrorizmus jellegűek-e? (a terrorizmus jellegűek, az 1915 ótaani cselekmények a terrorizmus jellegűek)

☐ Nagyon fontos ☐ Fontos ☐ Nem fontos

2) Ön szerint az előzőekben említett terrorcselekmények elhárítása Magyarországon?

☐ Nagyon nehéz van ez ☐ Előfordulhat ☐ Teljesen lehet

3) Vannak, akik szerint a Brüsszel által vezetett bevándorlási tervezetlemből van a terrorizmus fenyegetése. Ön szerint ezekkel a véleményekkel?

☐ Teljesen egyetértek ☐ Iskolás egyetértek ☐ Nem értek egyet

4) Túl sok az az, hogy a megélhetési bevándorlók tervezetlemből lépik át a magyar határt és az elmúlt időszakban biztonságosak a bevándorlók száma Magyarországon?

☐ Igen ☐ Halálra van rá ☐ Nem tudom

5) Iskolás világméretű lehet hallani a bevándorlás kapcsán. Vannak, akik szerint a megélhetési bevándorlók veszélyeztessék a magyar emberek munkahelyeit és megélhetését. Ön szerint ezekkel a véleményekkel?

☐ Teljesen egyetértek ☐ Iskolás egyetértek ☐ Nem értek egyet

6) Vannak, akik szerint Brüsszel politikája a bevándorlás és a terrorizmus kérdéseiben megdöbbent és ezért új megdöbbentés van az országban a kérdésekben. Ön szerint ezekkel a véleményekkel?

☐ Teljesen egyetértek ☐ Iskolás egyetértek ☐ Nem értek egyet

7) Tízegyetem az, hogy a magyar kormány, hogy Brüsszel megdöbbent politikájával szemben megdöbbent bevándorlási szabályzatot vezessen be?

☐ Igen, teljes mértékben támogatom ☐ Iskolás támogatom ☐ Nem támogatom

8) Tízegyetem az, hogy a magyar kormány, hogy megdöbbent szabályzatot vezessen be, ami alapján elvárható a magyar határt tervezetelmén átlopó bevándorlók?

☐ Igen, teljes mértékben támogatom ☐ Iskolás támogatom ☐ Nem támogatom

9) Tízegyetem az, hogy a véleményem, hogy a magyar határt tervezetelmén átlopó bevándorlók a lehetőségeikből kihasználva a magyar határt a saját hasznukra?

☐ Teljesen egyetértek ☐ Iskolás egyetértek ☐ Nem értek egyet

10) Tízegyetem az, hogy a megélhetési bevándorlók, akik Magyarországon tartózkodnak, saját maguk károsítsák az államot károsítják?

☐ Teljesen egyetértek ☐ Iskolás egyetértek ☐ Nem értek egyet

11) Tízegyetem az, hogy a bevándorlás elleni küzdelem leginkább az, ha az Európai Unió tagjait megdöbbent az országok támogatását, ahonnan a bevándorlók érkeznek?

☐ Teljesen egyetértek ☐ Iskolás egyetértek ☐ Nem értek egyet

12) Tízegyetem az, hogy a magyar kormány, hogy a bevándorlás helyett inkább a magyar családok és a születési gyermekek támogatására van szükség?

☐ Teljesen egyetértek ☐ Iskolás egyetértek ☐ Nem értek egyet

⁶⁹ Orbán demonises immigrants at Paris march. 12 January, 2015. <https://euobserver.com/justice/127172>

⁷⁰ Ki mondta? Rogán Antal vagy Vona Gábor? [Who said that, Antal Rogán or Gábor Vona?]. 12 January, 2015. http://index.hu/mindekozben/poszt/2015/01/12/ki_mondta_rogan_antal_vagy_vona_gabor/

⁷¹ Gyűlölethadjáratot indított a Fidesz a menekültek ellen. [Fidesz launched a hatred campaign against refugees]. 20 February, 2015. http://index.hu/belfold/2015/02/20/gyulolethadjaratot_indított_a_fidesz_a_menekultek_ellen/

⁷² The consultation was already announced by the leader of Fidesz’s parliamentary group Antal Rogán after a faction meeting in February. Rogán explained that the governing party developed a number of proposals on the issue of “subsistence immigration”. According to the party, people must be asked whether they support a policy of the arrest and immediate expulsion of illegal immigrants arriving from a third country. Jön az újabb nemzeti konzultáció, Rogán százezer menekülttel riogat. [A new national consultation is coming; Rogán is threatening with hundred thousand refugees]. 6 February, 2015. http://index.hu/belfold/2015/02/06/fidesz_sajtotajekoztato/

⁷³ Aggódsz, hogy a szélsőségesek hatalomra kerülnek? Nyugi, már ott vannak. [Are you worried that radicals might come into power? Take it easy, they have been already there]. April 24, 2015.

<http://vastagbor.atlatszo.hu/2015/04/24/aggodsz-hogy-mi-lesz-ha/>

According to the government, the consultation, which consisted of a questionnaire with twelve questions sent by post to every citizen aged over 18 (equalling to more than 8 million questionnaires) aimed at preparing stricter rules on immigration.⁷⁴ The foreword to the questionnaire signed by PM Orbán labels asylum seekers as “economic migrants” saying that “economic migrants cross the border illegally, pretending to be refugees, while in reality, they seek social allowances and jobs”. According to the PM, the growing number of “economic migrants” posed a new type of threat to Hungary that “we need to stop”. “Since Brussels has failed in handling immigration, Hungary has to follow its own way. [...] We will not let economic migrants endangering Hungarian people’s jobs and livelihoods.” After such a biased introduction, citizens were asked to answer the questions and return the questionnaire to the government. While the consultation pretended to be a survey, in reality most of the questions were preceded by a statement echoing the government’s anti-immigration rhetoric and PM Orbán’s statements in the foreword (e.g., Question 3: “According to some, immigration, which is badly handled by Brussels, is connected with the expansion of terrorism. Do you agree with this opinion?”; Question 12: “Do you agree with the Hungarian government, that instead of supporting immigrants, the support of Hungarian families and babies is needed?”).⁷⁵ Altogether, the consultation that consisted of biased questions linking immigration to threats to security and incomes did not aim, in reality, at revealing the public opinion on migration but rather manipulating it.⁷⁶

Thus, the consultation earned a lot of criticism both domestically (e.g., from opposition parties and NGOs) and internationally (e.g., from the European Commission, various MEPs, Council of Europe, UNHCR). During the plenary debate on the situation in Hungary in the European Parliament on 19 May, First Vice-President of the European Commission Frans Timmermans said that “a public consultation based on bias, on leading and even misleading questions, on prejudice about immigrants can hardly be considered a fair and objective basis for designing sound policies. Framing immigration in the context of terrorism, depicting migrants as a threat to jobs and the livelihood of people, is malicious and simply wrong – it will only feed misconceptions and prejudice.”⁷⁷ Human rights commissioner of the Council of Europe, Nils Muižnieks said that the content of the questionnaire was “unacceptable” for feeding “intolerance against migrants”. He urged the government to take a

⁷⁴ Nemzeti konzultáció: tizenkét kérdés a bevándorlásról. [National consultation: twelve questions on immigration]. April 24, 2015. <http://mno.hu/belfold/nemzeti-konzultacio-tizenket-kerdes-a-bevandorlasrol-1283414>

⁷⁵ National Consultation on Immigration and Terrorism. http://www.kormany.hu/download/7/e2/50000/nemzeti_konzultacio_bevasndorlas_2015.pdf; an unofficial English version can be found on the website of the Migrant Solidarity Group of Hungary: <https://www.migszol.com/>

⁷⁶ In a radio interview in June, PM Orbán described the questionnaire as “correct, open and fair”. However, he admitted that it was not immigration-friendly. Then he asked, “But why on earth should we like immigrants?” Orbán: “Mire Magyarországra érkezik, már mind megélhetési bevándorló”. [Orbán: “By the time they arrive to Hungary, they have all become subsistence immigrants”]. 5 June, 2015. http://hvg.hu/itthon/20150605_Orban_penteki_interju

⁷⁷ Commission statement on the situation in Hungary First Vice-President Timmermans Strasbourg, 19 May, 2015. http://europa.eu/rapid/press-release_SPEECH-15-5010_en.htm?locale=en

“more human rights oriented approach to migration issues.”⁷⁸ On 8 May, UNHCR Regional Representative for Central Europe, Montserrat Feixas Vihé spoke out against a growing expression of xenophobia in Hungary and expressed its concerns over the wording of the questionnaire stating that “the questions intentionally attempt to confuse refugees and asylum-seekers with so-called “economic migrants” and wrongly blame refugees for a number of purported threats to Hungary and Europe.”⁷⁹

In general, the anti-immigration campaign by the government have been using a populist and xenophobic rhetoric that resembles the messages of far-right actors elsewhere in Europe. The Hungarian government linked migration to terrorism, crime and unemployment. Government officials accused migrants of spreading diseases, committing crimes, stealing the jobs from Hungarians. A very good example was presented by László Pószán, a Fidesz MP who during a press conference in April stated that political correctness is only suitable to suppress real problems and before listing up crimes committed by inhabitants of the refugee camp in Debrecen, he put a rhetorical question: would anyone be happy if his/her child was surrounded by “six black Africans with threatening motions and tone” while travelling home in the bus.⁸⁰

The next act of the government’s anti-immigration campaign was a billboard campaign launched in June. The billboards appeared across the whole country and ran three types of messages: 1) “If you come to Hungary, you have to respect our culture.” 2) “If you come to Hungary, you have to respect our laws.” 3) “If you come to Hungary, you cannot take away Hungarians’ jobs.”⁸¹

⁷⁸ CoE ombudsman chides Orban for Hungary’s “populist trends”. 2 May, 2015. <http://www.szon.hu/coe-ombudsman-chides-orban-for-hungarys-populist-trends/2823864>

⁷⁹ UNHCR calls on Hungary to protect, not persecute, refugees. 8 May, 2015. <http://www.unhcr-centraleurope.org/en/news/2015/unhcr-calls-on-hungary-to-protect-not-persecute-refugees.html>

⁸⁰ A Fidesz szerint konfliktusokhoz vezet a sok illegális bevándorló. [According to Fidesz, too much illegal migrants lead to conflicts]. 27 April, 2015. http://mandiner.hu/cikk/20150427_a_fidesz_szerint_konfliktusokhoz_vezet_a_sok_illegalis_bevandorlo

⁸¹ Hungary's anti-immigration campaign sparks controversy. 8 June, 2015. <http://news.yahoo.com/hungarys-anti-immigration-campaign-sparks-controversy-174317745.html>

3. Picture: Two billboards of the government campaign.
Source: nemhiszemhogy.blog.hu⁸²



While government officials insisted that the campaign targeted migrants and human traffickers alike, billboards only appeared in Hungarian language and in Hungary. This fact leads to the evident conclusion that in reality the campaign targeted domestic audience and served solely domestic political goals.

Despite the harsh anti-immigration rhetoric of the government and Fidesz politicians, members of state authorities dealing with refugees maintained their professional status and remained on the ground of expertise and official terminology. However, at the beginning of the year, only a few days after PM Orbán's anti-immigration messages in Paris, director general of the Office of Immigration and Nationality, Zsuzsanna Végh made statements that echoed the government's rhetoric. Ms. Végh stated at a press conference that those who leave their homes due to economic reasons exploit the long case handling times and let Hungary to take care of them.⁸³

The public media, which has in many cases proved to be the speaking tube of the government, reported on the refugee crisis in a biased and one-dimensional way that was suitable to incite hatred and xenophobic sentiments. Hungarian Helsinki Committee (HHC) objected to this practice in a letter addressed to the chairpersons of the public media in June. According to the HHC, the public media points to refugees as scapegoats and presents them as obnoxious and scary people, who harm Hungary.⁸⁴

⁸² Ha Magyarországra jössz, nem veheted el a magyarok munkáját. [If you come to Hungary, you should not take the jobs of Hungarians]. June 11, 2015.

http://nemhiszemhogy.blog.hu/2015/06/11/ha_magyarorszagra_jossz_nem_veheted_el_a_magyarok_munkajat

⁸³ A bevándorlási hivatal megtalálta Orbán gazdasági menekültjeit. [The immigration office found Orbán's economic migrants]. 14 January, 2015. <http://vs.hu/kozelet/osszes/a-bevandorlasi-hivatal-megtalalta-orban-gazdasagi-menekultjeit-0114#!s1>

⁸⁴ Migrációs pánik: a kormány szócsöve a közmédia. [Migration panic: public media has been the speaking tube of the government]. 26 June, 2015. <http://helsinki.hu/migracios-panik-a-kormany-szocsove-lett-a-kozmedia>

Besides the government's anti-immigration campaign that was suitable to stimulate xenophobic views and anti-Muslim sentiments, no hate inciting statements against other ethnic or religious minorities were explicitly made by government officials and members of the authorities during the time period in question. However, government officials often used the topic of Roma integration as an excuse why Hungary is not able to accept any "economic migrants". A clear example was the comment of Minister of Justice László Trócsányi, who while attacking the European Union's system of quotas said in Inforádió in May that Hungary was not able to accept any more economic migrants, because the integration of 800,000 Roma already pose huge burden on the country.⁸⁵ Béla Lakatos, mayor of the settlement of Ács and member of Fidesz and the Roma community called Mr Trócsányi's comment unacceptable. In his view Mr Trócsányi's statement did not express the government's commitment towards Roma integration but incites anti-Roma sentiments by suggesting that due to funds spent on Roma integration the country is unable to coop with other challenges and finance other aims.⁸⁶ Opposition parties except Jobbik called Mr. Trócsányi to resign. In response to these calls, the Minister said he "outright rejects" the "outrageous" and "baseless" accusations against him by the opposition parties. Trócsányi said that caring for the Roma population was a priority and a "moral obligation". He also said he was proud that Hungary adopted the European Union's Roma Strategy during its EU presidency.⁸⁷

Regarding the status of LGBTQ people in Hungary, no clear offences were made by leading officials or members of the authorities. Related to the International Day against Homophobia, PM Orbán was asked by journalists about the situation of non-heterosexuals in Hungary. He underlined that Hungary is a traditional but at the same time a tolerant country. He stated that the government would maintain its position that the marriage is preserved for heterosexual couples. He thanked the "Hungarian homosexual community" for not being as provocative as in some of the European countries and stated that the fragile balance shall be maintained: neither the government should push for stricter rules on "homosexuals" nor "the homosexual community" should act more provocative.⁸⁸ A few weeks ahead of the Budapest Pride, Budapest mayor István Tarlós expressed his personal view on the event in a television

⁸⁵ Hungarian justice minister says no to immigrants, because Gypsies already pose huge burden. 22 May, 2015. <http://hungarianfreepress.com/2015/05/22/hungarian-justice-minister-says-no-to-immigrants-because-gypsies-already-pose-huge-burden/>

⁸⁶ A roma polgármesterek számítottak rá, hogy cigányozás lesz a bevándorlózásból. [Roma mayors were prepared that anti-migrant rhetoric would turn into anti-Roma messages]. 22 May, 2015. <http://index.hu/belfold/2015/05/22/lakatos/>

⁸⁷ Hungarian justice minister says no to immigrants, because Gypsies already pose huge burden. 22 May, 2015. <http://hungarianfreepress.com/2015/05/22/hungarian-justice-minister-says-no-to-immigrants-because-gypsies-already-pose-huge-burden/>

Justice Minister under fire from opposition over remarks on migrants and Roma people. 26 May, 2015. <http://hungarytoday.hu/news/justice-minister-fire-opposition-remarks-migrants-roma-people-52965>

⁸⁸ Orbán hálás a homoszexuálisoknak, mert nem provokálnak. [Orbán is thankful to the homosexuals for not provoking]. 18 May, 2015. <http://vs.hu/kozelet/osszes/orban-halas-a-homoszexualisoknak-mert-nem-provokálnak-0518#!s5>

morning program saying that for him the event per se is unnatural and disgusting, and in his view the Pride March does not fit to the historic surroundings of the Andrassy Avenue.⁸⁹

⁸⁹ Tarlós: Visszataszító a Budapest Pride. [Tarlós: Budapest Pride is disgusting]. 4 June, 2015. http://mandiner.hu/cikk/20150604_tarlos_visszataszito_a_budapest_pride

3. Statements made by government representatives, members of the ruling party, and influential politicians against xenophobia and radical nationalism

Due to the government's harsh anti-immigration campaign that has been going on in different waves since the beginning of the year, and because government and Fidesz politicians have deliberately made strong statements against refugees, no statements by government representatives and leading members of the ruling party against xenophobia or radical nationalism were made in the time period in question. On the contrary, due to domestic political reasons presented in the previous chapter, the ruling party and the government have taken a radical position regarding the refugee crisis and all their actions and statements aimed at demonstrating their determined and unconditional opposition to migration. Therefore, government officials and leading Fidesz politicians uniformly and almost without exception used harsh rhetoric against refugees. There has been no deviation from this communications strategy.

A slight difference, however, could be observed in early June, when Zoltán Balog, Minister of Human Capacities, former Calvinist pastor expressed his displeasure with the billboard campaign launched in June. During a lecture in London, Mr Balog admitted that the poster campaign was not his style. However, according to him the duty of social inclusion applied mainly to those who have been living "with us together [in Hungary] for 500 years". As he explained, he referred not only to the Roma but the disadvantaged people in Hungary in general. In his view, immigration was a global problem and Hungary was not ready to integrate people of many different ethnic, religious and political groups.⁹⁰

A symbolic action that might be interpreted as an act against xenophobia and the government's anti-refugee rhetoric was performed by Anikó Lévai, the wife of PM Orbán. Together with leaders of religious charity organizations she delivered donations to refugee children at a preliminary reception centre on 1 July.⁹¹ Taking into account that to this date no assistance (e.g., basic hygienic care services, information etc.) to refugees outside the refugee camps was provided by the Hungarian authorities, Anikó Lévai's action grabbed public attention.

Despite their harsh and simplifying rhetoric that has labelled all asylum seekers as subsistence, economic or illegal immigrants, in case of being criticized for incitement against refugees, Fidesz politicians claimed that while Hungary did not accept economic or illegal immigrants, the country respected international laws and European values, and provided protection and help for refugees and asylum seekers. However, at the same time, Fidesz politicians always added that the vast majority of immigrants arriving to Hungary were not refugees but economic migrants who came to Hungary in search for better economic

⁹⁰ Balog Zoltán elmondta: nem jönnek be neki saját kormánya plakátjai. [Zoltán Balog admitted his own government's billboards are not his style.]. 10 June, 2015. http://index.hu/belfold/2015/06/10/balog_zoltan_elmondta_nem_jonnek_be_neki_sajat_kormanya_plakatjai/

⁹¹ Adományt vitt a menedékkérőknek Lévai Anikó. [Anikó Lévai delivered donations to asylum seekers]. 2 July, 2015. http://mandiner.hu/cikk/20150702_adomanyt_vitt_a_menedekkeroknek_levai_aniko

circumstances. According to Lajos Kósa, deputy chairman of Fidesz, economic migrants can be recognized by the fact that instead of buying a plane ticket, they pay smugglers, which is very expensive. In his view, if those people who pretend to be refugees had honest intention and really sought political asylum, they would come in a straightforward way (e.g., by plane) because they were sure they will be granted the asylum status. Therefore, those who pay smugglers thousands of euros, they know very well that they are not entitled to receive asylum status.⁹² According to another explanation, refugees coming to Hungary were not political refugees but “subsistence immigrants” because they had crossed many safe countries (e.g., Greece, Serbia) before they entered Hungary and their lives had not been in danger anymore.⁹³

In their communications tailored to the international audience, leading state and government officials underlined Hungary’s commitment and duty to protect political asylum seekers and those being prosecuted in their home countries. At the same time, however, they claimed that this right would not apply to economic migrants. After stating that Hungary provides protection for political refugees, President of Hungary and former Fidesz politician János Áder claimed at the beginning of June while in Italy that those who come to Europe only because of economic reasons should rather stay at home.⁹⁴ Speaker of the Parliament stated at the second Summit of Speakers of the Parliamentary Assembly of the Union for the Mediterranean in May that Hungary felt obliged to help those prosecuted. However, according to him one should not confuse this issue with the fact that an unprecedented illegal migration had been going on for years from countries, where people were unsatisfied with economic prospects.⁹⁵

In order to understand the above argumentation correctly, one has to take a look at the statistics about asylum application procedures. According to the 2014 data of the Office of Immigration and Nationality (OIN)⁹⁶, 21 percent of asylum applicants came from Afghanistan, 16 from Syria, 2 from Palestine and 1 from Pakistan and Iraq each. 17,426 people overall, while only 503 applicants were granted any kind of protection altogether. Moreover while in Hungary only 10 percent of the asylum application procedures that had been carried out ended with a positive decision in 2014, the average ratio of recognition in the

⁹² Kósa nem érti, miért nem repülővel, első osztályon jönnek a menekültek. [Kósa does not understand why refugees do not fly first class]. 29 June, 2015. <http://www.origo.hu/itthon/20150629-kosa-nem-erti-miert-nem-repulovel-elso-osztalyon-jonnek-a-menekultek.html>

⁹³ Ismerje meg Rogán Antal és Kósa Lajos csavaros észjárását a menekültekről! [Let us introduce you the crooked reasoning of Antal Rogán and Lajos Kósa about refugees]. 9 June, 2015. <http://www.hir24.hu/belfold/2015/06/09/ismerje-meg-rogan-antal-es-kosa-lajos-csavaros-eszjaras-at-a-menekultekrol/>

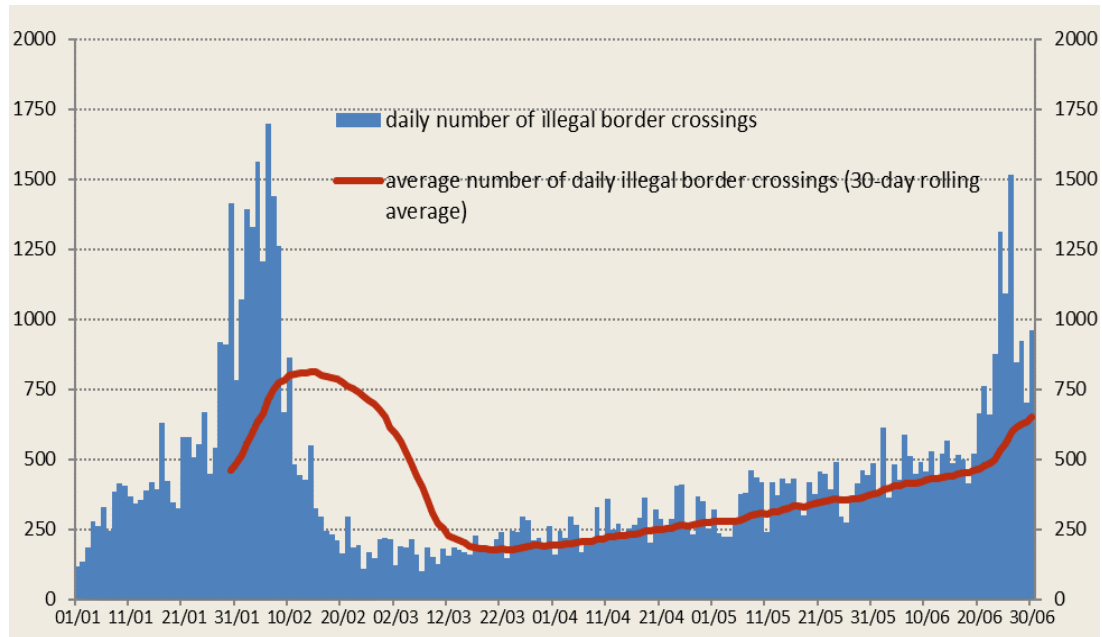
⁹⁴ Áder: Politikai menekültek jöhetnek, gazdasági bevándorlók nem. [Áder: Political refugees are allowed to come, economic immigrants are not]. 4 June, 2015. http://index.hu/belfold/2015/06/04/ader_kulonbseget_kell_tenni_a_bevandorlok_kozott/

⁹⁵ Kövér: Ellenőrizni kell a migrációs útvonalakat. [Kövér: Migration routes shall be controlled]. 11 May, 2015. <http://mno.hu/belfold/kover-ellenorizni-kell-a-migracios-utvonalak-at-1285816>.

⁹⁶ Statistics 2013 - 2014. Office of Immigration and Nationality.

EU28 stood at 45 percent, according to Eurostat data⁹⁷. According to Hungarian statistics, in the first 6 months of 2015 the total number of asylum applicants amounted to 66,788, out of which 35,390 (53%) came from Afghanistan, Syria, Pakistan and Iraq. During this time period, 240 people were granted any kind of protection, out of the 1,977 decisions that was made in the first half of 2015, equalling to a ratio of recognition of 12percent.⁹⁸

1. Figure Illegal border crossings in Hungary, January-June 2015 (Source: police.hu)



Despite the seemingly more moderate messages by state officials and Fidesz politicians, statements against xenophobia and radical nationalism were exclusively made by opposition politicians and representatives of NGOs during the period in question. With the exception of Jobbik all opposition parties condemned the government's anti-refugee rhetoric. During the parliamentary debate on "subsistence immigration" on 20 February, speakers of social democratic party MSZP (Hungarian Socialist Party, *Magyar Szocialista Párt*), co-chairs of the green party LMP (Politics Can be Different, *Lehet más a politika*) and the small green-leftist party PM (Discussion for Hungary, *Párbeszéd Magyarorszáért*) criticised the government's rhetoric. Tamás Harangozó, deputy leader of MSZP's parliamentary group accused Fidesz of using the current wave of immigrants to incite xenophobia and raise fear and suspicion among the public. According to him, Fidesz was using the darkest and lowliest political propaganda and uninhibited manipulation confusing real figures with public fear

⁹⁷ It is to be noted that there is a slight difference regarding the data on Hungary between Hungarian and Eurostat statistics. E.g., while according to OIN the ratio of positive decisions in Hungary stood at 10 percent in 2014, according to Eurostat it stood only at 9 percent. Asylum applicants and first instance decisions on asylum applications: 2014. Eurostat. 19 March, 2015. <http://ec.europa.eu/eurostat/documents/4168041/6742650/KS-QA-15-003-EN-N.pdf/b7786ec9-1ad6-4720-8a1d-430fcfc55018>

⁹⁸ Statisztikák 2014. I. félév - 2015. I. félév [Statistics first half of 2014 – first half of 2015]. Office of Immigration and Nationality. August 8, 2015. http://www.bmbah.hu/images/statisztikak/KIADV%C3%81NYF%C3%9CZET_2014_2015_I_F%C3%89L%C3%89V.xls

based on semi-truths and obvious, crude lies. Co-chair of LMP András Schiffer said that Fidesz deliberately and unscrupulously confused terrorism with immigration. He called for a distinction between asylum seekers, and claimed that immigrants who had settled down in Hungary had better economic activity rates than native Hungarians.⁹⁹ When referring to the government's anti-immigrant rhetoric in January, András Schiffer accused the government of inciting xenophobic hatred in order to gain advantage over Jobbik.¹⁰⁰

Regarding the national consultation, MSZP claimed that the questionnaire was an undercover xenophobic campaign against refugees. According to the party, the campaign incited hatred and, therefore, was degrading to every decent and honest Hungarian. The new party of the former socialist Prime Minister Ferenc Gyurcsány, Democratic Coalition, claimed that Fidesz had created tensions and scapegoats due to the consultation and billboard campaign. The party called the billboard campaign disgraceful and shameful, and distanced itself from the campaign saying that Hungary's strength lied in the country's diversity and Hungary had been strong in times when it accepted foreigners. The party Együtt (Together) called the campaign inflammatory, and accused Fidesz and the government of inciting hatred.¹⁰¹

Besides opposition parties, also Human Rights NGOs, social groups and movements raised their voice against the government's rhetoric. In many cases, their protest was more visible than the reactions of opposition parties. One day ahead of the parliamentary debate on immigration, six NGOs dealing with topics related to migration published an open letter addressing all members of the Parliament. The letter signed by Hungarian HHC, *Menedék* (Asylum) Hungarian Association for Migrants, Migrant Solidarity Group, Artemisszió Foundation, Cordelia Foundation and Terre des Hommes aimed at protesting against the refugee policy of the Hungarian government. The organisations condemned the government's rhetoric labelling asylum seekers as "subsistence immigrants". As the signees explained, the vast majority of asylum seekers were forced to leave their home countries due to difficult life circumstances. The organisations claimed that even though later procedure would prove that some who seek asylum were not entitled to the asylum status, stigmatisation and scapegoating of people in need were unfair, inhuman, socially harmful, and bolster xenophobia.¹⁰²

Hungary's spoof political party, the Hungarian Two-Tailed Dog Party (*Magyar Kétfarkú Kutypárt*, MKKP) protested against the government's billboard campaign in a unique way. Together with the political blog site *Vastagbőr* (Thick Skin), on 8 June MKKP announced to organise a "counter-campaign" to mock the government's anti-immigration

⁹⁹ ⁹⁹ Gyűlölethadjáratot indított a Fidesz a menekültek ellen. [Fidesz launched a hatred campaign against refugees]. 20 February, 2015.

http://index.hu/belfold/2015/02/20/gyulolethadjaratot_inditott_a_fidesz_a_menekultek_ellen/

¹⁰⁰ Schiffer: a Habony-művekben gyártották a menekültellenes panelt. [Schiffer: Xenophobic campaign has been invented by the Habony & Co.]. 25 January, 2015.

http://hvg.hu/itthon/20150125_Schiffer_a_Habonymuvekben_gyartottak_a_m

¹⁰¹ MSZP: hatalmas bukás az idegengyűlölő konzultáció. [MSZP: xenophobic consultation is a total failure]. 6 June, 2015. <http://mno.hu/belfold/mszp-hatalmas-bukas-az-idegengyulolo-konzultacio-1289599>

¹⁰² Hat emberi jogi szervezet tiltakozik a menekültek megbélyegzése ellen. [Six Human Rights NGOs protest against stigmatization of refugees]. 19 February, 2015. http://index.hu/belfold/2015/02/19/hat_emberi_jogi_szervezet_tiltakozik_a_menekultek_megbelyegzese_ellen/

propaganda and offer resistance against government's demagoguery and xenophobic messages. Although MKKP and *Vastagbőr* originally intended to raise 3 million Forints (around 9,500 Euros), within about a week, 33 million Forints (around 105 thousand Euros) have been donated by individuals. Instead of 50 billboards that were planned by MKKP and *Vastagbőr*, altogether 900 billboards appeared on the streets in two waves, with the first starting on July 1.¹⁰³ While there were only 3 versions of the government's billboards, the billboards of MKKP and *Vastagbőr* had 10 different versions.

4. Picture: One of the billboards of the “counter-campaign” of MKKP and Vastagbőr.

Source: mkkp.hu¹⁰⁴



Many of them referred to corruption scandals related to the government (e.g., billboards appeared in the home village of PM Orbán), other referred to unpopular measures of the government (e.g., Sunday closing of retail stores, extension of Paks nuclear plant), many turned the attention to the process of emigration from Hungary in an ironic way (e.g., “Come to Hungary, we’ve got jobs in London”) and many contained anti-xenophobic messages (e.g., “Immigrants do not work and take our jobs”, quote of the legal definition of hate speech, quote from the Bible about acceptance of foreigners etc.).¹⁰⁵

The most active among NGOs was HHC that “has been protesting from the beginning against spuriously raising uproar against asylum seekers, immigrants and foreigners, in general.”¹⁰⁶ According to the organization, the government’s propaganda incited hatred and besides being illegitimate it was absurd from the professional view, too. Among the many critical comments, HHC also condemned PM Orbán’s announcement to close the refugee camp in Debrecen, and accused the PM of inciting xenophobia due to his own personal

¹⁰³ Ellenplakátokra gyűjtünk, adakozz! [We collect money for counter billboards]. 8 June, 2015. <http://vastagbor.atlatszo.hu/2015/06/08/ellenplakatokra-gyujtunk-adakozz/>;

¹⁰⁴ Anti-anti-immigration campaign. July 8, 2015. <http://mkkp.hu/wordpress/>

¹⁰⁵ Fotó: Kikerültek a Kétfarkú Kutya plakátjai. [Pictures: Billboards of the Two-Tailed Dog Party are out]. 1 July, 2015. http://hvg.hu/itthon/20150701_Foto_Kikerultek_a_Ketfarku_Kutya_plakatja

¹⁰⁶ Üres borítékkal tiltakozunk a „nemzeti konzultáció” ellen. [We protest against the „national consultation” with empty envelope]. 14 May, 2015. <http://helsinki.hu/ures-boritekkal-tiltakozunk-a-%E2%80%99Enemzeti-konzultacio%E2%80%99D-ellen>

political interests.¹⁰⁷ A major rally organized by Migrant Solidarity Group against the questions of the national consultation, exclusion and xenophobia took place on 19 May in Budapest. According to the organisers, around 500 hundred people attended the event. Speakers of the rally criticised the government's anti-refugee campaign and called for an inclusive and tolerant Hungary, in which neither refugees nor LGBTQ people need to live in fear.¹⁰⁸

¹⁰⁷ Facebook comment of Hungarian Helsinki Committee posted on 18 May, 2015. <https://www.facebook.com/helsinkibizottsag/photos/a.148536888500904.23887.122159141138679/914870978534154/?type=1&theater>

¹⁰⁸ Az idegengyűlölet ellen tüntettek a fővárosban. [A demonstration against xenophobia was held in Budapest]. 19 May, 2015. http://mandiner.hu/cikk/20150519_az_idegengyulolet_ellen_tuntettek_a_fovarosban

4. Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups during the period

Improvement of migration laws

Even though the first thing the governing party Fidesz asked the government in January was to tighten the laws on refugees, only one single law regarding refugees (Act LXXX of 2007 on Asylum) was amended by the Hungarian Parliament within the first half of 2015. And even this vote took place only on 30 June, and the law took effect on 1 August.¹⁰⁹ According to the modified law, the government is entitled to issue a decree with the national list of countries of origin and third countries that are considered safe by Hungarian authorities. The regulation aimed at easier expulsion of migrants. According to the new law, those asylum seekers, who, on their way to Hungary, crossed a country considered safe by Hungarian authorities would be obliged to prove that they did not have the possibility to apply for asylum in the given transit country. If they fail to do so, their application will be rejected within 30 days.¹¹⁰

In line with the change of European Union laws, the Ministry of Interior prepared a draft to amend Hungarian refugee law already at the end of 2014. The draft went beyond the original goals of the EU to speed up asylum application procedures, and included further measures to tighten the rules. According to HHC, the new procedures would lack essential safeguards that applicants were granted earlier, and, therefore, new rules would be in breach of UN regulations on refugees.¹¹¹ The plan to issue a national list of safe third countries was included in this draft already.

A few weeks after PM Orbán's first anti-immigration statements at the beginning of January, deputy chairman of Fidesz Lajos Kósa called for the Parliament to speed up asylum application procedures and, therefore, provide the legal basis to issue a national list of safe third countries.¹¹²

Fidesz-KDNP parliamentary group proposed various possible legislative measures to tighten refugee laws in order to stop "economic immigrants" from abusing political asylum laws to gain entry to the country, as it was stated by Antal Rogán, chair of Fidesz group in February. Mr Rogán stated that some of the proposed measures were going to cause conflicts with Brussels because "Brussels backs immigration". The group proposed the detention of

¹⁰⁹ The vote on further amendments to migration laws took place on 6 July. All amendments took effect on 1 August.

¹¹⁰ Hamarosan visszafordíthatják a menekülteket Szerbiába. [Refugees can be turned back to Serbia soon]. 30 June, 2015. <http://vs.hu/kozelet/osszes/hamarosan-visszafordithatjak-a-menekulteket-szerbiaba-0630>

¹¹¹ Észrevételek a menekültügyi joganyag módosításának tervezetére. [Comments on the draft amendment of refugee laws]. 30 December, 2014. <http://helsinki.hu/eszrevetelek-a-menekultugyi-joganyag-modositasanak-tervezetere-2014-december>; Magyarország lehet a kitoloncolók országa. [Hungary might be the country of expulsion]. 26 January, 2015. http://hvg.hu/itthon/20150126_Magyarország_lehet_a_kitoloncolok_orszaga

¹¹² A Fidesz azonnal hazaküldené a menekülteket. [Fidesz would immediately send refugees back home]. 25 January, 2015. http://hvg.hu/itthon/20150125_A_Fidesz_azonnal_hazakuldene_a-menekultek

“illegal immigrants” during the asylum application procedure, and after that their immediate expulsion.¹¹³

Besides the topics proposed by Fidesz parliamentary group the National Consultation launched in April included one more policy measure affecting asylum seekers. Question number 10 referred to the possibility that “economic immigrants”, while in Hungary, should provide the costs of their living expenses themselves.¹¹⁴

All the policy proposals mentioned above were later included in the legislative package amending the law on Asylum (Act LXXX of 2007) and the Government Decree on the implementation of the law on Asylum (No. 301/2007 (XI.9.)). The package, as it was mentioned above, was passed by the Parliament on 6 July and took effect on August 1.

In the middle of June Hungary unveiled plans to build a fence along its border with Serbia. As foreign minister Péter Szijjártó announced, the government “has instructed the interior ministry to physically close the border with Serbia”. There was no consultation with the Serbian authorities before the announcement which “surprised and shocked” the Serbian Prime Minister Aleksandar Vucic.¹¹⁵ The fence’s legal framework was provided by the Parliament as part of the package voted upon on 6 July.

In a statement by the interior ministry on 23 June, the Hungarian government announced to indefinitely suspend the application of Dublin III regulation, which requires migrants’ claims to be processed in the EU country they first arrive in. According to the statement of a European commission spokeswoman, Hungary informed member states that the suspension was due to technical reasons and for an uncertain period of time. The Hungarian government justified the decision with the statement “the boat is full”.¹¹⁶ However, on the very next day, the foreign ministry issued a statement saying that the government was not suspending any EU rule, and that it had merely requested a grace period to deal with asylum seekers.¹¹⁷

Authorities’ compliance with such legislation (law enforcement practice) and discriminatory practices against immigrants

¹¹³ Fidesz-KDNP-frakcióülés – Rogán: induljon nemzeti konzultáció a bevándorlásról! [Meeting of Fidesz-KDNP parliamentary group – Rogán: Let us launch a national consultation on immigration]. 6 February, 2015. <http://szegedma.hu/hir/szeged/2015/02/fidesz-kdnp-frakcioules-rogan-induljon-nemzeti-konzultacio-a-bevandorlasrol.html>

¹¹⁴ National Consultation on Immigration and Terrorism. http://www.kormany.hu/download/7/e2/50000/nemzeti_konzultacio_be vandorlas_2015.pdf

¹¹⁵ Hungary orders 100-mile Serbia border fence to keep out migrants. 17 June, 2015. <http://www.telegraph.co.uk/news/worldnews/europe/hungary/11680840/Hungary-orders-100-mile-Serbia-border-fence-to-keep-out-migrants.html>

¹¹⁶ Hungary suspends EU asylum rules. 24 June, 2015. <http://www.euractiv.com/sections/justice-home-affairs/hungary-suspends-application-eu-asylum-rules-315681>

¹¹⁷ Hungary reverses decision over suspension of EU rule on taking back asylum seekers. 24 June, 2015. <http://www.telegraph.co.uk/news/worldnews/europe/hungary/11695376/Hungary-defies-EU-over-migrants-and-suspends-taking-back-asylum-seekers.html>

The increased number of asylum seekers arriving to Hungary within the first six months of 2015 overburdened the Hungarian refugee system and the respective authorities.¹¹⁸ According to the Director General of the Office of Immigration and Nationality Zsuzsanna Végh, the vast majority of illegal border crossers (over or around 90 percent, depending on the time) file an asylum application in Hungary.¹¹⁹ However, 80 percent of them disappeared from the eyes of the authorities, as she stated in February.¹²⁰ According to Hungarian regulations, the authorities have to start a procedure against everyone, who crosses the Hungarian border illegally. Illegal border crossers are detained for 12 hours and it can be extended by another 12 hours. During this time the detainees have a right to food, health inspection and an interpreter. After handed over to the Office of Immigration and Nationality, asylum seekers attend an interview and their biometric data will be recorded. Then, a reception centre will be appointed (in around 90 percent of the cases an open facility) where they have to arrive within 24 hours. According to Zsuzsanna Végh, only a minor ratio of asylum seekers would be detained.¹²¹ As authorities explain the detention of asylum seekers aims at securing the continuous presence of the asylum seeker so that his/her case can be investigated faster. The detention can last up to 30 days but the period can be extended by 6 months.

Reception centres in Hungary were clearly overburdened by the number of asylum seekers in the first half of 2015. As of 30 June, twice as many people (around 4,000 thousand) stayed at reception centres as these centres were planned for. Therefore, officials continuously extended the capacity by plus tents and containers. It also happened, that asylum seekers were accommodated in sport halls.¹²² The situation at reception centres was criticised by the Council of Europe's anti-racism commission, the European Commission against Racism and Intolerance (ECRI) in a report published on 9 June.¹²³ The report writes about bad circumstances, hygienic problems, coarse treatment and insufficient legal assistance in the detention centres. According to ECRI 22 percent of asylum seekers are limited in their personal freedom. The report claims that also families with small children are accommodated at closed reception facilities. According to the report, the decision about the facility a person

¹¹⁸ Number of asylum applications in the first half of 2015: 66,788, number of applications in the whole year of 2014: 42,777.

¹¹⁹ Száztízezerre nőtt a Magyarországra érkező menedékkérők száma. [Number of asylum seekers arriving to Hungary reached one hundred thousand]. 10 August, 2015. http://hvg.hu/itthon/20150810_Szaztizezerre_nott_a_Magyarorszagra_erkez

¹²⁰ Megélhetési bevándorlás - ORFK: Visszaélészerűen alkalmazzák a kérelmezők a menekültügyi eljárást. [Subsistence immigration - Hungarian National Police Headquarters: Applicants misuse the asylum seeking procedure]. 16 February, 2015. <http://www.jogiforum.hu/hirek/33276>

¹²¹ Megélhetési bevándorlás - ORFK: Visszaélészerűen alkalmazzák a kérelmezők a menekültügyi eljárást. [Subsistence immigration - Hungarian National Police Headquarters: Applicants misuse the asylum seeking procedure]. 16 February, 2015. <http://www.jogiforum.hu/hirek/33276>

¹²² A befogadóállomás rosszabb, mint a legtöbb börtön. [Detention centres are worse than most prisons]. 30 June, 2015. <http://vs.hu/kozelet/osszes/a-befogadoallomas-rosszabb-mint-a-legtobb-borton-0630#!s2>

¹²³ Even though the report was prepared following ECRI's visit to Hungary in June 2014, and takes account of developments up to 2014, it is very unlikely that the situation would have been improved due to the increased number of asylum seekers. ECRI Report on Hungary (Fifth monitoring cycle). 9 June, 2015. <https://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Hungary/HUN-CbC-V-2015-19-ENG.pdf>

will be accommodated at made arbitrary. As ECRI writes, physical and verbal aggression happens often at closed reception centres.¹²⁴

After an investigation of the situation in one of the detention centres from January 2015, Commissioner for Fundamental Rights László Székely reported about serious breaches of law and fundamental personal rights of the detainees (e.g., constant surveillance and escort by armed guards, overcrowded rooms despite of enough free space, medical mistreatment, body search of female detainees by male guards etc.).¹²⁵

Clear signs proving that authorities were overwhelmed with the huge number of asylum seekers were media reports on documents and information material, which asylum seekers received from the authorities at preliminary reception centres at the border. Blind maps, train schedules, route descriptions and documents stating that the application was filed by the asylum seeker and appointing the reception centre at which the applicant will be accommodated – all these documents were handed out to refugees in Hungarian language. However, the Ministry of Interior stated upon a media enquiry that the Office of Immigration and Nationality provides information for the asylum seekers either in their native language or in a language that they speak and understand. The ministry further explained that “asylum seekers, after being registered, receive oral information and information material including the train schedule and two kinds of maps both in English and Hungarian (or in a language they know)”.¹²⁶

Regarding discrimination against immigrants, only a few and occasional cases were published in the first half of 2015. A citizen of the town Szeged in Southern Hungary reported in June on a case when a police car rushed with high speed and running sirens towards a group of asylum seekers who had just crossed the border. After the car had stopped, policemen jumped out of it laughing.¹²⁷ A similar picture was painted by a report describing the personal experience of an undercover journalist, who joined a group of asylum seekers and went through the procedures. The report described the behaviour of police and immigration officers as contradictory. According to the journalist, officers used tough Hungarian language to make fun of asylum seekers. However, in their actions they were helpful and fair toward the refugees.¹²⁸

¹²⁴ Európa Tanács: Túlszűfoltak a magyar menekültbefogadó állomások. [European Council: Detention centres in Hungary are overcrowded]. 9 June, 2015. http://mandiner.hu/nyomtatas/20150609_europa_tanacs_tulzsufoltak_a_magyar_menekultbefogado_allomasok

¹²⁵ Vetkőztetés, fegyveres őrök a játszóházban, szívbaj ellen tetűírtás. [Undressing, armed guards in the playing room, lice killing for heart problems]. 22 May, 2015. http://index.hu/belfold/2015/05/22/debrecen_menekulttabor_alapveto_jogok_biztosa_jelentes_beveandorlok/

¹²⁶ Ez a különbség, ha a minisztérium, vagy az önkéntesek tájékoztatják a menekülteket. [This is the difference if the ministry or volunteers provide information for the refugees]. 21 July, 2015. http://index.hu/belfold/2015/07/21/bm_plakat/

¹²⁷ Boldogan aláztak meg menekülteket a rendőrök. [Police officers humiliated asylum seekers with joy]. 27 June, 2015. http://hvg.hu/itthon/20150627_Boldogan_alaztak_meg_menekulteket_a_rendo

¹²⁸ Elfogattam magamat az ásóthalmi úton. [I made myself caught on the street to Ásóthalom]. 17 August, 2015. http://index.hu/belfold/2015/08/17/menekult_tabor_bentrol/

However, reports by the police contradicted such claims. A news piece published on the official website of the Hungarian police quotes asylum seekers stating their good experience with Hungarian officers who respected their human dignity.¹²⁹

In the end of June a series of police raids against refugees took place in Budapest. According to an anonymous police source, the police was ordered to take measures against as many migrants as possible, and look for reasons to sue them for non-compliance. According to a media source, a manual was prepared and handed out to police officers in late March to ensure uniform actions (e.g., in case of missing documents). According to the sources, the measures aimed at easier expulsion of asylum seekers due to the complaint.¹³⁰ This phenomenon is a further indication that the refugee crisis was approached by the Hungarian government as a political issue, and the actions of the authorities were decided upon on the basis of political considerations, taking into account the actual political interest and communications goals of the government.

Social assistance for immigrants

Due to the fact that authorities were overwhelmed by the number of asylum seekers arriving to Hungary on the one hand, and because of the government's efforts to politically exploit the topic of "immigration" instead of taking practical steps to ease the situation on the ground on the other hand, in the first half of 2015 Hungarian authorities mainly failed to provide assistance and information for both Hungarian citizens and asylum seekers, organise the travel of asylum seekers between their point of entry and the reception centres, and increase the capacity of police and immigration officers. With the gradually increasing number of asylum seekers, the situation became more and more chaotic in the country and especially in cities and settlements where asylum seekers had to travel through while on their way to a reception centre. The two main cities, in which asylum seekers appeared in increasing numbers were the biggest city at the Hungarian-Serbian border Szeged and the capital city Budapest where the vast majority of asylum seekers had to change trains in order to get to the reception centres. When the number of asylum seekers entering Hungary on a daily basis started to rise significantly in the middle June, civil groups and individuals started to provide assistance for asylum seekers spontaneously.

¹²⁹ Fokozódó határhelyzet. [Intensifying situation at the border]. 4 February, 2015. <http://www.police.hu/hirek-es-informaciok/legfrissebb-hireink/zsar-magazin/fokozodo-hatarhelyzet>

¹³⁰ Kisokossal a kezükben szállnak rá a rendőrök a menekültekre. [Police officers raids refugees with help of a manual]. 7 July, 2015. http://hvg.hu/itthon/20150707_kisokos_rendor_menekult

5. Picture: Wooden booth of MigSzol Szeged at the train station in Szeged.

Photo by Aurél Iványi. Source: szeged.hu¹³¹



First a local group of Migrant Solidarity Group (MigSzol) was formed in Szeged (26 June)¹³² and then the organisation named Migration Aid was launched on Facebook 29 June¹³³. Both number of the members of their Facebook groups and the number of volunteers providing help on the spot have rose fast¹³⁴ and later further local groups of both organisations have been formed (e.g., MigSzol group Tatabánya-Bicske, MigSzol group Szeged-Budapest, Migration Aid Keleti). These organisations were originally formed to provide basic assistance for asylum seekers (e.g., water, food, clothes, blankets, hygienic care, toys etc.) at train stations because authorities could not meet the needs of asylum seekers. Soon the organisations expanded their activities due to both the shortage of basic services in other areas and additional human resources. Providing information and practical assistance for asylum seekers have become one of the most important scopes of their action. They have been distributing maps, information on train schedule and route description in various languages, providing help with interpreting on the spot or over the phone, accompanying groups of asylum seekers on local public transportation means between the different train stations in Budapest, organising immediate medical treatment if needed etc.

Other informal groups that had existed before and provided different services to social groups in need have also expanded their activities to help asylum seekers. E.g., Food not Bombs and Heti Betevő, which earlier had organised social cooking events for homeless and

¹³¹ Tevékenység ideiglenesen felfüggesztve. [Activity temporarily suspended]. September 26, 2015. <http://szeged.hu/hirek/27626-tevenyseg-ideiglenesen-felfuggesztve.html>

¹³² Csodálatos összefogás kibontakozóban Szegeden. [An amazing alliance is unfolding in Szeged]. 28 June, 2015. http://hvg.hu/itthon/20150628_Csodálatos_osszefogas_kibontakozoban_Szeg

¹³³ „Azonnali cselekvésre van szükség” – a fővárosban is mozdulnak a civilek menekültügyben. [Immediate action is needed – civic groups take actions regarding asylum seekers in Budapest as well]. 30 June, 2015. http://hvg.hu/itthon/20150630_Azonnali_cselekvésre_van_szukség_a_fo

¹³⁴ As of 30 August, the local Szeged group of MigSzol had 2,577 members, while Migration Aid group had 7,007 members on Facebook. MigSzol's Facebook page: <https://www.facebook.com/migszolcsoport>; Migration Aid's Facebook page: <https://www.facebook.com/groups/1602563053360018/>

disadvantaged people, distributed warm food among asylum seekers at main train stations in Budapest.¹³⁵

Formal NGOs have been providing professional assistance focusing on special areas. Social workers of Menedék – Hungarian Association for Migrants, for instance, provided information and psychological assistance for asylum seekers, and identified people with special needs or illness at the preliminary reception centre at the Serbian-Hungarian border and detention centres around the country. According to András Kováts, director of the organisation, the work of Menedék's staff contributed to decrease tensions among asylum seekers who were accommodated in overcrowded spaces under bad circumstances. However, due to the termination of funding by the police, Menedék had to stop its work at the detention centres on 30 June.¹³⁶

Besides its advocacy and watchdog work, HHC also took part in providing assistance for asylum seekers. Due to the organisation's professional focus and knowledge, HHC has been providing legal assistance and information for asylum seekers. The organisation prepared a manual with basic information on the legal framework, terminology, the asylum procedure, and rights and duties of asylum seekers.¹³⁷ Furthermore HHC also provided information on the legal framework and contact data for volunteers who help asylum seekers.

The major official charity organisations such as the Hungarian Charity Service of the Order of Malta, Hungarian Interchurch Aid and Hungarian Baptist Aid did not provide support for refugees by the end of June. According to an article in June, none of the above mentioned organisations were approached by the government to seek assistance. According to a news source, the chair of the Hungarian Charity Service of the Order of Malta explicitly forbid the staff to comment on the Order's humanitarian activities "as long as the situation is that hysterical". The Hungarian Interchurch Aid stated in the same article that at that time they did not provide any aid to refugees coming to Hungary, and they would be able to get active only if the government requested them to do so.¹³⁸ Caritas Hungary, a charity organisation of the Catholic Church provided aid for refugees in the first half of 2015, however, only to a very limited extent.¹³⁹

¹³⁵ Menekülteknek főzött a Food not Bombs. [Food not Bombs cooked for asylum seekers]. 25 June, 2015. <http://www.szeretlekmagyarorszag.hu/menekulteknek-fozott-a-food-not-bombs-budapest/>

¹³⁶ Menedék used to receive funding from law enforcement bodies via grants to employ fifteen social workers, who provided physical and mental aid to asylum seekers at three detention centres across Hungary. Kivonják a menekültállomásokról a Menedék Egyesület munkásait. [Menedék Association removes its staff from detention centres]. 30 June, 2015. http://hvg.hu/itthon/20150630_Kivonjak_a_menekulttaborokbol_a_Menedek_E

¹³⁷ Tájékoztató füzetek menedékkérőknek 10 nyelven. [Information booklet for asylum seekers in 10 languages]. 28 June, 2015. <http://helsinki.hu/tajekoztato-fuzet-menedekkeroknak-2>

¹³⁸ Menekültkrízis: Mire várnak a segélyszervezetek? [Refugee crisis: what are charity organizations waiting for?] 25 June, 2015. http://hvg.hu/itthon/20150625_Menekultkrizis_Mire_varnak_a_segelyszerve

¹³⁹ Caritas Hungary provided aid for the refugee camps in an extent of two trucks on 13 February. In a news piece from 3 September, they stated that in 2015 they provided aid in an extent of four trucks altogether. Adományok a menekülttáboroknak. [Aid for refugee camps]. 15 February, 2015. <http://www.karitasz.hu/aktualis/adomanyok-a-menekulttaboroknak>; A Katolikus Karitásztevékenysége a menekültek érdekében. [Activities of the Catholic Caritas in favour of refugees]. 3 September, 2015. <http://www.magyarokurir.hu/hirek/a-katolikus-karitasz-tevekenysege-menekultugyi-helyzetben>

Negative attitude of the community towards immigrants, foreigners, and various ethnic groups

The majority of the Hungarian public have traditionally negative attitudes towards foreigners and certain ethnic groups. Prejudice is the strongest against the Roma, and its prevalence has been remarkably stable in the past two decades. According to the latest extensive poll conducted in 2011, 82 percent of the Hungarian population thought that “the problems of the Roma would be solved if they started to work at last”, 60 percent agreed with the statement that “the inclination to criminality is in the blood of Gypsies”, and 42 percent considered that “it is only right that there are still pubs, clubs and discos where Gypsies are not let in”¹⁴⁰.

2. Figure Trends in attitudes towards the Roma in Hungary (% of those agreeing with the statements).

Source: TÁRKI

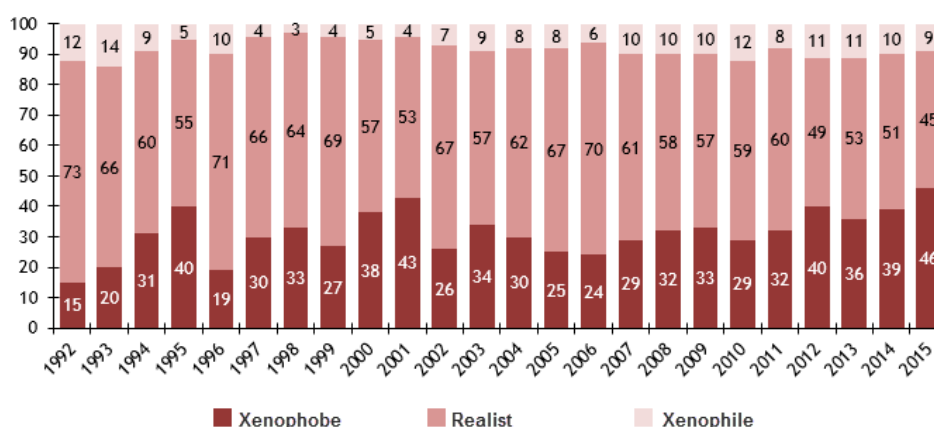
	1994	2002	2008	2011
Positive items				
More social benefits should be given to the Gypsies than the non-Gypsies.	15	12	8	11
All Gypsy children have the right to attend the same classes as non-gypsies.	–	89	86	82
Respect for traditional values is stronger among Gypsies than among non-gypsies.	–	66	66	63
Negative items				
The problems of the Gypsies would be solved if they finally started working.	89	88	78	82
The inclination to criminality is in the blood of Gypsies.	64	53	60	60
It is only right that there are still pubs, clubs and discos where Gypsies are not let in.	46	33	36	42
N	988	1,022	4,040	3,040

Despite the low levels of immigration (especially from culturally distant countries), xenophobia and anti-immigration sentiments are extremely strong in the Hungarian society. In the absence of relevant political discourse and concrete experience with migrant populations, social attitudes about immigration are mainly shaped by three factors: the fear of the Unknown, the abstract image of the immigrants presented by the media, and the increasingly strong anti-immigrant political rhetoric.

¹⁴⁰ Bernát, Anikó, Juhász, Attila, Krekó Péter, and Molnár, Csaba (2012): A radikalizmus és a cigányellenesség gyökerei a szélsőjobboldal szimpatizánsai körben. [The Roots of Radicalism and Anti-Roma Attitudes on the Far Right] In *Társadalmi Riport 2012 [Social Report 2012]*, Tamás Kolosi and István György Tóth (eds.), 355–376. Budapest: TÁRKI.

According to a research conducted by Hungarian polling institute Tárki every year since 1992, openly-admitted xenophobia reached a record high in April 2015.¹⁴¹ At that time 46 percent of the adult population said that asylum seekers should not be allowed to enter Hungary. The rate of those who think that asylum seekers should be admitted or rejected depending on the merits of the case was 45 percent. Only 9 percent of the respondents said that all asylum seekers should be admitted unconditionally. The highest level so far was reported back in 2001 when 43 percent of the respondents were considered xenophobic. In 2012 the ratio of xenophobes started to rise and in 2013 and 2014 the ratio was higher than the average of the 2000s. The highest rejection rate was recorded against Arabs, at 94 percent, followed closely by the Roma minority, the Chinese, Africans and Romanians. The lowest rate of rejection measured was against Hungarians from the neighbouring countries, only 7 percent of the sample rejected them. The survey also measures the negative sentiments against Pirezians, a fictional ethnic group invented by Tárki. The high rejection rate of Pirezians (around 60 percent) shows the general negative attitude of Hungarians towards foreigners.

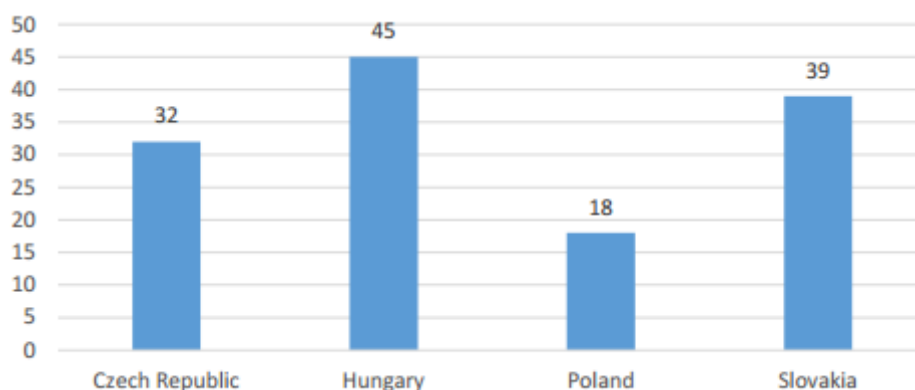
3. Figure Ratio of xenophobes, xenophiles and realists, 1992-2005 (%). Source: TÁRKI



According to Political Capital Institute's Demand for Right-Wing Extremism (DEREX) Index, the ratio of xenophobic voters in Hungary is remarkably high even in regional comparison.

¹⁴¹ Magyarország jobban teljesít: csúcson az idegenellenesek aránya – derül ki a TÁRKI 1992 óta végzett kutatásának legújabb adataiból. [Hungary performs better: ratio of xenophobes on record high – according to the latest results of the research conducted by TÁRKI since 1992]. 5 May, 2015. http://www.tarki.hu/hu/news/2015/kitekint/20150505_idegen.html

4. Figure Ratio of openly xenophobic voters in V4 countries according to Political Capital's DEREX Index (figures from 2012). Source: *dereindex.eu*

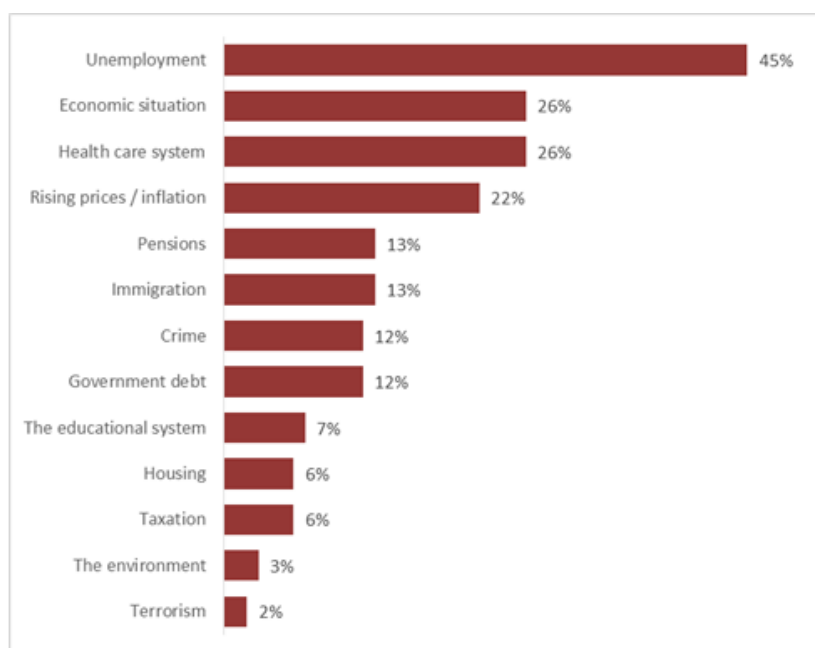


According to a research conducted by Ipsos and Republicon Institute in June and July 2015, 56 percent of the Hungarian population think that immigrants pose a real threat to Hungary and only 16 percent oppose such a statement. Almost two-thirds of the respondents would not allow any immigrants to enter Hungary, while only one-fifth of them think that under the current circumstances Hungary should admit immigrants into the country. Over 20 percent of the respondents claim that the increasing number of refugees causes problems for their or their families' personal life. The data shows that the government's anti-immigrant rhetoric seems to work, at least as far as Fidesz voters are concerned: they have the most negative attitudes towards refugees among the supporters of all parties and they even beat the sympathizers of Jobbik in this regard.¹⁴²

According to Eurobarometer's surveys, the number of those believing that migration to Hungary is an important issue quadrupled between November 2014 and May 2015. While in November 2014 only 3 percent of the population listed immigration as one of the two most important domestic problems, in the Eurobarometer survey conducted in the second half of May 2015 their number already increased to 13 percent. Thus, the importance of immigration has come to equal that of pension benefits, public debt and crime. At the same time, there was no change in respect to the four issues of most concern (unemployment, state of the economy, health care and welfare security, and rising prices and inflation).

¹⁴² A pártok helyzete 2015. Republikon Intézet. 27 August, 2015. http://republikon.hu/media/20993/partok2015_v4.pdf

5. Figure What do you think are the two most important issues facing Hungary at the moment? (max. 2 answers possible, %). Source: *Standard Eurobarometer 83, May 2015*¹⁴³



However, looking at other member states, a 13 percent rate of mentions falls short of a 23 percent average measured in the EU. Moreover, in 12 member states at the national level immigration was deemed to be a greater problem than in Hungary. In other words, the Hungarian data was squarely in the middle of the field. However, Hungarians considered the issue of immigration to be a much larger problem at the European Union level than at the national level. 43 percent believed that migration is one of the two most urgent issues the EU is facing. Even though there is a general tendency among EU member states that immigration is considered to be a more serious problem at the EU level than at the national level, the 30 percentage point difference between opinions regarding the importance of immigration at the national and the EU level in Hungary is significantly high within the EU (it is the second largest gap after Slovakia where the discrepancy is 31 percent). In other words, in May 2015 Hungarians believed that immigration was truly urgent and had to be resolved within the EU, while in Hungary other burning issues should have been on the top of the agenda. According to the survey, 7 out of 10 people expressed negative feelings towards migrants coming from outside the EU. Essentially, this is the same number which had been measured six months earlier.

Research shows that the negative attitudes towards immigrants (and foreigners) is independent from the actual number of refugees entering Hungary or foreigners living in the country. Already in June 2014, well before the huge influx of refugees to Hungary started, 47 percent of the adult population thought that too many migrants arrive from countries outside the European Union, according to Political Capital's research conducted by Ipsos. However,

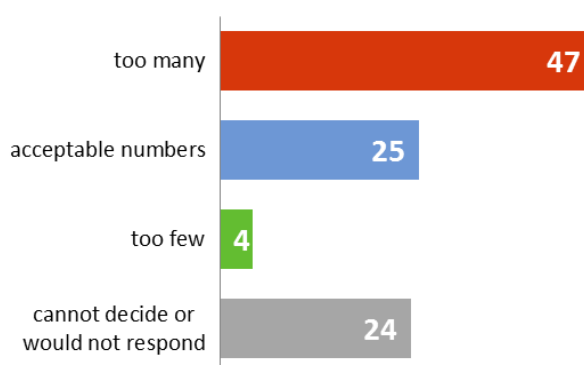
¹⁴³

http://ec.europa.eu/public_opinion/cf/showtable.cfm?keyID=2212&nationID=22,&startdate=2015.05&enddate=2015.05

the significant ratio of non-respondents (24 percent) suggests that a large number of people have never had any personal experience with migrants. At that time (well before the government's anti-immigration campaign), Jobbik sympathizers were the most likely to express intolerant attitudes, with 58 percent saying there were too many migrants. While the absolute majority did not agree with the statement that “the majority of migrants are criminals”, a significant minority, three out of ten respondents, agreed to it, at least to some extent.

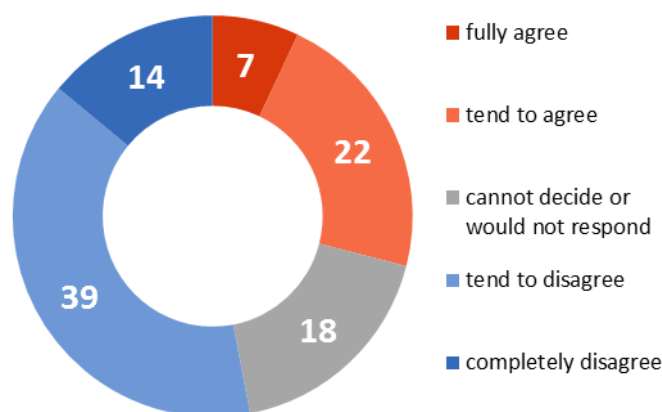
6. Figure In your opinion, how many migrants have entered Hungary from countries outside the European Union? (%).

Source: Ipsos



7. Figure According to some, the majority of migrants are criminals. To what extent do you agree with that statement? (%).

Source: Ipsos



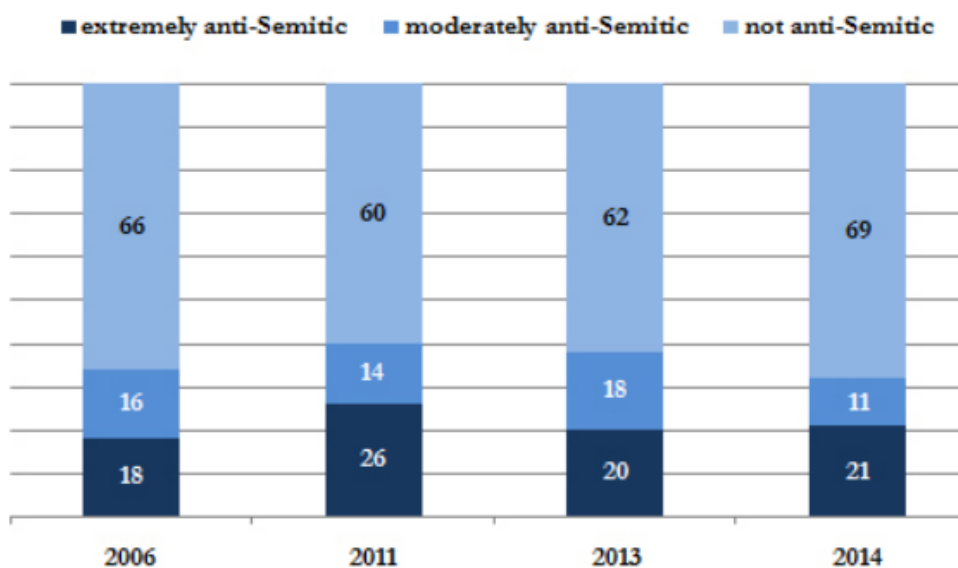
Regarding anti-Semitic sentiments, Hungarian polling institute Medián conducted a public-opinion survey commissioned by the Action and Protection Foundation at the end of 2014.¹⁴⁴

¹⁴⁴ Hann, Endre and Róna, Dániel (2015): Anti-Semitic Prejudice in Contemporary Hungarian Society Research Report. Budapest: Medián, Action and Protection Foundation. http://tev.hu/wp-content/uploads/2014/04/Median_TEV_2014_eng.pdf

According to their findings, the size of groups completely immune to anti-Jewish sentiment and those extremely sensitive to the issue has increased since 2013. According to the study, roughly one-third of the population is characterized by anti-Semitism and one-fifth by strong anti-Jewish attitudes. At the same time, seven out of ten are not anti-Semitic. Between 2006 and 2011 anti-Semitism grew significantly in Hungary and since then it seems to have been decreasing again. Anti-Jewish attitudes are closely related to party preferences. Among Fidesz-KDNP sympathizers the ratio of anti-Semites is above average, while it is below average among those supporting leftist opposition parties (with the slight exception of Együtt-PM supporters). Typically, the incidence of anti-Semitism is exceptionally high among Jobbik supporters. 53 percent of them are strongly and 15 percent moderately anti-Semitic. At the same time, 32 percent of Jobbik supporter are not anti-Semitic, i.e., it cannot be claimed that all followers of the radical party subscribe to anti-Semitic theories. According to the researchers, anti-Semitism is the manifestation of a general xenophobia within the Hungarian society. Data shows that respondents with negative views of other ethnic groups are also more likely to have negative views of Jews.

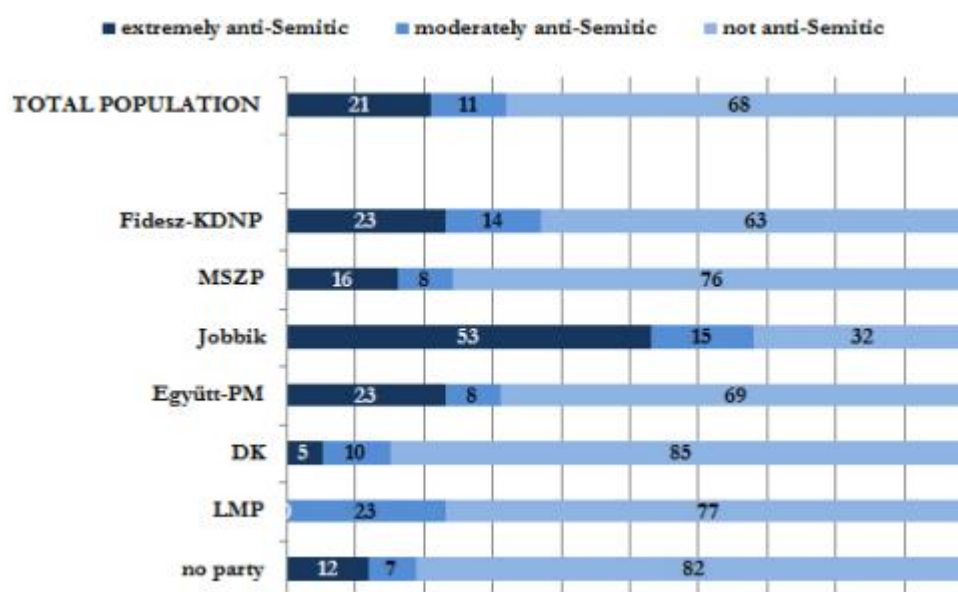
8. Figure Proportion of anti-Semites in Hungarian society, 2006–2014 (%).

Source: Action and Protection Foundation



9. Figure Anti-Semitism and party choices, 2014 (%).

Source: Action and Protection Foundation



5. Hate speech and incitement of religious and ethnic hatred

It is impossible to give full account of all the hate speech and incitement of religious and ethnic hatred. Firstly, as it was mentioned in the chapter titled “Countermeasures against hate crimes: criminal cases against organizers and participants” these hate crimes and incidents are largely unreported. It is especially true for the Roma. While 62 percent of the Roma in Hungary perceived discrimination in the past 12 months, 82 percent of them did not report it to any organization or office¹⁴⁵. Secondly, internet is used extensively to spread prejudiced views, and the comprehensive monitoring of the internet is impossible. And thirdly, governmental statistics are not available about these crimes¹⁴⁶. The only organization monitoring hate-crimes and hate-incidents following a strict, internationally accepted methodology¹⁴⁷, is Action and Protection foundation, already introduced in the above-mentioned part of the paper. Therefore in the following paragraphs only some typical examples could be presented, especially in the case of crimes committed against Roma people.

Right on the first day of 2015, deputy leader of Jobbik Előd Novák made a harsh anti-Roma statement on Facebook pointing out a Roma family because they raise three children and suggesting that Roma are not Hungarians. In response to the first baby born in the country in 2015, apparently because the name of the baby (Péter Rikárdó Rác) struck him as suspiciously Gypsy-sounding, Mr Novák posted a picture of his own family along with a short rant pointing out that Hungarians “also reproduce” and stressing the fact that “Rikárdó’s” mother is 23 and already has three children.¹⁴⁸ He also said that “[t]he number of Hungarians is not only declining catastrophically, we will soon become a minority in our own homeland. When will the day come that they decide to change Hungary’s name? When will we finally deal with what is one of the biggest problems in the country?”¹⁴⁹ In connection with the case, Zoltán Balczó, deputy chairman of Jobbik repeated one of the party’s key anti-Roma messages saying that Roma families have children because of social benefits linked to pregnancy and raising children.¹⁵⁰

¹⁴⁵ FRA (2009) *European Union Minorities and Discrimination Survey (EU-MIDIS). Data in Focus Report 01: Roma*. Luxembourg: Publication Office of the European Union. pp. 4–6.

¹⁴⁶ The European Union Agency for Fundamental Rights (FRA) classified EU countries according to their official data collection mechanisms pertaining hate crime. Hungary was described as a country where few and a narrow range of bias motivations are recorded, and data are usually not published. (FRA (2012) *Making Hate Crime Visible in the European Union: acknowledging victims’ rights*. Luxembourg: Publication Office of the European Union. pp. 7–9.) http://fra.europa.eu/sites/default/files/fra-2012_hate-crime.pdf

¹⁴⁷ Barna, Ildikó (2015): *Anti-Semitic Hate Crimes and Incidents in Hungary 2014. Annual Report*. Budapest: Brussels Institution. pp. 49–52.

¹⁴⁸ Kis családom, nagy családom. [My little family, my big family]. Novák Előd’s Facebook post. 1 January, 2015.

¹⁴⁹ Hungarian ultra-right MP say Romani people are one of the country’s “biggest problem”. 12 February, 2015. <http://www.romea.cz/en/news/hungarian-ultra-right-mp-says-romani-people-are-one-of-the-country-s-biggest-problems>

¹⁵⁰ Néhány gondolat a Rikárdó-hisztéria kapcsán. [A few thoughts related to hysteria about Rikardo]. 12 January, 2015. <https://jobbik.hu/hireink/nehany-gondolat-rikardo-hisztéria-kapcsán>

In May 2015 the city council of Ózd, a middle-sized town in North-East Hungary, decided to purchase cameras not only for the surveillance of public places, but also for keeping an eye on public workers. The public workers' job descriptions was also amended with a passage stating that "a sound, video and photographic recording can be taken at any time ... during working hours"¹⁵¹.

We already gave detailed account on the case in the second chapter, when in May 2015 Hungarian Justice Minister, László Trócsányi attacked the European Union's system of quotas saying that Hungary had trouble taking in economic migrants because the country should take case of "its" Gypsies.

In the following paragraphs anti-Semitic cases will be discussed based on the monitoring activity of Action and Protection Foundation.¹⁵² One of the news sites published an article in January 2015 that cited a Facebook post in which some users discussed how István Tényi, a member of Fidesz's fifth district office expressed his liking of an anti-Semitic picture on Facebook. In December 2014, a caricature of former Prime Minister Ferenc Gyurcsány with an insect-like body wearing the Star of David could be seen on a Budapest public transportation vehicle.

In January Kibic, a popular site with Jewish-related content, published a post in which they described receiving a threatening phone call. An anonymous caller first demanded that caricaturist Gábor Pápai come to the phone. Once the caller found out that he would not be able to reach Pápai on that number, he asked about the caricaturist's origin, and when he did not get a reply, he began insulting Jewish people. Kibic's project manager explained that the caller said Jews had gone too far, and they always play the Holocaust card whenever they are mentioned, while making jokes about Muslims and Christians, instead of playing with their "circumcised dicks". "Bunch of rotten Nazis!" the caller exclaimed. The caller then continued on with his rambling of insults, but Kibic's project manager ended the call. Kibic believes the call was inspired by the terrorist attacks against French satirical weekly newspaper, Charlie Hebdo.

In February 2015 a Hungarian daily summarized in an article the problematic Facebook posts of Jobbik representatives, beside others that of Tibor Ágoston, a Jobbik representative from Debrecen who was then already defendant in a criminal suit. Earlier in February 2015, he shared a post saying that before the attack, the Charlie Hebdo magazine was in the possession of the Rothschilds. He wrote the following comment: "Strange coincidences – you can speculate..." The post reads: "The Charlie Hebdo by mere coincidence got into the hands of the Rothschilds some days before the attack. What a coincidence! A Rothschild-owner behind the Charlie Hebdo; interesting parallels between the Paris attack and the explosion of the World Trade Center." In another post he shared a photo representing Jewish men in arms, with the caption: "This is how they prepare for peace."

¹⁵¹ Ózd town council obtains cameras for recording public workers. 13 May, 2015. <http://www.politics.hu/20150513/ozd-town-council-obtains-cameras-for-recording-public-workers/>

Cameras in Ózd record public work, not workers themselves, says mayor. 16 May, 2015. <http://www.haon.hu/cameras-in-ozd-record-public-work-not-workers-themselves-says-mayor/2834532>

¹⁵² The descriptions of these cases are based on these monthly reports. (<http://tev.hu/en/publikaciok-2/>)

In February the Economy Cabinet of *Fidelitas*¹⁵³ organized an event titled »The cohabitation of Christianity and Islam«, on which occasion Miklós Beer, Bishop of Vác and Sheikh Balázs Mihálffy, shared their opinion on the relation and future of Western and Islamic civilization, religion and culture. Mihálffy made several statements which offended not only Hungarian Jewry, but also the state of Israel and Ilan Mor, Ambassador of the state of Israel in Hungary. In Mihálffy's opinion, the Jihadist ISIS is in fact the work of the CIA and Israel, and ISIS consists of hired actors or agents of Mossad, Israel's national secret service. The Economy Cabinet of *Fidelitas* issued a statement about the event some days later: "The Economy Cabinet of Fidelitas organized [the] evening aiming at a friendly discussion that tried to reveal the relations of the two religions and cultures, the connection points of Western and Eastern civilization, the ways of understanding and respecting each other, and the possibilities of peaceful cohabitation. The Cabinet distances itself from the statement of Sheikh Balázs Mihálffy.

In 15 March 2015 during a Fidesz remembrance¹⁵⁴, a female journalist (presumably Italian) was interviewing participants. A group of three, approximately 60-year-old women were the main subject of the video. After a few minutes, a man of about 60–65 years of age addressed the reporter from the background, calling her a "damned Jew", and when the woman went further away the man followed her and also called her a "slut".

In March 2015 the rock band *Tankcsapda* (Tank-trap) posted a photograph to its Facebook page, announcing four new concert stops on their tour this year. For June they had planned a concert in Israeli city Tel-Aviv. Later the rock music magazine Hammer World also wrote about it. Following this a very popular internet site reported that among comments added below the photographs posted by the band and the magazine, there were also some extremely anti-Jewish and some anti-Israeli comments. There are some examples of these, all verbatim quotes: "Palestinian children have died thanks to Israel :([i.e.: sad smiley]", "You will be the disgrace of Hungarian rock if you go visit the people with hooked noses!!!!", "[...] it is not my habit to run away from a couple of fugitives from the ovens! :D [i.e.: laughing smiley] I prefer to chase them myself, it is fun to see after they shoot off their big mouths, how they run like rats! :D [i.e.: laughing smiley]", "Go ahead keep licking the ass of the Jews [sic] it is exactly what you deserve!", "Keep sucking each other's circumcised dicks [sic], idiots! People just get a good laugh out of you guys."

As part of the protests initiated by people who disagreed to the erection of the German occupation monument on Szabadság Square, a set of objects, stones, documents were placed near the monument which, under the name of *Living monument*, were intended to assist true commemoration. In April 2015, Előd Novák, deputy-chairman of the Jobbik shared on his Facebook page the letter he wrote to Minister of the Interior, writing that: "what the »protesters« collected there is in fact an illegal pile of trash. Stones, pieces of wood, suitcases, waste paper, there is everything. Some people call this collection of junk and personal objects »Living Monument«. This, in my view, is unacceptable even if terrible things had happened with the family of some of the protesters, since the law applies to everybody." He questioned

¹⁵³ The youth organization of Fidesz.

¹⁵⁴ The 15th of March is a national Holiday in Hungary commemorating the Hungarian Revolution of 1848–49, which grew into a war of independence from Habsburg rule.

the Minister asking: does the government support the creation of “living monuments”? “Really, what are the legal criteria for using junk for these establishments?” Then he went on with guessing: “Can it be demolition debris too? Maybe this is the one and only “living monument” they will not take action against, but they will for any other illegal political pile of trash? If so, in what way this one is an exception? Due to the origin or political views of those who created this junk yard? What is to be expected for those patriotic Hungarian citizens who perhaps wish to deposit their trash in front of public statues commemorating another dictatorship?”

In May 2015 a 62 year-old man Jew-baited and threatened to shoot two men speaking Hebrew. One of the two men, an Israeli consul who is fluent in Hungarian, asked the man to stop but he threatened them again. The police officer arriving on the scene took the elderly man into custody; the consul pressed charges. The Budapest Police Crime Detention Department initiated proceedings against the perpetrator for reasonable suspicion on violence against a member of a community. The perpetrator has the right to defend himself on parole.

In May 2015 the Pázmány Péter Catholic University announced that they have created a course called “The Holocaust and its memory”, which will be obligatory for all students to attend beginning in September 2015. Many news portals reported on this. In many cases under the articles anti-Semitic and anti-Israeli comments appeared. There are some example of these, all verbatim quotes: “There is nothing more important than this, a 628 commemorations per year and listening to that all Hungarians are accomplices are not enough, we need an OBLIGATORY course as well! Well done Pázmány! No, not...” “And if a teacher denies completion of the course... is that Holocaust denial?” “I hope the course will detail how many Palestinians were killed!” “I am not sure whether the honourable decision makers realize that anti-Semitism has been growing since the Holocaust is rammed down people's throats and there are numerous commemorations around the year... It was a terrible thing indeed, but on one side, from a historical aspect, it was not at all more important than any other tragedies of mankind (like the Armenian genocide, the killing of Native Americans, the victims of the communist regime, unfortunately there has been plenty ...)”

In May 2015 this year's Fonogram Awards, one of the most important music award in Hungary were given out. Young G, a reality show celebrity having a music career also, posted a video on Facebook that showed him speculating about how one could win the Fonogram Awards. His post, edited once after publishing, said the followings: “I would like to hereby congratulate to fonogram's »winners«! Who knows how one can convert to Judaism???? [new line] Such a vicious circle.... [new line] Good day” (Verbatim quote)

Calls for ethnic and religious hatred in mass media, mass communication, and graffiti

The biggest mass TV channels do not call for ethnic and religious hatred. However, one smaller need to be mentioned: Echo TV. In 2014 their share¹⁵⁵ in the overall population was

¹⁵⁵ Share/SHR%: Proportion of individuals viewing a specific programme or day part compared to the total number of individuals watching TV during the same time interval.

0.24 percent, 17 percent less than in 2013¹⁵⁶. Echo TV was founded in 2005 originally to cover business news, but later it became the most far-right TV channel in Hungary. Many broadcasters of Echo TV are known for their extreme anti-Gypsy, anti-Semitic attitudes. The most known ones are Zsolt Bayer working also for a right-wing daily newspaper (*Magyar Hírlap*), Ferenc Szaniszló who was even fined for his extreme anti-Gypsy and anti-Semitic statements, and Sándor Pörzse, who was the editor-in-chief of the extreme right weekly *Barikád* (Barricade), the founder of the Hungarian Guard¹⁵⁷ and in the period of 2010–2014 the MP of Jobbik.

There are many internet sites propagating racist, anti-Gypsy, anti-Semitic, extreme right content, but there is one which need to be mentioned: kuruc.info¹⁵⁸, the leading news site of the far-right. Its self-definition is: “unrestrictedly Hungarian”. The web-page, after some other endeavours, was started in 2006, and nowadays the number of its daily readers is around 100,000. Most of the articles on kuruc.info openly expresses hate, anti-Gypsy, anti-Semitic and xenophobic prejudices. Not only do contents on the Kuruc.info news portal damage the dignity of Hungarian ethnic minorities, but they also violate several laws concerning privacy rights and other laws regulating different forms of hate speech¹⁵⁹.

Action and Protection Foundation has been making all efforts to combat Kuruc.info by all means. Bringing offenders to justice has proved challenging because the server hosting the webpage is located in the United States of America. In July 2013 the Foundation in cooperation with the New York-based Anti-Defamation League managed to have the Facebook page of kuruc.info deleted for constantly violating the policies of the social networking site. The web-page had 72,000 followers¹⁶⁰.

In January 2014 the Prosecutor General asked kuruc.info to deny access to one of the articles on their website. Action and Protection Foundation filed charges in July 2013 for denying the genocide of Jews in the Holocaust under the Nazi regime. It was an article published on kuruc.info in July 2013 titled “Dismissal letters, salary statements, precise data management – “unorthodox” documents from Auschwitz” that constituted the crime of Holocaust denial. Given the fact that the police could track down neither the author of the article, nor the person who posted it, the Office of the Prosecutor General of Budapest

¹⁵⁶ Csatornanézettség – 2014: A 49 legnézettebb hazai tévéadó [Channel viewing – 2014: The 49 most viewed Hungarian TV channel]. 22 February, 2015. <http://sorozatwiki.hu/news.php?readmore=89230>

¹⁵⁷ The Hungarian Guard (*Magyar Gárda*) was founded in 2007. It was “the biggest hate group in Hungary, its branches operated in almost every county. Its founders were well-known extreme right publicists and politicians. [...] The hate group played a significant role in introducing racist expressions such as »gypsy crime« to the Hungarian vocabulary. This expression was based on the assumption that the members of the Hungarian Roma community are criminals because of their origins.” The Hungarian Guard also played a pivotal role in the success of Jobbik. “In 2009 the law suit of the Hungarian Guard was closed. The Budapest Regional Court, in its legally binding decision, dissolved the Hungarian Guard Traditionalist and Cultural Association and the related movement for violating Act II of 1989 on the Right of Association. The ruling was approved by the Supreme Court in the same year. In response to this, the members of the organization announced the formation of the »New Hungarian Guard Movement«”. (<http://www.athenainstitute.eu/en/map/olvas/30#read>)

¹⁵⁸ The kuruc were the armed anti-Habsburg rebels in the end of the 17th and the beginning of the 18th century. On the far-right side the word is used to denote Hungarian national radicals.

¹⁵⁹ Barna, Ildikó (2015): *Anti-Semitic Hate Crimes and Incidents in Hungary 2014. Annual Report*. Budapest: Brussels Institution. p. 14.

¹⁶⁰ Ibid. p. 14.

requested that the court order the article to be rendered temporarily inaccessible. The court ruled at first instance that the article be rendered inaccessible, and granted the U.S.-based web hosting service one business day to render the article permanently inaccessible, and to delete it from its archives. If the U.S.-based web hosting service does not follow through with the ruling by the deadline specified, the Ministry of Foreign Affairs may request judicial assistance from the U.S. authorities. If this action were not to produce the desired results, the National Media and Info-communications Authority will call on all of Hungary's internet service providers to block the article guilty of Holocaust denial. In a statement put out in January 2015, the Hungarian Civil Liberties Union (HCLU)¹⁶¹ offered judicial assistance free of charge to the author of the article on kuruc.info, as well as the website's editors. The explanation behind the offer was that the HCLU "disputes both the criminal aspects of Holocaust denial, and the constitutionality of regulations permitting the blocking of online content. [...] Blocking online content – with the exception of blocking child pornography – provides the state with powerful and disproportionate tools restricting the freedom of speech to silence opinions that the state itself, or the majority does not support." The kuruc.info editorial board indicated on the same day that it will turn down the offer.

It was mentioned earlier that in January 2015 the kuruc.info portal published the article "An uncomfortable list: the children »immediately gassed as they arrived to Auschwitz« were very much alive at their »liberation«". In February 2015, the Foundation filed a complaint for public denial of the crimes of the Nazi regime against unknown offender.

The Action and Protection Foundation continuously working also on the termination of the kuruc.info portal. Because the server of kuruc.info is in the United States of America, the foundation initiated a civil lawsuit for the termination in the United States. Dániel Bodnár, the Chairman of the Board of Trustees, presented the process in an interview in March 2015: "the data regarding who registered the kuruc.info domain is public. But who manages the page, who is the actual owner, who pays the server service, can only be known as a result of a judicial process. In the first round, we launched a civil lawsuit against kuruc.info. During the civil proceeding we asked many questions, among other things that the authors of the hate articles we gathered in the pleading be revealed, and in respect of which – in the case of the identification of the perpetrators – the prosecution would be continued in Hungary. This pleading, accepted by the court of San Francisco, was the one that started the amok of supposedly mentally ill Béla Varga, who registered the kuruc.info domain. As a result of the pleading, he sent death threats to our lawyers and to the staff of Fox and Rothschild office, who even filed a criminal complaint. As a result, Béla Varga was arrested. Four days later he was released on bail. The bail was three hundred thousand dollars, given the fact that he was arrested on charges of terrorist threat, which is taken very seriously in the United States. Varga then committed all the crimes he could have committed in a situation like this. Now he is wanted for bail crimes as well because he did not pay back the bail amount to the bondsmen, and failed to appear for the following hearings. Charges emerged in connection with his residential status in the United States as well. We think Béla Varga is located on a small island in Canada. The extradition procedure is ongoing, of which about half had

¹⁶¹ The Hungarian Civil Liberties Union (*TASZ, Társaság a Szabadságjogokért*) is a non-profit human right watchdog NGO.

passed.” Béla Varga had been summoned to court in the case of the identification of kuruc.info news portal’s authors and editors as well, but he did not appear in court in connection with this case either. Cloudfare, the service provider server company, announced its co-operation with the authorities on the matter.

In May 2015 the Prosecutor's Office of Budapest District 5 and 8 called for the final block of the subpage titled “Holokamu” (Holohoax) on kuruc.info for public denial of the crimes committed by the Nazi regime. The page in question has been available since January 2014 and it collects articles and texts that deny the Holocaust ever having occurred, doubt it, trivialize it, or attempt to justify it. Action and Protection Foundation pressed charges against the subpage in September 2014. An investigation into the case was ordered, but suspended with a decision in December 2014, claiming that no perpetrator could be identified. The decision received by TEV also detailed that the competent Police Department called for the Prosecutor's Office to make offending contents temporarily inaccessible. In June the competent local court in Budapest found the plea of the prosecutor grounded, and ordered to make this sub-page permanently inaccessible.

It is also impossible to report of all graffitis in Hungary which incite religious and ethnic hatred, but here are some examples.

It was reported in January 2015 that two separate swastikas can be seen in Debrecen, the second largest city in Hungary. Beneath the swastika, the runic insignia of the Schutzstaffel was clearly visible.

**6. Picture: Swastika and the runic insignia of the Schutzstaffel in Debrecen.
Source: Action and Protection Foundation.**



A private individual posted a photograph to his Facebook page in March 2015, showing the side wall of the entrance to the Belvárosi Theatre. An unidentified offender drew a small swastika onto the wall. The swastika was wiped off within a few days.

The March of the Living Foundation posted photographs it had received by e-mail to its Facebook page in March 2015, showing a public bench to be found in an open space in Buda Castle. An unidentified individual had written the following words across the bench: “Thieving broker Jews! To the gas chambers with you!”

In May, Tolerance group posted an image on their Facebook profile showing the schedule board of night bus No. 968 at the Kőbánya-Kispest public transport hub. An unknown culprit scribbled a swastika on the schedule board.

Also In May, Forum against anti-Semitism posted images on their Facebook profile showing photos of hanged Stars of David. The photos were taken at Budapest’s most central underground station, Deák Square.

7. Picture: Hanged Star of David at Budapest’s most central underground station.

Source: Forum against anti-Semitism.



Presence and popularity of the “national rock” in Hungary

In Hungary the so-called national rock is closely connected to the far right ideology. This bands consist of at least three types. “There are those bands that specifically call their art national rock [...], and those that follow a more mellow line, referred to [...] as bands with sentimental national (or patriotic) rock. Both styles differ slightly from those extremist national rock known as national socialist, or ns-music bands [...]”¹⁶² Although they differ in many aspects, the distinct differentiation, especially between the hard-core and softer national rock bands, can be difficult, since their concerts often visited by the same followers (however each band has its hard-core fans), and sometimes they also perform together. The performers of national rock music try to avoid their music being directly identified with skinhead and Oi! music or Nazi rock music, and the reverse is also often the case. “In national rock, the lyrics,

¹⁶² Kürti, László (2012): “Twenty Years After: Rock Music and National Rock in Hungary.” *Regional Studies of Russia, Eastern Europe, and Central Asia* 1, 1: 93–129. p. 96.

context, and message are more important than the music itself.”¹⁶³ The central elements in their texts are the nation and the enemy. The nation is above everything else, the past with all its committed sins (e.g. the anti-Semitic politics in the interwar period in the Horthy regime, the Holocaust) is heroic, and the remembrance of and the bitterness over Trianon tainted with strong irredentist and revisionist emotions plays a very important role. However, in the lyrics of national rock bands the enemy itself is almost never mentioned explicitly, only referred to in a way that everybody understand it. It is one of the main difference between national rock and ns-music bands. The latter do not really use such “coding” for the enemies, but openly anti-Semitic, anti-Roma and xenophobic.¹⁶⁴

The national rock bands in Hungary are very active. They all have internet sites and some of them also has Facebook profile. Since the Facebook deleted some of their FB pages, they use their own webpages more extensively. Interviews with and advertisements about them are also published by the known sites of the far right (e.g. alfahir.hu, kuruc.info). They frequently have concerts, often in pubs and clubs, and they have considerable number of fans. There are also annual events, mostly in the summer (e.g. Hungarian Island (*Magyar Sziget*), EMI-camp (*EMI tabor*), EMI standing for the abbreviation of United Hungarian Youth (*Egyesült Magyar Ifjúság*)), where the most popular ones perform. Their names are often a clear reference to their ideology: *Ismerős Arcok* (Familiar Faces), *Kárpátia*¹⁶⁵, *Depresszió* (Depression), *Romantikus Erőszak* (Romantic Rape), *Magozott Cseresznye* (Cherry without Pits), *Hungarica*, *Lord*, *Szkitia*¹⁶⁶. These events are often organized by extreme right groups. Some of the bands are even asked to play on the events and demonstrations organized by the Jobbik, and this has also played a pivotal role in their increasing popularity.¹⁶⁷ One of the most important annual event is the Jobbik *Majális*¹⁶⁸.¹⁶⁹ The Foundation of Jobbik financially supported some of them as well.

Some of the national rock bands are also acceptable for the Fidesz¹⁷⁰ and the Prime Minister. The 4th June is the so-called Day of National Unity in Hungary, commemorating

¹⁶³ Ibid. p. 97.

¹⁶⁴ A náci rock fogyasztói élmény lett [The nazi rock became a consumer experience]. 23 May, 2013. <http://444.hu/2013/05/23/naci-pop/>

¹⁶⁵ Named after the Carpathian Mountains.

¹⁶⁶ Named after the Scythians. They were Eurasian nomads. There are legends about the Hungarians’ Scythian origin. Moreover Hungarians were sometimes called Scythians by other surrounding group, because of their similarity.

¹⁶⁷ A náci rock fogyasztói élmény lett [The nazi rock became a consumer experience]. 23 May, 2013. <http://444.hu/2013/05/23/naci-pop/>

¹⁶⁸ Majális is a traditional 1st of May picnic.

¹⁶⁹ It is very interesting to note, that in the early years of 2005-2006, when Jobbik followed Nazi ideology much more openly, also some NS bands (like *Egészséges Fejbőr* (Healthy Skinhead, but in the Hungarian name Skinhead is translated into Hungarian, as *Fejbőr*), *Oi-kor* (Once, but in Hungarian they use the catchword of the skinheads Oi, because of the same pronunciation) were invited, but later, when Jobbik started to soften its image, they were not *comme il faut* for the party anymore.

¹⁷⁰ *Ismerős Arcok* performed in a Fidesz campaign event, just before the parliamentary election in 2010. It seemed that Jobbik took it as a betrayal, but finally their connection remained.

the anniversary of the signing of the Treaty of Trianon¹⁷¹. In 2015 Victor Orban to commemorate this day posted a song on his Facebook page from *Eleven arcok*, which regularly participates in the events of the far-right Jobbik Party.¹⁷²

¹⁷¹ The Treaty of Trianon is the peace agreement between the Allies of World War I and Hungary to formally end the war. It was signed in 1920 in Versailles in the Grand Trianon Palace. According to the Treaty Hungary lost 72 percent of its territory and 64 percent of its population, including 3,425,000 ethnic Hungarians.

¹⁷² Mindeközben június 4-én. [Meanwhile on the 4th of June]. 4 June, 2015. http://index.hu/mindekozben/poszt/2015/06/04/orban_viktor_egy_olyan_nemzeti_rockegyuttes_szamaval_emlek_ezik_trianonra_amelyik_2007_ota_minden_jobbik-majalison_fellepett/

6. Radical nationalist groups and parties

Presence of neo-Nazi and ultranationalist groups, movements, political parties (both in the centre and in the localities), discriminatory demands in their programmes and in the statements of their leaders towards the minorities.

By the beginning of 2015, far-right party Jobbik had become the second largest party and largest opposition party in Hungary.¹⁷³ The increase in Jobbik's support has mainly been a consequence of three phenomena: the increasing dissatisfaction with the government's performance; the non-existence of a potent opposition force within the democratic camp; and the rebranding strategy of Jobbik. The so-called "campaign of cuteness" started already in 2013. Since that time, Jobbik applied a completely new image affecting both the physical appearance of the party's politicians and their rhetoric. While before 2013 the party was known for its harsh, anti-Semitic and openly racist statements, nowadays Jobbik focuses on sending positive messages. Instead of hate inciting comments, the party's leading politicians concentrate on solving the people's problem and fight corruption both within the governing party Fidesz and the second largest opposition party MSZP. The aim of the new strategy is to attract more moderate voters, persuade them that they have nothing to fear of Jobbik and make the party Fidesz's main challenger in the 2018 general elections. In the framework of the new strategy, Gábor Vona talked about the importance of peace and calm in the society and promised the voters fairness, empathy and understanding in his "state of the union" speech in February¹⁷⁴. Later he announced the policy of opening to the West in order to settle relations with Germany and the US. According to Mr Vona the core of the party's "rebranding" strategy is as follows: *"Firm and strict programme on the one hand, calm and smooth tone on the other hand."*¹⁷⁵

A proof of the successful strategy was the by-election in Tapolca in April 2015, where Jobbik won its first individual constituency seat in the Hungarian Parliament. After the elections Mr Vona said in an interview that the party would go further on the path to become a people's party and, while preserving its values. Jobbik would do politics in a calm and professional way and in a "civic" tone in order to reach the broadest audience.¹⁷⁶

However, not everyone in the party is happy about the modest image and the manoeuvre into the political centre. In an interview Mr Vona admitted that there were some question marks regarding the new style and the process of becoming a people's party within

¹⁷³ In January 2015, support for Jobbik stood at 12-15 percent (depending on the polling institution, while Fidesz's support stood at 23-30 percent and MSZP's support at 11 percent. A year earlier support for Jobbik stood at only 6-10 percent.

¹⁷⁴ Itt elolvashatja Vona Gábor teljes beszédét. [Here you can read the entire speech of Gábor Vona]. 1 February, 2015. <http://alfahir.hu/itt-elolvashatja-vona-gabor-teljes-beszedet>

¹⁷⁵ Nyugat felé fordulna a Jobbik. [Jobbik would turn towards the West]. 28 March, 2015. <http://mno.hu/magyar-nemzet/belfoldi-hirei/nyugat-fele-fordulna-a-jobbik-1279301>

¹⁷⁶ Nix Orbán Viktor, nix Fidesz – Vona Gábor Tapolca után a Mandinernek. [Naught Orbán, naught Fidesz – Gábor Vona spoke with Mandiner after Tapolca]. 13 April, 2015. http://mandiner.hu/cikk/20150413_nix_orban_viktor_nix_fidesz_vona_gabor_tapolca_utan_a_mandinernek_inte_rju

the membership.¹⁷⁷ Indeed, while on the national level and in the party's mainstream communications most leading politicians restrained from openly racist and anti-Semitic statements, members particularly on the local level could not but act "naturally" in accordance with their conviction.

As we already mentioned in the chapter about hate speech and incitement of religious and ethnic hatred, on 1 January 2015, deputy leader of Jobbik Előd Novák posted a photo of the family on Facebook next to the photo of his own family of five, and made strong anti-Roma statements. The post unleashed support from other Jobbik member and supporters, but was harshly criticized as racist by both the governing and opposition parties. Minister of Prime Minister's Office János Lázár labelled Novák a "cowardly criminal" for stigmatizing a new-born baby on the basis of ethnicity and said that it is the responsibility of the state to protect all children against discrimination.

Ahead of the by-elections in Tapolca many cases were revealed where either Jobbik politicians made racist or anti-Semitic statements or admitted that the modest image is only a facade. In February earlier Facebook posts of János Kötél, a Jobbik candidate for the council of a town in Southeast Hungary Mezőtúr were discovered.

8. Picture: János Kötél's post on Facebook from 2013.

Source: index.hu¹⁷⁸



Back in 2013 Mr Kötél posted about the execution of Roma people.¹⁷⁹ Vona tried to distance Jobbik from these views, and forced Kötél to live with a Roma member of the party for three

¹⁷⁷ Nyugat felé fordulna a Jobbik. [Jobbik would turn towards the West]. 28 March, 2015. http://mno.hu/magyar_nemzet_belfoldi_hirei/nyugat-fele-fordulna-a-jobbik-1279301

¹⁷⁸ Cigányok megöléséről posztoltat a Jobbik mezőtúri jelöltje. [Jobbik candidate in Mezőtúr posts about the execution of Roma]. February 7, 2015.

http://index.hu/belfold/2015/02/07/ciganyok_megoleserol_posztolat_a_jobbik_mezoturi_jeloltje/

days. However media reports revealed later that the Roma man in question had some anti-Semitic posts on his Facebook wall as well. Shortly after, one of Jobbik members of a local council in Budapest caused public outrage when he refused to pay tribute to the recently-deceased Chief Rabbi of Hungary, József Schweitzer, mentioned earlier.¹⁸⁰ A few days later, anti-Roma posts from the Facebook wall of Jobbik's candidate in the Tapolca by-elections were discovered. One of the posts, for instance, praised an article which described Roma as "biological weapon of the Jews".¹⁸¹ In March, Jobbik Member of Parliament Gergely Kulcsár's anti-Semitic act from 2011 was leaked. In 2011 Mr Kulcsár desecrated the Holocaust memorial "Shoes on the Bank of the Danube" in Budapest by spitting into one of the shoes. As reaction Mr Vona sent Mr Kulcsár back to the scene to pay his tribute.¹⁸² Still in March an audio tape was released on which Tamás Sneider, the Jobbik deputy president of Parliament can be heard telling his audience that consisted of members of the extremist paramilitary group Outlaws' Army (*Betyársereg*)¹⁸³ that the cuteness campaign is not real and the party has not changed. They only had to temper their message so that they do not scare away the more moderate voters, especially pensioners. However, Outlaws' Army can carry on delivering the real message of Jobbik since the two groups (plus Jobbik's proxy organisation, the Sixty-Four Counties Youth Movement, SCYM) complement each other on the basis of a division of labour.¹⁸⁴

Besides anti-Roma and anti-Semitic statements from earlier, explicitly discriminatory demands from the first half of 2015 prove that the party has not changed in its nature. They have just learned to better wrap their messages up. Jobbik continues to score via law and order policy, social populism, anti-elite and anti-poor (including anti-Roma) measures. In January, as it was mentioned earlier in the chapter "Discriminatory legislation and practices affecting minorities", Jobbik insisted that disruptive kids should be put into special classes and in extreme cases into a boarding school. However, Jobbik MP Dóra Dúró serving also as

¹⁷⁹ Cigányok megöléséről posztolgat a Jobbik mezőtúri jelöltje. [Jobbik candidate in Mezőtúr posts about the execution of Roma]. 7 February, 2015.

¹⁸⁰ Lemondásra szólították fel a jobbikos Benke Lászlót. [Jobbik's member László Benke was called upon to step down]. 12 February, 2015.
http://index.hu/belfold/2015/02/12/lemondasra_szojitottak_fel_a_jobbikos_benke_laszlot/

¹⁸¹ Vona Gábor tapolcai jelöltje: a cigányság a zsidók biológiai fegyvere. [The candidate of Gábor Vona in Tapolca: Roma are the biological weapon of the Jews]. 14 February, 2015.
http://ketosmerce.blog.hu/2015/02/14/vona_gabornak_igaza_van_beszajunk_rig_lajosrol

¹⁸² Virágot vitt a Duna-partra a jobbikos, aki beleköpött a Cipő-emlékműbe. [The jobbik member, who had spat in shoe memorial brought a flower to the banks of the Danube]. 20 March, 2015.
<http://www.atv.hu/belfold/20150320-viragot-vitt-a-duna-partra-a-jobbikos-aki-belekopott-a-cipo-emlekmube>

¹⁸³ The Outlaws' Army (*Betyársereg*) was founded in 2008. The hate group emerged from the periphery of the more influential extremist groups (Guards Movement, Sixty-four Counties Youth Movement). The founders' explicit goal with the group is to establish an "elite unit" that only those can join who have absolute ideological commitment and are in great form physically. The group's ideology is based on racism, anti-Semitism, homophobia, chauvinism and Hungarianism. The members of the group explicitly define themselves as outlaws and they romanticise violence." (<http://www.athenainstitute.eu/en/map/olvas/33#read>) For more on the organization see later in this chapter.

¹⁸⁴ Campaign strategies against Jobbik: Tapolca-Ajka. 23 March, 2015.
<http://hungarianspectrum.org/2015/03/23/campaign-strategies-against-jobbik-tapolca-ajka/>

a Chairperson of the Parliamentary Committee on Education and Culture, tried to wrap up the party's message, but it was clear that it was about segregation of Roma pupils.

In his state of the union speech in February Gábor Vona listed a few topics that are of importance for Jobbik and for which the party will stand up. For instance, he mentioned the possibility to limit the right of suffrage to those who terminated elementary school; to limit the number of children in families to a certain number that can be raised by the respective parents themselves; to make social benefits available only via a „social card” that can only be purchased in a chain of „social stores”; the duty of the minority to stick to the norms of the majority instead of the majority accepting the difference of the culture of a minority; possible curfew against repeated infringers.¹⁸⁵

Regarding the erupting refugee crisis, Jobbik's position has been similar to Fidesz's: instead of asylum seekers the far-right party has been talking about economic immigrants, threatening with the perishing of Christian Europe, and identifying refugees with criminals and terrorists.¹⁸⁶ Therefore, Jobbik has been insisting on a harsh stance against refugees by closing the borders, deploying the army, creating an individual border patrol, turning the open refugee camps into closed facilities and speeding up asylum procedures.¹⁸⁷ A month before the government's consultation on immigration and terrorism started, Jobbik had launched a petition campaign in favour of the reestablishment of the border guard and to oppose that the state defrays the cost of taking care of the refugees.¹⁸⁸

Beyond the party landscape there are two major far-right organisations in Hungary, each has close ties to Jobbik. The Sixty-Four Counties Youth Movement¹⁸⁹ (SCYM) was found in 2001 by László Toroczkai, current mayor of the village of Ásotthalom in South Hungary. Current leaders of the movement are György Gyula Zagyva, former Jobbik MP and Gábor

¹⁸⁵ Itt elolvashatja Vona Gábor teljes beszédét. [Here you can read the entire speech of Gábor Vona]. 1 February, 2015. http://alfahir.hu/itt_elolvashatja_vona_gabor_teljes_beszedet

¹⁸⁶ Jobbik MP Dániel Z. Kárpát admitted during the debate on the refugee crisis in the Parliament that it is a real challenge to overtake Fidesz from the right. Gyűlölethadjáratot indított a Fidesz a menekültek ellen. [Fidesz launched a hatred campaign against refugees]. 20 February, 2015. http://index.hu/belfold/2015/02/20/gyulolethadjaratot_inditott_a_fidesz_a_menekultek_ellen/

¹⁸⁷ Ezt is megértük: a Fidesz radikálisabb, mint a Jobbik. [Finally we have seen: Fidesz is more radical than Jobbik]. January 12, 2015. <http://24.hu/belfold/2015/01/12/ezt-is-megertuk-a-fidesz-radikalissabb-mint-a-jobbik/>; A Jobbik a menekültcunami megállítását követeli. [Jobbik demands to stop the tsunami of refugees]. 31 January, 2015. <http://mno.hu/ahirtvhirei/a-jobbik-a-menekultcunami-megallitasat-koveteli-1270586>

¹⁸⁸ Önálló határőrséget, és az állam ne vállalja magára a gazdasági menekültek eltartását! [We demand an independent border guard and that the state does not defray the costs of taking care of the refugees.] 11 March, 2015. <https://jobbik.hu/hireink/egyertert-e-azzal-hogy-magyarorszagot-veszelyeztet-bevandorlas-visszaszoritasa-erdekeben>

¹⁸⁹ While there is no official data on the number of SCYM's members, according to László Toroczkai, SCYM has almost 1000 members. „Ajánlja fel adója 1%-át, és mi akár robbantunk is Ön helyett”. [Offer 1% of your income tax and we even explode a bomb instead of you]. 9 March, 2015. http://vigyazo.blog.hu/2015/03/09/_ajanlja_fel_adoja_1_-at_es_mi_akar_robbantunk_is_on_helyett. As of 13 September, 2015 the movement's Facebook page had 11,248 followers. SCYM's Facebook page. <https://hu-hu.facebook.com/HVIM.64>. According to a list on SCYM's website, the organization has 53 local branches in Hungary and the neighbouring countries (plus one in France). Our branches. <http://www.hvim.hu/szervezeteink>

Barcsa T. The organisation's name is a tribute to "Greater Hungary"¹⁹⁰ that consisted of 64 counties. The movement advocates revision of the Trianon Treaty and reestablishment of "Greater Hungary" in order to re-unite all ethnic Hungarians living in the neighbouring countries. The movement is mainly active on the local level (not only in Hungary but also in the parts of Slovakia, Romania, Serbia and Ukraine where ethnic Hungarians live) and unofficially functions as the radical wing of the party. Their main activity is to advocate stricter measures on the local level against those who do not stick to the rules (e.g., criminals and those who do not care about order and purity in a settlement; by these terms far-right groups always refer to Roma and only focus on Roma perpetrators and "Gypsy crime"). Furthermore they organise demonstrations and other activities (e.g., petition campaign) to spread anti-Roma, anti-Semitic and nationalist messages (e.g., marches commemorating "heroic acts" of German and Hungarian soldiers during WWII), and organise summer camps, sport activities and paramilitary training for the youth. They are visible at the national level only at certain occasions (e.g., yearly march commemorating the Trianon Treaty in June, march against a possible participation of Hungary in the war in Ukraine in February). In the first half of 2015 the movement did not undertake any major activities either against minorities or refugees. The movement turned to the topic of refugees only from May on, even though Mr Toroczkai's village, Ásotthalom, which is situated at the border to Serbia, has been one of settlements that have been affected by the influx of refugees the most. However, their first major action against refugees was a demonstration in Budapest that took place only on July 10. Further actions took place later during the second half of the year.

Another paramilitary organisation that is even more radical and extreme than SCYM is the Outlaws' Army, which poses a real threat to Hungary's domestic security. It is an openly racist organisation, which does not accept Roma as members and whose members believe in white supremacy¹⁹¹. Outlaws' Army was founded in 2008 by László Toroczkai. Current leader of the Outlaws is Zsolt Tyirityán, who earlier served a prison sentence for grievous bodily injury committed with racist motive. According to Mr Tyirityán, Outlaws' Army has about 200 members, including former officers of the security forces (e.g., former officers of the police, army and intelligence agencies and mercenaries). Many members of the organisation have close ties to the underworld as well. In 2009, Mr Tyirityán called upon the members for doing military trainings, practice the use of weapons and prepare for guerrilla warfare.¹⁹² Practically, Outlaws' Army functions as an arbitrary security force whose services might be purchased upon online request in any settlement, in which inhabitants are not satisfied with public security. The Outlaws aim to re-establish public security through

¹⁹⁰ The term "Greater Hungary" refers to Hungary as it existed before the Trianon Peace Treaty, described before.

¹⁹¹ According to the principles of David Lane, an American neo-nazi, who advocates the survival of the white race, Outlaws' Army supported a "radical nationalist" conference on demographics in February. Among the speakers of the conference was Előd Novák, deputy chairman of Jobbik and László Toroczkai. „Biztosítanunk kell fajunk fennmaradását, és fehér gyermekek jövőjét.” [“We have to ensure the survival of our race and the future of white children”]. 25 February, 2015. <http://betyarsereg.hu/biztositanunk-kell-fajunk-fennmaradasat-es-feher-gyermekek-jovojet/>

¹⁹² „Ajánlja fel adója 1%-át, és mi akár robbantunk is Ön helyett”. [Offer 1% of your income tax and we even explode a bomb instead of you]. 9 March, 2015. http://vigyazo.blog.hu/2015/03/09/_ajanlja_fel_adoja_1_-at_es_mi_akar_robbantunk_is_on_helyett

intimidation rather than the use of force or violence.¹⁹³ Jobbik and Outlaws' Army sealed a cooperation agreement in 2009. However, according to Tyirityán, the cooperation is limited to mutual support and participation in each other's events. According to Jobbik's chair Gábor Vona, there is no formal connection between Jobbik and Outlaws' Army. He suggested, however, that there are informal ties and friendly relations between the members of the two organisations.¹⁹⁴ There are a lot of personal ties between and even dual memberships in Outlaws' Army and SCYM.

According to their website, Outlaws' Army took part in seven deployments across Hungary during the first half of 2015. All the activities targeted Roma. The action, which generated the biggest echo, was a deployment in Szúcs, a village in North Hungary.

9. Picture: Group picture of Outlaws' Army members in Szúcs.

Source: betyarsereg.hu



According to the Human Rights dogwatch NGO TASZ (Hungarian Civil Liberties Union), 30 members of Outlaws' Army went to the village upon the request of a local landowner who accused one resident of stealing wood from his forest. However, an investigative report revealed that Outlaws' Army was involved in a conflict between two local families. Besides living in the settlement for 3 months and showing general presence, they also regularly patrolled the village, made photos of Roma inhabitants, and threatened and insulted them.¹⁹⁵ Just as SCYM, also Outlaws' Army did not devote interest to the refugee crisis during the

¹⁹³ Náci vagyok, vállalom! Vona meg a barátom. [I admit to being a nazi and Vona is my friend]. 15 June, 2015. http://index.hu/belfold/2015/06/15/naci_vagyok_vallalom_vona_meg_a_baratom/

¹⁹⁴ "Független, büszke és élhető Magyarországot szeretnék!" – interjú Vona Gáborral. [„I want an independent, proud and viable Hungary” – interview with Gábor Vona]. 6 January, 2015. <http://betyarsereg.hu/fuggetlen-buske-es-elheto-magyarorszagot-szeretnek-interju-vona-gaborral/>

¹⁹⁵ Majd akkor szóljanak, ha már folyik a vér. [Inform us only when there blood has spilled]. 14 May, 2015. http://index.hu/belfold/2015/05/14/betyarsereg_szucson/

first half of 2015. They became active against refugees only in the beginning of July, when they visited Ásotthalom and the surrounding territories at the border to hunt refugees (the action failed).¹⁹⁶

A third organisation, which has to be mentioned, is the New Hungarian Guard, a successor of the infamous Hungarian Guard, which was founded in 2007 as an unofficial paramilitary wing of Jobbik. A few weeks after the Hungarian Guard had been dissolved by the Court in 2009, the New Hungarian Guard was formed. While the original Guard had a significant role in putting the term “Gypsy crime” on the top of the political agenda in Hungary during the years before 2010 (this term was the main reason that catapulted Jobbik into the European Parliament in 2009 and in the Hungarian Parliament in 2010), the New Guard hardly plays any role and has lost its significance. During the first half of 2015 the New Hungarian Guard was mainly occupied with organising sports days, securing events, renovating memorials, providing donations etc.

The influence of neo-Nazis and radical nationalists over the local and central legislative/executive bodies.

Activities on the local level have been one of the key factors of Jobbik’s increasing support since 2006-2007 and it is still one of Jobbik’s “comparative advantages” that the party is well enrooted in some regions of Hungary. The party tactically picks up topics from the local level and brings them into the public discourse on the national level. They are desperately searching for local news connected mainly to Roma but also to other minorities in order to use them for their political purposes. They are mainly interested in crimes committed by assumingly Roma perpetrators against non-Roma and if they find one, they create a hate campaign out of it on both the local and the national level.

Even though Jobbik has become the second most popular party, its presence and influence vary among the municipalities. After the local elections in October 2014, the mayoral candidates of Jobbik won in 14 settlements, including 5 towns such as Devecser, Ózd, Tapolca, Tiszavasvári and Törökszentmiklós, and 9 small settlements such as Ásotthalom, Bánokszentgyörgy, Gasztony, Hencida, Kosd, Mátraballa, Monorierdő, Recsk and Tuzsér. In further 10 settlements independent mayoral candidates (partially) supported by Jobbik won the elections (Békésszentandrás, Csökmő, Érpatak, Gyöngyössolymos, Jéke, Kemenessömjén, Lovászhetény, Martonfa, Rakamaz and Szabolcsbáka). Despite the rebranding campaign on the national level, the membership of the party still stands on the ground of far-right ideology. Therefore, on the local level the party focuses on law and order policies that discriminates against minorities and socially deprived. Main topics in the settlements led by Jobbik are public security, social policy, education, employment (public works) and housing policy. In all these fields policy measures proposed by Jobbik aim at segregating members of the Roma minority with reference to their cultural differences, behaviour schemes and alleged breaches of law.

¹⁹⁶ Berágott Toroczkaira a Betyársereg a menekültvadászat miatt. [Outlaws’ Army was offended by Toroczkai at pursuing refugees]. 13 July, 2015. http://index.hu/belfold/2015/07/13/beragott_a_betyarsereg_toroczkaira/

The local policy of Jobbik and other far-right players is based on stricter rules, administrative burdens and intimidation of residents who do not fit to the standards and are not “useful” for the community (mainly members of minority and disadvantaged groups are meant by that). In the rhetoric of the far-right, minorities and socially disadvantaged people are presented as scapegoats who are responsible for the problems of the settlement due to their criminal actions and untidy way of life. Discriminative local policies can be understood the most at the examples of Ózd, a former industry town in Northeast Hungary led by a young Jobbik mayor Gábor Janiczak, and Érpatak, a village in East Hungary led by the independent far-right mayor Mihály Zoltán Orosz.

According to the election programme of Gábor Janiczak, he is intended to do anything so that people who cannot integrate, want to leave the city voluntarily. In order not to miss the point, he added that in his view it is the solution to the “Gypsy question”.¹⁹⁷ Mr Janiczak often makes racist statements: in a debate on local television he talked about the over reproduction of Roma.¹⁹⁸

One of Jobbik’s key issues on the local level is the low level of public security, which, according to their explanation, was the consequence of “Gypsy crime”. Therefore, the party’s main policy proposal is the establishment of municipal security forces, in addition to the presence of regular police forces and civil guards. The city of Ózd established in February a mounted city guard that actually lacks any rights. They are only entitled to inform the police if they witness any irregularities.¹⁹⁹ The local security force of Ásotthalom, the so called Field Guard focused their activity on intercepting refugees and handing them over to the police.

Secondly, Jobbik aims at introducing social policy measures that discriminate against disadvantaged people (mainly Roma and the poor). Based on welfare chauvinism and prejudices of the mainstream society, Jobbik proposes amendments to universal social services to limit them on the basis of ethnicity. In Ózd stricter rules for social housing were introduced.²⁰⁰ An extract from a judicial record is now a prerequisite for applicants and the mayor received broader rights to appoint the lessees. Also the system of community contribution to housing costs became stricter in the first half of 2015. According to the mayor, main goal of the amendments is to discourage those who might consider applying for allowance and make them to leave the city. While the mayor’s aim was to cut social services

¹⁹⁷ Lovasrendőrök rohamától félnek az ózdi cigányok. [Roma in Ózd are scared of the seizure of mounted police]. 17 November, 2014. <http://abcug.hu/vagy-szint-valasztjuk-vagy-kenyeret/>

¹⁹⁸ Szerződésben engedélyezték a közmunkások megalázását. [Degradation of public workers was allowed due to an agreement]. 13 May, 2015. <http://nol.hu/belfold/ozd-meglesi-kozmunkasait-1533725>; "A magyar kultúrkörbe az ő társadalmuk életvitele nem tud beleilleni" – Janiczak Dávid cigányügyi vitája a helyi tévében. ["The way of life in their society does not fit to the Hungarian culture" – The debate of Gábor Janiczak on Roma on the local television]. 3 June, 2015. <http://nemzeti.net/a-magyar-kulturkorbe-az-o-tarsadalmuk-eltvitele-nem-tud-beleilleni-janiczak-david-ciganyugyi-vitaja-a-helyi-teveben-3139413.html>

¹⁹⁹ Lovas járőrök cirkálnak Ózdon, de Janiczak börtönt is építene a romatelep mellé. [Mounted police is patrolling Ózd but Janiczak is willing to build a prison next to the Roma settlement]. 1 February, 2015. <http://magyararancs.hu/kismagyarorszag/lovas-jarorok-cirkalnak-ozdon-de-janiczak-bortont-is-epitene-a-roma-telep-melle-93561>

²⁰⁰ Ózdon nincs kisebbségi kérdés: lakás csak erkölcsi bizonyítvánnyal. [There is no minority question in Ózd: flat only with an extract from a judicial record]. 6 May, 2015. <http://alfahir.hu/ozdon-nincs-kisebbségi-kerdes-lakas-csak-erkolcsi-bizonyitvannyal>

and, therefore, the opportunities to live of social benefits and exploit the social services, in reality the amendments only negatively affected the livelihoods of the poor.²⁰¹

Thirdly, Jobbik opposes integration in schools both at the national and local level. In a debate on the local television Mr Janiczak spoke out for the segregation of Roma children in schools due to their allegedly worse performance.²⁰²

Fourthly, Jobbik is generally against measures that aim to foster social inclusion of Roma either through education or cultural means. In February 2015, the local Jobbik branch of the town Heves launched a petition campaign against a Multifunctional Methodology, Education and Cultural Centre for Roma for which the town received funding from the EU. According to the local government, the centre would create jobs for Roma residents of the town. Jobbik, however, opposed the building of the centre that they called “Gypsy tent” and demanded that the money should be rather spent on creating new jobs and tackling unemployment. The collection of signatures started in May.²⁰³ The same sample, a harsh campaign against a Roma Cultural Centre was used by Jobbik ahead of the local elections in 2014 in Ózd as well. This campaign prepared the basis for Jobbik to take over the town.

Another, already mentioned example of humiliation of and exerting total control over the vulnerable (including the poor and Roma) was the announcement of Ózd’s mayor to keep the public workers under surveillance in order to increase the effectivity of their work and filter out idlers due to pedagogic reasons. Without the prior consent to surveillance, public workers do not get a job.²⁰⁴

Érpatak’s mayor, Mihály Zoltán Orosz has been ruling the village since 2009 and has become famous for his public security model, which he thinks could be exemplary for the whole country. He caught media attention many times by inviting far-right militarist groups to official events, making racist, anti-Semite and homophobic statements, humiliating the poor and public workers. According to the description of the watchdog NGO and online newspaper for investigative journalism Átlátszó, “the »model of Érpatak« is based on »changing blood-criminals behaviour« by strict laws, constant control and denying social benefits in case of not »standing in the line«”.²⁰⁵ The system can be described by the terms order, discipline and control. The mayor divides the residents into “builders” and “destroyers”; supporters and opponents of his model. A recent Dutch documentary about the Érpatak model portrays Mr

²⁰¹ Túl jól spórol? Viszlát, segély! [You are too good at saving money? Say farewell to social allowance!]. 2 June, 2015. http://index.hu/belfold/2015/06/02/ozd_segely_jobbik_szocialis_raszorulo/

²⁰² Szerződésben engedélyezték a közmunkások megalázását. [Degradation of public workers was allowed due to an agreement]. May 13, 2015. <http://nol.hu/belfold/ozd-meglesi-kozmunkasait-1533725>; "A magyar kultúrkörbe az ő társadalmuk életvitele nem tud beleilleni" – Janiczak Dávid cigányügyi vitája a helyi tévében. ["The way of life in their society does not fit to the Hungarian culture" – The debate of Gábor Janiczak on Roma on the local television]. 3 June, 2015. <http://nemzeti.net/a-magyar-kulturkorbe-az-o-tarsadalmuk-eltvitele-nem-tud-beleilleni-janiczak-david-ciganyugyi-vitaja-a-helyi-teveben-3139413.html>

²⁰³ Megkezdődött az aláírásgyűjtés a hevesi cigánysátor ügyében. [The petition against the Gypsy tent in Heves has just started]. 4 May, 2015. http://alfahir.hu/megkezdodott_az_alairasgyujtes_a_hevesi_ciganysator_ugyeben

²⁰⁴ Érpatak után itt az ózdi modell. [After Érpatak, here comes the model of Ózd]. 14 May, 2015. http://hvg.hu/velemenynyuzsog/20150514_Erpatak_utan_itt_az_ozdi_model

²⁰⁵ Érpatak: Radical mayor tries to set an iconic public security model. 12 May, 2012. <http://atlatszo.hu/2012/05/12/erpatak-radical-mayor-tries-to-set-an-iconic-public-security-model/>

Orosz's system as an "anti-liberal" social model focused on the "worship of order".²⁰⁶ The mayor's practice has become a role model for settlements suffering from deep poverty and serious criminality and it made him quite popular on the far-right. Mr Orosz organises conferences, publishes videos and articles on the village's website to spread his practices. Even the mayor of Ózd, Gábor Janiczak visited Érpatak in March 2015 to learn from Mr Orosz.²⁰⁷

Érpatak received huge media interest in April 2015 when Mr Orosz published a video on the village's website. The part 33 of the video series "Model of Érpatak in the practice" showed a poor and old male resident apologising by the mayor for his offending words from earlier. The video pictures a man who humbles himself before the mayor, apologizes many times and praises Mr Orosz.²⁰⁸ The video earned a lot of criticism. One of the critics, a journalist posted on Facebook that it came to his mind to go to Érpatak and make Mr Orosz apologize for the video in a similar way. The mayor overreacted the criticism and called for the police, the Chief Prosecutor and the Minister of Interior to demand protection. At the same time, Mr Orosz called for the support of Outlaws' Army to defend the village and himself.²⁰⁹

In May an article announced that Mr Orosz might be heard by the National Investigation Office for committing incitement against a community in August 2014 when he publicly executed the puppets of Israeli Prime Minister Benjamin Netanyahu and former President Shimon Peres describing Israel as "the Jewish terror state" that is trying to "obliterate the Palestinians," and opposing the efforts of Freemason Jews to rule the world."²¹⁰ However, no further report on the process was later published.

Törökszentmiklós, a Jobbik-led town in the Eastern part of Hungary shows a different picture than the far-right strongholds Ózd and Érpatak. Even though Jobbik took over the town in 2014, the new leadership has not started a completely new era (as it was the case for instance in Ózd) and carries on with projects started earlier by the previous leadership (e.g., development of the Roma settlement). Leader of the local Jobbik branch Attila Révai deliberately use the term "poverty problem" instead of "Roma question". The term "Gypsy crime" does not pop up at all. The mayor Imre Markót is not a member of Jobbik and he feels uncomfortable about the "old mentality" of Jobbik. The new direction of turning into a

²⁰⁶ The Érpatak model. Benny Brunner. 2015. Netherlands. <http://www.visionsdureel.ch/en/festival/programme/film/f/the-erpatak-model/>

²⁰⁷ A 100%-os rend Érpatak stratégiája és a jövő záloga. [The 100% order is the strategy of Érpatak and key for the future]. 3 March, 2015. http://alfahir.hu/a_100_os_rend_erpatak_strategiaja_es_a_jovo_zaloga

²⁰⁸ Így fogadja a bocsánatkérést az érpataki polgármester. [This is how the mayor of Érpatak accept apologies]. 23 April, 2015. http://mandiner.hu/cikk/20150423_igy_fogadja_a_bocsanatkereest_az_erpataki_polgarmester

²⁰⁹ Orosz Mihály Zoltán üzenete: "Gratulálok én is a bátor kiállások miatt...". [The message of Mihály Zoltán Orosz: "Congratulations for your brave commitments"]. 29 April, 2015. <http://betyarsereg.hu/orosz-mihaly-zoltan-uzenete-gratulalok-en-is-a-bator-kiallasotok-miatt/>

²¹⁰ Uszítással gyanúsítják az érpataki polgármestert. [The mayor of Érpatak is accused of incitement]. 17 May, 2015. <http://nepszava.hu/cikk/1057471-uszitassal-gyanusitjak-az-erpataki-polgarmestert>; A medieval macabre show: Hungarian Jobbik member symbolically hangs Israeli leaders. 5 August, 2014. <http://hungarianspectrum.org/2014/08/05/a-medieval-macabre-show-hungarian-jobbik-member-symbolically-hangs-israeli-leaders/>

people's party fits him much more. According to him, the municipality focuses on supporting the Roma who has the chance to break out. The town provides them with training opportunities rather than money. As Mr Markót puts it, Roma policy should not come at the expense at the mainstream society.²¹¹

Due to the domestic political situation, on the left side of the political spectrum there seems to be no force that could challenge Fidesz either in the short or middle run. For many who are not satisfied with the government's performance, Jobbik seems to be the only potent and credible opposition force. However, instead of treating Jobbik as a major opponent, Fidesz has mainly been trying to ignore Jobbik on the surface but at the same time attract their voters by incorporating Jobbik's policies into governmental action. Therefore, Jobbik has had a significant influence on the government and the legislature. As Political Capital Institute presented in one of its analyses on the Hungarian far-right, since 2010 the government has implemented several measures that were originally part of Jobbik's program.²¹² There are far too many fields where the rhetoric of Fidesz and Jobbik, as well as the policies they propose converge to regard such similarities purely as accidental. While the rivalry between Fidesz and Jobbik and the adaption of Jobbik's rhetoric by Fidesz were most visible in the topic of the refugee crisis during the first half of 2015, there has been a lot of other issues, in which the position of the two parties have been very similar, almost identical. For instance, it was Jobbik that first advocated the diminishing Hungary's role in WWII, proposed the policy of 'Eastern Opening' and stronger ties with illiberal and authoritarian regimes, called for discriminative legislation against multinational companies, closer relations to Russia, reintroduction of the death penalty, elimination of the separation of church and state, termination of the private pension system and nationalizations in the financial sector and the public utility sector.

Regarding the time period in question, the influence of Jobbik on the government was the most visible in the topic of the refugee crisis. As presented above, both the anti-immigration rhetoric and the policy measures proposed by Fidesz were very similar to the argumentation and policy solutions of the far-right party (e.g., referring to refugees as economic immigrants, linking refugees with terrorism and diseases, closure of refugee camps etc.). Even the idea of the border fence has come from a significant member the far-right scene, László Toroczkai, the mayor of Ásotthalom.²¹³ Concerning the government's harsh campaign against "economic immigrants" it is most probably aimed at stealing the topic from Jobbik and prevent the far-right party from setting the tone for the topic and dominating the discourse.

²¹¹ Szelíd arc importból - Hogyan kormányoz a Jobbik Törökszentmiklóson? [A gentle guy from imports – How Jobbik governs Törökszentmiklós?]. 16 July, 2015. <http://magyarnarancs.hu/kismagyarorszag/szelid-arc-importbol-95740>

²¹² Jobbik's policy proposals realized by Fidesz: A summary in 10 points. 15 May, 2015. http://www.riskandforecast.com/post/hungary/jobik-s-policy-proposals-realized-by-fidesz-a-summary-in-10-points_818.html

²¹³ Kerítést építene a határon Toroczkai. [Toroczkai would build a fence at the border]. 23 January, 2015. <http://www.origo.hu/itthon/20150122-keritest-epitene-a-hataron-toroczkai.html>

7. Public actions of extremists and radical nationalists including “football xenophobia” and racism amongst sports fans

In recent years great attention has been paid to cease racism and violence in the stadiums. The FARE (Football against Racism in Europe) group, set up in 1989 became especially active in the Eastern European Region in recent year. The “Eastern European Development Project” of FARE, launched in 2009, has been focused exclusively on the growing racism, anti-Semitism in football stadiums. The Programme therefore aimed at fighting racism with educational programmes, lobbying and cooperation with local authorities. In Hungary, the Mahatma Gandhi Human Rights Association facilitated their activities. Owing to the cooperation between FARE and UEFA, there was a conference titled “Unite against Racism” with the participation of 52 European football-playing countries. A ten-item list was developed as the basis of the combat against racism. As a part of the programme “Unite against Racism”, a campaign with the title “No to racism” was started in the autumn of 2013 with well-known football-players standing up and saying no to racism in a video message.

These programmes had visible effects and the number of such incidents decreased. Enough to see that while between the period of May 2013–April 2014 Action and Protection Foundation registered several anti-Semitic manifestations during football games, between January and June 2015 no such cases were recorded. Unfortunately there is good reason to think that however the attitudes of the supporters most probably did not change, but envisaged fines had an effect.²¹⁴

The managements of Hungarian clubs also made steps to restrain the ultras. In January president of the club, said that he would have the fines paid by the supporters. Kubatov openly stated that his aim is to cease the racism and violence at the stadium.²¹⁵

UEFA (Union of European Football Associations) fined FTC (Ferencvárosi Torna Club)²¹⁶ for 50,000 Euro and some matches behind closed doors for the incidents before and after a match between NK Rijeka and Ferencváros, held in July 2014. Among other things FTC supporters used racist slogans, while supporting their team. The FTC appealed but in January 2015 the UEFA refused it.²¹⁷

In April the Disciplinary Committee of the Hungarian Football Federation (*Magyar Labdarúgó Szövetsége*, MLSZ) fined the Győri ETO FC²¹⁸ for 300,000 Forint (approximately

²¹⁴ Barna, Ildikó (2014): Anti-Semitism in Football. In: Barna, Ildikó: *Anti-Semitic Hate Crimes and Incidents in Hungary During the May 2013– April 2014 Period. Annual Report*. Budapest: Brussels Institution. pp. 66–70.

²¹⁵ FTC: Ha jön az MLSZ-büntetés, a szurkolók fizetnek – Kubatov. [If fines from the Hungarian Football Federation received, supports will pay - Kubatov]. 27 January, 2015. http://www.nemzetisport.hu/labdarugo_nb_i/ftc-ha-jon-az-mlsz-buntetes-a-szurkolok-fizetnek-kubatov-2390853

²¹⁶ The FTC was founded in 1899 and the most known part of the club is its football team. The club colours are green and white, and the club mascot is a green eagle. The supporters of the FTC football club are considered as the most violent ones in Hungary.

²¹⁷ Egy hét múlva tárgyalja az UEFA a Ferencváros fellebezését. [UEFA discusses the appeal of Ferencváros in one week]. 27 January, 2015. <http://archiv1988tol.mti.hu/Pages/HirSearch.aspx>

Marad a bírság. [Fine remains]. 9 February, 2015. <http://eszon.hu/sport/71-orszag/21154-marad-a-birsag>

²¹⁸ Győri ETO, or just Győr is a football-club from Győr, a city in Western Hungary.

970 Euro) because some of its supporters used racist slogans.²¹⁹ In June the Disciplinary Committee of the MLSZ fined the PMFC²²⁰ for 500,000 thousand Forint (approximately 1,600 Euro) because besides other thing its supporters shouted racist slogans.²²¹

²¹⁹ MLSZ – Pénzbüntetés a Győrnek és a Ferencvárosnak. [MLSZ – Fine for the Győr and the Ferencváros]. 8 April, 2015. <http://archiv1988tol.mti.hu/Pages/HirSearch.aspx>

²²⁰ PMFC is a football-club from Pécs, a city in South-West Hungary.

²²¹ MLSZ: 500 ezret fizet a PMFC. []. 2 June, 2015. <http://www.bama.hu/baranya/sport/mlsz-500-ezret-fizet-a-pmfc-613997>

8. Racist attacks, cases of violence, and vandalism

Cases of violence: violent offences committed against a member of a group

As described earlier, the most horrible violent offence committed against member of a group was the so-called “Roma murders” in 2008–2009. Although the trial of the perpetrators has not ended yet, presumably the Supreme Court will approve the previous verdicts, and three defendants who actually committed the killing will be sentenced to life imprisonment without parole. The following examples draw attention to the fact however, that Roma people still have to suffer from physical attacks.²²²

In April 2015 a Roma man was shot dead by police officer in Örkény, a village near to Budapest. Four policemen went to the house of the victim on an evening, and some minutes after the man was shot 500 meters away from his house. The police claimed that the officer fired in self-defence. However, the Roma residents in Örkény said, that the police officer who killed the man, “doesn’t like the Roma”. During the autopsy of the victim turned out the he had other injuries than that from the shooting, and they did not support the story of neither the police, not the eye-witnesses.²²³

In April 2015 two men attacked a Roma family, a grandmother and her granddaughter, in Eger, a city in East-Central Hungary. First the perpetrators shouted anti-Gypsy slogans to them over the fence, then broke into their house, and brutally beat them up. The victims are represented by Legal Defence Bureau for National and Ethnic Minorities, since it cannot be excluded that the crime was motivated by prejudice.

As it was mentioned earlier in the chapter titled “Presence of neo-Nazi and ultranationalist groups, movements, political parties (both in the centre and in the localities), discriminatory demands in their programmes and in the statements of their leaders towards the minorities” in May it was made public that a Roma family in Szűcs had been harassed by members of the Outlaws’ Army for three months. Police did not do anything, claiming the presence of the Army cannot be proved. The victims also reported, that sometimes when they called the Police, the officer told them “call us back when there is blood”. Therefore the victims are represented by the Hungarian Civil Liberties Union who pressed charge.²²⁴

Vandalism in cemeteries, attacks on religious buildings, memorials

²²² Roma családra támadt két férfi Egerben. [Two men attacked a Roma family in Eger]. 29 April, 2015. <http://www.heol.hu/heves/kek-hirek-bulvar/roma-csaladra-tamadt-ket-ferfi-egerben-608677>

Saját házukban bántalmazták egy roma család két tagját Egerben. [Two members of a Roma family attacked in their own house]. 29 April, 2015. http://hvg.hu/itthon/20150429_Sajat_hazukban_bantalmaztak_egy_roma_csaladot

Saját házukban verték össze a roma családot. [Roma family beaten up in their own house]. 29 April, 2015. <http://nol.hu/mozaik/sajat-hazukban-verték-össze-a-roma-csaladot-1531079>

²²³ Csak az biztos, hogy Tatit lelőtték. [Only one thing is certain: Tati was shot]. 18 March, 2015. http://index.hu/belfold/2015/03/18/egy_eletszerutlen_gyilkosság_orkenyben/

Sötétben tapogatózva. [Groping in the dark]. 25 April, 2015. http://mno.hu/magyar_nemzet_magazin/sotetben-tapogatozva-1283351

²²⁴ „Meghaltok, cigányok!” – 3 hónapja zaklat egy családot a Betyársér. [„Gypsy, you will die!” – family harassed by the Outlaws’ Army for three months]. 13 May, 2015. http://hvg.hu/itthon/20150513_Meghaltok_ciganyok_Raszallt_a_betyarser

In March 2015 fifteen to twenty gravestones were damaged in the Jewish cemetery in Gyöngyös, a middle-sized town in North-East Hungary. After the incident, the police department of Gyöngyös initiated proceedings against an unknown perpetrator for reasonable suspicion of the felony of vandalism. The Prime Minister strongly condemned the barbaric act of the vandals. Officials from Gyöngyös also spoke about the incident. László Tatár, Deputy Mayor of Gyöngyös, visited the cemetery and offered the help of the city for its restitution. Mayor György Heisz called the act despicable and deeply condemned it. He said: the local government has to consult with the Jewish community to see what help they can provide. László Horváth, parliamentary representative of the area took the news shocked and with indignation, and refused such violent manifestations.

10. Picture: Vandalized gravestones in the Jewish cemetery in Gyöngyös.

Source: Hungarian News Agency (MTI)



In April 2015, unknown offender(s) sprayed paint on the images of the photo exhibition titled “70 Years’ Grandchildren” organized by the EMIH (Unitary Jewish Religious Community of Hungary) in Budapest in front of the Great Synagogue. The exhibition displayed photos of Holocaust survivors with their grandchildren and great-grandchildren. The competent Police Headquarters initiated legal proceedings for vandalism. In a statement the Ministry of Human Resources claimed that it was shocking and outrageous that unknown people damaged the exhibition. “By the vandal and meaningless damaging of the exhibition, the unknown offender or offenders did not only put to shame the survivors of the Holocaust, but also did harm to Jewish communities, the entire nation, and any well-meaning human being.”

Also in April, unknown offenders vandalized the two memorial plaques of the Israelite Workshop of Barankovics Foundation in the cemetery of Csömör, a village near to Budapest, and also damaged the gravestone of Private György Varga, who died in Csömör in 1944. The inscriptions on the memorial plaques of the Israelite Workshop: “Let this plaque be a memory

for the victims of 20th century dictatorships, Nazism and communism! Let it remind us of those who survived the horrors of the Holocaust, but were destroyed by the red terror. This is the promise of the Hungarian people: never again!" and "Let this plaque be a memory for the encounter of national socialism and Bolshevism 70 years ago!"

9. Glorification of German national-socialism and Nazi Germany collaborators, Holocaust denial

The glorification of German National Socialism and its collaborators in the mainstream media, and the glorification of German National Socialism and/or its collaborators in the decisions made by the authorities are practically absent in Hungary. However, extreme hate-groups following neo-Nazi ideology exist in Hungary. The most influential ones are: Hungarian National Front²²⁵ and Pax Hungarica²²⁶.

In the morning hours of January 10, several people noticed in downtown Szolnok that a portrait of Ferenc Szálasi was placed next to the World War II memorial on Tiszai hajósok tere. Two candles and a wreath were also placed by Szálasi's portrait. The editorial board of szoljon.hu asked the Szolnok local council for clarification about the portrait, to which they replied that they had not received any complaints, but that they would remove the portrait from the war memorial. The police said that no crime or offense was committed, nor was any other authority required to report the incident. The editorial board of szoljon.hu asked the Szolnok local council for clarification about the portrait, to which they replied that they had not received any complaints, but that they would remove the portrait from the war memorial. The police said that no crime or offense was committed, nor was any other authority required to report the incident. On the afternoon of 10 January, public space supervisors removed the portrait, the candles and the wreath.

The most important event of the abovementioned hate groups and their followers is the so-called "Day of Honour" on 11 February. On this day in 1945 "some 28,000 German army, Waffen SS, and Hungarian troops accompanied by a large number of civilians attempted to break through Soviet lines encircling the city and escape to the wooded hills to the northwest. Most were captured, killed, or wounded by the Soviet army. Two days later the city surrendered."²²⁷ Two small neo-Nazi groups the Skins4Skins²²⁸ and the Hungarian Hammerskins²²⁹ organized a silent and secret commemoration in the Buda Castle. According

²²⁵ The Hungarian National Front (*Magyar Nemzeti Arcvonal*) was founded in 1989. "This is one of the largest and most organized paramilitary hate groups in Hungary. The group is organised in a very strict hierarchy. The HNF has been in the forefront of Hungarian extremism in the past 20 years and played a crucial role in the paramilitary preparation of other Hungarian hate groups." (<http://www.athenainstitute.eu/en/map/olvas/20#read>)

²²⁶ "Although the racist Blood and Honour Cultural Association was disbanded in 2005 by the force of law it continues to operate under the name Pax Hungarica. The group pursues an active extreme right ideology and considers racism and the ideology of Hungarism the only remedies to the ills of the society. It has developed a coherent concept of the enemy and regularly calls for the necessity of using violence to counteract it." (http://www.athenainstitute.eu/en/hate_groups/)

²²⁷ Neo-Nazis commemorate German attempt to "break out" of Budapest in 1945. 8 February, 2014. <http://budapestbeacon.com/public-policy/neo-nazis-commemorate-german-attempt-to-break-out-of-budapest-in-1945/4750>

²²⁸ The Skins4Skins is a small neo-Nazi group, drawing on an Italian skinhead group, was established during the riots in 2006. [...] Their explicit goal is to give help to those extremists who have been arrested or gaoled. They provide money and any other means of help to members of the far-right or skinhead subculture." (http://www.athenainstitute.eu/en/hate_groups/)

²²⁹ The Hammerskins is a white supremacist group founded in 1988 in the US, and one of the most prominent and organized one. It has chapters in many countries in the world, among others in Hungary. The Hungarian Hammerskins was founded in 2002, but became member of the "Hammerskin Nation" in 2006.

the video²³⁰ about the event 40–50 people put candles on the sculpture of János Kapisztrán²³¹. On the weekend after 11 February a series of events: Remembrance Hiking, commemoration, worship for the “memory of the heroes”, and concerts. These events were organized by a group of neo-Nazi groups, with active co-operation of the Outlaws’ Army and the Sixty-Four Counties Youth Movement.²³² There has been not a single article in the mainstream media about it, therefore only from contents uploaded by these hate-groups can inform us about what happened. According to the homepage of the Outlaws’ Army: “This year the usurpers of power did everything to wreck the efforts of the organizers and to hinder the commemoration about our ancestors and heroes.”

Holocaust denial is present Hungarian society. In 2014 a survey was commissioned by the Action and Protection Foundation on anti-Semitism. The survey based on a nationally representative sample, revealed that 10 to 15 percent of the Hungarian population deny the Holocaust²³³, while 23 percent of the respondents relativize it²³⁴. These rates have increased significantly in the recent years.²³⁵

In February 2015 scholars gathered for a roundtable discussion held at Central-European University focusing on the book titled “Don’t harm the Gypsy” by József Debreczeni, published in 2014, deemed by many scholars as racist. The event was co-organized by the Hungarian Sociological Association and the CEU’s Nationalism Studies Program. “Economist-sociologist György Németh, in sharp contrast to the rest of the panel, expressed admiration for author Debreczeni, calling him »a very brave man« and »intellectually courageous« for writing the book. [...] Németh admitted that the Roma were victims of persecution and the Holocaust in many countries, but asserted that this was not the case in Hungary. These statements were vehemently refuted by the rest of the panel and the audience.”²³⁶ The Legal Defence Bureau for National and Ethnic Minorities, together with the Roma Press Centre, the Romaversitas²³⁷, the Chance for Children Foundation, and the Partners Hungary Foundation²³⁸ pressed charges against Németh for Holocaust denial. In

²³⁰ https://www.youtube.com/watch?v=sRbES3N_bK0

²³¹ János Kapisztrán (originally San Giovanni da Capestrano) was a Franciscan Catholic priest who in 1456 led a crusade against the invading Ottoman Empire at the siege of Nándorfehérvár with military commander János Hunyadi.

²³² <http://betvarsereg.hu/becsulet-napja-2015-iden-is-megemlekezunk-a-hosokre/>

²³³ Based on the agreement rates to the following statements: “There weren’t any gas chambers in the concentration camps.” and “A large part of the horrors were invented by the Jews after the events.” It is also important that 5, and 11 percent of the respondents could not decide what to answer to these questions.

²³⁴ Based on the agreement rate to the following statement: “The number of Jewish victims was much lower than usually stated.” Here 15 percent of the respondents couldn’t answer.

²³⁵ Hann, Endre and Róna, Dániel (2015): Anti-Semitic Prejudice in Contemporary Hungarian Society Research Report. Budapest: Medián, Action and Protection Foundation. pp. 23–25. <http://tev.hu/wp-content/uploads/2014/04/Median-TEV-2014-eng.pdf>

²³⁶ Scholars Discuss Prejudices Against Roma. 13 February, 2015. <https://www.ceu.edu/article/2015-02-13/scholars-discuss-prejudices-against-roma-0>

²³⁷ Romaversitas is a development and scholarship programme for Roma students in higher education, established in 1997. (<http://www.romaversitas.hu/?q=en/node/40>)

²³⁸ “Partners-Hungary, established in Budapest in 1994, provides cooperative planning, problem solving and dispute resolution skills and services essential to the success of a democratic society. The Centre specializes in

March 2015 the Prosecutor's Office found the charge unfounded, claiming Németh's statement meant "that the crimes committed against those belonging to the Roma ethnicity are not the same as those committed against Jews", therefore Németh does not deny the Holocaust.²³⁹

Action and Protection Foundation took legal actions in many cases concerning Holocaust denial or relativisation. Some of them were presented earlier in the chapter about the "Countermeasures against hate crimes: criminal cases against organizers and participants". On far-right portals Holocaust denial and relativisation are constantly present. Enough to say that till May 2015 when the *Holokamu* (Holohoax) subpage of Kuruc.info was made permanently inaccessible, the title by itself was Holocaust-denial.

managing conflict and building consensus between Roma and majority groups, promoting equal representation and participation for women, and strengthening civil society in Hungary as well as abroad." (<http://www.partnersglobal.org/network/hungary>)

²³⁹ Az ügyészség szerint nem holokausztagadó Németh György. [According to the Prosecutor's Office György Németh is not a Holocaust-denier]. 23 March, 2015. http://hvg.hu/itthon/20150323_Az_ugyeszseg_szerint_nem_holokausztagado

10. Criminal prosecution of human rights activists

Public calls for repressions against human rights activists, restrictions on human rights organizations imposed by the authorities and criminal prosecution of human rights activists

After the government had launched a political campaign against Human Rights NGOs in spring 2014, the issue dominated the political discourse throughout the whole year of 2014.²⁴⁰ However, after launching the anti-immigration campaign by PM Orbán in January 2015, the campaign against NGOs seems to have been dropped (or at least put temporarily on ice). Therefore, actions by the government and authorities against NGOs did not dominate the political agenda in the first half of 2015. However, the campaign still has an impact on the NGOs. Following the investigation launched by the Government Control Office (KEHI) in September 2014, the Public Prosecutor's Office in Budapest started checks on legality against grantees of the Fund.²⁴¹ Furthermore, an investigation by the Crime Department of the National Tax Authority (NAV) has been under way since December 2014 against an unknown offender but no investigative acts against Ökotárs Foundation took place until July 2015.²⁴²

Despite the investigations, no NGOs have been found guilty so far and the charges have been dropped. At the end of January 2015, a court in Budapest ruled that the riot police violated the law when its anti-corruption unit searched the headquarters of the Ökotárs Foundation and the home of its head in September 2014. According to court's ruling at the time of the crackdown, charges of embezzlement or unauthorised banking activities had not been established against Ökotárs. In its statement following the ruling Ökotárs welcomed the decision but expressed its concern over "political pressure under which the police carry out

²⁴⁰ In 2014 the government actively fuelled sentiments against NGOs and initiated investigations by the authorities against them. The goals of the government's campaign were threefold. Firstly, the government wanted to discredit Human Rights organisations and their criticism over the government in the eye of the public, since in the absence of strong opposition parties these NGOs and social movements were the only actors that were capable of harming Fidesz politically by uncovering corruption cases, criticising illiberal steps etc. Secondly, the government wanted to scare off NGOs and make them stop criticising the government. Thirdly, the government aimed at "seizing" the Norway Grant and "appoint" a Fidesz-friendly think tank Századvég owned by Árpád Habony, a close ally and main communications consultant to PM Orbán as coordinator of the Grant to decide upon the allocation of funds. In the framework of the anti-NGO campaign NGOs and activists were accused of being politically biased and political agents financed from abroad. Furthermore, the government launched an investigation executed by the Government Control Office (KEHI) into the use of Norway Grants NGO Fund against 59 organizations including the managing organisations of the Fund and grantees (e.g., Ökotárs and DemNet). Besides KEHI's investigation, authorities kept NGOs under pressure via various methods (e.g., requesting documents that were already at the disposal of the authorities, launching investigation by the National Tax Authority against NGOs that received funding from the Norway Grants NGO Fund etc.).

²⁴¹ Investigations against 5 organisations were closed by July, while according to KEHI investigations against 7 organizations had been started originally.

²⁴² „Vannak jó civilek és rosszak” - Móra Veronika, az Ökotárs Alapítvány igazgatója. [“There are good and bad NGOs” says Veronika Móra, head of Ökotárs Foundation]. 30 July, 2015. <http://magyarnarancs.hu/belpol/vannak-jo-civilek-es-rosszak-95903>

unlawful searches”, and called on the government not to use the authorities to exert such pressure.²⁴³

Another example of continuing pressure by the authorities on NGOs are tax investigations launched during January and February 2015 against altogether seven organisations out of those, which were deemed hostile by the government back in 2014.²⁴⁴ One of the organisations, Krétakör stated that the investigation was not launched by the competent local office of the tax authority but by the office that was in charge of priority cases. Even though Krétakör had been investigated already about a year earlier and no irregularities had been found, again data for the past three years were requested during the new investigation.²⁴⁵

At the beginning of January, the decision on dropping the anti-NGO campaign must not have been made yet. This is namely the last occasion in 2015, when a leading Fidesz politician, Antal Rogán, leader of Fidesz parliamentary caucus publicly talked about further investigations against NGOs. In an interview to pro-government television channel HírTV on January 10, he announced to open an investigation into the finances of anti-government protests.²⁴⁶ Opposition parties and anti-government activists reacted to Rogán’s accusatory comment with a mixture of incredulity and disdain.²⁴⁷ However, as of June 30, 2015, no investigation was reported by any authorities, NGOs or private individuals.

Even though PM Orbán had indicated earlier, no stricter regulation regarding NGOs was introduced during the first half of 2015. In an interview to Bloomberg in December 2014, he stated his potential support for a regulation, which would require organisations that receive funds from foreign donors to register at Hungarian authorities so that the public can have information on which interests these organisations serve.²⁴⁸ However, since the interview no preparations have been made by the government to introduce such legislation similar to the one in Russia.

A new battle ground between the government and human rights activists was opened with the government’s anti-immigration campaign. In May, Fidesz spokesperson criticised the Hungarian Helsinki Committee (HHC) in a harsh statement recalling the rhetoric of the

²⁴³ Court condemns police crackdown on Okotars headquarters. 29 January, 2015. <http://dailynewshungary.com/court-condemns-police-crackdown-on-okotars-headquarters/>

²⁴⁴ Itt a kormány listája a szervezetekről, akik miatt nekimentek a Norvég Alapnak. [Here is the government’s list of organizations because of which the government attacked the Norway Grant]. 30 May, 2014. <http://444.hu/2014/05/30/itt-a-kormany-listaja-a-szervezetekrol-akik-miatt-nekimentek-a-norveg-alapnak/>

²⁴⁵ Már hat norvégok által támogatott szervezet ellen indult NAV-vizsgálat. [NAV investigation has been launched already against 6 organisations funded by the Norway Grant]. 27 January, 2015. <http://444.hu/2015/01/27/nav-ellenorzes-indul-a-kretakor-ellen/>

²⁴⁶ Anti-government protests against wide-spread corruption within the government and unpopular policy measures (e.g., internet tax) took place regularly from Autumn 2014 until early 2015.

²⁴⁷ Antal Rogán: Who is funding the protests and why? 12 January, 2015. <http://budapestbeacon.com/politics/antal-rogan-who-is-funding-the-protests-and-why/17842>

²⁴⁸ Itt a kormány válasza, miért akarja összeírni a civil szervezeteket. [Here is the government’s answer why it wants NGOs to register]. 18 December, 2014. <http://vs.hu/kozelet/osszes/itt-a-kormany-valasza-miert-akarja-osszeirni-a-civil-szervezeteket-1218#s3>

Stalinist era. The statement called HHC a pseudo NGO that executes the orders of international speculative capital.²⁴⁹

After the first anti-immigration billboards had appeared on the streets in early June, both non-partisan anti-government activists and activists of opposition parties started damaging the posters immediately across the country. The government took a harsh stance and ordered the police (partly undercover officers) to guard individual billboards, chase the activists and take them into custody.²⁵⁰ Activists were later acquitted of offence by the court saying that defacing billboards was an act of freedom of expression.²⁵¹

²⁴⁹ Fejezze be a Helsinki Bizottság a hazudozást a bevándorlókról! [HHC must stop lying about immigrants!]. May 22, 2015.

http://mandiner.hu/cikk/20150522_fidesz_fejezze_be_a_helsinki_bizottsag_a_hazudozast_a_bevandorlokról

²⁵⁰ One example: Hungarian activists arrested for defacing anti-immigration billboard. June 8, 2015. <http://www.theguardian.com/world/2015/jun/08/hungarian-activists-anti-immigration-billboard-budapest>

²⁵¹ Felmentették a plakátrongálókat. [Activists defacing billboards have been acquitted of offence]. July 17, 2015. <http://24.hu/belfold/2015/07/17/felmentettek-a-plakatrongalokat/>

11. Conclusion for the period of January–June 2015

The legislation concerning minorities did not change between January and June 2015. Discriminatory practices concerned mostly people of Roma origin, and the main areas of discrimination were segregation in education, discriminatory measures concerning housing, discriminatory practices of the police.

In case of school-segregation the government plays a double-game. On the one hand Zoltán Balog Minister responsible for Education said that the government “rejects and condemns illegal school segregation and is committed to quality education that develops the conditions for equal opportunity.” On the other hand the government implemented such changes in legislation what makes segregation possible in some schools, operated by the Church or other religious organizations, and exempted from the requirements of the Equal Opportunities Act. Of course, if we play with words than there is no contradiction whatsoever, since Zoltán Balog did not say that the government condemns all kind of school segregation, only “illegal” ones. It seems that this new regulation already has had severe consequences, since local governments have been using it as a camouflage for segregation and the establishment of “non-Roma” schools, even against the will of the government and authorities of education.

In the area of discriminatory practices the most severe one was the forced displacement of families, mostly Roma in Miskolc, coupled with the offering of monetary compensation to only those purchasing a property outside of Miskolc and not selling it for at least five years. Although courts, even the Supreme Court of Hungary ruled the regulations of the Fidesz-led local government discriminatory, the government has done nothing to enforce the court’s decision, and to stop this ongoing practice.

Roma people are stopped by police significantly more, than non-Roma living in the same area. They also report on large scale that they were treated disrespectful by police officers. Hungarian National Police was accused many times of ethnic profiling, and also using disproportionate and extreme fines against Roma people.

Hungarian criminal law identifies two forms of hate crimes: violent offences committed against a member of a group and incitement to hatred against a community. Moreover the new Civil Code penalize hate speech under certain circumstances. The Civil Code also details the crime of the public denial of the crimes of National Socialism (and also that of Communism), and the distribution, use before the public at large and public exhibition of symbols of totalitarianism. In connection with the Roma the most important case was the trial of the so-called “Roma murders”. Three of the defendants received life sentences without parole, while the fourth defendant, who was the driver, got a 13-year prison sentence. Action and Protection Foundation, an NGO founded in 2012, filed complaints for anti-Semitic hate crimes in many cases, especially for the denial of the Holocaust.

The misuse of anti-extremist legislation can be observed on various levels in Hungary. It includes underclassification, meaning that the investigating authorities disregard a possible prejudiced motivation, omissions by police. Action and Protection Foundation experienced these deficiencies both in law enforcement, and also in courts. Although laws against different kind of hate crimes are in effect, courts often fail to make an award. In many cases the

practices of Hungarian courts inconsistent with pertaining EU directive. One of the most important among these is that law enforcement in Hungary consistently equate incitement to hate with incitement to crime.

The public discourse in Hungary in the first half of 2015 was dominated by the issue of refugee crisis, in which the government took a harsh stance in order to exploit the topic politically. The government launched a communication campaign against “immigrants” in January, right after the Charlie Hebdo attacks. Fidesz’s aim was to stabilize the party’s electoral support and prevent the far-right party Jobbik from taking the initiative and setting the tone. The anti-immigration rhetoric of government officials and leading Fidesz politicians was very much similar to far-right argumentation generally heard in other EU countries (e.g., linking refugees with crimes, terrorism and diseases and present them as an economic, cultural and security threat to Hungary and the EU). Despite the government’s rhetoric most members of state authorities responsible for immigration and Human Rights matters maintained their professional status and remained on the ground of expertise and official terminology. However, director general of the Office of Immigration and Nationality made statements using the same terminology as the Prime Minister and the public media, generally the speaking tube of the government echoed the messages of Fidesz and reported on the refugee crisis in a biased and one-dimensional way that was suitable to incite hatred and xenophobic sentiments.

Due to the government’s harsh anti-immigration stance that was decided upon solely on the basis of political and communications considerations, no government representatives and leading politicians of the governing party made statements against xenophobia and radical nationalism during the first half of 2015. It was opposition politicians and representatives of NGOs who demonstrated against the government’s rhetoric, which was suitable to incite hatred against refugees.

Even though authorities prepared a draft bill to amend the refugee law due to the changes of respective EU laws already at the end of 2014 and the governing party Fidesz proposed various legislative measures many times during the first half of 2015, only one bill on the amendment of Act LXXX of 2007 on Asylum was passed within the time period in question. The regulation aimed at easier expulsion of migrants by considering Serbia a safe country.

The law enforcement practice of authorities (e.g., actions of the police) was mainly dependent on political decisions of the government that considered the refugee crisis a political issue and was mainly interested in exploiting the situation politically rather than solving the humanitarian crisis and ease the situation on the ground for the sake of Hungarian citizens and refugees alike.

Due to the increasing number of refugees and the government’s demonstrative approach, Hungarian authorities mainly failed to provide sufficient assistance and information for both Hungarian citizens and asylum seekers. It was mainly individuals and spontaneously formed civil groups and official NGOs that provided assistance to refugees in order to cover their basic needs (e.g., food, water, clothes, blankets, information in their own languages). The first groups were formed in late June. Official charity organisations were largely inactive in the first half of 2015, partly because they were not requested by the government to provide aid.

The majority of the Hungarian public have traditionally negative attitudes towards foreigners and certain ethnic groups. According to a research, openly-admitted xenophobia reached a record high in April 2015 with 46 percent of the adult population saying that asylum seekers should not be allowed to enter Hungary at all. Research shows however, that the negative attitudes towards immigrants (and foreigners) is independent from the actual number of refugees entering the country. Already in June 2014 47 percent of the adult population thought that too many migrants arrive from countries outside the European Union. In November 2014, the ratio of extremely anti-Semites stood at 21 percent, and 11 percent could be considered being moderate anti-Semites.

It is impossible to give full account of all the cases of hate speech and incitement of religious and ethnic hatred. These crimes and incidents are severely underreported, moreover internet, the main domain of them, cannot be fully monitored. Hungary is also lacking official statistics about them. According to EU Surveys Roma people not only perceive discrimination very often, but they also do not report it to authorities for various reasons. Despite of lack of clarity in many cases some came out committed by high officials, officers. According to Action and Protection Foundation, the only NGO monitoring anti-Semitic hate-crimes and hate incidents following a strict methodology, reported on many cases of hate speech and incitement. There were two cases of Jobbik officials, and many other committed by ordinary people.

Although the main stream mass media do not call for ethnic and religious hatred, there is a small TV Channel (Echo TV) where these are not rare at all. Another very important media for spreading far right ideology, is the new site, Kuruc.info having around 100,000 daily readers.

In Hungary the so-called national rock is closely connected to the far right ideology. These bands are very active. They frequently have concerts, often in pubs and clubs, and they have considerable number of fans. Many of them are closely connected to Jobbik, and even acceptable by Fidesz.

By the beginning of 2015, far-right party Jobbik had become the largest opposition party in Hungary. The increase in Jobbik's support has mainly been a consequence of three phenomena: the increasing dissatisfaction with the government's performance; the non-existence of a potent opposition force within the democratic camp; and the rebranding strategy of Jobbik. While on the national level the party restrains from racist and anti-Semitic statements, Jobbik's policy proposals and the rhetoric of the party's local politicians remained extreme. Beyond the party landscape there are two major far-right organisations in Hungary, each with close ties to Jobbik. One is the Sixty-Four Counties Youth Movement, which advocates revision of the Trianon Treaty and reestablishment of "Greater Hungary". The movement is mainly active on the local level, spreads anti-Roma, anti-Semitic and nationalist messages and unofficially functions as the radical wing of the party. An even more radical and extreme paramilitary organisation is the Outlaws' Army, which consists of around 200 members. The organisation is openly racist and advocates white supremacy. Since many members of Outlaws' Army are former officers of armed forces and because the organisation basically functions as an arbitrary security force, the Army poses a real threat to Hungary's domestic security.

In the first half of 2014, 14 settlements (including 5 towns and 9 small settlements) were governed by a Jobbik mayor and further 14 mayors worked with the support of Jobbik. The local policy of Jobbik and other far-right players is based on strict rules, administrative burdens and intimidation of residents who do not fit to the standards and are not “useful” for the community (meaning Roma). Jobbik’s main topics on the local level are public security, social policy, education, employment (public works) and housing policy. In all these fields the policy measures proposed or implemented by Jobbik aim at segregating members of the Roma minority with reference to their cultural differences, behaviour schemes and alleged breaches of law.

Jobbik has had a significant influence on the government and legislation since 2010. While to many Jobbik seems to be the only potent and credible opposition force and a possible challenger to Fidesz in the 2018 general elections, Fidesz has mainly been following the tactics to ignore Jobbik on the surface and, at the same time, attract their voters by using similar rhetoric and incorporating Jobbik’s policies into governmental action. In the time period in question, the influence of Jobbik on the government became very visible through the topic of the refugee crisis.

In recent year not only international, but national football association also have paid close attention to racism on football matches. Educational programs have been implemented and serious measures were taken to fight against racism. These programmes seems to have visible results, since the number of such incidents decreased for 2015.

There were no physical attacks committed against Jews, but there were against the Roma. A Roma man was shot dead by a police officer under unclear circumstances, and biased motivation seemed also possible. In two other incidents no authorities were involved, although in one of the cases the far-right organization, the Outlaws’ Army played a decisive role. There were also cases of vandalism in Jewish cemeteries and monuments.

The glorification of German National Socialism and its collaborators in the mainstream media, and the glorification of German National Socialism and/or its collaborators in the decisions made by the authorities are practically absent in Hungary. However, extreme hate-groups following neo-Nazi ideology exist in Hungary. Holocaust denial is also present, and it has increased in the recent years. In a survey carried out in 2014 on a nationally representative sample revealed that 10 to 15 percent of the Hungarian population deny the Holocaust, while 23 percent of the respondents relativize it. Action and Protection foundation detected cases of Holocaust denial and relativisation, and also pressed charges in many cases.

Unlike in 2014 that was dominated by the government’s political campaign and the authorities’ restrictive measures against Human Rights NGOs, the topic was almost completely dropped (or at least put temporarily on ice) by Fidesz in 2015. However, some investigations imposed by certain authorities still continued in the first half of 2015. Even though at the end of 2014 PM Orbán announced a possible legislation, which would require organisations that receive funds from foreign donors to register at Hungarian authorities, no further announcements were made in this regard. Confrontation between the government and HR organisations took place in the first half of 2015 in connection with the refugee crisis (e.g., arrest of non-partisan anti-government activists and activists of opposition parties who damaged the government’s anti-immigration billboards).

