



Hungarian Helsinki Committee

**SUBMISSION OF THE HUNGARIAN HELSINKI COMMITTEE
TO THE OSCE ODIHR**

- CIVIL SOCIETY CONTRIBUTION TO THE ANNUAL HATE CRIME REPORTING -

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Hungarian Helsinki Committee

The Hungarian Helsinki Committee (HHC) is a Hungarian non-profit organisation, founded in 1989. The HHC monitors the enforcement in Hungary of human rights enshrined in international human rights instruments, provides legal defence to victims of human rights abuses by state authorities and informs the public about rights violations. The HHC strives to ensure that domestic legislation guarantee the consistent implementation of human rights norms. The HHC promotes legal education and training in fields relevant to its activities, both in Hungary and abroad.

The HHC's main areas of activities are centred on protecting the rights of asylum seekers and foreigners in need of international protection, as well as monitoring the human rights performance of law enforcement agencies and the judicial system. It particularly focuses on the conditions of detention and the effective enforcement of the right to defence and equality before the law.

Hungary, 1054 Budapest, Bajcsy-Zsilinszky út 36-38. // 1242 Budapest, PO Box 317.

tel/fax: + 36 1 321 4323, 321 4327, 321 4141

helsinki@helsinki.hu, <http://www.helsinki.hu>, <http://www.refugeelawreader.org>

The Hungarian Helsinki Committee is pleased to submit its contribution to the Annual Hate Crime Reporting of the OSCE Office for Democratic Institutions and Human Rights. The present contribution covers xenophobic incidents **against migrants** in Hungary in **2015**.

Incident #1

Time, place and location	6 July 2015 Szeged, Main Train Station (Nagyállomás)
Source of information	Media: http://hvg.hu/itthon/20150706_Kivonult_a_Betyarsereg_Szegedre http://www.delmagyar.hu/szeged_hirek/felvonult_a_betyarsereg_a_nagyallomasnal/2436860/
Type of crime	disorderly conduct
Bias motivation	xenophobia
Perpetrator(s)	close to 50 members of the "Outlaws' Army" (Betyársereg, extreme right wing organization)
Brief description of the incident with bias indicators	The large group of perpetrators were observing from a distance of a couple of meters migrants and activists of the organization „MigSzol” providing assistance to the migrants. They were taking photos and videos of the migrants and the activists. Perpetrators belong to a well-known extremist organization, whose members are publicly articulating their racist and homophobic views on a frequent basis.
Response of local authorities	Local police forces present at the station were strengthened as soon as they noticed the extremists. Riot police units appeared at the station, and police was escorting the migrants going from the station to the Immigration Office in order to prevent violent attacks. Members of the extremist group were ID checked and made to move towards the city centre in the opposite direction than the Immigration Office.
Impact on the victim(s) and the community	There were approximately 20-25 migrants (mostly of African origin) at the station at the time of the incident. They stated that they were not frightened by the perpetrators. However, since the incident took place in a city where a significant number of migrants were residing, this incident sent a strong frightening message to the victim community.

Incident #2

Time, place and location	4 July 2015 Szeged, Main Train Station (Nagyállomás)
Source of information	Media: http://hvg.hu/itthon/20150706_Kivonult_a_Betyarsereg_Szegedre
Type of crime	disorderly conduct
Bias motivation	xenophobia
Perpetrator(s)	6-7 drunk skinheads
Brief description of the incident with	Perpetrators shouted degrading, xenophobic slurs towards the migrants and activists providing assistance to them, such as „Get the fuck out of here, go home!”

bias indicators	
Response of local authorities	Police interfered, which resulted in the prevention of the escalation of the incident.
Impact on the victim(s) and the community	The incident caused distress in the victims and the activists associated to them.

Incident #3

Time, place and location	11 July 2015 Budapest, Western Train Station (Nyugati pályaudvar)
Source of information	Media: http://nol.hu/belfold/fotosunkra-tamadtak-a-nyugatinal-1551071
Type of crime	disorderly conduct, harassment, physical violence
Bias motivation	xenophobia
Perpetrator(s)	3 perpetrators
Brief description of the incident with bias indicators	For a number of days, the group of the 3 perpetrators was regularly harassing the activists of the Migration Aid who were providing assistance to migrants. The verbal harassment escalated to a physical attack when the perpetrators realized that the photographer of a daily paper (Népszabadság) was taking photos of them. They were chasing and then kicking him.
Response of local authorities	Police arrested the perpetrators, and one of the activists filed a notice at the police on harassment.
Impact on the victim(s) and the community	A high number of migrants were staying at the Western Train Station at the time of the incidents, therefore, the harassment had a broad impact on the community.

Incident #4

Time, place and location	5 July 2015 Debrecen, Reception Centre for Migrants
Source of information	Media: http://4024.hu/2015/07/05/demonstracio-a-debreceni-menekulttabor-bezarasaert-percrol-percre/ http://www.origo.hu/itthon/20150705-zartta-tenne-a-jobbik-a-debreceni-menekulttabor-t-migrans-bevando-rlo-menekult.html
Type of crime	disorderly conduct
Bias motivation	xenophobia
Perpetrator(s)	Members of the Jobbik (extreme right wing political party) and the New Hungarian Guard (extremist organization): Dániel Z. Kárpáti, Gergely Kulcsár, Pál Demeter, István

	Apáti giving speeches at the demonstration; certain demonstrators
Brief description of the incident with bias indicators	Speakers delivered inflaming speeches at a one and a half hour long demonstration which was organized with aim to demand the closure of the Reception Centre and "zero tolerance" against immigration. István Apáti, one of the speakers encouraged the approx. 300 participants of the demonstration to prepare for self-defence. During the demonstration participants were shouting degrading slurs towards the Reception Centre, such as "You, black monkeys!"
Response of local authorities	Police collected migrants residing outside the Reception Centre and escorted them to the Reception Centre for the time of the demonstration in order to provide protection. Some participants of the demonstration tried to get closer to the entrance of the Reception Centre, but the police removed them.
Impact on the victim(s) and the community	The inflammatory speeches and the xenophobic slurs of the participants of the demonstration had the potential frightening effect on the victim community. The fact that participants tried to get closer to the entrance of the Reception Centre, sent a clear message to the members of the community that there is an intent of physical attacks.

Incident #5

Time, place and location	6-12 July 2015 Sóstó, Erzsébet Student Camp
Source of information	Media: http://www.origo.hu/itthon/20150922-takarodj-te-bevando-lo-mondta-a-tarsara-tamado-hetedikes.html
Type of crime	threat
Bias motivation	xenophobia
Perpetrator(s)	13 year-old student of the Primary School No. 3 of Budapest
Brief description of the incident with bias indicators	The perpetrator was playing with a butterfly knife in the student camp in a tent when the victim entered. The perpetrator asked him whether he was afraid. The victim told him "No." Consequently, the perpetrator pushed the knife to his throat and asked him again: "And now?" Then, he shouted: "Get the fuck out of this country, you immigrant!" As a consequence, the victim left the tent.
Response of local authorities	The Somogy County Police Headquarters initiated investigation in the armed disorderly conduct form of a hate crime (violence against the member of a community). The investigation was then terminated due to the young age of the perpetrator.
Impact on the victim(s) and the community	The victim was the child of a Nigerian father and a Hungarian mother having dark skin. The perpetrator not only frightened him but also targeted a significant characteristic of his identity.

Incident #6

Time, place and location	9 July 2015 Budapest, metro
Source of information	Media: http://kettosmerce.blog.hu/2015/07/10/szegyen_a_rombolokra_gyulolkodokre_tisztelet_a_batraknak
Type of crime	physical violence
Bias motivation	xenophobia
Perpetrator(s)	football fans
Brief description of the incident with bias indicators	After a football match the football fans attacked a dark skinned young man and his girlfriend in the metro. After shouting "Get the fuck back to Nigeria!", they were beating the young man until he and his girlfriend jumped out of the metro at the next stop.
Response of local authorities	Police was present at the metro station where the victims jumped out of the metro, and took the necessary measures immediately.
Impact on the victim(s) and the community	The victim suffered physical injuries and was seriously humiliated.

Incident #7

Time, place and location	10 July 2015 Budapest, Eastern Train Station (Keleti Pályaudvar)
Source of information	Media: http://hvg.hu/itthon/20150710_Feszult_a_hangulat_mar_masfel_oraval_a_sz
Type of crime	disorderly conduct
Bias motivation	xenophobia
Perpetrator(s)	György Gyula Zagyva (Jobbik), members of the 64 Counties Youth Movement (extremist organization)
Brief description of the incident with bias indicators	The publicly advertised aim of the demonstration was to express racist and xenophobic, counter-immigration views. György Gyula Zagyva, one of the speakers at the demonstration emphasized that they aim for "not having any Hungarian woman who would be raped by an immigrant". He said that in case the "impotent" Hungarian government is not able to defend the borders of the country, then they will do it. They called migrants in his speech "African mob". Members of the demonstration gave statements to a local weekly paper, such as "if a black man is taking a move, I will fuck him to death" or "I don't care that there is a war where they are coming from, they must get the fuck back there!".
Response of local authorities	The riot police tried to escort each migrant to safe places, and they ensured the separation of the demonstrators and counterdemonstrators throughout the event.

Impact on the victim(s) and the community	The demonstration caused significant distress in the victim community.
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Incident #8

Time, place and location	10 July 2015 Budapest, Eastern Train Station (Keleti Pályaudvar)
Source of information	Media: http://www.klubradio.hu/cikk.php?id=16&cid=189185
Type of crime	disorderly conduct, threatening behaviour
Bias motivation	xenophobia
Perpetrator(s)	members of extremist groups
Brief description of the incident with bias indicators	The perpetrators verbally attacked and harassed the migrants waiting at the train station.
Response of local authorities	Police escorted the migrants to the Reception Centre.
Impact on the victim(s) and the community	Verbal insult caused humiliation of the victims.

Incident #9

Time, place and location	25 July 2015 Szeged, City Centre
Source of information	Media: http://444.hu/2015/07/19/bevandorlonak-neztek-eltortek-a-lany-arccsontjat-szegeden/ http://index.hu/belfold/2015/07/22/tiszthelyetteskent-dolgozott-a-szegedi-lanyt-ossze-vero-bortonor/ http://mno.hu/kek-hirek/elozetesbe-kerult-a-szegedi-bortonor-1296685
Type of crime	physical violence
Bias motivation	xenophobia
Perpetrator(s)	a prison guard who had worked for 10 years for the High Security Penitentiary Institution of Szeged before the incident
Brief description of the incident with bias indicators	The victim, a young man from Cuba was walking in the city centre together with his girlfriend, the other victim and her sibling. They were stopped by a group of three persons. The perpetrator shouted that he should "get the fuck out of the country" and then stepped to him to beat him up. His girlfriend tried to prevent this telling to the perpetrator that her boyfriend is a Hungarian citizen living for 20 years in the country. Consequently, the perpetrator started to beat her. Her cheekbone broke.

Response of local authorities	The Csongrád County Police Headquarters triggered the investigation based on the suspicion of a hate crime (violence against the member of a community), the accused is currently in pre-trial detention. He was immediately fired by the Penitentiary Institution.
Impact on the victim(s) and the community	The victim suffered serious physical injuries in addition to the psychological harm caused by the attack.

Incident #10

Time, place and location	4 September 2015 Budapest, Eastern Train Station (Keleti Pályaudvar)
Source of information	Media: http://index.hu/belfold/2015/08/31/menekultek_bevandorlok_krizis_percrol_percre/rata_madtak_az_ultrak_a_menekultekre/ http://index.hu/belfold/2015/09/22/felfuggesztett_borton_petarda_keleti_migransok/
Type of crime	threats/threatening behaviour, disorderly conduct
Bias motivation	xenophobia
Perpetrator(s)	ultras
Brief description of the incident with bias indicators	Ultras gathering for the football match between Romania and Hungary threw squibs in the subway at the Eastern Train Station and attacked the migrants with the intention to beat them and shouting "You, sons of bitches! Get the fuck out of here!" The migrants threw back plastic bottles and shoes.
Response of local authorities	Six ultras were forced by the police into a bus stop, and police took the necessary measures to separate the group of the ultras from the migrants. An investigation was initiated based on the suspicion of a hate crime (violence against the member of a community) and the incident was assessed in a summary criminal proceeding. Prosecutions service issued a statement which emphasized that "even though no physical injuries were caused by the attack, the perpetrator's behaviour openly violated the rules of social coexistence which caused distress in the members of the community." At first instance, one of the perpetrators, a 23 year old man was convicted and sentenced to one year imprisonment suspended for two years.
Impact on the victim(s) and the community	The attack was seriously frightening to the victims, caused distress and carried a strong message that they could expect the continuance and repetition of violence.

Incident #11

Time, place and location	2 September 2015 Röszke, border of Hungary
Source of information	Media: http://www.origo.hu/itthon/20150902-menekultuldozes-roszke-hataraban.html
Type of crime	threatening behaviour

Bias motivation	xenophobia
Perpetrator(s)	members of Jobbik
Brief description of the incident with bias indicators	Members of the Jobbik (extreme right wing political party) appeared at the border in order to "defend the borders" symbolically with their own body and to demonstrate against the newly arriving migrants. Some of the participants of the demonstration came across some migrants at the railway close to Röszke. They were shouting to the migrants to "go home" without physical violence. The frightened migrants, including children, ran away from the scene through the cornfields towards the town of Szeged.
Response of local authorities	Police lined up between the migrants and the participants of the demonstration, but they were lacking capacity, focused on the demonstrators and lost sight of the migrants, they remained without special care.
Impact on the victim(s) and the community	The fact that the victims were running away from the scene with children through the cornfields demonstrates that the threatening behaviour of the perpetrators had a frightening impact on them.

Incident #12

Time, place and location	8 September 2015 Röszke, border of Hungary
Source of information	Media: http://www.origo.hu/itthon/20150908-kameras-no-buktatott-fel-egy-menekultet-roszken-menekult.html http://mkl.uhu/hnlp14/?p=21849
Type of crime	physical violence, disorderly conduct
Bias motivation	xenophobia
Perpetrator(s)	Petra László, camera woman of the TV Chanel N1
Brief description of the incident with bias indicators	The perpetrator insulted migrants, including children, while they were running from a collection point at Röszke and police tried to hold them back. Her acts, including the kicking move towards a man carrying his son, were recorded and the video went public followed by a loud echo in the society. The TV Chanel (of an extremist ideological character) fired the perpetrator.
Response of local authorities	Police has conducted the investigations based on the suspicion of disorderly conduct instead of hate crime (violence against the member of a community) ignoring the bias motivation.
Impact on the victim(s) and the community	The attack did not result in physical injuries, at the same time, was humiliating not only to the direct victims but the whole victim community especially since the incident gained broad public attention.

Incident #13

Time, place and location	4 September 2015 Common part of Highways No. 1 and 7. leading from Budapest towards the Western border of the country
Source of information	Media, press release of the police: http://gyuloletellen.hu/aktualitasok/rendorsegnek-tovabb-kell-nyomoznia-menekulteket-fenyegeto-ferfi-ellen http://index.hu/belfold/2015/09/09/elkaptak_a_menekulteket_ocsarolo_porschest/ http://www.police.hu/hirek-es-informaciok/legfrissebb-hireink/bunugyek/a-budaorsi-rendorok-egy-40-eves-ferfit-vettek
Type of crime	threats/threatening behaviour, disorderly conduct, physical violence
Bias motivation	xenophobia
Perpetrator(s)	Attila Sz., a 40 year old man
Brief description of the incident with bias indicators	The perpetrator was stepping to a car at the common part of Highways No. 1 and 7. leading from Budapest towards the Western border of the country. There were in the car two middle-aged women who gave a lift to a migrant family who were earlier walking on the highway. The perpetrator was verbally insulting them using xenophobic slurs, beating the car with his hand and shouted at the migrants demanding that they get out of the car. He was threatening them that he would throw a hand grenade into the car if they were not getting out. He used the words addressed to the female driver, "Do you help out a migrant family? I kill you!" The incident was witnessed by many drivers who were stuck in the traffic jam caused by the perpetrator, and recorded. The video recorded about the incident was broadcasted by the media. When the migrants got out of the car, the perpetrator left by his car.
Response of local authorities	Police initiated the investigation based on the suspicion of disorderly conduct instead of hate crime (violence against the member of a community) ignoring the bias motivation. The police terminated the investigation based on the reasoning that the perpetrator did not cause any damages or physical injuries, the violent element was missing from the crime, hence the crime of disorderly conduct was not committed. This conclusion was drawn by the police instead of the fact that they admitted in the press release, that the acts of the perpetrator can be qualified as anti-social behaviour capable of causing distress and fear in the victims.
Impact on the victim(s) and the community	The video recorded at the incident shows that not only the victims directly affected by the attack were frightened by the acts of the perpetrator but all the people present, the female driver of the car broke out in tears expressing her confusion and sadness about the fact that such terrifying acts can be done against harmless migrants and people providing assistance to them.