

Facing all the Facts: Self-assessment grid on hate crime recording and data collection, framed by international norms and standards – HUNGARY

This document sets out the evidence that can be used to understand and describe current strengths and weaknesses across the relationships that form national hate crime recording and data collection systems.¹ It aims to build on and complement existing approaches such as OSCE-ODIHR's Key Observations framework and its INFAHCT Programme.² Guidance that relates to what evidence can be captured, used and published by public authorities is contained in the accompanying Standards Document. This framework seeks to support an inclusive and victim-focused assessment of the national situation, based on a concept of *relationships*. It integrates a consideration of evidence of CSO-public authority cooperation on hate crime recording and data collection as well as evidence relating to the quality of CSO efforts to directly record and monitor hate crimes against the communities they support and represent.³

Table one sets out the general approach to self-assessment and the main relationships in the 'system'. Table two provides the country-based description. It is important to note that there can be many different agencies playing some kind of role in recording and data collection within one country, especially in federalised systems. Where possible, it is important to capture this complexity. For the purposes of this project, the focus is at the national level. Where there is information about significant regional differences within a country, this is highlighted. There can also be significant variations in the legal procedure that governs how cases progress from the investigation to prosecution stages across different jurisdictions. For example, cases can be directly reported to prosecutors as opposed to law enforcement; some cases are prosecuted by law enforcement, not prosecutors. Again, this methodology aims to reflect this complexity, however it remains a 'work in progress', amendable at the national level post-publication. For a full consideration of the limitations of this framework, see the Methodology Report.

¹ See methodology report for more on the concept of 'systems'.

² ODIHR Key Observations, <http://hatecrime.osce.org/sites/default/files/documents/Website/Key%20Observations/KeyObservations-20140417.pdf>; this methodology could also be incorporated in the framework of INFAHCT self-assessment, as described on pp. 22-23 here: <https://www.osce.org/odihr/INFAHCT?download=true>

³ For a full description of the main stakeholders included in national assessments, and how the self-assessment framework relates to the 'systems map', see the Methodology Report, Part II.

Table one: Self-assessments: general approach

Relationship	Evidence used to describe relationships Two main categories of evidence are applied based on referenced international norms and standards.		Score
	Framework	Action	
<p>The main relationships are identified across the system:</p> <p>Law-enforcement – prosecution; judiciary; Ministry of Interior</p> <p>Prosecution – Judiciary, Ministry of Justice</p> <p>Ministries - Ministries (e.g. MoI-MoJ, etc.)</p> <p>Victim - law enforcement; prosecution, ministries; CSOs</p> <p>General public – law enforcement; Ministry(ies), prosecution; CSOs</p> <p>CSOs – law enforcement; prosecution; ministries, other CSOs.</p> <p>IGO – ministry(ies); CSOs</p> <p>Further background information about existing IGO frameworks and actions is provided in the accompanying standards document.</p> <p>Other bodies and ministries are also relevant, including equality bodies and non-criminal justice agencies and ministries. These are included where relevant in national reports.</p>	<p>Technical frameworks allow for recording and data collection</p> <p>Policy frameworks allow information to be shared across the system.</p> <p>The most active and responsible ministries produce a policy framework that gives the police and other agencies the technical capacity to identify, record and act on hate crime data. If a government ministry hasn't developed an inter-departmental framework to allow for police to record all bias motivations or led the process to develop joint guidelines on recording and data collection, the police are limited in how they can relate to victims in this area.</p>	<p>Evidence that the frameworks are used – data is recorded, shared, collected, published and information is acted upon to develop policy and improve responses.</p> <p>The 'frontline', whether investigators, prosecutors or CSOs are the ones that 'give life' to, or are limited by, existing policy frameworks.</p>	<p>Each relationship is given a score of 0-3 for:</p> <ol style="list-style-type: none"> 1. 'framework' 2. 'action' <p>An overall score of 5-6= green; 3-4 = amber; 0-2 = red.</p> <p>Green = Good relationship. Effective framework and action, with room for improvement.</p> <p>Amber = Adequate relationship. Relatively limited framework and action.</p> <p>Red= Poor relationship. Very limited framework and action.</p>

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Specific relationships and criteria

Commentary: Hungary

There is no national framework supporting a comprehensive approach to hate crime recording and data collection; the government's National Crime Prevention Strategy and Action Plan do not include any specific measure relating to countering hate crime. In a welcome development, on 1 July 2018 a flag was introduced to improve the system and allow the tracking of hate crime cases and to capture specific protected characteristics. However, there are still gaps that undermine the quality of the data. There was a significant increase in recorded hate crimes in 2017 (from 33 to 233, according to <http://hatecrime.osce.org/hungary?year=2017>), however, it is unclear whether this is due to improved recording or a change in recording policy and practice.

The Working Group Against Hate Crime is a key driver in hate crime recording and data collection in Hungary. It has the strongest relationships across the system, including with public authorities, affected communities, IGOs and the general public. The police have stronger frameworks to record and collect data on hate crime, which raises challenges when connecting with the more limited framework and capacity of the prosecution service and the courts.

The key stakeholders involved in hate crime recording and data collection in Hungary have strong relationships with IGOs and regularly share data and take part in international networks. There is a tendency for public authorities to share more detailed data and information with IGOs than with the general public of Hungary. Publicly available data is not broken down in an accessible way, making it very difficult for affected communities to find out the nature and prevalence of hate crime and how the government is responding.

Communities affected by disability hate crime are very underserved by the system. The recent demise of specialist organisations supporting Roma communities has also had negative effects.

Commissioner for Fundamental Rights:

Although the Commissioner has no specific recording or data collection function, it has played an important role in shaping the policy environment.

In 2009 the Parliamentary Commissioner for National and Ethnic Minorities (now merged with CFR) and the Parliamentary Commissioner Data Protection issued a joint opinion on ethnic data, that contained a full chapter on data collection on hate crimes.

LEGEND: WGAHC – Working Group Against Hate Crime

Relations hip	Evidence: this column sets out the evidence that is considered when describing a relationship as 'red', 'amber' or 'green' (See table one) (Refer to end note for relevant international norm/standard)		Score Framework: Action: Total: Color:
	Framework	Action	
Law enforcement – prosecution	<p><i>Relevant norm/standard:</i></p> <p>Law enforcement are able to comprehensively record hate crimes, including bias indicators and specifically flag bias motivations and crime types (Standards 1,2,3,4)</p> <p>Law enforcement are able to record information about victim support and safety. (Standard 5)</p> <p>The prosecution service is able to record information sent to them by the police about bias motivations and crime type (Standard 4) and relevant information about victim support and safety (Standard 5)</p> <p>The two bodies are members of a policy and technical framework to record and share data about bias indicators, crime types and victim support/safety needs (Standard 8; Standard 9)</p>	<p><i>Relevant norm/standard:</i></p> <p>Realistic data is produced by the system (very low numbers indicate an unrealistic measure of hate crime prevalence) (Standards 6 and 7).</p> <p>Data is shared systematically between the police and prosecution service to progress individual cases, including meeting victim’s safety needs, and to review issues in performance.</p> <p>Law enforcement and prosecution service meet regularly, to review progress and share information and/or take part in joint training.</p>	<p>Framework: 2</p> <p>Action: 1</p> <p>Colour: amber</p>
	<p><i>Description of national situation:</i></p> <p>The police have a system of specialist hate crime officers, regular training and guidelines including bias indicators,</p>	<p><i>Description of national situation</i></p> <p>While there is potential for hate crime cases to be identified across the criminal justice system, with recent</p>	

	<p>developed in partnership with the WGAHC.</p> <p>The police are able to capture information about bias indicators in their narrative investigation reports that are passed onto the prosecution service. ENYÜBS (general crimes statistics system) is a joint system of the police and the prosecution.</p> <p>Since 1 July 2018 there is the facility to record specific hate crimes and victim groups after an incident is confirmed to be a crime (not at the reporting stage). Although this is a positive development, there are several obstacles to recording full information when victims report crimes:</p> <ol style="list-style-type: none"> 1) the flagging of hate crimes is still based only on the authorities decision not on the victims / witness's perception 2) protected characteristic only recorded for incidents recognized and flagged as crimes, reports of incidents that are not qualified as crimes are not part of the new system. This presents a missed opportunity to take account of victim and witness perception. 3) data focuses on the legally protected category, not on victim group, making it impossible to separate anti-Muslim, anti-Semitic and anti-Christian crimes (all fall under religion) or crimes against people of African descent or Roma (all fall under race or ethnicity 	<p>changes to crime recording system, it is too early to ascertain if it is being effectively used.</p> <p>There is evidence of discrepancies between the case file and the statistical record of the same case. Internal research found 271 cases relating to hate crime between 2009-2014, which is a much higher figure than in official statistics.</p> <p>While there is evidence of ad-hoc connection between police and prosecutors, in the absence of an overarching, cross government framework, it is not systematic.</p> <p>According to hatecrime.osce.org, police-recorded hate crimes significantly increased between 2016-2017 (from 33 to 233). It is unclear whether this significant jump is due to increased reporting, better recording or some other reason.</p>	
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	<p>Prosecution service – Although prosecutors can flag hate crimes on the new electronic system, frameworks supporting effective hate crime recording and data collection – including guidelines, training and specialist roles - are weaker for the prosecution service than the police, affecting the overall relationship. A different system monitors prosecutorial activity in the courts and is not connected with ENYÜBS (see prosecution-judiciary relationship). Guidelines available to prosecutors are a translated version of the OSCE -ODIHR prosecution guidelines that are not adapted to the Hungarian context. There is also a lack of awareness of the protocol and there is no proof or reference of it been used.</p> <p>There is no specialist network of prosecutors for the police to link with.</p> <p>While regular annual trainings touch upon the issue of the prosecution of hate crimes, it is only through a 2 hour long lecture.</p> <p>There is no overarching framework governing hate crime recording and data collection.</p>		
	Framework	Action	
Law enforcement – judiciary	<p><i>Relevant norm/standard:</i></p> <p>Law enforcement are able to comprehensively record hate crimes, including bias indicators and specifically flag bias motivations and crime types (Standards 1,2,3,4)</p>	<p><i>Relevant norm/standard:</i></p> <p>Realistic data is produced by the system (very low numbers indicate hate crime laws are not being used). (Standards 6 and 7)</p>	<p>Framework:1</p> <p>Action: 1</p> <p>Colour:</p>

	<p>The courts have the facility to record sentencing information, including whether the hate element was considered and the outcome (Standard 7)</p> <p>The two bodies are members of a policy and technical framework that allows cases to be traced from investigation to sentencing stages and to record and share data about victim safety and support needs (Standards 5, 8 and 9).</p>	<p>Emerging information is used – for example, meetings involving both parties discuss available data, problem-solve and identify actions.</p>	<p>red</p>
	<p><i>Description of national situation:</i> There is no direct link between law enforcement and judiciary, the prosecution interfaces with the court. Police files might be included in the court casefile, and police might be heard in court as witness. There is no link between ENYÜBS and the court statistical system.</p> <p>Some claims have been made by the police and ministries that the judiciary is reluctant to participate / contribute to coordination meetings citing their independence.</p>	<p><i>Description of national situation:</i> There is very limited data available on sentencing, indicating that the connection between investigation to prosecution and sentencing is limited. The judiciary have attended a number of interdisciplinary meetings that include discussions on hate crime data, but their input is limited.</p>	
	<p>Framework</p>	<p>Action</p>	
<p>Law enforcement – Ministry of Interior (Mol)</p>	<p><i>Relevant norm/standard:</i> Law enforcement are able to comprehensively record hate crimes, including bias indicators, and specifically flag bias motivations and crime types (Standards 1, 2, 3, 4)</p> <p>Law enforcement are able to record information about victim support and safety (Standard 5)</p>	<p><i>Relevant norm/standard:</i> Emerging information is used – for example, meetings involving both parties discuss available data, problem-solve and identify actions.</p> <p>Realistic data is produced by the system (very low numbers indicate hate crime laws are not being used).</p>	<p>Framework: 2 Action: 2</p> <p>Colour: amber</p>

	<p>This information can be shared with the MoI or relevant ministry for data collection and analysis.</p> <p>The two bodies are members of a policy and technical framework to record and share data about bias indicators, crime types and victim support/safety needs (Standards 8 and 9).</p>	(Standards 6 and 7)	
	<p><i>Description of national situation:</i> See law enforcement-Prosecution relationship for information on how law enforcement record hate crimes.</p> <p>The MoI is the supervisory body of the police, the National and County Chiefs of Police are appointed by the MoI. The MoI can pass ministerial decrees governing police practice. ENYÜBS is maintained by the MoI, the stats department of MoI have direct access to the data.</p>	<p><i>Description of national situation:</i> The police and the MoI participate in coordination meetings (e.g. - WGAHC-police meetings, Human Rights Roundtable, FRA/ODIHR workshop).</p> <p>It isn't known how often the MoI reviews hate crime data in consultation with the police in terms of quality, trends and actions for improvement.</p> <p>According to hatecrime.osce.org, police-recorded hate crimes significantly increased between 2016-2017 (from 33 to 233). It is unclear whether this significant jump is due to increased reporting, better recording or some other reason.</p>	
	Framework	Action	
Prosecution-Judiciary	<p><i>Relevant norm/standard:</i> The prosecution service is able to record relevant information about evidence of bias and, where appropriate, systematically present this to the court (Standards 4 and 7).</p>	<p><i>Relevant norm/standard:</i> Emerging information is used – for example, meetings involving both parties discuss available data, problem-solve and identify actions.</p> <p>Realistic data is produced by the system (very low</p>	<p>Framework: 1</p> <p>Action: 0</p> <p>Colour:</p>

	<p>There is the facility to record sentencing information, including whether the hate element was considered and the outcome (Standard 7)</p> <p>The two bodies are members of a policy and technical framework to record and share data about bias indicators, crime types and victim support/safety needs. (Standards 8 and 9)</p>	<p>numbers indicate hate crime laws are not being used) (Standard 6)There is no evidence that the prosecution and judiciary regularly reflect on problems and gaps with the data and information that is captured.</p>	<p>red</p>
	<p><i>Description of national situation:</i></p> <p>The Prosecution Service has two relevant statistical system: ENYÜBS with data related to their power to supervise investigations, and VIR on the court cases they handle. ENYÜBS is shared with the police (see law enforcement-prosecution relationship). The VIR system is less detailed, and only contains the legal qualification of the case. The two are not linked. This limits the data available to the prosecution service as it progress to the court stage of a prosecution. The National Office for the Judiciary does not collect data on the specific motivation underlying the criminal offence. Data is stored in narrative form in the case file. If the offence is qualified as ‘violence against a member of the community’, the offence will be included in court statistics. However, the system allows only one offence to be recorded. This means that if there are multiple offences in one case, and ‘violence against a member of a community’ is not the first one, that case is lost in the statistical system.</p> <p>The judiciary received training relating to hate crimes in 2012, 2015 and 2016.</p>	<p><i>Description of national situation:</i></p> <p>According to http://hatecrime.osce.org/hungary, data on hate crime prosecutions and sentencing is sporadically available.</p> <p>The judiciary have attended a number of interdisciplinary meetings that include discussions on hate crime data, but their input is limited.</p>	

	There is no overarching framework governing hate crime recording and data collection.		
	Framework	Action	
Prosecution – Ministry of Justice	<p><i>Relevant norm/standard:</i> The prosecution service is able to record relevant information - including about evidence of bias - and to share this with the MoJ for data collection purposes (Standard 4)</p> <p>The two bodies are members of a policy and technical framework to record and share data about bias indicators, crime types and victim support/safety needs (Standard 8 and 9)</p>	<p><i>Relevant norm/standard:</i> Emerging information is used – for example, meetings involving both parties discuss available data, problem-solve and identify actions.</p>	Framework: 1 Action: 1 Colour: red
	<p><i>Description of national situation:</i> See law enforcement – prosecution relationships for details on how the prosecution service records information relating to hate crime.</p> <p>Both prosecution and MoJ participate in coordination meetings (Human Rights Roundtable, FRA/ODIHR workshop). However, there is no national strategy or group overseeing hate crime recording and data collection in Hungary.</p>	<p><i>Description of national situation:</i> Realistic data is produced by the system (very low numbers indicate hate crime laws are not being used) (Standards 5 and 6) See prosecutor-law enforcement relationship for details on hate crime prosecution data.</p> <p>It isn't known how often the MoJ reviews hate crime data in consultation with the police in terms of quality, trends and actions for improvement.</p>	
	Framework	Action	

Ministry of Interior – Ministry of Justice	<p><i>Relevant norm/standard:</i> The two bodies receive data and information from law enforcement and the prosecution service, respectively (Standards 1,2,3,4).</p> <p>The two bodies are members of a policy and technical framework to record and share data about bias indicators, crime types and victim support/safety needs across the criminal justice system (standards 8 and 9)</p>	<p><i>Relevant norm/standard:</i> Emerging information is used – for example, meetings involving both parties discuss available data, problem-solve and identify actions.</p> <p>Realistic data is produced by the system (very low numbers indicate hate crime laws are not being used) (Standards 6 and 7)</p>	<p>Framework:1 Action:0</p> <p>colour red</p>
	<p><i>Description of national situation:</i> There is no dedicated coordination mechanism between ministries on HC. HC featured several times on the agenda of the Human Rights Roundtable, an NGO consultation mechanism of the government with participation of both (and other) ministries.</p>	<p><i>Description of national situation:</i> The Ministries of Justice and Interior collect data from the police and prosecution service (see MoI-Police and MoJ-prosecutor) relationships. There is no evidence that this data is reviewed by the two bodies to identify areas for improvement.</p>	
	<p>Framework</p>	<p>Action</p>	
Victim(s)-Law enforcement	<p><i>Relevant norm/standard:</i> Law enforcement are able to comprehensively record hate crimes, including bias indicators – including victim perception - and flag bias motivations and crime types (Standards 1, 2, 3, 4)</p> <p>Law enforcement are able to record information about victim support and safety (standard 5)</p> <p>There is a process to keep victims informed about the progress of the investigation (Standard 10, 11, 12, 13,14)</p> <p>Law enforcement can accept anonymous reports of hate crime.</p>	<p><i>Relevant norm/standard:</i> The system is used to record bias motivations and crime types and to ensure specific support to victims (Standards 15 and 16)</p> <p>The system is used to keep victims informed about the progress of the investigation (Standard 11)</p> <p>Action is taken to increase reporting (Standard 17)</p>	<p>Framework: 2</p> <p>Action: 1</p> <p>Colour - amber</p>

	<p><i>Description of national situation:</i></p> <p>Hungarian criminal procedure is based on the principle of officiality, ie. The majority of investigations, including hate crime investigations, are launched and carried out <i>ex officio</i> without the need of the victim to report the case. This means that cases can be reported anonymously and by a third party.</p> <p>There are limitations in current police hate crime recording methods and systems (see law enforcement-prosecution relationship).</p> <p>The police have a duty to communicate official decisions (“határozat”) such as the decision to hand a case over to another police force, to reject a crime report, to suspend the investigation, to close the investigation, as well as to notify about any legislative steps where the victim can be present.</p> <p>The obligation under the Victims’ Rights Directive provision 23.2b that victims of hate crime should be interviewed by specifically trained staff has not been transposed to Hungarian legislation. Police training in this area is on an ad hoc basis, and usually only possible by securing specific funding.</p> <p>In line with the Victim’s Directive, the police are required to undertake individual assessments, which include taking into account victims’ ‘personal characteristics’, however, it is unclear how this information is used.</p>	<p><i>Description of national situation:</i></p> <p>Limitations in the police recording framework restrict the information that can be captured and acted upon.</p> <p>There is no referral system between the police and specialist CSOs.</p> <p>There have been no specific efforts by the police to encourage hate crime reporting.</p> <p>There is evidence that the police abide by their duty to communicate with victims (see national situation).</p> <p>However, there are cases where a hate crime has been qualified as ‘disorderly conduct’, which is a victimless crime in Hungarian law. As a result the victim loses their victim status and will not be informed about developments in the case.</p>	
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	<p>The police can receive anonymous reports of hate crime regardless of the method, e.g., received in person, phone, email, sms etc.; and regardless of its source, e.g. other public body, private person, anonymous or with name. A general anonymous reporting hotline called Telefontanú (“Phone Witness”) is available for any crime.</p> <p>The Hungarian Police have a network of specialist officers, but their list is not available publicly, and victims cannot turn to them directly. The police use a list of bias indicators to help them detect and classify hate crimes more precisely.</p> <p>The police are willing to adopt the UNI-FORM reporting interface operated in Hungary by Háttér, a cooperation agreement on its operation is currently being drafted.</p>		
	Framework	Action	
Victim(s) - Prosecution	<p><i>Relevant norm/standard:</i> There is a process to keep victims informed about the progress of the criminal justice process (Standards 10, 11, 12, 13, 14, 18,19).</p> <p>.</p>	<p><i>Relevant norm/standard:</i> The system is used to keep victims informed</p>	<p>Framework: 1 Action: 1</p> <p>Colour: red</p>
	<p><i>Description of national situation</i> Prosecution has a duty to communicate official decisions (“határozat”), such as the decision to drop a case, and to inform the victim about submitting the case to court.</p>	<p><i>Description of national situation</i> Evidence suggests that the Prosecution communicates these official decisions.</p>	

		<p>However, as with the police-victim relationship. However, there are cases where a hate crime has been (re)qualified as ‘disorderly conduct’, which is a victimless crime in Hungarian law.</p> <p>As a result the victim loses their victim status and will not be informed about developments in the case.</p>	
	Framework	Action	
Victim(s) – Ministry of Interior	<p><i>Relevant norm/standard:</i> There is an established and resourced framework to gather data about unreported hate crime – for example through victimisation surveys that include questions about hate crime (standard 20, Standard 21, Standard 22)</p>	<p><i>Relevant norm/standard:</i> Relevant policy commitments on improving reporting and support have been made and acted upon</p> <p>Victimisation surveys are carried out and the results are published in an accessible format (Standard 23)</p>	<p>Framework: 0</p> <p>Action: 1</p> <p>Colour: red</p>
	<p><i>Description of national situation</i> There are no regular representative victim surveys carried out in Hungary.</p>	<p><i>Description of national situation</i> The most recent survey was carried out in 2002-2003 by the National Institute of Criminology (part of the Prosecution Service), but it did not contain a question on hate crimes. Hungary was also part of EU ICS in 2005 with a question on hate crimes, but the final publication did not include the hate crime number for Hungary (unlike for other countries). FRA community surveys (antisemitism, LGBT, EU MIDIS) covered Hungary as well, but the Hungarian government questions their validity.</p>	
	Framework	Action	

Victim(s) - CSO Racist hate crime	<i>Relevant norm/standard:</i> The CSO is able to systematically record hate crimes and incidents using a transparent victim-focused methodology that is accessible to its target community(ies) (Standard 31)	<i>Relevant norm/standard:</i> The system is used by victims. The CSO regularly provides direct support to victims or referrals to support services (Standard 29)	Framework: 2 Action: 2 Colour: Amber
	<i>Description of national situation</i> The Hungarian Helsinki Committee is a member of the Working Group Against Hate Crimes and follows its shared recording methodology.	<i>Description of national situation</i> The Hungarian Helsinki Committee provides legal aid to victims of hate crimes against asylum seekers, refugees and 'foreigners', and monitors cases in the media and in court.	
	Framework	Action	
Victim (s)- CSO disability hate crime	<i>Relevant norm/standard:</i> The CSO is able to systematically record hate crimes and incidents using a transparent victim-focused methodology that is accessible to its target community(ies) (Standard 31)	<i>Relevant norm/standard:</i> The system is used by victims. The CSO regularly provides direct support to victims or referrals to support services (Standard 29)	Framework: 1 Action:1 Colour-red
	<i>Description of national situation</i> The focus on institutional abuse risks missing incidents of disability hate crime.	<i>Description of national situation</i> The Hungarian Civil Liberties Union support "people living with disabilities - including psychosocial disabilities - who are often living in institutions and put under guardianship". Source: https://tasz.hu/egyenlosegprojekt The focus on institutional abuse risks missing incidents of disability hate crime.	
	Framework	Action	
Victim(s)-	<i>Relevant norm/standard:</i>	<i>Relevant norm/standard:</i>	Framework

CSO Anti-LGBTQ+ hate crime	The CSO is able to systematically record hate crimes and incidents using a transparent victim-focused methodology that is accessible to its target community(ies) (Standard 31)	The system is used by victims. The CSO regularly provides direct support to victims or referrals to support services (Standard 29)	rk: 3 Action: 2 Colour: Green
	<p><i>Description of national situation</i></p> <p>The Háttér Society is an NGO advocating and campaigning for equal rights and social acceptance for LGBTQI people.</p> <p>The Society runs a hotline to report abuse and for support on a range of issues, runs two online reporting interfaces (Report homophobia!, UNI-FORM), hate crimes are a specific category in its case management system. Háttér is a member of WGAHC.</p>	<p><i>Description of national situation</i></p> <p>Háttér’s free legal counselling and representation on behalf of victims of discrimination, harassment and violence on the grounds of sexual orientation or gender identity is regularly accessed by individuals.</p>	
	Framework	Action	
Victim(s) - CSO Anti-Roma hate crime.	<p><i>Relevant norm/standard:</i></p> <p>The CSO is able to systematically record hate crimes and incidents using a transparent victim-focused methodology that is accessible to its target community(ies) (Standard 31)</p>	<p><i>Relevant norm/standard:</i></p> <p>The system is used by victims. The CSO regularly provides direct support to victims or referrals to support services (Standard 29)</p>	Framework: 1 Action: 2 Colour: amber
	<p><i>Description of national situation</i></p> <p>The <u>Legal Defense Bureau for National and Ethnic Minorities (NEKI)</u>, works to protect the rights of national and ethnic minorities living in Hungary, primarily the Roma community. Due to a lack of resources it has ceased its work including its hate crime monitoring and advocacy work. NEKI was a member of WGAHC.</p>	<p><i>Description of national situation</i></p> <p>Due to a lack of resources NEKI has ceased its work including its hate crime monitoring and advocacy work.</p> <p>The Hungarian Civil Liberties Union monitors hate crime as part of its support work and shares it data through the WGAHC. The organisation is currently building grassroots level connections with local Roma leaders, providing</p>	

	The Hungarian Civil Liberties Union provides direct support to victims of anti-Roma hate crime and records and monitors hate crimes against them. HCLU is a member of the WGAHC.	information on HC and raising awareness about support available from the HCLU.	
	Framework	Action	
Victim-CSO antisemitic hate crime	<p><i>Relevant norm/standard:</i></p> <p>The CSO is able to systematically record hate crimes and incidents using a transparent victim-focused methodology that is accessible to its target community(ies) (Standard 31)</p> <p><i>Description of national situation</i></p> <p>The Brussels Institute, founded by Action and Protection Foundation, carries out monitoring of anti-Semitic hate crime in accordance with methods worked out and proposed by the Organization for Security and Co-operation in Europe (OSCE).</p> <p>The institute has set up operational HOTLINE: (+36 1) 51 00 000, where incidents of anti-Semitic and anti-Jewish behaviour can be reported. Incidents can also be reported online.</p> <p>The organisation also provides legal support.</p> <p>Most of cases dealt with by the organisation relate to hate speech and Holocaust denial.</p> <p>The organisation is the only NGO body to receive public funding for its hate crime monitoring work, from the</p>	<p><i>Relevant norm/standard:</i></p> <p>The system is used by victims. The CSO regularly provides direct support to victims or referrals to support services (Standard 29)</p> <p><i>Description of national situation</i></p> <p>Most of cases dealt with by the organisation relate to hate speech and Holocaust denial.</p> <p>The organisation also provides legal support.</p> <p>The organisation regularly publishes reports on antisemitic incidents in Hungary on their website and submits incidents to the OSCE-ODIHR's annual Hate Crime Reporting. This indicate that the system is being used by victims and witnesses.</p> <p>MAZSIHISZ (Federation of Hungarian Jewish Communities) legal aid service has directly supported victims of hate crime.</p>	<p>Framework: 2</p> <p>Action: 3</p> <p>Colour: green</p>

	<p>Prime Minister's Office.</p> <p>MAZSIHISZ (Federation of Hungarian Jewish Communities) also operate an antisemitism monitoring program. They also operate a legal aid service: https://mazsihisz.hu/hirek-a-zsido-vilagbol/mazsihisz-hirek/hitkozsegi-jogsegelyszolgalat,</p>		
	Framework	Action	
General public-Law enforcement	<p><i>Relevant norm/standard</i></p> <p>Law enforcement are able to comprehensively record hate crimes, including bias indicators and specifically flag bias motivations and crime types (Standards 1,2,3)</p> <p>See law enforcement-prosecutor relationship for details on police-recorded data.</p>	<p><i>Relevant norm/standard:</i></p> <p>Hate crime data is produced, published and made accessible (Standard 6)</p> <p>Action is taken to increase reporting (Standard 17)</p>	<p>Framework: 2</p> <p>Action: 0</p> <p>Colour: red</p>
	<p><i>Description of national situation</i></p> <p>See law enforcement-prosecutor relationship for details on police-recorded data.</p>	<p><i>Description of national situation</i></p> <p>Hate crime data are collected in disaggregated form, however, they are not published in this form. Instead they were presented as the crime of 'violence against a member of the community' and are published as part of general crimes statistics every month on a specialized website (bsr.bm.hu). There is no analysis of the data, only data tables are published. This means that it is difficult for the general public to identify specific data on hate crime.</p> <p>There have been no data published on any crimes since the introduction of the new ENYÜBS system in July 2018, so it is not clear whether statistics on the crimes flagged as hate crimes and disaggregation by protected</p>	

		<p>characteristic would be available publicly or not.</p> <p>Disaggregated data is available on request, however this requires specialized knowledge, thus cannot be considered publicly accessible.</p> <p>There have been no specific actions taken to increase hate crime reporting.</p>	
	Framework	Action	
general public – Ministry of Interior	<p><i>Relevant norm/standard:</i></p> <p>Mol has access to law enforcement and other official hate crime data (see relevant relationships).</p>	<p><i>Relevant norm/standard:</i></p> <p>Data and information (for example on hate crime strategy and actions plans) are produced, published and made accessible (Standard 6).</p>	<p>Framework: 2</p> <p>Action: 0</p> <p>Colour: red</p>
	<p><i>Description of national situation</i></p> <p>Mol has access to law-enforcement data, see Mol-Law enforcement relationship for data collected.</p> <p>Hate crime data are collected in disaggregated form. There is potential to improve the granularity of data following the changes to flagging systems introduced on 1 July 2018 (see general commentary)</p>	<p><i>Description of national situation</i></p> <p>bsr.bm.hu website is operated by the Mol, see <i>Law Enforcement – general public</i> relationship. Mol publishes no analysis / reports besides the data tables, which cannot be understood without specialist knowledge.</p>	
	Framework	Action	
General public-Prosecution	<p><i>Relevant norm/standard:</i></p> <p>Prosecution service records and captures data on the number and outcomes of hate crime prosecutions</p>	<p><i>Relevant norm/standard:</i></p> <p>Data on prosecuting hate crime are produced, published and made accessible (Standard 6).</p>	<p>Framework: 1</p> <p>Action: 1</p>

	(Standards 4 and 7).		Colour: red
	<p><i>Description of national situation</i> There are two systems, ENYÜBS and VIR, see prosecution-judiciary relationship. The other part on prosecutorial activity at courts (VIR), there are separate annual reports on that, but they focus solely on procedural questions (length of procedure etc.), and is not broken down by crime. http://ugyesszeg.hu/pdf/statisztika/buntetobirosag_ugyesi_tev_1_2017.pdf http://ugyesszeg.hu/pdf/statisztika/buntetojogi_szakterulet_2017.pdf</p>	<p><i>Description of national situation</i> Data are not published in disaggregated form. Instead they are presented as the crime of ‘violence against a member of the community’ and are published as part of general crimes statistics. Disaggregated data is available on request, however this format is not publicly accessible. The prosecution service produces separate annual reports based on the VIR system (which collects data on prosecutorial activity in the courts), however, they focus solely on procedural questions (such as the length of procedure etc.), and are not broken down by crime. http://ugyesszeg.hu/pdf/statisztika/buntetobirosag_ugyesi_tev_1_2017.pdf http://ugyesszeg.hu/pdf/statisztika/buntetojogi_szakterulet_2017.pdf</p>	
	Framework	Action	
general public - Judiciary	<p><i>Relevant norm/standard:</i> The courts record and captures data on the number and outcomes of cases where hate crime laws were applied (Standard 4).</p> <p><i>Description of national situation</i> The court statistical system is more limited than the ENYÜBS (for police and prosecution). It isn’t possible to</p>	<p><i>Relevant norm/standard:</i> Data on hate crime sentences are produced, published and made accessible (Standards 6 and 7)</p> <p><i>Description of national situation</i> Data tables and analysis are published twice a year, however they are limited to procedural questions (length</p>	<p>Framework: 1</p> <p>Action: 0</p> <p>Colour: red</p>

	disaggregate sentencing information by bias motivation. In cases containing multiple offences, only one crime is recorded, which means that specific information about hate crimes can disappear from the system and can only be identified through a retrospective analysis of sentencing data.	of procedure etc.), and are only broken down by civil / criminal / administrative, and not by crime.	
	Framework	Action	
General public - CSO Network, WGAHC –	<i>Relevant norm/standard:</i> The CSO is able to systematically record hate crimes and incidents using a transparent victim-focused methodology that is accessible to its target community(ies) (Standard 31)	<i>Relevant norm/standard:</i> The CSO regularly publishes data and information describing victims’ experiences of hate crime based on their own recording systems (Standard 39). The CSO uses its data to raise awareness about the problem and to advocate for improvements (Standard 40).	Framework: 2 Action: 3 Colour: green
	<i>Description of national situation</i> The members of the working groups record cases using their own case management system, which include hate crimes together with other cases handled, usually with a flag for hate crimes. Members of the group use a joint database onto which cases are uploaded. The database contains cases the organizations handled and cases that have been identified in the media, police website or case law database. Description of cases that the organizations handle are made public at: http://gyulotellen.hu/esetek	<i>Description of national situation</i> The Working Group Against Hate Crime regularly produces reports highlighting the nature and prevalence of hate crime in Hungary and the quality of police, prosecution and court responses. For example, in 2016, the WGAHC published a detailed analysis of public authorities’ response to hate incidents – ‘Law Enforcement Problems in Hate Crime Procedures’ The WGAHC administers an internal database with all cases that have been reported to member organizations, found in police news items, media reports and the court case database. Case descriptions of cases worked on by member	

		<p>organizations are also available online.</p> <p>The WGAHC is piloting a new online reporting interface developed by ODIHR.</p> <p>Members of the WGAHC: Amnesty International Hungary, Háttér Society, Hungarian Helsinki Committee and the Hungarian Civil Liberties Union (TASZ)</p>	
	Framework	Action	
CSO network, WGAHC-Law enforcement	<p><i>Relevant norm/standard:</i></p> <p>The two bodies are members of an agreement to refer cases for support services (Standard 16 and 29)</p> <p>There is a structure for connection, that could include specialist police networks, a training agreement, information-sharing protocol, etc. (Standard 24, 25, 26)</p> <p>Both bodies are members of a cross government group that regularly considers evidence of hate crime prevalence and responses to the problem and considers actions for improvement. (Standard 8 and 9)</p>	<p><i>Relevant norm/standard:</i></p> <p>Structures and frameworks are used in a meaningful way/ the two bodies connect in meaningful ways. For example, The CSO uses its data to raise awareness about the problem and to advocate for improvements (Standard 40).</p>	<p>Framework: 1</p> <p>Action: 2</p> <p>Colour: Amber</p>
	<p><i>Description of national situation</i></p> <p>There is no national framework governing the referral of victims to support or for sharing hate crime data, however there are regular Human Rights Roundtable Meetings where hate crime issues are generally discussed.</p>	<p><i>Description of national situation</i></p> <p>Until recently, the WGAHC and the police met every six months to review unsuccessful cases, and discuss general issues relating to hate crime, in confidence.</p> <p>The WGAHC produced a list of bias indicators that are used by the police during investigations (See FRA publication, Hate Crime Recording and Data)</p>	

		<p>Collection Practice Across the EU, p.57)</p> <p>The WGAHC regularly provides input into police hate crime training;</p> <p>The WGAHC has been able to provide practical assistance on hate crime investigations.</p> <p>Recently, the Hungarian Police have endorsed the reporting platform UNI-FORM⁴, which is coordinated by the Háttér Society. The application allows for direct reporting of hate crimes by victims and others to the police. The two bodies are in discussions about a Memorandum of Understanding on its operation.</p> <p>However, without institutionalised frameworks for cooperation, supported by leadership and political will, cooperation can end at any time without particular reason or explanation. There are recent signs that police commitment to cooperation is decreasing.</p>	
	Framework	Action	
CSO network, WGAHC-Prosecution	<p><i>Relevant norm/standard:</i></p> <p>No expectation that there is an information-sharing agreement in place.</p> <p>Both bodies are members of a cross government group that regularly considers evidence of hate crime</p>	<p><i>Relevant norm/standard:</i></p> <p>Evidence of CSO input into prosecutor training; and/or joint case reviews, and/or specialist prosecutors offices that make connections with CSOs, then include the relationship (Standard 25)</p>	<p>Framework: 1</p> <p>Action: 1</p> <p>Colour:</p>

⁴ UNI-FORM is an initiative of the International Lesbian, Gay, Trans and Intersex Association – Portugal. It allows victims and witnesses to report hate crimes and incidents using the app, which are received by national specialist CSOs. <https://uni-form.eu/about?country=GB&locale=en>

	prevalence and responses to the problem and considers actions for improvement (Standards 8 and 9)		red
	<p><i>Description of national situation</i></p> <p>There is no established system of cooperation between the prosecution service and CSOs, however there are regular Human Rights Roundtable Meetings where hate crime issues are generally discussed. The prosecution service does not have specialist network of prosecutors or points of contact with police. As pointed out by one CSO representative, '[there is] no structure in place that makes it clear that you have to cooperate'.</p>	<p><i>Description of national situation</i></p> <p>There is some evidence of ad-hoc cooperation. For example, representatives of the Prosecution Service attended both Facing all the Facts Workshops and took active and knowledgeable part, they also attended the six monthly meetings between police and WGAHC, and the Human Rights Roundtable meetings with hate crimes on the agenda.</p>	
	Framework	Action	
CSO Network, WGAHC – Ministry of Interior	<p><i>Relevant norm/standard:</i></p> <p>CSO is a member of cross-government framework with a focus on hate crime recording and data collection (Standards 8 and 9)</p>	<p><i>Relevant norm/standard:</i></p> <p>CSOs play an active role in these frameworks, CSO data is actively considered in government policy-making.</p> <p>The CSO uses its data to raise awareness about the problem and to advocate for improvements (Standard 40).</p>	<p>Framework: 0</p> <p>Action: 1</p> <p>Colour: red</p>
	<p><i>Description of national situation</i></p> <p>There is no cross-government technical or policy framework that supports cooperation on hate crime recording and data collection, however there are regular Human Rights Roundtable Meetings where hate crime issues are generally discussed.</p>	<p><i>Description of national situation</i></p> <p>Representatives from the Mol are always invited and participate in the Human Rights Roundtable meetings when hate crime is on the agenda.</p>	
	Framework	Action	
CSO network	<p><i>Relevant norm/standard:</i></p>	<p><i>Relevant norm/standard:</i></p> <p>CSOs play an active role in these frameworks, CSO data is</p>	<p>Framework: 0</p>

WGAHC – Ministry of Justice	CSO is a member of cross-government framework with a focus on hate crime recording and data collection (Standards 8 and 9)	actively considered in government policy-making. The CSO uses its data to raise awareness about the problem and to advocate for improvements (Standard 40).	Action: 1 Colour: red
	<i>Description of national situation</i> There is no cross-government technical or policy framework that supports cooperation on hate crime recording and data collection, however there are regular Human Rights Roundtable Meetings where hate crime issues are generally discussed.	<i>Description of national situation</i> WGAHC and the MoJ worked together constructively between 2012 and 2017, during the drafting of the new Criminal Code, the Criminal Procedure Act and the legislation transposing the Victim Rights Directive. There has been no legislative development since then. In 2018, a long-planned training for public victim support staff (their professional supervision is by MoJ). by Háltér, a member of the WGAHC, was cancelled at the last moment. Representatives from MoJ are always invited and participate in the Human Rights Roundtable meetings when hate crime is on the agenda.	
	Framework	Action	
CSO network WGAHC – LGBT+	<i>Relevant norm/standard:</i> Both bodies are members of a framework that shares data and works in coalition to advocate for improvements in responses to hate crime (Standard 31)	<i>Relevant norm/standard:</i> The framework is used. There is evidence of coalition building and advocacy based on shared positions.	Framework: 2 Action:3 Colour: green
	<i>Description of national situation</i>	<i>Description of national situation</i> The Háltér Society , is an active member of the WGAHC	

	The Hättér Society , an NGO providing direct support to victims and fighting for equal rights and social acceptance for LGBTQI people, is a member of the hate crime working group.	and contributes to its overall advocacy.	
	Framework	Action	
CSO network WGAHC – anti-Roma	<i>Relevant norm/standard:</i> Both bodies are members of a framework that shares data and works in coalition to advocate for improvements in responses to hate crime (Standard 31)	<i>Relevant norm/standard:</i> The framework is used. There is evidence of coalition building and advocacy based on shared positions.	Framework: 2 Action: 2 Colour: amber
	<i>Description of national situation</i> The Hungarian Civil Liberties Union reports on anti-Roma hate crimes as part of the WGAHC.	<i>Description of national situation</i> The Hungarian Civil Liberties Union is an active member of the WGAHC and contributes to its overall advocacy.	
	Framework	Action	
CSO network WGAHC – racist	<i>Relevant norm/standard:</i> Both bodies are members of a framework that shares data and works in coalition to advocate for improvements in responses to hate crime (Standard 31)	<i>Relevant norm/standard:</i> The framework is used. There is evidence of coalition building and advocacy based on shared positions.	Framework: 2 Action: 2 Colour: amber
	<i>Description of national situation</i> The Helsinki Committee reports on racist crimes and is a member of the WGAHC.	<i>Description of national situation</i> The Helsinki Committee is an active member of the WGAHC and contributes to its overall advocacy.	
	Framework	Action	
IGO – Ministry	<i>Relevant norm/standard:</i> There is an agreement and framework for data and	<i>Relevant norm/standard:</i> See standards document for ongoing action by IGOs to	Framework: 3

<p>of Justice</p>	<p>information on hate crime to be shared with an IGO and vice versa. (Standards 30, 32, 33, 34, 35, 36, 37)</p> <p>Parties are able to influence international norms and standards on hate crime reporting, recording and data collection and related activities and guidelines</p> <p>See standards document for information current platforms of exchange and cooperation.</p>	<p>connect with national authorities on hate crime reporting, recording and data collection</p> <p>National assessment will look at these factors: Data is shared with IGO in line with agreed obligations/as part of regular requests.</p> <p>National representatives attend IGO networking events</p> <p>National representatives ask for and implement capacity-building activities in the area of hate crime recording and data collection.</p>	<p>Action:3</p> <p>Colour: green</p>
	<p><i>Description of national situation</i></p> <p>N/A – this is a set international framework.</p>	<p><i>Description of national situation</i></p> <p>The Ministry of Justice is the lead agency on engagement with international organisations. This hotspot includes information about other ministries’ involvement, including the Ministry of Interior and Ministry of Foreign Affairs.</p> <p>Representatives of the Ministry of Justice regularly attend the following meetings:</p> <ul style="list-style-type: none"> - the High Level Group on Racism and Xenophobia coordinated by the European Commission, DG- JUSTICE; - the sub-group on police recording practices hosted by the EU Agency for Fundamental Rights (FRA); - and the OSCE Office of Democratic Institutions and Human Rights’ regular National Points of Contact 	

		<p>Meetings.</p> <p>The MoJ regularly submits data and information about hate crime to the FRA, DG-JUSTICE and OSCE-ODIHR for publication in their reports on hate crime in line with their mandates.</p> <p>However, the data that is submitted is not always correct. For example, it was reported that there is no disaggregation by protected characteristics when in fact the system allows for disaggregation.</p> <p>The MoI invited FRA and ODIHR to conduct a joint workshop on hate crime recording and data collection, which was held in December 2018.</p> <p>The MFA often acts as an intermediary among the MoJ and MoI and international organisations, conveying information and data on hate crimes.</p>	
	Framework	Action	
IGOs- CSO Network WGAHC	<p><i>Relevant norm/standard:</i></p> <p>There is an agreement and framework for data and information on hate crime to be shared with an IGO and vice versa (Standard 37)</p> <p>Parties are able to influence international norms and standards on hate crime reporting, recording and data collection and related activities and guidelines</p> <p>See standards document for information current</p>	<p><i>Relevant norm/standard:</i></p> <p>Data is shared between the two parties as part of regular requests.</p> <p>CSOs attend IGO networking events and ask for and implement capacity-building activities in the area of hate crime recording and data collection</p>	<p>Framework: 2</p> <p>Action: 3</p> <p>Colour: green</p>

	platforms of exchange and cooperation.		
	<p><i>Description of national situation</i></p> <p>N/A – this is a set international framework.</p>	<p><i>Description of national situation</i></p> <p>Representatives of the Working Group Against Hate Crime (WGAHC) regularly attend international meetings convened by the European Commission, the FRA and the OSCE Office for Democratic Institutions and Human Rights (ODIHR) to share insights and good practice on hate crime in Hungary.</p> <p>The WGAHC regularly contributes to shadow reports for UPR and other IGO reports.</p> <p>The working group is piloting an online reporting interface created by ODIHR: http://gyulotellen.hu/bejelentes</p>	