FACING ALL THE FACTS

Connecting on hate crime data in Hungary

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CEJI A JEWISH CONTRIBUTION TO AN INCLUSIVE EUROPE

NATIONAL UNIVERSITY OF PUBLIC SERVICE

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www.facingfacts.eu

Background

Facing all the Facts is generating more effective responses to hate crimes at national level and beyond so that bias motivated incidents will no longer be denied and victims' rights protected.

The project has four main objectives:

1. To discover what works and identify gaps and opportunities to improve cooperation and data sharing between criminal justice systems and CSOs;
2. To develop high quality and targeted online training which will advance the implementation of hate crime strategies, and can be tailored to a variety of national contexts and integrated into existing learning programmes;
3. To build the capacity of law enforcement and public authorities to take a victim-centered approach to monitoring and recording hate crime; and
4. To inform EU policy through evidenced and practice-based recommendations on improving hate crime recording, reporting and training methods in these areas.

Online training courses can be accessed by registering on:
www.facingfactsonline.eu

- Hate crime training for police
- Hate crime monitoring for civil society organisations
- Hate crime recording policy-making
- 7 Bias Indicators modules that address the specificities linked to hate crimes targeting the following communities:
  - Disabled
  - Jewish
  - LGBTQ+
  - Migrants and Refugees
  - Muslim
  - People of African Descent
  - Roma
- Hate speech monitoring and counteraction
- Hate speech advocacy
- Online content moderation

For interest in online courses that are not available to the public, such as those customized to specific national or organisational training strategies, please contact the project coordinator:

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Introduction

If we are to understand hate crime[1], support victims and reduce and prevent the problem, there are some basic questions that need to be answered:

> ***How many hate crimes are taking place? Who are the people most affected? What is the impact? How good is the response from the police? Are cases getting investigated and prosecuted? Are the courts applying hate crime laws? Are victims getting access to safety, justice and the support they need?***

While 'official' hate crime data, usually provided by police reports, are the most cited source for answers to these questions, they only tell a small part of this complex story. Understanding what happens to cases as they are investigated, prosecuted and sentenced requires a shared approach with cooperation across government agencies and ministries with responsibilities in this area, however, the necessary mechanisms and partnerships are often not in place. Reports and information captured by civil society organisations (CSOs) can provide crucial parts of the jigsaw, yet connection across public authority- civil society 'divides' is even more limited.

The Facing all the Facts project used interactive workshop methods, in-depth interviews, graphic design and desk research to understand and assess frameworks and actions that support hate crime reporting, recording and data collection across a 'system' of public authorities and CSOs.[2] Researchers adopted a participatory research methodology and worked directly with those at the centre of national efforts to improve hate crime reporting, recording and data collection to explore the hypothesis that stronger relationships lead to better data and information about hate crime and therefore better outcomes for victims and communities.

1 As a general rule, Facing all the Facts uses the internationally acknowledged, OSCE-ODIHR definition of hate crime: 'a criminal offence committed with a bias motive'
2 The following countries were involved in this research: Greece, Hungary, Ireland, Italy, Spain, United Kingdom (England and Wales).

What was found is that a range of factors are key to progress in this area, including the:

- strength and comprehensiveness of the international normative framework that influences national approaches to reporting, recording and data collection;
- technical capacity to actually record information and share with other parts of the system;
- existence of an underlying and inclusive policy framework at the national level;
- work of individual 'change agents' and the degree to which they are politically supported;
- skills and available resources of those civil society organisations that conduct recording, monitoring and advocacy.

The research found that each national context presents a different picture, and none is fully comprehensive or balanced.

This national report aims to describe the context and current picture of hate crime reporting, recording and data collection in Hungary and to present practical, achievable recommendations for improvement. It is hoped that national stakeholders can build on its findings to further understand and effectively address the painful and stubborn problem of hate crime in Hungary.

It is recommended that this report is read in conjunction with the European Report which brings together themes from across the six national contexts, tells the stories of good practice and includes practical recommendations for improvements at the European level. Readers should also refer to the Methodology section of the European Report that sets out how the research was designed and carried out in detail.

How did we carry out this research?

The research stream of the Facing all the Facts project had three research questions:[3]

1. What methods work to bring together public authorities (police, prosecutors, government ministries, the judiciary, etc.) and NGOs that work across all victim groups to:
- co-describe the current situation (what data do we have right now? where is hate crime happening? to whom?)
- co-diagnose gaps and issues (where are the gaps? who is least protected? what needs to be done?), and;
- co-prioritise actions for improvement (what are the most important things that need to be done now and in the future?).
2. What actions, mechanisms and principles particularly support or undermine public authority and NGO cooperation in hate crime recording and data collection?
3. What motivates and supports those at the centre of efforts to improve national systems?

The project combined traditional research methods, such as interviews and desk research, with an innovative combination of methods drawn from participatory research and design research.[4]

The following activities were conducted:

1. liaised with relevant colleagues to complete an overview of current hate crime reporting, recording and data collection processes and actions at the national level, based on a pre-prepared template[5];
2. identified key people from key agencies, ministries and organisations at the national level to take part in a workshop to map gaps and opportunities for improving hate crime reporting, recording and data collection.[6] This took place in Budapest on 24 May 2017.
3. arranged for in-depth interviews with five people who have been at the heart of efforts to improve reporting, recording and data collection at the national level to gain their insights into our research questions.

3 In terms of its conceptual scope, the research focused on hate crime recording and data collection, and excluded a consideration of hate speech and discrimination. This was because there was a need to focus time and resources on developing the experimental aspects of the methodology such as the workshops and graphics. International and national norms, standards and practice on recording and collecting data on hate speech and discrimination are as detailed and complex as those relating to hate crime. Including these areas within the methodology risked an over-broad research focus that would have been unachievable in the available time.
4 See the Methodology section of the European Report for a detailed description of the research theory and approach of the project.
5 See the Methodology section of the European Report for a full description of the research methodology.
6 See the Methodology section of the European Report for agenda and description of activities.

Following the first phase of the research, the lead researcher synthesised existing norms and standards on hate crime to create a self-assessment framework (insert link), which was used to develop national systems maps describing how hate crimes are registered, how data is collected and used and an assessment of the strength of individual relationships across the system. A graphic designer worked with researchers to create visual representations of the *Journey of a Hate Crime Case* [see below] and national *Systems Maps* (See 'Mapping the hate crime recording and data collection 'system' in Hungary' below). Instead of using resources to launch the national report, it was decided that more connection and momentum would be generated at the national level, and a more accurate and meaningful final report would be produced, by directly consulting on the findings and recommendations during a second interactive workshop which was held in Budapest, 19 October, 2018

During the final phase, the researchers reviewed and revised the final reports and systems maps, seeking input and clarification with stakeholders, as needed. In addition, themes from this and other national reports were brought together and critically examined in the final, European Report.

Background

The political, legal, social and technical aspects of hate crime in Hungary have been well documented by the Working Group Against Hate Crimes since 2012. The EU Agency for Fundamental Rights, focused on Greece and Hungary in a recent report and Amnesty International and Human Rights First regularly report on the country. This report will not repeat or rehearse this rich set of information on Hungary; its focus is on hate crime recording and monitoring. It explores the efforts of key actors to implement and improve hate crime recording and data collection processes that are victim focused and that prioritise collaboration across NGOs and between NGOs and the Hungarian state.

The ‘story’ of hate crime recording and data collection in Hungary: a timeline

1961 First hate crime provision appears in Hungarian criminal law in chapter on crimes against peace and humanity, with reference to international obligations (Genocide Convention)

1990-1993 Skinhead groups get more organized, taking part in several racist, antisemitic and anti-Roma attacks. A national assembly of skinheads, with 60 participants was organised in Eger in 1990. The assembly grew to 200 participants in 1993. Between January 1991 - March 1993, 15 criminal procedures against members of these groups were instigated and 114 perpetrators were charged.[7]

October, 1993 Skinhead groups disrupt a speech by the President of the Republic to commemorate the Revolution in 1956, directing national attention to the issue of the rise of the far-right .

1993 The High Court rejects the application of hate crimes provisions to violent crimes committed by incidents in which 46 skinheads marched through Budapest, assaulting several Roma people as well as foreigners.

1996 The Hungarian Criminal Code is amended; the existing hate crime provision is reconceptualised as crime against human dignity.

2007 Serious violence at a pride event in Budapest, presented a turning point for the Háttér Society to focus on hate crimes against LGBT+ people.

July 2008 500 people took part in a 'Pride' march. They were confronted by 1,000-1,500 demonstrators who engaged in homophobic chanting, and throwing eggs, potatoes, vegetables, bottles, stones and Molotov cocktails at marchers. Several politicians and celebrities were also assaulted. One group of protesters possessing acidic material and Molotov-cocktails were detained. During the clashes water cannons were used by the police to disperse the crowd. 58 anti-gay demonstrators were detained.[8]

2008-2009 9 armed attacks were carried out against houses inhabited by Roma. Perpetrators throw Molotov cocktails at houses and shoot at people running out of their homes. Four Roma people were killed, including a 5 year old. One of the four perpetrators had been under national security surveillance since 2004.[9] Between July 2008 and August 2009 nine attacks were committed against Roma in North-East Hungary. The men used guns, grenades and petrol bombs on Roma over a 14-month period. Six people died and 55 were seriously injured. Among the victims were a couple in their forties, an elderly man, a father and his son, and a single mother with a 13-year-old daughter. After a trial lasting 167 days, a court found

7 For an overview see: Nagy, L. T. (1994).
8 For more information see, https://index.hu/belfold/flvo080705/
9 For more information see, https://index.hu/belfold/2018/11/03/romagyilkossag_tizedik_evfordulo/

four men guilty of racially aggravated murder. Life sentences were handed down to three persons, a fourth defendant got a 13-year prison sentence.

2008 Hate crime legislation revised to include 'other groups', allowing homophobic and transphobic crimes to be included, in principle.

2009 Athena Institute starts building a database of hate crimes and hate groups.

2010 Háttér conducts victims survey on LGBT hate crime with 1674 respondents

2010 The first of a series of hate crime trainings for police is conducted by NGOs

August 2010 A Roma man driving a car with stolen goods is apprehended by the police. The suspect is assaulted by six police officers and two security guards at the police station to extract his confession. The officers make several references to his Roma origin. The police launched an investigation, but it was discontinued by the prosecution holding that the applicant's version of events was not plausible. In 2017 the ECtHR finds that the Government have not satisfactorily established that the applicant's injuries were caused otherwise than by the treatment meted, and that the authorities failed to investigate a possible causal link between alleged racist attitudes and the abuse suffered by the applicant at the hands of the police.[10]

January 2011 A Roma man is beaten up in Szeged in front of a discotheque. The attacker, a prison officer, uses a racist slur during the attack, and boasts the next day on social media about "kicking the head of a gypsy on the ground". The investigation is launched as violence against a member of a community, but later modified to disorderly conduct, and the court finds the defendant guilty of this crime. In 2015 the ECtHR finds a violation of the Convention for not treating the case as a hate crime. The Court argues that the prosecution failed to take into consideration the racist comments of the perpetrator online, which resulted in the unreasonable assessment of the circumstances of the case. The Court also finds that not only acts based solely on a victim's characteristic can be classified as hate crimes, perpetrators may have mixed motives.[11]

March – April 2011 After a flood ruins the houses of two Roma families in the Roma part of the town Gyöngyöspata, one family plans to buy a house in a part of town with very few Roma residents. Neighbours organise protests against the move and petition local government. An elderly man kills himself allegedly because he does not want Roma to move in to a house on other side of street. Jobbik and Magyar Gárda organize patrols on Roma streets. During one assembly, with 2000 participants - only one third of whom were local - Roma women were threatened, including one woman with two year old child who was threatened with an axe and whip, a pregnant

10 M.F. v. Hungary (45855/12)
11 Balázs v. Hungary (15529/12)

Roma woman was followed and spat at, later giving birth prematurely, and Roma houses' windows were smashed with stones.[12] The police and prosecution treats the axe and whip incident as harassment with no bias motivation, rejecting the application of the crime of violence against a member of a community (even though coercion by threat is also covered by the crime). In 2016 the ECtHR finds a violation of the Convention for failing to recognise the bias motivation.[13]

May 2011 Several legislative amendments are passed in response to the incidents in Gyöngyöspata, including extending the hate crime provision to threatening behaviour.[14]

2012 Police hate crime network set up at the national level and a national police coordinator is appointed.

2012 Human Rights Round Table, a consultation mechanism of the Government with the participation of NGOs is set up, hate crimes are discussed in several thematic working groups.

2012 A new Criminal Code is adopted. Hate crime legislation is revised to include sexual orientation, gender identity and disability. The reform follows intensive joint lobbying by NGOs, which later formed the Working Group Against Hate Crimes (WGAHC)

August 2012 Extreme right wing groups organise a march of 4-500 people in the Roma neighbourhood of the rural town Devecser against "gypsy criminality" under close police supervision. Speeches refer to Roma people as "abnormal", "trash that need to be swiped", "oppressive criminals who need to be chased away". Marchers, many of them wearing paramilitary uniforms and armed with sticks and whips chant slogans such as "gypsy criminality", "death to gypsies", "we will set your house on fire and you will burn inside", "we will come back once the police is gone", and throw stones at the houses of Roma. The police launch an investigation, but only one man is charged and sentenced with the crime of violence against a member of a community for throwing stones. Police and prosecution find that the speeches and the chanting did not amount to incitement to hatred, and falls within free speech. In 2017 the ECtHR finds that the investigation was not effective, and that speeches delivered amounted to incitement to hatred punishable by Hungarian Criminal Code as well.[15]

September 2012 'Creating a National Hate Crimes Strategy and Action Plan' NGO project started, including a strong focus on improving hate crime recording and

12 For more information, see https://index.hu/belfold/2011/03/06/ciganyterror_es_gardaterror_gyongyospatan/ and http://gyuloletellen.hu/esetek
13 R.B. v. Hungary (64602/12)
14 'ostensively anti-communal conduct suitable for inducing alarm in members of the given group'
15 Király and Dömötör v. Hungary (10851/13)

data collection.[16]

November 2012: The Unified Hungarian Jewish Congregation (one of the several Jewish denominations) sets up Action and Protection Foundation to fight anti-Semitism. In June 2013 the research branch of the Foundation receives a grant from the Prime Minister's Office to monitor hate incidents, with an emphasis on anti-Semitic incidents.

November 2013 The Háttér Society organises training on hate crime with the police hate crime network.

6 August 2013 Three people sentenced for life for the murders of Roma people in 2008-2009.

2013 First bachelor's degree course on hate crime introduced – together with the Action and Protection Foundation - to the National University of Public Service in the Faculty of Law Enforcement.

2014 Publication of 'Law Enforcement Problems in Hate Crime Procedures: The experiences of the Working Group Against Hate Crimes in Hungary', discussed at meeting of the Government's Human Rights Working Group's Thematic Workgroup Responsible for the Protection of Other Civil and Political Rights.

2014 The WGAHC set up case management seminars with the police hate crime network, with aim of reviewing individual cases, which later developed into more general consultation and cooperation on hate crime issues.

2016 Bias indicators list compiled by WGAHC with input from 59 public bodies, academic institutions and experts,[17] 'the indicators list created by the working group against hate crimes is instrumental, it helps a lot in [supporting the police to] recognise these crimes'[18]

12 January 2016 Final judgement for serial killing of Roma people that took place in 2008-2009

1 July 2018 A new criminal statistics system is launched, introducing the facility to flag hate crimes and identify protected characteristics.

18 July 2019 the National Chief of Police adopts a hate crime protocol binding on all police forces. The protocol consolidates the police hate crime network, and extends it to include mentors at local police forces.

16 See WGAHC (2014b)
17 See http://gyuloletellen.hu/aktualitasok/indikatorlista-hatekonyabb-buntetoeljarasert
18 Interviewee five

The journey of a hate crime

Using a workshop methodology, around 100 people across the 6 countries taking part in this research contributed to creating a victim-focused, multi-agency picture about what information is and should be captured as a hate crime case journeys through the criminal justice system from reporting to investigation, prosecution and sentencing, and the key stakeholders involved.[19]

The *Journey* graphic conveys the shared knowledge and experience generated from this exercise. From the legal perspective, it confirms the core problem articulated by Schweppe, Haynes and Walters where, 'rather than the hate element being communicated forward and impacting the investigation, prosecution and sentencing of the case, it is often "disappeared" or "filtered out" from the process.'[20,21] It also conveys the complex set of experiences, duties, factors and stakeholders that come into play in efforts to evidence and map the victim experience through key points of reporting, recording and data collection. The police officer, prosecutor, judge and CSO support worker are shown as each being essential to capturing and acting on key information about the victim experience of hate, hostility and bias crime, and their safety and support needs. International norms and standards[22] are the basis for key questions about what information and data is and should be captured.

The reasons why victims do not engage with the police and the criminal justice process are conveyed along with the potential loneliness and confusion of those who do. The professional perspective and attitude of criminal justice professionals that are necessary for a successful journey are presented.[23] NGOs are shown as an essential, if fragile, 'safety net', which is a source of information and support to victims across the system, and plays a role in bringing evidence of bias motivation to the attention of the police and the prosecution service.

The *Journey* communicates the *normative idea* that hate crime recording and data collection starts with a victim reporting an incident, and should be followed by a case progressing through the set stages of investigation, prosecution and sentencing, determined by a national criminal justice *process*, during which crucial data about bias, safety and security should be captured, used and published by key stakeholders. The graphic also illustrates the *reality* that victims do not want to report, key information about bias indicators and evidence and victims' safety and support needs is missed or falls through the cracks created by technical limitations, and institutional boundaries and incompatibilities. It is also clear that CSOs play a central yet under-valued and under-resourced role.

19 See Methodology section of the European Report for further detail
20 *Schweppe*, J. *Haynes*, A. and *Walters* M (2018), p. 67.
21 The extent of this 'disappearing' varied across national contexts, and is detailed in national reports.
22 See standards document and self-assessment document
23 Based on interviews with individual 'change agents' from across these perspectives during the research.

As in most contexts, there is serious under-reporting of hate crimes to the police and to NGOs in Hungary. There are also gaps in provision, support and information for victims, leading to drop out and poor outcomes. The following particular points came up in this research:

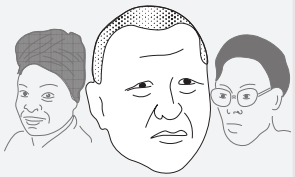
- First responders can still fail to recognise hate crime, forcing victims to make a separate report. If victims do not make a separate report, the crime never enters the system;
- Bias indicators are recorded in police reports sporadically, not systematically;
- While the police personally meet the victim and can have a personal impression about the victim, the prosecutor does not. It might be obvious to the police that a victim belongs to a protected social group, yet the prosecutor may not accept their perception, thus losing a key bias indicator. This situation can be more frequent in hate crimes involving LGBT+ targets.
- There is no connection made between crime statistics and sentencing data. As such it is currently impossible to trace cases throughout the criminal justice system.

These points are addressed in more detail when we look at Hungary's 'system' of hate crime recording and data collection below.

JOURNEY OF A HATE CRIME CASE

WWW.FACINGFACTSONLINE.EU

"This is the fifth time it has happened, I must report it but... will I be believed?'



"They'll find out I don't have the right papers ... I can't risk being deported.'

"Last time the police didn't record that I was attacked because I'm gay. How do I know that I'll be kept safe and it won't happen again?'

INVESTIGATION

'It is our duty to keep people safe and fully investigate every aspect of the incident.'

Do police record:
- Type of potential hate crime?
- Bias indicators and victim perception?
- Victim support and safety needs?

Is this information passed to the prosecution?

PROSECUTION

'Where there is evidence of bias motivation, it is our duty to bring it to the court's attention.'

Do prosecutors record:
- Type of hate crime?
- Evidence of bias and victim perception?
- Victim support and safety needs at court (and beyond)?

Is this information presented to the court?

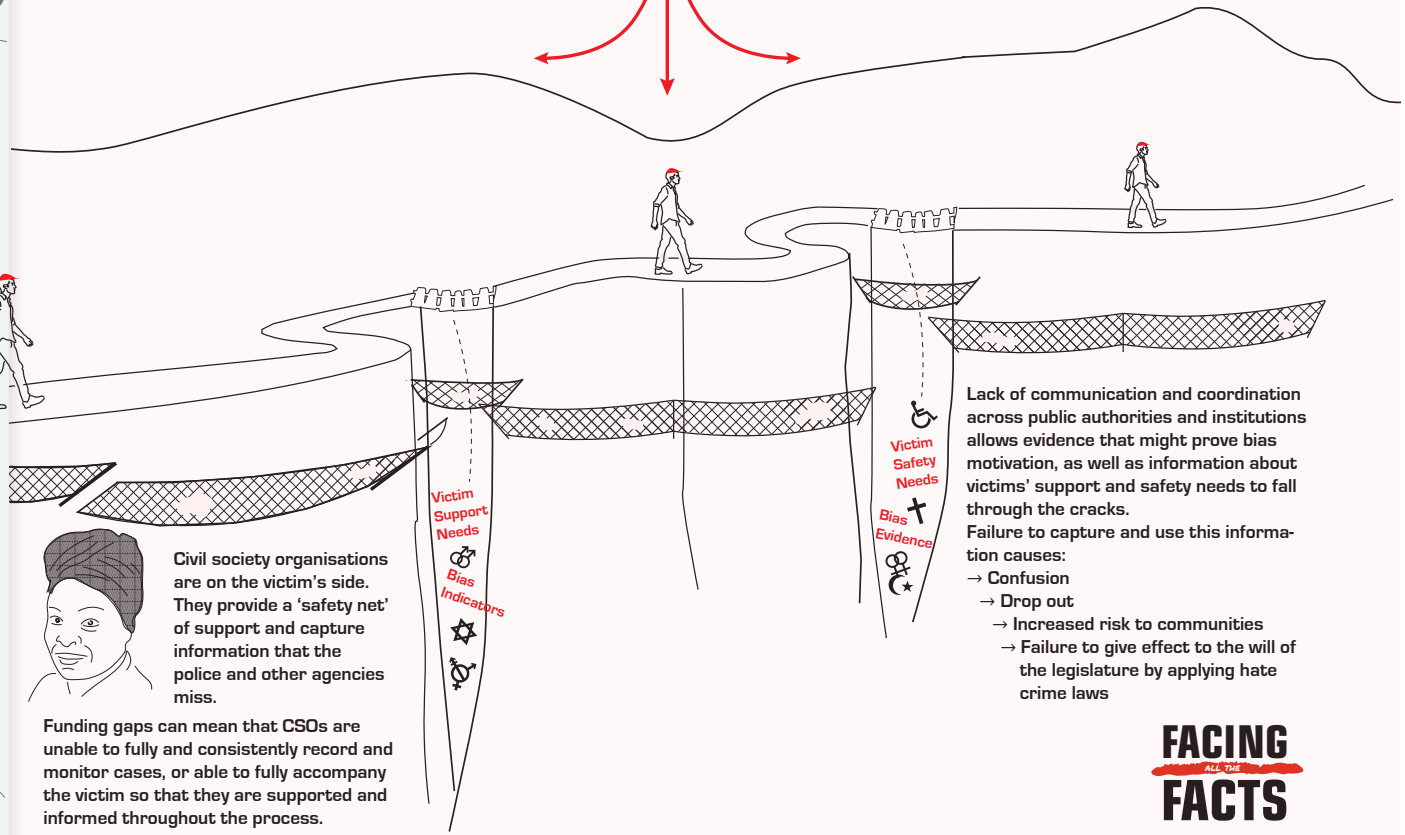
SENTENCING

'Parliament has passed our hate crime laws. Where the case is proven, we must apply them.'

Does the court record:
- Whether hate crime law was applied?
- Victim support and safety needs at court (and beyond)?

Is this information communicated to the public?

SUPPORT, SAFETY, COMMUNICATION & JUSTICE



Civil society organisations are on the victim's side. They provide a 'safety net' of support and capture information that the police and other agencies miss.

Funding gaps can mean that CSOs are unable to fully and consistently record and monitor cases, or able to fully accompany the victim so that they are supported and informed throughout the process.

Lack of communication and coordination across public authorities and institutions allows evidence that might prove bias motivation, as well as information about victims' support and safety needs to fall through the cracks.
Failure to capture and use this information causes:

→ Confusion
→ Drop out
→ Increased risk to communities
→ Failure to give effect to the will of the legislature by applying hate crime laws

FACING ALL THE FACTS

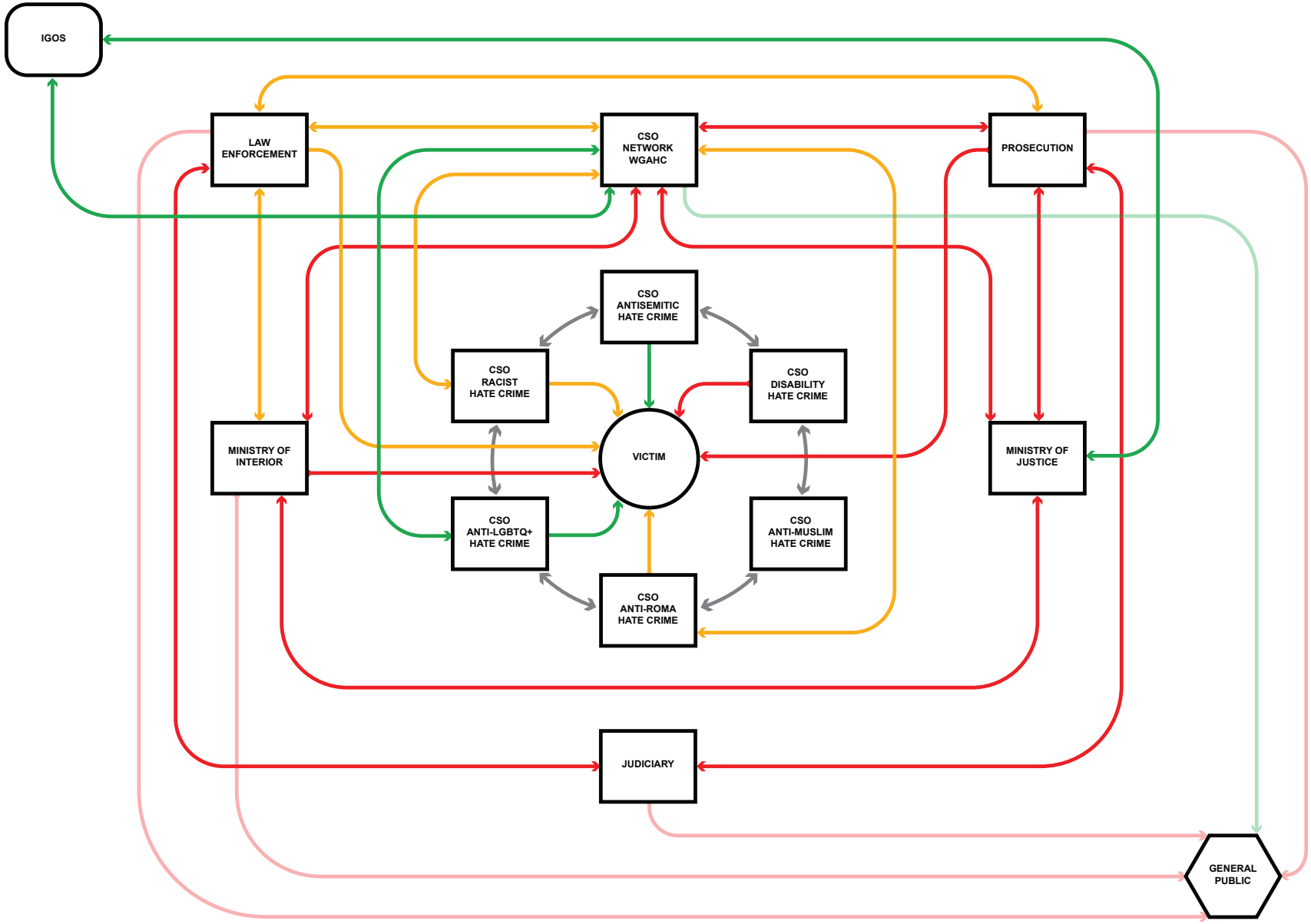
Mapping the hate crime recording and data collection 'system' in Hungary

The 'linear' criminal justice *process* presented in the *Journey* graphic is shaped by a broader *system* of connections and relationships that needs to be taken into account. Extensive work and continuous consultation produced a victim-focused framework and methodology, based on an explicit list of international norms and standards that 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.[24] It aims to go beyond, yet complement existing approaches such as OSCE-ODIHR's Key Observations framework and its INFAHCT Programme.[25] The *systems* map also serve as a tool support all stakeholders in a workshop or other interactive setting to co-describe current hate crime recording and data collection systems; co-diagnose its strengths and weaknesses and co-prioritise actions for improvement.[26]

The systems maps should be studied with reference to the self-assessment framework [insert link], which provides a detailed explanation for the colour coded relationships. If the map is being viewed online, these explanatory notes can be accessed by clicking on the '+' icon.

Follow the link to use the online, full-screen interactive version of Hungary's systems map.

24 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 section of the European Report.
25 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
26 See Methodology section of the European Report for instructions.



Bizonyíték a kapcsolatokra és általános kommentár

Jó kapcsolat. Hatékony keret és tevékenység, ami tovább javítható

Megfelelő kapcsolat. Korlátozott keret és tevékenység

Rossz kapcsolat. Nem elégséges keret és tevékenység

Civil szervezetek közötti hálózatépítés (kellene) a hatékony érdekérvényesítés és a metszetszemlélet megvalósításához

A keretek és tevékenységek megalkotását illetően a felelősség nem kétoldalú, csak a hatóságok és a civil szervezetek felelősek az áldozat és a nyilvánosság felé

A „nyilvánosság" felé vezető halvány nyilak azt jelzik, hogy bár a „nyilvánosság" az országos szintű rendszerben csak mint kontextus és háttér jelenik meg, szintén érdekelt félként kell megjeleníteni

Overview and Commentary

There is no national framework supporting a comprehensive approach to hate crime recording and data collection. For example, 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, 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 under-served by the system. The recent demise of specialist organisations supporting Roma communities has also had negative effects.

National policy and practice context

The technicalities of hate crime recording and data collection take place in a dynamic social and political context. As set out in the above timeline, there have been significant milestones in Hungary's journey of understanding and responding to hate crime. The serial murders of Roma people in 2008-2009 and the frequent intimidation of Roma communities made the danger of the far right and the problem of hate crime impossible to ignore. Failures to protect participants in multiple Pride events galvanised advocacy efforts to expose and improve state responses, receiving international attention. Several judgments against the Hungarian government by the European Court of Human Rights further enhanced international scrutiny.

Partly in response to these significant events, Hungary's hate crime laws are relatively comprehensive, a national network of specialist police has been established, the Working Group Against Hate Crime has produced high quality data reports and key successes in advocacy, and there has been specific progress in cooperation across CSO and public authority 'divides'.

However, overall, this journey might be best described as 'one step forward and two steps back' and takes place against a backdrop of significant obstacles that render it fragile and under threat. There is no national policy framework that commits ministries and criminal justice agencies to a comprehensive approach to understanding and addressing hate crime and the constant presence of the far-right is a key undermining factor. As expressed by one interviewee,

> 'we are competing with the … high profile of the far right, which is quite developed …in the national journey of understanding and addressing hate crime'[27].

The connection between political rhetoric and hostility against common targets of hate crime in Hungary was alluded to by several interviewees. The WGAHC's report to the Universal Periodic Review in 2015 highlighted the Hungarian Government's 'national consultation on immigration and terrorism' as risking, 'stigmatising asylum-seekers as welfare migrants and a national security threat'.[28]

The Hungarian government's targeting of NGOs that receive funding from outside Hungary, including NGOs that are active in monitoring hate crime and supporting victims is an additional challenge.[29] One interviewee remarked,

27 Interviewee one
28 WGAHC (2015a) paragraph 320.
29See Helsinki Committee et al (2017) and Helsinki Committee (2018)

> '[those NGOs] are the ones who believe and fight on a daily basis for our European values and about being citizens and human rights. I personally think that they are taking over the role of the state in some cases, for example when they are representing victims and in some cases vulnerable victims, these are the state's responsibilities and I don't think that hostility is the response... but rather the state should listen to them and possibly because they are doing the state a favour or overtaking state functions they should either operate hand in hand or even finance these NGOs.'[30]

One interviewee was very concerned that the lack of official data on hate crime, combined with a hostile political environment can give decision makers the excuse to stop academic programmes on hate crime and other important work to understand and respond to hate crime in Hungary.[31]

General problems with Hungary's crime statistics are likely to undermine confidence in its hate crime statistics. As explained by one interviewee, 'Interestingly in Hungary, crime statistics are [of] very bad quality but they are taken quite seriously.'[32] As in other contexts, a rise in recorded crime is not welcomed as a positive development, even in the face of evidence that crime – especially hate crime – is significantly under reported. At the operational level, higher crime figures can have negative implications in relation to officers' career progression and how the senior leadership is perceived. The same interviewee, explained,

> 'We always try to tell them: now, the only message that the data sends out is that you are not doing your job, basically. At least increase it up to a few hundred because it's credible. Now it's [not] credible and that's it, no one takes it seriously... We already have three Strasbourg cases on hate crime and the NGOs put out all this data'.[33]

Despite these challenges, there is strong evidence of effective and respectful cooperation between CSOs specialist in hate crime monitoring and the police. Aspects of this work illustrate that specific goals can be achieved through practical, technical and victim-focused cooperation at the working level even in hostile political contexts with constant resource limitations. These are examined in more detail below.

30 Interviewee three
31 Interviewee two
32 Interviewee four
33 Interviewee four

A focus on CSO-police cooperation

One way of describing police-NGO cooperation in Hungary is an openness to closed-door cooperation. Relationships and significant expertise have been developed over time, yet, perhaps partly due to the challenging political context described above, cooperation usually takes place under the political radar.

The national police hate crime network, established in 2012 and led by a national coordinator, serves as a 'form of supervision in the police system', and directly supports cooperation with the WGAHC.[34] There are police hate crime leads at the county level whom NGOs can contact, and six-monthly meetings between the WGAHC and police authorities that review ongoing issues relating to hate crime training, recording and police investigation. Interviewees from a range of perspectives expressed the view that cooperation on training and victim support has increased the knowledge of the police and has been a constructive form of cooperation. This was also a theme reiterated during the workshop.[35] One interviewee commented on the centrality of the police hate crime coordinator network: 'it is essential to have working level contacts at city and regional levels… it creates a clear responsibility'.[36]

The role of the WGAHC and civil society organisations more generally was acknowledged by the police, "What civil society brings from the point of view of the victim, what the police brings from the investigative side, those two together can make the fight against hate crimes successful."[37] The interviewee also commented that CSO data is often richer as it can capture more information about bias indicators and unreported crime than police systems. While acknowledging that it isn't possible for police systems to incorporate NGO data, she explained that she 'personally [tries] to get to know such data'. More broadly the role of NGOs in providing essential support to victims, legally and in other ways was also acknowledged.

Several interviewees remarked that the police were specifically open to CSO input on training, developing guidance on bias indicators, and specific support on particular cases. One interviewee who has significant experience in police training pointed out that regular two-day trainings on hate crime have positively affected relationships between police and NGOs pointing out that constructive conversations with police at the station when supporting a victim to report are more likely if you have already met in the training room.[38]

34 Interviewee five
35 This practice was included in FRA's compendium of practices in 2016, https://fra.europa.eu/en/theme/hate-crime/compendium-practices?countries_eu=418
36 Interviewee four
37 Interviewee five
38 Interviewee four

Specific examples given by the national hate crime coordinator for the police illustrate the concrete and positive aspects of cooperation, 'We work together with civil society organisations in the framework of the Working Group Against Hate Crimes. If we take the list of bias indicators or the processing of sensitive data, this Working Group works very well. We organise case study sessions to look at closed investigations: they call our attention to their concerns, how – from the point of view of the victim – we could have been more successful. This is all very constructive, with the aim to help.' These examples are looked at in more detail below.

While not a member of the WGAHC, the Action and Protection Foundation have also played an active role in raising awareness about antisemitic crime in Hungary and have worked with the National University for Public Service on developing its hate crime curriculum. They are the only CSO in Hungary actively working on the issue of hate crimes that receives significant funding from the government.

Cooperation in practice: sparking and continuing connection

Originally, the police and WGAHC decided to meet on a 6-monthly basis between the police in response to NGOs criticism of how specific cases were being handled. It was agreed that a 'closed door' forum was needed to discuss these cases directly with those involved. One case per six months was to be chosen and discussed directly with the police officers involved. The approach was explained by one interviewee, 'let's discuss what the problems you saw were and why the police did it like that, with the understanding that this is going to be confidential and we are not going to go to the media about what was discussed.'[39]

The forum shifted its focus onto other issues, including developing a list of bias indicators. In 2015, following the publication of the '24 Cases' report[40], the WGAHC, the police and the prosecution service agreed that a concise list of indicators to help the identification of hate crimes would be a useful tool to address the shortcomings identified in the report. The WGAHC took the lead and drafted a list of indicators based on a careful consideration of various international examples[41]. In January 2016 the list was circulated for comments among police, prosecution, judiciary, victim support service, lawyers and academic institutions.[42] The draft was revised and shared with the police in 2016. It was agreed to make a shorter, two

39 Interviewee four
40 See WGAHG (2014a)
41 Including Facing Fact monitoring guidelines, the IACP guidelines and the ODIHR prosecutors' guide
42 The draft was send to 174 individuals/institutions. Feedback was received from 59 organisations/individuals, 36 providing substantive input (for a list of all those who commented see this article summarizing the development of the list).

page version of the list[43] and a four page version[44] with a third column providing examples to the indicators.[45] The lists were finalized, disseminated to stakeholders and published in November 2016 on the Working Group's website. The police agreed to use the materials in trainings and upload it to the intranet of the police. This was done in March 2018.

In the process of developing the bias indicator lists, the issue of how to collect sensitive data as part of investigations arose. Questions included, can the police ask direct questions on the victims' belonging to a certain social group? Can the police record their own assessment whether the victim is likely to be perceived as belonging to a certain social group (based on widespread stereotypes), etc. As a result, the WGAHC took the lead in preparing a manual harmonizing investigative requirements with data protection considerations, and a list of suggested interview questions to use for such sensitive matters. The manual was then approved by the National Authority for Data Protection and Freedom of Information, and was discussed at a conference co-organized by the Working Group, NUPS and the hate crimes network in November 2017. The list of indictors and the most important provisions of the manual have been incorporated into the protocol issued by the National Chief of Police.

More recently, the Hungarian Police have endorsed the reporting platform UNI-FORM[46], 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.

These three examples illustrate several important features that are common in efforts to work across public authority-CSO divides for the benefit of victims and communities affected by hate crime. First, ideas for cooperation are often sparked and sustained by CSOs. This can take a lot of energy, patience and maturity as public authorities can be slow to react and move forward on agreed actions. At the same time, cooperation must a two-way street by definition and in Hungary it has engendered effective reactions from public authorities in these examples. The principle of 'critical friendships' where CSOs offer honest and frank criticism alongside practical assistance to overcome the problem was an important factor to add meaning and utility to the work described above.[47] However, without institutionalised frameworks for cooperation, supported by leadership and political will, cooperation can end at any time without particular reason or explanation. Indeed there are recent signs that police commitment to cooperation is decreasing. It is an open question how and whether cooperation across police and CSOs might continue in the future.

43 See http://gyuloletellen.hu/sites/default/files/gyem_indikatorlista_ketoszlopos_vegleges.pdf
44 http://gyuloletellen.hu/sites/default/files/gyem_indikatorlista_haromolszopos_vegleges.pdf
45 The three column list has been used widely in CSO-police trainings and at internal trainings for members of the police hate crime network.
46 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
47 This principle is discussed in detail in the European Report.

Strategies for coalition

The WGAHC faces ongoing strategic questions in navigating its relationship with public authorities while aiming to achieve measurable improvements in hate crime recording and victim support in a sensitive political environment.

Another strategic question facing the WGAHC along with other specialist networks on hate crime monitoring is whether its membership should be increased beyond those NGOs that are expert on hate crime recording and data collection and on investigation and prosecution procedure. While this approach would be more inclusive of new and different voices, any lack of experience in the area risks undermining the authority and focus of the group and thus its relationship with the authorities. In turn, the broader question of NGO advocacy strategy was examined by one interviewee, who raised questions about whether it is possible to adopt both a supportive and challenging or even combative approach or whether they are two different functions, best carried out by different NGOs.

National University of Public Service (NUPS)

Since 2012, NUPS has rapidly developed police curricula on hate crime, from initiating the first course on policing hate crime at bachelor's level to developing masters' courses and starting a PHD level course in 2017. Enrolment significantly increased, with 10-15 students enrolled in the first year to 50 in the second. NUPS has also achieved success in implementing online learning for police in 2018-2019, securing agreement from the Ministry of Interior for the participation of 550 police officers in its pilot phase, as part of the Facing all the Facts project.

The Faculty of Law Enforcement maintains strong connections with CSOs and the WGAHC in particular and plays a coordinating role in facilitating connections across CSOs and the police. Its regular involvement in international projects brings another positive dimension to its work.[48]

48 See for example, https://24.hu/belfold/2019/01/04/gyulolet-buncselekmeny-nke-rendorseg/

Recommendations and conclusions

This research has highlighted the strengths and weaknesses of Hungary's hate crime reporting and recording system. The section below lists recommendations synthesised from the workshops, interviews and a strategic analysis of the 'systems map'.

For public authorities:

Create a strategic framework that brings together key government ministries and agencies to review and improve hate crime recording and data collection mechanisms, including the WGAHC as an equal partner. Consider drawing on the recently adopted protocol developed by Greece, with assistance from the OSCE Office for Democratic and Human Rights.[49]

Within this framework:

- Continue regular meetings to review current and completed cases to identify lessons learned, develop protocols and guidelines for prosecutors that explain the precise evidence needed to prove the 'hate element' and incorporate existing guidance on bias indicators, organise joint training on hate crime;
- Develop the recently revised crime recording system to include: victim / witness perception; hate incidents; disaggregation by religion and ethnicity, so that data on anti-Muslim, antisemitic anti-Christian[50] , and crimes against people of African descent or Roma[51] can be extracted;
- Openly communicate information about current efforts including: publishing statistics, and publishing available guidance relating to the investigation and prosecution of hate crime;
- Amend the government's existing National Crime Prevention Strategy and Action Plan to include a consideration of hate crime.

For the police:

- Build on current training and education programmes, adopt Facing all the Facts online training on hate crime across Hungary.

49 OSCE-ODIHR (2018).
50 Currently all fall under 'religion' category
51 Currently all fall under 'race' or 'ethnicity' categories

For the prosecution service

- Set up a prosecutors network, to complement the police hate crime network and incorporate relevant training with input from civil society.

For the National University for Public Service

- Continue to act as a facilitator for coordination between CSOs and the police and other relevant agencies.

For CSOs active in the area of hate crime recording and monitoring

- Reach out and strengthen cooperation across grassroots organisations across all communities and make a specific effort to include organisations supporting victims of disability hate crime. Build their capacity to record and monitor hate crimes and incidents.

Bibliography

Bergold, J, & Thomas, S (2012) 'Participatory Research Methods: A Methodological Approach in Motion' 13(1) *Forum: Qualitative Social Research*.

Chevalier, J. M., & Buckles, D. J. (2013) Participatory Action Research: Theory and Methods for Engaged Inquiry. London: Routledge.

EU Fundamental Rights Agency (2013) 'Racism, discrimination, intolerance and extremism: learning from experiences in Greece and Hungary', available online at https://fra.europa.eu/en/publication/2013/racism-discrimination-intolerance-and-extremism-learning-experiences-greece-and, (Accessed on 1 November 2019)

Helsinki Committee et al (2017) Timeline of Government Attacks against Hungarian Civil Society Organisations, Budapest: Helsinki Committee: https://www.helsinki.hu/wp-content/uploads/Timeline_of_gov_attacks_against_HU_NGOs_short_17112017.pdf

Helsinki Committee (2018) 'LEXNGO 2018', https://www.helsinki.hu/en/lexngo-2018/ (accessed 21 April 2019).

Nagy, L. T. (1994). A szkinhedek és büntetőjogi megítélésük. *Esély*, 6(1), 53–63.

OSCE Office for Democratic Instititutions and Human Rights (2018a) 'Information Against Hate Crimes Toolkit Programme Description', Warsaw: ODIHR. https://www.osce.org/odihr/INFAHCT (accessed 21 April, 2019)

OSCE-ODIHR (2018b) ‚Agreement on Inter-Agency Cooperation on Addressing Racist Crimes in Greece', available online at https://www.osce.org/odihr/402260, accessed on 1 November 2019.

Perry and Perry-Kessaris (forthcoming) 'Participatory and designerly strategies for sociolegal research impact: Lessons from research aimed at making hate crime visible'

Perry-Kessaris A (2019) 'Legal design for practice, activism, policy and research' 46:2 *Journal of Law and Society*

Perry, Perry Kessaris (2019) 'Participatory and designerly strategies for sociolegal research impact: Lessons from research aimed at making hate crime visible'

Schweppe, J. Haynes, A. and Walters M (2018) Lifecycle of a Hate Crime: Comparative Report. Dublin: ICCL

Working Group Against Hate Crimes in Hungary (GYEM) (2014a) Hate crimes in Hungary. Problems, recommendations, good practices, Budapest: GYEM

Working Group Against Hate Crimes in Hungary (GYEM) (2014b) 'Law Enforcement Problems in Hate Crime Procedures, the experiences of the Working Group Against Hate Crimes in Hungary', Budapest: GYEM

Working Group Against Hate Crimes (GYEM) (2015), 'Submission to the UN Universal Periodic Review of Hungary' http://gyuloletellen.hu/sites/default/files/gyemupr2016.pdf, Budapest: GYEM

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	
The main relationships are identified across the system: **Law-enforcement** – prosecution; judiciary; Ministry of Interior **Prosecution** – Judiciary, Ministry of Justice **Ministries -** Ministries (e.g. MoI-MoJ, etc.) **Victim** - law enforcement; prosecution, ministries; CSOs **General public** – law enforcement; Ministry(ies), prosecution; CSOs **CSOs** – law enforcement; prosecution; ministries, other CSOs. **IGO** – ministry(ies); CSOs Further background information about existing IGO frameworks and actions is provided in the accompanying standards document. 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.	Technical frameworks allow for recording and data collection Policy frameworks allow information to be shared across the system. 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.	Evidence that the frameworks are used – data is recorded, shared, collected, published and information is acted upon to develop policy and improve responses. The 'frontline', whether investigators, prosecutors or CSOs are the ones that 'give life' to, or are limited by, existing policy frameworks.	Each relationship is given a score of 0-3 for: 1. 'framework' 2. 'action' An overall score of 5-6= green; 3-4 = amber; 0-2 = red. Green = Good relationship. Effective framework and action, with room for improvement. Amber = Adequate relationship. Relatively limited framework and action. Red= Poor relationship. Very limited framework and action.

Relationship	**Evidence used to describe relationships** Two main categories of evidence are applied based on referenced international norms and standards.		**Score**
	Framework	Action	
The main relationships are identified across the system: **Law-enforcement** – prosecution; judiciary; Ministry of Interior **Prosecution** – Judiciary, Ministry of Justice **Ministries -** Ministries (e.g. MoI-MoJ, etc.) **Victim** - law enforcement; prosecution, ministries; CSOs **General public** – law enforcement; Ministry(ies), prosecution; CSOs **CSOs** – law enforcement; prosecution; ministries, other CSOs. **IGO** – ministry(ies); CSOs Further background information about existing IGO frameworks and actions is provided in the accompanying standards document. 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.	Technical frameworks allow for recording and data collection Policy frameworks allow information to be shared across the system. 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.	Evidence that the frameworks are used – data is recorded, shared, collected, published and information is acted upon to develop policy and improve responses. The 'frontline', whether investigators, prosecutors or CSOs are the ones that 'give life' to, or are limited by, existing policy frameworks.	Each relationship is given a score of 0-3 for: 3. 'framework' 4. 'action' An overall score of 5-6= green; 3-4 = amber; 0-2 = red. Green = Good relationship. Strong framework and strong action to connect, always with room for improvement. Amber = Adequate relationship. Relatively limited ability and effort to connect. Red= Poor relationship. Very limited ability and low effort to connect.

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

Relationship	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	*Relevant norm/standard:* 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) Law enforcement are able to record information about victim support and safety. (Standard 5) 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) 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)	*Relevant norm/standard:* Realistic data is produced by the system (very low numbers indicate an unrealistic measure of hate crime prevalence) (Standards 6 and 7). 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. Law enforcement and prosecution service meet regularly, to review progress and share information and/or take part in joint training.	**Framework: 2** **Action: 1** **Colour: amber**
	Description of national situation: The police have a system of specialist hate crime officers, regular training and guidelines including bias indicators,	*Description of national situation* While there is potential for hate crime cases to be identified across the criminal justice system, with recent	

	developed in partnership with the WGAHC. 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. 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: 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	changes to crime recording system, it is too early to ascertain if it is being effectively used. 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. 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. 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.	

	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. There is no specialist network of prosecutors for the police to link with. While regular annual trainings touch upon the issue of the prosecution of hate crimes, it is only through a 2 hour long lecture. There is no overarching framework governing hate crime recording and data collection.		
	Framework	**Action**	
Law enforcement – judiciary	*Relevant norm/standard:* 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)	*Relevant norm/standard:* Realistic data is produced by the system (very low numbers indicate hate crime laws are not being used). (Standards 6 and 7)	**Framework:1** **Action: 1** **Colour:**

	The courts have the facility to record sentencing information, including whether the hate element was considered and the outcome (Standard 7) 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).	Emerging information is used – for example, meetings involving both parties discuss available data, problem-solve and identify actions.	**red**
	Description of national situation: 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. Some claims have been made by the police and ministries that the judiciary is reluctant to participate / contribute to coordination meetings citing their independence.	*Description of national situation:* 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.	
	Framework	**Action**	
Law enforcement – Ministry of Interior (MoI)	*Relevant norm/standard:* 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) Law enforcement are able to record information about victim support and safety (Standard 5)	*Relevant norm/standard:* Emerging information is used – for example, meetings involving both parties discuss available data, problem-solve and identify actions. Realistic data is produced by the system (very low numbers indicate hate crime laws are not being used).	**Framework: 2** **Action: 2** **Colour: amber**

	This information can shared with the MoI or relevant ministry for data collection and analysis. 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).	(Standards 6 and 7)	
	Description of national situation: See law enforcement-Prosecution relationship for information on how law enforcement record hate crimes. 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.	*Description of national situation:* The police and the MoI participate in coordination meetings (e.g. - WGAHC-police meetings, Human Rights Roundtable, FRA/ODIHR workshop). 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. 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.	
	Framework	**Action**	
Prosecution-Judiciary	*Relevant norm/standard:* 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).	*Relevant norm/standard:* Emerging information is used – for example, meetings involving both parties discuss available data, problem-solve and identify actions. Realistic data is produced by the system (very low	**Framework: 1** **Action: 0** **Colour:**

	There is the facility to record sentencing information, including whether the hate element was considered and the outcome (Standard 7) 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)	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.	**red**
	Description of national situation: 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. The judiciary received training relating to hate crimes in 2012, 2015 and 2016.	*Description of national situation:* According to http://hatecrime.osce.org/hungary, data on hate crime prosecutions and sentencing is sporadically available. The judiciary have attended a number of interdisciplinary meetings that include discussions on hate crime data, but their input is limited.	

	There is no overarching framework governing hate crime recording and data collection.		
	Framework	**Action**	
Prosecution – Ministry of Justice	*Relevant norm/standard:* 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) 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)	*Relevant norm/standard:* Emerging information is used – for example, meetings involving both parties discuss available data, problem-solve and identify actions.	**Framework: 1** **Action: 1** **Colour: red**
	Description of national situation: See law enforcement – prosecution relationships for details on how the prosecution service records information relating to hate crime. 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.	*Description of national situation:* 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. 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.	
	Framework	**Action**	

Ministry of Interior – Ministry of Justice	*Relevant norm/standard:* The two bodies receive data and information from law enforcement and the prosecution service, respectively (Standards 1,2,3,4). 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)	*Relevant norm/standard:* Emerging information is used – for example, meetings involving both parties discuss available data, problem-solve and identify actions. Realistic data is produced by the system (very low numbers indicate hate crime laws are not being used) (Standards 6 and 7)	**Framework:1** **Action:0** **colour red**
	Description of national situation: 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.	*Description of national situation:* 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.	
	Framework	**Action**	
Victim(s)-Law enforcement	*Relevant norm/standard:* 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) Law enforcement are able to record information about victim support and safety (standard 5) There is a process to keep victims informed about the progress of the investigation (Standard 10, 11, 12, 13,14) Law enforcement can accept anonymous reports of hate crime.	*Relevant norm/standard:* The system is used to record bias motivations and crime types and to ensure specific support to victims (Standards 15 and 16) The system is used to keep victims informed about the progress of the investigation (Standard 11) Action is taken to increase reporting (Standard 17)	**Framework: 2** **Action: 1** **Colour - amber**

	Description of national situation: Hungarian criminal procedure is based on the principle of officiality, ie. The majority of investigations, including hate crime investigations, are launched and carried out *ex officio* without the need of the victim to report the case. This means that cases can be reported anonymously and by a third party. There are limitations in current police hate crime recording methods and systems (see law enforcement-prosecution relationship). 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. 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. 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.	*Description of national situation:* Limitations in the police recording framework restrict the information that can be captured and acted upon. There is no referral system between the police and specialist CSOs. There have been no specific efforts by the police to encourage hate crime reporting. There is evidence that the police abide by their duty to communicate with victims (see national situation). 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.	

	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. 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. 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.		
	Framework	**Action**	
Victim(s) - Prosecution	*Relevant norm/standard:* There is a process to keep victims informed about the progress of the criminal justice process (Standards 10, 11, 12, 13, 14, 18,19). .	*Relevant norm/standard:* The system is used to keep victims informed	**Framework: 1** **Action: 1** **Colour: red**
	Description of national situation 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.	*Description of national situation* Evidence suggests that the Prosecution communicates these official decisions.	

		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. As a result the victim loses their victim status and will not be informed about developments in the case.	
	Framework	**Action**	
Victim(s) – Ministry of Interior	*Relevant norm/standard:* 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)	*Relevant norm/standard:* Relevant policy commitments on improving reporting and support have been made and acted upon Victimisation surveys are carried out and the results are published in an accessible format (Standard 23)	**Framework: 0** **Action: 1** **Colour: red**
	Description of national situation There are no regular representative victim surveys carried out in Hungary.	*Description of national situation* 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 (antisemitisim, LGBT, EU MIDIS) covered Hungary as well, but the Hungarian government questions their validity.	
	Framework	**Action**	

Victim(s) - CSO Racist hate crime	*Relevant norm/standard:* 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)	*Relevant norm/standard:* 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**
	Description of national situation The Hungarian Helsinki Committee is a member of the Working Group Against Hate Crimes and follows its shared recording methodology.	*Description of national situation* 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	*Relevant norm/standard:* 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)	*Relevant norm/standard:* 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**
	Description of national situation The focus on institutional abuse risks missing incidents of disability hate crime.	*Description of national situation* 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)-	*Relevant norm/standard:*	*Relevant norm/standard:*	**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**
	Description of national situation The Háttér Society is an NGO advocating and campaigning for equal rights and social acceptance for LGBTQI people. 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.	*Description of national situation* 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.	
	Framework	**Action**	
Victim(s) - CSO Anti-Roma hate crime.	*Relevant norm/standard:* 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)	*Relevant norm/standard:* The system is used by victims. The CSO regularly provides direct support to victims or referrals to support services (Standard 29)	**Framework: 1** **Action: 2** **Colour: amber**
	Description of national situation The Legal Defense Bureau for National and Ethnic Minorities (NEKI), 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.	*Description of national situation* Due to a lack of resources NEKI has ceased its work including its hate crime monitoring and advocacy work. 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	

	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	*Relevant norm/standard:* 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)	*Relevant norm/standard:* The system is used by victims. The CSO regularly provides direct support to victims or referrals to support services (Standard 29)	**Framework: 2** **Action: 3** **Colour: green**
	Description of national situation 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). 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. The organisation also provides legal support. Most of cases dealt with by the organisation relate to hate speech and Holocaust denial. The organisation is the only NGO body to receive public funding for its hate crime monitoring work, from the	*Description of national situation* Most of cases dealt with by the organisation relate to hate speech and Holocaust denial. The organisation also provides legal support. 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. MAZSIHISZ (Federation of Hungarian Jewish Communities) legal aid service has directly supported victims of hate crime.	

	Prime Minister's Office. 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,		
	Framework	**Action**	
General public-Law enforcement	*Relevant norm/standard* Law enforcement are able to comprehensively record hate crimes, including bias indicators and specifically flag bias motivations and crime types (Standards 1,2,3) See law enforcement-prosecutor relationship for details on police-recorded data.	*Relevant norm/standard:* Hate crime data is produced, published and made accessible (Standard 6) Action is taken to increase reporting (Standard 17)	**Framework: 2** **Action: 0** **Colour: red**
	Description of national situation See law enforcement-prosecutor relationship for details on police-recorded data.	*Description of national situation* 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. 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	

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

	(Standards 4 and 7).		**Colour: red**
	Description of national situation 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://ugyeszseg.hu/pdf/statisztika/buntetobirosag_ugyeszi_tev_I_2017.pdf http://ugyeszseg.hu/pdf/statisztika/buntetojogi_szakterulet_2017.pdf	*Description of national situation* 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://ugyeszseg.hu/pdf/statisztika/buntetobirosag_ugyeszi_tev_I_2017.pdf http://ugyeszseg.hu/pdf/statisztika/buntetojogi_szakterulet_2017.pdf	
	Framework	**Action**	
general public - Judiciary	*Relevant norm/standard:* The courts record and captures data on the number and outcomes of cases where hate crime laws were applied (Standard 4).	*Relevant norm/standard:* Data on hate crime sentences are produced, published and made accessible (Standards 6 and 7)	**Framework: 1** **Action: 0** **Colour: red**
	Description of national situation The court statistical system is more limited than the ENYÜBS (for police and prosecution). It isn't possible to	*Description of national situation* Data tables and analysis are published twice a year, however they are limited to procedural questions (length	

	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 –	*Relevant norm/standard:* 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)	*Relevant norm/standard:* 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**
	Description of national situation 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://gyuloletellen.hu/esetek	*Description of national situation* 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	

		organizations are also available online. The WGAHC is piloting a new online reporting interface developed by ODIHR. Members of the WGAHC: Amnesty International Hungary, Háttér Society, Hungarian Helsinki Committee and the Hungarian Civil Liberties Union (TASZ)	
	Framework	**Action**	
CSO network, WGAHC-Law enforcement	*Relevant norm/standard:* The two bodies are members of an agreement to refer cases for support services (Standard 16 and 29) There is a structure for connection, that could include specialist police networks, a training agreement, information-sharing protocol, etc. (Standard 24, 25, 26) 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)	*Relevant norm/standard:* 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).	**Framework: 1** **Action: 2** **Colour: Amber**
	Description of national situation 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.	*Description of national situation* 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. The WGAHC produced a list of bias indicators that are used by the police during investigations (See FRA publication, Hate Crime Recording and Data	

		Collection Practice Across the EU, p.57) The WGAHC regularly provides input into police hate crime training; The WGAHC has been able to provide practical assistance on hate crime investigations. Recently, the Hungarian Police have endorsed the reporting platform UNI-FORM[4], 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. 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.	
	Framework	**Action**	
CSO network, WGAHC-Prosecution	*Relevant norm/standard:* No expectation that there is an information-sharing agreement in place. Both bodies are members of a cross government group that regularly considers evidence of hate crime	*Relevant norm/standard:* 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)	**Framework: 1** **Action: 1** **Colour:**

[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**
	Description of national situation 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'.	*Description of national situation* 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.	
	Framework	**Action**	
CSO Network, WGAHC – Ministry of Interior	*Relevant norm/standard:* CSO is a member of cross-government framework with a focus on hate crime recording and data collection (Standards 8 and 9)	*Relevant norm/standard:* CSOs play an active role in these frameworks, CSO data is actively considered in government policy-making. The CSO uses its data to raise awareness about the problem and to advocate for improvements (Standard 40).	Framework: 0 Action: 1 Colour: red
	Description of national situation 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.	*Description of national situation* Representatives from the MoI are always invited and participate in the Human Rights Roundtable meetings when hate crime is on the agenda.	
	Framework	**Action**	
CSO network	*Relevant norm/standard:*	*Relevant norm/standard:* CSOs play an active role in these frameworks, CSO data is	Framework: 0

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
	Description of national situation 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.	*Description of national situation* 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 Háttér, 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+	*Relevant norm/standard:* 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)	*Relevant norm/standard:* The framework is used. There is evidence of coalition building and advocacy based on shared positions.	**Framework: 2** **Action:3** **Colour: green**
	Description of national situation	*Description of national situation* The Háttér Society, is an active member of the WGAHC	

	The Háttér 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	*Relevant norm/standard:* 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)	*Relevant norm/standard:* The framework is used. There is evidence of coalition building and advocacy based on shared positions.	**Framework: 2** **Action:2** **Colour: amber**
	Description of national situation The Hungarian Civil Liberties Union reports on anti-Roma hate crimes as part of the WGAHC.	*Description of national situation* The Hungarian Civil Liberties Union is an active member of the WGAHC and contributes to its overall advocacy.	
	Framework	**Action**	
CSO network WGAHC – racist	*Relevant norm/standard:* 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)	*Relevant norm/standard:* The framework is used. There is evidence of coalition building and advocacy based on shared positions.	**Framework: 2** **Action: 2** **Colour: amber**
	Description of national situation The Helsinki Committee reports on racist crimes and is a member of the WGAHC.	*Description of national situation* The Helsinki Committee is an active member of the WGAHC and contributes to its overall advocacy.	
	Framework	**Action**	
IGO – Ministry	*Relevant norm/standard:* There is an agreement and framework for data and	*Relevant norm/standard:* See standards document for ongoing action by IGOs to	**Framework: 3**

of Justice	information on hate crime to be shared with an IGO and vice versa. (Standards 30, 32, 33, 34, 35, 36, 37) Parties are able to influence international norms and standards on hate crime reporting, recording and data collection and related activities and guidelines See standards document for information current platforms of exchange and cooperation.	connect with national authorities on hate crime reporting, recording and data collection National assessment will look at these factors: Data is shared with IGO in line with agreed obligations/as part of regular requests. National representatives attend IGO networking events National representatives ask for and implement capacity-building activities in the area of hate crime recording and data collection.	**Action:3** **Colour: green**
	Description of national situation N/A – this is a set international framework.	*Description of national situation* 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. Representatives of the Ministry of Justice regularly attend the following meetings: - 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	

		Meetings. 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. 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. The MoI invited FRA and ODIHR to conduct a joint workshop on hate crime recording and data collection, which was held in December 2018. The MFA often acts as an intermediary among the MoJ and MoI and international organisations, conveying information and data on hate crimes.	
	Framework	**Action**	
IGOs-CSO Network WGAHC	*Relevant norm/standard:* There is an agreement and framework for data and information on hate crime to be shared with an IGO and vice versa (Standard 37) Parties are able to influence international norms and standards on hate crime reporting, recording and data collection and related activities and guidelines See standards document for information current	*Relevant norm/standard:* Data is shared between the two parties as part of regular requests. CSOs attend IGO networking events and ask for and implement capacity-building activities in the area of hate crime recording and data collection	**Framework: 2** **Action: 3** **Colour: green**

	platforms of exchange and cooperation.		
	Description of national situation N/A – this is a set international framework.	*Description of national situation* 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. The WGAHC regularly contributes to shadow reports for UPR and other IGO reports. The working group is piloting an online reporting interface created by ODIHR: http://gyuloletellen.hu/bejelentes	