

**Statement for the record
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**United States Commission on Security and Cooperation in Europe
Briefing on the rise of violence against Roma**

I thank Chairman Senator Benjamin Cardin and Co-Chairman Alcee Hastings for holding today's Helsinki Commission hearing "*Hard Times and Hardening Attitudes: The Economic Downturn and the Rise of Violence Against Roma*". I would like to commend the Helsinki Commission on taking the leadership to address this issue of great importance and concern to Hungary and the Hungarian Government. The following statement gives members of the Helsinki Commission an overview of the Hungarian Government's efforts regarding the investigation of recent attacks against Hungarian Roma, Hungary's hate crime legislation, and the Government's measures facilitating the integration of the Roma.

Attacks against the Roma

Over the last year there have been several attacks against members of the Roma community. These deplorable crimes have been firmly condemned by the Hungarian Government. Prime Minister Bajnai has called the latest murder a "disgraceful, sinister and shameful assassination". A minister of the Government, several members of parliament, from both the ruling and opposition parties, as well as the head of Hungarian police were present at the funeral of the latest murder victim to demonstrate their solidarity. The Hungarian public, non-governmental organizations and the Hungarian Parliament and Government representatives joined forces at a demonstration against racism on May 16th in Budapest. Minister of Education István Hiller, Budapest Mayor Gábor Demszky, Hungarian Socialist Party President Ildikó Lendvai, and Former Foreign Minister and EP candidate Kinga Göncz were among thousands of people who protested against hate and intolerance in Hungary.

As far as the concrete attacks against members of the Roma community are concerned, law enforcement agencies consider finding the perpetrators expeditiously a high priority. A special police task force has been created to deal with these heinous crimes and the chief of the police has offered a reward of around 50 million forints (280.000 dollars) for any information that would lead to the arrest of the perpetrators. Currently 100 police officers are working on these cases and as a result of the investigation a couple of suspects have already been arrested. Police presence has been reinforced in the most vulnerable 180-200 communities/small villages to ensure public safety and prevent further violence. The Hungarian Government is very grateful to the United States for dispatching FBI experts to Hungary who will help their Hungarian colleagues to create the profile of the perpetrators.

In one case (Pécs), the Police have already produced results. The supposed offenders have been arrested recently. (In this case the racist motive can be excluded, as the victims and the suspects belong to the same community.) Obviously, until the court decision, the presumption of innocence is the legal due of all persons, and a final standpoint cannot be taken yet in this case either. In the other cases, the investigation is still under way. Although there was no sign (inscription, flyer, etc.) that would have indicated a clearly racist motive, the circumstances of these horrific attacks suggest that members of the Roma community were targeted by the unidentified perpetrators. It must be mentioned that extremist or illegal organisations have not "assumed responsibility" for these criminal acts.

The Prime Minister has pledged that the Government will do its utmost to help the investigation and to strengthen public safety, in particular the safety of the members of the Roma community so that no one in Hungary has to live in fear, and those who commit a crime are brought to justice. In the recent months, two regional conferences have been organized upon the initiative of the Head of the National Police. The purpose of this initiative was to inform the Roma communities about the results of the investigations and to start a dialogue about the possibilities of preventing discrimination against and crime against Roma people. Furthermore, it has also meant to demonstrate the cooperation between the police and the communities.

Hungarian legal framework regarding hate crimes

All necessary legislation is in place to tackle so called hate crimes. According to Hungarian law, the “racist motive” cannot be considered as proven before the establishment of the identity of the offender and before the court takes its decision. Criminal law protection against non-violent conducts motivated by racism or xenophobia is provided under Section 269 of the Penal Code. According to that anyone inciting to hatred before the general public against the Hungarian nation or any national, ethnic, racial group or certain groups of the population, shall be punishable for a felony offence with imprisonment up to three years. In the past twenty years the Hungarian Parliament has made several attempts to modify this provision. The Constitutional Court, however, has always ruled that the proposed modifications are unconstitutional.

On November 10th 2008, the Parliament adopted Act No. 79 of 2008 amending certain laws to protect public order and the operation of justice, which modified Section 174/B of the Penal Code with effect from 1 February 2009. Based on the amendment, violence against a member of a national, ethnic, racial or religious group became extended so as to cover any group of the population, irrespective of the ground of discrimination (national, ethnic, racial, religious or any other). The name of the offence was also modified to *violence against a member of a community*. As a result of the amendment, persons engaged in preparation for violence against a member of a community shall also be held criminally liable.

Roma integration programs in Hungary

Even though serious and regrettable crimes have been committed recently in Hungary against certain Roma families, it would be misleading to judge the situation of Roma in Hungary exclusively from these crimes. Since the beginning of the democratic transition, the Hungarian Government has worked extensively to ameliorate the situation of Roma. Without aiming at completeness, it has to be mentioned here the setting up of around 1000 Roma minority self-governments, the establishment of the independent Roma radio, Radio-C, and many other governmental, civil, cultural and political initiatives.

It is important to point out that Hungarian ruling and opposition parties have a number of Roma minority representatives in the Hungarian Parliament and in the European Parliament as well. Within the Hungarian Government, Mr. László Teleki has been the Prime Minister's special envoy on Roma issues since 2002. The *Roma Integration Department* within the Ministry of Social Affairs and Labour is the key government body responsible for the Roma community's integration programs and projects. Roma communities have been invited to participate in the planning and the monitoring of the governmental measures. The government adopted the Governmental Decree on the establishment of the *Council of Roma Integration* (hereinafter: CRI) in December 2006. Members of the CRI include relevant ministries, the Chairman of the National Roma Self-government, and seven persons invited for 2 years by the Minister of Social Affairs and Labour on the basis of the proposals made by the Roma NGOs. The CRI is a consultative, advisory body, which participates in the preparation, the implementation and the monitoring of government decisions aiming at the social inclusion of Roma. The *Civil Umbrella*, set up in 2007, is a consultative, advisory civil organisation operating besides the CRI. The so-called Roma

Steering and Monitoring Committee operate within the context of the Council of Roma Integration – primarily based on the participation of the civil delegates in the Council.

On June 28th 2007, The Hungarian Parliament unanimously adopted the parliamentary resolution on the *Decade of Roma Inclusion Program Strategic Plan*. Based on this Resolution, the Hungarian Government shall initiate shorter, two-year action plans to implement the Strategic Plan. The first action plan was adopted by the Government on December 19th for the years 2008-2009. This includes measures and funding for education, employment, housing, health, anti-discrimination, cultural and media projects.

The Hungarian Government has initiated and financially supported a number of concrete projects which primarily target the Roma community's integration. Among other initiatives, the "One Step Forward" program shall be highlighted: the objective of this vocational training is the improvement of the labour market chances of those with a low level of education. In 2007-2008, the national budget ensured 10.6 billion forints (=52 million dollars) for the implementation of "One Step Forward". (In 2008, the national budget ensured significant amounts - 3,5 billion forints, i.e. 17 million dollars - for the implementation of the public employment programs, which involved the employment of 14,700 persons this year.) As a result, the activity of Roma in labour market training programs and adult training programs is gradually increasing. The main goal of another program called "The Road to Work" is to give incentives to those assisted by social aid while being long-term unemployed so that they seek work and to improve the terms of their employment. According to plans, the program beginning on 1 April 2009 will achieve the temporary employment in 6 hours of about 60-66 thousand persons yearly. Additionally, the Hungarian Government has been supporting anti-discrimination programs, such as the Ministry of Justice's *Roma Anti-Discrimination Legal Network* since 2001 (30 lawyers in 47 locations in Hungary), and the *Transition Facility Program* to implement Hungarian anti-discrimination laws.

Hungary's role in Roma integration on the international level

Hungary concurs with the view that increased efforts are needed to address the situation of Roma and Sinti. Consequently, Hungary, in close cooperation with other EU partners, is currently addressing the situation of Roma from a comprehensive perspective. Our approach reflects the commitments undertaken by the EU Member States including in the framework of the OSCE Action Plan for the Improvement of the Situation of Roma and Sinti in the OSCE Area.

In this respect, we take the opportunity to draw your attention to the launch of the EU Platform for Roma Inclusion on 24 April 2009 in Prague. The Platform provides a flexible framework in which EU institutions, national governments, international organizations and NGOs can interact and formulate strategic advice for decision-makers on the effective inclusion of Roma aspects into European and national policies.

Another forum of international cooperation is the Decade of Roma Inclusion 2005–2015, which is an unprecedented political commitment by twelve European governments to improve the socio-economic status and social inclusion of Roma. It brings together governments, intergovernmental and nongovernmental organizations, as well as Romani civil society, to accelerate progress toward improving the welfare of Roma and to review such progress in a transparent and quantifiable way. The Decade focuses on the priority areas of education, employment, health, and housing, and commits governments to take into account the other core issues of poverty, discrimination, and gender mainstreaming. Hungary was presiding over the Decade of Roma Inclusion from July 1st 2007 through June 30th 2008.
