

ANTI-SEMITIC HATE CRIMES
AND INCIDENTS REPORT

FEBRUARY 2017

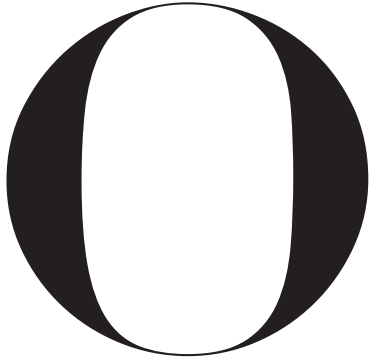


BRUSSELS INSTITUTE

TABLE OF CONTENTS

Executive Summary	5
Action and Protection Foundation	6
Unity	6
Brussels Institute	6
About the Report	7
Methodology	9
Anti-Semitic Hate Incidents – February 2017	12
Hate speech	12
Vandalism	13
Further Anti-Semitic Hate Incidents	14
Community news and responses	15
Official and civil responses	17
News and opinions about anti-Semitism in Hungary	18
Other news	19
Action and Protection Foundation legal actions	21
The Month's Chronicle	23
Contact and Support	24
References	25
Contributors and Publisher Information	26

EXECUTIVE SUMMARY



One of the most important requirements for the struggle against anti-Semitism is an investigation of the actual prevalence of anti-Semitism. One of the aims of Action and Protection Foundation is to eliminate ignorance of this issue. Instrumental in achieving this objective is the continuous professional monitoring of hate crimes that occur public life. The community cannot really be protected unless current information on anti-Semitic acts and other hate crimes are collected and analyzed. Results of the monitoring are published, monthly by the Foundation.

The reports deal with two forms of behavior: anti-Semitic hate crimes, and hate-motivated incidents. The report refers to both types of behavior as “*hate incidents*”. An anti-Semitic hate crime is distinguished from other hate crime by possessing an anti-Semitic motive. Anti-Semitic hate crime is a violation of criminal law, not all hate-motivated acts are regarded as criminal. Nevertheless, a record of both types of hate incidents is necessary in order to gain a general overview.

For the monitoring to have the widest possible scope, it is required that a variety of sources are used simultaneously. Apart from registering the incidents, it is important to record their particular characteristics. Date recorded includes the incident’s location, perpetrator, victim, consequences. Also the types of the various incidents are differentiated.

Action and Protection Foundation (APF) identified three anti-Semitic hate incidents

during its monitoring activities in February. Two of those incidents were of hate speech, and one of vandalism. An individual sympathetic to our foundation called our hotline to report that there was a large swastika drawn and an offensive message written in one of the washrooms of a shopping center in Budapest. Extremist groups held their annual “Day of Honor” commemoration in Budapest, with the participation of approximately 600 people. A group provoked counterdemonstrators by making Nazi salutes. Some people unlawfully hid their faces, and some people were seen wearing SS badges. Commemorations were held not only in the capital but in the countryside as well. A flag bearing a swastika was hauled up an electric pole in Tök, in Pest County. In the third case, the March of the Living Foundation reported on its Facebook page that the March of the Living Statue commemorating the Holocaust was vandalized; it was painted white by unknown perpetrators.

No incidents were categorized as *Further Anti-Semitic Hate Incidents* this month.

There were developments in two of Action and Protection Foundation’s official legal procedures in February 2017. The Siófok County Prosecutor’s Office ruled to terminate legal proceedings against Attila B. and merely reprimanded the suspect for public denial of the crimes of the Nationalist Socialist regime. Attila B. made remarks denying the Holocaust in front of a large audience on 21 November 2014.

In another case, Dabas County Prosecutor’s Office ruled to terminate proceedings initiated for public denial of the Holocaust, and subsequently, the complaint we filed regarding the case was rejected by the Pest County Prosecutor’s Office. They concluded that the infringement of rights of private individuals or corporate bodies was indirect; therefore, the crime procedurally had no aggrieved party. Since the organization that filed the complaint, the Foundation, was not an aggrieved party either, our right to file the complaint had no legal grounds.

ACTION AND PROTECTION FOUNDATION

The phenomenon of anti-Semitism is by no means new to Hungary. The hate speech encountered earlier has however become increasingly dominant in public life. The situation is further aggravated by the Jobbik Party, which openly declares anti-Semitic and racist views, having forty-three members of parliament making hate speech far more ever-present in both Parliament and other organized events. These circumstances brought Action and Protection Foundation into being. Among the forms of civil association offered by Hungarian law, Action and Protection Foundation chose the form of foundation; it was registered in November 2012. The Foundation seeks to provide an alternative to the ineffectual legal steps taken against deteriorating standards of public discourse,

exclusion, and the ignorance in which anti-Semitism is rooted, as well as atrocities and hate crimes.

UNITY

Action and Protection Foundation is a registered civil organization. Among those actively participating in the work of the Foundation are status-quo/Chabad EMIH, the reform oriented Sim Shalom Progressive Jewish Congregation, as well as socially recognized emblematic personalities independent of these movements. Trustees of the Foundation represent the most important Jewish religious and cultural movements in Hungary, a symbolic expression of the fact that action on anti-Semitism is a cause shared by all.

BRUSSELS INSTITUTE

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). In monitoring anti-Semitic phenomena the Institute records and analyzes them on the basis of information delivered by various standardized sources. The monitoring process, which categorizes incidents into seven different groups, relies on the following sources: the sources of the Institute's own Research and Incident Monitoring Group, information available in the press and public media, and relevant data to be found in judicial, criminal and other state administrative records in the framework of an agreement with these branches of government. The institute has set up a now op-

erational **HOTLINE** that can be reached by dialing the number (+36 1) 51 00 000, where incidents of anti-Semitic and anti-Jewish behavior can be reported.

Beyond regular publication of the monthly monitoring reports the **Brussels Institute's** research plan incorporates a comprehensive research project related to Jewry using both quantitative and qualitative methods, as well as a survey on the current situation concerning anti-Semitism that encompasses society as a whole. Furthermore, the program includes development of a differentiated training program that prepares different levels and participants of state administration for action and appropriate procedure on racist and anti-Semitic phenomena, in the form of teaching materials for the educational system and further training.

ABOUT THE REPORT

General opinion on, and treatment of Hungarian anti-Semitism is often unusually extreme. Voices are heard on the one hand, that belittle the importance of such offences and manifestations. On the other hand, on occasion it may be the case that in relation to one-off incidents the image registered is of a public life deluged by such incidents. Knowledge of the actual situation is an indispensable condition for treatment of the real problems, which is why Action and Protection Foundation considers it its duty to provide as comprehensive an overview of the scale of anti-Semitism in Hungary as possible. Monitoring of anti-Semitic hate crimes and incidents¹ is one of the tools of achieving this objective. The monitoring results are published by the Foundation on a monthly basis. Apart from the monthly report, an annual summary review including more detailed analyses on the offences committed in the course of the year is also prepared.

The fight against hate crimes bears exceptional importance, because they differ from other forms of criminal conduct. These crimes may be considered messages of a kind, and thus point beyond private actions. This additional import becomes manifest in various social realms: on the level of the individual, the group attacked, and of society as a whole. The victims may suffer a greater psychological and emotional trauma. In the case of these crimes not “only” the property, or physical integrity of victims is endangered, but also their self-respect. These offences question the right of the individual to equality, even of belonging to society itself. It is important that in the course of such crimes the victims are the target of attacks because of some unchangeable characteristic, and for this reason may well feel more defenseless. The victims are often afraid that they may again become

victims of further atrocities. Inappropriate handling of such incidents can easily lead to a secondary victimization of the targeted person. This type of criminal act also has a strong effect on the group to which the victim belongs. The victims of such crimes are often interchangeable, because in countless cases the attack does not target a certain individual, but anyone who, in the given instance, is a member of the group under attack. In the event, members of the group also become involved emotionally, and might live in fear of the future when they themselves may become the target of such prejudice-motivated crimes. This is especially true of groups, which have been exposed to prejudice for a long time. There is no need to justify at length that Jewry belongs among such groups. These crimes violate the norm that holds the members of society equal. Inadequate handling of such incidents can have grave consequences for the whole of society. It may on the one hand, encourage the perpetrators, or even others to commit further crimes in the same mold. On the other, it significantly diminishes the cohesive power of society (Levin and McDevitt 1999, 92–93; OSCE/ODIHR 2009a, 19–21; OSCE/ODIHR 2009b, 17–18; Perry 2001, 10).

It may be stated in general that fewer hate crimes are reported, and in the event documented, than are committed. Victims often do not report them to the police. A number of reasons may cause this implicitly. Firstly, many do not feel assured that the authorities will treat these incidents adequately, either because they are not sufficiently prepared, or due to prejudice. Certainly there are many victims who are not clear about the applicable legal regulations. Victims may feel shame, or fear that one of their concealed traits will be exposed. Lesser categorizations of the crimes are also fre-

¹ See detailed definitions in the Methodology section.

quent, where official authorities do not establish the hate-crime motivation. It is civil organizations that can help remedy these problems. Cooperation with state organs – such as the police, or the Public Prosecutor’s office – may be particularly beneficial.² Reports prepared by civil organizations can be expedient in alerting the official authorities to hate motivated crimes in the country.

Long-term tendencies can be outlined on the basis of the collected data. Civil organizations can help in setting particular cases on track for legal process, may provide legal defense for the victims, and give various other forms of aid. These organizations may also serve as intermediaries between the victims and the police (OSCE/ODIHR 2009b, 34–36).

² A great example of the above can be found in the Community Security Trust (CST) and cooperation between the London and the Manchester police forces. (CST 2013)

METHODOLOGY

The report deals with two types of offence: hate crimes and hate motivated incidents. These are defined by EBESZ as follows³ (OSCE/ODIHR 2009b, 15–16):

- hate crime: a crime as defined by the criminal code, which has been motivated by prejudice against a certain group of people⁴
- hate-motivated incident: an offence, also based on prejudice against a certain group of people, but not reaching the level of criminal conduct.

The heightened importance of individual hate crimes is indicated by the fact that the criminal code of numerous countries deals with these cases separately. Hungarian criminal legislation identifies two forms of hate crime: violent offences committed against the member of a group, and incitement to hatred of a community. The recently adopted Criminal Code (Act C of 2012) deals with these in Chapter XXI, Paragraph 216, on crimes against human dignity and certain basic rights, as well as Chapter XXXII, Paragraph 332, on crimes against public peace. The crime of violence against a member of a group may be established if the perpetrator assaults or otherwise coerces the victim, because they belong to a protected group. Additionally, this is also the case if the perpetrator demonstrates provocative behavior against a community that is apt to cause alarm. The crime is only affected if there is a concrete victim. Incitement against a community most often means hate speech, and it can only be defined as such on the condition that it is committed in public. Incitement to hate crimes does not target concrete individuals

but a group of people. It is important to add that other crimes may also be categorized as having been committed on racist motives. In such cases the courts must pass a heavier sentence⁵ (TASZ 2012, 3–4). Apart from these, Paragraph 333 of the Criminal Code also describes the crime of denial of the crimes of the National Socialist regime. Furthermore, Paragraph 335 bans the distribution and use in wide public, or public display of the symbols of various autocratic regimes (among them the swastika, the SS insignia, arrow-cross).

Detailed descriptions of approaches to, and recent tendencies in the definition of hate incidents can be found in our May Report. The report also cites the findings of literature in this field internationally. The present report presents hate crimes and hate incidents motivated by anti-Semitism, wherever perpetrator, target, means or message of a case suggest it. The target may be a person, a group, an event, a building, a monument or other property. It is important however, that anti-Semitic motivation can only be spoken of if the perpetrator chose the given target expressly because it was assumed to belong to Jewry. In this context it is not finally relevant whether the assumption is correct: the belief of the target's connection to Jewry is sufficient. In the course of monitoring, on one hand, all incidents that fall in the category of hate crime are considered hate incidents. These may be crimes identified as such by the Criminal Code (violent assault of a member of a community, incitement to hatred of a community, denial of the crimes of the national socialist regime, use of symbols of autocratic regimes), but can also include other acts mentioned in the Criminal Code, if preju-

³ The scientific definition of hate crimes is extremely contradictory and divergent (for more on this, see Chakraborti and Garland 2009, 4–7). These definitions can serve as important addenda to an understanding of these crimes, however they are difficult to apply in practice. This is what made the creation of simpler, more practical definitions necessary.

⁴ For example, on these grounds the OSCE does not consider hate speech a hate crime, since the given behavior would not count as criminal without the motive of prejudice (OSCE/ODIHR 2009a, 24). For our approach in dealing with this, see below.

⁵ The Criminal Code does not include racist motives verbatim, but for example the case of “contemptible motive” is fulfilled, if someone commits a crime out of such a motivation.

dice can be proven as a motivating factor. When identifying hate incidents, various indicators recorded during the monitoring period⁶ are used as the basis for examining whether the given action could have been motivated by anti-Semitism.

For the widest possible scope in monitoring anti-Semitic hate incidents the simultaneous use of a variety of sources is required. The victims' filed reports are of especially great importance to this study. If the victim cannot, or does not want to file a report with the Brussels Institute, the involvement of an intermediary may be facilitated to gain information. Such an intermediary may be a family member, acquaintance of the victim, a witness of the incident or another civil organization. The earlier mentioned 24-hours-a-day Hotline operated by the Foundation serves to ease the passage of reports. Additionally there are options for online filing of reports, which allow even greater anonymity for the person placing the report.

It is a declared objective of the Foundation to keep in touch with the authorities, since they are the most likely to be first approached by victims or witnesses.

A variety of media channels also represent important sources: television, radio, as well as the printed and online versions of the press. An essential segment of the report is composed of monitoring the expressions of, so called, online hatred, which seems currently to have become an ever-increasing threat.

Monitoring of these media channels is covered in part by a paid team of experts within a professional framework, while volunteers are involved additionally in the media watch, sending information gained on to the Brussels Institute for processing. It is an aim to cover an increasingly large segment of the media with continuous monitoring. Monitoring extends to roughly all receivable TV and radio stations, all the printed press with high print-runs, as well as online material not only on news portals, but the social networking pages and extreme, hate

inciting websites. The monitoring process is carried through systematically, according to precisely prepared standards.

Among the monitored hate incidents there are some that are considered a part of the statistics, but there are also some that are recorded, though not counted as part of the statistics.⁷

The criteria for hate incidents that are included in the statistics follow:

- Only hate incidents that occurred in Hungary; no matter whether the victim is a Hungarian citizen or not
- Any action, incident, atrocity that is aimed at Jewish individuals, organizations or property where an anti-Semitic intent or content can be proven, or if the victim was attacked for being Jewish or due to an assumed Jewish identity
- Deliberate and wanton impairment of any Jewish institution or building (even if no further, explicit anti-Semitic message was paired with the vandalism [for example, a Jewish synagogue's window is broken with a stone])
- Anti-Semitic comments that have been reported to Action and Protection Foundation appearing on blogs, fora, community pages
- Anti-Semitic and neo-Nazi material delivered to particular Jewish individuals, Jewish organizations, institutions
- Anti-Semitic and neo-Nazi material deposited at Jewish-owned property, Jewish organizations, institutions
- Criticism related to Israel and Zionism, if they go beyond a political statement and serve to recall traditional anti-Jewish stereotypes
- Events apt to raise fear among Jews.

Hate incidents that are not accounted for in the statistics:

- Anti-Semitic hate incidents that are related to Hungary and Hungarian

⁶ These are described in the Methods section.

⁷ The following were used to develop these criteria: ADL 2012, CST 2013

Jewry, but for some reason do not belong to the scope of the statistics (e.g., they did not occur in Hungary)

- Expressions of hate that appear regularly on homepages, in comments and online fora, and have not been personally reported to Action and Protection Foundation.

A number of the aspects of the registered incidents are recorded. The indicators that help decide whether a given incident was motivated by prejudice have been mentioned earlier. These indicators pertain to various characteristics of the perpetrator, data concerning the victim, the time and location of the incident. These are recorded in the course of collection of data. Tabs are kept on whether incidents had any, and if so, what sort of possibly legal consequences.

Apart from registering incidents, it is also important to capture the qualitative differentials between them. The typification of cases is carried out in two ways. According to one of the systems of categorization the following types are differentiated: incitement against members of a community, violence against members of a community, use of symbols of autocratic regimes, and Holocaust denial.

Based on the *Facing Facts! Guidelines*, seven types of incidents are differentiated as follows (CEJI 2012, 10–12):

- Homicide: any attack on a person that causes loss of life
- Extreme physical violence
 - Any attack on a person that potentially causes serious bodily harm
 - Any attack involving weapons, or other tools that can cause bodily harm
 - Any attack on property, where there is a potential for the people occupying the property to be killed
 - Bombs and letter bombs
 - Kidnapping
- Assault

- Any physical attack against a person or people, which does not pose a threat to their life and is not serious
- Attempted assault, which fails due to self-defense, or if the victim runs away
- Throwing objects at a person or people, including where the object misses its target
- Damage to property
 - Any physical attack directed against property, which is not life-threatening
 - Desecration of property
 - Arson attacks on property where there is not threat to life, failed attempts at arson
- Threats
 - Any clear and specific threat, whether verbal or written
 - Any “bomb” which is assessed to be a hoax
 - Stalking
 - Defamation
- Hate speech
 - Public hate speech
 - Hate speech channeled via the internet and social media
 - Abusive behavior
 - Abusive literature sent to more than one person
 - In literature and music
- Discriminatory incidents

Placing hate incidents in context is also a priority. These actions do not exist in empty space and are by no means independent of the social and cultural environs in which they occur. The dynamics of these incidents is also of importance: often processes, rather than separately occurring events can be spoken of (Perry 2001, 8). Apart from the static data, short descriptions of each event are also published, which aid understanding of the environment surrounding the incident.⁸ In presenting time lines, attention will always be given to showing the dynamics of the events.

⁸ These descriptions in particular are held to be a most positive aspect of the Anti-Defamation League reports by Perry (2001, 18).

ANTI-SEMITIC HATE INCIDENTS

FEBRUARY 2017

Three anti-Semitic hate incidents were identified through the monitoring activity of Action and Protection Foundation in February. Two of those incidents fall under the category of hate speech, and one under vandalism.

HATE SPEECH

*Graffiti denying the Holocaust
in a shopping center*

Source: Action and Protection
Foundation

3 February 2017 A sympathizer of the Foundation reported through our hotline that there was a large swastika drawn, and offensive graffiti written on the white wall of one of the washrooms in Lurdy Ház shopping center. The graffiti made with a black marker depicted a large swastika, with the inscription “THE HOLOCAUST NEVER EXISTED” in the middle. Under the ‘fabrication’ there another sign said ‘filthy Jews’. On other parts of the wall there were similar signs about the Roma and Jews. The caller also noted that he had attempted to remove the signs and was partly successful.

Breakout Day

Source: nepszava.hu; atv.hu;
amiidonk.hu

11 February 2017 In a lengthy article, Nepszava.hu reported about the Day of Honor commemoration ceremony held by extremists. On the anniversary of the 1945 breakout from the besieged Buda Castle, more than six hundred rightwing extremists dressed in black marched not far from Széll Kálmán Square behind Városmajor Church to commemorate the so-called “Day of honor”. The group consisted mostly of young people. The organizers banned party flags, and asked participants to dress

in black, or at least in dark clothes that “matched the occasion”.

On 11 February 1945 German and Hungarian military troops attempted a breakout through the Soviet blockade of Buda Castle. For the extreme right, 11 February is a Day of Honor, the Breakout Day. They held their first demonstration in 1997.

Foreign extremists, Germans and Italians, also joined the demonstrators (Árpád striped flags, Polish flags and Székely [Székler] flags were also spotted). The demonstrators marched to the war memorial of the first world war field riflemen. According to the opening remarks, the assembly gathered to commemorate the victims of the fight against “red filth”.

Delegates of the Sixty-four Counties’ Youth Movement also attended the commemoration. One of the foreign guests, the German neo-Nazi Matthias Fischer closed his speech with a Hungarian expression, Ferenc Szálasi’s salute: “Persistence!” Leader of Betyársereg, Zsolt Tyirityán, recounted that the world was defined by fighting for territory and whoever disagreed was either lying or abnormal. In his view, ethnic and national consciousness is a necessity: “whoever wants to force me out from my territory” should be brought to the ground. Finally, Tyirityán applauded the Waffen SS, infamous for its atrocities: “My acknowledgement and respect goes to the Waffen SS! Glory to the Waffen SS!”

Előd Novák, former Jobbik MP, infamous for his extremist views, was also present at the event, and posted about it on his Facebook profile. In the meantime, 30–40 people held an anti-fascist counterdemonstration near Bécsi Kapu Square in Buda Castle. The Breakout Memorial and Walking Tour started from the neighboring Kapisztrán Square. Attila Vajnai, leader of the Európai Bal (European Left) Party who participated at the counterdemonstration, filed reports. In a statement, he told



Népszava that a group was provoking the anti-fascist protesters with Nazi salutes, and some people were illegally hiding their faces. He saw people wearing SS badges, a banned totalitarian symbol in Hungary.

Commemorations were held outside of the capital as well. A swastika flag was hauled up an electric pole in Tök, in Pest County.

The Breakout 60 Memorial and Walking Tour's Facebook event is no longer available on the social media site.

Subsequent to the article's publication, the Dialogue for Hungary Party and the Democratic Coalition Party also filed complaints. The European Left Party also appealed to the National Security Council of the Parliament.

APF also filed a report, and issued an official statement. Find further details about our statement and the impact of the event in the Community News and Responses and in the Official and civil Responses sections.

VANDALISM

*March of the Living statue
by Erzsébet Bridge vandalized*

Source: facebook.com

12 February 2017 The March of the Living Foundation reported on its Facebook page that the March of the Living Statue on Erzsébet Square commemorating the Holocaust was vandalized; it was painted white by unknown perpetrators. One of the marble plates was fully covered with paint, and several other parts of the statue were vandalized with splashes of paint and marks.



FURTHER ANTI-SEMITIC HATE INCIDENTS

In the course of its monitoring activity during February 2017, Action and Protection Foundation did not identify incidents that could not be included in the statistics, because as explained in the methodology either the anti-Semitic intent was not beyond doubt, the circumstances around the incident were not clear, or the incident simply did not carry enough weight.

COMMUNITY NEWS AND RESPONSES

*Photo exhibition opened
at the Israeli Cultural Institute*

Source: magyarhirlap.hu; demokrata.hu

7 February 2017 On Tuesday, at the opening of the Golden Jerusalem photo exhibition organized by the Unified Hungarian Jewish Congregation (EMIH) and the Jewish Agency for Israel held at the Israeli Cultural Institute, Miklós Soltész, Secretary of State for Churches, Minorities and Civil Affairs, said, "it is everyone's responsibility and obligation to turn the current crisis of value around". Alongside the Secretary of State, József Amrani, Ambassador of Israel to Budapest, and Slomó Köves, the Executive Rabbi of EMIH, both gave a speech at the opening.

The organizers said that the intent of the exhibition was to show the relation of Jerusalem to Jewry and to Israel. Their statement pointed out that the UNESCO's executive board passed a resolution, which "questions the relation of Jewry to Jerusalem's Temple Mount and the Wailing Wall in spite of the historical facts." Subsequently, the UN Security Council stated in a resolution that the presence of Jews beyond the Green Line territory of the 1949 cease fire was illegal. Based on this resolution, they claimed Jews living in the Quarter of Jerusalem's Old City were unwanted settlers.

They also added that the exhibition is a reaction to these standpoints through the photos of László Angyal, Mátyás Arató and Attila Szabados.



*Military rabbi discusses the Hungarian
Defense Force and anti-Semitism*

Source: mno.hu

9 February 2017 Magyar Nemzet Online reported on the Military Rabbinate and Jewry. Péter Joel Totha, Chief Military Rabbi at the Hungarian Defense Force since 2012, assisted with the elaboration of the article. He explained that although the Jewish Military Chaplaincy was officially established in 1994, there were already during the First World War, more than one hundred and ten rabbis working on strengthening the spirits and providing support to those leaving for the front lines.

The chief rabbi believes that a similar conduct is expected now. The soldiers who turn to the chaplains need reassurance to strengthen their faith and spirit, and help to overcome the difficulties they face. The chief rabbi said the soldiers asked for their views on the most diverse subjects, for instance, whether a specific food was kosher or not. He appreciates that non-Jewish soldiers also take interest in Jewish religion and culture. He answered with a definite no to the question whether he had witnessed anti-Semitism within the army. Rabbi Slomó Köves, founder of APF and executive rabbi of EMIH, is also a member of the Military Rabbinate.

*Breakout Day—In the light of
the Criminal Code amendment*

Source: tev.hu

14 February 2017 The Foundation issued the following statement regarding the neo-Nazi commemoration on Breakout Day.

“By the amendment of the Criminal Code in effect since 28 October 2016, the Hungarian National Assembly created the grounds to take a more effective stand against incitement against a community, hence against hate speech. The Breakout Day commemoration on 11–12 February 2017, organized by Hungari-

an Nazi, Hungarist, and other racist far-right groups as in previous several years, now falls under a very different legal interpretation.

The amendment of the Criminal Code broadened the scope of the legal definition of wrongful conduct in cases of incitement against a community. Incitement for violence was specified and incorporated, which made it explicit that incitement for hate and incitement for violence are not identical notions.

It has been the Foundation's consistent position that the judicial practice developed along the lines of the earlier legislation was ineffective. Therefore, we had been proposing an amendment identical to the text of the Criminal Code amendment in effect, to the Ministry of Justice on several professional fora and state secretary discussions since 2014. We welcome the fact that the legal standpoint of our Foundation is reflected even in the explanatory memorandum."

The Monitoring Committee of Action and Protection Foundation also examined whether the speeches delivered at the Outbreak 60 neo-Nazi commemoration qualify as crimes of incitement against a community. The recent legal regulation might throw new light upon the speeches and manifestations delivered at the event, since legal qualification as a criminal offence no longer requires a direct threat of violence and the real possibility of tangible personal injury being inflicted through violence.

Consequently, hate incidents taking place at similar far-right events might trigger the initiation of numerous procedures resulting in criminal-law liability.

*Hungarian government also considers
Breakout Day events unacceptable*
Source: kormany.hu; nepszava.hu

14 February and 21 February 2017 As Bertalan Havasi, Deputy State Secretary in charge of the Press Office of the Prime Minister informed kormany.hu, Prime Minister Viktor Orbán and András Heisler, President of the Federation of Hungarian Jewish Communities (Mazsihisz), held a discussion of their common agenda for 2017, the problems and plans of Hungarian Jewry.

The issue of the neo-Nazi event on 11 12 February also came up at the meeting and was condemned as unacceptable by the president of Mazsihisz. Bertalan Havasi added that, in accordance with past practice, the parties agreed that the Ministry of Interior would find legal means to prevent similar events from happening.

For that matter, in line with the Paris Peace Treaties, no neo-Nazi or neo-Arrow Cross organizations are allowed to operate in Hungary. Measures against such organizations are the competence of the Prosecutor's Office.

Jewish fate at the Gulag
Source: 168ora.hu

17 February 2017 The Unified Hungarian Jewish Congregation (EMIH) organized a conference on "The lives of prisoners in the Gulag – the fate of Jews" at its center on Károly Boulevard. As the article states, the world of the Gulag was in a sense terra incognita (unknown territory) until Solzhenitsyn's breakthrough.

Its destructive living conditions are not as planned, and not as 'brutally clear-cut' as the industrially constructed and precisely calculated killing systems of Auschwitz or Treblinka. Speakers at the conference included János Botos, associate professor at the Jewish Theological Seminary – University of Jewish Studies, György Haraszti, who is also an associate at the Seminary, Réka Földvárné Dr. Kiss, Chairperson of the Committee of National Remembrance, and Slomó Köves, executive rabbi of EMIH.

OFFICIAL AND CIVIL RESPONSES

Legal proceedings initiated against

Day of Honor event

Source: atv.hu; nepszava.hu

20 February 2017 Nepszava.hu and atv.hu reported that the prosecutor's office and the police are investigating the Day of Honor event held with the participation of nearly six hundred people. The articles state that the government amended national regulations for hate speech only after it pressure from the EU. The amendment offers a way for sanctions to be brought against the February neo-Nazi/Arrow Cross events in the future. However, the standard patterns of common judicial practice over the last two decades will presumably be recast only by the unity of law decisions expected from the Curia.

As we have stated in this month's report, Ferenc Szálasi and the Waffen SS were openly applauded at the event. Participants of the demonstration included representatives of the Jobbik-allied Sixty-Four Counties Youth Movement, and outright neo-Nazi Zsolt Tyirityán, leader of the Outlaw's Army.

The General Prosecutor's Office informed the editorial board of atv.hu that two legal proceedings were initiated – identical in wording – by two private individuals concerning the episodes of the commemoration organized in Városmajor on 11 February 2017. The complainants – citing media references – object to the fact that a German neo-Nazi ended his speech with a salute to Ferenc Szálasi and that the Waffen SS was applauded in another speech. The legal proceedings are aimed at investigating whether crimes of incitement against a community and the public denial of the crimes of the national-socialist regime were committed.

The General Prosecutor's Office passed the complaints on to the Budapest Prosecutor's Office for further action. In the wake of a complaint made by a private individual,

the Budapest Police Headquarters' (BRFK) I. District Police Department added a supplement to the complaint concerning the misdemeanor of using totalitarian symbols. The complainant saw authentic SS uniforms and SS badges at the Breakout Day event on 11 February 2017. On 13 February 2017, the Budaörs District Police Department instigated, on their own initiative, a misdemeanor investigation about the use of totalitarian symbols in Tök County, dealing specifically with the case of a flag bearing a swastika on an electric pole, placed by unknown individuals. The Prosecutor's Office reported that the Pest County Police Headquarters subjected the investigation to its own jurisdiction while it is overseen by the Buda-Environs County Prosecutor's Office.

Kálmán Szalai, Executive Director of Action and Protection Foundation said, in an interview with the ATV program Straight Talk (Egyenes Beszéd) on 14 February 2017 that with the amendment of the Criminal Code effective in Hungary since 28 October 2016, a more effective stand can be taken in the future to fight incitement against communities. The legislation differentiates between the wrongful conduct of incitement to hate, and incitement to violence. That is, the direct threat of violence and the realistic possibility of tangible personal injury inflicted by the violence are no longer necessary to establish a crime.



NEWS AND OPINION ABOUT ANTI-SEMITISM IN HUNGARY

Gábor Vona's interview with Forward

Source: forward.com; 444.hu;

hvg.hu; hir24.hu

8 February 2017 In an interview given to Forward, an American Jewish newspaper, Gábor Vona, leader of Jobbik, expressed his wish to turn a new page and hope that he and Hungarian Jewry could extend hands to one another. “Hungarian Jews have suffered such a serious trauma, making working together more difficult,” he said, and added that this could change with his generation with young Jewish people entering the active phase of their lives and getting into positions of responsibility. He also said that “if Jobbik comes to power, the Hungarian Jewish community can continue living its daily life as it has done in the past.”

During the talk, he was confronted with Jobbik’s previous anti-Semitic stands. For example, Márton Gyöngyösi called for the creation of a list of Israeli-Hungarians in parliament with dual citizenship on the ground of national security.

Vona’s reaction was that they never questioned Israel’s existence. They only criticized Zionism. (Yet in 2014 they even demanded that diplomatic relations with Israel be broken off, because they regarded it as a “terror state”.) He also noted that in the past he had made it clear within Jobbik that there was no place for any anti-Semitism in the party.

The article enlists previous anti-Semitic, strongly racist and anti-Israel remarks made by Jobbik’s head. For example, when in 2013 he said that “if it turned out that I were of Jewish dissent, then I would resign from my position, and I would continue to assist our cause as a member.”

In the same year, he wrote an open letter addressed to the then ambassador of Israel to Hungary, Ilan Mor, with the following sentence: “I find it distasteful when a nation or people want to rule the world. The Jewish people, too. And I see this arrogance in your behavior. I won’t be Israel’s dog.”

In 2013, when the World Jewish Congress held its meeting in Budapest, Vona remarked that “Israeli conquerors, these investors, should look for another country in the world for themselves, because Hungary is not for sale.”

Forward also referred to Zsolt Baráth, Jobbik MP’s Tiszaeszlár blood libel speech of 2012. Although, Vona claims that they distanced themselves from their MP, the article reveals that in fact, at the time of the speech, the party’s leadership merely declared that Jobbik was a diverse party where differing opinions on some issues could coexist.

For Jewish experts and observers cited by the New York newspaper, Vona’s new friendly attitude appears far from credible, due, for instance, to his unwillingness to address Hungary’s role in the Holocaust.

OTHER NEWS

Extreme Right deals with the Maccabi Games
Sources: betyarsereg.hu; vilaglato.info

14 February 2017 On its internet site, the Outlaws' Army (Betyársereg) published an article with the title "Outlaws' Army joins the campaign against the Olympic Games; if there aren't Olympic Games, there won't be Jewish Olympics either!" They write: "In 2019, Budapest will host its first Olympic Games, the European Maccabi Games, the continent's largest sports event. That is, in 2 years we are hosting the Jewish Olympics, with a budget of 2 billion Hungarian Forints! Budapest's candidacy beat that of Basel's. We are not going to beat about the bush; if the capital doesn't want to host the Olympics Games, then it shouldn't host these either! Clearly, we don't think anyone will find our comments negative. Since we are talking about the Olympic Games though, we should add that the 2 billion Hungarian Forints budgeted for holding this event can be spent to cover many really important and valuable needs of the people."



In addition to its anti-Semitism, the incentive for the article is the "Nolimpia" campaign organized by the "Momentum" movement, against Budapest's candidacy to host the 2024 Olympic Games. The movement aims to block the Budapest Olympics, which they consider to be overly costly and a probable economic loss.

Another extreme right website, vilaglato.info, joined this line of questioning. They took their cue from comments by Tamás Deutsch, Fidesz founding member and MP on Facebook, where he made fun of the organization behind the campaign against the Budapest Olympic Games.

Members of Jobbik in Vecsés not to be held accountable
Sources: mno.hu; magyaridok.hu; magyarnarancs.hu

16 February 2017 "Jobbik's Ethics Committee censured the leadership of its organization in Vecsés, after a statement contradicting Jobbik's party line appeared on the organization's Facebook page. The identity of the person who posted this unacceptable and religious hate comment could not be determined during the ethical investigation. Since the person behind this comment remained unidentifiable, the person's expulsion from the party was not considered." Jobbik attempted to justify why members of its organization in Vecsés were not genuinely held accountable for their actions with these sentences. This is the organization that insultingly criticized Gábor Vona on Facebook for his Hanukkah greetings to Jewish organizations. The outcome of the ethics committee review of the case was a mere censure. It is particularly interesting about the case that in an interview, which appeared on Betyársereg's website at the time, Attila Szabó admitted, and in fact proudly claimed authorship of the comment, stating that he did not find it to be overly extreme. Attila Szabó also posted on his Facebook page about the "verdict", noting that the ethics committee issued an ultimatum to the effect that an expulsion may result if a similar event were to occur in the future.



The television station, atv.hu asked János Volner about the case. The party's deputy chairman and leader of its parliamentary group said that it would not be appropriate for him to criticize the decision made by the party's ethics committee led by Gábor Staudt, the deputy leader of the parliamentary group. At the same time, he noted that it was a fact that someone went against the party's official line. An important consideration is that Attila Szabó, the leader of the Vecsés organization, has been a member of the Outlaws' Army for ten years and became a member of the local government in Vecsés for Jobbik.

The online news portal mno.hu wrote about an out-of-town meeting of Jobbik's parliamentary group. According to their information, during the meeting there was a brief discussion that their organization at Vecsés should have received harsher sanctions. The portal added that the protest of countryside organizations against Jobbik's move towards becoming a people's party wasn't discussed at length. At the same time, the Foundation's sources mentioned that rather than 50 organizations as quoted by news agencies close to the government, in reality only 20 organizations were involved, and a majority of those had already closed the debate on this topic.

Statue of György Lukács to be removed

Sources: MTI; hyg.hu

21 and 28 February 2017 An article in the online edition of Die Welt titled "Anti-Semitism is getting stronger in Hungary" reports that the statue of György Lukács will be replaced by one of Saint Stephen. According

to the article's author, the General Assembly of Budapest overwhelmingly accepted (with only three votes in dissent) Jobbik Party's ultra-nationalistic and anti-Semitic proposal through which the "official state intellectual life" will shift even further into extreme patriotism and anti-Semitism. Referring back to the closure of the Lukács archives, it adds that, "in reality, this is an act of narrow-minded barbarism against the intellectual elite". What is important in as much as this decision is concerned is not the philosopher's commitment to communism, but rather his Jewish origin.

On 28 February, a commemoration was held at Saint Stephen Park, and among others, Zsuzsa Hermann spoke. In her speech, she said that while Lukács was not a perfect politician, his statue was a tribute to his scholarly work. She added that Lukács was of Jewish origin, which she felt was the main reason behind the statue's removal.

The Foundation's president, Dániel Bodnár expressed his point of view in an article that appeared in Népszabadság on 3 July 2015, which dealt with efforts to rehabilitate Bálint Hóman.



ACTION AND PROTECTION FOUNDATION LEGAL ACTIONS

Terminated investigation and reprimand
Source: Action and Protection
Foundation

16 February 2017 The Siófok County Prosecutor's Office brought a decision against B. Attila in the case of comments he made in public denying the Holocaust, justified on the grounds that he had publicly denied the crimes by the national socialist regime.

On 21 November 2014, an article on the internet portal origo.hu titled "The mass murderer's grandson did penance in Budapest" described Rainer Höss' visit to Hungary on the invitation of the March of the Living Foundation. On 21 November 2014, Rainer Höss gave a speech in Uránia Theater at the closing event of the Holocaust Remembrance Year. The article mentions that Rainer Höss is the grandson of Rudolf Höss, commander of the extermination camp in Auschwitz, and that Rainer Höss tattooed the names of three Holocaust survivors on his chest. On 21 November 2014, B. Attila wrote the following in the comments section of the article's Facebook version: "Excuse me, but there was not even a Holocaust, even those three names are too many".

In its decision, the prosecutor's office wrote that B. Attila confessed committing the criminal offense. He also said he was "had been very stupid and young", that he acted rashly, and regretted committing the crime, having never committed similar acts before or since. The prosecutor's office appended that the suspect's past record was clean and that 2 years had passed since the incident occurred. Taking these into consideration, the prosecutor's office decided that B. Attila's offense did not endanger Hungarian society to a significant degree and did not deserve severe sanction. Therefore, it concluded the investigation and issued the suspect a reprimand.

*Complaint about case
of Holocaust denial rejected*
Source: Action and Protection
Foundation

21 February 2017 Our January Report carried news of the Dabas County Prosecutor's Office's ruling to close the investigation into S. István's alleged public denial of the crimes of the national socialist regime. They said the information gathered during the investigation was not adequate to establish beyond doubt that the crime had been committed by the suspect. The case refers to a video posted to the video-sharing website YouTube by user S. István on 15 February 2013, a recording of the song "What 6 million?" by the band Turul Nemzetség (Turul Clan). According to information available online, the singer of the extreme right wing music group Turul Nemzetség is S. István. The title of the song refers to the estimated number of victims of the Holocaust. In addition, the lyrics include the word "holokamu" (holo-hoax), along with the lyrics: "the wellness center was waiting to have you...", and "What six million, what six million, what six million? If it were only true, that would be just great."

According to the prosecutor's office, the facts that the suspect was the writer of the song and that he played the song in the presence of members of the group during their rehearsal once are not relevant in proving that the suspect committed the crime. The crime was committed when the song was shared, and thus made public, on the internet. S. István denied the allegations stating that in fact he had not shared the song online. It wasn't possible to find evidence that would disprove this claim beyond doubt. The investigation was closed due to the lack of conclusive proof from the available evidence and the criminal proceedings, these being based on the principle that facts not

proved beyond all doubt cannot be used against a suspect.

In January, our Foundation filed a complaint against this decision. We believe that the logic behind the line of reasoning that an unidentified third person had access to the recording and made it public without the suspect's knowledge and against his intention is flawed. If that was the case, then the recording wouldn't have been made public via the YouTube account that the suspect created under his name. It is clear then that the song was shared by the suspect. Attached to our complaint, we provided as new evidence a screen shot of S. István's public account on the social media site Google+, taken on 30 January 2017, which clearly demonstrated that the suspect had made the video "What 6 million?", which was the subject of the criminal investigation, available for the general public on this site as well. He has not deleted the file even after the time our complaint was filed.

The Pest County Prosecutor's Office rejected the Foundation's appeal on the grounds that it was not filed by those whose rights were harmed. The decision was justified by common court practice where public peace was the legal subject in cases of denial of the crimes of the national socialist regime. Furthermore, the crime offends the dignity of the victims of the national socialist system and that of their relatives, and endangers democratic rule of law as a manifestation of constitutional values. They added further that in the case of this crime, the harm to a private or legal individual is only indirect, so in the criminal proceedings a victim cannot be identified. Therefore, Action and Protection Foundation as complainant is not considered to have been harmed by the incident, and based on this legal background its right to appeal the decision is ruled out.

The decision also states that new criminal proceedings can be initiated based on the evidence attached in the appeal.

THE MONTH'S CHRONICLE

All the incidents to be found in the report are presented chronologically in the table below. The Category column shows which part of the report deals with the given case in greater detail.

No.	Date	Incident	Category
1.	3 rd of February	Graffiti denying the Holocaust in a shopping center	Anti-Semitic Hate Incidents – Hate Speech
2.	7 th of February	Photo exhibition opened at the Israeli Cultural Institute	Community News and Responses
3.	8 th of February	Gábor Vona's interview with Forward	News and Opinions about anti-Semitism in Hungary
4.	9 th of February	Military rabbi discusses the Hungarian Defense Force and anti-Semitism	Community News and Responses
5.	11 th of February	Breakout Day	Anti-Semitic Hate Incidents – Hate Speech
6.	12 th of February	March of the Living statue by Erzsébet Bridge vandalized	Anti-Semitic Hate Incidents – Vandalism
7.	14 th of February	Breakout Day – In the light of the Criminal Code amendment	Community News and Responses
8.	14 th , 21 st of February	Hungarian government also considers Breakout Day events unacceptable	Community News and Responses
9.	14 th of February	Extreme Right deals with the Maccabi Games	Other News
10.	16 th of February	Members of Jobbik in Vecsés not to be held accountable	Other News
11.	16 th of February	Terminated investigation and reprimand	TEV (APF) Legal Actions
12.	17 th of February	Jewish fate at the Gulag	Community News and Responses
13.	20 th of February	Legal proceedings initiated against Day of Honor event	Official and Civil Responses
14.	21 st , 28 th of February	Statue of György Lukács be removed	Other News
15.	21 st of February	Complaint about case of Holocaust denial rejected	TEV (APF) Legal Actions

CONTACT AND SUPPORT

Action and Protection Foundation is the civil initiative of a number of Jewish organizations that is ready to take resolute steps to curb increasing widespread anti-Semitic manifestations.

In case anyone faces insults or anti-Semitic abuse due to a supposed or real Jewish background, do not remain silent, let us know, so that we can forward the case through the appropriate channels to the official organs required to take measures!

Notifications of such incidents are received by the Foundation through any of the following means:

HOTLINE (+36 1) 5 10 00 00

The website of Action and Protection Foundation: www.tev.hu/forrodrot
The Facebook page: www.facebook.com/tev-tett-es-vedelem-alapitvany

Action and Protection Foundation's undertaking can only be successful if great numbers share in our commitment to prepare the grounds for the right to fair process for all those who have suffered offenses. In aid of this cause please support the work of the Foundation with your contribution! Donations can be made to the Foundation on the following bank account:

13597539-12302010-00057157

Contact details for Action and Protection Foundation

Address: Semmelweis utca 19, 1052 Budapest, HUNGARY

Phone: +36 1 267 57 54

+36 30 207 5130

<http://www.tev.hu>

info@tev.hu

REFERENCES

2012. évi C. törvény a Büntető Törvénykönyvről [Act C of 2012 on the Criminal Code], http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200100.TV (last accessed: 2013.07.10.)

Anti-Defamation League (ADL). 2012. *2011 Audit of Anti-Semitic Incidents*.

CEJI. 2012. *Make hate Crimes Visible. Facing Facts! Guidelines for Monitoring of Hate Crimes and Hate Motivated Incidents*. Facing Facts! project.

Chakraborti, Neil and Jon Garland. 2009. *Hate Crime. Impact, Causes and Responses*. London: Sage Publications.

Community Security Trust (CST). 2013. *Antisemitic Incidents Report 2012*.

Levin, Jack and Jack McDevitt. 1999. "Hate Crimes." In *Encyclopedia of Violence, Peace and Conflict*, edited by Lester Kurtz. San Diego: Academic Press, 89–102.

OSCE/ODIHR. 2009a. *Hate Crime Laws. A Practical Guide*. Warsaw: OSCE/ODIHR.

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

Perry, Barbara. 2001. *In the Name of Hate. Understanding Hate Crimes*. New York: Routledge.

Hungarian Civil Liberties Union (TASZ). 2012. *Gyűlöletbűncselekmények áldozatainak. Tájékoztató Kiadvány* [For the victims of hate crimes. A guide]. Budapest: TASZ.

CONTRIBUTORS AND PUBLISHER INFORMATION

Publisher: Brussels Institute Nonprofit Ltd.
Kálmán Szalai, Executive Director

Author: Dr. Dániel Róna, political scientist, professor of Corvinus University

Editors: Krisztián Nádasi, research scholar, head of the Incident Monitoring Group of the Brussels Institute
Dr. Kristóf Bodó, legal advocate, legal representative of Action and Protection Foundation and the Brussels Institute
Tibor Pásztor, research scholar, monitoring leader of Action and Protection Foundation
Zoltán Tatai, research scholar, member of the Incident Monitoring Group of the Brussels Institute
Dr. Krisztina Szegő, lawyer
Bálint Bethlenfalvy, translator

Contributors: Dániel Bodnár, philosopher, Chairman of the Action and Protection Foundation Board of Trustees
Andrew Srulewitch, Director, Anti Defamation League

The publisher wishes to thank Dr. András Kovács, sociologist, Professor at CEU, for all the encouragement and helpful advice.

The publishers expresses their gratitude for the self-sacrificing work of the volunteers who, under expert guidance, have put their continuous efforts into the preparation of this report over the past months.

Use of the Report or any part thereof requires written permission from the publisher and such use must properly cite this report as a reference.
2017 Budapest

BRUSSELS INSTITUTE

Semmelweis utca 19, 1052 Budapest, HUNGARY

+36 1 267 57 54, +36 30 207 5130

<http://www.tev.hu>

info@tev.hu

