

ANTI-SEMITIC
HATE CRIMES AND
INCIDENTS REPORT

JUNE 2016

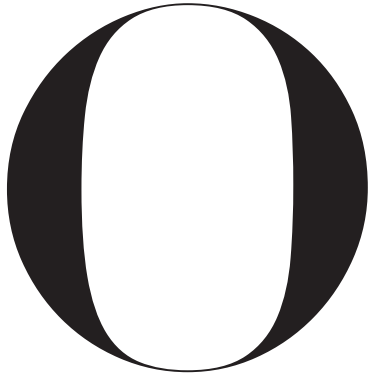


BRUSSELS INSTITUTE

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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 identified three anti-Semitic hate incidents in the course of its monitoring in June, one in the category of vandalism and two in the category of hate speech. Vandalism occurred when a stone was thrown through the windows of the synagogue in Gyöngyös. Hate speech occurred when a turul statue was planned in Szentendre and anti-Semitic writings were made on its base during its construction. In the other case, a Facebook user shared a picture presenting the Holocaust in a cynical and offensive way to Jews.

Two other items are reported in the “Further anti-Semitic hate incidents” this month.

At the UEFA Euro 2016 Championship in France, a few Hungarian supporters presented a Nazi salute, which was reported in the international press as well. The other incident is related to the same football event; a few Hungarian supporters were wearing a swastika and other far-right symbols as tattoos. The pictures of them were also spread in the world press.

Action and Protection Foundation took steps in two official legal actions in June 2016. We filed charges against an unknown individual for writing on the base of the turul statue in Szentendre, and we received a notification about the suspension of the investigation against U.J.

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, exclu-

sion, 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

¹See detailed definitions in the Methodology section.

of the crimes are also frequent, 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).

²A 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 prejudice can be proven as a motivating factor. When identifying hate incidents,

³The 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.

⁴For 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.

⁵The 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.

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.

⁶These are described in the Methods section.

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

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 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.

⁸These 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

JUNE 2016

Action and Protection Foundation identified three anti-Semitic hate incidents in the course of its monitoring, one in the category of vandalism and two in the category of hate speech.

VANDALISM

A stone was thrown through the windows of the synagogue in Gyöngyös

Gyöngyös, Heves County

Source: mazsihisz.hu

On the 29th of June, the president of the Federation of Hungarian Jewish Communities, Péter Weisz, said that police had begun an investigation. The first picture shows the stone which is approximately eight kilograms and could not have been found around the synagogue therefore it is almost certain that it was carried by the offenders. It is presumed that the crime was intentional.



The broken windows of the Synagogue in Gyöngyös,

Source: mazsihisz.hu

HATE SPEECH

Complications around the creation of a turul statue in Szentendre

Szentendre, Pest County

Source: 168ora.hu, szentendre.hu, magyarnarancs.hu

In 2013, the local government of Szentendre decided to give permission for the creation of a turul statue at one of the most popular spots of the city, at the crossroad of Szentendrei and Sztratosvai streets. On the 18th of June 2016, the representative body of the City voted for a local NGO, the Conservative Circle of Szentendre to build the statue. István Holló, the local representative of Jobbik who is storing the statue in his own garden said that “we definitely have to create this statue because we have already announced the inauguration for the second of July.”

The decision of the local government is only a theoretical agreement. The project has not gotten the required legal permissions yet. This was not taken into consideration by the Foundation for the Turul Statue of Szentendre, so they started the foundation at the appointed public area



A stone thrown through a window of the synagogue in Gyöngyös, Source mazsihisz.hu

on the 24th of June without the necessary permissions. A group of locals, led by Balázs Horváth – the activist of a group called “Living Monument in Szentendre” launched a civil disobedience movement against the creation of the statue.

Mr Horváth, together with his fellow supporters, held a sit-in at the scene on the 24th of June, making it impossible to continue building the foundation. Áron Kubatovics, the local representative of Society for Living Szentendre (TÉSZ), also appeared at the demonstration. He opposed the statue and at the demonstration he emphasized that the attempt to set up the statue is not legitimate, not only because of the idea behind it but also because they lack permission from several competent professional authorities, although the main permission is available.

Balázs Horváth climbed on the pillar and, shortly after, the constructors called the police. According to Mr Horváth, the actions of the police were questionable. It was not clear whether the procedure was undertaken against the builders or against the person who prevented the construction. It was stated that both the construction and the climbing on the base was against the law. Finally, the builder’s truck left the scene.

István Holló and András Filó⁹, both members of the Conservative Circle participated at the construction. The next development was an anti-Semitic message which appeared on the base of the turul statue during the night of the 24th of June. The message read, “Those who are disturbed by the turul statue should move to Israel! Hungary is our homeland! God bless the Hungarians!” The writing was reported to the hotline of Action and Protection Foundation. A colleague went to the scene and filed a complaint. (We will further report on that in the Legal Actions chapter.)

The mayor of the city, Miklós Verseghe-Nagy and János Holló both condemned the writing. Miklós Verseghe-Nagy, the mayor of the city which has a predominantly Fidesz government, reacted to the hateful writing on his Facebook page. His opinion was published on the webpage of the city on the 27th of June entitled “Szentendre cannot be provoked”: “In the name of the Local Government of Szentendre and also in my own name, I protest against the anti-Semitic writings which appeared at the public areas of the city. I condemn any forms of hateful, discriminating behavior and I express my deepest sympathy for those who are affected in this case. I have already ordered the removal of the writings. I also ordered increased control of the scene by the Public Safety Office. We kindly ask the residents to immediately report any abuse to the local government office which might be experienced.”



*Anti-Semitic writing on the basis of the turul statue
Source: magyarnarancs.hu*

⁹ András Filó, ex-member of Parliament of Jobbik, founder of Gárda. Mr. Filó was in the national news in 2010 because anti-Semitic writings appeared in the window of his party-office in Szentendre before the national parliamentary elections, such as “the weapon of Jews is money, don’t put a weapon in his hands.” Mr. Filó denied that he placed the posters himself, according to him, it was an activist. Moreover, there were no such writings at all, and the word “Jews” did not even appear, he explained in front of the cameras of RTL TV channel. He admitted that Viktor Orbán and Antal Rogán were wearing Kippah on the poster and Jewish rabbi counting money also appeared. Mr. Filó disagrees with the idea of Jews being always given indemnities and anyway these are the Jews who create anti-Semitism. He elaborated on the real estate investments in Hungary which are financed by the Jewish although “This is Hungary, not Israel” and “the Hungarians are only considered to be Hungarians together with their land”. The politician filed a lawsuit against Népszava, although Court declared legally, because of this concrete case, Mr. Filó has bear the word “Jewbaiter” used by the newspaper.

For Facebook in Hungary, hate speech is acceptable

Source: 444.hu

According to the 444.hu webpage, on the 21st of June, a photo appeared on Facebook, published by user “Háborús Bűnös”, which illustrates a piece of soap with the following writing: “Son of Saul! This is the way I love you!” Both the photo and the writing are considered hate speech because it refers to the Facebook user’s vision that he would like to see Jews as a piece of soap just like in the movie of András Jeleš Nemes.

The author of the article shared the information that he reported this hateful content to Facebook but he got the following response from the Hungarian representative: “We found that the picture does not harm the Community principles.” The staff of Action and Protection Foundation also notified Facebook several times that the picture is insulting but they got the same response. Afterwards, a colleague of ours wrote a letter expressing his disagreement but he didn’t even get a response. The photo is still available on the profile of Facebook user “Háborús Bűnös”. The case is difficult to understand because according to our May report, Facebook accepted the EU Directive of 31st of May, 2016 on hate speech, consequently all content and comments must be eliminated within 24 hours which are categorized as hate speech. Our colleague pointed this out in his letter.

Saul fia!



Én így szeretlek!

The photo on the Facebook profile “Háborús bűnös”,
Source 444.hu

FURTHER ANTI-SEMITIC HATE INCIDENTS

The Action and Protection Foundation identified three incidents during June 2016 monitoring which we did not include in our statistics as the crimes took place outside of Hungary – even though the offenders were Hungarian.

An investigation was launched against a group of Hungarian football supporters because of their Nazi salute at UEFA Euro 2016 Championship

France

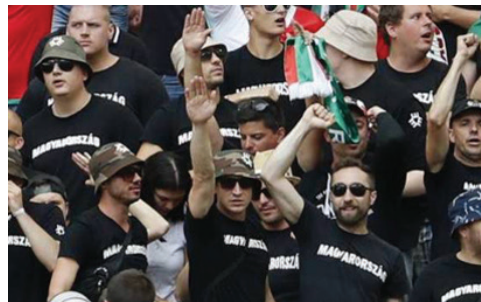
Source: hvg.hu, mirror.co.uk, thesun.co.uk, mno.hu

The UEFA Euro 2016 Championship was organized in June in France. A criminal procedure was launched against a group of a few hundred Hungarian supporters, the “hard core” for wearing a black outfits and for violating the law against racism and anti-Semitism in France.

“These pictures are shocking. An investigation can be launched on the basis of legislation against racism”, wrote the British newspaper “The Mirror”, based on data of the French Police. French legislation is incredibly strict against anti-Semitism. In addition, the stadium is near the Jewish Quarter in Marseille where the inhabitants frequently report racist atrocities. Photos were taken of the Nazi salute which was found pretty shocking by the local police.

According to The Mirror, Hungary is known for far-right activists. The “openly anti-Semitic Jobbik” enjoys the vast support of voters, wrote the newspaper.

The article of the Mirror was published by The Sun as well on the 20th of June. On the 20th of June, magyarhirlap.hu wrote that the Daily Record and the mail also writes about fascists, adding pictures too. On one of the pictures made by Reuters, two supporters are shown performing a Nazi salute. Finally, the UEFA imposed a fine of €50,000 not for this reason but for the use of pyrotechnics and disturbances by the supporters. At the same time, the vast majority of Hungarian supporters cheered its own team in a fair way at all four football games.



Hungarian football supporters wearing swastika tattoo

Bordeaux, Lyon, France

Source: 444.hu

At The UEFA Euro 2016 Championship organized in France, pictures were taken of two supporters which show a swastika tattoo on their arm, and these pictures appeared in several European newspapers. The first picture was taken in Bordeaux on the 14th of June and the other picture was taken of the supporter at the game in Lyon on the 22nd of June.



Hungarian football supporter wearing swastika tattoo in Bordeaux, Source: 444.hu

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Football supporter wearing tattoos of swastika and Arrow-Cross in Lyon, Source: 444.hu

COMMUNITY NEWS AND RESPONSES

The Holocaust monument was inaugurated in Békéscsaba

Békéscsaba, Békés County

Source: MTI

As we indicated in our March report, a Holocaust monument was planned in Békéscsaba. On the 26th of June, the ninety meter-long memorial wall was inaugurated in Széchenyi park, in between the Catholic and Jewish cemetery. On the wall made of bricks, the names of the victims were engraved in granite stones.¹⁰

Among those who attended the commemoration, Bercel Nagy, representing the Prime Minister's Office said that those who live in the 21st century shall give the answers to the conflagrations of the 20th century as well to the Holocaust and the Gulag. According to him, the response of the Hungarian government is three-fold: we must remember the 600,000 Hungarian and 6,000,000 non-Hungarian victims as well as the 800 rescuers.

Support needs to be allocated to the communities who are “weakened by force” for the creation of monuments, the refurbishment of synagogues and cemeteries. Finally, there must be zero tolerance for the incitement of hatred and discrimination. The latter is now the rule of law and the new civil and criminal code.



The monument wall in Békéscsaba

Source: nepzava.hu

¹⁰ There are 2950 names on the wall. Those who were deported from Békéscsaba and from 20 other villages of Békés county during WWII in 1944 to Auschwitz-Birkenau. According to MTI's official data, about 50,000 Jews were deported from Békés county in 1944 and 3,000 of them were killed.

OFFICIAL AND CIVIL RESPONSES

Conference on the use of the internet and the fight against hate speech

Budapest

Source: MTI

On the 6th of June, a Hungarian-Israeli conference was organized entitled “The use of Internet and responsibility”. The main organizers were the Ministers of Justice of Hungary and Israel. After the conference László Trócsányi, the minister of justice, emphasized that the Hungarian and Israeli government respect freedom of opinion but must speak up against hate speech. According the Minister, anti-Semitism, anti-Roma sentiment, and all kinds of prejudice and racism are slow killing poisons. Referencing to the Holocaust, he said that the potential consequences of hate speech and genocidal war crimes started with the nourishment of prejudice and with its integration to the official political level. After the fall of the communist regime, many people thought, all this is going a little too far and that the best solution is if the State doesn’t deny anything at all.

Based on this, the Constitutional Court of Hungary interpreted freedom of speech in a very broad way and the effective limitation of hate speech did not succeed. The fourth amendment of the Constitution, in harmony with the former interpretations of the Constitutional Court states, “The practice of the freedom of opinion cannot breach other people’s human dignity.” According to civil code, a forfeit must be provided to individuals and communities, the ones targeted by hate speech. In addition, the Hungarian state acts against hate speech by the means of criminal law. The rules of the criminal code referring to hate crime, to the open denial of

Holocaust and communist regimes and the rules against racism, serve this aim.

The criminal sanctions for denying Holocaust are still controversial but it would be an illusion or cynical not to realize that those who deny the Holocaust or question its size or main features are sending a hidden agenda. They actually mean that it would be okay if it happened again. There are certain rules in the Hungarian legislative system which serve the aim of acting against online criminal content. The temporary or permanent inaccessibility of data published on the internet belongs to this topic. Further media rights complete the protection of human dignity included in the Constitution. The minister emphasized that hate speech is not a problem of nation-states anymore. Consequently we can only fight against it effectively in the framework of international cooperation. The effective international actions run into serious obstacles overseas where the freedom of expression is treated differently than in Europe. The Hungarian courts tried to block hateful content and prosecute service providers without any success with American authorities. Action and Protection Foundation also faced this problem when its complaint was rejected with the same justification.”

Ajelet Saked, minister of justice for Israel agreed with his colleague that we must find those means which can give an effective answer for hate speech without the limitation of the freedom of expression, “as we all know, that actions will follow the hateful words so we must stop the hatred on the level the words.” The minister said that a wave of terrorism washed through Israel which started with online incitement of hatred.

“On the 6th of August, 2013 the Foundation filed a lawsuit against kuruc.info for the open denial of crimes by the national socialist regimes. The article which now forms the basis of the case was published on kuruc.info the 24th of July 2013 entitled “Almost all companies belonging to the swindler Jew who banned our Facebook profile are under Court enforcement.” On the 10th of October, the case was suspended with the following justification: “The offender was impossible to identify in the course of the investigation because the server of the portal is located in the United States of America.”

When they fought against online hate speech, the terrorist attacks were diminished. He emphasized that the Prosecutor's Office launches investigations on a weekly basis against hateful citizens whether they are Arabs or Jews. He stressed that the role of service providers is just as big as of the States when it comes to the fight against hate speech. In Israel, they examine the content together with the companies like Google, Facebook and Twitter, and the service providers eliminate up to seventy percent of the content deemed in violation of the law the public authorities.

We also published the news in our May report that Twitter, Facebook and other large companies adopted the new EU Directive concerning hate speech. According to this new legislation all content and comments, which fall into the category of hate speech, must be eliminated in 24 hours. Gabriella Cseh, the head of the regulatory team of Facebook for Central-Eastern Europe said that Facebook shall not submit to any legal authorities of any countries but elaborated global standards. In this global community where users share billions of content each month, the service provider treats everyone equally. The freedom of speech has special importance, "we believe that broader openness and free debate contribute to the development of societies." At the same time, the security of the users has equal importance, consequently hate speech and contents encouraging direct violence cannot be tolerated on Facebook. It is important to create rules which can be implemented and easily understood by everyone. Facebook permits contents assaulting politics, ideologies and even governments but does not tolerate the attack of individuals and communities, also, it would like to contribute to civilized public speech and responsible behavior, she added.

The Court rejected the request for the membership of Bálint Hóman at the Hungarian Academy of Sciences

Budapest

Source: MTI

On the 9th of June, Budapest Capital Regional Court did not grant the request at the

first instance, in a way that can be appealed, the renewal of Bálint Hóman's membership of the Hungarian Academy of Sciences. Bálint Hóman was a historian, minister of culture and MP during the 1930s and 1940s.

The Regional Court rejected the lawsuit for reasons of procedure. According to its point of view, the plaintiff, the relative of Bálint Hóman is not entitled to launch such a lawsuit. The judge explained that it is a historical rather than a legal question to decide if Bálint Hóman was a Nazi.

The point of the lawsuit against the defendant, which is the Hungarian Academy of Sciences, is to be declared by the Court. In the summer of 1945, Bálint Hóman was not legally excluded from the Academy. More precisely, his exclusion was invalid. The decision did not even come to force. The petition contained the request for the Court to declare that the fact that Bálint Hóman was representing Arrow Cross principles was defamatory within the President of the Academy's declaration. At the lawsuit, István Varga, the lawyer of the plaintiffs, former MP of Fidesz explained that in legal terms, the decision did not even exist in which 14 members out of 250 excluded Bálint Hóman some months after the world war during the Soviet invasion of the country, suggested obviously by the Russians.

István Varga noted that 25 years ago, the Academy renewed the membership of formerly excluded members during the change of the regime with three exceptions, including Bálint Hóman. István Varga emphasized that the judgment of 1946 for committing war crimes was invalidated in 2015 by Budapest Capital Regional Court and declared Bálint Hóman innocent. The legal representative of the plaintiff asked the Court to neglect the formal legal interpretation and to rehabilitate Bálint Hóman.

The legal representative of the Academy requested the rejection of the petition. He partly questioned the fact that the plaintiffs can sue the Academy at all in this case and partly argued that the procedures of 1945 met the regulations at that time. Seventy years have passed and there are no means to revise the exclusions of that time. The judge stressed that, according to the present

regulations, the academic rehabilitation of Hóman depends on the opinion of the public bodies of the defendant. The judge affirmed that it is not a legal question whether Hóman was a Nazi or not. This issue belongs to the history of science, not to the Court. After the verdict, the legal representative of the plaintiff indicated that they will probably appeal. So the lawsuit to renew Bálint Hóman's academic membership will continue.

The resolution of the Hungarian Academy of Sciences (MTA) on Bálint Hóman

Budapest

Source: nol.hu

On the 15th of June, the Resolution of the MTA was published on Bálint Hóman. Beforehand, Action and Protection Foundation turned to the Chief Prosecution Office of Fejér County in December 2015 complaining about the naming of the Bálint Hóman Cultural foundation. The Chief Prosecution Office initiated the standpoint of MTA concerning Bálint Hóman. APF's request pointed out that, according to the current legislation, the name of any person "who fulfilled a leading role in the foundation, creation or maintenance of the autocratic regimes of the 20th century" cannot be integrated in the name of any organizations. According to the position of APF, Bálint Hóman was such a person. He took part in the preparation and voting of Numerus Clausus, he remained an MP after March 1944, the German occupation and even after the seizure of power by the Nazi in October.¹²

It took months for the Academy to prepare the report which shows similarities with the former statements of President of MTA, László Lovász. The standpoint details that Bálint Hóman played an important role in the elaboration of discriminatory legislation against Hungarian Jews between 1938 and 1942. After the German occupation, he contributed to the legitimacy of the totalitarian regime by his simple presence and prestige. Although he had no former leading role in

the foundation and creation or maintenance of totalitarian regimes of the 20th century, he did have a leading role in the process supporting the autocratic regime of Ferenc Szálasi.

He was an important historian and certain pieces of his scientific work remained timeless. During his role as a politician, he "played a responsible role in the foundation and strengthening of relation between Hungary and the national socialist Germany, consequently into the fatal deepening of racial discrimination." According to the position of the Academy, Hóman actively prepared the totalitarian regime, a gross violation of the rule of law that sent the majority of citizens classified as Jews to death camps in a very systematic way.

Later, he stood in solidarity with the Arrow-Cross government, despite of all his scruples. The standpoint of the Academy notes that the assessment of the activity of Hóman is extremely difficult due to the fact that the Horthy-regime is not considered to be a totalitarian regime, only an autocratic regime by mainstream historians. There is no clear consensus today regarding the role of Bálint Hóman in totalitarian regimes. A more detailed position is difficult nowadays. From here on, the decision must be based on political and moral considerations, not scientific ones. MTA suggests to the decision-makers to take the social impacts and consequences into consideration when they launch or stand behind initiatives related to Bálint Hóman.

Hitler-shirt at the football game

Marseille, France

Source: 444.hu

On the 21st of June, 444.hu published a local report on the fanatical supporters of the game Hungary-Iceland at the UEFA European Championship: "I could tell stories about the bald-headed person wearing a Hitler-shirt and about the idiots greeting Roma children-beggars with "gypsies raus" in the downtown".

¹²The President of Action and Protection Foundation, Dániel Bodnár wrote an article on this topic at nol.hu. <http://nol.hu/velemeny/homan-kontra-lukacs-1549381>

Action and Protection Foundation presents a communication about the statement of Sándor Szakály

Budapest

Source: tev.hu

On the 24th of June, historian Sándor Szakály – head of Veritas Institute – classified the Act Numerus Clausus as a tool for the limitation of rights only but did not consider it disenfranchising at an interview. He was asked whether he considers Numerus Clausus disenfranchising and his answer was no. He then added that the law “declared that those can get access to universities listed in the Higher Education Act who are completely reliable from moral and national loyalty point of view”.

The article XXV of Act of 1920 said that “the intellectual capacities have to be taken into consideration as well as the ratio of youngsters belonging to certain ethnicities and nationalities shall attain the ratio of national average of the same race or nationality among students.” He was asked whether this was called the Act number zero against Jews, he stated, “This is controversial, but according to my opinion, no. I am sure there would be people who would call me anti-Semitic and would say the opposite or would think it was the first Act. The Act did not mention the word “Jewish” and “Jew” was not yet defined by the Act – when the legislation was applied they obviously meant people who belonged to the Israelite religion.”

On the 28th of June, Action and Protection foundation sent its communication to MTI concerning the remarks of Sándor Szakály: “The head of Veritas Institute “surprised” the public opinion again with a very low standard provocation. “The head of Veritas Institute “surprised” the public opinion again with a very low standard provocation. An internet portal interviewed him where, among other unacceptable statements, he classified Numerus Clausus as an act with the limitation of rights only instead of being disenfranchising. It is already the second time that Sándor Szakály used conscious and provocative expressions publicly which diminish the importance of the attempts of the 20th century to the disenfranchising or the extermination of Jews.

All this is uncovered by science, making fundamental human and moral questions seen as a question of scientific approach and terminology. The position of a person, in the Hungarian scientific and public life who cannot make a difference neither morally nor methodologically between positive (!) gender discrimination (note the female quota referred by Szakály) and negative discrimination based on race regarded as the first step to mass killing, is questionable.

NEWS AND OPINIONS ABOUT ANTI-SEMITISM IN HUNGARY

Article on the Hungarian supporters of far-right

Budapest

Source: 444.hu

A group of football supporters got into the center of the attention at the UEFA European Championship, as we detailed it already in the chapter “Anti-Semitic Hate Crimes”. A journalist at 444.hu, László Szily, examined the source of this phenomenon in his article of the 20th of June. The main message of the article states, “While the football supporters of the world (...) are heading to a standardized national direction, a part of the active supporters in Hungary are hazardous far-right fans acting under the direction of effective neo-Nazis.

These isolated far-right groups belonging to clubs exist in other countries too, but it is a unique practice that organized support, whether it is on the level of clubs or national sports teams, belong to far-right aggressors. At the same time, the mob wearing black Gárda T-shirts and presenting Nazi-salutes, provoking and acting against Roma and Romanians in a closed shape is only part of the entire Hungarian cheering section. That’s why it is so striking that elsewhere there are no such Nazi fragments. For decades, MLSZ tolerated increasingly open racism, sometimes even Nazi or Arrow-Cross support.

The consequence is that the non-Nazi part of the supporters at the stadiums gradually accepted racism as an inevitable phenomenon. The supporters had two choices: either they don’t go to football games anymore or they get used to the hateful speech directed against Roma, Romanians and Jews. With the introduction of the supporter’s card, the ultras cannot get into NBI games. Although, the ultra groups didn’t disappear but started to go to football games abroad or of lower categories, NBIII level. The far-right core supported Jobbik, according to the journalist.

The ultra group appeared again at the UEFA football games.

In the eyes of an intelligent European, this is pure nonsense. For the eyes of a Swedish, French or Spanish person, the vision of supporters wearing swastika tattoos and black T-shirts performing Nazi-salutes is pretty much like somebody expressing his opinion in the same way at the performance of the Merchant of Venice in Katona József Theatre.” The president of the Hungarian Football League (MLSZ), Sándor Csányi answered the accusations of UEFA: “There is no doubt that Hungarian football is facing a lot of problems but it cannot be denied that we undertook lots of efforts to banish violence in our home country over the past years around football stadiums. It goes without saying that it is unacceptable to see any disturbances, fights, or use of Nazi symbols by supporters. If this happens, the fine of the international association is justified. I stress that we stand by each decent Hungarian supporter and I offer legal help of our League for those who are blamed groundless for unacceptable views and behavior.”

According to Sándor Szakály, Numerus Clausus was an act for the limitation of rights only but never considered it disenfranchising

*Source: budapestbeacon.com, atv.hu,
nol.hu, nepszava.hu, tev.hu*

On the 24th of June, budapestbeacon interviewed Sándor Szakály, head of Veritas Institute. The historian said that the Horthy era was not aiming at the “elimination” of Jews. According to Sándor Szakály, Numerus Clausus was an act for the limitation of rights only but never considered it disenfranchising. He said that in May 1944 neither the deporters nor the deportees could foresee what would happen to the latter group. This fact, as other events during Holocaust, is regarded

differently by many other historians (e.g. László Karsai) based on former documents, as Szakály mentions it in the conversation.

He said, “I hope what I’m saying now does not provoke the charge of denying Shoah but the historians’ opinion differ about the knowledge of the Hungarian political elite, including the governor on the existence of death camps at the time when the Hungarian Jewish community departed in May 1944. According to László Karsai, “They were aware of everything.” László Karsai reacted to the statements of Sándor Szakály on the 26th of June: “The readers must know that together with other historians (Judit Molnár, Krisztián Ungváry and others) we shared and documented our opinion that the Hungarian political elite were completely aware of the plans of the German politics about the potential elimination of European Jews in 1942-1943.”

The head of Veritas Institute has doubts whether Bálint Hóman welcomed warmly Arrow Cross conceptions.” If the citizens of Székesfehérvár decide to create a statue for the memory of Bálint Hóman, I accept it”, he said. There were a lot of reactions concerning the statements of Sándor Szakály. On the 25th of June, the parties Demokratikus Koalíció and Együtt demanded the resignation of Sándor Szakály as head of Veritas Institute. On the 29th of June, MSZP also joined the initiative. On the 29th of June, State Secretary Nándor Csepreghy distanced himself from the statement of Sándor Szakály in the name of János Lázár and the entire government. As we detailed it in chapter “Official and Civil responses”, Action and Protection Foundation sent a communication to MTI concerning this case. All opposition parties except for Jobbik condemned the statement of Sándor Szakály.

In January 2014 report, we discussed Sándor Szakály who drew the attention to himself with his assessment on Holocaust. On the 17th of January, he spoke about the plans and research of Veritas Institute in the frame of an interview. When he listed the historical events in relation to research plans, he declared that the significant loss of the Hungarian Jewish Community happened from the moment when the German Army invaded Hungary. Then he made reference to several other historians who think that the first deportation which

happened from Hungary to Kamanyec-Podolszk during WWII was in 1941, but this should rather be categorized as Aliens procedure because those were deported who had no Hungarian citizenship. This statement was criticized by many and Demokratikus Koalíció filed charges against him for denying the Holocaust. He was suspended from charges during the process. On the 19th of January in the television program on ATV entitled “Szabad Szemmel”, Sándor Szakály said, “If I hurt anyone with this definition (calling the deportation to Kamanyec-Podolszk as Aliens procedure) then I excuse myself. I didn’t want to hurt anybody’s feeling, I used an expression which was a professional terminology at that time.” His apologies were rejected by many.

OTHER NEWS

Strange „jokes” on Music FM radio

Budapest

Source: tev.hu

On the 9th of June, a few minutes after 7 a.m., Music FM’s radio program “Önindító” dealt with Budapest Transport Corporation (BKV). The presenter, Gábor Bochkor, thought that it would be interesting to share a text message of one of the listeners with the audience: “Sorry, now that you tell the story, I almost regret that the Germans didn’t win the war.” Then the presenter added: “By the way,...me too.” The other presenter, Dániel István tried to soften the fully unacceptable remark, but in a very questionable way: “My God. Where would it have led to? ...Very far. If they didn’t stop playing their little games in the Polish woods.” Action and Protection

Foundation strongly advised the editors of the radio program “Önindító” and the management of Music FM to make it very clear from their part that the horrors of WWII are not to be considered the source of humor and the death camps are not regarded as “little games in the Polish woods”. Gábor Bochkor apologized for his imprudent comments on the broadcast of the 10th of June.”



Dániel István and Gábor Bochkor,

Source: Tev.hu

ACTION AND PROTECTION FOUNDATION LEGAL ACTIONS

Action and Protection Foundation filed a lawsuit because of the anti-Semitic writing on the foundation of the Turul statue in Szentendre

Szentendre, Pest County

Source: Action and Protection Foundation

On the 25th of June, 2015, Tibor Pásztor, staff at Action and Protection Foundation, filed a lawsuit against an unknown individual at the Szentendre Investigation unit of Pest County Police Department. The unknown individual wrote on the Turul statue between 6 p.m. on the 24th of June, 2016 and 7 a.m. on the 25th of June, 2016 at Sztrádova road in Szentendre: "Those who are disturbed by the turul statue should move to Israel! Hungary is our homeland! God bless the Hungarians!" This writing was fixed to the foundation of the statue with a piece of tape on three A4 sized sheets of paper with handwriting. There was no damage to the statue. The minutes of the complaint include that Tibor Pásztor got a phone call to the hotline of the Foundation on the morning of the 25th of June, and soon after he left for the venue. At the venue, János M. and István Holló, who is the representative of Jobbik in Szentendre, appeared. János M. tore down the writing and threw it away in the bushes behind a Serbian Cross which is located nearby. The minutes includes the opinion of the colleague of the Foundation that the text is clearly convenient for the incitement of hatred against Hungarian Jews. According to the message, those who are against the statue are Jews and non-Hungarians so they must depart from Hungary. He thinks that the crime is clearly an anti-Semitic incident.

Suspension of Investigation

Source: Action and Protection Foundation

29th of June, 2016

The investigation unit of the Police Department of Pásztó suspended the procedure against U.J., explaining with the justification

that the action is not considered to be a crime. Our Foundation filed charges against Facebook user U.J., who shared a photo which denied the Holocaust on his profile, on the 17th of May, 2016. The justification explains that the registered person was identified, but the picture which forms the basis of the complaint was no longer available on the Facebook profile. U.J.S. was interrogated as a witness. He said he doesn't remember the shared picture as he often shares content unintentionally or accidentally. He said that he did not edit the shared pictures and does not agree with the content; it does not reflect his opinion. He said his sharing of the picture was likely an accident. He expressed that he does not deny the Holocaust, and it was not his intention to make it seen this way in public.

The person who commits the crime of open denial of national socialist or communist regimes denies, questions, makes it seen insignificant or tries to justify openly the fact of genocide or other actions against humanity committed by national socialist or communist regimes. With relation to the case above, the Authority declared that U.J.S., inhabitant in Pásztó, doesn't agree with the content of the shared picture which is the basis of the charge against him.

He did not take the picture, he only shared it, he doesn't deny the Holocaust, and the writing on the picture doesn't reflect his own opinion. Consequently, he is suspended from the charge of committing crime, as he shared a picture which he did not take (with one click) probably accidentally on the internet, and he doesn't even agree with the writing on the picture. The decision also pointed out that there is no rule or standpoint concerning the potential agreement of the Facebook user with his/her shared content. According to their opinion, the statement of U.J.S. is correct, namely the method is built up in a way that first, the user has to share the content in order to be able to watch it, this is how they try to attain larger audiences.

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

No.	Date	Incident	Category
1.	6 th of June	Conference on the use of the internet and the fight against hate speech	Official and civil responses
2.	9 th of June	The Court rejected the request for the membership of Bálint Hóman at the Hungarian Academy of Sciences	Official and civil responses
3.	9 th of June	Strange „jokes” on Music FM radio	Other news
4.	14 th , 22 nd of June	Hungarian football supporters wearing swastika tattoo	Further Anti-Semitic Hate Incidents
5.	15 th of June	The resolution of the Hungarian Academy of Sciences (MTA) on Bálint Hóman	Official and civil responses
6.	19-20 th of June	An investigation was launched against a group of Hungarian football supporters because of their Nazi salute at UEFA Euro 2016 Championship	Further Anti-Semitic Hate Incidents
7.	20 th of June	Article on the Hungarian supporters of far-right	News and opinions about anti-Semitism in Hungary
8.	21 st of June	For Facebook in Hungary, hate speech is acceptable	Anti-Semitic Hate Incidents – Hate Speech
9.	21 st of June	Hitler-shirt at the football game	Official and civil responses
10.	24-25 th , 27 th of June	Complications around the creation of a turul statue in Szentendre	Anti-Semitic Hate Incidents – Hate Speech
11.	24-26 th , 29 th of June	According to Sándor Szakály, Numerus Clausus was an act for the limitation of rights only but never considered it disenfranchising	News and opinions about anti-Semitism in Hungary
12.	25 th of June	APF filed a lawsuit because of the anti-Semitic writing on the Foundation of the Turul statue in Szentendre	Action and Protection Foundation Legal Actions
13.	26 th of June	The Holocaust monument was inaugurated in Békéscsaba	Community news and responses
14.	28 th of June	Action and Protection Foundation presents a communication about the statement of Sándor Szakály	Official and civil responses
15.	29 th of June	A stone was thrown through the windows of the synagogue in Gyöngyös	Anti-Semitic Hate Incidents – vandalism
16.	29 th of June	Suspension of Investigation	Action and Protection Foundation 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 1 00 000

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:

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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.

2016 Budapest

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