

Double Standards in Police Sanctioning Practices against Roma Communities

Why do the poor get punished harsher than extremists?

Report by the Hungarian Civil Liberties Union (HCLU) on the police handling of unlawful public security activities of extremist organisations, and of low-risk offences attributable to poverty

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Executive Summary

In April 2022, six candidates of the far-right Mi Hazánk [*Our Homeland*] party won parliamentary mandates. Prior to the elections, Mi Hazánk concluded an official cooperation agreement with a far-right association, the Magyar Önvédelmi Mozgalom [*Hungarian Self-Defence Movement*], and in 2024, at a public rally in Sopron, the party's president introduced the leader of the Betyársereg [*Bandit Army*], another right-wing extremist group, as the prospective "Minister of Police" in their future government. **A typical activity of these extremist organisations is the arbitrary patrolling of the Roma population to intimidate and "control" them.** In doing so, they act as if they were sharing specific law enforcement and crime prevention tasks with the police, often in towns with large Roma populations. Over the past three years, more than one hundred such group patrols – referred to as 'patrol walks' – have been recorded, which constitute either the minor offence of unauthorised public security activity or the criminal offence of organising such activities. The Hungarian Civil Liberties Union (TASZ) has been monitoring these 'patrols' for years. Based on our experience, although the police have recently ensured adequate protection for assemblies falling under the scope of the Act on the Right of Assembly, they have not fulfilled their statutory obligations in dealing with unannounced group rallies that do not qualify as assemblies. While monitoring the rallies, we found that such informal marches instil profound fear among Roma, **yet they are the rarest cases in which minor offence procedures or criminal proceedings are initiated.** Given that these arbitrary patrolling is typically directed against Roma residents, initiating proceedings commensurate with the prevalence of these acts would not only curb unauthorised arbitrary activities but would also significantly strengthen the Roma citizens' trust in the police.

At the same time, it can also be observed that people of lower socioeconomic status, such as **Roma people living in poverty, are often subjected to extremely severe penalty fees by the police, even for offences that pose minimal social danger and are often rooted in social hardship.** In recent years, there has been a sharp increase in the number of minor offence proceedings initiated against parents for school and kindergarten absences, as well as in cases involving minor offences posing little threat to society, such as collecting dry wood worth a few hundred forints without permission or not having a bicycle lamp. For these minor offences, penalty fees amounting to tens or even hundreds of thousands of forints are often imposed on people living in poverty, **which – due to their inability to pay - in most cases result in confinement.** In our experience, Roma citizens tend to have little trust in the police because of these incidents.

The police's neglect of minor offences (and sometimes even criminal acts) committed by extremist groups, which pose a grave threat to the society and, at the same time, the proliferation of punitive practices that criminalize poverty and penalize socially marginalized individuals, constitutes, in our view, a harmful legal practice. Therefore, HCLU has formulated recommendations for the responsible state actors. **In particular, HCLU recommend that the police initiate minor offence and criminal proceedings ex officio for all unauthorised public security activities** that come to their attention as part of their duty to prevent crime and ensure public safety and order. Furthermore, we

propose that, **in cases of minor offences closely linked to poverty and various social hardship, the social danger of the act in question should be taken into account and it should not be punished. When imposing a penalty fee for a minor offence, the offender's financial situation must be considered.** We also call on the government to unequivocally condemn the expansion of extremist organisations that exclude Roma people and to assure Roma fellow citizens that they can, in all circumstances, rely on the protection of the state against extremist organisations and individuals who exclude, stigmatise, or persecute them because of their Roma origin.

1. Intimidation of Roma in Hungary and controversial police practices

In April 2022, six candidates from the Mi Hazánk party won seats in the Hungarian Parliament. This development gave rise to well-founded concerns that extremist voices, particularly those who were exclusionary and hateful towards the Roma, would become more prominent in Hungary. During its election campaign, one slogan of the Mi Hazánk party was "We cannot be a Gypsy country", and its election manifesto included segregated education for Roma students as a goal, and also the goal to maximize the birth rate in Roma settlements, and to have this monitored by the authorities. Between 2021 and 2023, the party also organised several rallies across Hungary to mobilise the well-known extremist organisations and their supporters. A typical theme of these demonstrations was combating 'Gypsy crime', accompanied by shows of force. These rallies were mostly held in towns with a Roma population, sometimes in areas with segregated Roma communities. In this context, it is understandable that the election of Mi Hazánk MPs to Parliament caused great tension and fear among the Roma population and the public who condemn exclusionary policies.

Shortly before the 2022 elections, **Mi Hazánk concluded an official cooperation agreement with the Magyar Önvédelmi Mozgalom [*Hungarian Self-Defence Movement*]** (hereinafter 'MÖM'), one of the successor organisations of the Magyar Gárda [*Hungarian Guard*]. Similar to Magyar Gárda, the statutory aim of the association running MÖM is 'to participate in social crime prevention' and to enforce 'law-abiding civic conduct'. In February 2024, Mi Hazánk's president publicly stated at a rally about the leader of the Betyársereg [*Bandit Army*], Zsolt Tyirityán, that 'if Mi Hazánk comes to power, the public security issue will be solved by Zsolt Tyirityán. He will be empowered by the new government.' Such statement makes clear that **Mi Hazánk supports the extremist and the anti-Roma activities of MÖM and the Betyársereg.**

One of **the typical activities of extremist organizations is arbitrary patrolling aimed at intimidating and 'controlling' the Roma population.** An important part of MÖM's image is that it gives the impression that it shares law enforcement and crime prevention tasks with the police, typically in towns inhabited by Roma communities. **In the past three years, MÖM members have conducted more than one hundred group patrols,** which, in our view, constitute either the minor offence of unauthorised public security activities or the criminal offence of organising such activities. This activity is

not unfamiliar to Mi Hazánk itself: when the party's president, László Toroczkai, served as a mayor of Ásotthalom, he personally allowed members of the local government's field guard service to conduct armed 'hunts' for and to arrest refugees fleeing across the southern border, without legal authority to do so. The patrols organized by MÖM have sparked fear and outrage among local Roma residents and Roma organisations, who consider the MÖM's activities dangerous, just like those of the disbanded Magyar Gárda. Despite this, the movement continues to set up new local affiliates – dozens of new MÖM affiliates were allowed to be formed in the last three years.

The fear of local Roma residents also stems from their previous experiences: between 2008 and 2009, extremist perpetrators committed a series of murders against Roma citizen, in which six people of Roma origin lost their lives. Following this, in 2011, extremists intimidated Roma residents living in the town of Gyöngyöspata for several weeks, sometimes patrolling in military uniforms and shouting threats such as: 'You stinking, lice-ridden Gypsies will die if you don't leave this town!'. These actions sometimes escalated into mass brawls. With such a record, the Roma population in Hungary has every reason to be horrified to see the successor organisations of Magyar Gárda once again engaging in arbitrary patrols. Consequently, the police play a crucial role in dealing with intimidation and potential hate crimes against Roma perpetrated by extremist organisations. A prerequisite for this, however, is that Roma communities feel sufficient trust in the police to report such incidents.

Since 2021, HCLU has continuously monitored the online and offline activities of far-right organisations. Based on this experience, we conclude that **the police have adequately secured the demonstrations under the Act on the Right of Assembly** that were organised by Mi Hazánk and other extremist organisations over the past three years. These demonstrations did not turn violent, and the participants did not commit any criminal acts, although the mere rhetoric alone often sparked fear and outrage among the local Roma population. In our experience, the police have made significant progress in securing these announced assemblies in recent times, and there has been a clear improvement in this regard compared to earlier handling of Magyar Gárda marches by the police. The police take the notification and on-site securing of extremist rallies seriously. In relation to the handling of notifications, it is worth highlighting the restrictive decision of the Jászberény Police, which restricted an event originally planned as a march in Jászapáti to a static gathering in the main square. The police's management of such assemblies—reflected in the scale of personnel deployed, traffic regulation, participant screening, and the separation of potential counter-demonstrators—demonstrates a clear commitment to preventing violence and protecting public safety at extremist events. However, we have information that the speeches made at these rallies were interpreted by the Roma population concerned as incitement against Roma, which they found explicitly intimidating, but no proceedings were initiated in these cases.

In contrast, **handling of unannounced and unnotified group events**, typically linked to the activities of MÖM and Betyársereg, **which do not qualify as assemblies, remains problematic**. We have pointed these cases out to the police several times but have not seen any substantive action. We are concerned because, based on our experience,

recent **intimidation of the Roma population by extremist groups** has typically **taken place during informal marches** rather than notified assemblies, and it is therefore essential that the police are able to respond effectively. Our experience, however, is that **minor offence or criminal proceedings are almost never initiated** in such cases.

At the same time, we observed a parallel trend whereby **individuals of lower social status**, such as **members of impoverished Roma communities**, are often subjected to **blatantly harsh penalties by the police** for offences that pose little threat to society and often stem almost exclusively from social hardships. Examples include the poor technical condition of cars or bicycles, littering in public areas, collecting small amounts of firewood, electricity theft, or even frequent absence from school and homelessness. In such cases, the person prosecuted is not able to pay a high fine imposed, moreover, this will not deter them from committing similar offences in the future. However, our experience shows that the authority rarely takes these circumstances into account, even if the offence is clearly linked to poverty or a social problem. This situation is likely to have been worsened since 1 September 2023, when the amounts of penalty fees were increased, imposing even heavier financial burdens on members of the most vulnerable groups, including people living in poverty.

What this parallel trend shows us is that acts committed by members of vulnerable groups, which pose a much lesser threat to society, are often sanctioned more severely by the law enforcement authorities (Section 3) than unlawful public security activities by extremist groups, which ultimately challenge the state's monopoly on the use of force and pose a genuine danger to society (Section 2). Given that such intimidating activities (i.e. patrols) by extremist groups are mostly directed against Roma communities among vulnerable groups in Hungary, they are, in our opinion, the principal victims of this double standard. Therefore, in Section 4, we make recommendations to remedy this problem.

0. The 'Patrol Walks': Inadequate Handling of Unauthorised Public Security Activities

Since 2021, HCLU staff have conducted approximately ten personal on-site monitoring of assemblies organised by extremist organisations. However, compared to the assemblies falling within the scope of the Act on the Right of Assembly, a far greater proportion of the extremist groups' activities engages in unauthorised public security activities, a kind of arbitrary policing. This activity, typically associated with extremist groups, takes place in public areas such as streets, parks, train stations or underpasses, that are designed to intimidate people perceived by members of MÖM and Betyársereg to be committing offences or crimes, or simply disturbing others, particularly Roma and homeless persons. Both organisations usually claim to act in response to 'citizens' requests for help', often involving local sympathisers, and most often led by the head of MÖM, Attila László, who carry out group patrols, typically with five to fifteen participants. These events are not notified as assemblies by the organiser, because they are not demonstrations or speeches, and they do not appear as rallies on the extremist groups' websites and social media pages. On the contrary, they

openly patrol, conduct fact-finding, make recordings, and provide “legal protection” to people who have suffered violations through collective personal action.

Arbitrary policing is not an exercise of fundamental rights like demonstrating, but on the contrary, it is a prohibited act posing a danger to society. A person who performs or gives the appearance of performing, a public-security or public-order function in a public area or space without statutory authorisation commits a minor offence punishable by detention. Moreover, a person who organises any activity aimed at maintaining public safety or public order, or giving the appearance of maintaining public safety or public order without legal authorisation commits a minor offence punishable by up to two years’ imprisonment. Therefore, the criminalisation of arbitrary policing is fully justified since such acts challenge the state's monopoly on the use of force, which is a cornerstone in a state governed by the rule of law precisely to ensure that public peace and security are not undermined and that individuals do not take law enforcement and justice into private hands for their perceived or real grievances.

The arbitrary policing activities of extremist individuals and groups should be explicitly addressed by the state, and specifically by the police. Since patrolling and arbitrary policing by extremists constitute a minor offence under current legislation, effective deterrence would not primarily derive from the severity of the sanction but from the certainty of punishment. MÖM and Betyársereg conduct these actions on a regular basis, but the number of prosecutions against them is negligible and they are rarely subject to severe sanctions. Although there have been at least one hundred such patrols in the past three years, official statistics indicate that only 15 proceedings were launched in 2021, 10 in 2022, and 18 in 2023 for unauthorized public-security activity. No court have imposed confinement in any of these proceedings, and the total amount of on-the-spot fines levied decreased significantly: from HUF 320,000 in 2021 to HUF 140,000 in 2022 and HUF 85,000 in 2023, although HCLU monitoring found no reduction in the number of incidents. The ability and willingness to pay has been relatively high in these cases: in the past three years, 66% of the total amount of fines have been paid (78% in 2021, 75% in 2022 and only 6% in 2023, but this is expected to increase in 2024).

Considering that these arbitrary public security actions are typically directed against Roma residents, we believe that the initiation of police procedures commensurate with their prevalence would not only contribute to curbing and possibly turning arbitrary activities legal but would also significantly increase Roma citizens’ trust in the police. In our opinion, the lack of trust is also the reason for the small number of citizen reports concerning arbitrary public security actions.

We believe that this is a serious and socially dangerous series of acts that undermine the foundations of the state and the peaceful coexistence in society. With the support of the Mi Hazánk party, the MÖM and the Betyársereg are trying to gain political capital, recruit supporters and intimidate the Roma population by exploiting the lack of capacity of the police, the local insecurity of the population in certain municipalities, and various sources of local tensions. Extremist organisations do not even hide their arbitrary and illegal activities but proudly promote them.

In 2021, HCLU filed a public interest disclosure to the National Police Headquarters ('ORFK' or 'National Police') regarding the arbitrary policing activities of MÖM. In our notification, we highlighted nine specific cases of erosion of public confidence in the police, both by the way the MÖM communicates about its own illegal activities and by the fact that the police fail to counter the challenge to the monopoly on the use of force, either by initiating proceedings or by communicating forcefully.

In its reply, the National Police denied that it had any communication tasks in this regard, and as regards the low number of proceedings initiated, it referred to the fact that "the territorially competent police authorities did not receive any reports or denouncements in connection with the described cases, nor did they learn from other sources of any information that would have justified the initiation of proceedings ex officio".

After we repeated our notification, indicating that it was not necessary to receive any denouncement from the victims for the police to initiate proceedings, and we also provided further cases, the National Police informed us that following a denouncement by the Budapest Public Security Prosecutor's Office, the Budapest Police Headquarters ('BRFK' or 'Budapest Police') launched an investigation against the head of MÖM for the offence of unlawful organisation of public security activities in April 2022. However, after two years of investigation, the Budapest Police terminated the proceeding on the grounds that "no criminal offence can be established on the basis of the available data and evidence". The decision reveals that the Budapest Police investigated only two cases and decided on the basis of suspects' statements, two articles and other "data obtained", but the reasoning does not specify the data available, the means of evidence used or the conclusions drawn by the Budapest Police from the data available to justify termination of the investigation.

It is professionally difficult to justify the duality that, in another case, the police found the same MÖM leader liable for a minor offence for failing to notify an assembly, while in the far graver matter of organizing unauthorized public-security activities – posing far greater danger to public order – the authorities failed to act effectively and discontinued the criminal case after two years.

The police have a constitutional duty and statutory obligation to act ex officio when they detect a minor offence or crime. If the police receive a notification of public interest of the mass occurrence of such cases with a detailed list of the specific cases, they cannot evade the responsibility by claiming that they have not received a formal report or information on which to act. We consider it unfounded that the police do not find it factual that the MÖM seeks to carry out crime prevention and law enforcement tasks, checks citizens and patrols in several municipalities without any legal authorisation, and moreover, the organization itself claims that its actions are intended to 'improve public safety'. Accordingly, we consider it very important that the police act not only on complaints but ex officio, and in all cases, any organiser or participant involved in an illegal public security act should be prosecuted immediately, because only this has a real deterrent effect. Our positions remain that the police must use strong communication to alert members of the public that arbitrary, unauthorised

policing is illegal and that citizens in need of assistance should not call upon the MÖM or the Betyársereg if they feel that police action is necessary.

However, we have also seen good examples from the police side, where the police have stopped the escalation of tension following the appearance of extremists. One example was on 9 November 2022, in Mezőhegyes, where participants in a memorial service following a homicide were incited by members of the MÖM to take justice into their own hands, even though the alleged perpetrator had already been arrested by the police. Members of the MÖM, accompanied by residents, marched toward the Roma neighbourhood of the town, creating potentially violent confrontation, but the appearance and forceful action of the local police captain defused the situation, and the case was subsequently prosecuted. Similarly, on 11 June 2023 in Somogyvár, a local resident called the members of the MÖM to his street claiming that his Roma neighbours were listening to music too loud. Here again, the presence of the police prevented the conflict between the MÖM-members and Roma residents from escalating into physical abuse.

0. Sanctioning Poverty and Social Problems by Fines

In parallel with the issues discussed above, a broader trend has emerged in Hungary: rather than addressing the structural causes of poverty through social policy, the government increasingly seeks to “manage” the disadvantages and problems arising from poverty through law enforcement measures, primarily by relying on the police. This does not only affect the Roma population, but all people living in poverty, for example the homeless. In Hungary, both living in public places and begging are considered as minor offences. For the reasons mentioned in the introduction, however, the focus of this report is about the Roma population and the impact of excessive use of minor offence sanctions on them, which is an important element of the systemic discrimination that Roma people already face.

The most recent report of the European Commission against Racism and Intolerance (ECRI) on Hungary found that Roma are the most vulnerable group in Hungary: “The situation of many Roma is characterised by a vicious circle of poor education, leading to limited opportunities in the labour market, and frequent de facto residential segregation, which also has a negative impact on access to healthcare and other social services.” According to a survey by the European Union Agency for Fundamental Rights (FRA), 52.9% of Roma in Hungary were at risk of poverty in 2019, a rate three times higher than the national average. The ECRI report highlights that the Covid-19 epidemic pushed many Roma communities even deeper into poverty, as most Roma workers were employed in precarious sectors and lacked savings. In addition, according to ECRI, “overcrowded and poor housing conditions, de facto residential segregation, shortage of social housing, forced evictions and ineligibility to benefit from family housing allowance scheme” are also a cause for concern. These disadvantages are closely linked to the fact that 68% of Roma aged 18-24 are early school leavers pursuant to the above FRA survey.

While poverty and related social problems are not only affecting citizens of Roma origin, but they disproportionately affect the Roma population that are compounded by systematic intimidation by extremist organisations. One of the clearest examples of how the police 'are handling' social problems is the frequent use of the minor offence of absenteeism from school and kindergarten against parents. In recent years, the number of such cases has skyrocketed, and the fines imposed reached very high levels. From 2021 to 2023, the number of cases resulting in fines doubled (from 2,416 to 4,758), the average amount of fines also increased (from HUF 27,500 to HUF 33,600). The total amount of fines was HUF 66.5 million in 2021, HUF 130 million in 2022 and almost HUF 160 million in 2023. In our experience, those affected are often people of low social status and poor financial circumstances who are unable to pay the fines imposed. In 2021 and 2022, around 60% of the fines were paid, but only 43% of the fines were paid by 2023, (until May 2024). As unpaid fines can be converted into confinement, which confinement must be carried out in a penal institution, it means that essentially anyone can end up in prison. Depending on the amount of the fine imposed, a parent can spend up to two months in detention for their child's truancy under the law. Although the person being prosecuted can ask for the fine to be changed to community service instead of detention, this rarely happens, presumably due to lack of information. Apart from having no impact on the social problem, i.e. the multiple causes of children's absence from school, this is also fundamentally contrary to the interests of the children concerned. This argument is supported by the Deputy Ombudsman for National Minorities in his Policy Statement No 2/2022, where he states: 'The information available to me clearly indicates that **the problem of unjustified absences disproportionately affects disadvantaged families, including Roma families.** Taking this into account, it can be said that **the system of sanctions that seeks to reduce unjustified absences of disadvantaged families with severe financial difficulties by depriving them of income transfers and by providing a 'negative incentive' is specific and contradictory.**' (emphasis in original, p. 44)

The table below compares some data on the two categories of minor offences, showing the difference in both the number of cases and the amount of fines imposed.

	2021		2022		2023	
	Public safety action	School absences	Public safety action	School absences	Public safety action	School absences
Number of proceedings initiated	15	7,145	10	8,066	18	8,585
Number of proceedings resulting in fines	15	2,416	10	4,369	18	4,758
Confinement	0	23	0	14	0	9
Total fines imposed	HUF 320,000	HUF 66,427,000	HUF 140,000	HUF 129,636,000	HUF 85,000	HUF 159,967,000

Total fines paid	HUF 250,000	HUF 40,647,000	HUF 105,000	HUF 82,810,000	HUF 5,000	HUF 68,618,500
Payment rate	78%	61%	75%	64%	6%	43%

It is also worth adding to the data how the average amount of fines imposed per case has changed for the two offences: for unauthorised public security activities, the authorities imposed an average fine of HUF 21,300 in 2021, HUF 14,000 in 2022 and HUF 4,700 in 2023, while for truancy the average fine was HUF 27,500 in 2021, HUF 29,600 in 2022 and HUF 33,600 in 2023. So, while extremists receive progressively lower fines, parents living in poverty are fined even more harshly.

However, the high number of proceedings and the high aggregate value of fines do not only affect people living in poverty for school and kindergarten absenteeism, but also for minor offences that pose little threat to society. Examples include the poor technical condition of a car, the unauthorised collecting small amounts of firewood, or fetching water from the public well during the Covid-19 curfew. For these minor offences, fines of tens or even hundreds of thousands of forints are often imposed on people living in poverty, which again often results in confinement, i.e. deprivation of liberty, without any real deterrent effect on future offences. Our experience is that trust in the police is very often lacking among the Roma population because of these cases.

Our organisation, as a member of the Infraction Working Group (see Methodology section), has repeatedly challenged the automatic conversion of unpaid fines into detention, as this is a regulatory issue independent of the police. However, the authority acting in the minor offence proceeding – in many cases the police – has a key role in determining the fine amounts, and whose decisions directly determine the eventual lengths of detention. It is important to create a legal environment that allows for the application of sanctions that prioritize resocialisation, reparation and the interest of victims. The amount of any fine should reflect the offender's ability to pay.

Added to all these grievances and frequent punishment instead of help is the intimidation and arbitrary policing of the Roma population by extremist groups and the anti-Roma rhetoric of the members of Parliament belonging to Mi Hazánk. In the case mentioned earlier, for example, in which the police officer dispersed a spontaneous meeting of the MÖM in the Roma segregated community of Mezőhegyes, Mi Hazánk's leader, László Toroczka, asked the following question in his address to Parliament: 'I ask for an answer to the question whether Hungary is still the country of Hungarians'. Demonstrations organised by extremist organisations arouse great fear among the Roma population even before they take place. Many do not feel – partly based on their own police experience – that the police would protect them from potential attacks. In March 2023, when an extremist demonstration was organised in Nyíregyháza following a local conflict, HCLU's local partners of Roma origin urged all Roma residents to avoid the area of the demonstration entirely and to refrain from organising counter-demonstrations, because they would get into trouble. Similarly, in May 2023, before the radical event 'European Fight Night' originally planned in

Budapest, a Facebook page of the NGO Roma Section (Roma Tagozat) warned all Roma residents in Budapest to stay in their homes for their own safety referring to a police warning.

0. Recommendations

In view of the above findings, HCLU concludes that the imposition of disproportionately high monetary penalties in minor offence proceedings is not suitable for reducing misdemeanours that are closely linked to poverty or other social problems and that pose only minimal danger to society. In such cases, the fines imposed have no genuine deterrent effect on repeat offending, as the underlying problem is often exacerbated by the fine, which will never achieve its purpose. By contrast, arbitrary policing, the unauthorised exercise of public security, is an act where a regular and unavoidable fine or other infraction sanction can act as a real deterrent and where there is a clear justification for addressing the problem by law enforcement, effectively combating the phenomenon and deterring offenders. The prospect of facing regular and frequent fines for unauthorised public security activities may have a high potential to protect Roma communities as targets from this serious risk.

On this basis, HCLU formulates the following recommendations.

4.1 Recommendations to the Police:

- a. In the area of crime prevention and the protection of public safety and order, the police must ex officio initiate minor offence and/or criminal proceedings in any unauthorised public security activities that comes to its attention.
- a. The police should make it publicly clear what types of arbitrary actions of citizens to 'improve public safety' constitutes unauthorised public safety activity and should warn law-abiding citizens that such acts are socially harmful and cannot and should not be supported by the police.
- a. In the case of minor offences closely linked to poverty and to various social problems, the amount of the fine imposed should be proportionate to the low level of danger to society and the low effectiveness of the sanctioning of summary offences.
- a. If a fine is imposed, the financial situation of the person subject to the procedure should be considered.
- a. In these cases, the police should prioritize non-custodial sanctions (so as not to impose a fine that will realistically be converted to imprisonment). The police should inform the person subject to the proceedings in an effective and comprehensible way of the possibility of converting the fine into community service.
- a. Strive to build and increase trust with the Roma communities, primarily by fulfilling the tasks set out in ORFK Instruction 22/2011 (X.21.) on cooperation and communication between the general police service and local Roma minority self-governments.

4.2 Recommendations to Ministry of Interior:

- a. In accordance with the Policy Statement No. 2/2022 issued by the Deputy Commissioner for the Protection of the Rights of National Minorities in Hungary, the Minister of the Interior - within the scope of his responsibility for social inclusion, the protection of children and youth, public education and social policy, in cooperation with the Education Office and other background institutions as necessary - should review and analyse measures related to the fulfilment of compulsory education, in particular, the decade-long experience of the punitive sanctions system, in the full complexity of the issue, in comparison with other similar indicators, with particular attention to how these sanctions affect the situation of disadvantaged Roma children living in deprived and depressed areas and the realisation of their rights as children.
- a. The Minister of the Interior should initiate comprehensive and complex research in regions facing serious difficulties, such as the one examined in the above mentioned Policy Statement No. 2/2022, and develop projects and action plans to address the difficulties and shortcomings identified, which would also help to address the multifaceted and more complex problems related to the successful fulfilment of compulsory schooling, involving the parents and teachers concerned and the authorities in charge.
- a. The Minister of the Interior, in the context of his responsibility for Roma minority policy, shall examine the fulfilment of the tasks set out in ORFK Instruction No. 22/2011 (X.21.) on cooperation and communication between the general police service and Roma minority self-governments.
- a. The Minister of the Interior shall take the necessary and appropriate measures within the police administration to ensure that the above recommendations to the police are implemented.
- a. In the context of the Minister of the Interior's responsibility for crime prevention, public security, regulation of infractions and supervision of the police, it should be made a priority task of the police to initiate appropriate infraction and/or criminal proceedings in all cases involving unauthorised public security activities (minor offence) or organisation of unauthorized public security activities (criminal offence), and that media monitoring carried out in accordance with Section 15 of ORFK Instruction No. 30/2019 (VII.18.) on the implementation of police tasks related to the handling of hate crimes should also include these incidents to enable the police to identify these incidents ex officio since they may escalate into more serious hate crimes.
- a. In the context of the Minister of the Interior's responsibility for the legislation of infractions, should propose an amendment to the Minor Offence Act to ensure that the court converts non-payment of fines from detention to a community service penalty.

4.3 Recommendation to the Parliamentary Committee on Defence and Law Enforcement:

- a. In exercising its role in overseeing government work, the Committee should discuss the above recommendations and publish in a committee briefing its position on which of the recommendations made to the Ministry of Interior and the police are priorities and what action plan is needed to implement them.

4.4 Recommendations to the Government of Hungary:

- a. The Government should ensure sufficient budgetary resources to fully guarantee the state monopoly on legitimate law enforcement, and to take decisive action against the illegal activities of extremist organisations that challenge the effectiveness of state police protection.
- a. The Government should strongly condemn the expansion of extremist organisations that exclude Roma nationals and should assure our Roma fellow citizens that they can count on the protection of the State in all circumstances against extremist organisations and individuals who exclude, stigmatise and persecute them because of their Roma origin.

0. Methodology

Since the spring of 2021, the Hungarian Civil Liberties Union (HCLU) has been regularly monitoring news, activities and notified assemblies related to extremist organisations currently active in Hungary, and in certain cases it also monitors rallies organised by radical groups on the ground. The aim of the HCLU's on-site monitoring activities is to document potential violations and to present them as evidence in any investigation following a potentially violent demonstration. Therefore, our field monitoring activities also aimed to assess the extent to which the police effectively secure these rallies and to what extent they are mindful of the safety of the local Roma population. In addition to the notified demonstrations, group extremist actions which are not considered as an assembly, but which constitute a minor offence of unlawful public security activities, as described in detail above, or a crime of organising such activities, are also subject to news monitoring.

Media monitoring and on-site monitoring, as well as inquiries received by HCLU Legal Aid Service, have identified problems and risks that we believe should be addressed primarily by the police. However, to do so, they should also have the support of the central government, since specific legislative amendments are essential to address the problems and risks identified. Although the problems are wide-ranging, this summary focuses primarily on the situation of the Roma population in Hungary. Apart from the reasons outlined in the introduction, the reasons for this are also the scope of HCLU's involvement. Among the vulnerable groups living in Hungary, HCLU mainly deals with disabled people and Roma communities through the provision of free legal aid, strategic litigation and other related activities such as regular news monitoring. Given that the focus of this report is primarily on the impact of the activities of extremist organizations on vulnerable groups, among the vulnerable groups within the scope of HCLU's activities, the Roma communities are primarily affected from the perspective of this report. No similar incidents against people with disabilities were detected during the monitoring activities. Foreigners, refugees, members of the LGBTQI community and other vulnerable groups may also be victims of intimidation by extremist groups and potential targets of their patrolling activities, however, these groups are not fundamentally included in HCLU's client base.

The HCLU participates in the work of the Infraction Working Group alongside the Hungarian Helsinki Committee and the Utcajogász (Street Lawyer) Association. The Hungarian Helsinki Committee's activities cover the protection of the rights of foreigners and refugees and the right to a fair trial in general, while the Utcajogász Association works to raise legal awareness of people living in poverty and homelessness and to promote the fair regulation and application of housing and social rights. Working Group members regularly consult on the content of the legal aid requests they receive, on systemic problems in the area of minor offence law and on the possibilities for solving them through enforcement and legislation. The aim of the Working Group is to contribute to a fairer and more efficient minor offence system in Hungary.