



**DEPUTY COMMISSIONER FOR FUNDAMENTAL RIGHTS  
OMBUDSMAN FOR THE RIGHTS OF NATIONAL MINORITIES  
NATIONAL HUMAN RIGHTS INSTITUTION**

**THEMATIC REPORT SUBMITTED TO THE 115<sup>TH</sup> SESSION OF THE  
HUMAN RIGHTS COMMITTEE**

**IN SUPPORT OF OUTLINING THE LIST OF ISSUES PRIOR TO REPORTING  
FOR HUNGARY**

**BY THE DEPUTY COMMISSIONER OF HUNGARY RESPONSIBLE FOR  
THE PROTECTION OF THE RIGHTS OF NATIONALITIES SUPPORTED BY  
THE COMMISSIONER FOR FUNDAMENTAL RIGHTS OF HUNGARY**

**2015**

## TABLE OF CONTENT

<b>1. Introduction</b> .....	3
<b>2. Legal developments</b> .....	5
<b>3. Institutional developments</b> .....	9
<b>4. Policy developments</b> .....	11
<b>4.1. Socio-economic background</b> .....	11
<b>4.2. National Social Inclusion Strategy</b> .....	11
<b>5. Main issues related to minority protection</b> .....	14
<b>5.1. Collection of disaggregated personal data</b> .....	14
<b>5.2. Trafficking in human beings</b> .....	14
<b>5.3. Hate crimes</b> .....	15
<b>5.4. Hate speech</b> .....	17
<b>5.5. Discrimination against Roma</b> .....	18
<b>5.5.1. Housing</b> .....	18
<b>5.5.2. Employment</b> .....	19
<b>5.5.3. Health</b> .....	20
<b>5.5.4. Education</b> .....	21
<b>5.6. Participation in political life</b> .....	24
<b>5.7. Linguistic rights</b> .....	26
<b>5.8. Minority education</b> .....	27

## **1. Introduction**

The current report is submitted by the Deputy Commissioner responsible for the rights of national minorities, dr. Elisabeth Sándor-Szalay, supported by the Commissioner for Fundamental Rights of Hungary, therefore it is a thematic paper and covers those provisions of the ICCPR which fall within her mandate. Accordingly, the implementation of the Article 2 as a provision mainstreaming the prohibition of discrimination, Article 8 in relation to trafficking in human beings, Article 20 (2) stipulating the criminalization of hate speech and Article 27 declaring minority rights are discussed. The report is based on the results of the investigations conducted by the former Commissioner for Fundamental Rights, dr. Mate Szabo, the former Parliamentary Commissioner for National and Ethnic Minority Rights, dr. Erno Kallai, the Commissioner for Fundamental Rights in office, dr. Laszlo Szekely and his Deputy responsible for minority rights protection, dr. Elisabeth Sándor-Szalay. External resources, such as court decisions, international organization and NGO reports are used as it is deemed necessary (with proper reference).

The Commissioner for Fundamental Rights (CFR) is the single “A” status National Human Rights Institution of Hungary celebrating its 20th anniversary this year. The CFR is independent from the government and subject only to the provisions of the Fundamental Law of Hungary and the Acts of the Parliament. The CFR aims to protect and promote fundamental rights with special attention dedicated to the rights of the child, the most vulnerable social groups and people with disabilities. The Commissioner has two deputies: one of them is responsible for protection of the rights of national minorities living in Hungary, while the other deputy protects the interests of future generations. The National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) had been established as a separate department within the Office of CFR and started to operate on 1st January 2015.

The CFR is vested with quasi-judicial competence to hear and consider complaints against public authorities and other entities providing public services as well as to initiate investigations ex officio into the situation of a non-determinable group of people or the implementation of a particular fundamental right. In case of infringement, the CFR addresses a recommendation to the respective authority or its supervisory organ which is obliged to inform him of its position on the merits of the recommendation and on the measures taken within thirty days. Furthermore, the CFR scrutinizes laws, bills and policies and makes proposals for amendment, modification or repeal.

In compliance with the Paris Principles, the institution contributes to the promotion of human rights by the means of education, training and awareness raising activities as well as advocacy. The Commissioner works in close cooperation with other organisations aiming at the promotion of the protection fundamental rights including the civil society. Regarding the international obligations of Hungary, the CFR promotes the ratification of international human rights documents and monitors their implementation (among others by the submission of alternative reports to the treaty bodies of the United Nations). The special provisions governing the mandate and work of the Deputy Commissioner responsible for the protection of national minorities is elaborated in Chapter 1.4 under the Institutional Developments.

## 2. Legal developments

After the election of 2010 the whole legal system had gone under review and as a result the Constitution as well as several laws related to human rights had been repealed with re-enactment.

The Constitution of Hungary (Act of XX 1949) had been amended numerous times before it was repealed by the **Fundamental Law of Hungary**, adopted on 18<sup>th</sup> April 2011 and entered into force on 1<sup>st</sup> January 2012.<sup>1</sup> The Fundamental Law incorporates the bill of rights, the inviolable and inalienable fundamental rights of the man of which protection is primarily stands with the state. Quite a few landmark decisions of the Constitutional Court had been integrated by stating that “fundamental right may only be restricted to allow the effective use of another fundamental right or to protect a constitutional value, to the extent absolutely necessary, proportionate to the objective pursued and with full respect for the essential content of such fundamental right”.

The specific anti-discrimination provision has an open-ended list of enumerated protected grounds furthermore it declares gender equality and defines as a state role to promote equal opportunity and social inclusion. Nevertheless the “best interest of the child” is not mentioned in such way, the Fundamental Law states that “every child shall have the right to the protection and care necessary for his or her proper physical, mental and moral development”. Social rights are enhanced through the provision of social security, decent housing conditions and access to public services for all.

The Fundamental Law sets aside the provision of the previous Constitution which declared that the state provides protection for minorities however recognizes the nationalities living in Hungary as constituent parts of the state. In this article the enjoyment of the right to freely express and preserve minority identity and consequently all other minority rights are restricted to Hungarian citizens which is not in compliance with the ICCPR and the interpretation of the Human Rights Committee (General Comment No. 23.). In addition, neither the related legislation is consistent in this question. The cardinal act, which is ordered to further elaborate the political, linguistic, cultural and educational rights of minorities, namely the **Act CLXXIX of 2011 on the Rights of Nationalities**<sup>2</sup> defines the personal scope of the minority

---

<sup>1</sup> Fundamental Law of Hungary (of 25 April 2011) available at <http://www.kormany.hu/download/e/02/00000/The%20New%20Fundamental%20Law%20of%20Hungary.pdf>

<sup>2</sup> the Act CLXXIX of 2011 on the Rights of Nationalities was promulgated on 19 December 2011 and entered into force on 1 January 2012

rights and obligations as a person who has a residence in Hungary and identifies himself or herself as member of one of the national minorities and declares his or her identity as such in a way prescribed by the law. The Act was amended on 13 February 2014 so as the right to participate in the nationalities self-government elections was restricted to Hungarian citizens<sup>3</sup> while the introductory provisions of the law defining the personal scope is untouched. However, this amendment is in line with the interests and aspirations of the nationality self-governments.

The **Act on the Rights of Nationalities** follows the minority definition of the previous one (Act LXXVII of 1993 on the Rights of National and Ethnic Minorities): "all ethnic groups resident in Hungary for at least one century are nationalities which are in numerical minority amongst the population of the State, are distinguished from the rest of the population by their own language, culture and traditions and manifest a sense of cohesion that is aimed at the preservation of these and at the expression and protection of the interests of their historically established communities". The nationalities fulfilling these requirements are listed in the Appendix of the Act and namely are: Bulgarian, Greek, Croatian, Polish, German, Armenian, Roma, Romanian, Ruthenian, Serbian, Slovak, Slovene and Ukrainian.

The Article 27 of the ICCPR is expressed in negative terms but the positive obligation upon the state to protect the rights of minorities to enjoy their own culture, practice their religion and speak their language against the acts of the other persons within its territory is not arguable. However, in our view, the state may define the scope of these positive obligations in a wider manner if it is based on objective criteria and without discrimination against other minority groups existing within the state. The Act on the Rights of the Nationalities provides more extensive entitlements for the above mentioned 13 nationalities than it is prescribed by the ICCPR. We believe that when a claim will be made from a minority other than these it will be thoroughly examined by the Parliament and in case of justifiable grounds it will be supported by our office.

As part of the legal reforms, **new Criminal Code**<sup>4</sup> was enacted with modifications concerning human trafficking, hate crimes and hate speech as well.

The new penal law reformed the trafficking in human beings in order to comply with the Palermo Protocol and the EU Directive 2011/36.<sup>5</sup> According to the Explanatory

---

<sup>3</sup> Act XIV 2014 on the amendment of several laws

<sup>4</sup> Act C of 2012 on the Criminal Code which entered into force on 1 July 2013

Memorandum, since these two international instruments work with two different terms it was necessary to transpose both of them. In accordance with the Palermo Protocol the Criminal Code states that any person who sells, purchases, conveys or receives another person or exchanges a person for another person, also the person who recruits, transports, houses, hides or appropriates people for such purposes for another party, is guilty of a felony punishable by imprisonment for up to three years, in case of aggravating circumstances it could go up to 20 years or life sentence. The term of exploitation was defined as a conduct to try to take advantage of the status of the victim taken into or kept in exploitative situation.

The previous Criminal Code - the Act IV of 1978 - defined five types of conduct falling under the category of hate crimes: genocide (Article 155), apartheid (Article 157), violence against a member of community (during 2009 modified: member of a national, ethnic, racial or religious group) (Article 174/B), incitement against a community (Article 269) and use of banned totalitarian symbols (Article 269/B). The new Hungarian Criminal Code introduces changes in the provisions protecting persons from hate-motivated assaults due to their real or perceived identity and extends the grounds to sexual orientation, gender identity and disability, but still does not include any general provision which refers that discriminatory motivation can be taken into account as part of investigation or prosecution of other crimes.

For the time being, hate crimes are intended to be criminalized as violence against a member of the community.<sup>6</sup> According to the law, any person who, because of another person's being a member or a presumed member of a national, ethnic, racial or religious group or a certain group of population – especially due to a disability, sexual identity or sexual orientation –, displays a conspicuously anti-social conduct that is capable of causing alarm in members of the group is guilty of a felony punishable by up to three years of imprisonment. In case of assault or compel by applying violence or threats to do, not to do or to endure something the punishment shall be one to five years of imprisonment. Under the aggravating circumstances, when the crime is committed a) by force of arms; b) armed with a weapon; c) causing a substantial injury to interests; d) by the torment of the injured party; e) as a group; or f) as a criminal conspiracy, it shall be two to eight years of imprisonment. Furthermore, the conduct in preparatory stage is already punishable (in the Hungarian criminal law preparation of a crime is only punishable when it is explicitly expressed). At the same time there is no specific

---

<sup>5</sup> Article 192 Act C of 2012 on the Criminal Code

<sup>6</sup> Article 216 Act C of 2012 on the Criminal Code

legislation regarding property-related offences where the evidences could prove that the crime was motivated by racism or xenophobia.

In case of a more serious crime, such as aggravated assault or murder, if the perpetrator has any of the motives listed in the violence against a member of the community, the conduct will be probably classified as one committed with aggravating battery, namely with malicious intent. Therefore the most serious crimes will not be classified as hate crimes. It is hotly debated in Hungary whether to introduce a hate motive for all crimes or to keep the classification under the malicious intent but rather develop the practice of the law enforcement agencies.

The hate speech in the new Criminal Code is covered by the crime of incitement against a community (which was previously named as agitation against a community).<sup>7</sup> According to the law, a person who incites to hatred before the general public against a) the Hungarian nation, b) any national, ethnic, racial group, or c) certain groups of the population—with special regard to disability, sexual identity, or sexual orientation— shall be liable to punishment for a felony offence with imprisonment up to three years. However only in few cases, but the court found that the incitement against a community can be committed in online environment like before general public (on a social network site or any other website).

---

<sup>7</sup> Article 332 Act C of 2012 on the Criminal Code



### **3. Institutional developments**

As a result of the legal reforms by 1 January 2012, the ombudsman system of Hungary had been reorganized: the **Commissioner for Fundamental Rights** is responsible for the protection and promotion of fundamental rights with special attention to the rights of the child and disabled people and their deputies protect the interests of future generations (successor of the Parliamentary Commissioner for protection of the interests of future generations) and the rights of nationalities living in Hungary (successor of the Parliamentary Commissioner for national and ethnic minorities). The former Ombudsman for Data Protection was transformed into the National Authority for Data Protection and Freedom of Information which is an administrative body. The transition phase was between 2012 and 2013, therefore 2014 already meant a year of independent work planning for the Deputy Commissioner within the unified ombudsman structure.

The mandate of the Deputy Commissioner is defined by the Fundamental Law and Act CXI of 2011 on the Commissioner for Fundamental Rights (CFR Act): the Deputy Commissioner has tasks which are connected to (and support) the competences of the Commissioner regarding the rights of nationalities, and tasks which require the Deputy Commissioner to act individually.

Supporting the tasks of the Commissioner, the Deputy Commissioner shall regularly inform the Commissioner of her experience regarding the enforcement of the rights of nationalities living in Hungary, shall draw the attention of the Commissioner to the danger of infringement of rights affecting nationalities living in Hungary, may propose that the Commissioner for Fundamental Rights institute proceedings ex officio, shall participate in the inquiries of the Commissioner for Fundamental Rights, and may propose that the Commissioner for Fundamental Rights turn to the Constitutional Court.

Consequently, the Deputy Commissioner is not granted the right of inquiry or the right to take measures individually which is balanced by a legal safeguard: the CFR Act prescribes that if the Deputy Commissioner makes a proposal that the Commissioner for Fundamental Rights should institute proceedings ex officio or that he should turn to the Constitutional Court, the Commissioner for Fundamental Rights shall be bound to act accordingly or to inform Parliament in the annual report of the reasons for his or her refusal to do so. The importance of this legal safeguard is undeniable, even though it only creates an ex post obligation of justification. The seeming contradiction flowing from the partial overlap of the powers and tasks of the Commissioner and the Deputy Commissioner can however be resolved if the

Commissioner safeguards nationality rights in a way that allows for the obligatory participation of his Deputy in such activities.

Then, tasks which require the Deputy Commissioner to act individually are to inform the institutions concerned and the public of his or her experience regarding the enforcement of the rights of nationalities, to draw the attention of the institutions concerned and the public to the danger of infringement of rights affecting nationalities. It is also the task of the Deputy Commissioner to review the Government's social inclusion strategy and monitor the implementation of its objectives concerning the nationalities. The Deputy Commissioner may also propose the adoption or the amendment of the relevant legislation. Furthermore, the Deputy Commissioner shall promote, through her international activities, the presentation of the merits of domestic institutions related to the interests of nationalities living in Hungary at international level (as well).

It is apparent that the Deputy Commissioner is endowed with only a portion of the possibilities of the Commissioner, and its individually exercised powers mostly encompass powers of observation, evaluation and awareness-raising (notwithstanding the power to propose amendments to legislation). In terms of everyday protection of nationality rights, a continuous willingness to cooperate – based on a common set of values, mutual professional recognition and trust – is even more important. In this regards, 2014 proved to be an exemplary year.

## **4. Policy developments**

### **4.1. Socio-economic background**

The largest minority in Hungary is the Roma. In 2011, at the last census 315,000 people declared themselves as Roma. However, according to reliable researches, the Roma population number is around 750,000, which makes 7,5 percent of the Hungarian total population. The Roma communities have an uneven geographical distribution in the territory of the country, more than 60 percent of Roma live in the countryside, mainly in the most disadvantaged regions (e.g. Borsod-Abaúj-Zemplén and Szabolcs-Szatmár-Bereg county), and additionally they live mostly in segregated residential zones, in rather poor housing conditions. The employment rate of the Roma population barely reaches 20 percent, and 10 per cent employment rate amongst Roma women is particularly alarming. These figures are coupled with a poor state of health (Roma die 10 years younger than non-Roma on average).

The age composition of the Roma population is significantly younger than the non-Roma population. The proportion of children aged 0–14 is 34 percent among the Roma, while this proportion is a mere 16 percent within the non-Roma population. In Hungary today approximately 3 million individuals live under the poverty line, 1.2 million of them in extreme poverty. The risks of poverty particularly afflict children and those living in disadvantaged regions. Most of the Roma, some 500,000 to 600,000 of them (based on estimates) belong to that group<sup>8</sup>. Situation of Roma aggravated by discrimination, which is observable, all spheres of life, including education, health, employment, housing, and access to services. Roma women may be regarded as a social group affected by multiple discrimination.

Hungary does not have a mainstream and comprehensive human rights strategy, although in different policy areas sector-specific strategy papers have been elaborated.

### **4.2. National Social Inclusion Strategy**

The European Commission presented its communication, the “EU Framework for National Roma Integration Strategies up to 2020”<sup>9</sup> in April 2011, which was welcomed by Council Conclusions in May and endorsed by the European Council on 24 June 2011. The Framework is the most comprehensive policy paper, which produced by the European Commission as an achievement of a long term advocacy and policy work, to facilitate the social inclusion of 10-

---

<sup>8</sup>National Social Inclusion Strategy – Extreme Poverty, Child Poverty, The Roma – (2011–2020), <http://romagov.kormany.hu/download/5/58/20000/Strategy%20-%20HU%20-%20EN.PDF> Pp.6

<sup>9</sup> Available at <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52011DC0173&from=en>

12 million European citizens with Roma origin, consummated during the Hungarian EU presidency. The EC defines the obligations and responsibilities of the EU member-states and candidate countries towards their Roma communities in four priority areas: education, employment, health, and housing. The paper main goal is to fight with social exclusion, but it misses out a vital element: combating prejudice and discrimination. Based on this, the Hungarian National Social Inclusion Strategy (Strategy) was elaborated in December 2011, and in 2014 was updated. The main source of the Strategy's implementation is the Action Plan of the Strategy. The Strategy targets several vulnerable groups, explicitly but not exclusively targeting Roma. This approach may pose challenges to successful and substantive policy-making and implementation, while some interventions may promote Roma inclusion.

Various strategies and action plans have been accepted in Hungary to improve the situation of disadvantaged social groups, e.g. in 2007 the state joined the Roma Decade<sup>10</sup> and published a strategy, in the framework of this programmer specific measures focusing directly on the Roma population. The resent Strategy itself refers that 'As pointed out several times in the government program, dealing with the problems disadvantaged social groups face has yielded very few results over the past period. This is especially true for problem areas, which, according to research, are the key areas underpinning social inequality. Employment among social groups in the most deprived situation (permanently unemployed individuals), Roma issue, the problems of disadvantaged settlements, alongside child poverty and creating opportunities for children are areas in which programs and impressive initiatives have been launched without managing to achieve any major breakthrough. Their situation, the severity of their poverty, their life chances, income and social status went from bad to worse. Moreover, interethnic conflicts which shocked and preoccupy the entire Hungarian society became more violent and acute, and even tragic at times'<sup>11</sup>.

State Audit Office of Hungary in 2008 examined the amount and efficiency of programs aiming at the improvement of the situation of Roma since the transition<sup>12</sup>. Between 1997 and 2006 overall 74.7 billion Hungarian Forint was spent on social and equal opportunity

---

<sup>10</sup> The Decade of Roma Inclusion 2005–2015 is an unprecedented political commitment by European governments to eliminate discrimination against Roma and close the unacceptable gaps between Roma and the rest of society. The Decade focuses on the priority areas of education, employment, health, and housing, and commits governments to take into account the other core issues of poverty, discrimination, and gender mainstreaming.

<sup>11</sup> National Social Inclusion Strategy – Extreme Poverty, Child Poverty, The Roma – (2011–2020), <http://romagov.kormany.hu/download/5/58/20000/Strategy%20-%20HU%20-%20EN.PDF> Pp. 11

<sup>12</sup>State Audit Office (2008) (The size and efficiency of the assistance for the Roma inclusion and improvement since the beginning of transition. A summary and overview study (A magyarországi cigányság helyzetének javítására és felemelkedésére a rendszerváltás óta fordított támogatások mértéke és hatékonysága. Összegző helyzetfeltáró tanulmány. Állami Számvevőszék) Budapest.

programs, but lack of the definition of the target group, in most cases data are not available, how much of the budget of these programs were directly invested in, and reached the Roma population. The conclusions of the study may provide important information from the aspect of evaluating the results programs, but data collection and data protection are not only important from a scientific point of view, but can be also decisive problems in the developments and funding concerning the situation of Roma since for practicing minority rights and for utilizing the institutions of equal opportunity.

The Strategy's analysis on Roma communities is a well-elaborated, it uses a number of statistical sources and materials with data collected and published by acknowledged researchers, however, the implementation and the monitoring need deeper attention. Furthermore, it happens several times that the legislation and the mainstream policies and programs are not harmonized with the aims of the Strategy.

## **5. Main issues related to minority protection**

### **5.1. Collection of disaggregated personal data**

Hungary received several recommendations from international organizations to withdraw the prohibition on the collection of disaggregated personal data. In November 2009, Data Protection and Minorities Ombudsmen published a joint report in order to clarify the regulations regarding the collection and processing of data on ethnicity. Despite the legal reforms which affected the law on data protection as well, the recommendations of the report were not taken into account and the prohibition still stands.

### **5.2. Trafficking in human beings**

Hungary is a country of origin, transit and destination in relation to trafficking in human beings which is most often committed with the purpose of sexual exploitation. The potential victims are children and women; among minors two groups are considered at-the-risk: children living in state care and Roma minors.

Concerning the first group, children removed from their family have less tight family relations, feel like the decisions of the authorities are forced upon them and might already have suffered of some kind of violence. The other factor, which is actually one of the key issues, is that minor victims of trafficking are placed in child care institutions, unlike the adult victims who could opt to be placed in secret shelters. These children could be easily identified, located and taken again by their perpetrators. Not to mention that staff in these institutions are not prepared or trained to provide tailor-made support for victims of trafficking.

Despite the lack of disaggregated data based on ethnicity - which is a deficiency in the field of the fight against human trafficking too – several researches confirmed that Roma children are more vulnerable but not because of trafficking is considered as a cultural practice. The vulnerability factors are poverty and social exclusion, ethnic and gender discrimination, lack of education, growing up in state care and usury – all of which put Roma people at risk of human rights violations in other cases, too.

There are two more issues in connection with the work of the law enforcement agencies. First, despite the criminalization of child prostitution (child is considered under 18) the policemen often treat these children as young offenders (if they are aged between 14 and 18) of crimes or petty offences in relation to prostitution. Second, the victim blaming approach of the society is deeply rooted in the officials too which make it difficult to detect human trafficking cases, even in cases of child victims.

### 5.3. Hate crimes

Prejudice and discrimination against Roma have escalated into violent actions and physical assaults between 2008 and 2012 in Hungary. Right-wing extremists committed a series of attacks on members of the Roma community in 2008 and 2009, when, according to police records, six Roma Hungarians were murdered (including a 5 year old child and women) another 55 people were put clear physical danger due 78 shots and 11 Molotov cocktails. This was the first time when racially motivated homicides were committed in Hungary since the World War II. In August 2013 the first instance criminal court found guilty over the racially motivated murders of six Roma and handed life sentences to three of the convicted quartet, the fourth man received 13 years in prison for collusion. Lawyers for the defence asked for a retrial, claiming the first-level judge was biased and that the police investigation had been negligent, but in May 2015 the appeals court upheld the verdict and the sentences.

Police misconduct and procedural errors were documented during the investigation of one of these violent crimes against Roma, as raised by NGOs and later confirmed by the Independent Police Complaints Committee and by the Head of Police. Misconduct by the National Security Service was also found. One of the most serious police misconduct or procedural errors was that the authorities did not consider the attacks racially motivated crimes.

The Minority Ombudsman in that period in with his limited power tried to urge the authorities and the Parliament to protect the Hungarian Roma community. The Ombudsman issued a press release in November 2008 calling the series of attacks on Roma in Hungary alarming and he also emphasized it was important that political leaders, regardless of their political affiliations, stood by the victims and condemned all forms of violence as soon as possible. The Ombudsman also released a statement concerning the attacks on Roma families following consultation with several Roma public figures, where he called for the establishment of a special investigation unit with national jurisdiction to investigate the previous attacks against Roma and for the authorities to pay special attention to exploring the possible bias motivation behind the crimes.<sup>13</sup> In February 2009 the Ombudsman made an extraordinary step and addressed the national parliament in plenary session about the spate of attacks on Roma families. In his speech he urged the Parliament to elaborate ethnic peace plan, furthermore he also criticized the police for failing to catch the perpetrators of murders.

---

<sup>13</sup> Dr. Ernő Kállai: "Report on the Activity of the Parliamentary Commissioner for the Rights of National and Ethnic Minorities 2008", Pp. 79.

At the same time, according to official information provided to OSCE ODIHR by the Government of Hungary, there is no statistical information on crimes committed against Roma.<sup>14</sup> Recorded cases of hate crimes are also not disaggregated further by bias motivation, so there are no available data of how many of the cases were based on bias against Roma. There are no records kept on cases where the hate motivation was considered as a base motivation and evaluated as an aggravating circumstance. As such, there is no statistical information on the extent and pattern of hate crimes, only a few cases have been considered by the courts to have racist motivation, even though upwards of 61 incidents were reported by the European Roma Rights Centre (ERRC) between 2008 and 2012.<sup>15</sup>

However the new Penal Code was modified the hate crimes regulation in favourable way compared with the previous legislation, Hungary has not yet developed specific protocols or guidelines for police and prosecutors on how to investigate and prosecute hate crimes. In 2009, when the series of attacks against Roma happened, the European Commission against Racism and Intolerance established that the Hungarian authorities are unwilling to accept the racial and anti-Semitic motivations behind these attacks and would prefer to consider these incidents as common offenses rather than hate crimes.<sup>16</sup>

By contrast has to be mentioned that charges made against Roma for alleged anti-Hungarian crimes. In 2009 when nine Roma men were charged for committing a hate crime against Hungarians when they attacked a car in which they believed skinheads were sitting. The people in the car - one of whom had ties with racist groups - suffered minor injuries. Despite the lack of sufficient evidence, “disproportionate” prison sentences were imposed on the defendants but their crime was later reduced to disorderly conduct by an appeal court. Parallel with this proceeding in another case in 2013, Roma, motivated by anger at racist groups arriving in their town, were charged and sentenced for committing a hate crime against Hungarians.

---

<sup>14</sup> Office for Democratic Institutions and Human Rights Addressing Violence, Promoting Integration Field Assessment Of Violent Incidents Against Roma In Hungary: Key Developments, Findings and Recommendations June-July 2009, data on hate crimes is collected by the National Police, the Prosecutor General’s Office and the Ministry of Justice and Law Enforcement available at <http://hatecrime.osce.org/hungary>

<sup>15</sup> Available at <http://www.errc.org/cms/upload/file/attacks-list-in-hungary.pdf>

<sup>16</sup> “It has been reported that, in some instances, even where there was strong enough evidence of racist motivations to support an indictment for racist violence, the offence was finally treated by the courts as having arisen solely out of a conflict situation rather than as having had racist motivations.” Cited from the European Commission against Racism and Intolerance (ECRI) report on Hungary. Forth monitoring cycle, 2009. <http://www.coe.int/t/dghl/monitoring/ecri/country-by-country/hungary/HUN-CbC-IV-2009-003-ENG.pdf>



The cooperation between the government and the NGO Coalition, Working Group against Hate Crime is considered a positive development, with regard to the trainings and advocacy provided by the civil society organizations. But, beside the implementation of a criminal protocol in line with international standards, introduction of special training for law enforcement (integrated in their studies), improvement of victim protection, development of an effective data collection and statistical monitoring system would be also asset in fight against the phenomena of hate crime.

#### **5.4. Hate speech**

Hate speech, prejudice-driven verbal and physical actions typically affect and threaten the most vulnerable groups of society; however, they have a number of adverse effects at the level of the society as a whole, too. In 2013, the Commissioner for Fundamental Rights launched the project “With Communication for Equal Dignity –Integrating Speech vs. Hate Speech” with the aim to examine what state organs, international and civil society organizations, churches and national minority self-governments do in order to facilitate the establishment of an open, tolerant and prejudice-free social environment since criminalization should be only a last resort.<sup>17</sup>

The Commissioner emphasized that education and training at every level and in every form, from early childhood to the training of law enforcement staff (policemen, judges and prosecutors). The role of mass media was identified as tool of socialization, life-long education which affects people irrespective of their ages, beliefs and social statuses. The work done by civil society organizations was recognized but their limits were identified as well: without state support, long-term, nationwide and unified implementation even the best practices are not more than good examples, furthermore, they cannot substitute the appropriate state measures in the field of awareness raising.

The training of law enforcement professionals is of major importance. Most faculties of law, in accordance with the profile of legal education, lay emphasis on transferring encyclopaedic legal knowledge instead of developing students’ social and practical skills. There are good examples such as the establishment of various legal clinics at certain universities, but the results of a study conducted among law students, which was used in the course of the

---

<sup>17</sup> No. AJB-1199/2013

investigation, showed a rather disheartening picture of the students' attitudes (prejudices and exclusion) and legal education's influence thereon.

The Commissioner identified many useful efforts at both state and civil level, but found that these efforts do not have the same effect on each vulnerable group: while numerous measures are aimed at reducing prejudice against the Roma, much less attention is focused on building tolerance towards other vulnerable groups, e.g., people living with disabilities, sexual minorities and the homeless people. Furthermore, it was pointed out that state-run projects could be more effective if they use civil initiatives'' methodology as a good example, support and complete already existing projects and build on the cooperation with civil society organizations.

## **5.5. Discrimination against Roma**

### **5.5.1. Housing**

More than 60% of Roma live in the countryside, mainly in the most disadvantaged regions, mostly in segregated residential zones, in rather poor housing conditions. The shortage of social housing persists and efforts by the Government to improve access to housing are sometimes obstructed by local authorities; Roma are often forced out of social housing in order for apartments or land to be sold at a profit. The structural problems within the housing sector, such as an unfavorable tenure structure which includes only a 3 percent social rental sector, may raise problems like we witness in Miskolc. However cities are required to prepare local equal opportunity (desegregation) plan as a part of integrated urban development strategies, in many cases these have not improved the housing situation of Roma. Recently was consulted the housing strategy in connection with the Social Inclusion Strategy, hopefully the Government in frame of housing strategy will make action in all cases where local authorities attempt to force Roma out of social housing or evict them from their homes without ensuring suitable alternatives, or subject them to directly or indirectly discriminatory rules in respect of housing.

The Deputy Commissioner recently published a flagship report concerning the raid-like joint official control activities of the authorities of Miskolc (town) and the right to housing of Roma people living there.<sup>18</sup> The investigation covered several issues: the joint official control practices coordinated by the Miskolc Local Government Police (MLGP), the local government housing decree and other measures of the Miskolc Local Government regarding

---

<sup>18</sup> No. AJB-1474/2014

housing conditions, as well as the decree modifications by municipalities surrounding Miskolc.

In this case it was concluded that the official control activities were conducted by employees of the various authorities and utility providers jointly, simultaneously, at a previously determined date and time, following a pre-determined route. The controls were organized by the public order adviser of the Miskolc Local Government, with briefing by and the participation of the MLGP. Having regard to these facts, the report has found that the often raid-like, joint, and often mass official control activities conducted in the segregated living areas by local government authorities, public utility providers, and other institutions of different profiles, different competences and different rights of investigation were organized without explicit legal authorization; this is incompatible with the principle of the rule of law and the requirement of legal certainty.

The investigation further established that two decrees of the Miskolc Local Government also raise serious fundamental constitutional and legal concerns. According to the report, a provision of a local government decree which makes the reimbursement payable upon the termination of a lease contract with the local government contingent upon the purchase of real estate outside the premises of the municipality (thus quasi conditional upon moving out of the municipality) is unacceptable from the point of view of equal treatment. Similarly, it was found that the fact that some municipalities surrounding Miskolc have responded to the abovementioned provisions with decrees which are exclusionist in content and violate national law also raises concerns.

As a conclusion, the Deputy Commissioner assembled a list of recommendations addressed to the relevant ministries and authorities, furthermore, draw attention to the unfeasibility of the living conditions and vulnerability of Roma inhabitants living in these segregated areas, including a significant number of children. Since the realization of the right to housing mainly stands with subnational governments - bearing in mind the responsibilities of the central government-, they intend to support the local governments to develop a proactive role in this context.

### **5.5.2. Employment**

In 2011, only one-quarter of Roma aged between 15-64 were employed in Hungary. The chances the Roma population accessing the labour market is limited. The low level of employment is strongly interrelated with educational and geographical disadvantages; on

other hand labour market discrimination has not been addressed by the National Social Inclusion Strategy.

The public works scheme has been the dominant employment program in Hungary since 2010, and seems this is the only possibility for disadvantaged people, at the same time yet, it has not significantly improved employment prospects of participants, scarcely only 10 percent<sup>19</sup> of participants find a job on the regular labour market after taking part in the program. Also has to be mentioned that public work does not meet fully with the requirement of labour law, e.g. the minimum wage is not provided to the public workers. Unemployment benefits in Hungary are linked to the acceptance of employment opportunities regardless of the recipients' educational levels or skills. If there are no employment opportunities, one is obliged to join the public works scheme for at least 30 days, contrary with these public works scheme are not able to employ all the unemployed.

The monitoring report on the Strategy prepared by the European Commission emphasized those continuous and individualized supporting services of temporary public work schemes should be reinforced with a view to effective integration in the open labour market. A comprehensive package of measures targeting private employers including extending social considerations in public procurement, promoting diversity in the workplace, coupled by job trials, recruitment subsidies, targeting Roma under the Youth Guarantee should be considered. Fighting and monitoring discrimination in the labour market needs to be ensured and attention needed to be paid to eliminating discriminatory practices in the public work scheme.<sup>20</sup>

### **5.5.3. Health**

Another area of exclusion of Roma is access to health services. Geographical inequalities and public health measures are not effective in reaching out to the most disadvantaged, parallel with this phenomenon sector-specific policy has witnessed severe cut-backs and reorganization in this area. Special attention needs to be paid to children whose health condition is heavily impacted by the socio-economic status of their parents.

Last year, the Deputy Commissioner made a recommendation to investigate the state health system relating to premature births, with regard to the effectiveness of the system's work in the prevention and management of the issue. The recommendation was made because while

---

<sup>19</sup> European Commission ESPN – Flash report Public works in Hungary: an efficient active labor market tool?; <http://ec.europa.eu/social/BlobServlet?docId=14220&langId=en>

<sup>20</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Report on the implementation of the EU Framework for National Roma Integration Strategies Brussels 2.4.2014 COM(2014) 209 final {SWD(2014) 121 final} [http://ec.europa.eu/justice/discrimination/files/roma\\_implement\\_strategies2014\\_en.pdf](http://ec.europa.eu/justice/discrimination/files/roma_implement_strategies2014_en.pdf)

the birth-rate decreased significantly over the last one and a half decade, the ratio of premature births more or less stayed the same (and in the last year, the positive tendency of decrease in neonatal mortality rates has also changed). Today, the main reason for neonatal mortality is premature birth and low birth-weight. Pointing to research results, the Deputy Commissioner emphasized that one of the main reasons behind premature birth is poverty, which has a territorial aspect as well in Hungary.

#### **5.5.4. Education**

The National Social Inclusion Strategy recognizes that the system of public education is struggling with a number of problems affecting disadvantaged groups, including the Roma in particular, which can only be resolved through further long-term development. In addition to honoring the basic principle of equity, effective action is urgently necessary also on account of the fact that the Roma represent a significant and increasingly large proportion of the school-age population and, as a consequence, of the employees of the future.

The Hungarian educational system is one of the systems amongst the OECD countries least providing equal opportunities and the educational success of children largely depends on the education and occupation of their parents<sup>21</sup>. However in Hungary have been transposed numerous EU directives into Hungarian law, including Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin and Equal Treatment Act forbids segregation in education, in practice the segregation of Roma pupils is widespread in the country. The Strategy does not assign well-tailored anti-segregation programs. According to different studies and taken into consideration official statistics, there are 3000 segregated Roma classes in primary schools as opposed to 150 in 1980<sup>22</sup>. Segregation many times also means direct discrimination: in segregated classes Roma children's education is of lower quality, which decreases their chances to get into higher education, and to reach a better financial and social situation.

Despite the Strategy refers to many equal opportunity programs and also implement many of them in order to assist Roma student school achievement some legislation contrary with that aim. For example the compulsory school age has been reduced from 18 to 16 years. The early drop out rate among Roma student are higher, it was observable that certain schools made

---

<sup>21</sup> <http://romagov.kormany.hu/download/5/58/20000/Strategy%20-%20HU%20-%20EN.PDF>, pp. 36

<sup>22</sup> Havas Gábor–Kemény István–Liskó Ilona Cigány gyerekek az általános iskolákban, Roma children in the elementary school, 2005, <http://mek.oszk.hu/09500/09513/09513.pdf>

efforts to get rid of students considered to be problematic, typically multiply disadvantaged students, usually Roma, this circumstance may lead large numbers of Romani students to leave school early. “Bridge training/program” was introduced before starting secondary education, which can potentially result in spending one or even two years out of the secondary education and finally leaving the education system without qualification. In 2014, the Deputy Commissioner has drawn attention of the Commissioner to early school leavers in public education, which characteristically affects multiple disadvantaged children – with a large proportion of Roma among them.

The monitoring report of the European Commission states that the integrated Pedagogical System contributes positively to Roma pupils’ education; nevertheless, more efforts are needed to promote their access to the mainstream education system. The impact of recent reforms needs to be closely monitored in this regard. A systematic approach to desegregation needs to be put in place, building on the opportunities presented by the school centralization. Early school leaving should be carefully tackled, particularly in vocational education and training. Increased participation of Roma pupils in pre-school should be accompanied by qualified staff, necessary infrastructure and sustainable funding.

Another issue is that Roma minority education can be organized without offering minority language teaching (actually only the Roma minority education). However, it is in line with the general rules that the minority education has to be organized when at least 8 parents request it, the Roma minority education turned to be a ‘school saving’ opportunity in cases where only low number of students attend school. Nevertheless, those schools which provide Roma minority education properly are still in lack of well-trained minority language teachers, adequate books and teaching materials. We know the tendency, the quality of these schools is being decreased, they turn to be less attractive for non-Roma and middle class parents and at the end of the day become segregated.

In a recently published report the Deputy Commissioner shared her opinion about the government proposal for the amendment of the Act LXXIX of 2011 on the National Public Education adopted on 8 November 2014.<sup>23</sup> According to the proposal, the Act would give an authorization for the government to set up the criteria for exemption from the prohibition of segregation in case of minority and religious education in the form of a government decree. Several civil society organizations expressed concerns, furthermore, on 12 December, 2014

---

<sup>23</sup> No. AJB-6010/2014

the Deputy Commissioner issued a press release in which she firmly and consistently stood out for social integration. Then, on 16 December 2014, the Parliament adopted the amendment but with a reservation stating that the government decree shall be prepared with special regard to the prohibition of segregation.<sup>24</sup>

The prohibition of segregated education is prescribed by the Act CXXV of 2003 on Equal Treatment which contains three exemptions, separation based on gender and in case of minority and religious education. In these cases strict requirements must be fulfilled as well: it must be voluntary, based on the initiative and informed consent of the parents, the students does not suffer any disadvantage as a consequence of it and it reaches the objective state requirements concerning quality education. The amendment giving authorization to the government to establish further exemptions, in a lower legal regulation, raises several human rights concerns.

The report builds on the results of previous investigations conducted by the former Minority Ombudsman and the Deputy Commissioner. One of the main conclusions of these cases was that even if separated education is formally comply with the regulations but does not fulfil the objective quality requirement it might constitute unlawful segregation. Furthermore, the Hungarian case law on segregated education is discussed with special focus on the latest decision of the Supreme Court in which it was found that the separated education of Roma students in a church run school is not unlawful if it complies with provisions of the Equal Treatment Act since the church plays a key role in Roma pastoration by providing education.<sup>25</sup> However this ruling is contradictory to the case law, it shows clearly the initiatives which aims to blur the borders of minority and religious education and ultimately to justify segregation.

In order to support the government in the enactment of the decree, the Deputy Commissioner made several proposals. She emphasized that if an institution runs separated education for the same students, at the same time based on two exemptions, namely as minority and religious education, it must be fulfil the requirements of both of them, respectively. The decree shall respect the legislative hierarchy and only further elaborate on the special conditions of the exemptions prescribed by law. At last but not least she warned the government, if the

---

<sup>24</sup> Article 25 (5) of the Act CV of 2014 on the amendment of the National Public Education Act

<sup>25</sup> Decision of the Curia, Pfv.IV.20.241/2015/4.

segregation aims to provide the so-called “catch up” education, it will definitely infringe the principle of equal treatment therefore it will constitute to human rights violation.

### **5.6. Participation in political life**

The legal reforms introduced a new opportunity for people belonging to minorities to take part in political life beside the already existing minority self-governments systems: preferential Parliament seats and in case of fail to fulfil the requirements, the institution of the nationality spokesperson. In the 2014 elections, the first possibility remained a theoretic one as the preferential conditions were not met by the nationalities, meaning that currently, the thirteen nationalities can participate in the work of Parliament by way of their spokespersons.

According to Act CCIII of 2011 on the Elections of Members of Parliament, obtaining a parliamentary mandate was possible under preferential conditions for individuals who were nominees on the lists drawn up by the country-level nationality self-governments. From nationality lists a mandate is obtained when the preferential quota of votes is reached, i.e. 0.27% of all votes submitted for national party lists. Bearing in mind data regarding the 2014 elections, this quota would have meant around 22000 votes. It is worth noting that Hungary has seven nationalities which have a total population of less than 8000, thus they would not have been able to meet the preferential conditions even if every single nationality group member (who had the right to vote) would have registered themselves in the nationality electoral roll and would have voted for the nationality list.

In accordance with the law, any national minority which drew up a nationality list but failed to win a mandate by such list is represented in Parliament by a nationality spokesperson. The nationality spokesperson may take office regardless of the number of votes submitted for the list drawn up by the nationality self-government, but is not entitled to exercise important rights which members of Parliament have: the spokesperson is not entitled to vote in sessions of the Parliament, and may only speak in plenary if the agenda item in question may, according to the Committee of the Parliament, be relevant regarding the rights or interests of nationalities. The spokesperson-system ensures the participation of nationalities in the work of the Parliament, but does not carry the same weight as a fully-fledged parliamentary representation. It should also be noted that the concept of ‘agenda item relevant regarding the rights or interests of nationalities’ is not well defined.

The election of the members of nationality self-governments in 2014 were only possible to be held in settlements where the number of individuals belonging to the nationality in question



(according to relevant data from the latest census, based on voluntary answers regarding nationality identity) reached at least 25 – i.e. in settlements where the census has shown the existence of nationality communities. With this provision, the aim of the legislator was to rule out abuse of the system (‘ethno-business’). However, tying these elections to census data may be problematic, as during the census (especially in small settlements) less people declared their nationality identity than was expected based on the real presence of nationalities in some settlements. On the contrary, in some larger cities and in some districts of Budapest, the census shows a large presence of nationalities – the realistic nature of this is questioned even by the country-level nationality self-governments themselves. In this regard it is important to note that although the majority of the population has chosen to make a declaration regarding nationality identity in censuses (2001 census: 94%; 2011 census: 85%), due to the voluntary nature of the declaration, the census data cannot be seen as an accurate depiction of the nationality population of Hungary. If we further add that in 2010, 2315 nationality self-governments were established, and in 2014 the number was only slightly less (2143), then it becomes clear that abuses probably did not cease.

In 2014, the nationalities were furthermore allowed to set up self-governments on three levels according to new regulations (partly aimed at reducing the possibility of misuse).

An old-new element of nationality self-government elections is the ‘transformed nationality self-government’. Local self-governments (excluding those of the metropolitan districts) may decide on transformation into a nationality self-government if more than half of the citizens recorded in the electoral roll in the locality are recorded in the given nationality’s electoral register, and more than one half of the elected members ran as the given nationality’s candidates at the local municipality elections. These strict requirements foretold the fact that such transformations only happen in very small numbers. (To the best of our knowledge, only two such transformed nationality self-governments were established in 2014).

According to the new provisions, a preferential local self-government mandate was established: if at least fifty percent of the citizens recorded in the electoral roll at the time of the calling of the elections were also recorded in the given nationality’s nationality register, and if none of the candidates of the given nationality obtained a mandate either at the election of mayor or on the individual list, it is necessary to determine the two thirds of the valid votes cast for the candidate obtaining a mandate on the individual list with the fewest votes. A nationality candidate who has a higher number of votes than the number of votes determined according to the method described above shall obtain a preferential mandate.

However, the new electoral rules did not solve the previously existing problems of registration into the nationality electoral roll; it is still possible for anyone who has electoral rights in local self-government elections (and mayoral elections) to request to be registered into the nationality electoral roll provided they declare their nationality identity. The requirements were however made stricter in the sense that it is possible to utilize criminal sanctions regarding an individual who makes a false declaration regarding the fact whether he or she has been a candidate of a different nationality self-government in the preceding ten years. False declarations regarding knowledge of nationality language by the candidate still have no sanctions attached.

Under the new provisions, any registered association (apart from political parties and trade unions) that, according to its deed of foundation, is engaged in activities directly related to the protection and representation of the interests of a given nationality or to the cultural autonomy of the nationality may put forward nationality candidate. The possibility that the number of nominating organisations participating in the establishment of ‘fake’ nationality self-governments has risen cannot be excluded.

### **5.7. Linguistic rights**

The Act on the Rights of Nationalities ensures broad linguistic rights for minorities among others in civil, criminal and administrative proceedings and affirms the role of the state to support minority language education. The Commissioner for Fundamental Rights conducted a thorough investigation into use of linguistic rights provided for people belonging to minorities and the nationality self-governments.<sup>26</sup> It was found that the average knowledge of minority languages is at colloquial level but does not include the technical terms necessary in official proceedings (however it is a quite broad generalization because there is a significant difference between 13 minorities but the high degree of assimilation is common). The nationality self-governments use the Hungarian language in preparing minutes and documents for practical reasons: it was said that it would be difficult for the administrative bodies to translate them and the people of whom they represent would prefer the Hungarian versions, too.

The use of forms in minority languages in the administrative proceedings is quite rare; the local governments are not able to provide the office routine in minority languages while the courts stated that claims for proceedings in minority languages is uncommon. Although the

---

<sup>26</sup> No. AJB-5577/2012

Act on the Rights of Nationalities provides the opportunity for representatives of minorities and spokespersons to speak in their languages in front of the Parliament, the Act on the Parliament does not elaborate on that, only the Code of Conduct. The Commissioner proposed seven amendments in law in order to improve the implementation of linguistic rights of minorities.

### **5.8. Minority education**

The minorities in Hungary have been witnessing language assimilation in their communities in the last decades. Behind this phenomenon there are several causes, like globalization and regressive practicableness of minority language, assimilation policy in the communist era, but situation of the minority language education also plays a role. Some larger minority communities like Germans, are in more favourable situation, but e.g. the Hungarian Polish community has no elementary and secondary minority school. However the Greek and Ruthenian communities have minority elementary school, minority secondary schools are also not available for students in these communities.

The provision of minority education is essential for the existence of a minority group. Bearing in mind this approach, from 2010 all the three levels of education had been scrutinized: the former Minority Ombudsman analyzed the kindergarten<sup>27</sup> and the elementary education,<sup>28</sup> while the Deputy Commissioner issued her report about the secondary and tertiary education.<sup>29</sup>

The Minority Ombudsman stated that minority education in kindergarten is not in accordance with law if it is not voluntary, if it used to cover unlawful segregation of children or if children not belonging to the minority took part in it; during the investigation he found examples for all these cases. The institutions struggle because children generally do not bring knowledge of the minority languages from their family and it is quite difficult to find teachers and nurses who are able to work in these languages. The role of minority self-governments was recognized but amendments were proposed – among others - to clarify the provisions in relation to the informed consent of parents. Concerning the elementary education numerous similar issues were identified, furthermore, the set up of an objective quality assurance system was recommended in order to monitor and evaluate minority education.

---

<sup>27</sup> No. NEK-368/2010

<sup>28</sup> No. NEK-441/2011

<sup>29</sup> No. AJB-3894/2012

The Deputy Commissioner concluded in her report that both the secondary and tertiary minority education has several shortcomings. Despite that the minority language education in practice rather serves as an opportunity to learn foreign languages, the recruitment of students is getting more difficult. In the last five years 6.7% of secondary students were enrolled in minority education, of which 90 % belonged to either the German or the Roma community. The provision of secondary minority education is jeopardized by the shortage of minority teachers; the teacher carrier is not attractive nowadays which makes more difficult to fill up the university seats from the low number of students finishing in minority secondary schools. The investigation uncovered several issues in relation to Roma minority education of which were discussed in Chapter 5.5.4.

Another emerging issue is the decreasing number of junior minority teachers. Even more alarming the situation of Roma minority education, since Romani and Beas<sup>30</sup> minority teacher training courses are missing from the tertiary education system which results in lack of trained Beas and Romani speaking teachers. Obviously, this speeds up the language assimilation and the loss of minority languages. However the Romology course is available in some collages/universities, this course does not provide specific language training. On one hand it means that textbooks, dictionaries and other teaching materials are not available in Romani and Beas languages, on other hand eventually it jeopardizes the quality of Roma minority elementary and secondary education.

---

<sup>30</sup> In Hungary three different Roma group live: Hungarian Roma/Romungro, Vlah Roma and Beas Roma. In the 1990s approximately 80 percent of Roma in Hungary, mainly the Hungarian Roma/Romungro speaks Hungarian as their first and only mother tongue, approximately 20 percent of Roma is bilingual, and speaks Romani or Beas languages Romani languages also. Since the language assimilation or loss of minority language this ratios has been changed, and less Roma speak minority languages. Romani language belongs to the Indo-European languages, it has many dialects, among these dialects Lovar (Vlax Romani) is the most widespread in Hungary. Beas is an archaic dialect of Romanian language.