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Responses to Information Requests

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14 August 2017

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Hungary: Roma political representation, including Roma Councils, mayors of Roma communities, and Roma political parties; activities, mandate, and services provided by these bodies (2015-August 2017)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Nationality Self-Governments

Sources indicate that Roma are one of the 13 nationalities officially recognized by Hungary (Council of Europe 9 June 2015, para. 69; US 3 Mar. 2017, 56). Sources indicate that members of the 13 officially recognized nationalities, including the Roma minority, can register to vote for a "minority list" in parliamentary elections (Freedom House 19 May 2017; US 3 Mar. 2017, 56).

The US Department of State's *Country Reports on Human Rights Practices for 2016* indicates that the Hungarian law provides for the cultural autonomy of nationalities and recognizes the right to "foster and enrich historic traditions, language, culture, and educational rights," as well as to form and operate institutions and "maintain international contacts" (US 3 Mar. 2017, 56). An article by Balázs Dobos, a researcher whose research interests include, among others, ethnicity, politics, the representation of minorities in public life and the Roma political parties in Hungary (HAS n.d.), published in 2016 by *Autonomy Arrangements in the World* [1], states that nationality self-governments [also known as minority self-governments] were created to guarantee the cultural autonomy of minorities and to allow them to decide on issues related to the establishment, operation and "maintenance" of cultural and educational institutions and media at the local and national levels (Dobos Jan. 2016, 19). A 2015 reply by the Hungarian government to the UN's *Questionnaire of the Special Rapporteur on Minority Issues to Member States* indicates that Roma self-governments contribute to the preservation of Roma cultural values, to the development of Roma institutions and organisations, and to the promotion of the Roma language (Hungary [30 Mar. 2015], 16).

According to Dobos's 2016 article,

[nationality self-governments] obtained the right to determine their protected monuments and memorial sites, [and] the dates of their local and national holidays. They were entitled to adopt their own organizational and operational regulations. (Dobos Jan. 2016, 19)

According to the same source, nationality self-governments have, with the competent state or municipality, the right to "initiate proceedings, request information, or make proposals" (Dobos Jan. 2016, 23).

Dobos explains that, at the local level, municipalities are the "most important partners" of nationality self-governments and that local self-governments determine the relevant tasks to be undertaken in the field of minority protection and lay down the procedures for exercising nationality self-governments' "rights of initiative, proposal, opinion-giving and consent" (Dobos Jan. 2016, 23). In its reply to the UN *Questionnaire*, the Hungarian government states that local nationality self-governments are "bodies entitled to the rights of

evaluation and agreement in the most important issues of the community (education, culture and use of language)" (Hungary [30 Mar. 2015], 15). The US *Country Reports 2016* indicates that nationality self-governments "organize activities and manage cultural, educational, and linguistic affairs" (US 3 Mar. 2017, 56).

Article 50 of the 2011 Act CLXXIX on the Rights of Nationalities of Hungary provides the following:

50. § The individual nationalities may, by way of direct voting, set up

- a. local nationality self-governments in localities, towns and the metropolitan districts and regional nationality self-governments in the capital and in the counties (hereinafter collectively referred to as "local"), and
- b. nationality self-governments with nation-wide competence. (Hungary 2011)

According to Dobos's 2016 article, the electoral system provides that nationality self-governments at the local, territorial and national levels are directly elected by minority voters who are registered to vote (Dobos Jan. 2016, 18). In its reply to the UN's *Questionnaire*, the Hungarian government similarly indicates that only citizens who are on the electoral registry of a nationality can participate in the elections of that nationality self-government (Hungary [30 Mar. 2015], 15).

Article 57 of the 2011 Act provides the following: "The general elections of nationality self-governments shall be called for the day of the general elections of local municipality board representatives and mayors" (Hungary 2011). In its reply to the UN's *Questionnaire*, the Hungarian government further explains that, "[i]n accordance with the Fundamental Law [Constitution of Hungary], the election of self-governments of the nationalities is held every 5 years on the date of the general election of local government representatives and mayors" (Hungary [30 Mar. 2015], 15). A copy of the 2011 Act CLXXIX on the Rights of Nationalities of Hungary, including further information on the election of nationality self-governments, is attached to this Response.

In its *Freedom in the World 2017* report, Freedom House states that minorities who register to vote for minority lists are "excluded from general party-list voting" (Freedom House 19 May 2017). The Romedia Foundation, a Roma NGO based in Budapest that fosters a positive perception of Roma ethnic identity and provides information on Roma through artistic campaigns and public events (Romedica Foundation n.d.), similarly indicates that, according to the Hungarian electoral law, citizens who register as members of minorities are excluded from voting for general party list (Romedica Foundation 27 Oct. 2013). The same source adds that since, according to the Hungarian Constitution, being a citizen and belonging to a minority are not categories that exclude each other, the electoral law is a "violation of civil rights if someone has to choose between participating [in the parliamentary elections] as a citizen of the country or as a member of the country's official minority" (Romedica Foundation 27 Oct. 2013).

1.1 Local Roma Self-Government

The US *Country Reports 2016* indicates that, according to the Hungarian law, nationality self-government can be formed in municipalities with 30 residents belonging to one of the registered nationalities (US 3 Mar. 2017, 56). In its reply to the UN's *Questionnaire*, the Hungarian government indicates that, in the nationality self-government elections of October 2014, 1,383 Roma self-government elections were scheduled and that 1,197 Roma self-governments were elected (Hungary [30 Mar. 2015], 16).

The Hungarian Central Statistical Office [Központi Statisztikai Hivatal] indicates, in a yearly publication on localities' data, that, as of January 2016, there are 1,147 local Roma self-governments (Hungary 1 Jan. 2016, 21). The same source provides the following information indicating the number of local Roma self-governments per region as of 1 January 2016 (Hungary 1 Jan. 2016, 21).

Number of local Roma self-governments per region as of 1 January 2016

Name of Capital, County, Region	Number of Local Roma Self-Governments
Budapest	23
Pest	79
Central Hungary	102
Fejér	22
Komárom-Esztergom	15
Veszprém	30

Name of Capital, County, Region	Number of Local Roma Self-Governments
Centra Transdanubia	67
Győr-Moson-Sopron	17
Vas	19
Zala	45
Western Transdanubia	81
Baranya	119
Somogy	89
Tolna	48
Southern Transdanubia	256
Borsod-Abaúj-Zemplén	164
Heves	64
Nógrád	81
Northern Hungary	309
Hajdú-Bihar	56
Jász-Nagykun-Szolnok	47
Szabolcs-Szatmár-Bereg	134
Northern Great Plain	237
Bács-Kiskun	44
Békés	34
Csongrád	27
Southern Great Plain	95
Hungary Total	1,147

1.2 National Roma Self-Government

In its reply to the UN's *Questionnaire*, the Hungarian government states that,

[d]uring the nationality self-government elections in October 2014, ... the National Roma-Self-Government was established with 47 members, made up of representatives from Lungo Drom (29 mandates), MCF Roma Összefogás (Roma Union) (6 [mandates]), Roma Civil Bloc (6 [mandates]), and the Roma Civil Rights Movement (6 [mandates]). István Hegedűs was elected head of the body. (Hungary [30 Mar. 2015], 16)

In its reply to the UN's *Questionnaire*, the Hungarian government indicates that a separate "Framework Agreement" between the government and the national Roma self-government was concluded in 2011 with the aim of "promot[ing] the social inclusion of the Roma and the efficient convergence of the Gypsy population" (Hungary [30 Mar. 2015], 16). An undated document published by the Human Rights Working Group, founded in 2012 by the Hungarian government with the aim of monitoring human rights in Hungary and making recommendations to the government (Hungary n.d.a), explains that the 2011 framework agreement between the national Roma self-government and the Hungarian government established a cooperative decision-making scheme used for development and grant programmes, and for investment and employment initiatives that improve the quality of education and living conditions for Roma (Hungary n.d.b). The same source says that

[t]he objective of the system is to help [the national Roma self-government] (as an organisation for the representation of the interests of the Roma) to guarantee that disadvantaged or destitute Roma and non-

Roma children, young persons and adults participate in such programmes in adequate numbers and that these activities actually contribute to the betterment of their situation. (Hungary n.d.)

A June 2017 article from Budapest Beacon, an online news publication reporting on events occurring in Hungary (The Budapest Beacon n.d.), cites Romnet, a news outlet covering Roma issues, as stating that the national Roma self-government is unable to operate because of financial "improprieties" and is declaring bankruptcy (The Budapest Beacon 29 June 2017). According to the same source, the accumulated debt is "largely" attributed to a program called "Bridge to Employment," that "failed" despite 1.6 billion Hungarian Forints [C\$ 7,817,034] being spent on it (Budapest Beacon 29 June 2017). The same source states that, in 2016, the government forgave 1.3 billion Hungarian Forints [C\$ 6,355,921], provided that the remainder of the debt is paid by the end of 2017 (Budapest Beacon 29 June 2017). The same source adds that the national Roma self-government has debts totalling about 930 million Hungarian Forints [C\$ 4,548,547] (Budapest Beacon 29 June 2017). Without providing further detail, the same source further states that Flórián Farkas led the national Roma self-government, but he was forced out of the organization (Budapest Beacon 29 June 2017). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2. Roma Coordination Council

In its 2015 reply to the UN's *Questionnaire*, the Hungarian government indicates that the Roma Coordination Council is a consultative body "for social inclusion" established by "Government Decision No. 1102/2011 (IV. 15.)" (Hungary [30 Mar. 2015], 19). Its goal is to "socialize" the social inclusion policy and to monitor the implementation of the Framework Agreement between the Hungarian government and the national Roma self-government (Hungary [30 Mar. 2015], 19). The Roma Coordination Council's responsibilities include: "raising awareness" of the issues that hinder measures directed at the inclusion of Roma, giving opinions on proposals for action and on domestic and international reports, formulating proposals and developing professional networks, participating in the evaluation of "tasks" related to the social inclusion of Roma, and promoting the social inclusion of Roma (Hungary [30 Mar. 2015], 19).

According to the same source,

[The Roma Coordination Council's] **co-chair is the president of the National Roma Self-Government. Its members include representatives of Roma NGOs**, churches, local government associations, national and regional Roma self-governments, representatives of the National Economic and Social Council, the deputy of the commissioner for the protection of fundamental rights, who is responsible for the protection of the rights of nationalities living in Hungary, and the expert delegated by the President of the Hungarian Academy of Sciences. The Equal Treatment Authority and Chairman of the Central Bureau of Statistics are permanent invitees of the Council. ... [T]here are two more permanent invitees in the Council: the Roma nationality spokesperson of the Committee of Nationalities in Hungar[y] of the National Assembly, as well as the president of the Christian Roma Vocational College Network. (Hungary [30 Mar. 2015], 19, emphasis in the original)

3. Roma Parliamentary Representation

In its 2015 reply to the UN's *Questionnaire*, the Hungarian government indicates that Act CCIII of 2011 on the Elections of Members of Parliament in Hungary provides the conditions under which the nationalities participate in the National Assembly (Hungary [30 Mar. 2015], 16). The same source explains that a "preferential quota," amounting to a quarter of the vote usually required to obtain a mandate in the National Assembly, was set for representatives of the recognized nationalities (Hungary [30 Mar. 2015], 16). According to the same source, should the preferential quota not help a representative of a certain nationality into the National Assembly, the law provides for the election of a spokesperson for that nationality, who can be the first person on the list of candidates of the nationality self-government (Hungary [30 Mar. 2015], 16-17).

Sources report that, in 2014, none of the 13 minority lists received enough votes to secure a seat (Freedom House 19 May 2017; US 3 Mar. 2017, 35). The same sources add that each nationality was represented by a "nonvoting spokesperson" (Freedom House 19 May 2017; US 3 Mar. 2017, 35). In its reply to the UN's *Questionnaire*, the Hungarian government states that the national Roma self-government nominated Félix Farkas as its spokesperson (Hungary [30 Mar. 2015], 17). The US *Country Reports 2016* states that the "Romani minority had a spokesperson in parliament" in 2016 (US 3 Mar. 2017, 56).

In its reply to the UN's *Questionnaire*, the Hungarian government explains that, according to the "Rules of the House, spokespersons are entitled to express their views during plenary on agenda items concerning [the] rights and interests of nationalities" (Hungary [30 Mar. 2015], 18). The same source adds that spokespersons may submit proposals and ask questions and that they can use their mother tongue (Hungary [30 Mar. 2015], 18). According to the US *Country Reports 2016*, the "competence" of the nationality spokesperson was "limited to discussing" minority issues (US 3 Mar. 2017, 35).

The same source indicates that, in 2016, "[d]ue to privacy laws regarding ethnic data, no statistics were available on the number of members of a minority who were in parliament or the cabinet" (US 3 Mar. 2017, 36).

4. Roma Political Parties

Information on Roma political parties was scarce among the sources consulted by the Research Directorate within the time constraints of this Response.

In a 2015 thesis entitled *Political Representation and Patterns of Inequality of the Roma Minority in Hungary*, submitted to the Department of Political Science of the Central European University in partial fulfilment of the degree of Master of Arts in Political Science, Roland Ferkovics, a graduate student and Roma rights advocate (Open Society Foundations 2016, 10), indicates that Lungo Drom is a Roma advocacy association established in 1990 (Ferkovics 2015, 7). The same source states that MCF is a Roma political party created in 2005 that collaborated with the Socialist government of Hungary (Ferkovics 2015, 8). According to the same source, MCF has been considered one of the "most relevant Roma political entities competing with Lungo Drom" (Ferkovics 2015, 8). Similarly, in his 2010 book entitled *Who Speaks for Roma? Political Representation of a Transnational Minority Community*, Aidan McGarry, a Principal Lecturer in Politics at the University of Brighton, whose research "focuses on political representation and participation of minority and marginalised communities, particularly Roma" (University of Brighton n.d.), states that Lungo Drom and MCF Roma Union are the two largest Roma political organizations in Hungary (McGarry 2010, 123).

According to sources, the head of Lungo Drom is Flórián Farkas (Ferkovics 2015, 7; MTI 27 May 2017). Without providing further detail, the same sources indicate that Lungo Drom has an "electoral agreement" with the ruling party [FIDESZ] (Ferkovics 2015, 7; MTI 27 May 2017).

According to the Freedom House's report, *Freedom in the World 2017*, "the Roma population in particular has long been underrepresented in political office" (Freedom House 19 May 2017). In his 2015 thesis, Ferkovics cites Jenő Setet, a Roma civil rights defender and activist in Hungary, as stating that Roma political parties are not well established in local communities, because they are not "preceded by long years of political work" (Ferkovics 2015, 28). The same source further explains that according to a 2014 article by Dobos, on Roma ethnic parties in Hungary, 30 Roma political parties were registered in the two decades preceding 2014 (Ferkovics 2015, 27).

In 2014, Agence France-Presse (AFP) reports that a new Roma political party called Hungarian Gypsy Party (MCP) is running in the 2014 elections to represent Roma interests, to fight Roma child poverty, to give free education in "unsegregated schools" and to give "normal" jobs to Roma (AFP 30 Mar. 2014). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Note

[1] *Autonomy Arrangements in the World* is a joint project of the following institutions: The Institute for Minority Rights and the Institute for Studies on Federalism and Regionalism of the European Academy [a research centre that focuses on researching issues on regions suitable for living, on diversity and on social health (EURAC n.d.)]; the Center for the Study of Democracy of the Babes-Bolyai University in Romania [a think-tank that "engages in research ... on issues such as democratization, migration, ethnicity, civic education, electoral behaviour and institutional design" (Center for the Study of Democracy n.d.)]; the European Centre for Minority Issues [a centre that investigates practices and policies related to the relations between minorities and the majority in Europe (ECMI n.d.)]; the Romanian Institute for Research on National Minorities [a public entity under the authority of the Romanian government that conducts inter and multidisciplinary studies on the preservation, development and expression of ethnic identity and other aspects of national minorities and ethnic communities (Romania n.d.)] (*Autonomy Arrangements in the World*, n.d.).

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Additional Sources Consulted

Oral sources: European Roma Rights Centre; Hungary – Embassy in Ottawa, National Roma Self-Government.

Internet sites, including: Alliance of Cities and Regions for the Inclusion of Roma and Travellers; Amnesty International; eoi.net; European Hungarian Helsinki Committee; European Roma Grassroots Organisations Network; European Roma Rights Centre; European Union Agency for Fundamental Rights; Freedom House; Human Rights Watch; Hungary – Portal of government; Minority Rights Group International; *Political Handbook of the World 2015*; TARKI Social Research Institute; United Nations – Refworld.

Attachment

Hungary. 2011. [Act CLXXIX of 2011 on the Rights of Nationalities](#). As reproduced in *Act on the Rights of Nationalities of Hungary*, by European Commission for Democracy Through Law (Venice Commission), 10 May 2012. [Accessed 26 July 2017]

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