

Cases and rulings

Country Code	Year	Reference details title	Reference details URL	Hate Bias motivation	Court / Body	Key facts of the case	Results (sanctions, outcome) and key consequences or implications of the case	Main reasoning / argumentation	Key issues (concepts, interpretations) clarified by the case	Key quotation in original language and translated into English with reference details
Hungary	2016	Hungary / District Court of Bicske / Decision no. B.162/2014/49	http://vkp.birosag.hu/portal-frontend/stream/birosagKod/0702/hatarozatAzonosito/B.162_2014_49/	Racial or ethnic origin	District Court of Bicske (Bicskei Járásbíróság)	An African refugee accommodated in the Bicske Open Refugee Camp was waiting at the train station to catch a train to Budapest in the evening hours. Two Hungarian men approached the victim, and severely injured him while they yelled at him: 'Black men go back to Africa, here it is Hungary, it's not Africa'. The victim started to run back to the refugee camp, while the perpetrators started to chase him, and kicked him with a stick. The perpetrators then placed the unconscious victim on to the railway tracks and left him there for a while. Later they removed him from the tracks and moved him into the waiting area of the station.	The Court found the racist/xenophobic motive of the defendants, and found them guilty of assault and battery, and of violence against a member of the community. The Court emphasised that the defendants had rap sheets, and they had been punished earlier for hate crimes. The Court stressed the clothing and the hairstyle of the defendants, and the yelling proved the racist/xenophobic motive. The Court sentenced the perpetrators to a two-year long imprisonment, suspended for four years in execution.	The Police started a criminal investigation and found the perpetrators. The victim's lawyer argued the defendants' action constituted the crime of violence against a member of the community due to the fact the incident happened close to the open refugee camp in Bicske, and that the yelling clearly indicated a racist/xenophobic motive.	The Police treated the case as assault and battery, and refused to investigate the racist/xenophobic motive of the defendants while the defendants' clothing and hairstyle suggested they were part of the skinhead movement, and the yelling clearly referred to the African origin of the victim.	Excerpt of the reasoning of the decision: 'Bár a vádlottak tagadták, hogy rasszista, szélsőjobboldali nézeteket vallának, kisebbséggyűlölet személyek lennének, és azt is, hogy származása miatt bántalmazták a sértettet, a bántalmazásra semmilyen más okuk nem volt.' 'While the defendants denied they had racist and alt-right motivation or that they were skinheads, and they claimed they did not assault the victim due to his race and ethnic origin, the court decided the perpetrators had no other motive to act violently to the victim than the racist motive.'

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