

**Question for written answer E-014632/2015  
to the Commission  
Rule 130  
Péter Niedermüller (S&D)**

**Subject:** Implementation of the Council framework decision (2008/913/JHA) on combating certain forms and expressions of racism and xenophobia

In recent years Hungary has seen a sharp increase in the phenomenon of the fact of people adhering to certain social groups being used to seriously impugn their integrity.

Under Council Framework Decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law, it is obligatory for any kind of behaviour which spreads hatred and incites violence and hatred to be punished as a criminal act.

Hungary's legal system continues to fail to fulfil these obligations. In its report of 27 January 2014, the Commission described the Hungarian legislation as inadequate and said it did not implement all its obligations in their entirety or in a satisfactory way. Where reference is made to the crime of incitement against society, only incitement to hatred is mentioned; genocide or publicly condoning, denying or grossly trivialising crimes against humanity or war crimes are not punishable at all. The uneven and impossibly vague standard of Hungarian legislation must be rectified if an adequate protection of people's rights is to be ensured.

On the basis of the framework decision, the Commission has had justification for launching an infringement procedure since 1 December 2014.

1. Does the Commission stand by its opinion as expressed in the earlier proposal, namely that Hungary has not properly transposed the obligations set down in Council Framework Decision 2008/913/JHA into its national law?
2. What action will the Commission take to ensure that hate speech and hate crime on the grounds of sex, sexual orientation or gender identity are also criminalised in Hungary?