

The Rimóc Case

Equal Treatment Authority,
Hungary

- Rimóc is a small town in the North-East of Hungary with a population of less than 2000. The majority of the population is Non-Roma.
- In July 2011, the town clerk of Rimóc noticed that 19 out of 18 on spot police fines handed out for not having certain compulsory bicycle accessories (like a front or rear light, bell) had been imposed on Roma people.
- Fines ranging from 3000 to 20000 HUF (10 to 66 euros) too high for people with low income
- The town clerk suspected that the police was targeting Roma people, so notified the Equal Treatment Authority
- The Authority launched an ex officio investigation against the Nógrád County Police Headquarters to decide whether the fining practice of the police constituted direct discrimination on the grounds of skin colour or ethnicity.

The Authority's ex officio proceedings

- In a hearing the Authority interviewed the town clerk, the superior of the police officers who actually handed out the fines, the local chief of police and the county chief of police.
- The members of the police force denied any ethnic motivation concerning their fining practice. In each case the fine was lawful, it was imposed for a violation of the relevant traffic regulations. It is the legal obligation of the police to take action if an offense is committed. The police does not register the ethnicity of the offenders. There were no complaints against the fines. Not only roma people were fined. Questioned the validity of the method used for determining ethnicity, arguing that ethnicity can only be based upon the individuals statement as to whether he/she identifies with a certain ethnic group.

The Authority's ex officio proceedings

- The police provided statistics on its fining practice in the small region including Rimóc for the time frame between January 1, 2011 and September 5, 2011. The Authority ordered the police to present the documents recording the fines.
- In each case, the record had the name, the mother's name and the place of residence of the offender. From this data it could be determined whether the person was likely to be a member of the roma ethnic group (typical roma names, parts of the town where roma people live).

From ex officio proceedings to popular action

- While denying the allegation of discrimination, the police expressed an interest in receiving anti-discrimination training and guidance. This is the typical content of settlement agreements concluded before the authority. Problem: in ex officio proceedings there is no other party to conclude an agreement with.
- The Hungarian Helsinki Committee (HHC) entered the proceedings as an NGO entitled to bring popular action before the Authority.

Settling the Case

- Second hearing: settlement between the HHC and the Nógrád County Police Headquarters
- Three-day training for 20 police officers from the region held by the Authority
- The Chief of Police circulates the settlement among staff together with a call to pay special attention to the principle of equal treatment
- In the following two years, the Nógrád County Police Headquarters is to provide the Authority with the copies of the records documenting on spot fines for cyclist in the Rimóc region.
- The police distributes bicycle accessories free of charge with the assistance of the Roma Self-Government.

Follow-up

- The HHC analysed the data provided by the police over two years. Their conclusion was that the number of fines had dropped drastically, however, the tendency remained the same, the Roma were disproportionately more likely to be fined than the general population.