

**ISSUE PAPER**

**HUNGARY: ORGANIZED CRIME AND CORRUPTION  
(2000-2002)**

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identified and are publicly available.

RESEARCH DIRECTORATE  
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MAP



Source: Open Society Institute and Soros Foundation. "Hungary."

**GLOSSARY**

COE	Council of Europe
GCDCAF	Geneva Centre for the Democratic Control of Armed Forces
EC	European Commission
EU	European Union
HNP	Hungarian National Police
ILEA	International Law Enforcement Agency
KUM	Hungarian Ministry of Foreign Affairs ( <i>Kulugyminiszterium Magyar Koztarsasag</i> )
ODCCP	United Nations Office of Drug Control and Crime Prevention
OKRI	Hungarian National Institute of Criminology ( <i>Orszagos Kriminologiai Intezet</i> )
ORFK	Hungarian National Police Headquarters
SZEBEKK	Coordination Centre against Organized Crime
V4	Visegrad Group

## **1. INTRODUCTION**

This Issue Paper concerns the nature and extent of organized crime in Hungary and the legislative actions taken by the Hungarian government to combat this type of crime from 1999 to 2002. It updates and should be read in conjunction with a number of Research Directorate publications, including Responses to Information Requests HUN39730.E of 17 September 2002, HUN38872.E of 17 May 2002, HUN38994.E of 6 May 2002, HUN37899.E of 18 October 2001, HUN36401.E of 22 February 2001, HUN31727.E of 27 April 1999 and HUN28974.E of 5 March 1998, all available in the IRB Regional Documentation Centres and on the IRB Website at <[www.irb.gc.ca](http://www.irb.gc.ca)>.

Current information on organized crime in Hungary is limited among the sources consulted by the Research Directorate. Specifically, the majority of Eastern European or Hungarian specialists contacted for this Paper did not, or were unable to, provide current information on organized crime, corruption or state protection from these activities. In addition, a Hungarian victimological study focused on organized crime and corruption in Hungary was not found and one could not be developed from sources consulted. Furthermore, as anti-organized crime and anti-corruption legal reforms were only recently legislated in Hungary (please see page 13), a comprehensive assessment of their effectiveness was not available at this writing.

## **2. ORGANIZED CRIME IN HUNGARY**

### **2.1 Definition**

Analysts of organized criminality note that there is no definition of organized crime generally accepted by governments, criminologists and law enforcement agencies (Dobovsek 1996; US June 2001, 1-2; Beare and Naylor 14 Apr. 1999). The definition used herein is drawn from the United Nations Convention against Transnational Organized Crime, which Hungary signed on 14 December 2000 (UNODCCP n.d.) and Hungary's Criminal Code (Acts IV of 1978 and LXXIII of 1997 (UN 11 Aug. 1999)). These documents specify that a criminal organization is a group of three or more persons engaged, or planning to engage, in continuous organized criminal activity of a grave or serious nature in order to obtain financial or other material benefits (UN 2000 Art. 2a; *ibid.* 11 Aug. 1999).

## 2.2 Background

In the mid-to-late 1990s, economic and social dislocations induced by transition from communism produced an environment conducive to the growth of organized crime (NATO 14 Apr. 1997; TOC Spring 1997, 81). Former North Atlantic Treaty Organization (NATO) Special Rapporteur on Hungary, Gyorgy Csoti observed in 1997 that after 1989 there had been a quantitative growth in, and a qualitative restructuring of, criminal actions in Hungary (NATO 14 Apr. 1997). In addition, the country's geographic situation as a major crossroads for East-West business, travel and communication enhanced its importance to organized crime groups (TOC Spring 1997, 70; JIR 1 Jan. 2001; COE Dec. 2000, 18). According to Russian organized crime expert Mark Galeotti, diaspora, particularly Russian, communities already living in Hungary during this transition provided an opportunity for foreign criminals to build local connections (JIR 1 Mar. 2000).

## 2.3 Statistical Information 1996-2001

While not reporting organized criminal activity specifically, the United Nations' seventh annual crime trend survey published in 2002 and containing extensive tabulated arrest and prosecution statistics from 1998-2000, reported a decline of 11 per cent in the total number of crimes committed in Hungary in 2000 (3 Dec. 2002). Official sources have estimated that there were between 70-200 active organized crime groups in Hungary between 1996-2000 (*Magyar Hirlap* 3 Dec. 2001; JIR 1 Jan. 2001; Hungarian Radio 9 June 1999; UN 11 Aug. 1999; COE Dec. 2000, 17; *ibid.* 17 Dec. 1999, 13; *ibid.* 1 July 1998, 10). Estimates for 1999-2000 indicate that the total number of criminal gang members was fewer than 2,000 persons (COE Dec. 2000, 17; *Magyar Hirlap* 3 Dec. 2001). The majority of the groups were hierarchically structured, small organizations with fewer than ten groups having active memberships of more than 100 individuals (UN 11 Aug. 1999; COE Dec. 2000, 17). A report published by the Hungarian Police Analysis and Coordination Directorate in 2001, stated that a majority of groups had a strict hierarchy and individual leadership whereas a fewer number had family-based, ethnic and networked organizations (*Magyar Hirlap* 3 Dec. 2001). Most gangs operate in large urban centres, particularly Budapest (COE 1 July 1998, 17; *ibid.* Dec. 2000, 17; JIR 1 Jan. 2001), its downtown area, the suburb of Buda and the settlements around Lake Balaton (*Nepszabadsag* 25 Oct. 2002).

The “ethnic identity” of foreign criminal groups is variously reported as being Yugoslav, Russian, Ukrainian, Albanian, Turkish, Austrian, Greek, Moldavian, Portuguese, Romanian, Slovak, Croatian, Arab, Chinese, German, and Sub-Saharan African (CER 30 Mar. 1999; EU Feb. 2002, 42; *Insight on the News* 12 Nov. 2001; *International Narcotics Control Strategy Report 2001* Mar. 2002; NATO 14 Apr. 1997, 6-9; UN 11 Aug. 1999; COE 1 July 1998, 59-62). Those specifically named in reports were the Russian organized crime groups Solntsevskaya (*Manchester Guardian* 22 Feb. 2000; *Time Europe* 8 May 2000; JIR 1 Jan. 2001), Chechenskaya (American Russian Law Institute 13 Dec. 2000) and Semion Mogilevich's “Red Mafia” (*Village Voice* 22 May 1998; Friedman 2000, 237-262; *Time Europe* 8 May 2000; IACSP Dec. 2001).

## **2.4 Crime Trends**

In a general assessment of the organized crime situation in Hungary, Hungarian National Police commander lieutenant-general Peter Orban stated at the end of 2001 that the number of crimes perpetrated by criminal organizations quadrupled during 2001 (*Magyar Hirlap* 19 Dec. 2001).

Criminal organizations in Hungary have been associated with an assortment of crimes including, among others, trafficking in drugs and humans, racketeering, prostitution, counterfeiting, illegal gambling and violent crimes such as murder and assault (Hungary 2000b; NATO 14 Apr. 1997, 1; COE Dec. 2000). In addition, groups engage in fraud, money laundering, bribery and corruption (Hungary 2000b; CER 10 Jan. 2000; *ibid.* 30 Mar. 1999; COE Dec. 2000). Foreign organized crime groups reportedly control human trafficking, the slave trade, drug trafficking, the illegal arms trade (COE Dec. 2000, 17, 20) and Russian, Ukrainian and Balkan groups are noted to have hired Hungarian accomplices to conduct operations in Hungary, including assassinations (*Insight on the News* 12 Nov. 2001). Below, Sections 2.4.1–2.5 focus briefly on violent crimes, drug trafficking and human smuggling, while Section 3 discusses bribery and corruption.

### **2.4.1 Intra and Inter-Group Violence**

According to information submitted by Hungarian officials to the Council of Europe in 2000, the use of violence may be associated with organizational discipline and dispute settlement within a group or among groups (COE Dec. 2000, 64). Official sources report that 29 of 76



crime groups in Hungary in 2000 used violence, including 8 groups which used extreme violence to manage operations, to force cooperation and/or to maintain discipline and 12 others that used violence only in disputes with other groups (ibid., 65).

A January 2001 report observed that high profile violent crime decreased in 2000 (JIR 1 Jan. 2001). Before 2001, gang warfare was linked to 150 reported attacks (ibid.; *Time Europe* 8 May 2000) and a two-year gang war culminated in July 1998 with a car bomb that killed a police informant and three bystanders in Budapest (*Christian Science Monitor* 12 May 2000). In addition, *Central European Review* (CER) reported on 30 March 1999 that incidents of hired killings linked to money laundering activity were common in the first quarter of every year. In 1999, Hungarian authorities blamed the lack of a witness protection program for making “judicial actions” against violent organized crime groups difficult or impossible (COE Dec. 2000, 65). Hungary introduced a witness protection program with Act LXXXV in 2001 (EU Dec. 2001, 55-56; Meier Sept. 2002, 4). Please see Section 5 for further information on the witness protection program.

#### **2.4.2 Drug Trafficking**

Hungary is considered a major transit country for drugs (*International Narcotics Strategy Report 2001* Mar. 2002; Hungary 2000b; COE Dec. 2000, 28) and, with the reported increase in the number of Hungarian users, it has also recently become a target country for traffickers (JIR 1 Jan. 2001; *International Narcotics Control Strategy Report* Mar. 2002). The Hungarian government considers foreign crime groups that have lived in Hungary for many years as those controlling the transit and sale of narcotics (ibid.). Interpol reported Hungary to have one of the highest annual drug internment rates in 2000 (JIR 1 Jan. 2001). According to Hungarian police commander, lieutenant-general Orban, the number of drug-related offences increased in 2001 by one quarter with 4,332 registered cases (*Magyar Hirlap* 19 Feb. 2002) and trafficking was an increasingly common crime (ibid. 3 Dec. 2001; JIR 1 Jan. 2001).

Hungary is a link in the so-called Balkan Route linking the Balkans, Turkey and Former Soviet Union (FSU) to Europe (V4 6-9 June 2001; JIR 1 Jan. 2001; COE Dec. 2000, 17; NATO 14 Apr. 1997 6-9). River barges (among other methods) were used to smuggle along the Danube-Rhine canal system (Transcrime Sept. 1996). Turkish criminal organizations reportedly set up businesses and firms in Hungary to cover the drug shipments and ethnic Albanians played

a significant role in heroin traffic (*ibid.*). In 2002, a Hungarian law enforcement official identified Russian, Croatian, Albanian, Yugoslav-Kosovar and Chinese groups as having divided the country into territories (EU Feb. 2002, 42). African and South American persons were accused of acting as the suppliers of, or “mules” for, drugs trafficked to Hungarian dealers (*Magyar Hirlap* 3 Dec. 2001; NATO 14 Apr. 1997, 7). In addition, Budapest’s Ferihegy International Airport was considered an important stop for South American cocaine smuggled to Europe (*Country Reports* 2001 Mar. 2002; NATO 14 Apr. 1997, 7) and other narcotic links with Mexico, South and Central America are also noted (*Mama Coca* Feb. 2002).

### **2.4.3 Human Smuggling**

In 2001, Hungarian authorities considered human trafficking for the purposes of forced labour, prostitution and illegal migration an increasing phenomenon (*Magyar Hirlap* 19 Dec. 2001). Hungary is a major transit country for human trafficking to the European Union (GCDCAF Mar. 2002, 7; *Magyar Hirlap* 19 Feb. 2002; COE Dec. 2000, 17; ILO 1999, 7; NATO 14 Apr. 1997), and to a lesser degree a destination (JIR 1 Jan. 2001; COE Dec. 2000, 21; ILO 1999, 7) as well as a source state (*Trafficking in Persons Report* 5 June 2002). Similar to drug trafficking, the Balkan Route is the path of choice for human smuggling (Transcrime Oct. 1996). In 2002, women trafficked through Hungary originated in Romania, Ukraine, Moldova, Poland, Yugoslavia, and China and were destined for Austria, Germany, Spain, the Netherlands, Italy, France, Switzerland and the United States (*Trafficking in Persons Report* 5 June 2002). Men from Iraq, Pakistan, Bangladesh and Afghanistan who were trafficked for forced labour purposes were also reportedly passing through Hungary and destined for the European Union (*ibid.*).

According to *Jane's Intelligence Review*, Budapest serves as a waypoint for women destined to the primary regional human trading market in Belgrade as well as a smaller human trading centre near the Hungarian border with Serbia and Montenegro in Subotica (Nov. 2002, 30-31).

Despite the reported increase in human trafficking, a report published in September 2002 for the European Conference on Prevention and Combating Trafficking in Human Beings (STOP II) noted that the Hungarian parliament had rarely dealt with the issue and generally considered the subject indirectly and as part of general criminal reforms (Meier Sept. 2002, 9). The US Department of State also indicated that Hungary was not in full compliance with the minimum

anti-human trafficking standards, particularly noting the limited provision of assistance to victims and the absence of documented application of victim protection law (*Trafficking in Persons Report* 5 June 2002). Specifically, the report stated that trafficking victims are often treated as criminals and there was no reported case where a trafficking victim received “assistance with temporary resident status, short term relief from deportation and shelter assistance although such assistance is available to victims who cooperate with police and prosecutors” (ibid.).

Hungarian border guard official Zoltan Szabo (GCDCAF 20-24 Feb. 2002, 8) noted that Hungarian Border Guard authorities claimed a 97 per cent human smuggling detection rate in 2001 and during the first ten months of that year 493 persons were arrested (ibid. Mar. 2002, 7). JIR noted that after Hungary tightened travel restrictions for Moldovans in the late 1990s, the “incidence of Moldovan women transiting Hungary [had] fallen close to zero” (Nov. 2002, 31). These arrests account for an increase of 2 per cent from 2000 (ibid.). Hungarian police claim that in the same period they had launched more than 10,000 human smuggling investigations or double the number of cases recorded in 2000 (*Magyar Hirlap* 19 Feb. 2002).

### 3. CORRUPTION

According to *Central Europe Review* editor Gusztav Kosztolanyi, flaws and inconsistencies in Hungarian legislation during the transition period allowed corruption to flourish (10 Jan. 2000). Hungarian Gallup Institute (HGI) Director, Robert Manchin noted that corruption is a voluntary act lacking coercion, which differentiates it from extortion or robbery (HGI 15-17 Nov. 2001). A working definition used by HGI in their corruption surveys (see below Section 3.1) is an “act of giving or receiving money in return for performance of an obligation” (ibid. Sept. 2000a).

According to a 2000 interview with the head of the Hungarian secret service minister's office Gabor Szabo, the connections between criminal organizations and public officers were not extensive enough to have legal consequences (*Nepszabadsag* 14 Jan. 2000). This assessment is similar to an earlier one reported by the *Central Europe Review*, which described the local mafia as “rudimentary” and having not yet infiltrated the police, judiciary, politics and the media (30 Mar. 1999).

In 2001, Transparency International's (TI) annual report stated that police corruption was "high and rising" and typified by free services, the use of service cars for personal use and the application of fines without issuing a ticket (TI 2001, 43). Hungarian media reports from 2002 cite the practice of police failing to issue a ticket when applying fines for traffic violations (*Nepszabadsag* 1 Aug. 2002) and officials considered that the link between organized crime and official corruption was becoming "more characteristic" of Hungary (*Magyar Hirlap* 19 Feb. 2002). Transparency International's (TI) Corruption Perceptions Index (CPI) assessment in 2002 also suggests this trend (TI 28 Aug. 2002). Reported on a scale of 0-10, where 10 refers to "highly clean" and where decreases in score illustrate an increase in perceived levels of corruption, Hungary's score declined from 5.2 in 1999 (*ibid.* 27 Oct. 1999) to 4.9 in 2002 (*ibid.* 28 Aug. 2002), after increasing to 5.3 in 2001 (*ibid.* 27 June 2001). However, in 2003 Transparency International noted that current levels of corruption in the Czech Republic, Hungary, Poland, Slovakia and Slovenia, "do not pose a vital threat to the functioning of democracy, state administration or the market economy" (*ibid.* 2003, 177).

### **3.1 Victimization**

*Magyar Hirlap* reported a 20 per cent increase in corruption in 2001 during which 1,500 cases were detected and the number of cases against officials increased from 27 to 89 (19 Feb. 2002). According to the National Police Headquarters, the police report 60 per cent of known police corruption cases while the remainder come from civilian sources (*Nepszabadsag* 1 Aug. 2002). The same news article noted 21 police officers were convicted of bribery and 41 of abuse of authority in 2001 and police authorities claim that the latent nature of this type of crime is the reason for the low numbers (*ibid.*). Transparency International highlighted the convictions of two public servants in November 2001 as an example of the type of large-scale political corruption that it considers rare in Central Europe (TI 2003, 181). The US Department of State also reports corruption among Hungarian border guards and customs officials with regard to smuggling and human trafficking cases (*Trafficking in Persons Report* 5 June 2002).

A 1998 survey reported that 4 per cent of 251 individuals asked admit to having not received a receipt from a police officer after a highway check, and a further 5 per cent agreed to this form of corruption because it benefited recipients with a lack of written evidence (*Nepszabadsag* 1 Aug. 2002). Hungarian Gallup reported a series of surveys conducted in 2000

that included one on the perception of corruption and its victimization in Budapest, one studying other municipalities, and one surveying small and medium sized business in Budapest (HGI Sept. 2000a; *ibid.* Oct. 2000; *ibid.* Sept. 2000b). None of these surveys included commentary directly relating corruption to organized crime.

The municipalities' survey of 2,521 individuals in Obuda, Erd, Bekescsaba, Paks and Kaposvar found that four per cent believed that municipal officers expected them to pay bribes, although only one per cent admitted to having paid a bribe (*ibid.* Oct. 2000). Gallup Hungary found wide variations in bribery amounts for this survey noting that the average was 475 forints (CAN\$3.19)<sup>1</sup> in Paks while it was 28,582 forints (CAN\$192.13) in Obuda (*ibid.*). In the survey of small and medium sized businesses, 166 of 520 (31 per cent) firms surveyed reported offers of, or requests for bribes (*ibid.* Sept. 2000b). The latter report adds that according to those surveyed, "the police are aware of only about three of the 166 cases of corruption mentioned in the course of the survey" (*ibid.*).

The Budapest survey noted that the most likely individuals bribed or offered to be bribed in Budapest were police officers, health care workers and private sector managers (*ibid.* Sept. 2000a). In addition, the Budapest survey suggested that the perceived level of corruption was higher than the actual rate measured and that the public believed that bribery was necessary to receive services (*ibid.*). However, bribery and corruption among police officers accounted for 0.2 per cent of the total sample surveyed, while all other identified public officials totalled just over 0.1 per cent (*ibid.*). The October 2000 survey report did not note the identity of the other party in the actual cases of bribery admitted (*ibid.* Oct. 2000). The business survey also reported that in almost half of the cases (63 of 148) a public official either requested or was the payee of the bribe (*ibid.* Sept. 2000b). In addition, bribery was considered a "general or relatively general

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<sup>1</sup> All currency conversions in this Paper are based on the 27 January 2003 rate with 1 Canadian dollar equal to 148.77 Hungarian forints (HUF) (Bank of Canada n.d.).

phenomenon” in business by one third of respondents; and an above average phenomenon for middle-sized business in Pest county (ibid.).

#### 4. INTERNATIONAL AGREEMENTS

Hungary has signed numerous bilateral and multinational agreements concerning organized crime and corruption including, perhaps most importantly, its 1998 application for accession to the European Union (Hungary June 2001). Other selected agreements include:

**Agreements with the European Union** –The development of an efficient and democratic criminal justice system in the fight against organized crime is considered by the EU to be an important issue for states engaging in the accession process (SCP 25-26 Oct. 2001). Hungary has agreed to the following Council of Europe, Europol and Organization of Economic Cooperation and Development (OECD) instruments highlighted by the EU in 2002 as necessary in the criminal matters’ field:

Convention on Money Laundering, Search, Seizure and Confiscation of the Proceeds,

Criminal Law Convention on Corruption,

Convention on Combating Bribery of Foreign Officials in International Business Transactions,

Group of States against Corruption,

Police cooperation agreement with the European Police Office, (EU 9 Oct. 2002, 26, 112, 116)

Hungary has not yet signed the European Convention on Mutual Legal Assistance in Criminal Matters or the Council of Europe Civil Law Convention on corruption and has not ratified the Strategy on Organized Crime (ibid., 116).

**Bilateral Agreements** – Hungary has signed bilateral treaties with 30 countries regarding judicial or police co-operation (COE/EU 20 Dec. 2000) and 28 bilateral agreements on cross border organized crime (EU 9 Oct. 2002, 116). These include the Hungarian/U.S. Six Point Assistance Plan 1998, which included the opening of an FBI branch office in Budapest (US 23 Mar. 2000; *Insurance Day* 24 Oct. 2000; *Manchester Guardian* 22 Feb. 2000; *Christian Science Monitor* 12 May 2000) and the Budapest-based International Law Enforcement Academy (ILEA), which opened in 1995 (ibid.; JPI Fall/Winter 2001, 29-31).

**Regional Agreements** – Hungary is a member of the Visegrad Group, or Visegrad Four (V4 1 July 2001), the South East European Cooperative Initiative (SECI), also known as East-Europol (*Jane's Foreign Report* 9 Nov. 2000; *Insurance Day* 12 Dec. 2000; SECI n.d.), and the Stability Pact for South Eastern Europe (SCP 25-26 Oct. 2001). Each of these forums regularly coordinates and implements regional responses to organized crime (V4, 2000; *ibid.* 6-9 June 2001; *ibid.* 2000; SECI 8 Mar. 2002; IFA n.d.; *New York Times* 24 Aug. 2002).

**United Nations** – Hungary has signed, but not yet ratified the Convention against Transnational Organized Crime on 14 December 2000 (UN n.d.) and two of the Convention's three supplementary documents, namely the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air (*ibid.* 2002). Full text of the Convention and its Protocols may be consulted at <<http://www.odccp.org>>.

## 5. NATIONAL LEGISLATION AND INSTITUTIONS

In 1999-2000, Hungary introduced a reform package targeting organized crime by amending the penal code with around 90 separate provisions (*Insurance Day* 1 June 2000). These reforms had a corollary budgetary increase from 117.4 million forints (CAN\$789,000) in 1999 to a proposed 799.0 million forints (CAN\$5.371 million) for 2001/2 (Hungary June 2001). The following is a list of selected legislative reforms and institutions introduced since 1999:

### **Legislation:**

#### **2002**

Act LXXV, Amendments to the Anti-Mafia Act of 1999 (EU 9 Oct. 2002, 26, 113).

#### **2001**

Act XXXIII, On border protection, entry and immigration (Hungary June 2001).

Act XXXIX, On entry and stay of foreigners (*ibid.*; Hungarian Helsinki Committee July 2001; EU 9 Oct. 2002, 27-28).

Act LXXXIII, On money laundering (*Magyar Hirlap* 18 Jan. 2002; Hungary 25 June 2001; Hungarian Banking Association Oct. 2001).

Act LXXXV, On witness protection superceding Res. No. 1074 of 1999 (EU Dec. 2001, 55-56; Meier Sept. 2002, 4; Feher 18 Sept. 2002, 25n.55).

## 2000

Resolution No. 67/2000 (IX. 13.), Ratification of the Criminal Convention of the Council of Europe (ibid.).

Act CI, Ratification of the EU Convention on laundering, search, seizure and confiscation of the proceeds from crime (ibid.).

## 1999

Act LXXV, On organized crime (Hungary, n.d.; ibid. June 2001; IHF 5 July 1999; GCDCAF Apr. 2002, 4).

Act LIV, On co-operation and information exchange with the European Union (Hungary June 2001).

In addition, Transparency International noted that Hungary introduced mandatory asset statements from public servants, corporate criminal liability in 2001 and was preparing legislation restricting party financing and the lobbying activities of interest groups (TI 2003, 181-182, 184).

## Institutions:

### Investigative

Coordination Centre Against Organized Crime (SZEBEKK) acting as a central information unit (*Magyar Hirlap* 7 Apr. 2001; *Nepszabadsag* 10 Apr. 2001; EU 13 Nov. 2001, 84) under the Ministry of the Interior (GCDCAF Apr. 2002, 4-5; Hungary June 2001).

Organized Crime Directorate (OCD) of the National Police Headquarters (ORFK) (*Nepszabadsag* 14 Aug. 2001; *Manchester Guardian* 22 Feb. 2000; JIR 1 Jan. 2001) including sub-units for anti-corruption (Hungary June 2001), operational support for police and witness protection (EU 9 Oct. 2002, 112).

Sub-units of the ORFK including a unit investigating money laundering (Edgemont Group 7 June 2002; IMoLIN n.d.; EU 9 Oct. 2002, 60) and one specializing in organized auto-theft (ibid. 8 Nov. 2000, 70-71).

Among the non-investigative services recently introduced in Hungarian legislation are the Victim's Protection Office (VPO), which works in cooperation with the police, local self-governments and with non-governmental organizations (Meier Sept. 2002, 10-11). This office provides funding, information brochures, legal support, and psychological counselling to victims of crime (EU 13 Nov. 2001, 20; *Country Reports 2001* 4 Mar. 2002). In addition, according to



Lenke Feher of the Institute for Legal Sciences of the Hungarian Academy of Sciences, the witness protection program introduced by Act LXXXV of 2001 provides

protection to the participants of the criminal procedure, the persons actively supporting the criminal procedure and the persons closely related to the persons mentioned above, whose threatened situation is the consequence of their said relationship and their personal safety demands increased protection by the State. A further objective of the Act, in accordance with the degree of the danger threatening the person in question, is to apply special measures to combat crime, in particular organized crime, and to efficiently apply the interests of crime prosecution and criminal justice.

...

The Protection Program may be applied during as well as after the completion of the criminal procedure. In relation to a crime of a serious nature, an agreement may be concluded with witnesses, injured persons or accused parties participating in the criminal procedure, and co-operating with the authority according to the requirements prescribed by the law. The crimes of a serious nature are the following: in particular crime, where the characteristics of organized crime may be identified, or which are connected with terrorism, blackmail, money laundering, trafficking in drugs and arms, prostitution, paedophilia as well as with crime committed in relation to the above against the life or physical integrity of people.

For the prevention of unlawful acts against the life, physical integrity or the personal freedom of the person involved, the [state] may apply the following special protective measures:

- a.) changing the place of residence in order to move the protected person to safe place, or in the case of involving persons under detention and participating in the Program to transport them to another law enforcement institution;
- b.) providing personal protection;
- c.) ordering suspension of data provision in registers, and requiring the reporting of any request for information in the data registered;
- d.) changing name;
- e.) changing personal identity;
- f.) participation in international co-operation (18 Sept. 2002, 25n.55).

The witness protection program and a 31 person special police unit responsible for the program only recently came into force in April 2002 (EU 9 Oct. 2002, 112). No reported cases of its use or assessments of its effectiveness were found among the sources consulted.

## **6. ASSESSMENT OF NATIONAL ACTIVITIES**

The European Union (EU) noted that a very tense internal debate concerning the seriousness of the organized crime problem in Hungary delayed the legislation of anti-organized crime policy in 1998 (COE/EU 5 Oct. 1998). Hungarian corruption specialist Istvan Szikinger and the deputy director of the Organized Crime Directorate observed that the poorly paid police lacked civilian oversight and had a poor reputation, while the state lacked the legislation and prosecutorial freedom necessary to effectively respond to organized crime (*Christian Science Monitor* 12 May 2000). In 2002, the EU noted that the public still had a poor perception of the public sphere and its fight against corruption (EU 9 Oct. 2002, 26).

By mid-2000, *Insurance Day* called Hungary an innovative regional trendsetter in its financial legislation (1 June 2000). The introduction of the Anti-Mafia Bill reduced the opportunity, scope (evidenced by a decrease in the number of active groups to 72 from over 100), and level of criminal activity according to a report compiled by the Hungarian police and SZEBEKK (*Magyar Hirlap* 3 Dec. 2001). In its 2002 assessment, the EU credited the adoption of additional legislation and reinforced institutional structures with increasing the efficiency of anti-organized crime efforts (EU 9 Oct. 2002, 51). The EU highlighted in particular the new requirement for public servants to account for their assets and the establishment of special units to investigate corruption within the police force and within the Prosecutor General's office as significant steps in the fight against corruption (ibid. 116). However, Dr. Louise Shelley, Director of the Transnational Crime and Corruption Centre (TraCCC) could not give a definite answer regarding the outcome of Hungary's fight against organized crime (25 Sept. 2002). She noted that although the US Federal Bureau of Investigation (FBI) claimed that anti-crime efforts in Hungary have been a success, others remain concerned about organized crime's regional penetration (ibid.).

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