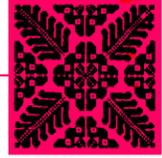


HHRF

HUNGARIAN HUMAN RIGHTS FOUNDATION

Post Office Box J, Gracie Station
New York, NY 10028
(212) 289-5488
(212) 996-6268 (Fax)



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UPDATE to our March 13, 2019 Report

HHRF ALERT: Ethnic Hungarians in Romania Scapegoated:

Beke and Szócs Remain Imprisoned on False Terrorism Charges

On April 9, 2019, the Romanian Supreme Court rejected an appeal by **István Beke and Zoltán Szócs** for extraordinary re-examination of their case. The two ethnic Hungarian men had been sentenced on July 4, 2018 to five years imprisonment on false charges of “terrorism,” which they have been serving at the Feketehalom/Codlea penitentiary. The men have consistently maintained their innocence.

The request for an extraordinary re-examination had been submitted on November 28, 2018 by the defense on grounds of **lack of evidence, as well as unprecedented due process and rule of law violations during the trial**. In the appeal, defense attorney Előd Kincses highlighted that:

- Beke and Szócs were sentenced on **charges non-existent in the Romanian penal code (“attempted violent overthrow of the constitutional order”)**; and
- **that the Supreme Court arbitrarily changed the indictment to this charge, and also added the charge of “incitement,” all without informing the defense**. Consequently, the defense was unable to mount an adequate defense at trial.

This extraordinary re-examination by the Romanian Supreme Court would have been the last domestic recourse for justice by the victims, however, in April, the penal code was amended to exclude so-called “attempted crimes.” Availing themselves of this opportunity, the victims submitted a new motion to have their sentences overturned, which was rejected by the Appellate Court in Brasov/Brasso on May 8, 2019. This decision can still be appealed.

No material evidence, no expert testimony = Guilty in Romania

According to the Romanian authorities, the two ethnic Hungarian men from Kézdivásárhely/Targu Secuiesc had *planned* to detonate a homemade bomb on December 1, 2015 - Romania's National Day - at the military parade in their hometown. The men were arrested the day the offense was allegedly to occur, and no explosion ever took place. It bears noting that, according to the 2011 Romanian census, the town is 89 percent ethnic-Hungarian inhabited. In the frenzy of anti-Hungarian hysteria that followed, Beke and Szócs were arrested, charged on lesser counts and released; only to be re-arrested and charged on aggravated counts

without any newer evidence being presented to warrant such action. Ultimately, the men were found guilty in a brazen show trial and sentenced to five years imprisonment. ¹

A closer examination of the so-called evidence against the two men reveals that they were found guilty on the flimsy grounds of:

- Beke owned two types of fire crackers, a mobile phone that supposedly would have detonated the bomb remotely, and a pair of night-vision goggles,
- A Romanian-language transcript of a secretly recorded conversation in Hungarian, which took place in Beke's office on October 10, 2015, wherein the two talk about "pizza" (allegedly referencing the bomb) and gas lines that traverse the Székely Region of the country where they live.

The prosecution claimed that István Beke had been commissioned by the second defendant, Zoltán Szócs, to build and detonate a bomb during the December 1 military parade. During the first hearing, the official translator refused to confirm the accuracy of the Romanian translation of the Hungarian conversation, which the defendants also contested.

According to existing procedural norms, the prosecutor should only have been able to bring the charge of "attempted terrorist offence" *if* a preliminary expert opinion on explosives had been provided establishing that it was possible to build from the confiscated fire-crackers – and in no more than 12 hours (this is the time Beke had until the start of the military parade on December 1) – a lethal, remote-controlled, homemade bomb. All of this without a detonator, given that no such device was ever found in the search. **This expert opinion was never provided.**

With no motive established, Romania's entire Hungarian minority is culpable

From the outset this supposed "terrorist attack" plan raised quite a few questions even among those without any legal knowledge, but possessing a modicum of common sense. How likely was it that an ethnic Hungarian, with exaggerated national feelings, would try to set off a lethal bomb in his own town, where more than 80% of the people are his co-nationals? According to the charges, the bomb was to be placed in a rubbish bin on the pavement where only local onlookers of Hungarian ethnicity would have been standing.

Lending further doubt to the veracity of accusation was the fact that István Beke had been under surveillance for more than three months prior – on suspicion of terrorist acts – yet only arrested on December 1st. A plausible explanation is that the date to arrest him was intentionally selected by the secret service to obtain maximum media impact in demonstrating their value and "vigilance."

Given the fact that the material evidence presented by the prosecution to "prove" a particularly grave accusation wasn't convincing, **the charges brought by the Office for the Investigation of Organized Crime and Terrorism Offences (DIICOT) were amended and padded with a series of allegations in an outright illegal manner.** These weren't limited to the facts, or to the accused persons, rather expanded to include the entire Hungarian community in Romania, as well as the country of Hungary.

¹ Beke and Szócs were first arrested on November 30, 2015. They spent 11 months in pre-trial detention, followed by 6 months of house arrest. On April 7, 2017 they were found guilty of "illegal possession of pyrotechnics." Since the sentence amounted to the time they had already served, the men were released. Both the defense and prosecution appealed, the former asking for total dismissal and exoneration; the latter now accused Beke of "attempted crimes against the public (terrorism)" on account that he had attempted to violate regulations governing explosives; and Szócs for "incitement against the public" as well as violation of regulations governing explosives. Unbeknownst to the defense, the Supreme Court changed the charges filed by the prosecution upon appeal to the (even) more aggravated charge of "attempted overthrow of the constitution order" and "incitement;" the former does not actually exist in the penal code. On July 4, 2018, they found for the prosecution and sentenced them to five years imprisonment each.

A new, 70-page [DIICOT report](#)² now contained inflammatory, anti-Romanian photos having nothing to do with the accused or the case. The report sought to establish the guilt of the accused by referencing other, totally unrelated, supposedly similar “terrorist acts,” that also served to label the entire Hungarian community collectively guilty of terroristic tendencies going back decades.

Conclusion: Romanian Secret Service going after ordinary civilians

Unprecedented procedural violations, the failure to establish motive, lack of incriminating material evidence, and the severity of the charge and punishment all point to the Romanian Secret Service’s strategy of exaggerating an unfounded, so-called “Hungarian danger.” Their goal? Self-serving interest to create a sufficiently hostile atmosphere to prevent the normalization of Romanian-Hungarian relations, both domestically and bilaterally between the two neighboring countries.

The failure of the judicial system and the fact that **no national Romanian political leaders have spoken out** against this blatant scapegoating underscores the tacit complicity of both.³

Unfortunately, this is not the first, recent case where ethnic Hungarians have been specifically targeted: **Attila Markó** and **Tamas Marosán** (2012), and **Anna Horváth**, former deputy mayor of Cluj/Kolozsvár (2016), all sentenced on false corruption charges.

While the former were well-known, public figures, the Romanian Secret Service is now going after ordinary civilians. Beke and Szócs were, alas, easy targets because of their known affiliation with a nationalistic but non-violent organization called Hatvannégy Vármegye Ifjúsági Mozgalom (HVIM – 64 Counties Youth Movement).

Recommendation

Unfortunately, the Hungarian Human Rights Foundation’s (HHRF) misgivings that the Romanian Supreme Court would overturn its standing decision proved correct. The Supreme Court’s prior actions and ruling were what had contributed significantly to the gross miscarriage of justice in this case. HHRF continues, therefore, to call upon the Romanian authorities to immediately release Beke and Szócs and exonerate them of all charges.

HUNGARIAN HUMAN RIGHTS FOUNDATION (HHRF)

Monitoring the human rights conditions of 2.5 million ethnic Hungarians living as minorities in Croatia, Romania, Serbia, Slovenia, Slovakia and Ukraine since 1976

² The silliest proof of the men’s alleged “guilt” recalls an event from 1984, when in the town of Sepsiszentgyörgy/Sfântu-Gheorghe (Covasna County), an improvised explosive device was detonated at the statue of Mihai Viteazu in the town center. The hand-made bomb killed a child (of Hungarian ethnicity) who was playing there. It is said that the bomb-maker, a Romanian citizen of Hungarian ethnicity (his name isn’t mentioned), fled to Hungary and was not extradited to Romania, because he was protected by the double citizenship he had obtained. At the time of this attack, the defendant Zoltán Szócs, born in 1986, wasn’t even alive, and István Beke was nine years old. It is public knowledge that nobody was sentenced for this attack, and public opinion maintains that it was organized in order to prove the existence of a so-called “Hungarian danger.” In 1984, communist Hungary did extradite Romanian citizens, irrespective of their ethnicity. Hungarian policy changed only after 1986, when Hungary stopped extraditing political refugees (the best know example is Nadia Comăneci fleeing to Hungary).

³ On November 12, 2018, two members of the Romanian Parliament submitted a petition with over 10,000 signatures to **President Klaus Iohannis** asking that he nullify the Supreme Court’s ruling for lack of evidence, as well as unprecedented due process and rule of law violations during the trial. President Iohannis rejected the petition on grounds of separation of powers.

United States: 120 East 90th Street, Suite 5D, New York, NY 10128; tel: 1-212-289-5488; fax: 1-212-996-6268; e-mail: info@hhrf.org
Magyarország: 1255 Budapest, pf. 66.; tel: +36-1-795-5940, 5941; fax: +36-1-795-0458; e-mail: zsigmond@hhrf.org
Romania: str. Moșilor 9., 400001 Cluj; tel: +40-735-445003; e-mail: mazs@hhrf.org

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