



NEWS REPORT

Date: 21 December 2009
Expert: Kádár, András
Title: Bar fined for refusing entry of black guests
Country: Hungary

Context

Issue at stake: Testing provides proof of discriminative practice in *actio popularis* case against a bar regularly denying entry of black people

Ground of discrimination: race/ethnic origin

Source: national equality body

Field: access to goods and services

Legislative provisions: Articles 8 and 30 of Act CXXV of 2003 on Equal Treatment and the Promotion of Equal Opportunities; Article 13 of Government Decree 362/2004 on the Equal Treatment Authority and the Detailed Rules of its Procedure

Content

Case: The Menedék – the Hungarian Association for Migrants launched an *actio popularis* claim against Café Rio, a well known Budapest bar, because the bar regularly denied black people access or allowed them to enter only after humiliating proceedings. In May 2009, testers of the Association tried to enter the place. While the white testers were allowed entry without any difficulty, the black testers were sent away on the basis that they did not have a membership card. Legal representation in the case was provided by NEKI (Legal Defence Bureau for National and Ethnic Minorities).

Decision of the Authority: In its decision delivered on 3 December 2009, the Equal Treatment Authority imposed a fine of HUF 5,000,000 (approximately EUR 18,500) to the bar. When assessing the amount of the fine, the Authority took into account that earlier, in 2007, it had already found that the bar had violated the requirement of equal treatment (*vis a vis* Roma guests). In 2007, the Authority did not apply a fine, hoping that the management would in the future respect the principle of equal treatment. Seeing that the discriminative practices are still in place, the Authority decided to impose a fine of record amount.



Internet link source and additional information:

http://www.neki.hu/index.php?option=com_content&view=article&id=416:oetmillio-forint-birsagot-kell-fizetnie-a-rio-cafenak&catid=1:friss-hk&Itemid=64