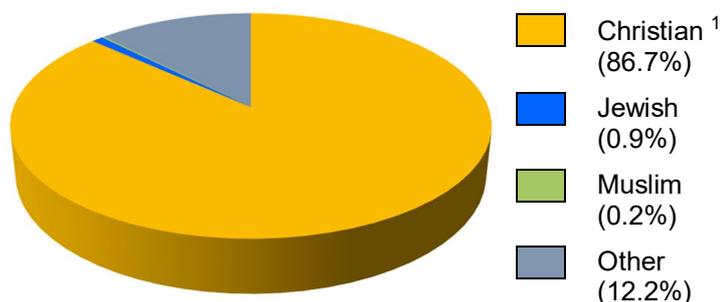


# HUNGARY



Area:	Population:	Political system:	Major Language(s):
93,030 km <sup>2</sup>	9.93 million	Democracy	Hungarian

## Legal framework on Freedom of Religion and actual application

The constitution provides for freedom of conscience and religion – including freedom to change religion or belief – and freedom, either alone or with others and in public or in private, to manifest religion or belief through religious acts or ceremonies, or in any other way, in worship, teaching, practice and observance.

The role of Christianity in preserving the nation is explicitly mentioned in the preamble of the constitution. It also voices respect for all religious traditions existing in the country. The constitution separates religious communities and the state and stipulates that religious communities are independent legal entities, but that the state may cooperate with them on common goals. A cooperating religious community (umbrella groups encompassing churches and religious organisations) shall function as a “recognised church.” According to the law, the registration of a religious group as a “recognised church” requires the approval of parliament. This requirement, enacted in 2011, de-registered more than 350 religious groups and church organisations recognised under the previous law and required them to reapply if they wish to regain their status. A two-thirds parliamentary majority must approve the request for church status.

Every religious community may use the word “church” in its official name, regardless of whether it is officially recognised by parliament. Officials from both recognised and non-recognised religious organisations are not obligated to disclose information shared with them in the course of their faith-related service (confession). Non-recognised religious groups are not prohibited from faith-based and other activities. No state office may determine or supervise a group’s faith-based activities. Their doctrines, internal regulations and statutes are not subject to state review, modification or enforcement. Their names, symbols and rites are protected by copyright law, while buildings and cemeteries are protected by criminal law. If recognised churches or religious organisations cease to exist (e.g., by dissolving themselves) and have no legal successor, their assets become state property that must be used to finance public services. This may also occur if, on the initiative of the government, the Constitutional Court rules that the activity of a recognised church violates the constitution, along with confirmation by a two-thirds parliamentary majority. The Constitutional Court also rules on the request of the Budapest Metropolitan Tribunal about whether a religious organisation violates the constitution, but the decision on its dissolution depends on the tribunal.

A concordat with the Holy See regulates relations between the state and the Roman Catholic Church, including the financing of public services and religious activities and the settlement of claims for property seized by the state during the Communist era. These agreements with the Catholic Church also serve as a model for regulating state relations with other religious groups.

Non-recognised religious organisations are not entitled to provide religious education as part of the mandatory curriculum in public schools. It is, however, possible to offer extra-curricular religious education in public schools if requested by students or parents.

Public denial, expression of doubt, or belittling of the Holocaust, genocide, and other crimes against humanity committed by the National Socialist or the Communist regimes are prohibited by criminal law. Wearing, exhibiting, or promoting the swastika, the logo of the Schutzstaffel (SS), the arrow cross, the five-pointed red star, or the hammer and sickle in public, in a way that harms the human dignity or the memory of victims, is punishable by custodial arrest as a misdemeanour.

The year 2014 was dedicated by the government to commemorating the 70<sup>th</sup> anniversary of the Holocaust in Hungary. The plans were developed in co-operation with representatives from the Jewish community and foreign embassies. The president, prime minister, cabinet members, and opposition politicians made repeated criticism of anti-Semitic incidents, spoke of the culpability of the Hungarian state and of its officials for the Holocaust, and attended events commemorating the Holocaust.

## **Incidents**

Anti-Semitic incidents and public statements, in particular by the Jobbik Party, continue to raise concerns in the Jewish community. Expressions of anti-Semitism by political and public figures prompted strong reactions from the Jewish community as well as from senior members of the government, civil society, and other religious groups. Some Jewish leaders stated that the Jobbik Party's continued use of anti-Semitic rhetoric in parliament and in public statements contributed to a public culture condoning anti-Semitism.<sup>2</sup> In late August 2014 an exhibit designed to commemorate the victims of the Shoah was vandalised in Budapest. In addition, a swastika was painted on a nearby synagogue.<sup>3</sup>

## **Prospects for Freedom of Religion**

Generally, freedom of religion is respected in Hungary. The Catholic Church and other Christian churches are well-respected within society and function freely. There are concerns about continuing anti-Semitic attitudes in the general population and among some politicians, as well as about rising anti-Islamic sentiments.

János Lázár, the cabinet chief of Prime Minister Viktor Orbán, argued that many immigrants fleeing the wars in Syria and Iraq bring increased anti-Semitism to Hungary, citing France and Germany as examples. He also declared that the level of anti-Semitism is low in Hungary. According to the Times of Israel, anti-Semitic violence is indeed rare in the country, but there are many instances of hate speech by politicians and the media against Jews.<sup>4</sup> A report of the Jewish community's Action and Protection Foundation (TEV) confirmed this by stating that, while anti-Semitism is much less socially acceptable in countries such as Belgium and France than in Hungary, the rate of actual physical violence is much lower in Hungary. Violence against Jews is mostly verbal or symbolic.<sup>5</sup> Mazsihisz, an umbrella organisation of Hungarian Jewish communities, briefly severed its ties with the government in 2014 over what it perceived to be a government-led campaign to whitewash Hungarian responsibilities in collaboration with Nazi Germany during World War II. Since then, relations have significantly improved, as the government pledged its support for the restoration and renovation of abandoned countryside Jewish cemeteries and increased its efforts in promoting inter-religious co-operation.<sup>6</sup> Mazsihisz initially boycotted the 2014 commemoration of the Holocaust due to the commitment of the ruling party to raising a monument in Budapest honouring all victims of the German war and the crimes of the occupiers, without specific reference to the

Jewish community.<sup>7</sup> According to a poll by Medián, one of the most prominent Hungarian polling and research firms, about a third of all Hungarians hold anti-Semitic views. This includes mostly nationalistic supporters of Jobbik, but also voters for centre-left or leftist opposition parties as well as some followers of the governing Fidesz party.<sup>8</sup>

Instead of accepting refugees into Hungary, both the government and the Catholic Church in Hungary work together to offer humanitarian aid to the needy in war-torn countries or refugee camps close to their homeland. This help comes mostly in financial support for the education of children in refugee camps in Jordan, Lebanon and Iraq, regardless of their religion.<sup>9</sup> Prime Minister Orbán has been criticised over his refusal to open up Hungary's borders to mass immigration. He defended this decision by pointing to the numbers of immigrants, claiming that they are too high for Hungary's capacities, as well as his desire to defend the Christian character of his country in the face of mass immigration from Muslim countries. In consequence, he has been attacked by liberal commentators for provoking religious divisions.<sup>10</sup>

There might have been a turning point in combating anti-Jewish attitudes during the time reviewed in this report. The situation for Muslims, on the other hand, might deteriorate in the coming years. As of now, the number of incidents remains very low, but the atmosphere in society is becoming increasingly hostile.

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<sup>1</sup> According to the 2011 national census, some 37.1% of the total population self-identify as Roman Catholics.

<sup>2</sup> <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2014&dclid=238388#wrapper>

<sup>3</sup> <http://www.israelnationalnews.com/News/News.aspx/193866#.V16Lr7uLTIW>

<sup>4</sup> <http://www.timesofisrael.com/refugees-bring-anti-semitism-to-europe-warns-hungarian-minister/>

<sup>5</sup> <http://www.jpost.com/Diaspora/Despite-high-anti-Semitism-incidents-low-in-Hungary-375118>

<sup>6</sup> <http://www.timesofisrael.com/refugees-bring-anti-semitism-to-europe-warns-hungarian-minister/>

<sup>7</sup> <http://www.jpost.com/Diaspora/Despite-high-anti-Semitism-incidents-low-in-Hungary-375118>

<sup>8</sup> <http://hungarianfreepress.com/2016/04/19/one-third-of-hungarians-are-anti-semitic-according-to-new-median-poll/>

<sup>9</sup> <http://www.deon.pl/religia/kosciol-i-swiat/z-zycia-kosciola/art,26311,wegry-kosciol-i-rzad-wspolnie-w-kwestii-uchodzcow.html>

<sup>10</sup> [http://www.nytimes.com/2015/09/04/world/europe/hungarian-leader-rebuked-for-saying-muslim-migrants-must-be-blocked-to-keep-europe-christian.html?\\_r=0](http://www.nytimes.com/2015/09/04/world/europe/hungarian-leader-rebuked-for-saying-muslim-migrants-must-be-blocked-to-keep-europe-christian.html?_r=0)