

HUNGARY 2013 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution and most laws and policies generally protect religious freedom. While the government's respect for religious freedom showed improvement in some areas, such as Prime Minister Orbán's declaration of zero tolerance of anti-Semitism, there were also negative developments, such as attempts to rehabilitate the reputations of several World War II era figures associated with anti-Semitism. Restrictions that affected minority religious groups remained in place. Following criticism by the Venice Commission of the Council of Europe and other observers, parliament amended the 2011 religion law to make the religious registration process more accessible, but retained the requirement of a two-thirds vote of parliament to recognize a religious organization as a "church." The parliament also reduced major differences between the rights and privileges of recognized churches and the rights and privileges of religious organizations not recognized as churches by parliament. The loss of church status under the 2011 law had a significant financial impact on some religious groups, jeopardizing their ability to continue offering charitable social and health services. The extreme ethnic nationalist Jobbik Party continued its use of anti-Semitic rhetoric. Government officials publicly spoke out against these statements by Jobbik members. Observers remained critical of the government for not speaking out consistently and at the highest levels against the rehabilitation of the reputation of anti-Semitic historical figures by some members of the governing coalition.

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice. Open and vociferous expressions of anti-Semitism by political and societal figures prompted strong reactions from the Jewish community as well as from senior members of the government, civil society, and other religious groups, including the prime minister in a speech at the World Jewish Congress in Budapest in May and in an interview in an Israeli publication the same month.

The U.S. embassy continued its multi-level engagement with government officials and representatives of local and international civil society groups regarding religious freedom issues. The U.S. Ambassador, the Special Envoy for Holocaust Issues, the Special Envoy to Monitor and Combat anti-Semitism, and other U.S. officials regularly raised with senior government officials concerns regarding the new religion law and anti-Semitism. The embassy also supported numerous Holocaust education initiatives.

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Section I. Religious Demography

The U.S. government estimates the total population at 9.9 million (July 2013 estimate). The Hungarian government does not collect official data on religious affiliation; however, the 2011 national census included an optional question on religious affiliation. Responses indicated that 37.1 percent of the population self-identifies as Roman Catholic, 11.6 percent as Hungarian Reformed Church (Calvinist), 2.2 percent as Lutheran, and less than 1 percent as Jewish. These four groups are considered the country's "historical" religions. Among the respondents, 16.7 percent indicated no religious affiliation and 1.5 percent indicated they were atheists; 27.2 percent offered no response. Religious groups constituting less than 5 percent of the population included Greek Orthodox, the Faith Congregation (a Pentecostal group), Orthodox Christian groups, other Christian denominations, Buddhists, and Muslims.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution and most laws and policies generally protect religious freedom. The constitution provides for freedom of thought, conscience, and religion, including the freedom to choose or change one's religion; profess and teach one's religion; and perform religious acts, individually or with others, in public and private. The constitution's preamble expresses gratitude to the nation's first king, who united the country with "Christian Europe" 1,000 years ago; it acknowledges the role of Christianity in preserving the nation and voices respect for all religious traditions that may exist within the country. The constitution separates church and state and stipulates that churches are autonomous, but the state may cooperate with churches on community goals. Citizens have the right to sue the government for constitutional violations of religious freedom.

The 2011 law on religion alters the registration process for religious groups from one administered by the courts to one requiring the approval of parliament. Religious groups may apply to parliament's Committee for Human Rights and Religious Affairs for recognition as a "church" if they meet the administrative criteria listed in the law, including: at least 100 years of international operation or 20 years of operation in the country; at least 1,000 signatures; religious activity as a primary aim; a formal statement of faith and rites; bylaws; a deed of foundation and internal rules; and elected or appointed administrative and representative

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bodies. In addition, a religious group's activities may not conflict with the constitution, pose a threat to national security, or violate basic human rights, such as the right to physical and mental health and the protection of life and human dignity.

According to the law, the parliamentary committee is required to request the opinion of the president of the Hungarian Academy of Sciences as to whether an application meets the criteria. The committee then submits a legislative proposal to parliament concerning recognition of the religious groups listed in the proposal. A two-thirds vote of parliament is required for official church recognition. Parliament is not required to state a reason for rejecting a religious group's application for recognition.

The annex to the religion law lists a total of 27 "churches, religious congregations, and religious communities." Because this figure includes the Buddhist and Muslim umbrella organizations, the list comprises 32 individual religious groups recognized as "churches." The list includes the Hungarian Catholic Church, the Reformed Church, the Lutheran Church, the Federation of Hungarian Jewish Communities (MAZSIHISZ), the Unified Hungarian Jewish Congregation (Chabad), the Autonomous Orthodox Israelite Congregation of Hungary, the Buda Diocese of the Serbian Orthodox Church, the Ecumenical Patriarchate of Constantinople, the Bulgarian Orthodox Church of Hungary, the Romanian Orthodox Diocese of Hungary, the Hungarian Diocese of the Russian Orthodox Church, the Hungarian Diocese of the Unitarian Church, the Baptist Union of Hungary, the Faith Congregation, the United Methodist Church in Hungary, the Hungarian Society for Krishna Consciousness, The Church of Jesus Christ of Latter-day Saints (Mormons), the Hungarian Church of Jehovah's Witnesses, five Buddhist groups (recognized as a single umbrella organization), and two Muslim groups (also recognized as a single umbrella organization).

The 2011 religion law deregistered more than 350 religious groups previously registered as churches. Under 1990 legislation, courts could grant "church" status to religious groups founded by at least 100 members and possessing a charter and a method of electing representatives. The 2011 law requires deregistered groups to reapply if they wished to regain their "church" status. In 2012, parliament rejected the applications of 66 religious groups, including groups that appeared to meet the basic criteria for church status stipulated in the 2011 law.

Rejections of applications for "church" status are published as parliamentary orders.

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Under the 2011 law, formerly recognized churches that applied for registration but did not receive parliamentary approval qualify for status as “associations,” but the law requires them formally to request to change their legal registration to “association.” According to the law, a failure to meet the deadline for requesting association status, or rejection by a court of an application for association status results in the termination of the former church’s legal status without transition to a new legal status, subjecting the group to a liquidation of its assets, which then become property of the state.

A court’s rejection of a deregistered church’s application to become an association is subject to appeal. Any religious group not recognized as a church can reapply for recognition one year after its previous application.

On March 1, the Constitutional Court retroactively annulled parts of the 2011 religion law for violating the constitutional right to a fair process and judicial remedy, indirectly resulting in the infringement of the right to religious freedom and contravening the ban on discrimination. The court criticized parliament’s power to grant “church” status, stating that it could lead to politically biased decisions. The court also voiced concerns about the lack of an obligation for parliament to explain the reasons for rejecting a request by a religious group applying for recognition as a church, as well as the lack of a judicial remedy for parliamentary decisions. The court ruling states that those former churches whose requests for recognition were rejected by parliament or which did not submit a request to parliament for recognition shall be considered as not having been deprived of their church status by the 2011 religion law.

On March 11, parliament adopted the fourth amendment to the constitution, stipulating that parliament may recognize certain organizations that serve a religious mission, such as a church with which the state collaborates in the public interest. The criteria that an organization with a religious mission need to fulfill to be recognized as a church include operation for a considerable period of time, societal support, and “suitability” for cooperation with the state “in the interest of community objectives.” The amendment allows the filing of a constitutional complaint against provisions of the religion law concerning the recognition of churches.

On July 5, parliament adopted further changes to the religion law. The changes introduce new terminology, while maintaining the dual system of “religious communities” (“*vallasi kozosseg*”), a general term including parliamentary

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“recognized churches (*“bevett egyház”*) and “religious organizations” (*“vallási tevékenységet végző szervezet”*). The new legal provisions leave the right to grant recognized church status in the hands of parliament but reduce major differences between the rights and privileges of recognized churches and those of religious organizations not recognized as churches.

According to the amendment, the minister of human resources (MHR) determines the administrative criteria, while parliament makes the determination concerning more subjective criteria (e.g., an official church’s activities may not pose a threat to national security or violate the right to physical and mental health and the protection of life and human dignity). The new provisions for designation of church status require the church in question have operated for at least 100 years internationally (in which case an official church must have its foreign affiliation certified by at least two other churches of similar faith that are recognized in foreign countries) or 20 years’ existence in Hungary (in which case a church must have a membership of 0.1 percent of the total population, approximately 10,000 people). In addition, the amendment gives parliament more precise criteria with regard to an official church’s suitability for cooperation in promoting community goals. The criteria to be considered include the founding document of the religious group, number of members, network of institutions providing public services, and access by larger societal groups to such services.

The new amendment requires religious organizations applying for official status as churches to submit their applications to the MHR, which has 60 days to assess whether the group fulfills the administrative criteria. The new amendment introduces an obligation for the MHR to consult with a lawyer, religious historian, religious scientist, or sociologist prior to issuing the decision, which is open for judicial review. This new amendment changes the 2011 procedure annulled by the Constitutional Court, whereby parliament’s Human Rights Committee was responsible for collecting the opinion of the president of the Hungarian Academy of Sciences as to whether applicants met the criteria. Another alteration to the previous procedure is the introduction of judicial review of the MHR’s decision on non-compliance with the administrative criteria. After the MHR’s decision, the Human Rights Committee has 60 days to invite the applicant to a public hearing and to submit a motion to the parliament on the group’s compliance with the non-administrative criteria. A two-thirds parliamentary majority must adjudicate the request for church recognition within 60 days.

In order to provide an appealable decision in case of a parliamentary rejection of a request for recognition, the new amendment requires a detailed explanation of the

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reasons an organization was rejected for church status and gives the organization the option of a Constitutional Court review within 15 days of the decision. Parliament also amended the act to authorize the Constitutional Court to assess the legality of the parliamentary proceedings on church recognition. This allows a constitutional complaint against the procedure followed by the parliament in making a decision, but not against the merits of the decision itself. The new amendment retains the one-year ban for religious organizations rejected by parliament before a new request can be submitted.

Under the new amendment, registration of religious organizations has significantly fewer requirements than an application to obtain the status of a recognized church. Based on the new rules, only the Budapest Metropolitan Tribunal is authorized to register religious organizations. The court cannot reject requests for registration if the religious organization has at least 10 founding members whose primary objective is to conduct religious activities that are not in violation of the constitution, other laws, or the rights and freedom of other communities.

On September 16, parliament adopted a fifth amendment to the constitution to bring it in harmony with the new religion law. The amendment specifies religious groups shall initiate applications to cooperate with the state for community goals and parliament shall decide whether to approve the application. Those religious communities approved by parliament for cooperation shall operate as “recognized churches” with specific rights.

The legal designation of “church” confers some privileges on recognized groups, such as automatic access to several forms of state funding and exemption from audits of their financial operations connected to religious activities. Recognized churches and their associated institutions (classified as “internal religious legal entities” providing public services such as health care, education, or social services), have automatic access to both standard and supplementary state subsidies.

Religious organizations, on the other hand, are permitted to take over or create public service institutions, but access to the same level of state funding as recognized churches remains dependent on governmental decisions on a case-by-case basis.

Taxpayers may donate 1 percent of their personal income taxes to a recognized church, which receives matching funds from the government. Religious groups

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with association status compete with nongovernmental organizations for a similar 1 percent tax allocation designated for civil society organizations.

Recognized churches and religious organizations may use taxpayer donations to pay the salaries of individuals who provide religious services, but only officials of recognized churches are exempt from personal income tax. The use of public funding for religious activities by recognized churches cannot be subject to state audit, while religious organizations are monitored by the State Audit Office.

There are other non-financial benefits enjoyed by recognized churches which remain unavailable to religious organizations. These include the permission to conduct mandatory religious education in public schools or in institutions of higher education and pastoral services in the military, prisons, and hospitals.

Recognized churches also have a broader basis to preserve their legal status. Recognized churches cease to exist and have no legal successor if they dissolve themselves or if they stop activities and fail to designate distribution of their assets. The Constitutional Court can also issue an opinion – which requires a two-thirds parliamentary majority backing – that the activity of the recognized church violates the constitution. In such cases, the assets of the recognized church become state property that must be used to finance public services. Religious organizations, on the other hand, can be terminated upon the initiative of a prosecutor, if the organization's activity violates the constitution and the court orders dissolution.

Regardless of whether a religious group is recognized by parliament as a church, every religious group is entitled to use the word “church” in its official name. Officials from both recognized and non-recognized churches have the same rights and legal protections (for example, they are not obligated to disclose information which is disclosed to them in the course of their faith-related service). The names, symbols, rites, buildings, and cemeteries are also equally protected. No state office can determine or supervise a group's activities. Its doctrines, internal regulations, and statutes cannot be subject to state review, modification, or enforcement.

Land owned by a religious group that lost status as a recognized church and became an association is retained by the association, the legal successor of the church. Deregistered churches recognized as associations, however, are prohibited from acquiring new agricultural land.

The religion law affords both churches and religious organizations the right to assume operation of public schools through a formal transfer agreement with the

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central government. Municipalities, religious groups, or school boards can initiate such transfers, but they can only be executed if the designated religious group is able to collect the signatures of at least 50 percent of the parents and adult students.

On September 1, the government introduced mandatory one-hour-per-week religious or ethics education in the first and the fifth grade of public elementary schools. Students choose between a religious class provided by an officially recognized church of their choice and a generic ethics course taught by ordinary school teachers. Churches are entitled to prepare their own textbooks and determine curricula. Private schools are not obligated to introduce mandatory religious or ethics classes. In the 2013-14 school year 52 percent of first graders chose religious education and 48 percent ethics classes, while 58 percent of fifth graders picked ethics education and 42 percent the religious curricula.

Non-recognized religious organizations are not entitled to provide religious education as part of the mandatory curricula, but they can offer extracurricular religious education in public schools if requested by students or parents. Optional religious instruction is usually held after the normal school day and taught in school facilities by representatives of various religious organizations.

Churches and religious associations operating public education institutions receive the general “normative subsidy” provided to educational institutions by the state, but only churches are entitled to receive automatically a “supplementary subsidy.” According to the law, deregistered religious groups recognized as religious organizations may apply for the supplementary state subsidy to the MHR. The human resources minister decides on applications based on the recommendations of the regional office of the central government and the local municipality (or national minority self-government in the case of a minority educational institution) and contingent upon the applicant’s pledge to assume the provision of public services from the government. The government conducts biennial inspections of religious schools to ensure standards conform to those of government-run schools.

Treaties signed with the Vatican in 1990, 1994, and 1997 regulate relations between the state and the Roman Catholic Church, including financing of public services and religious activities and the settlement of claims for property seized by the state during the Communist era. These agreements also serve as a framework for regulating state relations with other religious groups. On May 14, the Vatican-Hungarian Joint Committee completed three-year-long negotiations and reached an agreement on amending the 1997 bilateral treaty to reflect the current legal

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environment. On October 21, the government and the Vatican signed a new bilateral treaty; parliament ratified it December 2.

Restricting another person from freely exercising his or her religion through violence or threats is a crime punishable by up to three years in prison. Abusing a person because of his or her religious affiliation is punishable by five years in prison. The criminal code classifies violence against a member of the clergy as violence against an “individual providing public service” and punishes the offense more severely, with a maximum prison sentence of 10 years.

Public incitement of hatred against any national, ethnic, racial, or religious group is a felony punishable by imprisonment for up to three years. Physical assault motivated by national, ethnic, racial, or religious affiliation is a felony punishable by up to five years in prison.

The law automatically suspends the immunity of a member of parliament (MP) who incites hatred against communities, including religious communities, denigrates national symbols, or publicly denies crimes of the country’s Communist or National Socialist regimes.

The law prohibits public denial, expression of doubt, or minimization of the Holocaust, genocide, and other crime committed by the National Socialist and Communist regimes, and punishes such offenses with a maximum sentence of three years in prison.

The criminal code includes a ban on public display of symbols of totalitarianism, specifically the swastika, SS badges, arrow crosses, hammer-and-sickle symbols, and five-pointed red stars. The ban is inconsistent with the European Convention on Human Rights, according to 2008 and 2011 rulings by the European Court of Human Rights (ECHR). On February 19, the Constitutional Court annulled the provisions of the Criminal Code banning the use of symbols associated with the Nazi and Communist dictatorships effective April 30. The court argued penalizing the use of symbols in a general way, without consideration of the purpose, the manner, or the consequences of the display impermissibly restricted freedom of expression. On April 22, parliament amended the criminal code, reintroducing the ban on public use of symbols associated with dictatorial regimes with more narrowly-tailored restrictions. The legislation stipulates wearing, exhibiting, or promoting the swastika, the logo of the SS, the arrow cross, the hammer-and-sickle, or the five-pointed red star in public, in a way that harms the human dignity

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or the memory of the victims of dictatorships is punishable as a misdemeanor effective May 1.

Both the new civil code (adopted February 11 and effective from March 2014) and the fourth amendment (adopted March 11) to the constitution introduced “hate speech” provisions designed to “protect the dignity of the Hungarian nation or of any national, ethnic, racial, or religious community.” These new constitutional provisions provide for judicial remedies for damage to individuals and their communities that proceed from “hate speech.”

The state operates a military chaplaincy for the four “historical” religious groups. Military personnel from all churches and religious associations have the right to the free exercise of religion in private and public. The Ministry of Defense funds and maintains the chaplaincy.

Penitentiaries must allow the free practice of religion for inmates. A public prosecutor or judge may restrict the practice of religion, however, during criminal proceedings. Detainees have the right to unrestricted contact with representatives of recognized churches. Detainees in special security regimes may only participate in individual spiritual care and are excluded from community spiritual programs. The government’s Prison Pastoral Service, which carries out religious activities in penitentiaries, includes the “historical” religious groups, all of which have unrestricted access to prison facilities to provide religious services for inmates. Access for other recognized churches and religious organizations is granted at the discretion of prison authorities. Rejection of access requests can be appealed to the Ministry of Interior.

The government is a member of the International Holocaust Remembrance Alliance (IHRA), formerly the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research. On October 11, the government was given the IHRA chairmanship beginning in 2015.

Government Practices

The government’s registration process for recognition of religious groups continued to engender complaints from minority religious groups. The government enacted measures addressing some of the serious concerns expressed by international and domestic observers. Critics continued to state the de-registrations and new requirements for church status discriminated among religious groups and politicized the recognition process. Jewish groups expressed concern

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over continuing efforts to rehabilitate World War II figures and anti-Semitic statements by Jobbik party MPs.

On June 17, the Venice Commission of the Council of Europe released its opinion on the fourth amendment to the constitution, which repeated some of the main findings from the commission's 2012 opinion on the religion law. The commission again criticized the procedure of parliamentary recognition or de-recognition of churches because it tended inevitably "to be more or less based on political considerations." The commission noted the recognition procedure failed to offer "sufficient guarantees for a neutral and impartial application" of the law, the criteria used were "unclear," and the procedure was "absolutely not transparent." The opinion found the new criterion of suitability for cooperation in promoting community goals lacked precision and left too much discretion to parliament, opening the way to favoritism toward some religions. In addition, the introduction of a constitutional complaint, if limited to merely a procedural remedy, remained "insufficient," as it failed to provide opportunity for appeal against non-recognition.

The Venice Commission did welcome the government's efforts to combat hate speech directed against the Jewish community, but criticized the legislation for failing to define the scope of the prohibition sufficiently.

The government addressed some of the criticisms issued by the Venice Commission in its July amendment to the religion law that made the decision-making procedure less opaque, but retained the parliament's role in the recognition process. The government stated parliamentary recognition of churches did not prevent other religious communities from freely practicing.

By the end of the year, 177 groups (including dioceses and monastic orders) were associated with one of the 32 recognized churches. The applications for reinstatement of 17 deregistered former churches submitted in 2012 on the basis of discrimination and violation of their right to religious freedom remained pending at the ECHR. Three deregistered churches petitioned the Constitutional Court for registration as a religious organization; the petitions remained pending at the end of the year. The petitions of the Budapest Metropolitan Court to the Constitutional Court remained pending in eight cases of deregistered churches that had failed to request their registration as religious associations by the deadline; as a result, the court was mandated by law to terminate their legal status. Pursuant to the March 1 Constitutional Court ruling retroactively annulling parts of the 2011 religion law, 26 deregistered religious groups requested the minister of human resources to add

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them into the official registry of recognized churches and thus recognize the reinstatement of their former legal status. The minister rejected these claims on the basis that only parliament could add new religious groups to the list of recognized churches. Subsequently, 10 religious groups brought court suits challenging the minister's refusal. The suits remained pending at the end of the year.

In harmony with the July 5 amendment to the religion law, the minister of human resources published September 1 a list of 73 religious communities eligible to reinitiate their church registration applications within 30 days. The 73 communities consisted of 17 deregistered churches that had submitted a complaint to the Constitutional Court against the 2011 religion law and 56 churches whose reregistration request was rejected by parliament in 2012, but did not submit a subsequent constitutional complaint. Twenty-seven religious communities of the 73 submitted applications to the ministry by the October 1 deadline. Their process remained pending at the end of the year. The remaining 46 churches that failed to initiate the reregistration process by the deadline were transformed into religious associations by law.

The Hungarian Evangelical Brotherhood (MET) continued to contest the loss of church status and its court registration process as a religious association remained pending. Although MET operated 14 schools, eight kindergartens, one college, five elderly homes, three homeless shelters, one hospital, and one home for single mothers, the group did not receive either the 1 percent personal tax donation to churches in the 2012 fiscal year or the supplementary state funding for their social and educational institutions. On October 1, the MET submitted more than 17,000 signatures of its members to the Ministry of Human Resources to restart the proceeding of becoming a recognized church. On November 28, the minister of human resources sent a letter to the head of MET notifying him of the assignment of an "expert" as required by the law to assess the applicant's eligibility (having 20 years of operation in the country; religious activity as a primary aim; and a formal statement of faith and rites). The ministerial letter also informed the group the administrative deadline of 60 days set by the law for the minister to issue the decision on the application only began following the completion of the expert opinion. MET's case remained pending both at ECHR and the Constitutional Court.

On July 4, the European Parliament's Civil Liberties, Justice, and Home Affairs Committee adopted a report on the situation of fundamental rights, standards, and practices in Hungary (the "Tavares Report"). The report "noted with concern" that the fourth amendment gave the parliament "the power to recognize, by way of

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cardinal laws and without a constitutional duty to justify a refusal of recognition, certain organizations engaged in religious activities as churches, which might negatively affect the duty of the state to remain neutral and impartial in its relations with the various religions and beliefs.”

Jewish and human rights groups expressed concern over the continued tendency of members of the governing parties at the local and national levels to give the appearance of supporting the rehabilitation of the reputation of historic figures, including writers, poets, and politicians, known for anti-Semitic views and support of Nazism. Some members of the Jewish community stated the government had sent mixed messages by condemning societal anti-Semitism while condoning or actively participating in the rehabilitation of these individuals.

Jewish groups continued to criticize the framework for a new national educational curriculum adopted by the government in 2012. While the groups applauded the curriculum drafters for soliciting and incorporating their input on anti-Semitism, the history of the country’s Jewish communities, and the state of Israel, they criticized the inclusion of Hungarian writers from the World War II era widely considered to be anti-Semitic, including Jozsef Nyiro, Albert Wass, and Dezso Szabo. Government officials responded the writers should be appraised based on their literary merit alone and these writers’ political activities would be introduced in the appropriate context. Some Jewish leaders remained concerned at how the new textbooks would present these authors. The new textbooks remained under discussion at year’s end.

Local government officials and political leaders continued efforts to rehabilitate the reputations of several World War II era figures associated with anti-Semitism, including Miklos Horthy, during whose regency hundreds of thousands of Jewish Hungarian citizens were deported to death camps, and author Cecile Tormay, known for her anti-Semitic writings.

On September 1, Deputy Speaker of Parliament Sandor Lezsak, also deputy faction leader of the governing Fidesz party, attended in his official capacity a ceremony in Kenderes marking the 20th anniversary of the reburial of former regent Horthy. In his remarks Lezsak said “the reburial was an historic atonement, but we cannot be satisfied with that.” Lezsak warned against “criminals of history” who attempted to eliminate from the archives and the memory of the nation “facts which we are obligated to bring to light again.” He suggested setting up a research institute for the study of Miklos Horthy and his family.

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The World Jewish Congress (WJC) held in Budapest May 5-7 discussed growing anti-Semitism in some European countries, including Hungary. In a speech at the opening dinner, Prime Minister Viktor Orban declared the “current Christian democratic government considers its moral duty to act against anti-Semitism and declare zero tolerance for such ideas.” On May 4, the Jobbik party held a demonstration attended by a few hundred people to protest against Zionism in connection with the WJC. Three men shouted anti-Semitic slogans and gave Nazi salutes. On May 6, the Pest Central District Court convicted the three assailants in a fast-track procedure of committing violence against members of a community. One defendant who was on probation at the time of the crime was sentenced to a three-year prison term, while the two other defendants received two-year sentences suspended as long as they did not commit any other crime for three years.

On July 23, the prime minister’s office signed a contract with the Action and Protection Foundation (TEV) to provide a 42.5 million forint (\$197,000) grant for the foundation’s monitoring of anti-Semitic incidents in Hungary. Besides monthly publications of its findings, TEV provided legal counseling for victims of anti-Semitic incidents.

On October 1-2, the Tom Lantos Institute held a conference entitled “Jewish Life and Anti-Semitism in Contemporary Europe,” co-sponsored by the government. In a keynote speech, Deputy Prime Minister Tibor Navracsics declared, “we know that we are responsible for the Holocaust; we don’t pass on the responsibility.” Minister of Foreign Affairs Janos Martonyi repeated in his closing remarks the Hungarian Holocaust was committed by Hungarians against Hungarians, the perpetrators and victims were both Hungarians, and “to us this was the biggest national trauma we had to face. We accept responsibility.” Jewish community representatives welcomed the speeches of the two ministers, calling them unprecedented in terms of high-level government recognition of the role played by Hungarian officials in the Holocaust. MAZSIHISZ Chairman Andras Heisler in his speech at the conference called the remarks of Deputy Prime Minister Navracsics “a great political statement” and noted “if Hungarian politicians will act and governmental institutions will function in harmony with this spirit, the Jewish community will have less reason to be fearful in their own country.”

Members of the Jobbik party, which held 12 percent of parliamentary seats, continued their use of anti-Semitic rhetoric, often presented as anti-Zionism. Government officials routinely spoke out against anti-Semitic statements made on the floor of parliament and elsewhere by Jobbik members. Based on the amended Act on Parliament effective January 1, the speaker of parliament exercised his

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newly introduced power of imposing fines on MPs if they violated the dignity of the parliament, a person, or a group of people, in particular a national, ethnic, racial, or religious community. By the end of September, the speaker had imposed fines three times on Jobbik party member Elod Novak for using the word “Zionist” in a pejorative context during his speeches.

On May 23, Jobbik member Tamas Gaudi-Nagy said in parliament during a discussion of schoolchildren’s visits to Auschwitz, that “many criticisms have been expressed as to whether the events presented there are fully in harmony with the historical facts.” Fidesz faction leader Antal Rogan firmly condemned the remarks. The opposition MSZP party submitted a report to the prosecutor’s office but the prosecutor general refused to take action. On June 10, Gaudi-Nagy repeated his party’s doubts over how accurately the Auschwitz memorial site reflected reality. On June 26, parliament adopted a decree recommending school visits to the Holocaust Documentation Museum in Budapest (HDKE), the Auschwitz-Birkenau memorial site, and other Holocaust related sites as part of the national curriculum. On November 4, parliament adopted an amendment to the June 26 decree introducing “partial reimbursement” for schools organizing visits to domestic Holocaust related sites.

On June 18, Jobbik parliamentarians Elod Novak and Eniko Kovacs announced the forming of an anti-Zionist parliamentary group. On the same day, Speaker Laszlo Kover responded by vowing to prohibit any anti-Zionist or “other such provocative group among MPs, which is damaging to Hungary’s interest.” On June 19, the Jobbik MPs announced they had no intention of establishing an anti-Zionist group; they had intended only to test the limits of freedom of speech.

On January 17, the Hungarian Holocaust 2014 Memorial Commission created by the cabinet held its inaugural session under the chairmanship of Janos Lazar, State Secretary of the Prime Minister’s Office. Lazar declared “the cabinet considers it particularly important to face up to and issue the apology that was never made during the communist dictatorship, [...] as Hungarians were among those who committed the horrible acts, but those who suffered were all Hungarian compatriots.” Members of the committee included several cabinet representatives, Jewish congregations, Jewish nongovernmental organizations (NGOs), the head of the National Roma Self Government, the four “historical churches” and foreign ambassadors. The stated task of the committee was to organize and prepare for the 70th anniversary in 2014 of the deportation of Hungarian Holocaust victims. During the year the memorial committee held five sessions.

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On January 30, the Budapest Metropolitan Tribunal upheld the Pest Central District Court's ruling issued in June 2012 in the first Holocaust denial case since the introduction of this offense into the criminal code in 2010. According to the records of the case, the 42-year old defendant held up a sign with the words in Hebrew "The Holocaust did not happen" at a demonstration in 2011. The court sentenced the offender to an 18-month prison term suspended for three years and ordered him placed on probation. The judge also ordered him to visit either the HDKE three times during his probation and express his thoughts in writing or alternately visit either Auschwitz or Yad Vashem and write down his thoughts.

On June 18, prosecutors filed charges against Laszlo Csatory at the Budapest Metropolitan Tribunal for actively collaborating in the deportation of nearly 12,000 people from an internment camp in Kassa in 1944. On July 8, the court suspended the case on the basis that another court had already convicted Csatory on the charges listed in the indictment. Upon the appeal of the prosecutors, the Budapest Metropolitan Appellate Court ordered the first-instance court to continue the criminal case July 31. On August 10, the 98-year-old Csatory died, terminating the court case.

The government continued to process petitions under legislation allowing compensation claims from individuals whose immediate relatives had been killed in the Holocaust or in Soviet forced labor camps, had lost their lives between 1939 and 1989 due to politically motivated actions of government authorities, or had performed forced labor due to racial, religious, or political discrimination during World War II. The government received more than 97,600 claims by the 2006 deadline. By the end of the year, the government had paid approximately 3.2 billion forints (\$14.8 million) in claims to 17,190 applicants.

On July 13, the prime minister's office reached an agreement with the Conference on Jewish Material Claims against Germany ("Claims Conference") over the distribution of 1.2 billion forints (\$5.6 million) among Hungarian Holocaust survivors living abroad. The agreement ended a two-year dispute over the accounting documentation submitted by the Claims Conference on expenditures from the 2008-2010 restitution funds of 1.8 billion forints (\$8.3 million) allocated for survivors living outside of the country. The funds derived from a 2007 agreement negotiated by the World Jewish Restitution Organization with the government to pay \$21 million over a five-year period to compensate Holocaust survivors living inside and outside the country. According to the agreement, one-third of the funds were to go to survivors residing inside the country, while two-thirds were to be distributed by the Claims Conference to survivors living outside

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the country. According to the final agreement, parties appointed the Hungarian affiliate of the international auditing firm KPMG to oversee the payment process. During the year, MAZSOK completed the distribution of the entire five-year restitution payment of 1.8 billion forints (\$8.3 million) designated for survivors living inside the country. The release of the \$5.6 million on July 11 to the Claims Conference for distribution to survivors outside the country was expected to allow the distribution of the 2011 and 2012 portions of the restitution payment to Hungarian survivors abroad to be completed in 2014.

In December 2012, the government decided to raise the pension supplement for the approximately 8,000 Holocaust survivors by 50 percent on average, effective January 1, and to raise it again by the same amount from January 1, 2014.

The Constantinople Patriarchy Hungarian exarchy, head of the Hungarian branch of the Greek Orthodox Church, continued to contest the restitution of a property to the Russian Orthodox Church. The exarchy stated a Russian Orthodox group had illegally taken a church in Budapest in the 1950s belonging to the Greek Orthodox community since the 18th century. In the 1990s, the government returned the property to the Russian Orthodox Church as part of the restitution process. After exhausting all legal options in the country, the exarchy challenged the decision in the ECHR. In 2007, the ECHR declared the Greek Orthodox community's case "inadmissible."

On April 28, Jozsef Orosz, head of the Raoul Wallenberg Foundation, was physically assaulted after he warned extremist fans at a soccer match in Budapest to refrain from chanting Nazi slogans. Government officials denounced the attack. On June 3, Minister of Human Resources Zoltan Balog met with Orosz, who handed over a package of proposals to prevent such expressions at sports events. Minister Balog pledged to forward the proposal to the Hungarian Football Association. The police investigation of the assault on Orosz remained pending.

In fiscal year 2012, taxpayers contributed 3.98 billion forints (\$18.4 million) to 31 recognized churches that requested listing on the tax declaration forms. The government provided 6.08 billion forints (\$28 million) in supplemental funding. On 2012 personal income tax return forms, 72 of 103 formerly recognized churches that became religious organizations received the allowed 1 percent tax contribution for their work as civil organizations, worth a total of 21.9 million forints (\$102,000). By the end of the year, the tax authority had transferred approximately 16.2 million forints (\$76,000) to the 44 religious organizations that had completed the administrative process granting eligibility for the tax donation.

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Twenty-eight formerly recognized churches failed to complete the administrative process of eligibility, and the transfer of their 1 percent donations worth a total of 5.6 million forints (\$26,000) remained pending.

The government provided 37.1 billion forints (\$172 million) in funding to recognized churches for a range of activities, including maintaining public art collections; support for religious instruction, education, and culture; annual compensation for non-restituted religious property (“annuity in perpetuity”); supplements to the 1 percent tax donations; and assistance to church personnel serving the smallest villages. The four “historical” religious groups continued to receive 93 percent of total state financial support provided to religious groups.

During the year, local governments transferred additional preschools and elementary and secondary schools to the operation of recognized churches. By October 1, 20 percent of the country’s educational institutions were operated by recognized churches.

Four deregistered churches recognized as religious organizations operated eight private schools. Three of these groups (the Hungarian Evangelical Brotherhood, the Dzsaj Bhim Buddhist Community, and the Christian Family Congregation) had an agreement with the Ministry of Human Resources to receive the supplementary state subsidy for the operation of educational institutions. The application of the Alliance of Love religious association remained pending.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Prominent societal leaders took positive steps to promote religious freedom.

Open and vociferous expressions of anti-Semitism by political and societal figures prompted strong reactions from the Jewish community as well as from senior members of the government, civil society, and other religious groups, including the prime minister in an interview in an Israeli publication in May. Some Jewish leaders stated the Jobbik party’s use of anti-Semitic rhetoric in parliament contributed to a public culture condoning anti-Semitism. According to a poll released by the Political Capital Policy Research and Consulting Institute in July, 25 to 30 percent of internet users expressed openly anti-Semitic views.

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Anti-Semitic acts and threats recorded by the Coordination Forum for Countering Anti-Semitism increased from 34 the previous year to 60. The European Union's Fundamental Rights Agency (FRA) survey of anti-Semitism released in November found 73 percent of 528 respondents (out of a "core Jewish population" of 48,200) had experienced or observed anti-Semitic verbal or physical attacks and 90 percent of respondents had not reported these incidents to the police; 91 percent believed anti-Semitism had gotten worse over the past five years; and 48 percent had considered emigrating because of anti-Semitism.

On November 12, Gergely Prohle, Deputy State Secretary of the Ministry of Foreign Affairs, stated FRA's report on anti-Semitism "raises several questions with relation to methodology, strongly questioning its representative nature."

On August 17, fans of the FTC soccer team, during a game aired by public television, unfurled a banner reading "In memoriam Laszlo Csatory," the war crimes suspect who died August 10. MAZSIHISZ expressed its outrage over the banner. Gabor Kubatov, Fidesz party director and president of the FTC, expressed regret over the incident and called on those who displayed the banner to identify themselves to the club and accept responsibility. On August 22, the Hungarian Football Association fined the FTC 800,000 forints (\$3,700) for the banner display.

On November 3, Calvinist pastor Lorant Hegedus, Jr. and members of the Jobbik party held a ceremony to rededicate a bust of Hungarian regent and Nazi ally Horthy, who led Hungary from 1920 through most of World War II. The event occurred on church property abutting Freedom Square in Budapest. Approximately 400 Horthy supporters and several Jobbik MPs attended the event. Approximately 1,000 counter-demonstrators gathered in front of the church to protest the ceremony. The two camps engaged in harsh verbal exchanges. Jobbik member Marton Gyongyosi, the vice chair of the parliamentary foreign affairs committee, spoke at the ceremony, praising Horthy as the "greatest Hungarian statesman of the 20th century," who "freed the country from the foreign-hearted mob."

Opposition political parties, Jewish organizations, and NGOs called on the government to condemn the Horthy commemoration ceremony. Antal Rogan, Fidesz faction leader in parliament and mayor of the fifth district in Budapest, called the incident "a political provocation of Jobbik" and commented that Horthy did not deserve a statue. Janos Lazar, state secretary of the prime minister's office, said the government would not publicly comment on the event because "it was

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organized by an opposition party... and the question of Horthy is for historians to resolve.” Calvinist church leaders condemned the ceremony and launched a disciplinary inquiry against Hegedus, which remained pending at the end of the year.

On November 9, extremists burned a copy of Hungarian Jewish poet Miklos Radnoti’s poems in the town of Miskolc, along with what they called other “Zionist publications,” according to the newspaper *Nepszabadsag*.

On April 13, vandals sprayed racist and anti-Semitic slogans on the wall of the synagogue of Vac and on May 19, desecrated tombs in the local Jewish cemetery. The police investigation remained pending at year’s end.

On November 30, Hanukkah menorahs were vandalized at three locations in Budapest. The Budapest police department immediately started a criminal investigation and posted footage from nearby security cameras on the national police’s website, asking Budapest residents to help identify the perpetrators. On December 1, two men turned themselves in at the police department, and the third accomplice was arrested at his home the same day. On December 5, another Hanukkah menorah was vandalized in Budapest. The police caught the perpetrator, who admitted vandalizing a religious object, a felony. All four men involved in the two incidents were in their early twenties and claimed to be under the influence of alcohol during their actions. The government initiated a fast-track court proceeding on the felony charge of vandalizing religious objects. On December 7, the First Instance Pest Central District Court sentenced the December 5 perpetrator to one year of parole for the misdemeanor of disturbing public peace. The verdict remained open on appeal. The other cases remained pending at year’s end.

The weekly magazine *Magyar Forum* and the official weekly publication of the Jobbik party, *Barikad*, continued to publish anti-Semitic articles.

Among numerous extreme ethnic nationalist websites were many that were openly anti-Semitic. Some were hosted on foreign internet servers, including in the United States. NGOs reported the government monitored the content of websites with anti-Semitic content to enforce the prohibition against public display of such symbols as the swastika and the World War II-era Hungarian fascist regime’s arrow cross.

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Christian churches and the Jewish community continued to organize events under the auspices of the Christian-Jewish Society, which brought together religious scholars for discussions. The society organized 67 lectures on Judaism, Christianity, and Islam. Religious groups demonstrated willingness to work together across a wide range of areas to achieve common social and political goals.

Section IV. U.S. Government Policy

The U.S. Ambassador, visiting U.S. government officials, and embassy staff regularly met with government leaders to discuss religious freedom concerns, particularly regarding religious registration legislation and the rise in anti-Semitism. Embassy officials and visiting U.S. officials routinely met with leaders of the “historical” religious groups, smaller religious groups, and groups previously registered as churches that lost their status under the new religion law.

U.S. embassy officers closely tracked anti-Semitic incidents and the government’s response and regularly consulted with leaders of religious groups to assess the situation. The embassy continued to speak out against anti-Semitism and hate speech and urged the government and civil society to do the same.

The Ambassador or the Charge d’Affaires attended the five sessions of the Holocaust 2014 Memorial Commission, gave speeches, and submitted recommendations for the memorial year programs. On February 14, the U.S. Special Envoy for Holocaust issues attended the session and met with senior government officials, representatives of the Jewish community, and civil society groups to discuss Holocaust education in light of the new national education curricula and restitution to Hungarian Holocaust survivors.

On March 19, the Ambassador urged the government to withdraw the Tancsics prize presented to Ferenc Szaniszlo, a television presenter for Echo TV, who had openly spread anti-Semitic conspiracy theories. Minister Balog repeatedly responded by saying he had erred and had not been aware of Szaniszlo’s anti-Semitic remarks. The minister subsequently asked the awardee to return his decoration. On March 20, Szaniszlo announced his willingness to return the award.

On April 21, the Ambassador and other embassy officials took part in the annual March of the Living procession to commemorate victims of the Holocaust.

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On May 14, the Ambassador spoke at an embassy-sponsored event by Jewish Historical Institute Centropa emphasizing the importance of Holocaust education. The embassy issued four grants worth \$25,320 for projects to combat anti-Semitism.

On May 21, the U.S. Special Envoy for Holocaust issues met with government officials in connection with Hungary's aspirations to hold the chairmanship of the IHRA in 2015.

On October 1, the Special Envoy to Monitor and Combat Anti-Semitism addressed the conference of the Tom Lantos Institute, urging the government and civil society to respond to hate speech "quickly and immediately." The special envoy also met with leading government officials, Jewish and Catholic leaders, and other civil society representatives to discuss ways to counter rising anti-Semitism and religious intolerance.

On November 7, the embassy issued a public statement condemning the unveiling of a bust of Miklos Horthy November 3 by the Jobbik party. The statement also noted such an event required swift, decisive, unequivocal condemnation by the highest ranking leaders.