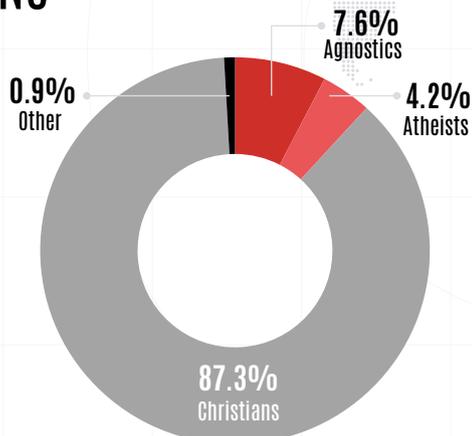




# HUNGARY

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Preamble to the Hungarian constitution recognises the prominent place of Christianity in the history of the country, declaring: “We are proud that our king, Saint Stephen, built the Hungarian state on solid ground and made our country a part of Christian Europe 1,000 years ago.”<sup>1</sup> Provisions on freedom of religion or belief in the 2011 constitution were amended in 2016. Article VII (1) enshrines the principle of religious freedom, drawing on Article 18 of the Universal Declaration of Human Rights.<sup>2</sup> Article VII (3) goes on to establish the separation of Church and state while underlining the value to both of cooperating on “community goals”.<sup>3</sup>

In 1990, after the fall of the Iron Curtain and communism, Hungary adopted legislation that guaranteed the right of freedom of conscience and religion for all and prohibited discrimination. In 2018, the much-debated Church Act was amended, setting up categories of Churches that can register with Hungarian courts. These categories are: established, registered or recognised churches, as well as a broader category called “religious associations”.

The amended law states in principle that every community defining itself as a religious community (even without legal personality) is entitled to all the protection provided by the constitu-

tion to religious communities in the context of free religion in a free state. Regardless of their organisational form, legal status or denomination, the state upholds its neutrality and non-interference, maintains the separation between itself and religious communities, and protects their broad autonomy, free self-determination (structure, name, etc.), and equality while prohibiting discrimination.

In the context of state-religious community cooperation, the state can conclude specific agreements with the various religious communities in certain areas. In the case of established churches, it can conclude comprehensive agreements that are legally enacted on the basis of the communities’ history, social acceptance and importance, organisation and social responsibility, which led them to become an established religious community. The 32 established groups include most Christian Churches (Catholic, Protestant, Orthodox), Jewish denominations, as well as other world religions (Buddhism, Islam, etc.). The Church Act is compliant with the corresponding articles of the European Convention on Human Rights.

In order to ensure the survival of Christianity in the Middle East and other areas of the world where religiously motivated persecution takes place, the Government of Hungary took various measures in 2016, including the creation of a new Secretariat of State for Persecuted Christians. This office includes an im-

portant funding agency called “Hungary Helps” to support local projects related to education, health and economic development for persecuted communities. The government budget includes “Stipendium Hungaricum”, a scholarship set up to fund higher education programmes for young Christians both in their own country, but also in Hungary for applicants unable to pursue their studies in their own country because of discrimination or the physical destruction of local institutions of higher learning. During the period under review, the beneficiaries included students from Nigeria, Egypt, Lebanon, Israel, Palestine, Jordan, Pakistan, Syria and Iraq.<sup>4</sup> Students were selected in cooperation with the local Church authorities.

Hungary is home to an important Jewish community. The higher profile it acquired during the Holocaust Remembrance Year in 2014 led to sizeable programmes of reconstruction of historic buildings and support for the production of educational material such as a textbook titled *The History of Hungarian Jewry*, published in October 2018.

## INCIDENTS AND DEVELOPMENTS

During the first months of the implementation of the “Church Act”, there were no violations of religious freedom in Hungary during the period under review.

The Hate Crime reporting section of the Organization for Security and Co-operation in Europe (OSCE) lists a total of 194 and 132 hate crimes for 2018 and 2019, respectively. Of these, 15 and 19 were hate crimes with a religious bias, most of them ending in prosecution. They consisted mostly of anti-Semitic graffiti and insults against people in religious garb.<sup>5</sup>

The 2018 and 2019 reports by the Office of International Religious Freedom of the US Department of State<sup>6</sup> concentrated on the new aspects of the “Church Act”, and how it creates categories among the religious organisations in order to assign available funds. In general, the new law simplified the procedures to register and receive public support for a wider number of faith-based organisations.

## SOURCES / ENDNOTES

- 1 Hungary 2011 (rev. 2016), Constitute Project, 2016, [https://constituteproject.org/constitution/Hungary\\_2016?lang=en](https://constituteproject.org/constitution/Hungary_2016?lang=en) (accessed 4th April 2018).
- 2 “Universal Declaration of Human Rights, Article 18”, Berkley Center, <https://berkeleycenter.georgetown.edu/quotes/universal-declaration-of-human-rights-article-18-3> (accessed 8th June 2018).
- 3 Hungary 2011 (rev. 2016), op cit., Article 7 (4).
- 4 “Government of Hungary Scholarship Program for Christian Young People 2020-2021”, World Scholarship Forum, <https://worldscholarshipforum.com/study-hungary-scholarship-program-christians-undergraduate-bachelor-graduate-masterin-selected-countries-worldwide> (accessed 4th January 2021).
- 5 Office for Democratic Institutions and Human Rights (ODIHR), “Hungary,” Hate Crime Reporting, Organization for Security and Co-operation in Europe (OSCE), <https://hatecrime.osce.org/hungary?year=2019> (accessed 17th February 2021).
- 6 Ibid.
- 7 Nick Thorpe, “Holocaust row taints Hungary’s House of Fates museum project”, BBC News, 11th February 2019, <https://www.bbc.com/news/world-europe-47071241> (accessed 4th January 2021).
- 8 “Orbán Inaugurates Avicenna Institute of Middle Eastern Studies”, Hungary Today, 9th April 2019, <https://hungarytoday.hu/orban-inaugurates-avicenna-institute-of-middle-eastern-studies/> (accessed 23rd February 2021).
- 9 “Hungarian government allocates 90.7 million euros for 2019 Maccabi European Games”, Daily News Hungary, 12th June 2017. <https://dailynewshungary.com/hungarian-government-allocates-huf-30-bn-2019-maccabi-european-games/> (accessed 24th February 2021).
- 10 Office of International Religious Freedom, “Hungary,” 2019 Report on International Religious Freedom, U.S. Department of State, <https://www.state.gov/reports/2019-report-on-international-religious-freedom/hungary/> (accessed 4th January 2021).
- 11 Ibid.

Other organisations reporting on religious freedom in Hungary highlight internecine disputes among prominent Jewish associations in Hungary, regarding their different positions towards the “House of Fates Holocaust Museum”, a project of the Hungarian government. While full ownership was transferred to the Jewish community, funding remained public (€18 million).<sup>7</sup>

In April 2019 Prime Minister Orbán, during the opening ceremony of the Avicenna Institute for Middle Eastern Studies, expressed hope that improved knowledge of one another would make Christians and Muslims better partners.<sup>8</sup>

In the first week of August 2019, Hungary hosted the European Maccabi Games, with total public funding of about €90 million, including the building of infrastructure, and the participation of 2,000 athletes from 42 countries.<sup>9</sup> In December 2019 the Unified Hungarian Jewish Congregation (EMIH) obtained €6.1 million in funding to build a cultural centre.<sup>10</sup>

The provision of funds to all religious groups under the new “Church Act” has enabled these groups to provide more services to society, Hungary’s Education minister asserted. Registration in Church-run schools and students doubled between 2010 and 2019.<sup>11</sup>

## PROSPECTS FOR FREEDOM OF RELIGION

The extensive amendment in 2018 of the “Church Act” made this piece of legislation a unique case in Europe, with favourable prospects for the development of religious freedom.

Because it involves the distribution of sizeable amounts of public money (€450 million for 2018, €220 million for 2019), disputes regarding who gets how much arose among religious communities; nevertheless, there seems to be a growing understanding of the importance of the services provided by faith-based organisations, which are likely to grow, including Church-run schools.

Hungary plays an active part in international platforms promoting freedom of religion, including the International Religious Freedom or Belief Alliance, established in February 2019.