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## Hungary

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

### **International Religious Freedom Report 2010**

**November 17, 2010**

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

There were increased reports of societal abuses and discrimination based on religious affiliation, belief, or practice, including an increase in anti-Semitic rhetoric in a climate of political friction and economic uncertainty. Extremist groups grew in size and number. These included the far right-wing political party Jobbik, which grew in popularity while taking openly anti-Semitic positions, and winning 47 parliamentary seats (12 percent of the total) in the April 25 national election.

The U.S. government discusses religious freedom with the government and with all elements of society, and it promotes religious tolerance as part of its overall policy to advance human rights.

#### Section I. Religious Demography

The country has an area of 35,919 square miles and a population of 10 million. Data on religious affiliation is regarded as sensitive information and may not be officially recorded. However, the 2001 national census, the latest survey available, included an optional question on religious affiliation, to which 90 percent of the population responded. According to the replies, the population is 55 percent Roman Catholic, 15 percent Hungarian Reformed, 3 percent Lutheran, and less than 1 percent Jewish. These four groups are the country's "historical" religions. Groups that constitute less than 5 percent of the population include Greek Catholics, the Congregation of Faith, five Orthodox Christian religious groups, a broad range of other Christian groups, seven Buddhist groups, and three Islamic communities. Data protection regulations impeded the collection of official statistics on popular participation in religious life; however, surveys suggested that citizens were less devout than the average central European.

#### Section II. Status of Government Respect for Religious Freedom

##### Legal/Policy Framework

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The constitution provides for the free choice or acceptance of a religion or other conscientious convictions, the freedom to practice or abstain from practicing, and the right to exercise or teach one's religion and beliefs in public or in private, either individually or with others, through religious acts and ceremonies or in other ways.

The constitution separates church and state. The state should remain neutral in matters concerning ideology; however, the state has a duty to ensure the possibility of freely forming personal convictions. Citizens also have the right to sue the government for constitutional violations of religious freedom.

The criminal code has a provision on the "Violation of the Freedom of Conscience and Religion," which states that whoever restricts another person by violence or threats, or prevents another person from freely exercising his religion by violence or by threats, commits a crime, which is punishable by up to three years imprisonment. If a person abuses someone because of his or her affiliation with a religious group, the crime is punishable by five years imprisonment.

There is no state religion, and under the law, every registered religious group is entitled to the same rights. The four "historical" religious groups (Roman Catholic, Reformed, Lutheran, and Jewish) receive 93 percent of state financial support provided to religious groups. All registered religious groups also receive advantageous tax treatment.

Relations between the state and the Roman Catholic Church are regulated by the 1990, 1994, and 1997 Vatican treaties. These agreements also served as a framework for regulating state relations with other religious groups.

Citizens may donate 1 percent of their income tax to the religious group of their choice and receive a tax deduction. This applies to every legally registered religious group. In addition to taxpayer contributions, the government allocated public funds to registered religious groups. In 2010, due to budgetary restrictions, the government modified its previous practice of supplementing taxpayer contributions to registered groups according to a one-to-one matching program and temporarily reintroduced the original regulations of the 1997 Vatican Treaty for one year. Under the present regulation, the state commits to match the amount of the individual taxpayer contributions up to a ceiling of 0.5 percent of the total income tax revenue. Consequently, the state funding of churches significantly decreased in 2010 to \$13 million (three billion forints) from \$42 million (9.8 billion forints) in 2009.

Additional government funding to religious organizations is provided for a range of activities, such as the maintenance of public art collections, support for religious instruction, education and culture, annual compensation for nonrestituted religious property, and assistance to church personnel serving the smallest villages. In 2010 this financial assistance decreased to \$65 million (15 billion forints) as compared with \$81 million (18.7 billion forints) in 2009. In 2010, due to fiscal constraints, the government discontinued its previous practice of allocating financial support for reconstruction and renovation of religious institutions.

The government observes the following religious holidays as national holidays: Easter Monday, Whit Monday, All Saints' Day, and Christmas.

The state operated the army chaplain service for the four historical religious groups. Free exercise of religion (not only in private but also in public) in the military is ensured for every denomination. The Ministry of Defense funded and maintained the chaplain service. The Ministry of Justice and Law Enforcement regulated a similar system for the provision of religious services in prisons.

The 1990 Act on the Freedom of Conscience regulates the activities of, and the benefits enjoyed by, religious communities; it also establishes the criteria for legal designation. County courts implement the registration of religious

groups. To register, a group must be founded by at least 100 individuals and must have a charter and elected bodies for administration and representation. The court determines whether the new group complies with constitutional and legal requirements; if so, the court cannot reject the registration request. While any group is free to practice its faith, formal registration grants rights, imposes obligations on operating educational and social institutions, and provides access to several forms of state funding. All registered groups have the same rights and obligations.

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Two new religious groups were registered during the reporting period – the De La Salle Saint James Church and the We Believe and We Act Small Church. A total of 368 religious entities were registered by the end of the reporting period.

Registered religious groups have the right to provide religious education in public schools if requested by the students or parents. Religious instruction was not part of the curriculum in public schools, but the government permitted primary and secondary school students to enroll in extracurricular religious education classes. Optional religious instruction was usually held after the normal school day and taught in school facilities by representatives of various religious groups. While the government made provisions for minority religious groups to engage in religious education in public schools, the four historical groups provided the majority of after-hours religious instruction. Private schools were not obligated to ensure religious education.

#### Restrictions on Religious Freedom

The government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

Educational and social institutions, such as schools and homes for the elderly maintained by registered religious groups, are entitled under the law to receive the same public support as institutions maintained by the state or municipalities. However, state subsidies to various churches for educational and social services continued to be the most important source of contention in church-state relations.

Churches unequivocally criticized the 2008 Final Accounts Law (adopted on November 30, 2009 by parliament), which discontinued the previous practice of granting supplementary funding to church-run schools. The government instead issued a decree on February 19 addressing the issue. The government finally allocated \$14 million (3.3 billion forints) for church-run schools as supplementary funding for 2008. Findings conducted by the State Audit Office (SAO), emphasized that the supplementary funding of church-run schools was justified by the Final Accounts Law. The SAO also stated the government underpaid subsidies to schools operated by religious organizations in 2008 by \$5.2 million (1.2 billion forints). The SAO has repeatedly emphasized anomalies in financing church-run schools since 2005.

Churches were generally critical of how the government distributed EU subsidies allocated for school reconstruction and infrastructure development. They claimed the selection of recipients was discriminatory because a disproportionately low number of religious schools received funding compared to state or locally operated schools.

Church leaders continued to object to delays and reductions in state financing for the maintenance of public art collections and other public services. Many church-run art collections were closed in the past few years due to lack of state financial support.

The government continued to facilitate the restitution of religious properties confiscated by the state during the communist era and ensured equal opportunity for all religious organizations to regain control over their former property (see also Improvements and Positive Developments). In 2005 the government adopted a resolution making it possible to accelerate property restitution negotiations and close outstanding claims in 2006 instead of by 2011 as the original law had established. Three religious groups (Roman Catholic, Jewish, and Budai Serb Orthodox) chose to use the new procedure; the Reformed and the Lutheran churches did not.

There is an ongoing dispute between the Greek Orthodox community and the government concerning restitution of property claimed by the Greek Orthodox Church that was awarded to a different denomination. This dispute was still pending at the end of the reporting period.

Property claims can be settled in four ways. These include direct agreement between the owner (municipality) and the respective church on the transfer of the property or by a government resolution on the transfer of the property. Claims may also be settled by financial compensation granted by the government, if the church prefers to invest in new construction. Finally, the outstanding property claims may be transferred into an annuity, which can be used exclusively for financing religious and other public purpose activities of the church.

A total of 3,679 pieces of real estate were restituted by the end of the reporting period. In 1,071 cases, the owner (the municipality) and the church settled the restitution of the property in a "direct agreement," while in 2,608 cases, the restitution was arranged by the government. By means of government resolution, 1,365 real estate properties, worth \$273,000 (63.1 million forints) were transferred to churches, and \$186 million (43 billion forints) was paid as financial compensation for 1,243 nonrestituted real estate properties.

The Catholic, Protestant, and Lutheran churches had 68 outstanding claims at the end of the reporting period. Participants generally considered the procedure satisfactory. Members of the Jewish community viewed the restitution process as generally fair but wanted compensation to be paid for the estimated \$1.9 to \$14.8 billion (430 billion to 3.44 trillion forints) worth of heirless Jewish properties specifically excluded from the restitution process.

There were no reports of religious prisoners or detainees in the country.

#### Forced Religious Conversion

There were no reports of forced religious conversion.

#### Improvements and Positive Developments in Respect for Religious Freedom

The government and parliamentary party politicians, with the exception of the extreme-right Jobbik party, continued their efforts to combat anti-Semitism by speaking out against extremism and social intolerance.

On June 13, the Midnight Call Mission organized a commemoration in Budapest marking the 65th anniversary of the end of the Holocaust. The organizers emphasized the importance of protecting freedom and human dignity and of fighting all forms of anti-Semitism, racism, and xenophobia.

Churches welcomed an amendment to a 1993 law on financing church-run schools adopted by parliament on June 8. According to the amendment, the amount of financial support provided by a municipality on a discretionary basis for church-run schools no longer had to be deducted from the supplementary funding allocated from the central budget, but is added to the latter. In addition, for the six churches that have a "comprehensive agreement" with the government, the new regulation simplified their ability to take over the operation of an educational institution by providing the supplementary funding directly from the central budget during the first year of operation, thus lifting this budgetary burden from the municipalities.

On June 8, parliament amended a law criminalizing Holocaust denial that had been approved on February 22 following a proposal by the Socialist Party (MSZP). Fidesz abstained from voting in February because the then governing MSZP refused to accommodate its request for ensuring identical treatment of crimes committed under the communist regime. According to the February law, anyone who denies the Holocaust or diminishes its significance can be punished by imprisonment of up to three years. The amendment submitted by Fidesz Faction Leader Janos Lazar in June reflected

Fidesz's original desire. The new law states that those who publicly deny, doubt, or claim as insignificant genocide and other acts against mankind committed by National Socialist or Communist regimes have committed a crime and shall be sentenced to a maximum of three years imprisonment.

On April 18, more than 10,000 persons, including high-level politicians from every parliamentary party, participated in the March of the Living torchlight procession commemorating the 65th anniversary of the Hungarian Holocaust. Cardinal Peter Erdő and parliament's Human Rights Committee Chairman Zoltan Balog gave remarks at another memorial event held at the House of Terror Museum.

On April 16, the official Holocaust Remembrance Day in the country, government officials paid tribute to the country's victims of the Holocaust at commemorations held at various venues around Budapest. Prime Minister Gordon Bajnai said in his statement that it is a duty and democratic responsibility to pay remembrance to Holocaust victims, the gravest tragedy of humankind and of the country.

On April 6, approximately 500 persons joined an antiracism march through Budapest's Seventh District organized by the Free People for Hungary in response to an alleged anti-Semitic incident on March 31.

On March 19, Hungary's "Radnoti Award" for combating racism was presented to 21 individuals and groups in a ceremony in parliament. A deputy House speaker presented the award to the Hungarian Federation of Resistance Fighters and Antifascists, which received it for the tenth time in recognition of its fight against racism, anti-Semitism, and social exclusion.

On February 13, approximately 300 persons, including high-level MSZP politicians, gathered for an antifascist rally in Budapest's 13th District, organized by the Hungarian Anti-Fascist League, the Left-Wing Feminist Network, the New Socialist Movement, and the Civilians against the Far Right. On February 11, Social Affairs Minister Peter Kiss gave remarks at a wreath-laying ceremony in Budapest's 12th District to honor victims of fascism in World War II.

On January 27, various public figures, including Minister of the Prime Minister's Office Csaba Molnar, attended the commemoration of the liberation of the Auschwitz-Birkenau camp at the Holocaust Documentation Center (HDC). To mark the anniversary, the HDC published a school textbook seeking to promote tolerance. Deputy Speaker of Parliament Laszlo Mandur participated at ceremonies at Auschwitz and attended an international conference in Krakow organized by the European Parliament's European Friends of Israel. Prime Minister Gordon Bajnai issued a statement in which he stressed that events such as the Holocaust must never happen again. Bajnai received visiting Israeli Deputy Prime Minister Avigdor Lieberman, who strongly advocated for the introduction of a hate speech law in the country. In addition, the embassy in Washington, D.C. opened a photo exhibit on the life of Carl Lutz, a Swiss diplomat who saved tens of thousands of Jews in Budapest during World War II.

On January 18, various public figures, including Socialist Prime Minister Candidate Attila Mesterhazy and Budapest Mayor Gabor Demszky, attended the commemoration of the liberation of the Budapest ghetto. A photo exhibit on the fate of 11,000 women deported from Hungary to Buchenwald concentration camp followed a religious ceremony in the Dohany Street Synagogue.

On December 15, 2009, the Supreme Court dissolved the far-right paramilitary group, the Magyar Garda Association (MGA). The ruling stated that the MGA curtailed the freedom and the rights of others and "triggered a risk of violence" during its rallies. The MGA, which was formed in 2007 by Jobbik Party Chairman Gabor Vona to "preserve the country's traditions and culture," caused anxiety within the Jewish communities, as MGA members dressed in uniforms and carried flags similar to those of the World War II fascist organization, the Hungarian Arrow Cross Party. Although the MGA is

primarily focused on calling the public's attention to so-called "gypsy crime," members of the paramilitary group frequently chanted anti-Semitic slogans during their demonstrations.

The government continued to process petitions under Act XLVII, which allowed compensation claims from individuals whose immediate relatives were killed in the Holocaust or in Soviet forced labor camps; lost their lives between 1939 and 1989 due to politically motivated despotic action of government authorities; or performed forced labor due to racial, religious, or political discrimination during World War II. The deadline for submitting claims expired in December 2006. Eligible individuals could apply for a lump sum of up to \$1,700 (400,000 forints) for each spouse, parent, or child; a lump sum of \$860 (200,000 forints) for each sibling killed; and compensation notes or a monthly life annuity for forced labor. More than 97,600 claims from 60 countries were submitted to the Separate Compensation and Documentary Department of the Central Office of Justice. By the end of 2009, 68,128 decisions had been issued and \$11.7 million (2.7 billion forints) transferred to eligible applicants.

### Section III. Status of Societal Respect for Religious Freedom

There were several reports of societal abuses and discrimination based on religious affiliation, belief, or practice during the reporting period. Jewish organizations expressed serious concerns over a perceived increase in the public's tolerance for anti-Semitic remarks in public discourse. Jobbik's success in the April 2010 national elections and its representational gains in parliament also raised wide concern, particularly among the Roma and Jewish communities.

On June 16, police interrupted the screening of a Nazi propaganda film, *The Eternal Jew*, and took several of the participants and the organizers into custody. The screening was staged by the Deme brothers, publishers of extreme right-wing literature in Budapest's 13th district, the same venue where the illegal showing of *Jud Süss* took place last year.

On May 14, 47 Jobbik politicians took the oath at the inaugural session of the new parliament, representing approximately 12 percent of the total number of seats. Jobbik Chairman Gabor Vona wore a black vest with symbols of the party's banned paramilitary arm, the Magyar Garda. The Confederation of Jewish Communities in Hungary (MAZSIHISZ) issued a statement in which it called on the democratic parties in parliament to isolate "those that incite hatred."

On May 1, unidentified persons damaged a Holocaust memorial in Zalaegerszeg shortly after it was repaired following a similar attack on April 6. The vandals knocked a pillar from its pedestal and kicked over the lights around the monument. The monument was erected on the 60th anniversary of the Holocaust in tribute to the victims from the town. Police have launched an investigation, which remained pending at the end of the reporting period.

On March 30, unidentified persons threw stones into an apartment on Dohany Street where a rabbi celebrated Passover for 50 people. No one was injured, and the police investigated the incident as a case of vandalism. However, on April 30, police suspended the investigation as they failed to identify the perpetrators.

On February 13, two participants in an antifascist demonstration organized by the Hungarian Anti-Fascist League were assaulted at a tram stop after they left the peaceful protest. On April 6, the police suspended the investigation as they failed to identify the perpetrator.

On December 23, 2009, police captured a 16-year-old and an 18-year-old man in connection with a June 30 physical attack on a 27-year-old Jewish man. The victim suffered slight injuries. The prime minister requested the minister of justice and law enforcement to supervise and accelerate the investigation and present proposals on how to avoid similar incidents. Police launched an investigation under a special designation typically used for members of minority communities.

On October 26, 2009, a 22-year-old man damaged the memorial plaque of Armin Keckskemeti, chief rabbi of Mako for more than 40 years, who died in a concentration camp in 1944. He also wrote "What six million?" and "Lying Swine" on the wall. Two days later the police captured the suspected perpetrator and launched proceedings against him on suspicion of vandalism. On November 11, 2009, President Laszlo Solyom laid a wreath at the restored plaque and said he considered it necessary to counteract the "barbaric act of a drunken man" and to make sure that positive aspects of the history of the country and Jewry reach public awareness. The case against the man was pending at the end of the reporting period.

On October 8, 2009, commercial TV channel RTL Klub aired a video featuring Fidesz MP and mayor of Edeleny (a small town in northeast Hungary) Oszkar Molnar talking about "global Jewish capital" in an interview with the local television a year before. Molnar said he "preferred Hungarian interests to global capital – Jewish capital if you like – which wants to devour the whole world, especially Hungary." On September 3, 2009, Molnar also stated during a press conference that pregnant Romani women hit their own stomachs with rubber hammers and take harmful medicines to increase the chance their child would be born with disabilities in order to receive increased state financial aid. On December 14, 2009, Fidesz's national board removed Molnar from its list of candidates for the next parliamentary elections and later terminated Molnar's party membership. Molnar, running as an independent, beat the new Fidesz candidate and won a parliamentary seat on May 14, 2010.

On September 7, 2009, the Simon Wiesenthal Center (SWC) urged the Council of Europe to set up an investigative commission to halt the "exponentially increased anti-Semitic incidents" in the country.

On September 5, 2009, during a Gay Pride Parade, approximately 20 demonstrators whom the police had pushed from Varoshaz Square began shouting "nasty Jews" at the largest synagogue in Budapest. They threw an empty beer bottle at the synagogue, then tore down and burned a banner advertising the Jewish Summer Festival, along with a temporary reed fence on the side of the synagogue. Police quickly extinguished the fire and opened an investigation into the incident. The case was still pending at the end of the reporting period.

The weekly magazine *Magyar Demokrata*, the national daily *Magyar Hirlap*, and the more radical *Magyar Forum*, all published anti-Semitic articles during much of the reporting period. *Magyar Demokrata* and *Magyar Hirlap* discontinued these practices in the spring of 2010. The official publication of the radical right-wing party Jobbik, *Barikad*, changed from a monthly to a weekly magazine, and continued to publish openly anti-Semitic content. There were also numerous far-right Websites in the country, many of which were openly anti-Semitic. Nongovernmental organizations (NGOs) reported that the government monitored these publications' websites for content, because the law prohibits public display of symbols such as the swastika, hammer and sickle, and red star.

Between June 2009 and May 2010, there were 179 reports of vandalism or damage to Jewish or Christian cemeteries.

The Jerusalem-based office of the SWC continued to criticize the country for failing to bring alleged Nazi war criminal Sandor Kepiro to justice. Kepiro was convicted in 1944 and 1946 by Hungarian courts for his role in the January 1942 Novi Sad massacre in Serbia in which more than 1,000 persons were killed, most of whom were Jews; however, his punishment was never carried out. In 2006 Kepiro was discovered living in Budapest by SWC, and in 2007 the Prosecutor's Office opened a new case against Kepiro after the court ruled that the old records attesting to the verdict had been lost, and thus the sentence could not be carried out. Government authorities requested legal assistance from the Serbia to collect relevant records and evidence kept in Serbian archives. Investigation of war crimes charges against Kepiro continued during the reporting period.

On May 25, the Hungarian Reformed Church organized the first Indonesian-Hungarian Dialogue Conference with the participation of representatives of the major religious groups of Indonesia and Hungary aimed at promoting peace and understanding through interfaith dialogue.

Christian churches and the Jewish community continued to organize regular events under the auspices of the Christian-Jewish Society, which brings together religious academicians for discussions. Religious groups also demonstrated strong willingness to work together across a wide range of other areas to achieve common social and political goals.

#### Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights.

The U.S. government discussed religious freedom with members of parliament, political party leaders, and representatives of local and international NGOs that address matters of religious freedom. U.S. embassy officers closely tracked anti-Semitic incidents and regularly consulted with leaders of religious groups to assess the threat.

The embassy continued to speak out against anti-Semitism and hate speech and urged all parties to do the same. Embassy officials regularly discussed with the government the issue of anti-Semitic public incidents organized by extremist groups. Throughout the reporting period, the ambassador, as well as other U.S. embassy officials, attended various events to honor Jewish culture and commemorate the end of the Holocaust.

The ambassador and other embassy officials met with prominent religious leaders to discuss religious freedom concerns. On April 8, the ambassador met with the president of the Hungarian Catholic Bishops' Conference, Cardinal Peter Erdo, and on February 5, embassy officers met with the president of the Hungarian Islamic Community, Zoltan Bolek; the purpose of both meetings was to address the concerns of the respective communities. The ambassador and embassy officers also met with MAZSIHISZ Chairman Peter Feldmajer on numerous occasions to address the religious freedom concerns of the Jewish community.

On January 27, the ambassador delivered a speech on International Holocaust Memorial Day (the 65th anniversary of the liberation of Auschwitz) and presented successful U.S. tolerance promotion models that were listed in a brochure entitled *For Each Other* published by the Holocaust Museum. (The U.S. section highlighted the Southern Poverty Law Center, the Shoah Foundation, and Youth for Understanding).

On January 18, embassy officers attended the commemoration of the 65th Anniversary of the Liberation of the Budapest Jewish Ghetto, as well as the opening ceremony of the exhibit *Forgotten Women of Buchenwald* at the Hungarian Jewish Museum.

On September 11, 2009, the embassy invited representatives of the Catholic Church, the Reformed Church, the Lutheran Church, the Federation of Hungarian Jewish Communities, and the Hungarian Islamic Community to a roundtable discussion aiming to help foster interfaith cooperation.

On July 12-19, 2009, the public affairs section of the embassy issued a grant to fund two high school teachers' airline tickets to attend the Summer Holocaust Teachers' Training Program organized by the South Carolina Council on the Holocaust.

The embassy maintained an active agenda of events with the Romani community as well, underscoring the importance of tolerance for all minorities.

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