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Two years after ruling by ECtHR Church law remains unaltered

FOREF Europe intervenes for the 3rd time at the OSCE
[Read Hungarian Version Here](#)

FOREF (24.09.2016) - <http://bit.ly/2ds1gvH> - **The Forum for Religious Freedom Europe prepared following intervention for the OSCE Human Dimension Implementation Meeting and will present it on 27 September 2016 in Warsaw, Poland, at the working session 12. This session will cover issues of fundamental freedoms focusing on freedom of religion and belief (FoRB) in the OSCE region. (See also our article from September 2014 [here](#).)**

FOREF's Intervention on Hungary's Religion Law 2014: [New Religion Law at Variance with OSCE Standards and the European Convention on Human Rights](#)

FOREF's Intervention on Hungary's Religion Law 2015: [Amended Church Law Remains at Variance with OSCE Standards and the European Convention on Human Rights](#)

Recommendations (September 2016):

The *Forum for Religious Freedom Europe* (FOREF) calls upon the Government of Hungary

(1) to introduce legislation to Parliament that will amend Hungary's law on the legal status of churches in a way that harmonizes with Helsinki standards, the European Convention on Human Rights, and the ruling of the ECtHR in *Magyar Keresztény Mennonita Egyház and others v. Hungary*.

(2) To restore the legal status of churches stripped of legal personality in 2011 through a procedure ruled unconstitutional by Hungary's Constitutional Court and found in breach of the European Convention of Human Rights by the European Court of Human Rights.

Hungary ignores ruling of the European Court of Human Rights

In 2011 Hungary enacted a new law on the legal status of churches (Act CCVI of 2011). The law stripped approximately 200 religious communities of legal personality, and reduced the number of legally recognized churches in Hungary to 14. In February 2012, responding to international pressure, Parliament expanded the number of recognized churches to 31. In February 2013, Hungary's Constitutional Court ruled the deregistration of recognized churches had been unconstitutional. Responding to the Court's decision, Parliament amended the constitution in March 2013. In June and September 2013, Parliament amended Act CCVI to create a two-tiered classification consisting of "religious communities" and "incorporated churches." In September 2013, Parliament also amended the constitution explicitly to grant Parliament the authority to select religious communities for "cooperation" with the state in the service of "public interest activities." In April 2014 the European Court of Human Rights (ECtHR) ruled in *Magyar Keresztény Mennonita Egyház and others v. Hungary* that Hungary had violated articles 9 and 11 of

the European Convention on Human Rights (ECHR), a judgment which became final in September 2014.

In Fall September 2015 the Government of Hungary made public a new draft of the church law, but ignored suggestions from Hungary's opposition political parties and NGO's intended to improve the bill. In December 2015, the Government of Hungary introduced the bill unaltered to Parliament and failed to secure the necessary $\frac{2}{3}$ majority vote in Parliament to pass. Since failing to pass the bill through Parliament, the Government of Hungary has taken no further steps to amend its church law,, nor has it taken steps to address the ongoing violations of the right of religious freedom identified by the ECtHR.

Many deregistered religious communities in Hungary currently exist in a legal no man's land, recognized neither as churches nor as religious associations. As entities without clear legal status they are unable to collect the 1% voluntary church tax, their clergy are denied tax exemptions given to legally recognized churches, and their ability to maintain schools and enter into contracts is severely impaired. The longer their legal status remains unresolved, the harder it becomes for deregistered churches to maintain their institutions, thereby forcing them to function informally in a legal underground. In the absence of a long overdue legal remedy, many small religious communities in Hungary may soon cease to exist.

FOREF urges the Government of Hungary to address the current violations of religious freedom occurring in Hungary without delay, to restore the original legal status of religious groups illegally stripped of legal personality in 2011, and to amend the law on the legal status of churches to accord with Helsinki standards, the European Convention on Human Rights, and the ruling of the European Court of Human Rights.

In Hungary, anti-Christian persecution prompts government action

Catholic News Agency (13.09.2016) - <http://bit.ly/2canmgk> - The Hungarian government has established a new office on the persecution of Christians to address both persecutions of Christians in the Middle East and the subtle forms of discrimination some Christians face in Europe.

Zoltan Balog, the Hungarian Minister for Human Capacities, explained the new office. His ministry oversees the newly established sub-secretariat on the persecution of Christians.

"Today, Christianity has become the most persecuted religion, where out of five people killed out of religious reasons, four of them are Christians," Balog told CNA. "In 81 countries around the world Christians are persecuted and 200 million Christians live in areas where they are discriminated against. Millions of Christian lives are threatened by followers of radical religious ideologies."

This is the reason why the Hungarian government considers the establishment of the specialized government office to be of the "utmost importance" to help persecuted Christians, to raise international awareness of their "untenable situation", and to coordinate humanitarian actions.

The new office's exact mission has not yet been established. It has primarily a humanitarian focus, but it will also examine the state of Christianity in Europe.

"Our interest not only lies in the Middle East but in forms of discrimination and persecution of Christians all over the world," Balog said. "It is therefore to be expected that we will keep a vigilant eye on the more subtle forms of persecutions within European borders."

The Hungarian government is the first country to establish a special government department on persecution of Christians. The new department has a 3 million euro budget. Overseeing the department is Tamás Török, who until recently was Hungary's deputy ambassador to Italy.

The decision came after Hungarian Prime Minister Viktor Orban along with Balog took part in the annual meeting for Catholic legislators in Frascati, Italy. The group was founded by Cardinal Christoph Schoenborn of Vienna in 2015.

Orban and Balog, who are respectively a Protestant layman and a Calvinist pastor, were the only non-Catholic members of the group, whom Pope Francis received in a private audience.

Balog said that he and Orban met with Christian leaders from the Middle East in Rome at the end of August.

Among the participants of the meeting were Syriac Patriarch Ignatius Joseph III Younan of Antioch, Maronite Patriarch Bechara Boutros Rai of Antioch, Melkite Archbishop Jean-Clément Jeanbart of Aleppo, Patriarch Ignatius Aphrem II of the Syriac Orthodox Church, and Bishop Anba Gabriel of the Coptic Orthodox Church.

"The primary topic of the meeting was the persecution of Christians, since Christians living the Middle Eastern region are the most vulnerable in the world," Balog said. "Viktor Orbán declared at the meeting that Hungary will take action against the persecution of Christians and stands ready to support these communities whose very existence is threatened."

"This is where we decided that there needs to be an efficiently operating deputy state secretariat with the government's authorization to combat every form of Christian persecution."

Balog said Hungary "hasn't been idle" in speaking in international forums against contemporary persecutions of Christians. The country "to the best of its abilities" has helped Middle Eastern Christian communities morally and financially "so that they may persevere in their homelands."

Balog listed some Hungarian government initiatives for persecuted Christians. There is the allocation of over 300,000 euros through the Hungarian Catholic Bishops' Conference to support students in the Middle East and to construct schools in Erbil. The funding provided by the government helps fund the annual education of approximately 400 refugee children in the Middle East. The coverage, together with the Catholic Church, of the annual education costs for the children of almost 740 families belonging to Christian or other persecuted religious or ethnic minority living in the refugee camps in Jordan, northern Iraq, and Lebanon.

He added that the government "will do everything in our power to improve the circumstances of Christians living in the Middle Eastern region."

"The establishment of this new government office, whose very nature is to deal with this matter, is another manifestation of our dedication to this issue."

Balog also said that this new focus will help control the major immigration flows out of the Middle East into Europe.

“We feel that improving the situation in the troubled countries might make it possible for persecuted minorities to stay at home or close to home.”
