



## **Coordination des Associations et des Particuliers pour la Liberté de Conscience**

### **RELIGIOUS DISCRIMINATION IN HUNGARY**

CAP Liberté de Conscience, a French NGO created in 2000 dedicated to the respect of the Right of Freedom of Religion and Belief. CAP LC is expert since now 20 years, in religious minorities' discriminations in France and Europe. CAP Liberté de Conscience organizes events, conferences, meetings to unite minority religions to counter discrimination mainly in France but also in Europe and worldwide.

In 2011, the new Religion Law de-registered all but 14 of the more than 350 previously-registered religious groups. Apart from the recognized Churches listed in the Appendix to the 2011 Church Act, all other religious communities previously registered as Churches lost their status as Churches but could continue their activities as associations. If intending to continue as Churches, religious communities were required to apply to Parliament for individual recognition as such.

To “re-register” and gain legal status as “Churches” again, these de-registered groups had to win a two-thirds majority vote of the Hungarian Parliament, which politicized the process, violated the duty of the state to be neutral in religious matters, and engaged in discrimination against minority denominations.

By February 2012, the Parliament had denied the re-registration applications of 66 of the 84 previously-registered Churches that applied, without providing a substantive explanation for their denials. Among those lawfully registered Churches that were denied re-registration were Christian Churches, Evangelical Churches, Pentecostal Churches, the Church of Scientology and Buddhist, Hindu and Jewish groups. Many of these Churches were found to fulfill all of the conditions of the Religion Law, but they were rejected anyway.

Denial of registration as Churches also deprived these religious groups of their financial means of existence since it deprived them of their right to the one per cent of income tax which taxpayers may donate to Churches.

In spite of a ruling by the Constitutional Court in 2013 finding the law unconstitutional and a decision of the European Court of Human Rights in 2014 finding the law in breach of the European Convention on Human Rights, the Religion Law remains in force to this day. It continues to be used by the government to discriminate against minority religious groups and individuals it targets.

Further, the situation is worsening. The government is now creatively and aggressively using other laws to target and criminally investigate at least one Church that was lawfully registered under the 1990 Religion Law, then unconstitutionally de-registered under the 2011 Religion Law and thus forced to register and operate as an association. This is the Church of Scientology, against which Hungarian government officials made public statements to declare their intention “to restrict the activities of Scientologists.”

In practice, the religious discrimination taking place regarding the Church of Scientology and its parishioners in Hungary has primarily manifested itself in the following ways:

- Bad faith denial of a Certificate of Occupancy that would allow the Church of Scientology of Budapest to lawfully occupy its Place of Worship constitutes a violation of the right of the Church and its parishioners to religious freedom.
- Bad faith application and discriminatory enforcement of the Data Protection Law has resulted in the arbitrary seizure of all the parishioner files, including priest-penitent files, and an undue interference with the exercise of core religious rights of Scientologists in Hungary.

As a conclusion, the deteriorating situation of religious minorities in Hungary and in particular the continuous harassment of the Church of Scientology and its parishioners constitute a blatant violation of the right to freedom of religion or belief protected by UN instruments that Hungary has signed and ratified and which it is bound to respect.