

The Brief Summary of Hungarian Legislation Regarding Online Hate Speech

In Hungary the term “hate speech” is not included in legislative measures, but a number of conceptual elements of these legislative measures have a direct relevance to the concept of hate speech.

Pursuant to the Hungarian *Civil Code*, solatium is to be paid to any person or community subjected to legislative measures related to hate speech. Any member of a community is entitled to refer to the court within thirty days in the event of any serious defamation or any form of expression, made in large public, tantamount to unjustified humiliation of his/her national, ethnic, racial or religious community. In addition, the state of Hungary uses also the means of criminal law against hate speech. This is served, among others, by the applicable provisions of the *Criminal Code* on incitement against a community and the open denial of national-socialist crimes and communist crimes, as well as the provisions penalizing racism.

Hungarian law also includes measures that are designed to address unacceptable online contents, such as rendering temporarily or permanently inaccessible data disclosed through an electronic communications network. Moreover, the protection of human dignity granted in the *Fundamental Law* is completed by those *media law provisions* that allow for the imposition of considerable amounts of penalty, the obligation of disclosing a decision of condemnation or the temporary suspension of media service: There are two laws primarily addressing the media in Hungary, both adopted in 2010: the Media Act (dealing with media regulation) and the Press Act (dealing with media content). The legislation does not distinguish between types of media (e.g. print and broadcasting). Both Acts regulate ‘media services’ and press products; these include public and commercial broadcasting, Internet TV and radio, on-demand media, print and online press, and foreign media ‘aimed at’ Hungary. These laws do not protect the rights of individuals, but rather are aimed at protecting societal values. The Media Authority (NMHH) is responsible for overseeing all media sectors and all areas of media regulation.

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