



# Hungary

## Ratified the European Convention on Human Rights in 1992

### National Judge: Péter Paczolay (24 April 2017- )

[Judges' CVs](#) are available on the ECHR Internet site

Previous Judges: András B. Baka (1991-2008) and András Sajó (2008-2017)

[List of judges of the Court since 1959](#)

The Court dealt with 1272 applications concerning Hungary in 2022, of which 1070 were declared inadmissible or struck out. It delivered 35 judgments (concerning 202 applications), 35 of which found at least one violation of the European Convention on Human Rights.

Applications processed in	2021	2022	2023*
Applications allocated to a judicial formation	1086	1266	1913
Communicated to the Government	458	323	154
Applications decided:	983	1272	868
- Declared inadmissible or struck out (Single Judge)	644	872	632
- Declared inadmissible or struck out (Committee)	250	198	194
- Declared inadmissible or struck out (Chamber)	0	0	2
- Decided by judgment	89	202	40

\* January to July 2023

For information about the Court's judicial formations and procedure, see the [ECHR internet site](#).

Statistics on interim measures can be found [here](#).

Applications pending before the court on 01/07/2023	
Applications pending before a judicial formation:	1663
Single Judge	1218
Committee (3 Judges)	338
Chamber (7 Judges)	107
Grand Chamber (17 Judges)	0

## Hungary and ...

### The Registry

The task of the Registry is to provide legal and administrative support to the Court in the exercise of its judicial functions. It is composed of lawyers, administrative and technical staff and translators. There are currently **643** Registry staff members.

## Noteworthy cases, judgments delivered

### Grand Chamber

#### [L.B. v. Hungary](#)

02.03.2023

The case concerned the Hungarian legislative policy of publishing the personal data of taxpayers who were in debt. The applicant complained in particular that his name and home address had been published on a list of "major tax debtors" on the tax authorities' website under a 2006 amendment to the relevant tax legislation.

[Violation of Article 8 \(right to respect for private and family life and the home\).](#)

#### [Ilias and Ahmed v. Hungary](#)

21.11.2019

The case concerned two asylum-seekers from Bangladesh who spent 23 days in a Hungarian border transit zone before being removed to Serbia after their asylum applications were rejected.

[Violation of Article 3 \(prohibition of torture or inhuman or degrading treatment\) owing to the applicants' removal to Serbia](#)

[No violation of Article 3 as regards the conditions in the transit zone](#)

[The applicants' complaints under Article 5 §§ 1 and 4 \(right to liberty and security\) had to be rejected as inadmissible.](#)

#### [Korbely v. Hungary](#)

19.09.2008

Applicant found guilty of a crime against humanity and was sentenced to five years' imprisonment for his participation in the quelling of a riot in Tata during the 1956 revolution. He alleged that he had been convicted in respect of an act which had not constituted a criminal offence at the time it was committed.

[Violation of Article 7 \(no punishment without law\)](#)

*The applicant brought a petition for review with a view to acquittal. The Supreme Court found again the applicant guilty on 8 February 2009.*

### Cases Article 6

[Right of access to a court](#)

#### [Károly Nagy v. Hungary](#)

14.09.2017

The case concerned the compensation claim brought by Mr Károly Nagy, a pastor, following his dismissal by the Hungarian Reformed Church. The courts rejected his claim as unenforceable.

[Case declared inadmissible](#)

#### [Baka v. Hungary](#)

23.06.2016

The case concerned the premature termination of the mandate of Mr Baka, President of the Hungarian Supreme Court, following his criticism of legislative reforms and the fact that he was unable to challenge that decision before a court. His six-year term of office was brought to an end, three and a half years before its normal date of expiry, through the entry into force of the Fundamental Law (the new Constitution), which provided for the creation of the Kúria, the highest court in Hungary, to succeed and replace the Supreme Court.

[Violation of Article 6 § 1](#)

[Violation of Article 10 \(freedom of expression\)](#)

### Freedom of expression (Article 10)

#### [Magyar Kétfarkú Kutya Párt v. Hungary](#)

20.02.2020

The case concerned a political party's mobile application which allowed voters to photograph, anonymously upload and comment on invalid votes cast during a referendum on immigration in 2016.

[Violation de l'article 10](#)

#### [Magyar Helsinki Bizottság v. Hungary](#)

08.11.2016

The case concerned the authorities' refusal to provide an NGO with information relating to the work of *ex officio* defence counsel, as the authorities had classified that information as personal data that was not subject to disclosure under Hungarian law.

[Violation of Article 10](#)

#### [Karácsony and Others v. Hungary](#)

17.05.2016

The case concerned fines imposed on Hungarian MPs from two opposition parties who had disrupted parliamentary

proceedings by protesting against two bills being debated in Parliament.

[Violation of Article 10](#)

### **Protection of property (Article 1 of Protocol No. 1**

#### **[Albert and Others v. Hungary](#)**

07.07.2020

The case concerned complaints by 237 shareholders in two savings banks which were put under central supervising authorities following new legislation introduced in 2013.

The applicant shareholders essentially complained that the new legislation had restricted their right to influence the operation of the banks in which they held shares.

[The Court declared application inadmissible concerning 233 of the shareholders. The Court also decided to strike the application out of its list of cases in so far as it concerned the remaining four shareholders, who had decided to no longer pursue their cases.](#)

[The Court also held that the complaints should have been brought by the two savings banks and not the applicants, who, as shareholders, could not claim to have been a victim of any violation of their rights under the European Convention of Human Rights.](#)

#### **[Fábián v. Hungary](#)**

05.09.2017

The case concerned the suspension of Mr Fábián's oldage pension on the grounds that he continued to be employed in the public sector.

[No violation of Article 1 of Protocol No. 1  
No violation of Article 14 \(prohibition of discrimination\), taken in conjunction with Article 1 of Protocol No. 1 as concerned Mr Fábián's complaint about the difference in treatment with pensioners working in the private sector](#)

[The complaint relating to an allegedly unjustified difference in treatment between pensioners employed in different categories within the public sector had been introduced out of time and was therefore inadmissible.](#)

#### **[Bélané Nagy v. Hungary](#)**

13.12.2016

The case concerned a social security benefit paid to the applicant, Ms Nagy. She had received a disability benefit for almost ten

years, which was then withdrawn. Her claim to re-start the payments was dismissed, because a legislative change had meant that she was no longer eligible to receive the benefit. Ms Nagy complained that the removal of her disability pension had violated her right to the protection of property.

[Violation of Article 1 of Protocol No.1](#)

## Chamber

### **Cases concerning the right to life (Article 2)**

#### **[Makuchyan and Minasyan v. Azerbaijan and Hungary](#)**

26.05.2020

The case concerned the presidential pardon given to a convicted murderer and his release following his transfer from Hungary to Azerbaijan to serve the rest of his sentence. R.S., a military officer from Azerbaijan, killed an Armenian military officer and attempted to kill another one when they were attending a course in Hungary in 2004. The case also concerned more generally the hero's welcome given to R.S. in Azerbaijan upon his return.

[No substantive violation by Azerbaijan of Article 2](#)

[Procedural violation by Azerbaijan of Article 2](#)

[No procedural violation by Hungary of Article 2](#)

[Violation by Azerbaijan of Article 14 \(prohibition of discrimination\) taken in conjunction with Article 2](#)

[Neither the Azerbaijani nor Hungarian Governments had failed to comply with Article 38 \(obligation to furnish necessary facilities for the examination of the case\)](#)

#### **[R. R. and Others v. Hungary](#) (no. 19400/11)**

04.12.2012

The case concerned the exclusion of a family from an official witness protection programme on the ground that the father, in prison, had remained in contact with criminal groups.

[Violation of Article 2 as regards the mother and her children](#)

### **Cases concerning prohibition of inhuman or degrading treatments (Article 3)**

#### **H.M. and Others v. Hungary** **(no. 38967/17)**

02.06.2022

The case concerned the family's confinement in a transit zone at the border between Hungary and Serbia after fleeing Iraq.

[Violation of Article 3](#)

[violation of Article 5 §§ 1 \(right to liberty and security\)](#)

[Violation of 4 \(right to have lawfulness of detention decided speedily by a court\)](#)

#### **Bancsók and László Magyar (no. 2) v. Hungary**

28.10.2021

The case concerned the imposition of life sentences with eligibility for release on parole only after 40 years of imprisonment.

[Violation of Article 3](#)

#### **R.R. and Others v. Hungary** **(no. 36037/17)**

02.03.2021

The case concerned the applicants' confinement in the Röszke transit zone on the border with Serbia in April-August 2017.

[Violation of Article 3](#)

[Violation of Article 5 § 1 \(right to liberty and security\), and](#)

[Violation of Article 5 § 4 \(right to have lawfulness of detention decided speedily by a court\)](#)

#### **R.S. v. Hungary** (no. 65290/14)

02.07.2019

The case concerned the applicant being forced to take a urine test via a catheter on suspicion of his being under the influence of alcohol or drugs while driving.

[Violation of Article 3](#)

#### **Csonka v. Hungary**

16.04.2019

The case concerned the applicant's allegation that he had been slapped, kicked and punched by the police when taken in for questioning about a theft of timber.

[Two violations of Article 3](#)

#### **T.P. and A.T. v. Hungary** **(nos. 37871/14 and 73986/14)**

04.10.2016

The case concerned new legislation introduced in Hungary in 2015 for reviewing

whole life sentences. The legislation was introduced in order to comply with an ECtHR judgment of 2014 in which the Court found that the system for reviewing whole life sentences in Hungary should be reformed. The applicants in this case alleged that despite the new legislation, which introduced an automatic review of whole life sentences – via a mandatory pardon procedure – after 40 years, their sentences remained inhuman and degrading as they had no hope of release.

[Violation of Article 3](#)

#### **Varga and Others v. Hungary**

10.03.2015 (pilot judgment<sup>1</sup>)

The case concerned widespread overcrowding in Hungarian detention facilities.

[Violation of Article 3](#)

[Violation of Article 13 \(right to an effective remedy\) read in conjunction with Article 3](#)

[The applicants' cases, other similar cases against Hungary in which the Court had also found violations of Article 3 and approximately 450 applications currently pending against Hungary concerning complaints about inadequate conditions of detention, originated in a widespread problem within the Hungarian prison system, justifying a pilot-judgment procedure because of the recurrent and persistent nature of the problems identified.](#) Pending implementation of the relevant measures by the State, the Court did not consider it appropriate at this stage to adjourn any similar pending cases, the processing of which would serve to remind Hungary of its obligations under the Convention.

#### **László Magyar v. Hungary**

20.05.2014

The case mainly concerned a prisoner's complaint that his imprisonment for life without eligibility for parole amounted to

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<sup>1</sup> The pilot judgment procedure was developed as a technique of identifying structural problems underlying repetitive cases against many countries and imposing an obligation on member States to address those problems. Where the Court receives several applications that share a root cause, it can select one or more for priority treatment under the pilot procedure. In a pilot judgment, the Court's task is not only to decide whether a violation of the Convention occurred in the specific case but also to identify the systemic problem and to give the Government clear indications of the type of remedial measures needed to resolve it. See factsheet on [Pilot judgments](#).

inhuman and degrading treatment as it was irreducible.

Violation of Article 3 as concerned Mr Magyar's life sentence without eligibility for parole

Violation of Article 6 § 1 (right to a fair trial within a reasonable time) as concerned the excessive length of the criminal proceedings brought against Mr Magyar

#### **Hagyó v. Hungary**

23.04.2013

The case concerned the detention of Miklós Hagyó, a former Deputy Mayor of Budapest and former Member of Parliament, who was arrested for aggravated breach of trust for embezzling funds from the Budapest Transport Corporation. He complained that his detention and house arrest had been unjustified and that the principle of equality of arms was not respected when he sought to challenge his detention. He also complained about his conditions of detention and the small number of family visits he had been allowed.

Violation of Article 3

Violation of Article 5 § 3 (right to liberty / entitlement to trial within a reasonable time or to release pending trial)

Violation of Article 5 § 4 (right to have lawfulness of detention decided speedily by a court)

No violation of Article 8 (concerning the applicant's contact with his child)

Violation of Article 8 (concerning the applicant's contact with his common-law wife)

Violation of Article 13 (right to an effective remedy) read in conjunction with Article 8

#### **László Károly (no. 2) v. Hungary**

12.02.2013

The applicant alleged that he was ill-treated by the police after being involved in an argument with four police officers.

Violation of article 3

#### **Z.H. v. Hungary (no. 28973/11)**

08.11.2012

The applicant, deaf and mute, was unable to use sign language or to read or write, and has a learning disability. He complained that he could not understand the reasons for his arrest and that his ensuing detention had amounted to inhuman and degrading treatment.

Violation of Article 3

Violation of Article 5 § 2

#### **Szél v. Hungary and Csüllög v. Hungary**

07.06.2011

Inhuman and degrading conditions in Hungarian prisons.

Violation of Article 3 in both cases

Violation of Article 13 (right to an effective remedy) in the Csüllög v. Hungary case

#### **Engel v. Hungary**

20.05.2010

Paraplegic applicant complained about the conditions in which he had been detained and transported.

Violation of Article 3

#### **Barta v. Hungary**

10.04.2007

Alleged ill-treatment committed by a police officer.

No violation of Article 3 as regards the alleged ill-treatment.

Violation of Article 3 as regards the lack of an effective investigation

#### **Kmetty v. Hungary**

16.12.2003

A trader, the applicant refused to evacuate the market hall during a bomb alert and was escorted to the police station. He alleged that he had been ill-treated by the police officers.

Violation of Article 3 (lack of an effective investigation)

#### **Cases concerning liberty and security (Article 5)**

#### **Lakatos v. Hungary**

26.06.2018

The case concerned the applicant's complaint about being held in pre-trial detention for more than three years without any reasonable suspicion against him.

Violation of Article 5 § 3

#### **Plesó v. Hungary**

02.10.2012

The case concerned a young man's hospitalisation and psychiatric treatment, for one month, against his will.

Violation of Article 5 § 1

#### **Lokpo and Touré v. Hungary**

20.09.2011

The applicants are Ivorian nationals. They entered Hungary illegally and, arrested in March 2009, subsequently claimed asylum.

Violation of Article 5 § 1

## Cases concerning Article 6

### Right to a fair trial

#### [Repcevirág Szövetkezet v. Hungary](#)

30.04.2019

The case concerned the applicant company's complaint about the domestic courts refusing to refer questions to the Court of Justice of the European Union for a preliminary ruling.

[No violation of Article 6](#)

#### [Somorjai v. Hungary](#)

28.08.2018

The case concerned the Hungarian Supreme Court's (the *Kúria's*) failure to give reasons for refusing a request for a reference for a preliminary ruling on a pension dispute to the Court of Justice of the European Union (CJEU) and the length of proceedings before domestic courts.

[Violation of Article 6 § 1](#)

#### [Scheszták v. Hungary](#)

21.11.2017

In 2007 Mr Scheszták, the applicant, filed an action against his former employer, claiming unlawful dismissal. In his complaint to the European Court, he complained that the ensuing labour law proceedings were unfair. He alleged in particular that the Supreme Court had given judgment on his case without waiting for his pleadings, finding that they had been submitted too late.

[Violation of Article 6 § 1](#)

## Inadmissible cases

#### [Szalontay v. Hungary](#)

04.04.2019

The case concerned the applicant's complaint that his trial on charges of gross negligence, which was widely covered by the media, was not fair and his argument that he was not obliged to lodge a constitutional complaint before applying to Strasbourg.

[Application declared inadmissible for non-exhaustion of domestic remedies.](#)

#### [Merkantil Car Zrt. v. Hungary and four other applications](#)

20.12.2018

The case concerned complaints by five applicant companies, which are all part of the OTP Banking Group, that legislation which made various standard loan contract

terms unfair unless proven otherwise had violated their right to a fair trial and to the peaceful enjoyment of their possessions.

[Applications declared inadmissible as manifestly ill-founded.](#)

### Right to a fair hearing within a reasonable time

#### [Gazsó v. Hungary](#)

16.07.2015 (Pilot judgment)<sup>2</sup>

The case concerned Mr Gazsó's complaint about the excessive length – more than six years – of litigation in a labour dispute.

[Violation of Article 6 § 1](#)

[Violation of Article 13 \(right to an effective remedy\) read in conjunction with Article 6 § 1](#)

In view of the number of people affected by this issue and their need for speedy and appropriate redress, the Court decided to apply the pilot-judgment procedure, and held that Hungary had to introduce, at the latest within one year from the date on which the Gazsó judgment became final, an effective domestic remedy regarding excessively long civil proceedings.

The Court further decided to adjourn for one year the examination of any similar new cases introduced after the date on which the Gazsó judgment became final, pending the implementation of the relevant measures by Hungary.

#### [Bor v. Hungary](#)

18.06.2013

In this case the applicant, who lived opposite Zalaegerszeg railway station, complained that it was impossible for him to have the obligation to keep the noise level under control enforced effectively and in a timely manner.

[Violation of Article 6 § 1](#)

[Violation of Article 8](#)

### Right of access to court

#### [K.M.C. v. Hungary \(no. 19554/11\)](#)

10.07.2012

The applicant complained that she could not effectively challenge her dismissal in court

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<sup>2</sup> This procedure has been used by the Court in recent years to deal with large groups of identical cases arising out of the same structural problem. One of the aims of the pilot judgment procedure is to allow the speediest possible redress to be granted at domestic level to the large numbers of persons suffering from the structural problem identified in the pilot judgment. [See Pilot procedure Factsheet.](#)

because of the lack of reasons given by her employer.

[Violation of Article 6 § 1](#)

#### **Cases private and family life (Article 8)**

##### **[L.F. v. Hungary](#) (no. 621/14)**

19.05.2022

The case concerned an inspection of the applicant's home – retrospectively justified as necessary to verify compliance with construction regulations and for the allocation and/or review of housing benefits – in 2011 by a delegation of the local mayor's office.

[Violation of Article 8](#)

##### **[Rana v. Hungary](#)**

16.07.2020

The case concerned a transgender man from Iran who had obtained asylum in Hungary but could not legally change his gender and name in that country.

[Violation of Article 8](#)

##### **[Király and Dömötör v. Hungary](#)**

17.01.2017

The case concerned an anti-Roma demonstration. Mr Király and Mr Dömötör – both of whom are of Roma origin – alleged that the police had failed to protect them from racist abuse during the demonstration and to properly investigate the incident.

[Violation of Article 8](#)

##### **[R.B. v. Hungary](#) (no. 64602/12)**

12.04.2016

The case concerned the complaint by a woman of Roma origin that she had been subjected to racist insults and threats by participants in an anti-Roma march and that the authorities had failed to investigate the racist verbal abuse.

[Violation of Article 8 on account of the inadequate investigation into the applicant's allegations of racially motivated abuse](#)

##### **[Szabó and Vissy v. Hungary](#)**

12.01.2016

The case concerned Hungarian legislation on secret anti-terrorist surveillance introduced in 2011.

[Violation of Article 8](#)

[No violation of Article 13 \(right to an effective remedy\)](#)

##### **[Krisztián Barnabás Tóth v. Hungary](#)**

12.02.2013

The case concerned the applicant's complaint about the authorities' refusal of

his request to establish paternity of the child of his former wife, the domestic courts ultimately finding in May 2006 that it would not be in the child's best interests.

[No violation of article 8](#)

##### **[Kaluczka v. Hungary](#) (n°57693/10)**

24.04.2012

This case concerned Hungary's failure to protect the applicant from her abusive former partner with whom she unwillingly shared her flat pending numerous civil disputes concerning its ownership.

[Violation of Article 8](#)

##### **[Ternovszky v. Hungary](#)**

14.12.2010

Mother prevented from giving birth at home because of a lack of regulations and a threat of proceedings against midwives.

[Violation of Article 8](#)

##### **[Deés v. Hungary](#)**

09.11.2010

Nuisance (noise, vibrations, pollution, smell) caused to a resident by heavy traffic in his street, situated near a motorway operating a toll.

[Violation of Article 8](#)

[Violation of Article 6 \(excessive length of proceedings\)](#)

##### **[Turán v. Hungary](#)**

06.07.2010

Search of a lawyer's office without her presence and seizure of documents concerning one of her clients, suspected of involvement in illegal financial activities.

[Violation of Article 8](#)

##### **[Karakó v. Hungary](#)**

28.04.2009

Hungarian authorities did not act upon a criminal complaint which the applicant brought against another politician for having damaged his reputation during the 2002 Parliamentary elections.

[No violation of Article 8](#)

##### **[Daróczy v. Hungary](#)**

01.07.2008

Applicant prohibited from bearing her married name after the death of her husband because of an administrative omission of the authorities.

[Violation of Article 8](#)

**Cases concerning freedom of expression (Article 10)**

**[Mándli and Others v. Hungary](#)**

26.05.2020

The case concerned the suspension of the applicants' Parliament accreditation as journalists.

[Violation of Article 10](#)

**[Herbai v. Hungary](#)**

05.11.2019

The case concerned the applicant's dismissal from his job in human resources in a bank owing to his involvement with a website devoted to HR issues.

[Violation of Article 10](#)

**[Szurovecz v. Hungary](#)**

08.10.2019

The case concerned media access to reception facilities for asylum-seekers. The applicant in the case, a journalist for an Internet news portal, complained about the authorities' refusal of his request to carry out interviews and take photographs at the Debrecen Reception Centre, thus preventing him from reporting on the living conditions there.

[Violation of Article 10](#)

**[Magyar Jeti Zrt v. Hungary](#)**

04.12.2018

The case concerned the applicant company being found liable for posting a hyperlink to an interview on YouTube which was later found to contain defamatory content.

[Violation of Article 10](#)

**[Magyar Tartalomszolgáltatók Egyesülete and Index.hu Zrt v. Hungary](#)**

02.02.2016

The case concerned the liability of a self-regulatory body of Internet content providers and an Internet news portal for vulgar and offensive online comments posted on their websites.

[Violation of Article 10](#)

**[Szima v. Hungary](#)**

09.10.2012

The applicant was a retired senior police officer and a trade union leader. The case concerned her complaint about her conviction for instigation to insubordination following criticisms she had posted on the Police Trade Union's Internet website. She had notably referred to certain labour-

issues and had alleged nepotism and undue political influence in the force.

[No violation of Article 10](#)

**[Fáber v. Hungary](#)**

24.07.2012

The case concerned the applicant's complaint that he was fined for displaying the striped Árpád flag, which has controversial historical connotations, less than 100 metres away from a demonstration against racism and hatred.

[Violation of Article 10](#)

**[Tatár and Fáber v. Hungary](#)**

12.06.2012

The case concerned a complaint by József Tatár and Károly Fáber that they were prosecuted and fined for illegal assembly for hanging dirty laundry on the fence around Parliament in Budapest, in protest at what they considered the country's general political crisis.

[Violation of Article 10](#)

**[Fratanoló v. Hungary](#)**

03.11.2011

The applicant, a member of the Hungarian Workers' Party 2006 (Munkáspárt 2006), complained about his conviction for wearing the five-pointed red star – considered a totalitarian symbol by the Hungarian courts – at a demonstration on 1 May 2004 in Budapest.

[Violation of Article 10](#)

**[Uj v. Hungary](#)**

19.07.2011

Journalist's conviction for damaging reputation of famous Hungarian wine producer.

[Violation of Article 10](#)

**[Karsai v. Hungary](#)**

01.12.2009

Obligation for an historian to publish a rectification and pay considerable legal costs following the publication of his article in which he had criticised the right-wing press for making anti-Semitic statements.

[Violation of Article 10](#)

**[Kenedi v. Hungary](#)**

26.05.2009

Applicant's complaint about the Hungarian authorities' protracted reluctance to enforce a court order granting him unrestricted access to documents which he wanted in order to write a study on the Hungarian State Security Service in the 1960s.



Violation of Article 10 and of Article 13 read in conjunction with Article 10

**Társaság a Szabadságjogokért v. Hungary**

09.04.2009

NGO denied the right to receive information of a motion pending before it which concerned the constitutionality of penal-law provisions governing drug-related offences.

Violation of Article 10

**Csánics v. Hungary**

20.01.2009

Trade union leader sanctioned for expressing his views about a demonstration.

Violation of Article 10

**Vajnai v. Hungary**

08.07.2008

Conviction of the vice-president of a left-wing political party for wearing a five-pointed red star at a demonstration (symbol of the international workers' movement).

Violation of Article 10

**Cases concerning demonstrations and freedom of assembly and association (Article 11)**

**Budaházy v. Hungary**

15.12.2015

The applicant was found guilty of attempted disturbance of public transport after organising a demonstration on a bridge which caused major traffic disruptions all over Budapest.

Non-violation de l'article 11

**Magyarországi Evangéliumi Testvérközösség v. Hungary**

25.04.2017 (judgment on just satisfaction)

In this case the Court dealt with the question of just satisfaction (Article 41) following the judgment delivered in 2014 in the case [Magyar Keresztény Mennonita Egyház and Others v. Hungary](#) regarding religious communities' loss of full church status.

In its judgment on just satisfaction the Court decided, unanimously, to award the applicant 3,000,000 euros for pecuniary damage in the form of a lump sum. This lump sum covered in particular the loss of personal income tax donations, State subsidies and salary supplements for staff

employed by church institutions; as well as the real loss of opportunities resulting from the applicant's lack of access to grants managed by different State authorities.

**Magyar Keresztény Mennonita Egyház and Others v. Hungary**

08.04.2014 (judgment on merits) and

28.06.2016 (judgment on just satisfaction)

The case concerned the new Hungarian Church Act. Following its entry into force in 2012, the applicant religious communities lost their status as registered churches which had previously entitled them to certain monetary and fiscal advantages for their faith-related activities.

In its [judgment on the merits](#) on 8 April 2014 the Court held that there had been a violation of Article 11 read in the light of Article 9.

Following the principal judgment the parties concluded a partial agreement on 26 June 2015 with respect to certain pecuniary losses incurred until 31 December 2014 and agreed to continue their negotiations as regards the period starting on 1 January 2015.

In its subsequent [judgment on just satisfaction](#) on 28 June 2016 the Court awarded damages to all the applicant religious communities except for *Magyarországi Evangéliumi Testvérközösség*. The latter's claims were reserved for examination at a later date because negotiations between it and the Hungarian Government were still continuing.

**Vona v. Hungary**

09.07.2013

The case concerned the dissolution of an association on account of the anti-Roma rallies and demonstrations organised by its movement.

No violation of Article 11

**Sáska v. Hungary**

27.11.2012

The applicant complained that the authorities had refused his application to hold a demonstration in front of Parliament, in Kossuth Square, on 17 October 2008 to raise awareness – among other things – about a perceived absence of legal certainty in the country. He complained in particular that his application had been refused on the ground that the demonstration could disturb MPs' work even though on the

proposed date of the demonstration no parliamentary activity had actually been planned.

[Violation of Article 11](#)

**[Szerdahelyi v. Hungary and Patyi v. Hungary \(No.2\)](#)**

17.01.2012

The cases concerned the Hungarian authorities' refusal to authorise demonstrations which the applicants intended to organise in front of the Parliament in Budapest in 2006 and 2007 respectively.

[Violation of Article 11](#)

The finding in the first case was adopted by a majority and in the second case unanimously.

**[Patyi and Others v. Hungary](#)**

07.10.2008

Ban of a planned demonstration in front of the Prime Minister's house.

[Violation of Article 11](#)

**[Bukta and Others v. Hungary](#)**

17.07.2007

Demonstration dispersed because the police had not had prior notification.

[Violation of Article 11](#)

A contrario, in the case of [Molnár v. Hungary](#), the Court found **no violation of Article 11** (the police had shown the necessary tolerance towards the demonstration, although they had had no prior knowledge of the event, which inevitably disrupted the circulation of the traffic and caused a certain disturbance to public order).

**Prohibition of discrimination  
(Article 14)**

**[Szolcsán v. Hungary](#)**

30.03.2023

The case concerned the applicant's education in a primary school that was almost exclusively attended by Roma children.

[Violation of Article 14 taken in conjunction with Article 2 of Protocol No. 1](#)

**[Fábián v. Hungary](#)**

15.12.2015

The case concerned a pensioner's complaint that, following an amendment to the Pension Act, his old-age pension was suspended because he had taken up post-retirement employment as a civil servant. The new rule under the Pension

Act notably targeted certain categories of pensioners such as Mr Fábián, the applicant, who benefitted from two incomes at the same time paid by the State. Those working in the private sector were not affected by the rule.

[Violation of Article 14 \(prohibition of discrimination\) in conjunction with Article 1 of Protocol No. 1 \(protection of property\)](#)

**[Vojnity v. Hungary](#)**

12.02.2013

The case concerned the total removal of a father's access rights on the grounds that his religious convictions had been detrimental to his son's upbringing.

[Violation of Article 14 read in conjunction with Article 8 \(right to respect for private and family life\)](#)

**Protection of property cases  
(Article 1 of Protocol no. 1)**

**[Béla Németh v. Hungary](#)**

17.12.2020

The case concerned the applicant's not being able to take possession of a property he had bought owing to a legal moratorium on evictions. State bodies had been exempt from the moratorium. He had had to wait two years before ultimately being able to exercise his ownership rights.

[No violation Article 1 of Protocol No. 1](#)

[No violation of Article 14 \(prohibition of discrimination\)](#)

**[Könyv-Tár Kft and Others v. Hungary](#)**

16.10.2018

The case concerned the applicant companies' complaint that they had been deprived of their business as distributors of school text books by new legislation which introduced a single State purchasing and distribution body.

[Violation of Article 1 of Protocol No. 1](#)

**[N.K.M. v. Hungary \(no. 66529/11\)](#)**

14.05.2013

The case concerned a civil servant who complained in particular that the imposition of a 98 per cent tax on part of her severance pay under a legislation entered into force ten weeks before her dismissal had amounted to an unjustified deprivation of property.

[Violation of Article 1 of Protocol No. 1](#)

**Right to education cases  
(Article 2 of Protocol no. 1)**

**[Horváth and Kiss v. Hungary](#)**

29.01.2013

The case concerned the complaints of two young men of Roma origin that they had been wrongly placed in schools for the mentally disabled and that their education there had amounted to discrimination.  
[Violation of Article 2 of Protocol No. 1 read in conjunction with Article 14 \(prohibition of discrimination\)](#)

**Right to free elections cases  
(Article 3 of Protocol No. 1)**

**[Bakirdzi and E.C. v. Hungary](#)**

10.11.2022

The case concerned the voting rights of the applicants, registered as national-minority voters for the 2014 parliamentary elections in Hungary.  
[Violation of Article 3 of Protocol No. 1 taken in conjunction with article 14](#)

**[Alajos Kiss v. Hungary](#)**

20.05.2010

Applicant excluded from the electoral register drawn up in view of the 2006 general elections, because he was under partial guardianship.  
[Violation of Article 3 of Protocol N°1](#)

**Prohibition of collective expulsion of  
aliens  
(Article 4 of Protocol no. 4)**

**[Shahzad v. Hungary](#)**

08.07.2021

The case concerned the applicant's entry from Serbia to Hungary as part of a group and his subsequent summary expulsion by the police.  
[Violation of Article 4 of Protocol No. 4](#)  
[Violation of Article 13 \(right to an effective remedy\) taken in conjunction with Article 4 of Protocol No. 4](#)

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**Noteworthy cases, decisions  
delivered**

**[Szaxon v. Hungary](#)**

30.03.2023

The case concerned the effectiveness of the new compensatory remedy introduced by Hungary for protracted civil proceedings, as in the lengthy divorce proceedings involving

Mr Szaxon, which were started in 2009 by his wife and only concluded before the Constitutional Court in 2022.  
[Application declared inadmissible for non-exhaustion of domestic remedies.](#)

**[Domján v. Hungary](#)**

23.11.2017

The case concerned the complaint by a detainee about the conditions of his detention in a number of prisons in Hungary.

The Court took note of a new law ("the 2016 Act") which had entered into force in Hungary on 1 January 2017 following the Court's pilot judgment in the case of [Varga and Others v. Hungary](#), in which it had found a widespread problem resulting from a malfunctioning of the Hungarian penitentiary system.

[Application declared inadmissible as manifestly ill-founded.](#)

The Court was satisfied that the 2016 Act had provided a combination of remedies, both preventive and compensatory in nature, guaranteeing in principle genuine redress for Convention violations originating in prison overcrowding and other unsuitable conditions of detention in Hungary.

**[Laurus Invest Hungary KFT and Continental Holding Corporation v. Hungary and other applications](#)**

01.10.2015

The case concerned the removal of licences from companies involved in developing and operating entertainment arcades and other gaming arcades in Hungary following legislative changes.

[Applications declared inadmissible for non-exhaustion of domestic remedies.](#)

**[Markovics v. Hungary, Béres v. Hungary and Augusztin v. Hungary](#)**

18.07.2014

These three applications concerned the restructuring of retired servicemen's pensions in Hungary.

They were among the [mass of applications](#) (over 13,500 persons in 1,260 applications) that were lodged with the European Court in late 2011, early 2012. All these applications raised essentially identical issues, primarily the replacement – under legislation enacted in November 2011 – of former servicemen's retirement pensions, which were not subject to income tax, by an allowance of equal amount which is

taxable under the general personal income tax rate.

Applications declared inadmissible as manifestly ill-founded.

### **Káтай v. Hungary**

18.03.2014

The case concerned in particular Mr Káтай's complaint that the disability pension granted to him following a final judgment had been removed by new legislation.

Application declared inadmissible: the Court found that the legislation concerned had not yet been applied and that Mr Káтай was still receiving a monthly amount which is equal to his former pension. Therefore, it concluded that he had not suffered any significant material prejudice.

### **Horváth and Vadász v. Hungary**

09.11.2010

The applicants complained about their placement in a special class which in their view was a discriminatory measure due to their Roma origin. They relied on Article 3 (prohibition of degrading treatment) and Article 2 of Protocol No. 1 (right to education), alone and read in conjunction

with Articles 13 (right to an effective remedy) and 14.

Application declared inadmissible: non-exhaustion of domestic remedies and non-compliance with the six-month rule

## **Noteworthy pending cases**

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### **Chamber**

#### **Karsai v. Hungary (no. 32312/23).**

The case concerns complaints raised by the applicant, who suffers from amyotrophic lateral sclerosis (ALS) – a type of motor neurone disease –, in the context of issues related to self-determined death.

On 26 September the Hungarian Government were given [notice](#) of the application.

**A Chamber [hearing](#) took place on 28 November 2023.**

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