DATABASE 2012-2024 ON ANTI-MUSLIM HATRED

Cases and rulings

Country Code	Year	Reference details title	Reference details URL	Hate Bias motivation	Court / Body	Key facts of the case	Results (sanctions, outcome) and key consequences or implications of the case	Main reasoning / argumentation	Key issues (concepts, interpretations) clarified by the case	Key quotation in original language and translated into English with reference details
Hungary	2024	Hungary / Supreme Court / Pfv.IV.20.510/2024/4.	https://eakta.birosag.hu/anonimizalt-hatarozat-pdf/?birosagName=K%C3%BAria&ugyszam=Pfv.20510/2024/4&azonosito=8ec2773d-4cf0-49f2-8178-27439c868321	Religion	Supreme Court (Kúria)	The case concerns the proportionality and legality when confiscating items pertinent to religious practice. More concretely, the plaintiff (detainee) was indicted for posting Islamic State and other radical islamist videos, propaganda. Later during his detention his Quran and Islam Encyclopedia were taken from him during a cell check and returned to him 6 days later. The plaintiff also complained that he was given food that he couldn't consume according to his religion.	The Supreme Court upheld the ruling of the Court of Appeal of Szeged. According to the Supreme Court (Curia), the court of second instance, by duly considering the evidence, came to the conclusion that the defendant, by temporarily taking and keeping the plaintiff's holy books, did not violate the plaintiff's personal rights related to freedom of religion and human dignity.	According to the Supreme Court, the court of second instance, by duly considering the evidence, came to the conclusion that the defendant (prison), by temporarily removing and possessing the plaintiff's (detainee) holy books, did not violate the plaintiff's personal rights related to the freedom of religion and human dignity.	The first key issue was the confiscation of the plaintiff's religious books, thus impending his rights to freely practice his religion. The second key issue was he was given food that he was not allowed to consume in accordance with his religion.	"[32] Az Alaptörvény VII. cikkének (1) bekezdése szerint mindenkinek joga van a gondolat, a lelkiismeret és a vallás szabadságához. Ez a jog magában foglalja a vallás vagy más meggyőződés szabad megválasztását vagy megváltoztatását és azt a szabadságot, hogy vallását vagy más meggyőződését mindenki vallásos cselekmények, szertartások végzése útján vagy egyéb módon, akár egyénileg, akár másokkal együttesen, nyilvánosan vagy a magánéletben kinyilvánítsa vagy kinyilvánítását mellőzze, gyakorolja vagy tanítsa. [33] A Ptk. 2:42. § (1) bekezdése szerint mindenkinek joga van ahhoz, hogy törvény és mások jogainak korlátai között személyiségét, így különösen a magán- és családi élet, az otthon, a másokkal való- bármilyen módon, illetve eszközzel történő- kapcsolattartás és a jóhímév tiszteletben tartásához való jogát szabadon érvényesíthesse és hogy abban őt senki ne gátolja. A (2) bekezdés szerint az emberi méltóságot és az abból fakadó személyiségi jogokat mindenki köteles tiszteletben tartani. A személyiségi jogok e törvény védelme alatt állnak. " "[32] According to Article VII (1) of the Fundamental Law of Hungary, everyone shall have the right to freedom of thought, conscience, and religion. This right shall include the freedom to choose or change one's religion or other conviction freely, and the freedom to manifest or refrain from manifesting, practice, or teach his or her religion or other conviction — whether individually or jointly with others, publicly or in private — through religious acts or ceremonies, or in any other manner. [33] Pursuant to Section 2:42 (1) of the Civil Code, everyone shall have the right — within the limits of the law and the rights of others — to freely assert their personality rights, in particular the right to respect for private and family life, home, the maintenance of contact with others by any means or method, and reputation, and to be free from interference in the exercise of such rights. According to Paragraph (2), human dignity and the personality rights arising therefrom shall be respected by everyone. These personality rights are protected under this Act."

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