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ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION
IMPLEMENTATION OF THE UNITED NATIONS DECLARATION ON THE
ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

Report of the Secretary-General

Addendum

Hungary

HUNGARY

Original: English
24 August 1967

The Government of Hungary has transmitted the following additional information.^{1/}

Equality of rights in the Hungarian People's Republic is guaranteed to the citizens by the Hungarian Constitution (Act XX of 1949).

Article 49 of the Hungarian Constitution reads:

"1. The citizens of the Hungarian People's Republic are equal before the law and enjoy equal rights.

"2. Discrimination of any kind against any citizen on grounds of sex, religion, or nationality is a severely punishable offence."

Accordingly it is laid down in section 127 of the Criminal Code of the Hungarian People's Republic (Act V of 1961):

"1. Whoever commits in public an act liable to incite others to hatred directed against

...

(d) any people, nationality, denomination or race, further - on account of their socialist conviction - against certain groups or persons shall be punished with loss of liberty ranging from six months to five years.

"2. Punishment shall be loss of liberty ranging from two years to eight years if

(a) the incitement has been committed in the press or by reproduction or otherwise before a considerable public...

"3. Whoever carries out a preparatory act for incitement qualified under sub-paragraph (a) of paragraph 2 shall be punished with loss of liberty up to three years and in times of war with loss of liberty ranging from six months to five years."

The Hungarian People's Republic has acceded to the Convention on the Prevention and Punishment of the Crime of Genocide, signed on 9 December 1948 (Law-decree No. 16 of 1955).

^{1/} See A/6691, pp. 15 and 37.

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Accordingly it is laid down in section 137 of the Criminal Code of the Hungarian People's Republic:

"1. Whoever, for the purpose of complete or partial extermination of a group of a nation, people, race or religion,

- (a) kills a member of the group,
- (b) forces the group into conditions of life which threaten it or certain members of it with destruction,
- (c) takes measures aiming at the prevention of birth within the group,
- (d) carries off children belonging to the group into another group,

shall be punished with loss of liberty ranging from ten years to fifteen years or with death.

"2. Whoever carries out a preparatory act for genocide shall be punished with loss of liberty ranging from two years to eight years."

Section 138 of the Criminal Code provides:

"Whoever causes grave bodily or spiritual injury to a member of a group of a nation, people, race or religion for his belonging to that group shall be punished with loss of liberty ranging from two years to eight years."

This shows that in the Hungarian People's Republic no statute of practice amounting to racial discrimination existed even prior to the adoption of the Convention and Declaration on the Elimination of All Forms of Racial Discrimination.

NB. In accordance with article 3 of the Treaty of Peace, Hungary immediately after the end of World War II abrogated all statutory provisions instituting racial discrimination which had been put into force by the fascist Governments of former times.
