

Constitution of the Republic of Hungary

[Preamble]

In order to facilitate a peaceful political transition to a constitutional state, establish a multi-party system, parliamentary democracy and a social market economy, the Parliament of the Republic of Hungary hereby establishes the following text as the Constitution of the Republic of Hungary, until the country's new Constitution is adopted.

Chapter I General Provisions

...

Article 7 [Principles of international law]

(1) The legal system of the Republic of Hungary accepts the generally recognized principles of international law, and shall harmonize the country's domestic law with the obligations assumed under international law.

(2) Legislative procedures shall be regulated by law, for the passage of which a majority of two-thirds of the votes of the Members of Parliament present is required.

...

Chapter V The Parliamentary Ombudsman for Civil Rights and the Parliamentary Ombudsman for the Rights of National and Ethnic Minorities

Article 32B [Ombudsman]

(1) The Parliamentary Ombudsman for Civil Rights is responsible for investigating or initiating the investigation of cases involving the infringement of constitutional rights which come to his attention and initiating general or specific measures for their remedy.

(2) The Parliamentary Ombudsman for the Rights of National and Ethnic Minorities is responsible for investigating or initiating the investigation of cases involving the infringement of the rights of national or ethnic minorities which come to his attention and initiating general or specific measures for their remedy.

(3) Everyone has the right to initiate proceedings by the Parliamentary Ombudsmen in the cases specified by law.

(4) The Parliamentary Ombudsmen for Civil Rights and for the Rights of National and Ethnic Minorities shall be elected by a majority of two-thirds of the votes of the Members of Parliament, based on the recommendation made by the President of the Republic. The Parliament may also elect special Ombudsmen for the protection of individual constitutional rights.

(5)

(6) The Parliamentary Ombudsmen shall present the Parliament with an annual report on their activities.

(7) A majority of two-thirds of the votes of the Members of Parliament present is required to pass the law on Parliamentary Ombudsmen.

...

Chapter IX Local Governments

Article 41 [Administrative units]

(1) The territory of the Republic of Hungary is divided into the following administrative units: the capital, the counties, the cities and communities.

(2) The capital is divided into districts. Districts may be formed in cities as well.

Article 42 [Right to local government]

Eligible voters of the communities, cities, the capital and its districts, and the counties have the right to local government. Local government refers to independent, democratic management of local affairs and the exercise of local public authority in the interests of the local population.

Article 43 [Fundamental rights of local governments]

(1) The fundamental rights of all local governments (see Article 44A) are equal. The duties of local governments may differ.

(2) The rights and duties of local governments shall be determined by law. The lawful exercise of the powers of local government is afforded the legal protection of the courts and any local government may appeal to the Constitutional Court for the protection of its rights.

Article 44 [Exercise of the right to local government]

(1) Eligible voters exercise the right to local government through the representative body that they elect and by way of local referendum.

(2) With the exception of mid-term elections, the mayor and the members of local representative bodies shall be elected in the month of October in the fourth year following the previous general elections.

(3) The mandate of the representative body shall expire on the day of the general local government elections. If no elections are held due to the lack of nominees, the mandate of the representative body shall extend to the day of the mid-term elections. The mandate of the mayor shall expire upon the election of the new mayor.

(4) A representative body may declare its dissolution prior to the expiration of its mandate and in accordance with the conditions stipulated in the law on local governments. Upon dissolution of the body [Article 19, Paragraph (3), Point 1)] the mandate of the Mayor also ends.

Article 44A [Representative body]

(1) The local representative body -

- a) shall independently manage and administrate the affairs of local government and its decisions may only be reviewed with respect to their legality;
- b) shall exercise the rights of ownership in the assets of local government, independently manage local government revenues, and may undertake business activities at its own liability;
- c) shall be entitled to its own revenues for attending to the duties of local government as prescribed by law, and shall furthermore be entitled to state support commensurate to the scope of such duties;
- d) shall determine the types and rates of local taxes in accordance with the framework established by law;
- e) shall independently establish its own organization and rules of procedure in accordance with the framework established by law;
- f) may develop symbols and emblems of government, and establish local honors and titles;
- g) may present proposals to the authorities responsible for decisions that affect the local population;
- h) may freely merge with other local representative bodies and create associations of local government for the representation of their interests, may co-operate with the local governments of other countries and may be a member of international associations of local government.

(2) Local representative bodies may issue decrees, which may not conflict with legal statutes of a superior order.

...

Chapter XII Fundamental Rights and Duties

Article 54

(1) In the Republic of Hungary everyone has the inherent right to life and to human dignity. No one shall be arbitrarily denied of these rights.

(2) No one shall be subject to torture or to cruel, inhuman or humiliating treatment or punishment. Under no circumstances shall anyone be subjected to medical or scientific experiments without his prior consent.

...

Article 59

(1) In the Republic of Hungary everyone has the right to the good standing of his reputation, the privacy of his home and the protection of secrecy in private affairs and personal data.

(2) A majority of two-thirds of the votes of the Members of Parliament present is required to pass the law on the secrecy of personal data.

Article 60

(1) In the Republic of Hungary everyone has the right to freedom of thought, freedom of conscience and freedom of religion.

(2) This right shall include the free choice or acceptance of a religion or belief, and the freedom to publicly or privately express or decline to express, exercise and teach such religions and beliefs by way of religious actions, rites or in any other way, either individually or in a group.

(3) The church and the State shall operate in separation in the Republic of Hungary.

(4) A majority of two-thirds of the votes of the Members of Parliament present is required to pass the law on the freedom of belief and religion.

Article 61

(1) In the Republic of Hungary everyone has the right to freely express his opinion, and furthermore to access and distribute information of public interest.

(2) The Republic of Hungary recognizes and respects the freedom of the press.

(3) A majority of two-thirds of the votes of the Members of Parliament present is required to pass the law on the public access to information of public interest and the law on the freedom of the press.

(4) A majority of two-thirds of the votes of the Members of Parliament present is required to pass the law on the supervision of public radio, television and the public news agency, as well as the appointment of the directors thereof, on the licensing of commercial radio and television, and on the prevention of monopolies in the media sector.

Article 62

(1) The Republic of Hungary recognizes the right to peaceful assembly and shall ensure the free exercise thereof.

(2) A majority of two-thirds of the votes of the Members of Parliament present is required to pass the law on the right of assembly.

Article 63

(1) On the basis of the right of assembly, everyone in the Republic of Hungary has the right to establish organizations whose goals are not prohibited by law and to join such organizations.

(2) The establishment of armed organizations with political objectives shall not be permitted on the basis of the right of assembly.

(3) A majority of two-thirds of the votes of the Members of Parliament present is required to pass the law on the right of assembly and the financial management and operation of political parties.

Article 64

In the Republic of Hungary everyone has the right to present, individually or together with others, written petitions or complaints to the relevant public authority.

...

Article 68

(1) The national and ethnic minorities living in the Republic of Hungary participate in the sovereign power of the people: they represent a constituent part of the State.

(2) The Republic of Hungary shall provide for the protection of national and ethnic minorities and ensure their collective participation in public affairs, the fostering of their cultures, the use of their native languages, education in their native languages and the use of names in their native languages.

(3) The laws of the Republic of Hungary shall ensure representation for the national and ethnic minorities living within the country.

(4) National and ethnic minorities shall have the right to form local and national bodies for self-government.

(5) A majority of two-thirds of the votes of the Members of Parliament present is required to pass the law on the rights of national and ethnic minorities.

...

Article 70

(1) All adult Hungarian citizens residing in the territory of the Republic of Hungary have the right to be elected and the right to vote in Parliamentary elections, local government elections or minority self-government elections, provided that they are present in the country on the day of the election or referendum, and furthermore to participate in national or local referenda or popular initiatives.

(2) Persons residing in the territory of the Republic of Hungary as immigrants who do not have Hungarian citizenship also have the right to vote in local government elections of representatives and the Mayor, as well as the right to participate in local referenda and popular initiatives, in accordance with the regulations of a separate law, provided that they are present in the country on the day of the election or referendum.

(3) The right to vote shall not be granted to persons who are under guardianship limiting or excluding their capacity, to persons who are subject to a final legal judgment forbidding them to participate in public affairs, nor to persons who are incarcerated on the basis of a final legal judgment or who are under compulsory institutional care on the basis of a final legal judgment rendered in criminal proceedings.

(4) All Hungarian citizens have the right to participate in public affairs, and furthermore to hold public office in accordance with their suitability, education and professional ability.

Article 70A

(1) The Republic of Hungary shall respect the human rights and civil rights of all persons in the country without discrimination on the basis of race, colour, gender,

language, religion, political or other opinion, national or social origins, financial situation, birth or on any other grounds whatsoever.

(2) The law shall provide for strict punishment of discrimination on the basis of Paragraph (1).

(3) The Republic of Hungary shall endeavour to implement equal rights for everyone through measures that create fair opportunities for all.

...

Article 70F

(1) The Republic of Hungary guarantees the right of education to its citizens.

(2) The Republic of Hungary shall implement this right through the dissemination and general access to culture, free compulsory primary schooling, through secondary and higher education available to all persons on the basis of their ability, and furthermore through financial support for students.

Article 70G

(1) The Republic of Hungary shall respect and support the freedom of scientific and artistic expression, the freedom to learn and to teach.

(2) Only scientists are entitled to decide in questions of scientific truth and to determine the scientific value of research.

...