



MINISTRY OF FOREIGN AFFAIRS AND TRADE  
EMBASSY OF HUNGARY, OSLO

To

Kjersti Løken Stavrum, President of Norwegian PEN,  
Annette Groth, Member of PEN's Media Group,  
Thomas Spence, Chair of PEN's Media Group

I would like to first and foremost thank you for accepting my invitation and for participating in an open-minded and honest discussion about my country. We appreciate the interest in Hungary and the appetite for news about it. However, we would appreciate it even more if the discussion about Hungary and the Hungarian Government would include all sides not just the critiques, and if it was based more on facts than impressions and feelings.

As you have yourself noted at the end of our meeting, and also pointed out in your letter, Hungary and Norway are partners and allies. As such, we can and should have a dialogue as per the principle of equal partnership.

In the following points I would like to address some of the topics you mentioned in the letter handed over at our meeting on 4 May.

The **Hungarian law on the containment of coronavirus** has been criticised and even attacked, often based on allegations rather than facts. The best way to see things clear is to read the bill itself, the English translation of which I have therefore handed over to you and attach to this letter. Regarding your concerns about the law, I would like to highlight the following:

- **The bill does not suspend the work or limit the power of the National Assembly.** On the contrary, it expressly provides the National Assembly with the power to revoke the authorisation **at any time**, either in general or in the case of specific measures.
- **The Government's authorisation is limited.** It may only adopt exceptional measures that are necessary and proportionate in the context of the COVID-19 pandemic to protect citizens' lives, health, security and economic stability.
- **The passed legislation is EU-conform** and as European Commission Vice-President Věra Jourová officially confirmed there is no reason to start proceedings against Hungary for decisions on protection against the coronavirus.
- **The proposed amendment to the Hungarian Criminal Code only allows for legal sanctions for intentionally false statements** made to the general public capable of obstructing or frustrating defence efforts. This provision is adequate and necessary to fight malicious disinformation campaigns, to protect the citizens' health and is thus **in line with the EU's policy** on the fight against disinformation. (According to the Action Plan of the European Commission "*disinformation is understood as verifiably false or misleading information that is created, presented and disseminated for economic gain or to intentionally deceive the public, and may cause public harm. Public harm includes threats*





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*to democratic processes as well as to public goods such as Union citizens' health, environment or security.”)*

It must be underlined that Criminal Code already contains a provision on **fearmongering, which is an existing concept**. The recent amendment thus merely raises the maximum applicable sentence from 3 to 5 years, with the aim of raising awareness to the seriousness of the act and of deterring from it.

Furthermore, **the temporal scope of the felony is confined to the period of special legal order**. While the material scope of the felony is confined to the statement or dissemination of untrue facts or misrepresented true facts spread intentionally. This latter means that the perpetrator must be aware of the falsehood of the statement. **Opinions**, speculations or forecasts, however critical they may be of the Government, are not sanctioned.

As for your concern of “the executive itself deciding what is true or false and thus the amendment giving the executive a total and indefinite control regarding vital information on the virus” – rest assured that this is not the case. The press is free and will remain free – and to a great extent government-critical – in Hungary. While deciding about and sanctioning unlawful conduct is still the task of the independent judiciary system, not the executive.

The **media landscape** is varied and to a great extent government critical in Hungary. The most read newspapers, the most viewed television channels and the most read online news portals are all highly critical towards the Government. One could even say that the Hungarian press is much freer than the press in many Western European countries: it is for example unimaginable that extraordinary events, such as mass sexual assault do not appear in the media for days.

This **pluralism is utmost important** for the Hungarian Government. This is why in **2016 Hungary joined the UN Plan of Action on the Safety of Journalists and the Issue of Impunity**. In the framework of the Plan of Action, the Government vowed to

- condemn defamation campaigns, the arbitrary application of the defamation law in the case of critical opinion-making;
- protect female journalists against gender-based discrimination;
- to prohibit the blocking of online media interfaces and prevent any deliberate attempt to block the interface of individual web media for political reasons;
- to protect against cyber-attacks sponsored by state actors.

Yet, it is true that the Hungarian media landscape is more politicized and maybe even more polarized than the Norwegian media. As discussed during our meeting, our **political cultures** differ, and so does our media, which in the case of Hungary has indeed undergone a rebalancing over the past 10 years. However **ownership**, which also includes important foreign, among them Northern European companies, is **based on the principles of the free market**. Added to this, the **journalists** of different newspapers and online portals are **free in their reporting**, which in my understanding is the most important principle of press freedom.





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In your letter, you also address an entirely different topic, that of the **National Curriculum**. As we did not have time to touch upon this during our meeting, I am very happy to set a few facts straight. The previous, 2012 National Core Curriculum did mention Imre Kertész's Nobel Prize-winning novel as an example for literary awards, but the book was not included on the list of mandatory or recommended readings. The 2020 NCC does indeed not mention his Nobel Prize, due to a structural change of the Curriculum, which does not include any literary awards. However, **Kertész's book itself is now included** in the new framework curriculum as a **recommended reading**. The fact that a change of the National Curriculum could stir up so many feelings without anyone taking the time to **actually check** this or ask us about the background reflects the sad state of one sidedness when it comes to Norwegian media coverage about Hungary.

Regarding the **joint statement of initially 13 EU Member States** calling for coronavirus emergency measures to be temporary and in line with rule of law principles I would like to underline that (1) it did not single out or mention Hungary, and (2) it resonated with the principles of the Hungarian Government. This is why on 2 April Hungary joined the statement.

You conclude your letter by expressing your "hope for Hungary to contribute to the work of strengthening the core democratic forces that freedom of expression and media freedom are". Let me assure you that we Hungarians have waited long and fought hard for our freedom and democracy, which we therefore hold dear and in high esteem. **Democracy, freedom of expression and media freedom thus stand on a solid foundation** and are protected by the laws, institutions and people of my country.

Let me for my part conclude by reiterating that we wish and hope to uphold the dialogue started on 4 May. There is an urgent need for the recurrent discussion in Norway about Hungary to continue based on more facts than impressions, in a very different tone, and with more openness for differing opinions and views. This, after all, is the essence of true democracy and respect for the freedom of expression.

I thank you for having made the first step and look forward to working with you on better mutual understanding.

Oslo, 2020. 6 May



