

The anti-terrorist legislative package in Hungary

Andrzej Sadecki

On 7 June, the Hungarian parliament amended the constitution and a number of laws concerning the response to terrorist threats. The constitution now contains a regulation on the state of terrorist threat which will be announced by the government and subsequently, within 15 days, approved by the parliament by a two-thirds majority of votes. The announcement of this state allows the army to be used in the country for anti-terrorist operations. Among the measures the government can introduce are: a curfew, restrictions on the movement of vehicles, a ban on mass events, reinforced border protection, and stricter control of Internet and postal communication. The Counter-terrorism Intelligence and Criminal Analysis Centre (TIBEK) has also been established. The new agency will be tasked with collecting and analysing data on public security threats. The governing party Fidesz and opposition party Jobbik voted in favour of the amendments.

Commentary

- Even though the passing of the anti-terrorism package fits in with the European trend of adopting stricter regulations since the Paris and Brussels attacks, it is also an element of Fidesz's political strategy. Since spring 2015, this grouping has focused its message on issues linked to guaranteeing safety to Hungary's citizens – Fidesz has managed to monopolise the public debate concerning the migration crisis and the terrorist threat, which are presented as interlinked phenomena. Another element of this strategy is the governmental campaign calling for people to vote against the EU's mechanism of refugee relocation in the referendum scheduled for autumn this year. These moves have made it possible for Fidesz to maintain high support levels despite corruption scandals, protests from various social groups (most recently, teachers) and growing public dissatisfaction due to the concentration of power and the long-term rule of this party. Security issues will most likely be the main instrument used by Fidesz to attract the voters in view of the parliamentary election in spring 2018.
- Work on anti-terrorism legislation has revealed Fidesz's weakening position in parliament and tension inside the government. For almost half a year it has been unable to muster the two-thirds majority in parliament which is needed to amend not only the constitution but also so-called 'organic laws'. Viktor Orban's party lost its two thirds majority in spring 2015 and now needs opposition parties' support to pass any major laws. Work on this package has also shone light on the rivalry between the minister of internal affairs (who has the highest prerogatives) and the other ministers supervising the intelligence

agencies. The prerogatives of TIBEK, the new agency reporting to the Ministry of Internal Affairs, have been significantly reduced under pressure from the head of the prime minister's office and the defence minister.

- The final version of the anti-terrorism legislation package has been toned down; for example, parliamentary supervision over the government's moves has been strengthened, which was one of the conditions of support from the radical right party Jubbik. Jubbik has made efforts to distance itself from the image of a radical party, and is presenting itself more and more frequently as a constructive opposition which cares about citizens' security and at the same time defends civil liberties. The liberal and left-wing opposition parties have been unable to develop an appealing alternative to the government party's discourse dominated by security issues, offering little more than accusations that human rights are being restricted.