



Research on the obstruction of the work of
journalists during the coronavirus
pandemic in Hungary

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"Realities we can commit to are missing from the Hungarian public"

"It's like a giant snake. Every time we take a breath, he always tightens his embrace."

"We've been walking on eggshells since the 'Muzzle Act' "

Findings

- Public information on the coronavirus pandemic has been centralized. The information provided has been narrowed to the Operation Group's daily online press conference, where an arbitrary selection of previously submitted questions are answered. There are few substantive answers. There is no possibility for follow-up questions and interactions.
- It is the restrictions on information that are most detrimental to independent media that provide daily news.
- Other public authorities (ministries, local governments, professional organizations) provide little substantive information to the press in connection with the pandemic.
- Other sources of information have also been narrowed. Potential information providers are intimidated. Retaliation threatens those who leak information to the independent press, especially those working in healthcare, education, for professional organizations, and other professionals involved in the fight against the pandemic.
- Local governments are more cooperative with the press, but they also lack information about the pandemic at local level.
- The amendment of the legal provisions of scaremongering as a criminal offence affects the majority of journalists.
- Discrediting independent media has been intensified and become organized. There is a regular smear campaign carried out in the public service media against critical voices, in particular against the independent media outlets, which immediately sweeps through the propaganda media machine.

I. History

In February 2020, the Hungarian Civil Liberties Union (HCLU) published a research report examining the relationship between independent media and public authorities in Hungary through in-

depth interviews with journalists and specific examples, as well as legal cases in its own practice. The research revealed systemic obstruction of the work of the independent media in the form of ignoring press inquiries, open rejection, physical distancing of journalists, discreditation, stigmatization, and finally intimidation of their sources. In doing so, those exercising public power create an environment in which the press can only fulfil its duties with considerable restrictions.

II. Research: the relationship between independent media and public authorities during state of emergency

Between the conclusion of the research in December 2019 and the publication of the report in March 2020, the coronavirus pandemic also appeared in Hungary; the primary focus shifted onto action and protection against the virus. On the 30 March 2020, the Parliament adopted the Coronavirus Act , which gave the government an unprecedented mandate: in times of state of emergency, it can take extraordinary measures to ensure human health, legal certainty and economic stability, and this situation will last for an unlimited period of time: until the state of emergency is lifted by the government itself or until the Parliament withdraws the mandate.

Informing the public is extremely important in epidemic control, as credible, accurate, fast and reliable information is an essential part of preventing and curbing the coronavirus pandemic. In addition to public information, the independent press has a key role and responsibility in this work. On the one hand, it increases the efficiency of government measures, primarily by making measures and restrictions known to the public, and on the other hand, it ensures the control over power, which is also necessary in a state of emergency. Due to the extraordinary mandate, this control seems increasingly necessary.

III. Research methodology

In our research conducted in the first two weeks of April 2020, we contacted the same 19 media organisations with whom we carried out in-depth interviews during the original research. A common feature of the media approached, was that they regularly deal with, report on, analyse or comment on public affairs, and they carry out all these activities with financial and editorial independence from

public authorities. The research was conducted by phone, the duration of each conversation was half an hour to one hour. Interviewees were asked the following questions:

- Since the appearance of the coronavirus pandemic in Hungary and the introduction of the state of emergency, what is their relationship like with the public authorities?
- Have they experienced any change in the flow of information? To what extent do the new criminal provisions on scaremongering affect their work?

IV. Experiences

1. Centralized information at the time of the coronavirus pandemic

On 31 January 2020, the Government established the Operational Group (OG) for Protection against the Coronavirus Epidemic, whose primary task is to manage the epidemic. From March 5 on, the OG is also holding a daily press conference, which, from March 20, journalists are only able to join online in order to avoid personal contact. In general, journalists reported that it is extremely difficult to obtain information from any official sources other than the government sources or the OG press conference. Ministries and other state institutions are less likely to respond or provide response to requests from the independent press than before.

According to the interviewees, OG's press conference had initially worked as intended and at the nearly two-hour event, each journalist present could ask two and later only one question.

"In the beginning, they tried to be constructive, even though they didn't answer the uncomfortable questions."

"Of course, I know that they receive hundreds of questions and we accept that they cannot answer each and every one of them."

On March 15, on the OG's daily press conference State Secretary for International Communication and Relations Zoltán Kovács, instead of answering a question from a journalist of the portal 444.hu on testing protocols, lectured not only the person asking the question but all journalists present, in a patronising and humiliating tone. According to the interviewees, Kovács's outburst against journalists, followed by the introduction of the online press conference, marked a significant turn in the relationship between the public authorities and the independent media.

“Public communication about the coronavirus pandemic has been limited to this online channel. This channel was narrowed down, bled out, and eventually killed. They tell us what they want to tell us, but we won’t get to know what we want to know.”

“They chose total isolation, single-channel, controlled communication at a time when information is terribly important.”

Restricted access to information and its narrowing down to a single channel mostly affects media that provide daily news. Two interviewees noted that the medium they represented was probably blacklisted because none of their questions have been answered publicly, nor in writing afterwards since the introduction of online press conferences.

Meanwhile, the relationship between local governments and the press has changed positively in several cities, since some leaders are more open to communicate with the press. However, since the centralization of information on the coronavirus pandemic municipalities have not been able to provide substantive information on the local situations. The editor of Klubrádió reported about a positive development in every other aspect. In the early days of the state of emergency, more politicians and professionals were willing to give interviews for the radio than usual. However, the restriction has also reached the radio as the public service announcements about the pandemic (such as the ‘stay home’ announcement by the spokesman of the National Ambulance Service) cannot be aired on the radio.

“The majority of our listeners are over 50, it would be really important to air the government ads aiming to prevent the pandemic. Although we contacted them a few times, they didn't bother answering.”

2. Elimination and intimidation of the sources

The majority of the interviewees reported that, in parallel with the centralization of official information, other sources had been further reduced as well. Even with the guarantee of anonymity, sources do not easily agree to speak to journalists because they are afraid of retaliation. It is healthcare workers that are the most concerned about negative consequences, whereas it is their voices that we are missing the most to understand reality.

“The level of fear and mistrust in Hungary is quite shocking. Western European countries are not struggling with this. Everyone here knows that talking to the press will have consequences.”

“Realities we can commit to are missing from the Hungarian public. This has been the case for a long time, these reflexes live with us.”

“The voices of healthcare workers, doctors are painfully absent, they simply don’t have weight in the public discourse. I think any opinion to commit to would bring us closer to having a normal perception of reality.”

“I was talking with an acquaintance who is a doctor, and at some point, he said: “Don't write this down because then I'm going to be fired and you're going to jail.”

3. Amendment of the criminal provision of scaremongering

The Coronavirus Act also tightened the provisions of the Penal Code on scaremongering. According to the amendment, not only false statements which may disturb public order are considered criminal offences but also those capable of hindering or thwarting the effectiveness of the protection against the virus. It also strengthens penal sanctions as the offence is now punishable by imprisonment for up to five years instead of three.

Several domestic and international organizations have expressed concerns that the amendment could silence critical opinions and force journalists to self-censorship. The provisions are too broad and vague, it is not clear who has to prove what in the proceeding, and due to the lack of precedents to rely on, it is also uncertain what criteria the court would consider when deciding cases. The proceeding may last for several years, and the initiation of criminal proceedings alone can put both individual journalists and editorials in a difficult position.

“We've been walking on eggshells since the ‘Muzzle Act’. As this is a blanket rule, it is completely uncertain what we would need to prove in court. Now it seems that it is not enough to have a credible source, we would have to provide all the evidence in court. We are immensely dependent on the goodwill of the judges.”

“Of course, we don't want to run into scaremongering, but we have fewer and fewer tools to check the info.”

“We can’t really find our way around this provision. We agreed that delicate articles go through me. But then we realized that the provision is so broadly defined that we couldn't do anything about it.”

“It will take longer to compile an article and we'll send more articles to our lawyer.”

According to the information of OG, criminal proceedings for scaremongering have already been initiated in more than fifty cases, but among the media organisations we interviewed

only the editor-in-chief of atlatzo.hu indicated that they had been contacted about two of their articles and were sent formal letters of notice.

4. Discrediting independent media - The role of the public service media

OG's press conferences regularly deal with the issue of fake news, scaremongering and the importance of action against them. The definition of fake news (disinformation) and scaremongering, the difference between the two categories, has not been made clear either in public discourse or by official communication.

The regular news report of the public service media called "Exposing False News," also covers the topic on daily basis, highlighting and presenting critical articles written primarily by independent media as "fake news," whereas the journalists in question are not given the opportunity to comment on these reports and to respond to what has been said. These reports are immediately taken over and widely disseminated by the propaganda media. The aim of the reports is clearly the discreditation of the independent media.

"There is this incitement in the pro-government media that everyone who does not support the effort is a traitor."

"I find the attack from the public media pretty serious. Now, journalists are the enemies, the scapegoats."

"The public service media is hitting the independent media, accusing us of spreading fake news, disinformation. We reach a lot of people, we try to keep them informed, whereas this discrediting is hindering our work."

Among the independent media, it is worth highlighting the example of Magyar Hang (Hungarian Voice). In the news block "Exposing False News" mentioned above, public service media regularly accuses Magyar Hang of spreading fake news, questioning the veracity of their articles. Articles discrediting Magyar Hang, based on the reports of the public service media, are published in the pro-government media, in some cases articulating more offensive opinions denying their ability to provide authentic information (see HírTV's programme Troll).

On HírTV, there were several statements made by pro-government publicists calling for a "muzzle" for some representatives of the press, asking when the editor-in-chief of Index.hu "will be put away", and suggesting that "some of these scaremongers should be put in a police car and carried away, for everyone to see"

Meanwhile, the pro-government Századvég Foundation has launched a “Fake News Watch” page where they collect articles, social media posts they deem to be fake news and refute them. The table lists almost exclusively articles and opinions published by independent media that are critical of the government, as well as social media posts by opposition parties and their MPs. The creation of the site was preceded by a survey conducted by Századvég, according to which 71% of Hungarians consider certain internet news sites to unnecessarily cause panic (or even downplay the situation) in connection with the coronavirus epidemic. The majority of respondents said that the government should take a stronger stance against scaremongering media.