

## Hungarian Authorities Constantly Infringe the Freedom of the Press

**Budapest, 23 September, 2015**

In the last few months Hungarian law enforcement authorities infringed freedom of the press by several different measures taken against journalists. These infringements of the freedom of the press are related to the authorities' treatment of asylum seekers arriving in Hungary. The press has an important role as the broader public can only obtain credible information about refugee crisis through the press. The rights of the press include covering clashes at the border of Hungary, reporting on the conditions of refugee centers and how Hungarian authorities handle asylum seekers. The public has the right to be informed about the operations and abuses of the authorities.

Hungarian authorities denied the entrance of the press to the transit centers and refugee camps where asylum seekers were held. The police forced a journalist to delete his footage. The police beat journalists with batons, broke their equipment, and threw teargas at them even after they identified themselves as members of the press. Some of the journalists were taken into custody.

Freedom of the press is in a crisis in Hungary. The press is restricted when covering news concerning refugees. The police not only disregard the essential role of the media but also endangers the safety of journalists. We call attention to the fact that Hungarian law enforcement fails to respect the rights of journalists and their safety. The following cases are examples of these infringements from the last few weeks:

- During the summer of 2015, many journalists tried to enter refugee camps in Hungary to report on the conditions of the asylum seekers. All their applications were rejected by the authorities. In July 2015, the HCLU turned to the Minister of Interior and asked him to ensure that journalists could report from refugee camps, operating under his administration. The General Director of the Office of Immigration and Nationality (OIN) answered our letter on behalf of the minister. She reiterated that journalists are excluded from the camps because such reporting would infringe on the rights of the asylum seekers. According to her, their right to privacy and safety may be endangered, even if they agree to talk to journalists entering the camps. She also stated that the presence of the journalists is unnecessary, since the OIN reveals all the important information on its operation.

Suggesting that journalists should be sitting in editorial rooms, waiting for public bodies to provide information on what is going on in the country, is clearly an absurd proposal, as the physical presence of the press at the events is rendered utterly unnecessary. Later in August 2015 the HCLU turned to the Ombudsman and asked him to step up against the restriction of media freedom.

- On 2 September, an expert from Human Rights Watch, Lydia Gall, and Human Rights Watch's emergencies director and an expert in humanitarian crises, Peter Bouckaert, wanted to enter the collection camp in Röszke, at the southern border of Hungary. They were refused entry to the camp, based on "interference with police procedures." On 9 September, Nóra Köves, human rights expert of refugee and migrant issues, was rejected for similar reasons.

Representatives of international and national human rights organizations shall have the opportunity to enter the camps, to monitor and document the quality of services provided by the state.

- On 3 September, 2015 at 11:58 am a train bound for Sopron (a town near Hungary's border with Austria) was halted by scores of riot police at the town of Bicske, where one of Hungary's four main refugee camps is located. The train was full of asylum seekers trying to travel to Western Europe. Passengers were ordered to disembark, and people started protesting against taking them to the refugee camp. All journalists were ordered to leave the train station, as the police declared it an "operation zone". Later the National Police Headquarters denied that the train station was declared to be an "operation zone" and therefore was closed, however, journalists were forced to leave the territory and were not able to report on the events happening on the platforms. The general public could be informed about the conflict between the asylum seekers and the police only from the reports made by the police.

The events that happened in the Bicske train station were the most important domestic public incident of that day. The police had no legal ground to order journalists to leave the territory, therefore the police measure was unlawful. Furthermore, because journalists were not able to report on the events, it violated the freedom of the press, and was against the state's obligation as specified by the Fundamental Law of Hungary that it has to ensure the conditions for freedom of information necessary for the formation of democratic public opinion.

- On 12 September, 2015 a journalist of the Associated Press, Luca Muzi, was filming asylum seekers who had crossed the border between Serbia and Hungary near Röszke. According to Muzi, he witnessed a policeman letting a police dog attack an asylum seeker, and a policewoman stopped him filming the scene when she noticed him. The journalist, after identifying himself, tried to leave and call his colleagues but he was not allowed to do so. As he reported later, the policemen demanded to see the footage, and he was told to delete it. The footage contained two days of work. The journalist said that he was compelled to delete the tape while feeling menaced by police dogs. The government spokesperson said that "journalists have nothing to do there, and the acting officer has no discretion to distinguish aggressors from the representatives of the media."

In fact, journalists not only have the right to be on the spot; it is also their professional duty to report on the situation. The acting officer, for his part, must be able to distinguish journalists from people attacking him, just like peacefully playing children from someone throwing stones. The law states that "in selecting among coercive means, [an officer] should choose the one that, besides being effective, involves the

least restraint, injury or damage for the person(s) concerned by the action." Furthermore, police officers have no right to dispose of recordings that depict them during the fulfillment of their professional functions.

- On the 16 September Polish, Slovak, Swiss and Australian journalists were beaten by the Hungarian Police, while they were covering clashes between police and asylum seekers on the Serbian border. The day after the new criminal code provisions and asylum proceeding were introduced, the Hungarian authorities closed the border of the country at Röszke. Thousands of refugees were stranded at the border. While most of the refugees waited peacefully, some of them broke through the razor fence. The Hungarian police deployed tear gas and water cannon, and journalists were seriously injured in the police attack. Polish, Slovak and Australian journalists were not only beaten but later detained by the Hungarian Police. Journalists were not arrested, but taken into custody according to new criminal code regulation: crossing the border illegally.

The Hungarian Police not only failed to fulfill its obligation to protect those who inform the public of the events at the border of Hungary, but it infringed freedom of the press by attacking those who work in the field.

The Hungarian Civil Liberties Union calls on the authorities to ensure the working conditions and safety of the members of the press.