



HGLU



• 20 •

1995

2000

2003

2002

2009

2004

2012

2013

2007

2001

1995

1998

1994

2010

2008

2003

1996

1997

2006

2005

2001

1996

1994

1999

YOU HAVE THE RIGHT TO BE FREE!

All human beings are born free. All have equal rights and an expectation of dignity. Everyone is entitled to act and make decisions freely, according to their own values and life plans, and only the similar rights of others may impose limits on this right. In the Western world, the state is committed to this idea and is organized on the grounds that protecting and respecting the rights of its citizens is its primary obligation. Human rights and civil liberties organizations can cooperate with the state, because they are in agreement at least regarding this question.

For twenty years, we have worked relentlessly to further awareness of the violations of the freedom and equality of individuals, and to make this part of the world a freer and happier place to live. We have worked to protect freedoms along the same principles and with the same dedication. Nevertheless, we feel that something has changed. We can no longer simply warn the state when it violates its own commitments regarding the rights

of its citizens, for it is no longer receptive to such calls. The consensus between us and the Hungarian state regarding its duties to respect and protect these rights no longer exists. The Hungarian government no longer considers human rights activists who are committed to their principles and goals as partners, but instead as enemies. We have never worked in such a hostile environment before.

We would like to argue again with a state that, while it may violate some rights, also wants to do something in order to prevent such actions from happening. We cannot achieve this ourselves, but we can do something to influence more people to demand the same. We have to win the support of many to advance the cause of freedom and equality, and together we can achieve our goal of a Hungarian state which is once again a collective institution of free and equal citizens. With twenty years of history behind us, it is our unswerving conviction to devote the coming years to this task.

Kapronczay Stefánia
Executive Director

Szabó Máté Dániel
Director of Programs

PRESS CLIPS FROM THE END OF 1994

The government has debated the proposal to increase the price of wired energy, and decided to do so in one major step instead of the gradual increase that was planned earlier.

During an official visit to Paris, Hungary's President of the Republic Árpád Göncz discussed with his hosts Hungary's EU accession and the opportunities to develop relations between the two countries.

Willy Claes, Belgian foreign minister, has been elected as NATO's Secretary General.

Lajos Csepi, Director of the National Investment Agency, said he would acknowledge it if he were to be dismissed, but has not yet been informed of a decision on his removal.

Hungary has been selected to organize the Canoe Sprint World Cup, while FC Porto was drawn as the next opponent of Ferencváros in the UEFA Cup Winners' Cup, after the team beat CSKA Moscow.

It was announced that red pepper would disappear from food stores for an expected 7 to 10 days. Ministry of Interior Gábor Kuncze said that there are investigations going on in 38 red pepper cases, and that 17 people are in pretrial detention.

AT THE SAME TIME, A NEW NGO WAS REGISTERED UNDER THE NAME HUNGARIAN CIVIL LIBERTIES UNION (HCLU), BUT THIS WAS NOT IN THE PAPERS.

LIBERTY • EQUALITY • UNION

The second free elections in Hungary in 1994 confirmed not only the country's democratic transition, but also its shortcomings. The change of regime had its losers too, rather quite a few of them. Social groups formed whose members could not sufficiently assert their rights as citizens, and often were not even aware of them. Psychiatric patients were in a particularly difficult situation, since no one had represented their interests before. Although on paper systemic changes had taken place in the area of mental health as well, the old practices and fixed habits could not be abolished from one day to the next. During the communist decades those in psychiatric treatment suffered countless abuses: rough handling by nursing staff, forced treatment, and legally dubious machinations imposing judicial interdiction. It is no coincidence that even in

the 90's people kept saying that if someone found themselves at a psychiatric ward, they would "never be back to normal again".

In the early nineties, sociologist Judit Fridli was among the first to help the patients of the National Institute of Psychiatry and Neurology, along with professional lawyers such as Andrea Pelle, Attila Gábor Tóth and Ágnes Honecz. In the begin-



ning, they raised their voices for the recognition of psychiatric patients' rights – a move which was received with great surprise by not only the public, but also the relatives of patients and even the professionals working with them.

Soon, it became obvious that in order to be able to come up with initiatives that would be taken seriously by the public administration, and to eventually change the fundamentally defective operational mechanisms, more should be done than simply running a legal aid service. They believed that a more multi-faceted organization would be needed to perform diverse activities ranging from professional consultation and awareness building, to lobbying and legislation, to initiating lawsuits against the state. In other words, an organization that helps to enforce

the civil liberties of those who are unable to do so themselves for some reason. Initially their clients were mostly mental health patients, drug users and people under guardianship. Yet, even the name of the organization that was registered on 30th September 1994 suggested something more diverse than simply protecting the rights and interests of patients. It implied more because this kind of activity raises general issues that have repercussions not only on the rights of a group of people, but on all strata of society. The name, Hungarian Civil Liberties Union, clearly implies an organization that represents more than a particular group of people.

The model came from the American Civil Liberties Union, which even agreed to have the new organization use their name and thus be named Hungarian Civil Liberties Union.



From an interview with Judit Fridli, former Executive Director of HCLU in Legal Forum, 19th October 2001:

We learned about the problems of drug users through our work in psychiatric institutions. Their case is special because their condition (drug dependence), which justifies their residential treatment, is, at the same time, considered a crime in Hungary due to the strict legislation. Already during our work with psychiatric patients a recurring problem was who can get information about their condition and access to their medical data. This problem was even more imminent in our work with drug users. (...) In the beginning, we were focusing on cases of official conduct, cases in which people were forced to undergo treatment due to their condition that was defined as a health problem (such as psychiatric patients, people who use drugs, or people with HIV/AIDS). This is how we got to the area of treatment: does the patient get the necessary information to be able to make a decision about their treatment? Does the patient have a chance to decide independently whether to undergo treatment? Can they refer to their own medical documents? Questions around self-determination regarding access to information or the judgment of individuals' abilities led to issues that fell outside the walls of healthcare institutions.



Levente Baltay,
former Executive Committee member,
staff member of HCLU's Legal Aid Service:

When in 1996 I applied for a job at HCLU as a young lawyer, they were just about to move. They told me I'd come at the best time and should help them do the wrapping up. The new office was in a modestly sized flat in Jégverem Street, and regarding the activities I can say that although the tasks were divided, everybody did everything if life made it necessary. There were no programs yet, and it all came down to "investigating matters from a human rights aspect". Initially, we mostly had patients' rights and drug policy issues on the table, but since a number of laws and Constitutional decisions were made at the time which reflected on more general problems, you couldn't just dodge these kinds of issues anymore. This was the time when the legal aid service was established, which kind of brought cases in and we had a chance to obtain first-hand information about common issues. At first, we were only giving advice, and then later we started taking cases to the court, so the range of activities done by HCLU folded out gradually. We have to allow that the scientific line was much stronger in those days than the 'street fighter' one, but it has always been an organization in which some very bright people worked together, all of them representing the highest level in their own professional field. One of the reasons why we can still be valid today is that we can speak up on an issue in a clear and understandable way, and it would be very difficult to stigmatize us as being the supporters of any political camp.



For HCLU, it was evident from the very first moment that the organization should work to check the moves and measures of the government in power, and to raise its voice when those are inconsistent with human rights and Hungary's obligations undertaken in various international conventions.

LEG AL+ AID

Shortly after the NGO was founded HCLU established a legal aid service which not only provided clients with advice, but also legal representation in court procedures. After 20 years of performing such activities we can say that they have greatly contributed to shaping the range of activities performed by HCLU and thematized its work. Additionally, the range of cases HCLU has won has furthered its reputation and prestige. We can say that the work of the legal aid service has not changed much in the past years: today, as in the past, the lawyers of HCLU undertake the wording of submissions, the legal representation of people whose rights have been violated, defense in criminal law procedures, and representation in court. Nevertheless, HCLU helps people who do not have a legal representative, and only in cases which are related to fundamental civil liberties.

**HCLU's free legal aid
service provides help in
the following areas:**

freedom of speech, freedom of assembly, civil disobedience, freedom of conscience and religion | right to self-determination in healthcare decisions (particularly regarding abortion, home birth, the right to refuse treatment, the right to leave a healthcare institution) | guardianship related proceedings (including the right to vote) | infringement of the rights of people with disabilities or mental disorders living in residential institutions | infringement of the right to school education of severely handicapped children at compulsory school age | infringement of the rights to healthcare and equal treatment of persons living with HIV | discrimination by governmental, local governmental and other public institutions or public service organizations | representation of victims of racist, homophobic, anti-Semitic, and other similar bias-motivated crimes | right to vote and be elected | requesting data of public interest | protection of whistleblowers | protection of personal data | small scale drug offenders.



Interview • 2003

about stop and frisk policies with Andrea Pelle, Head of HCLU's Legal Aid Service, in the weekly newspaper Magyar Narancs:

Andrea Pelle: The subjects of unsuccessful stop and frisk actions by the police contacted us through phone and email and asked us to help them challenge such moves. On the other hand, when people who have been searched and the police didn't find anything on them, they tend to come to us personally. Yet, even their stories make it obvious that stopping them and searching their clothes did not have any particular rationale.

MN: Are we talking about completely ordinary young people?

AP: Yes, they don't make themselves conspicuous, but because of their age and the area they are stopped and searched. We have received a lot of phone calls regarding the stop and frisk actions around Határ út subway station, for example. People said they even had to take off their shoes.

MN: What could be behind these actions?

AP: This is a kind of role confusion among the police. We know that even the consumption, or more precisely both the obtainment and possession, of smaller amounts of drugs is considered as a crime. This was the case before too, but the actions of the police were not so spectacular. Obviously a 16-18 year-old young person who has half a gram of marijuana in their pockets is an easy target. You immediately have a known offender, which means that the crime statistics look better. These young people are not dangerous criminals, meaning the police should not assume that something terrible would happen during the procedure. Obviously, drug use cannot be reduced by searching 30 young people per day at central locations. This is a way of passing time for the police: if someone gets detained, then the fact of the seizure has to be registered; similarly the fact of detention must also be registered and then the person has to be taken for a urine test. It is clear that the number of young people stopped and frisked is much higher than the number of cases when something is indeed found.

MN: A few months ago you, in cooperation with the Hungarian Helsinki Committee and the Blue Point Drug Consultation Center, wrote a letter to the Minister of Interior and condemned stop and frisk actions and their objective. How did the ministry react to your letter?

AP: On 16th October 2003 the Hungarian National Police Headquarters gave a press conference about the issue and the question of stop-and-frisk was also raised. However, no concrete standpoints or definitive answers were voiced. They said they had reviewed the existing laws and provisions, and that they hadn't found any communication regarding what we objected to in our letter. In other words, they hadn't ordered the staff members of the public order protection service (the patrol police) to apply this method. On the contrary: they had ordered the organization to respect human rights and the measures of the Law on Policing.

Interview with Andrea Pelle in Magyar Narancs (2003/48, 27.11.2003)

BASIC FACTS

The Hungarian Civil Liberties Union is a non-governmental organization with a nationwide scope, founded on the basis of the dispositions in Act no. II. of 1989. Since January 2002 the NGO has operated as an organization of public benefit in accordance with Act CLVI of 1997.

Any person or legal entity who undertakes to fulfill the membership obligations prescribed by the NGO's statutes and has their application accepted by the General Assembly, may become a member of the NGO. A non-Hungarian citizen may also become a member. The acceptance of a new member takes place at the General Assembly.

The supreme consultation and decision mak-

ing organ of the NGO is the General Assembly, the sessions of which are public. Every member has the right to participate, which includes voting and speaking rights within the General Assembly. The General Assembly must be convoked at least once a year.

When the Hungarian Civil Liberties Union was founded in 1994, only around 5-6 people participated actively in its work. It was upon their call that finally 10 people gathered to kick-start the organization. By today, the number of members has reached over 30, while the number of people involved in performing its activities has also grown steadily. At present, Stefánia Kapronczay acts as HCLU's Executive Director, and Máté Dániel Szabó as the Director of Programs.



After the establishment of HCLU, many enthusiastic and dedicated professionals joined the organization from a wide range of professional fields. In HCLU's case, therefore, exactly the opposite happened than with most domestic non-governmental organizations. While the latter were usually specialized in certain areas, such as freedom of expression, children's rights or Roma policy, HCLU started providing legal representation in an increasing number of cases related to the protection of privacy and human rights in general. By that time, the activity structure which still characterizes the NGO today had been formed, and the fulfillment of its mission formulated at its inception became realistic: HCLU worked and works to enable anyone to get to know their basic human rights and have them enforced against unreasonable interventions by those in power. The NGO's main objective is to have fundamental rights and legal principles prevail in Hungary. It focuses its activities on legal areas where system-level violations are frequently experienced, and the victims are particularly vulnerable. The goal is to have the state limit fundamental rights only in very reasonable cases, to an inevitable extent, and exclusively based on appropriate legislation, providing the necessary procedural safeguards.

Article in Magyar Narancs, 1997

The contents of the draft law on the management of medical data recently submitted to Parliament are contrary to the provisions of the Data Protection Act, and concerns regarding its constitutionality have also been raised according to the Hungarian Civil Liberties Union (HCLU). The NGO considers it unacceptable that the alleged state interest takes precedence over the protection of personal data.

According to the position of Mihály Kökény, the Minister for Social Welfare, the presently discussed new law on “the processing of medical data and related personal data” only adds some supplementary measures and technical provisions on data processing to the 1992 Data Protection Act. When discussion of the law began in Parliament, the keynote speaker of the Socialist Party had no scruples in regards to it, and welcomed

the fact that, following the adoption of the new law, patients will at last be able to access the medical reports written about them. He failed to point out, however, that some others will not have that option.

In an interview for Magyar Narancs, András Schiffer, staff member of the Hungarian Civil Liberties Union, called it outrageous that the draft law had been referred to as “a European bill” and added: “such a law can only be EU-conforming if its sole purpose is to protect the patient.” His words are underscored by the basic principles laid down in the Lisbon’s Treaty Charter of Fundamental Rights, namely that the patient has an exclusive right to dispose of their healthcare data, even after their death. HCLU staff also considered it unacceptable that the contents of the draft law are contrary to the spirit and provisions of the Data Protection Act.

(1997/16. 04. 17. 1997)

In the past 20 years the state certainly has not been in the vanguard of raising awareness about fundamental rights. The range of cases won by HCLU against public institutions proves that the NGO has taken on its fair share in the area of “forcing those in power to respect” fundamental rights, not only in theory, but in practice as well. It is not an exaggeration to say that without HCLU they would have gone further in their disrespect of fundamental rights.



**Ottó Szalai,
Local Council Rep-
resentative in Siklós**

After I criticized the mayor of Siklós in 2012, the prosecutor's office brought an action against me. HCLU undertook my legal representation. In the first trial I was found guilty and fined HUF 87,500 as a penalty. All that just because I had spoken my opinion! In the second instance they upheld the verdict, and this was when we decided to go to Strasbourg. But in the meantime a new law was created according to which the Constitutional Court can be approached in individual cases as well, and so we decided to use the opportunity. The Constitutional Court overturned the judgment in April this year. If it hadn't been for HCLU, I would not have been able to take this matter through and would be treated as a criminal, just because I have spoken my opinion.



We see that the Law on Freedom of Assembly does need to be amended, simply because the past 20 years have proved that while some of the provisions contained in it are great and can indeed be maintained, new procedural rules and other amendments would be necessary. (...) It is not a good thing if in Hungary the right to assembly can only be exercised behind police barriers. (...) What I can judge in general is that it was so visible at the Budapest Pride March, for example, that the barriers did not do any good, and, instead, expressly generated aggression. Where there were no barriers, the march of demonstrators and counter-demonstrators was much more peaceful – I experienced this there myself, at my own cost. Therefore, I believe that the use of barriers should be weighed separately in each case.

**Éva Simon, HCLU's Executive Committee member at
the session of the Parliament's Human Rights Commission**



- ◆ The NGO awards instituted by the NIOK Foundation were given out on 15th June 2005. The 2004 “NGO of the Year” Award was shared between HCLU and Protect the Future. The nominations for the award had taken place online and were made on the basis of each NGO’s performance in 2004.
- ◆ In March 2005, the Executive Director of HCLU was nominated for the 2014 Person of the Year Award instituted by the daily newspaper Magyar Hírlap. Although the winner of the award was not Balázs Dénes, but a Catholic monk running orphanages in Transylvania, even the act of nomination was considered to be a great honor by the organization.

THE SECRET OF OUR SUCCESS

We think that both the award and the nomination are primarily the results of 10 years of work done by HCLU, but the organizational changes taking place in the NGO in 2004 and our efforts to enhance our sustainability (the refurbished website, the launching of our supporting member campaign, a more

active media presence, etc.) also contributed to significantly increasing our reputation and winning the award. In relation to HCLU, the director of NIOK emphasized ‘civil courage’ and the fact that the NGO had taken the principle of not accepting any public funding very seriously ever since its inception.

From HCLU’s 2005 Annual Report

Another factor that greatly contributed to the effectiveness of HCLU's operation was that while many NGOs are driven primarily by their enthusiasm or desperation, and their subsistence is dependent on the goodwill of the state, HCLU has never accepted any public funding so as to preserve its independence.

The organization is primarily supported by foreign private foundations, but unlike most other organizations financed from similar sources, we have been working hard to obtain funding from other sources as well. We have built a system of supporting members and have been actively seeking contact with potential donors, although as a matter of principle we do not accept donations from certain business areas (medicine, alcohol and tobacco industries). We are convinced that without such kind of self-management it is impossible to run an independent organization.

Legal Forum •2007•

The Metropolitan Court of Budapest has upheld the first instance court decision in the case of the self-reporting spokesman of the Hemp Seed Association, who is represented at court by HCLU. Péter Juhász received a non-appealable fine of HUF 70,000 for having grown a small amount of marijuana in his home for his own use. (...) According to the position of HCLU, the court, similarly to all other constitutional institutions, forms an equal part of an open society and is thus to be regarded as a venue for the freedom of expression. The actions of those who have reported themselves was not meant to draw attention to drug use, but merely to demonstrate that the

consumption of marijuana is not dangerous to society, and that they do not agree with its criminalization. They showed their faces in an effort to convince the public that they do not want to become criminals just because their habit is condemned by others. And they emphasized this very fact by the unusual act of raising their voice against a procedure by voluntarily subjugating themselves to it.

A behavior cannot be made less dangerous by having people do it in secret, and not manifesting the problem in public. Criticizing laws, or even demanding legalization, does not make people dangerous, even when they use publicity and legal tools to express their opinion and invigorate the social debate.

(08.02.2007 www.jogiforum.hu/hirek/15437)



**Balázs Dénes,
former Executive
Director of HCLU**



I started working at HCLU in 1997 as a university graduate and had no idea that I would be staying for fifteen years and dealing with what interests me the most - this was like something out of a fairy tale really. In those fifteen years a small organization has become a significant, internationally renowned human rights organization, and I'm very proud of having been a part of it. Despite all this, I have changed jobs because I thought this isn't a Japanese car factory, meaning I would not want to work for the same organization all my life. In my opinion, there is a certain healthy period for which someone can work in such an organization, and for me that period has passed. I had

a chance to work with dedicated, enthusiastic and brilliant professionals here, which was unbelievably inspiring. If you work for HCLU, then you know that you are standing on the right side, and this can be more important than anything.

One very memorable moment for me was when Péter Sárosi, Gábor István Takács and I established a video program that is really unique, and not only in Hungary but internationally as well. I am very proud that although we really started from scratch, six years later HCLU is asked to teach other NGOs about how to make videos.

At the same time we realized that it is not enough to efficiently intervene in different areas, and that communication is equally important if we want the public to learn about our results. HCLU appears in the electronic and printed media much more frequently than other NGOs, as it is one of the foundations of our operation to have our results, questions and criticisms be published in the highest number of forums possible, and not only as news articles or press releases. HCLU staff members have also written and recorded a very high number of articles and interviews themselves. Photo documenting and video production have been done in a separate program since 2008.

HCLU FILMS

In the course of six years we have prepared over 500 videos to promote human rights in a very wide range of topics, which have been seen by over 3 million viewers on video sharing sites. The purpose of HCLU films is not merely to inform viewers about civil liberties and the human rights of vulnerable groups, but also to activate and mobilize them. It is not surprising, therefore, that the creators of the films are most proud of the successes that had some direct effect - for example when by presenting what had been said at a local council session in Szilvásvárad, they managed to prevent the town from refusing to host an institution for people with disabilities. When extreme right-wing paramilitary groups were terrorizing the inhabitants of Gyöngyöspata for two months, they were present with their cameras all the way through, and as a result of their videos the international media picked up the topic and

consequently the government had to take steps in the case. They were also shooting vid-



eo in 2010 when the police attacked a christening feast of a Roma family, spraying the children with teargas and dragging mothers on the floor. And although the complainants lost all legal procedures in the country despite the HCLU's support, the European Court of Human Rights condemned the state of Hungary based on the video, and awarded damages to the plaintiffs. Finally, in a corruption case they used a video message to encourage viewers to request data of public interest from the government, and, as a result, prevented the implementation of a wasteful and unlawful motocross track project in Sávoly.

Of course, the films are not only meant to achieve this kind of mobi-

lizing effect: we are experimenting with different „genres”, and not only in Hungary. For example, the films produced by our drug policy program in cooperation with its foreign partners helped to reform drug laws in Poland, and in fact also facilitated the birth of a needle exchange program in Stockholm and a safe consumption room in Denmark. At the same time, Russian drug policy activists lobbied successfully at the Global Fund for the continued funding of harm reduction programs in their country with a film by HCLU (since the Russian government does not support, and where possible, hinders any such activities). HCLU staff members were the first in the world to shoot films at the annual meetings of the UN Commission on

Narcotic Drugs. These films and our „Dare to Act” campaign drew attention to how drug policy decisions in the UN are driven by a great deal of ignorance and lack of professionalism. The videos have contributed to holding these sessions in a more transparent manner, with a much more significant NGO and media presence.

This year, the HCLU campaign movie titled Room in the 8th District presented the situation following the closure of the “Blue Point” needle exchange program in the 8th District of Budapest. It communicated the message that upcoming blood-borne epidemics cannot be combatted with even more law enforcement, but only through the development of social and medical support systems, and in the case of the 8th District, with the opening of safe consumption rooms. The film has been viewed by over 100,000 people, while over 7,000 people signed the accompanying petition.

HCLU films have won several awards, such as the Creative Web Video Award on two occasions, and the Honorka Hégető Award on one occasion. Gábor István Takács’ and Ádám Surányi’s film Without a Chance was shot in the North-East of Hungary. It is a shocking documentation of local people’s difficulties in

getting a job, the degrading public work programs, and the palpable anti-Gypsy sentiment. It has been elected by the audience of this year’s Version Film Festival as among the top 5 films.



Eszter Jovánovics, Head of HCLU’s Roma Program (since its establishment in 2010)

Because of myriad law amendments, in today’s Hungary changes in the legal environment are impossible to follow, and that, of course, implies serious difficulties for a civil rights activist. Nevertheless, I still think that as a lawyer there is no better place for me to work than at HCLU, since here I can at least work for causes that I believe in and consider really important. I would not be interested in dealing with real estate registration cases, for example, or be a regular at the Company Registry Office. What interests me instead, for instance, is to reduce the discrimination against the Roma in Hungary.

We often feel like we are fighting windmills, but in specific cases we can indeed achieve legal successes even today, because there are still independent judges. Nevertheless, I believe that currently communication is a more important part of the work we are doing, since it can draw attention to the problems. Many times what we do is almost professional journalism, even though its effectiveness is limited since such pieces cannot appear in the governmental media. And even when we get published, we have to face some fierce resistance - and this is especially so in the case of the Roma Program. Yet, if we manage to address the citizens and succeed in forming their opinions, that should be regarded as a great achievement in the present conditions.



HCLU's operation is based on the work of programs that are active in a variety of themes and have been expanding in number and scope over the years. Naturally, at the beginning HCLU did not perform such a wide range of activities, and programs did not exist either. Yet, even at that time, during the cases related to the rights of psychiatric patients it became obvious that in Hungary such activities would be needed in a much broader range of issues. The founders met with the first drug related cases in mental health institutions, and until the end of the 90's the Union was mostly active in these two areas.



Levente Baltay,
former Executive Committee member,
staff member of HCLU's Legal Aid Service

There was a man who was taken to the psychiatric ward, treated for several months, and when he was released, he turned to us because they had not given him his medical documentation. This was so because the law stated that if the doctor believes that disclosing the contents of one's medical documentation could worsen the chances of recovery, then he/she is not obligated to disclose it. When we sued the hospital, a year had already passed, and although our client did not have any problems, the hospital still refused to provide access to the papers on the grounds that it would worsen the chances of recovery, which was really absurd. The Court held that it was our responsibility to

prove that the condition of the patient would not get worse, were the papers disclosed. Now such a ruling can only be provided by a forensic expert, and we had to pay for the work of that expert in advance and get reimbursed later. I was of the opinion that, instead of paying this amount, we should take the case to Strasbourg, but the customer did not have the patience for that. The expert ruled in our favor, of course, but I have regretted ever since that we failed to take this case to an international tribunal.

PROG



Andrea Pelle's article in the periodical *Beszélő*

1996

Regarding drug issues, Hungary has committed itself to prohibition, and its opponents are often made to be seen as wanting to encourage young people to use drugs. The police keep reinforcing this view, with reports classifying drug use as part of the criminal world. Prohibition and the drug related superstitions resulting from it hinder the appearance of an attitude in drug policy that does not solely build on the criminal repression of people who use drugs, but much more on tolerating consumption and reducing the harms it may entail. (...)

In Hungary, the harm reduction approach adopted and practiced in Western Europe mostly only appears

as part of NGO initiatives, even though the drug coordinator of the capital city, Dr. Géza Arató has himself stressed its importance at a drug policy conference. We have no methadone program, no drop-in centers that do not require abstinence in exchange for help, no drug testing at parties (to control the quality of substances), no flyers that give practical advice instead of purely highlighting the dangerousness of drugs, and we have no needle exchange machines either. (...)

It is unacceptable when healthcare professionals consider dealing with drug users to be a law enforcement task. The flow of information between police and health care can only be imagined in one direction: police can refer a drug user it has encountered to a doctor, but a doctor cannot call the police on their client who consumes drugs.

(Andrea Pelle: The Delight of Prohibition, Beszélő, 1996/8)

But already at that time, the outlines of a much more diverse set of activities were becoming visible, both in the area of general patients' rights and regarding freedom of information or protecting the rights of the Roma.

RAMS

Press clip from 18th November 2005

As of 30th October 2005, the provision which obliged the state to pay damages in case of health complications caused by mandatory vaccination has been excluded from the Law on Health Care. On 25th October 2005, HCLU and Protect the Future objected to the termination of state responsibility in a joint letter to the decision-makers. The two organizations pointed out that, on the other end, parents not allowing their children to be vaccinated could face criminal consequences. The press coverage again worked in favor of the NGO initiative, and the ministry withdrew from applying the amendment.

Article in *Fundamentum* by Eszter Csernus,
former Head of HCLU Patients' Rights and HIV/AIDS Program

2005

The requests we receive at the Patients' Rights Program and the Legal Aid Service of the Hungarian Civil Liberties Union suggest that although there is a growing awareness regarding patients' rights in general, their interpretation, contents, limits, and practical application often cause headaches to those affected. Through patients' rights, the "general" human rights laid down in the Hungarian Constitution and in international treaties become interpretable among the conditions of our own healthcare system as well.

The patients' rights named in the health care law (...) can all be essentially grouped around medical self-determination,

and seen as various aspects of the enforcement of this law. (...) Since we are talking about a fundamental right, the restriction of the right to self-determination can only happen according to strict, well-defined rules - in other words, only for a legitimate purpose and as far as necessary and proportionate. Its substance, however, cannot be limited, not even by law.



“ 2008

Interview with Ádám Földes, former HCLU Executive Committee member and Head of the Freedom of Information Program on index.hu

When somebody requests data of public interest, they practice their constitutional right. Everyone has the right to know how effective the state is, how it spends public money, and how it exercises power. In a rule of law society, it must be guaranteed that if you want to practice your right, and that right is limited in some way (for example by classifying documents of public interest), then there be a legal remedy for you. These cases usually end up at some kind of judicial forum. This was basically absent from the summer version of the proposal, but it is already there in the new text, and this is a very positive development. (...) HCLU has turned to courts many times to have information of public interest disclosed: we have won a nice little lawsuit regarding the

contract made with Hankook and another on the contract signed by the National Investment and Privatization Agency for privatizing power plants. These cases concerned trade secrets. We also managed to win a lawsuit against the National Security Agency, which refused to make any parts of state secrets public, even after their period of classification expired.

How the state is spending our money, and how it exercises power, are to be regarded as public data, but if these data are classified as a state secret, the court can be the only real guarantee that the information that is blocked unlawfully will eventually be made public.

(25.01.2008, www.index.hu/belfold/ti-tok5606/)



Tamás Bodoky, Chief Editor of [átlátszó.hu](http://atlatszo.hu), one of the most respected online magazine for investigative journalism

I have filed several lawsuits for data of public interest, and they

made me realize how important an instrument freedom of information is for journalists, given they are willing to go to court for the information that is blocked. By the end of our first lawsuit, the carefully concealed wages of the rectors of public universities had been disclosed, and the story was circulated in the entire Hungarian media. As a result, the 2,000,000 HUF salary cap in the public sector was introduced. We have jointly filed a lawsuit for the disclosure of the impact assessment of the motocross track in Sávoily that was meant to prepare the foundations for public funding. This incited a series of scandals that prevented billions of forints from landing in the pockets of the economic/political underworld. The lawsuit we have filed for the disclosure of contracts that made the Power Plant of Vértes go bankrupt is still ongoing, but the Constitutional Court has already ruled that the management of state-owned corporations must also be transparent. I would venture to say that without HCLU [átlátszó.hu](http://atlatszo.hu) would not exist either, because, among others, it was their example that inspired us to start an independent NGO.

HCLU's programs have expanded and diversified over the years, which is particularly true in the case of political liberties (previously the NGO had dealt with the freedom of press, expression, assembly and association, conscience and religion, that is the core values of any democracy, together). In an open society everyone has the right to free expression of their views, even if they may offend, or even hurt, others. A society can only be truly free if it leaves room for any free flow of thinking that does not harm the freedom of others. But since in the past four years we have witnessed the emptying out of the rule of law, we need to define specific objectives for the protection of these rights. This is how the issue of political participatory rights, for example, was channeled into an independent program within HCLU, to specifically deal with the political activity of citizens, and within it, the exercising of the right to active and pas-

sive suffrage.



**Péter Uj, Chief
Editor of 444.hu**

Already at the beginning of the 2000's, cases kept coming up that we just could not manage with the legal team at our disposal, for we lacked the necessary expertise. Although HCLU's mission is not to help businesses like index.hu or 444.hu, these were cases which brought some kind of general benefits or effects or lessons learned in the cause of Hungarian press freedom. Absurd and bagatelle as it was, the Tokaj wine case was such an instance. It began in 2008 after I wrote an article in the newspaper *Népszabadság* (People's Freedom) which said that the wine of Tokaj Trading House is "crap" - following which I was sued by the company for libel. I remember that we got a judge that had the manner of a daycare teacher

and was completely outraged, and reprimanded me saying that the press should not write such things. Then she sentenced me for libel. At that time it still all seemed funny, but in the end the case reached the Supreme Court which convicted me for defamation - meaning I had violated the personal rights of a wine - and I got a probationary sentence. This meant that I could do one more such move only, and then I would have a criminal record. So it was not that funny after all. Finally, with the help of HCLU the case reached Strasbourg, where the court held that "style is part of communication, and that the form of expression, along with the contents of opinion, are to be protected." As a result, the verdict was overturned.

“ 2010

Interview with Tamás Fazekas, former lawyer of HCLU on origo.hu

“If I as a mother decide to give birth at home because in the hospital I feel much more exposed and vulnerable, and I don’t want any superficial interventions during the birth, then the state should support me in doing so”, pointed out Ms. Ternovszky. “At the present moment, however, I and the assisting midwife and doula have to be ready to face consequences”, she added.

In 2009 Ms. Ternovszky, who was expecting her second child at the time, filed a lawsuit at the European Court of Human Rights in Strasbourg with the help of the Hungarian Civil Liberties Union. On 14th December the court ruled that the Hungarian State had violated the right to privacy when it failed to set out explicit rules for home birth.

According to the court, the right to privacy includes the option for the mother to choose the conditions of giving birth. This very right

is limited by the state when it fails to provide the specific legal provisions and even threatens midwives assisting at home births with sanctions. By a vote of 6-1, the European Court of Human rights ruled that the Hungarian State has thus violated the European Convention on Human Rights (ECHR).

“It is the responsibility of the previous government”

“The court decision has European-wide significance since the ECHR had never dealt with the question of home birth before. All European states will take note of the present ruling”, told Tamás Fazekas, the lawyer of HCLU who represented Anna Ternovszky during the process, to origo.hu. According to him, the ruling could at the same time accelerate the related legislation process in Hungary.

Each program has an independent manager, well-defined objectives and short-term and long-term strategies, and they endeavor to develop the most appropriate tools for implementing them.



Article by Péter
Sárosi in Magyar
Narancs

2009



HCLU, in co-operation with other NGOs fighting for the reform of current drug policies, has organized a demonstration in front of the UN headquarters in Vienna, to draw the world public's attention to the futility and harmfulness of the global war on drugs. Although many people don't believe it, the majority of the protestors did not have the motivation to advocate for the "free use of drugs". While many of the organizers had been through the hells of drug addiction, others never consumed illegal drugs or were recreational drug users. They all know that using psychoactive substances is a risky business. However, in contrast with Orthodox prohibitionists, they believe that managing risk can be much more humane and pragmatic than prohibition. The drug reform movement is now not dominated by hippies who build conspiracy theories and advocate a cult of hemp, but rather, sober professionals (law enforcement professionals, doctors, sociologists, economists and chemists, and even heads of state) who are often among the best in their fields. At present, the majority of the world's population is not aware of what the people protesting in front of the UN know and believe in: that the drug war has failed and that the only question is when and after how much suffering the system will collapse.

(Our Syringes Are at War. Magyar Narancs, 26.13.2009)

IN A CHANGED ENVIRONMENT

Around the world, human rights organizations tend to be taken more seriously by the parliamentary opposition than the government. In Hungary, until 2010 it was typically the opposition party that cited and used the results of HCLU's and others' efforts in debates and law amendments: during the first Fidesz government (1998-2002) the socialists, and between 2002-2010, when the socialists were in power, the MPs of Fidesz.

Article in Magyar Nemzet, 2007

The civil rights organization called the Hungarian Civil Liberties Union (HCLU) undertook the legal representation of Viktor Orbán in the privacy lawsuit against the Ministry of Justice and Law Enforcement, which will be heard on the second instance by the Metropolitan Court tomorrow. The news has been confirmed by András Schiffer, HCLU's attorney. He said he would represent the President of Fidesz in the lawsuit himself. The lawyer pointed out that in the first instance Orbán proceeded with the case himself, but HCLU recently received a request to which they said yes.

“We undertook the legal representation of Viktor Orbán because we have been trying for years to achieve clarification in legal practice of whether public authority bodies have a reputation. In HCLU's view, the alleged reputation of public authority bodies cannot restrict the freedom of political debates”, said András Schiffer. As it is known, last spring the Ministry of Law Enforcement headed by József Petrétai filed a privacy lawsuit against Viktor Orbán, as the chairman of Fidesz perceived political pressure and instructions behind the brutal police action on 23rd October. Petrétai and the depart-

ment sought, over the establishment of the infringement, HUF 3.6 million in non-pecuniary damages that would have been used „in favor of the police officers injured”.

However, in early July the Metropolitan Court of Budapest ruled, in the first instance, that the politician only expressed his opinion, within the framework provided by law, and that it was not unduly offensive, abusive, or implicitly expressing allegations. The court pointed out that the Constitutional Court had pinned down a number of resolutions that the right to free expression protects one's opinion regardless its value and content of truth, and that a body exercising public authority must accept criticisms to a greater extent. The ministry appealed against the judgment.

The lawsuit filed by the Ministry of Law Enforcement had been called a matter of concern by HCLU earlier. As they put it: “it is not Viktor Orbán's statement that hurt the policemen's reputation, but the fact that months after the Autumn events no one was held responsible, and there have been no personal consequences regarding the obvious human errors and abuses”.

(Magyar Nemzet, 14.12.2007)



2013

**Attila Gábor Tóth, former
Executive Director of HCLU
to index.hu**

HCLU is a critique of politics taken in a narrow sense, and from this aspect we have a very good track record because we have criticized and stimulated all governments in light of the standards regarding fundamental rights, regardless whether they were on the left or right. It is well known that we consider the human rights performance of the present government to be very bad. Only a few people remember today that we started out by criticizing the law enforcement politics of then Minister of Interior Gábor Kuncze. In 2006, although HCLU condemned breaches of order, it was trying to protect the freedom of assembly (taken in a broader sense) from arbitrary limitations, and stepped up again against police brutality. At that time HCLU had a conflict with parts of the left-wing public opinion. At the time of the Bajnai government, HCLU initiated serious freedom of information lawsuits that really counted. From this aspect, I think that we really have a good track record.

(HCLU Will Not Play Ground War with Tomcat, 16. 01. 2013)

After Fidesz came to power in 2010, an unprecedented situation occurred which was very dangerous for Hungarian democracy. With a two thirds majority behind it, the new government started to write a new constitution and created the so-called Fundamental Law. This move had not been preceded by any kind of negotiations. Definitive laws were born based on individual motions by MPs, and in this way the government has totally excluded the pos-

sibility of social and parliamentary debates (as, according to the Law on Legislation, in such cases individual motions do not need to be submitted for public debate). HCLU finds it very difficult to keep trying to adopt to a new public arrangement that can hardly be called a democracy, since the union itself was born in democratic circumstances, and its primary duty has been to raise its voice for the equity and civil liberties of citizens. However, the pres-

ent public arrangement is going in a totally different direction, and it regards those who protect and respect other people's liberty and opinion as an enemy. The primary purpose of HCLU cannot, therefore, be anything but to turn this process around and allow the Western paradigm to prevail again (which was at least theoretically the case between 1989 and 2010, when the state had to make an effort in order to save its citizens from its own power).

“ 2012

**Tivadar Hüttl, Head
of HCLU's Legal Aid
Service, to hvg.hu**



The most important step back is that, in contrast with the protection of personal data, the substantive legal principles of the freedom of information are not protected by the two-thirds parliamentary majority. This means that in the future the parliament will be able to make exceptions regarding the freedom of information with a simple majority. It is easy to include a few instructions like the ones MP Sándor Font attempted to include, which would have entrusted the manager of the data with deciding whether the person requesting the data possesses the necessary expertise to understand what the case in question is about. This was such a nonsense idea that, following criticisms by HCLU and Attila Péterfalvi, he has actually withdrawn the proposal. Yet the possibility that such a limitation could be included in the new law is still there. The other grave problem is that the present government has not overcome the constitutional shortcomings of managing classified data (more popularly known as state secrets). The law on classification approved in 2009 does not provide a genuine and effective legal remedy against classification, meaning that the domain of classified data and documents falls completely outside of civic control.

On the other hand it can be considered as a step forward that there is now a clearly formulated passage in the chapter of the fundamental law on public spending saying that public property and local governmental property are to be considered as public data. This is a paragraph that can be referred to indirectly and looks nice in any lawsuit filed to a court. At the same time, it can also be used as a compass for interpreting lower level rules and regulations.

Transparency does protect, even if it does not delight.

(28. 05. 2012)

In the present situation HCLU is trying to reveal the reasons why it has proved to be so easy to demolish constitutional values. The primary reason could be that since the change of regime a generation has grown up for which basic democratic principles (that is, keeping power under control and preventing the state from interfering with people's private lives) have not become important enough, because they have considered them to be given. And so the powerlessness and helplessness is self-evident, and has become common all around the country. Today, HCLU cannot be satisfied with merely issuing press releases and filing lawsuits. In this medium the most important task before HCLU is to win the support of as many people as possible for the causes of liberty and equality, and to compel the gathering crowd to enforce the reinstatement of the state on its former foundations. Obviously, the 30 staff members of HCLU will not establish a party or a mass organization to pursue this goal, but they will certainly be able to support (as an experi-

enced human rights watchdog or an organization performing public education) initiatives that formulate similar objectives - on the local level. Besides publishing videos and materials to raise public awareness, we consider education to be the most important instrument, even though in the present system entering an educational institution is an almost hopeless enterprise for an independent NGO. In other words, it is crucial to make students in lower and higher education more receptive towards human rights and to make them understand why these values are important, or why solidarity or taking social responsibility are important. It is without doubt, therefore, that HCLU has to rethink its scope of duties and prioritize those that can really be effective in the altered circumstances. The earlier practice of simply lobbying for better laws is completely useless today, since parliamentary decision-making has become totally opaque, with laws being prepared in ministries and not open for debate. For this reason, HCLU has to strengthen

its other types of activities such as the representation of individual cases, since through court rulings one can create precedence which can be referred to in other cases. And if the national legislation is bad, one can go as far as Strasbourg. The big question for the future is how far HCLU should directly engage in politics. Obviously, a HCLU staff member will never speak at an event organized by a political party, but they can speak at protests and have done so when they are independent of political parties and target such basic civil rights as the freedom of press, for example. This is even more important as HCLU primarily operates in a political environment, trying to influence public affairs, and since our goal is to make citizens more active, we have to make use of all possible means at our disposal to be able to express our opinion - that people should exercise their rights and raise their voices when they encounter injustices against themselves or others, and be responsibly thinking citizens, not mere subjects.



Stefánia Kapronczay,
HCLU's Executive Director



Obviously, it is very uncomfortable for the government that there are still organizations that can criticize them effectively. It is also obvious that regarding many issues the government is looking at states to the East of Hungary, like Russia and Azerbaijan, as examples, and keeps introducing measures similar to theirs. We also see that wherever in the world they try to threaten and/or liquidate NGOs, the first step is always the elimination of funding sources that are independent of the state. We have a similar situation in Hungary, and the statements of politicians make it totally clear their real problem is that they cannot decide about where these monies should go. For this

reason we need to be prepared for attacks similar to the one made on the Hungarian Environmental Partnership Foundation (whereby rapid reaction police occupied their headquarters). We do not know when such a move against HCLU will be made or when they will try to make our work impossible for good. Since it is part of our mission to step up against such attacks, we do not only raise our voices in self-defense, but also in pursuance of the greater objective, that is, power that is under control.



Szabó Máté Dániel
szakmai igazgató

HCLU fights for the rights of those who are usually not liked by the majority. Were they liked by the majority, were these rights and groups popular, we would not have to fight for them. Protecting human rights means, most of the time, stepping up for causes that are not popular. Today we are experiencing a kind of insensitiveness towards human rights, and we have to do something about that. The people who work here are committed to do so and although they often suffer from the kind of environment they have to live in, they are also inspired by the fact that they can do something for improving the situation.

MAJOR ACHIEVEMENTS IN 2014

DATA PROTECTION

In the area of data protection, in 2014 we were most delighted about the judgment of the Court of Justice of the European Union, which annulled the Data Retention Directive. The substance of the directive was that EU Member States can, in the framework of the Directive, require mobile and internet service providers to store the traffic and location data of their clients in a huge

database. This would have included with whom, when, how often and from where people communicate, and would have been suitable for drawing detailed conclusions about a person even without recording the contents of the communication. Following the judgment of the Court, HCLU sued Telenor and Vodafone so that the Hungarian law prescribing similar rules can finally reach the Constitutional Court.



*Fanny Hidvégi,
Head of Program*

FREEDOM OF INFORMATION PROGRAM

One of the biggest successes of 2014 was that we managed to find out what happened to over one billion forints which nearly 200,000 citizens had given, as part of their one per cent tax offering, to the state for ragweed eradication. It is gratifying that the Ministry of Rural Development cited the scandalous provisions adopted in 2013 un-

der the Freedom of Information Act in vain, as the court ruled in favor of the freedom of information. In this way, we learned that even though ragweed allergy is causing a great deal of inconvenience to many people, the state has not proved to be a careful guardian of this money and, despite the express will of taxpayers, used it for totally different purposes.



*Rita Bence,
Head of Program*

PATIENTS' RIGHTS AND SELF-DETERMINATION PROGRAM

The joint project of HCLU and The City is for All has won a prize at a SozialMarie contest where socially innovative programs were awarded. In our case, they recognized our joining of forces against homelessness. In this scheme we provide the legal frame-

work for strategic litigation and briefs requiring legal expertise, while the The City is for All - which is an activist group of mostly made up of homeless people - reports on daily abuses, and diversifies protesting with its own instruments (civil disobedience, demonstrations).



*Péter Sárosi,
Head of Program*

DRUG POLICY PROGRAM

In September 2013 HCLU's drug program turned to the Commissioner for Fundamental Rights to investigate whether the activities of the mayor of the 8th District of Budapest, targeting the closure of the local the needle exchange program, violated drug users' right to health and the local population's right to a healthy environment. In

October 2014 the Commissioner published a report in favor of HCLU and pointed out, for the first time, that harm reduction programs serve the health of both people who use drugs, and those living around them. Both HCLU and the Ombudsman came under fire because of the report, and we take this as a sign that it indeed has made decision-makers feel uncomfortable.



*Tamás Verdes,
Head of Program*

DISABILITY RIGHTS PROGRAM

In 2014 HCLU's Disability Rights Program provided legal representation for over 10 persons in cases regarding guardianship and voting rights, and helped people unlawfully held at psychiatric departments of hospitals or

in nursing homes to being released. We launched the Facebook campaign Rollercoaster, which involved almost 4,000 people following the fictional diary of a young man living with the diagnosis of schizophrenia.



*Szabolcs Hegyi,
Head of Program*

FREEDOM OF ASSEMBLY PROGRAM

In spring we published the Hungarian version of a collection of case studies prepared within the framework of an international cooperation scheme of civil rights organizations (International Network of Civil Liberties Organizations, INCLO). The case studies come from nine countries and present restrictive and repressive state interventions that violate the right to assembly, while also formulating concrete proposals to extend this right. The recommendations

we formulated in the compilation were submitted to the June 26 session of the UN Human Rights Council, where Maina Kiai, the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association presented his annual report. INCLO also organized a separate roundtable discussion during the session at which NGO representatives discussed, with the UN rapporteurs present, human rights problems that have arisen in connection with social protests and demonstrations.

FREEDOM OF CONSCIENCE PROGRAM

We have successfully challenged the Church Law in effect since 2012 at several judicial forums. Last year, the Constitutional Court issued a thick judgment on the law [Resolution No. 6/2013. (III. 1)], in response to which the government amended Hungary's Fundamental Law twice, and the Church Law once. This year, however, the European Court of Human Rights also ruled that the legislation, even together with the amendments,

deprives people of their rights, is discriminatory and violates Hungarian churches' rights to freedom of conscience and association. Following the decision of the Court, the disenfranchised churches will have to be compensated by the State for the damage it has caused. According to our information, the government has acknowledged that the current legislation is not any more acceptable, and started working on a new law.



*Francis Bagyinszky,
Head of Program*

HIV/AIDS PROGRAM

For people living with HIV, medical care for their condition has become available in three big cities (Debrecen, Miskolc and Pécs) as of 1st July 2014. For years, HCLU has advocated for the establishment - in addition to the single existing HIV department in Budapest where medical treatment and care for people living with HIV is provided - of HIV departments called “decenters” in other major cities of the country as well. Decentralization is not only meant to improve access to care in rural areas, but also to increase the number of HIV-specialist practitioners, which is very much needed in light of the deteriorating statistics. Additionally, in the

long run the move can reduce the unfounded fears and prejudices against people living with HIV, due to which they often suffer discrimination, for example by being denied care.

Following the lengthy resistance of the governing health authorities and the failed decentralization effort of 2009, the establishment of the rural treatment centers began in 2013 on the basis of a mutual agreement. The agreement was between HCLU and the Office of the State Secretary of Health during a proceeding at the Equal Treatment Authority initiated by HCLU because of the negative discrimination against people living with HIV in healthcare facilities.



*Mráz Attila
programvezető*

POLITICAL PARTICIPATORY RIGHTS PROGRAM

This year HCLU’s youngest program successfully defended the right of citizens to be informed by electoral bureaus about which parties’ recommendation sheets included their personal data. Several parties were suspected to copy voters’ personal data from each others’ recommendation sheets, thereby potentially winning candidacy. Yet electoral bureaus denied voters’ requests for information concerning their own personal data on recommendation sheets. Despite electoral

bureaus trying to deny access to this information, ironically based on the position of the National Authority for Data Protection and Freedom of Information, the decision of independent courts in favor of our clients will serve as a further guarantee for the integrity of future elections and the protection of personal data. Even if some people or political parties try to abuse voters’ data in order to field candidates or establish lists in the elections, from now on citizens will themselves have a chance to disclose any attempts at fraud.



*Eszter Jovánovics,
Head of Program*

ROMAPROGRAM

In the village of Putnok several members of a Roma family living in extreme poverty were fined a total of HUF 350,000 for failing to have their living address registered. It should be noted that the family members had repeatedly tried to report their address, but the local council rejected them. We challenged the resolutions imposing fines at court. The cases were referred to two judges, resulting

in two contrary decisions. Following our motion, one of the judges turned to the Constitutional Court, which found that the local regulation is unconstitutional. This means our clients do not have to pay the fine. The other judge upheld the penalty, and so in this case we will continue to fight on our clients' behalf for an exemption from the payment obligation imposed on the basis of an unconstitutional regulation.



*Dalma Dojcsák,
Head of Program*

FREEDOM OF EXPRESSION AND FREEDOM OF PRESS

Ottó Szalai's case started in 2012. He then wrote of the Mayor of Siklós that "he treats public money as if it were his own". The first and second instance courts considered this as a false allegation, and convicted our client for slander. The case was then referred to the Constitutional Court, which ruled in our favor. Resolution No. 13/2014. (IV. 18.) of the Constitutional Court held that the freedom of public discourse requires courts to pay attention to the freedom of

expression when trying to decide whether a criticism is an allegation or a value judgment. Mr. Szalai's sharp critique was, therefore, a value judgment, for which he cannot be condemned.

We are trying to refer to the contents of the Constitutional Court ruling at ordinary courts in as many cases as possible. In this way, we are working to ensure that the outcomes of our successful constitutional plea are incorporated into judicial practice as soon as possible.



*István Gábor Takács,
Head of Program*

VIDEO PROGRAM

In 2014 the audience of the International Human Rights Film Festival VERZIO selected HCLU's film *Without a Chance* among the top five films. The one and a half hour film is based on the experiences gained by HCLU's Roma Program in the past three years, and presents serious human rights violations affecting the Roma and their social contexts. We think that the closure of the local needle exchange program and the criminalization of drug users in Budapest's 8th District is not an option, and so we launched

our campaign titled *Room* in the 8th District for a safe consumption room where drug users can consume drugs in a controlled environment. The campaign video has been viewed by almost 100,000 people on the Internet. At the same time, HCLU's video team was invited to New Zealand to make a video about the innovative ways in which new psychoactive substances are regulated in the country, and to hold a video training for young activists. At the end of the year, we trained 16 foreign drug user activists in Budapest on how to produce videos.

All success of HCLU is the achievement of its staff. Without any of the staff members the HCLU would be a different organization.

THE STAFF MEMBERS OF HCLU IN 2014 WERE:

Ferenc Bagyinszky	Anna Kertész
Levente Baltay	Ilona Lapinskas
Edit Barta	Attila Mráz
Endre Barz	Nóra Perlik
Rita Bence	Márk Pető
Róbert Bordás	Andrea Polgár
Eszter Csernus	Szabolcs Miklós Sánta
Dalma Dojcsák	Péter Sárosi
György Folk	Éva Simon
Gabriella Harmat	Mihány Simon
Szabolcs Hegyi	Kata Sós
Fanny Hidvégi	Ádám Surányi
Tivadar Hüttl	Máté Dániel Szabó
Andrea Jokán	István Gábor Takács
Eszter Jovánovics	Judit Torma
Mátyás Kálmán	Réka Velényi
Stefánia Kapronczay	Tamás Verdes
Tamás Kardos	Anita Vodál

In order to maintain our independence, HCLU does not accept support from the Hungarian state, the government or political parties. However, your support would be extremely important for us! In case you agree with our objectives, please support the work of HCLU!

CIB Bank: 11110104 - 18067109 to 10000001

MagNet Bank: 16200216 to 00089166

For other ways of supporting our work, please refer to:
<http://tasz.hu/en/supportus>
