



HCLU HUNGARIAN
CIVIL LIBERTIES UNION

ANNUAL REPORT
2015

Even though 2015 saw the rule of law further undermined in Hungary, HCLU managed to adapt to the changed conditions and achieved some genuine results.

In recent years we not only fought against isolated human rights violations, but also against the systematic and high-level dismantling of human rights. As the legal system has less regard for human rights, the systems of institutions supposed to protect these rights are also less able to act effectively against human rights violations. All this has led to a situation in which the law protects the individual against undue interventions by those in power to an ever-decreasing extent. We have not merely witnessed this process, but through our watchdog activities, have documented it and acted against it.

The year 2015 brought the gravest humanitarian crisis in Hungary in recent decades, with the Hungarian government failing to provide any help for refugees fleeing from war zones and suffering severe physical and psychological injuries. Instead, the government began a campaign of hatred at public expense, built a border fence, and introduced measures that restrict freedom. Apparently, it had an interest in deterring people from assisting migrants. Asylum seekers, journalists and others wishing to report on the events suffered a series of human rights violations, while the state institutions that were supposed to remedy these grievances remained inactive. The crisis situation clearly showed what happens when the independence of constitutional institutions that play an important role in the protection of human rights, such as the Constitutional Court, the Ombudsman and the judiciary, are compromised: when they are needed, they are paralyzed and unable to act in accordance with their intended purpose. A republic that has independent institutions would have had more success in tackling the human rights issues of 2015.

We consciously adjusted the focus of our work in reaction to this situation.

We have not retreated and are looking for new solutions to achieve our goals in these increasingly difficult circumstances. We defended those who protested against the campaign of hatred that refugees and Hungarian citizens have been flooded with; carried out awareness building activities on refugees' rights; and criticized the curbing of rights taking place without constitutional authorization. We filed more strategic lawsuits than ever, which, should they fail at the Hungarian forums, can be taken before international tribunals.



We strengthened our presence outside of Budapest too - with the help of our lawyers in the countryside we have filed successful lawsuits in regional courts. Within the framework of our Roma program we started intense and thorough community work in two local communities in Eastern Hungary. We consider it crucial to defend local residents who have difficulties enforcing their interests and are even more vulnerable to those in power. We started a new program for protecting the rights of students and teachers because we believe that public education should be ideologically neutral. Through our regular campaigns we worked to shape public attitudes, because we are convinced that a favorable public opinion is essential in order to achieve our goals. Our goal with our campaigns is to enable the legal approach to become an indispensable framework for arguments in the eyes of society, be it in relation to the quality of human partnerships, the rights of children with disabilities or active participation in public debates. We consider something to be an outcome of our activities if we have achieved change or defended against violations of other people's rights. As we close a year that was very rich in terms of both, we are pleased to issue this report on our work in 2015.

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IMPRESSUM

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DRUG POLICY PROGRAM

HCLU has been actively protecting the liberties of Hungarian drug users in courtrooms and on almost all possible forms of drug policy, fighting against the stigmatization and prejudices, and standing up for the provision of correct and evidence-based information since 1994. In our view, a desirable drug policy would be guided by the principle of regulation instead of prohibition, by reducing the harms of drug use instead of pursuing the idea of a drug free society, and by pragmatic professionalism and compassion instead of moralization.

Procrastination and the Worsening of the Problem

When, after long protraction, the adoption of the new drug strategy finally happened, professionals in the field hoped that the action plan needed for its implementation would soon be adopted too, and that, by implementing it, the government would pay more attention to this area in the future. Instead, however, the discussion about the action plan was not completed until January 2015, and it is still not in effect. Meanwhile, the members of the profession were caught by surprise when in the summer and autumn of 2015 the government silently watched as the two largest needle exchange service points in Budapest was closed down at the behest of the district authorities. In the first part of 2015 the latest hepatitis prevalence assessment of the National Center for Epidemiology came out, and it gave an account of a very unfortunate tendency: between 2011 and 2014, when needle exchange providers significantly reduced the number of sterile needles given out because of lack of funding, the number of intravenous drug users infected with hepatitis C doubled both in Budapest and on the national level. Learning from international experience, the fact that the proportion of intravenous drug users with hepatitis C grew to 60% in Budapest is a precursor to an HIV epidemic, and so the only rational reaction would be the scaling up of harm reduction services. Yet, when in a television debate the head of HCLU's drug

policy program confronted a member of parliament from the governing party with the statistics, she, instead of assuring that help would be given, accused the organizations performing HIV testing with partiality and falsifying data, and judged the report of the National Center for Epidemiology, which has been put together according to international protocols for years, as fake. She then went even further and accused needle exchange providers, which have been functioning at half-steam because of the lack of appropriate funding, for being responsible for the worsening of the hepatitis C situation. Unfortunately, this symbolic event has just further widened the gap between support organizations and the government.

The popularity of new psychoactive substance is growing steadily

As an answer to the growing popularity of designer drugs, in April 2012 the government introduced the so-called C list with the objective of listing new psychoactive substances and thus hindering their trade. New substances are added to the list on a continuous basis while the sentencing tariffs linked to criminal acts involving designer drugs have become harsher, but this has not stopped the growing use of these substances. The "Herbal Para" conference held in June 2015 HCLU presented its new film, which shows how synthetic cannabinoids used in place of marijuana have gained ground in a Hungarian local community. The lectures given by the invited experts made it obvious that this is not a unique phenomenon and, according to criminal statistics, in 2014 twice as much synthetic cannabinoid was seized as traditional cannabis, which had been, up until then, the most common drug seized. During the section following the lectures the experts gave an account of the status of drug prevention, harm reduction and treatment and care, and their opinions on the drug policy of the government, by filling out questionnaires from the

European Monitoring Centre for Drugs and Drug Addiction (EMCDDA). The approximately 200 experts present drew an overwhelmingly negative picture of all the related areas, and many of them said that those doing support work are now being stigmatized alongside people who use drugs and are viewed as accessories to the drug problem.

Promoting support work

Having witnessed the vulnerability of support organizations working in the drug field and their stigmatization by society, at the beginning of 2015 we launched a new series on the Drug Reporter website which presents, in the form of interviews, professionals and organizations performing prevention and harm reduction activities. By November we had published eight articles about the work of harm reduction activists at raves, organizations supporting intravenous drug users, and programs that provide personally tailored therapies. Both professionals and interested parties have been very positive about the series, so we are going to carry on with it in the future to facilitate people's orientation and reduce the number of criticisms that are targeted at these organizations due to the lack of information.

Scientists in the school

In February HCLU published a report based on a freedom of information request in which we presented how Scientologists are trying to gain ground in Hungarian schools under the guise of drug therapy and drug prevention. HCLU had filed a freedom of information request with the Klebersberg Institute Maintenance Centre (KLIK), a government agency which controls public schools in Hungary, to find out whether there are any traces of cooperation between schools and organizations with ties to Scientology. According to the answer we received, in several documented situations Scientologists have indeed conducted activities involving school children or collaborated with schools in other ways, sometimes involving state subsidies. Since then we have been paying increased attention to drug prevention in Hungary, and have contributed to the appropriate operation of the field by releasing a video that features expert opinions and best practices.

In Court for a Joint

At the end of last year, HCLU's legal aid service received a request from a young person who had been caught by police in the act of smoking a marijuana cigarette. According to the Criminal Code, passing over a marijuana cigarette with the purpose of collective consumption qualifies as distribution and, hence, our client was brought to trial for drug dealing. The interview we made with the young person garnered significant media interest and generated a public debate about the irrationality of the related passage of the Criminal Code. In November 2015 our client was put on 2 years of probation, following which we requested a rehearing.

Medical Marijuana

During the year we published several articles on the medical use of cannabis and the role of active ingredients in medical sciences. We also conducted an interview with a Hungarian patient who, from time to time, eases the symptoms of his incurable disease with cannabis, which he is forced to purchase from the black market due to the ban on the medical use of cannabis. Our client urges change and would like to achieve legal access for patients to different varieties of cannabis according to their disease. In autumn the national television news asked us about the medical use of cannabis, and then broadcast several professional and unobjectionable news pieces that included the viewpoints of the patients themselves.

Budapest Drug Strategy and Drug Coordination

In cooperation with the Hungarian Civil Society Drug Coordination Body in December we organized a conference to which we invited drug policy experts, representatives of the police, the concerned ministry and the local council. This event called attention to the crisis of the service provision system in Budapest with the objective of encouraging the representatives of the field to act jointly and develop a drug strategy and coordination scheme for the capital city. Unfortunately, no one on the part of the municipal authorities attended the conference, but those present nevertheless agreed to carry on with joint planning and to present their recommendations to the ministry at a later date.

1st

PRIZE AT THE CREATIVE WEB VIDEO CONTEST

122000

VIEWS FOR OUR REPORT ON SYNTHETIC CANNABIS IN MÁTRAVEREBÉLY

260000

READERS FOR OUR STORY ON THE YOUNG BOY PASSING OVER A JOINT

DATA PROTECTION PROGRAM

One of the priorities of the Data Protection Program is to make an increasing number of people aware of the value of privacy and personal data so that they can make conscious decisions regarding their data privacy and learn about the technological developments that can help them protect it. We believe that such awareness is a prerequisite of exercising the right to informational self-determination. Beyond ordinary citizens, youth as well as activists and journalists are priority target groups for the program. A further goal of the Data Protection Program is to allow the state to handle data on citizens only if such an activity is linked to a specific purpose and is done on a minimum scale, not exceeding the extent that is by all means necessary.

Our Privacy is in Danger

In January 2016 the Hungarian government is introducing a new electronic identity card, which will eliminate the need for separate social security cards or tax cards, and can even serve as a travel pass. The chip of the new card will contain biometric data, which makes it suitable for other functions beyond the verification of identity, such as the electronic signature required for using electronic administrative procedures. HCLU has submitted a legislative comment on the draft to the Ministry of Interior. The proposed measures go against one of the most important principles of data protection - namely, that personal data is to be obtained only for specified and lawful purposes – they unnecessarily link different instances of data handling done with different purposes.

A new law has been made establishing a central database for recording each Hungarian citizen's facial profile. As put forward in HCLU's statement submitted to the Ministry of Interior, the profiling technology involves a specific risk to privacy because while identification by ID card or fingerprint may require the cooperation of the person concerned (handing over card, giving fingerprint), with a facial profile at hand people will be

easy to identify in any situation, even without their knowledge. A form of identification that can be performed in an automated way in any situation means that citizens are losing control over the disclosure of their identity. In addition, the identification can be performed from a distance and on a mass scale.

The amendment to the law on the right to self-determination and freedom of information has somewhat strengthened data protection guarantees: on request of the person concerned (but only on request), information must be provided of data protection related incidents, i.e. illegal access to someone's personal data, and the maximum amount of a potential fine for breaching someone's privacy fine has also increased.

International Successes in the Area of Defending Data Privacy

In 2014, the Court of Justice of the European Union (CJEU) declared invalid the Data Retention Directive that unified the time frame of the retention of selective data by Internet and telephone service providers and determined the accessibility of data by authorities in the member states. The court reasoned that the directive disproportionately limited the rights of concerned persons to privacy and the protection of personal data, because it did not contain any guarantees to counterbalance the limitation of these rights. Despite the annulment of the directive, the Hungarian act allowing data retention is still in force. HCLU filed a lawsuit against Telenor in order to force the Hungarian Constitutional Court (CC) to repeal the unlawful act. Following a call to action by HCLU, internationally acknowledged civil society organizations such as the Open Rights Group and Privacy International, as well as a group of academic experts, filed amicus curiae briefs with the Hungarian Constitutional Court.

Although, despite all this, the Constitutional Court's decision allows authorities to collect Hungarian citizens' personal

data without any stated purpose and without any proper guarantees for data protection, we have managed to generate some serious international cooperation for the cause. The lawsuit continues on appeal.

In conjunction with 91 other NGOs worldwide, HCLU called, in a joint statement, on the UN Human Rights Council to establish a new mandate of a Special Rapporteur on the right to privacy. In March 2015 the UN Human Rights Council adopted a resolution that will lead to the selection of an independent expert on privacy.

59

INSTANCES OF LEGAL AID PROVIDED VIA EMAIL

134

MEDIA APPEARANCES

91

JOINT STATEMENT WITH 91 INTERNATIONAL NGOS

DISABILITY RIGHTS PROGRAM

The disability rights program focuses on assisting people with disabilities in living their lives as equal citizens and recognized members of their community. Today, a significant proportion of disabled people live in poverty and isolation from the community, and their elementary rights to self-determination are often limited by physical and legal means that are designed to isolate them. The most important goal in this area is to eliminate totalitarian mass institutions and, in parallel, develop support services in the community that promote 'living in the community'. We believe that instead of the guardianship system we need supported decision-making. We need to fight for legislation that attempts to restrict the political rights of people with disabilities, and we need to recognize the right to school education for children with mental disabilities.

Little progress with the guardianship system

The year did not bring a decisive change in public policies affecting people with disabilities. The government has shown an increasing commitment to deinstitutionalization, and it began closing down the first six residential institutions for disabled people. Unfortunately, however, guardianship, which entirely restricts the capacity to act, seems to be prevailing, and supported decision-making is still the privilege of a few. Half of all children with multiple severe disabilities still have no access to elementary education.

Raising legal awareness with the involvement of stakeholders

HCLU took part in elaborating the governmental decision concerning the deinstitutionalization of persons with multiple severe disabilities. We attended the round table discussion organized by Equal Opportunities for Persons with Disabilities Non-profit Ltd. (FSZK), and while elaborating on the different concepts involved we

managed to integrate our own standpoint into the documents. During the year the Disabilities Rights Program and HCLU's Legal Aid Service provided legal counseling in 40 cases, and we provided legal representation in 8 cases that concerned guardianship and/or emergency medical care. Our policy is to always try to make the court order participation in supported decision making for our clients, instead of putting them under guardianship. Regarding emergency medical care, we turned to the Office of the Commissioner for Fundamental Rights in order to have the Parliament rectify the lack of a proper legal remedy in this area.

We launched the **HCLU parents' meetings** this year with the objective of providing more parents of disabled children with practical knowledge regarding their children's rights. The MONDO card game that we have developed in cooperation with Csillagház elementary school shows children how their rights can be threatened as adults and what they themselves can do to overcome their difficult situation.

At the big card test party we secured greater accessibility and visibility for our **MONDO** card game with programs like charity yoga, a roundtable discussion with experts, a Lóci játszik concert, and the involvement of partner NGOs.

We have to put an end to the era of mass institutions

We collected, systematized and published the most up-to-date data on guardianship. The data clearly show that while the number of persons under guardianship has been stagnating at around 55,000, the number of persons participating in supported decision-making has not even reached 200. Nevertheless, 10,000 people have regained their right to vote.

We made a film about the inauguration of a large residential institution in Szolnok that had been renovated from European Union funds, and we called the public's attention to the fact that this practice must end.

INSTANCES OF LEGAL AID GIVEN

40
18

LAWSUITS

MONDO

THE IMPLEMENTATION OF THE MONDO CHILDREN'S CARDS

75000

VIEWS FOR THE MONDO SHORT FILM

PARTNERS:

The program regularly cooperates with the following Hungarian organizations: Hungarian Helsinki Committee, Equal Opportunities of Persons with Disabilities Non-profit Ltd. (FSZK), Mental Disability Advocacy Centre, Csillagház Elementary School, Immanuel Home and Learning & Development School of the Reformed Congregation of the Great Church of Debrecen

FREEDOM OF ASSEMBLY PROGRAM

The freedom of peaceful assembly, or the right to protest, is one of the most fundamental political rights, the defense of which HCLU has undertaken ever since its founding. A vibrant democratic society cannot be imagined without citizens' demonstrations and marches of protest or solidarity, that is, the collective expression of their opinion. Although the law securing the freedom of assembly is perhaps the only one among the liberal constitutional laws made after the change of regime which the System of National Cooperation has left untouched, the practical use of the right to assembly is just as difficult as in the case of other liberties. HCLU's Freedom of Assembly Program pays special attention to administrative and other indirect limitations on this freedom by authorities, and through constant strategic litigation, and by keeping judicial practice on an appropriate level, it tries to influence authorities that implement laws in a repressive manner and increase sensitivity towards fundamental rights.

Amending the law on assembly and crowd dispersal at Rösztke

The year 2015 started with the government bringing up the possibility of amending the law on assembly, which prompted a strong counter-reaction from human rights watchdogs, including HCLU. Due to our active resistance, the plan for the modification was then taken off from the agenda.

One of the turning points of the refugee crisis was when on September 15th the Hungarian authorities closed the border crossing with Serbia, while also introducing repressive criminal sanctions and rules pertaining to migrants. On September 16th the migrants waiting at the crossing point at Rösztke started to protest. The police and the Counter Terrorism Center attacked the crowd without warning, deploying tear gas, water cannons, Special Forces without identification numbers, and batons.

A protest cannot be banned in advance

On 30th April 2015 the Budapest Court of Public Administration and Labor upheld a revision request by HCLU and reversed an order banning a protest by the victims of foreign currency loans against bankers attending a conference in a Budapest hotel. The Budapest Police Headquarters justified the ban by pointing out that the protest would infringe on the rights and freedom of passersby. The court held that the presumed threat to other people's rights and freedom is not a legitimate and satisfactory ground for banning a protest in advance, and that an abstract threat to other people's rights and freedom cannot constitute a limitation to the right of assembly - only the actual violation of these rights can. In this case, however, the solution is not a preliminary ban but the dispersal of the event while it is being held.

In its resolution No. 30/2015. (X. 15.) the Constitutional Court upheld a claim by HCLU's client related to the freedom of assembly. Previously, the police had banned a demonstration scheduled to coincide with the announcement of a unity of law resolution passed by the Supreme Court of Appeal in relation to foreign currency loans, and the court upheld the ban on the grounds that the event would have seriously jeopardized the smooth functioning of the judiciary. The Constitutional Court ruled that peaceful demonstrations in and of themselves cannot be construed as illegitimate pressure because they are an essential part of democratic public life, regardless of the fact that almost all demonstrations cause some disturbances, and often resentment as well. According to the ruling of the Constitutional Court the police cannot prohibit a demonstration without first consulting with the organizers. Their ruling stated that the police have to negotiate, prior to the prohibition decision, with the announcer of the demonstration so that the ban can be avoided. This does not only prescribe formal notification, but stands as a safeguard for the right of assembly, too.

This rule ensures that the most serious limitation on the exercise of rights shall not be arbitrary.

Flash mob against the campaign of hatred

On 27th October 2015 the District Court of Pécs terminated proceedings against a civil activist whom local police had made liable to misdemeanor because he had not announced a short protest action. The activist argued in vain to the authorities that the event was a flash mob - the offence was established and the activist was fined. Upon hearing the arguments of HCLU's lawyer, however, the reviewing court ruled that the event was a flash mob, of which the authorities do not have to be notified. In the case of flash mobs there is no notification requirement because during the short span of such an event the conditions for such an action are lacking, as it is entirely out of the question that such an event would cause serious disruptions in traffic or the functioning of representative bodies or the courts, and thus could not entail a police ban.

Unconstitutional restrictive measure in reply to the refugee crisis

The government's answer to the refugee crisis involved repressive legislation: at the end of August the government laid before parliament acts that unconstitutionally restrict the rights pertaining to criminal law and the refugee crisis. Before the parliamentary debate had started, HCLU drew attention to the openly dictatorial nature of the amendments and called on MPs not to vote for them.

12

INSTANCES OF LEGAL REPRESENTATION IN LAWSUITS

34

INSTANCES OF LEGAL AID GIVEN VIA E-MAIL

185041

VIEWS FOR OUR POST ON POLICE COMMAND IN RÖSZKE

PARTNERS:

HCLU is a member of the International Network of Civil Liberties Organizations (INCLLO), an international umbrella of human rights/civil liberties organizations from 11 countries. In 2015, INCLLO worked on a report on the use of less-lethal weapons which is scheduled to be published in 2016. INCLLO's members are as follows: American Civil Liberties Union, Association for Civil Rights in Israel, Canadian Civil Liberties Association, Centro de Estudios Legales y Sociales (Argentina), Egyptian Initiative for Personal Rights, Human Rights Law Network (India), Hungarian Civil Liberties Union, Irish Council for Civil Liberties, Kenya Human Rights Commission, Legal Resources Centre (South Africa), and Liberty (United Kingdom).

FREEDOM OF INFORMATION PROGRAM

The Freedom of Information Program enforces the right to access data of public interest in order to ensure the transparency and accountability of the state. Our goals in this field are to have public agencies consider the disclosure of information to be mandatory, while the public, and especially journalists and civil society organizations, will be able to request information of public interest or enforce their rights in this regard before the courts.

We say no to classifying public data as secret

The Freedom of Information Act underwent significant modifications in 2015, with the result that new, mostly unacceptable limitations have been placed on information of public interest. As a result of this change, public information can no longer be requested anonymously, perhaps to discourage requests. According to the text of the law amendment, repeated requests by the same person for the same piece of information can be rejected simply because of the repetition, even if the person in question did not receive a response in the first instance. Beyond the photocopying costs, the person requesting the information may be charged for incurring labor costs, which means that the salary of the officials involved is paid by the person not only as part of their tax, but in relation to the data request, too. Furthermore, the person is not in a position to judge whether the expenses are far-fetched or not. Also, we cannot get hold of, but at most only look at, data of the public interest that is subject to copyright protection. We will soon find out how all these restrictions will apply in practice.

Successful Lawsuits for the Disclosure of the Studies on the Malév Bankruptcy and Századvég

Freedom of information is still one of the best enforceable political freedoms in Hungary, as evidenced by our winning a series of lawsuits in this area. We can highlight some of the most important ones here. In 2015 we finally won a lawsuit filed to make public studies ordered from the Századvég group about matters worth billions of forints, and the Supreme Court of Appeal upheld the verdict.

As a result of a successful lawsuit filed by us, in 2015 the documents related to the bankruptcy of Malév were also made public, allowing citizens to learn more about the background of the end of the Hungarian national airline. In a legal procedure against a whistleblower, which suffered from serious procedural errors and was essentially a show trial, we protected the defendant in court successfully. The decision of the Supreme Court of Appeal made it clear that the bids submitted as part of the tendering procedures for radio frequencies constitute data related to the management of public funds and should therefore be made public by the end of the tendering process. This compelled the media authority to disclose them.

As the program has garnered considerable experience and achievements in lawsuits related to freedom of information, we have been trying to make these results more widely known so that they can be used by others in similar legal proceedings. Our goal is to have the results of freedom of information lawsuits, whether they are of a national scope or pertain to Budapest only, appear in the practice of rural courts in the upcoming period. In 2015 we won lawyers over in the countryside for the cause of freedom of information, and we provided legal representation in more non-Budapest freedom of information lawsuits than ever before.

We are there in the European Court of Human Rights, too

With permission from the European Court of Human Rights, together with other NGOs we intervened in the proceedings which will decide whether the outcome of the Hungarian Civil Liberties Union v. Hungary case, a very important judicial ruling from 2009 having Europe-wide repercussions, will be upheld by the Grand Chamber of the

Court of Justice. According to the ruling, freedom of speech is violated when data is concealed from organization acting in the interest of the public. In the Hungarian Helsinki Committee v. Hungary case we now have the opportunity to argue that the concealment of data equals censorship.

PARTNERS

atlatszo.hu

K-Monitor

Transparency International

Media Legal Defense Initiative

Campaign for Freedom of Information

ARTICLE 19

Access to Information Programme

6

SUCCESSFUL LAWSUITS

32

INSTANCES OF LEGAL REPRESENTATION IN LAWSUITS

204

MEDIA APPEARANCES

FREEDOM OF CONSCIENCE

SEPARATION OF CHURCH AND STATE

The right to freedom of conscience provides protection against unwarranted interference (primarily by government): it prohibits the imposition, prohibition, support or enforcement of any minority or majority religion, ideology, or moral teaching. Freedom of conscience allows us to live our lives according to our own principles, and to shape our efforts and goals according to our personal beliefs. In the spirit of the freedom of conscience the state must remain neutral towards any form of religion and private morality. Those in power have to represent all members of the political community and cannot commit themselves to any particular faith, because that would infringe on their obligations regarding equal treatment of all citizens of the state. The Fundamental Law of Hungary and the laws made in its spirit - especially the Church law - are pieces of legislation from a state that does not respect the equal freedom of its citizens and does not treat them equally regardless of their religious beliefs - the Fundamental Law is ideologically committed. Ever since the new Fundamental Law entered into force, HCLU has been committed to protecting freedom of conscience and continues to fight against the oppressive Church Law.

Another battle because of the Church Law

After the European Court of Human Rights deemed the Church Law to be unlawful, the government was forced to negotiate with the churches that won the lawsuit, and even though it was not able to agree with all of them, it had to pay one and a half billion HUF in damages. We achieved the outcome that several of the disenfranchised small churches would receive compensation as a result of the agreement with the government, and we provided representation for them during the preceding consultation process. Ultimately, the Church Law we

and others criticized did not receive a majority of votes in parliament, so there is still a theoretical possibility that the new legislation will be in line with constitutional and European standards.

More respect for the freedom of conscience

In September, we published a statement on the basic principles of a free state's church law, as the government had begun to prepare for amending the unlawful legislation. According to the statement, in view of the law on respecting freedom of conscience the state should remain neutral regarding faith and refrain from supporting religious life; ensure that all people have equal freedoms regarding association and church establishment and that churches enjoy equal rights; provide registration procedures that are based on objective criteria and are fair and non-arbitrary; and ensure the autonomy of churches as well as the sector-neutral, normative funding of public benefit activities.

In October we gave an opinion on the draft amendments to the Church Law. In our view, the law still fails to ensure equality for all in terms of freedom of conscience and religious freedom, equality before the law, the neutrality of the state, and the separation of church and state; it still does not remedy the legal grievances of churches that the Hungarian state has deprived, through the church law in effect, of their recognized and legitimate legal status; it would not be in accordance with Hungary's constitutional traditions; and it still would not be in line with either the Hungarian or the European human rights standards and would not exempt the Hungarian state from its responsibility.

I won't take an oath on the Fundamental Law

HCLU provided assistance for Judit Kende, who, in spite of having done her Phd at Eötvös Loránd University (ELTE) in Budapest, was denied her degree and cannot use her title, because ELTE gives out the degree only to those who have taken an oath as defined in the rules of getting a doctoral degree. Ms. Kende conscientiously objected to taking the oath on the Fundamental Law of Hungary. To date, HCLU has helped Ms. Kende in drafting a letter to the Rector of ELTE. The letter argues that the oath requirement is contrary to the law on higher education. In our view, the oath requirement is, in itself, an unacceptable limitation of the freedom of conscience, which is only made worse by the fact that the oath has to be taken on the Fundamental Law, a legal document which has no proper bearing on the vocation of scientists. In the letter we recommended the modification of the rules and the handing over of Ms. Kende's diploma.

PARTNERS:

HCLU is a member of the International Network of Civil Liberties Organizations (INCLO), an international umbrella of human rights/civil liberties organizations from 11 countries. In 2015 INCLO issued a report that looks at 3 areas of tension between religious freedom and equality: LGBT rights, reproductive rights, and religious appearance. INCLO publishes a quarterly newsletter on the latest developments in legislation and the related legal practice. INCLO's members are as follows: American Civil Liberties Union, Association for Civil Rights in Israel, Canadian Civil Liberties Association, Centro de Estudios Legales y Sociales (Argentina), Egyptian Initiative for Personal Rights, Human Rights Law Network (India), Hungarian Civil Liberties Union, Irish Council for Civil Liberties, Kenya Human Rights Commission, Legal Resources Centre (South Africa), and Liberty (United Kingdom).

9

SMALL CHURCHES REPRESENTED
SUCCESSFULLY IN COURT

12

INSTANCES OF LEGAL AID GIVEN VIA E-MAIL

7200

VIEWS FOR OUR VIDEO ON SMALL CHURCHES

POLITICAL PARTICIPATORY RIGHTS PROGRAM

Political participatory rights, especially the right to vote and the right to stand for elections, are the cornerstones of democracy. The objective of the program is to advocate with legislators for the safeguards of a free, universal, equal and secret suffrage, and to enforce these safeguards - especially those pertaining to the transparency of election procedures - in the implementation of laws. Another objective of the program is to promote the free, informed and effective exercising of rights in the electoral process by informing the electorate and organizing training workshops, especially in the circle of young people aged 18-25. The program also aims to have the will of voters - especially that of socially disadvantaged citizens - come through even beyond the election process by promoting safeguards regarding the mandates of elected representatives.

A regained mandate

In the small town County of Borsod-Abaúj-Zemplén the local body of representatives tried to unlawfully deprive a local government representative of Roma origin of his mandate, on the grounds that the person had unpaid public dues. We went to court on behalf of the representative, and according to the ruling the local council tried to terminate the mandate of the representative unlawfully. It is very likely that in many similar processes members of the majority party in the local body of representatives deprive the members of the opposition of their mandate, especially those who are also members of vulnerable minorities. Therefore, by defending local governmental mandates our primary aim is not to protect the threatened representatives themselves, but the rights of the citizens who elected them.

Consultation on the Internet? Come on.

We issued a statement on the constitutional concerns regarding the national consultation on the future of Internet in Hungary. In our opinion, the national consultation is totally unsuitable for the free and equal expression of political opinion and will, and thus it would not be, even without the suggestive questions, an appropriate means of civic expression and would not contribute to the effectiveness and accountability of democratic representation.

Your Points of View:

we published opinions on the constitutionally acceptable role of YourPriorities and similar on-line deliberation and decision-making systems in liberal democracies. We believe that while similar systems can improve the efficiency and transparency of democratic representation, in liberal democracies they are not suitable for substituting representative decision-making.

The new electoral process is unfair

“Our Election – My Right”. Our report uses data from official sources that were analyzed for the first time in Hungary to argue that the new election procedure first applied in 2014 is unfair in several respects and allows for the exercise of suffrage only in unequal circumstances. The report not only diagnoses the constitutional problems, but also makes specific recommendations for the makers and implementers of laws regulating the electoral process and system. Implementing these recommendations would secure adequate protection for fundamental rights in the electoral process.

PARTNERS:

The program regularly cooperates with the following domestic organizations: Eötvös Károly Institute, Hungarian Helsinki Committee, Political Capital Institute.



1

ELECTORAL MANDATE REINSTATED

2

WORKSHOPS ON PARTICIPATORY RIGHTS

10

INSTANCES OF LEGAL AID PROVIDED

19000

VIEWS FOR OUR VIDEO TITLED "DEMOCRACY 2.0."

ROMA PROGRAM

The objective of the Roma Program is to reduce institutional discrimination against the Roma, as well as racist violence and the degree of prejudice.

We deal with discrimination in the implementation of criminal law, such as disproportionate harassment of the Roma by the police or not sufficiently effective police investigations regarding racially motivated crimes against the Roma. Another focus is the area of child protection, where we find that in some local communities authorities are too strict with Roma families and blame the hardships stemming from poverty on the parents, and instead of providing social assistance for them, lift children out of their families. The third important area is discrimination by local authorities, which appears at both the local legislative level and in enforcement.

Anti-Roma measures in Miskolc

In 2015 we mostly heard about anti-Roma measures in connection with the city of Miskolc where, despite the fact that various judicial forums had found local practices and regulations to be unlawful, the local authorities continued to evict residents from the estate called Numbered Streets, and organize police raids affecting local slums.

The court of second instance found the defendants guilty of carrying out a series of racially motivated Roma murders in 2008-2009, as well as other crimes.

In its 2015 decision condemning Hungary, the European Court of Human Rights in Strasbourg ruled, for the first time, that the failure to properly investigate a racist motive could violate the Convention.

Discriminatory practices and exclusion measures

The year of 2015 was the Roma Program's most successful year so far. Different judicial forums have issued decisions in relevant procedures we launched previous to 2015, and thereby we made significant progress in the area of legislative development:

HCLU and NEKI turned to the Commissioner of Fundamental Rights back in March 2014, in relation to the police raids on the residents of segregated Miskolc communities that were coordinated by the Local Governmental Law Enforcement Unit of Miskolc. Then, HCLU called for an investigation by the Ombudsman into the eviction practices of the local authorities of Miskolc affecting those living in segregated Roma communities; the modification of the local housing regulations with the intention of "removing" the Roma; and the "exclusion measures" that were introduced in some surrounding local communities in response to the move.

The report of the Ombudsman published in June 2015 identified serious abuses of fundamental rights in all the areas mentioned above. The Commissioner of Fundamental Rights ruled that all these regulations and practices violate the fundamental rights of those living in extreme poverty, the majority of whom are Roma.

Discriminatory policing methods in Gyöngyöspata

In its decision issued on 17 September 2015, the first instance court, the Tribunal of Eger, ruled in the public interest lawsuit filed by HCLU in 2011 that the police breached the rights of the local Roma in Gyöngyöspata to equal treatment by failing to take proper action against extremist organizations, and it has thus failed to protect the intimidated Roma community. According to the ruling, the police also discriminated against the Roma through their practice of citing misdemeanors in

an unequal fashion. While the verdict is not yet final, it is to be regarded as a very important achievement, as this is the first Hungarian court ruling that deems the practice of the police against the Roma to be discriminatory, and therefore unlawful.

Successes

The decision of the Supreme Court of Appeal issued in October upheld that the local governmental regulations that were aimed at keeping out the poor coming from Miskolc, made in response to the 2014 Miskolc housing regulations (which themselves violated fundamental rights), were unlawful and discriminatory. The contesting of the regulations by the government agency had been initiated by HCLU.

As a result of a prolonged legal procedure we were able to reunite two Roma children with their parents after the Public Guardianship Authority unlawfully put them under guardianship.

Our stance on hate crimes

In our detailed professional publication of May 2015 we presented the issues that may arise while regulating hate crimes and implementing the regulations, and stated HCLU's position.

Videos

In our film made and released in May 2015 we gave an account of the events in a village in the County of Heves, where members of the extremist paramilitary organization called Betyársereg (Outlaws' Army) harassed a Gypsy family for months without any police intervention.

In our video published in September 2015 we presented our litigation efforts relating to Gyöngyöspata (HCLU v. Heves County Police Headquarters).

PARTNERS:

The member organizations of the Working Group Against Hate Crimes

In the child protection project:

European Roma Rights Centre

In the Miskolc project:

Legal Defense Bureau for National and Ethnic Minorities, Roma Minority Council of Miskolc, University of Miskolc



FREEDOM OF EDUCATION PROGRAM

The objective of the program launched in 2015 is to enforce and promote - through protection of the rights of children, students, and teachers in public education - safeguards for equal and fair access to an ideologically neutral public education, as well as the exercising of freedoms protected by HCLU in public educational institutions. The program is designed to promote the enforcement of rights in public education through producing and distributing public information materials and auxiliary educational materials, as well as organizing training courses for the various actors in public education.

Segregation in public education

In Spring 2015 the Supreme Court of Appeal ruled that a church school in Nyíregyháza is lawfully allowed to exclusively educate children of Roma origin. The decision did not take into account that the parents chose the segregated school not because of their faith, but out of financial and social necessity. As the state is increasingly outsourcing the management of schools to churches, the decision opens the door to mass segregation of Roma pupils.

Recently, a draft regulation by the Ministry of Human Resources was leaked. Apparently it would, building on the regrettable decision of the Supreme Court of Appeal, further weaken the safeguards against segregation.

The draft that became public would uphold the guise of voluntary participation in segregated education based on faith, even at the cost of leaving minority pupils behind.

Successful action against the Ethical Codex for Teachers

The draft of an Ethical Codex that would have been obligatory for almost all teachers working in public educational institutions run by the state a number of their

basic rights and also jeopardized the interests of the children they educate. As part of our mobilization campaign, in a few days over 60 teachers submitted our views and suggestions to the National Teacher's Chamber that had developed the Codex. Compared to the draft, the final text of the Codex was modified in 10 instances according to our recommendations. As a result, we managed to mitigate the potential grievances caused by imposing the Codex on teachers, especially in relation to their freedom of speech, right to privacy, freedom of conscience, and freedom of employment.

Making public education contracts public

Without knowing the contents of the so-called public education contracts made between the state and churches, it cannot be decided whether outsourcing public education to churches poses a risk to children in terms of equitable access to education that is ideologically neutral. However, the Ministry of Human Resources refused to disclose the contracts, and we have brought a legal action to compel their release. We have won the lawsuit and the verdict is binding. Learning the contents of the contracts will facilitate our work for an ideologically neutral education.

We want Fundamental Law-free high school graduation exams

The evaluation guidelines for high school graduation exams that were scheduled to be introduced in 2017 would have violated the freedom of conscience of graduating students, as the answer key to the advanced level school leaving exam in Hungarian language and literature would have allowed the examiner to give a lower score on the wording skill of a student in case the opinion expressed by them is contrary to the values enshrined in the Fundamental Law. Since the Fundamental Law is ideologically committed, this method of evaluation jeopardizes the ideological

neutrality of public education and examination. When we drew the attention of the Educational Research and Development Institute to this fact, they modified the evaluation guidelines and the incriminated part was removed from the answer key.

Statements for an ideologically neutral education

We analyzed the central budget to find out whether the planning of the financial management and transparency of the Klebersberg Institute Maintenance Centre allows for a calculable fulfillment of the public education related obligations of the state, and for the targeted elimination of the gaps in fulfilling those obligations.

We issued a statement on the draft legislation regulating segregation in education based on faith.

We issued a position statement on the controversial nature of the final draft of the “Ethical Codex for Teachers” with respect to fundamental rights, which we submitted to the National Teachers’ Chamber through teachers who shared our opinion. As a result, the codex underwent considerable changes.

We issued a statement in relation to the breach of students’ and examiners’ freedom of conscience in the answer key to the 2017 high school leaving exams. As a result, the answer key was modified.

Introducing the Freedom of Education Program

We introduced the Freedom of Education Program on 15 May 2015 at the Spring HCLU Party in Gödör 2.0. The visitors had a chance to watch a play by the Panodrâma group titled “TTT- 2014-15 – A Cross-Section of Public Education”, which was followed by an academic roundtable discussion on the freedom of education.

PARTNERS:

In pursuing its goals, the program actively cooperates with the Eötvös Károly Institute.

29000

VIEWS FOR THE VIDEO CALLING TO PROTEST AGAINST THE ETHICAL CODE FOR TEACHERS

4

STATEMENTS

11

INSTANCES OF LEGAL AID GIVEN VIA E-MAIL

FREEDOM OF EXPRESSION PROGRAM

HCLU aims to counter the unjustified restraint of free speech. We protect everybody's right to freely express their political opinion regardless of their worldviews and beliefs. We defend the freedom of press, one of the pillars of a democratic state and the rule of law, and work to protect it against political and economic influences. HCLU's objectives are to ensure free public discourse about public affairs and the free expression of political opinions. One priority is to ensure that public officials can be freely criticized, as freedom of criticism is one of the tokens of transparency and accountability. We take action against expressions of opinion that go beyond the framework of fundamental rights protection – i.e. that fall outside the freedom of speech, and we condemn all forms of incitement to hatred. In our daily work we provide legal representation for journalists and private individuals in civil and criminal proceedings that have been initiated against them for expressing their opinion. Our strategic goal is to minimize the number of politicians and public officials who initiate criminal and civil proceedings against journalists and politically active people who criticize the government because of its actions. Political disputes should be decided in the arena of public life, and not in courtrooms.

Charlie Hebdo and the Freedom of Expression

In January 2015 terrorists attacked the editorial office of Charlie Hebdo: 11 people died and another 11 were injured. The perpetrators committed murder because of the political opinion of the journalists. The tragedy generated intense public debate about freedom of expression, and when it turned out that the perpetrators were descendants of Muslim immigrants born in France, the debate shifted to integration issues and the political values framed by the European Union.

Hindering the work of journalists in the migrant crisis

In 2015 the refugee crisis reached Hungary and more refugees entered the country than ever before, with

the Hungarian government failing to provide any sort of help for them. Instead, the government first launched a campaign of hatred against immigrants at public expense, and then it tried to hinder the work of journalists by not allowing them to enter certain areas. The government also did not answer freedom of information requests, and ultimately several journalists were assaulted by the police. Instead of caring for refugees, the government responded to the humanitarian crisis by building a border fence, deportations, and a campaign of hatred.

Civic disobedience against the campaign of hatred

Civil disobedience occurred in opposition to the government's giant posters inciting hatred against migrants. The posters were hacked by activists to communicate positive messages, after which the police initiated prosecutorial proceedings against them. HCLU represented four clients in court, and the proceedings were terminated in all cases. The courts and the authorities accepted the argument that repainting posters financed from public funds is a proportionate response to the government's message of hatred.

Campaign for a freer public discourse

We launched a campaign to get libel and slander out of the Criminal Code. We believe that freedom of political expression should not be jeopardized by means of Criminal Law, as the Civil Law provides appropriate redress in the event of consciously made false statements. In the course of the campaign we successfully collected money for one of our clients so that we could take on their case, even to the European Court of Human Rights,

if needed. The court ruling is of particular importance inasmuch as journalists can no longer be threatened with legal sanctions if they break news based on information from the Hungarian News Agency. Changing this system and its resultant “chilling effect” is one of the strategic goals of HCLU.

Freedom of the press and limitations on public discourse

HCLU drew the public’s attention to the fact that the Hungarian authorities continue to violate the freedom of press by hindering the work of journalists.

In order to have the press and civil rights organizations perform their work unhindered, we turned to the Minister of the Interior and got a response from the Director General of the Office of Immigration and Nationality. As the response was negative, we contacted the Commissioner of the Fundamental Rights on the matter.

We prepared a legislative proposal and a background study on pulling down the greatest barriers to free public discourse: the law should not penalize slander and libel and should make it clear that, given they are public figures, persons performing public functions cannot avenge themselves against any criticisms related to their work, not even by means of the Civil Code. At the same time, the special protection of public officials in criminal proceedings in relation to slander and libel should be terminated.

Publications and guidelines on the freedom of expression

We prepared a compilation of arguments and a legal guide to lawsuits for those whose legal representation in freedom of expression lawsuits we cannot undertake, or who do not come to us for legal help but may need professional arguments to use in criminal or civil proceedings.

We prepared a summary of the legal norms that journalists should keep in mind when taking photographs, so that the privacy refugees is not infringed upon.

We published a brochure on why racist crimes, including incitement, should be penalized more severely. Our goal was to draw the attention of those holding exclusionary views to the fact that attacking refugees entails severe punishment.

PARTNERS:

Media Legal Defence Initiative, Central European University - Center for Media, Data and Society, Independent Media Centre, IFEX

PROFESSIONAL STUDIES,
ANALYSES, VADE-MECUMS

64618 **5** **6**
LAWSUITS WON

VIEWS FOR OUR STREET ACTION TITLED POLITIKUSS (POLITICIANS SHUT UP)

272000

VIEWS FOR OUR FACEBOOK POST ON PEOPLE DAMAGING POSTERS

PATIENTS' RIGHTS AND SELF-DETERMINATION PROGRAM

HCLU's Patients' Rights and Self-Determination Program deals with the realization of fundamental rights in the health care system and citizens' rights to make informed decisions in the areas of the law, sexual orientation, gender identity, having children, and the right to die with dignity. The objectives of the **Patient's Rights Program** are to: (1) promote the enforcement of patients' rights also listed in the Law on Health Care, including equal treatment and the protection of personal data, (2) promote equal access to health care, and, (3) in pursuance of Objective, (1) promote transparency and predictability in the area of health care. The long-term goal of the **Right to Self-Determination Program** is that all people are free to decide on matters related to their private sphere, such as having children, birth and death. The program deals with the domestic enforcement of reproductive rights, including access to artificial insemination procedures and abortion. In addition, the program aims at developing policies and practice in the area of end of life decisions that allow people to make the most appropriate decision according to their personal beliefs and situation - from palliative care to euthanasia. In the framework of the Right to Self-Determination Program we work to protect the rights of LGBT+ people too. The objective of our programs is to increase rights awareness among citizens in relation to these issues, and to regularly give news on the current state of science and law in order to shape people's attitudes. In addition, we help citizens who turn to us exercise their rights through consultation or strategic litigation, by initiating proceedings that have practice-related outcomes. Whenever possible, we advocate for amending laws and regulations in a way that respects people's fundamental rights.

Mária Sándor and Patients' Rights

One of the defining moments of 2015 was the birth of the movement initiated by Mária Sándor for the appreciation of nurses working in the health care system. At the end of the year, masses of doctors made their voice

heard in protest over low wages and the gratuity system, and over the situation arising partly because of these factors, which actually threatens the health care system with collapse. The financial vulnerability of the majority of health professionals and the malfunctioning of the health care system cannot be separated from the quality of care and the realization of patients' rights.

Parents should be together with their children in the hospital

In April we conducted a survey never previously conducted in Hungary: we requested information from a total of 65 health care institutions with obstetrics and pediatric departments. Our goal with the "I'm with My Child!" initiative was to gain, through freedom of information requests, a comprehensive understanding of the situation of children born or treated in hospitals and their parents, and to promote the realization of their right to maintain contact by presenting good practices, providing information for parents, and developing a set of professional recommendations. The campaign runs until the end of 2016.

10 things you have to know in case your child is hospitalized

In the course of our "I'm with My Child!" campaign we developed a set of recommendations that are complex in nature and pertain to all leaders in the area of healthcare.

We'll help you with your orientation

We prepared health information for refugees and their helpers, and issued a checklist on end of life decisions. We publish a quarterly newsletter that summarizes the global developments in reproductive rights, LGBT rights and religious freedom. In the context of our "I'm with My Child!" campaign we produced videos on good hospital practices, while in the video we made with Christians for Gays we wanted to find out why the group considered it important to participate in Budapest Pride.

Having a marriage recognized

We consider it to be an important success that we helped a Peruvian/Hungarian lesbian couple obtain recognition for their marriage abroad from the Hungarian authorities.

The **HIV/AIDS Program** works to enforce the rights of people with HIV/AIDS in the following areas: shaping legal practice to ensure equal treatment (health, data protection, labor issues, education); equal access to health care; shaping public opinion by fighting the stigmatization of people with HIV/AIDS and disseminating scientific information; and working to convince decision-makers to adopt evidence-based professional policies. In the framework of its extensive international activities the program provides an account of the latest scientific developments in order to raise awareness. The program regularly monitors treatment and care for HIV patients and makes recommendations for improvements, which includes assessing the treatment practices of non-Budapest centers for people with HIV/AIDS.

The program provides legal assistance by producing written guides, training, and providing legal advice. In strategically important areas we provide representation in legal proceedings initiated due to violations of equal treatment.

World AIDS Day

The defining moments of the year were summed up in our article published for the World AIDS Day on December 1. One of the most important lessons of the past period is that the deficiencies of political will and the stigma related to the virus render prevention efforts much more difficult and limit people living with HIV when exercising their rights. Although the Equal Treatment Authority ruled in 2013 that the denial of dental care from people living with HIV or the scheduling of their treatment to the end of opening hours violates the principle of equal treatment, in 2015 we again represented a client whose rights were similarly infringed upon while seeking dental care.

64

WE FILED FREEDOM OF INFORMATION
REQUESTS WITH 64 INSTITUTIONS,
OF WHICH 45 HOSPITALS REPLIED

165

MEDIA APPEARANCES

12156

VIEWS FOR OUR BLOG POST ON CHILDREN
PUT IN HOSPICE CARE

72

INSTANCES OF PROVIDING
LEGAL AID VIA E-MAIL

17740

VIEWS FOR OUR VIDEO REPORTS BACKING OUR
"I'M WITH MY CHILD!" CAMPAIGN

HELLO


WORLD!

An important priority for the year was to render our public communications easy to understand and unquestionable in terms of professional accuracy. To this end, we have diversified our communication activities. As a leading NGO, each of our position statements and professional communications has a particularly important role and weight in the media. This proactive role as opinion leaders was strengthened during the year by organizing thematic, quarterly campaigns. The effectiveness of our work can be best measured by the successfulness of our campaigns, and we are now, therefore, going to briefly introduce our 2015 campaigns. While designing and implementing these campaigns an important priority for us was to provide those affected with the most effective help possible. We have achieved this by evaluating the experience of our legal aid service, and by involving other professionals and the members of the target group concerned.

Say Yes! – With contemporary writers for non-discriminatory marriage

What does a gay couple feel who cannot get married because of the legislation in force? How can you mentally process the fact that, as a person placed under guardianship, you cannot make decisions about your own body and your baby will be taken away from you? In February, during the Week of Marriage, we organized “Say Yes!”, a week-long literature campaign to draw attention to the fact that the concept, regulation and practice of marriage in Hungary are all arbitrary, unjust and exclusionary in a number of respects. Today, rainbow families, those under guardianship, and those coming from third world countries have no equal rights - even though we are all aware that they can love their partner, the companion of their life, in the same way those fortunate ones can who are recognized by the Hungarian state as a family, or are allowed to marry. In our view, the institution of marriage is not an end in itself but a means to create the legal and financial security of those living together and of their family members. During the Week of Marriage, we had a chance to be reminded of the exclusionary and unacceptable nature of the regulations in effect by the writings of **György Dragomán, Márton Gerlóczy, Orsolya Karafiáth, Zsófia Kemény, Tibor Noé Kiss, András Pungor, Zsuzsa Rác, László Szilasi, Andrea Tompa and Krisztina Tóth**, who wrote short stories on the topic following our invitation. Those who have been following our work liked the short stories a lot, as evidenced by the several thousands of views our posts garnered. In cooperation with the Shelter Foundation, in spring we published the stories in a special issue of “Fedél nélkül” [“Without a Roof”], and the proceeds from all copies sold went to homeless people.

The short stories are available at: mondjigent.tasz.hu



“Yes, like you, all I want is to be able to raise our children in peace and love, I wish for that just as you do, perhaps even more, and I know that European law is on our side, but you know there is no paragraph for trembling hands, or for being exhausted, or for when you feel that every single moment of your existence is a political act, whereas I don’t mean to fight, just live a normal life like everyone else.”

György Dragomán

“My guardian and the doctor agreed that the baby should be taken out of my tummy. I told them that I wouldn’t want that because this Feri is my baby, and we are going to be very happy together. They put a piece of paper in front of me to sign because I do not see these things clearly and have no idea what sort of burden this would be.”

Krisztina Tóth

“The Immigrant finally put his soul on the table as he had been ordered to do, and the Office of Immigration and Nationality picked it up with a triumphant smile on its face, put it in its pocket, and then contentedly left the room, leaving the rest to the security guards.”

Zsófi Kemény

I'M WITH MY CHILD!

A COOPERATION WITH DOCTORS FOR A CHILD-FRIENDLY HEALTH CARE

“Dear parents, please do leave now!” – these words are uttered so many times while a child is crying bitterly in the midst of a cold hospital corridor. Everybody has a story, or remembers what happened to them during their childhood, when they were in hospital, or experienced one of the most difficult life situations as parents when they took their sick child to a doctor who proclaimed the “judgment”: the child must be hospitalized, but without the parents. HCLU’s “I’m with My Child!” campaign was launched in April with the objective to have all hospitals allow parents to stay with their sick children, even for several nights.

We conducted a unique survey in the circle of health institutions in Hungary: a total of 64 freedom of information requests were filed with hospitals that have obstetrics and pediatric departments. Based on the data collected, we created a public database, which can serve as a useful source of orientation for parents, and as a basis for recommendations by professionals for professionals. After summarizing the lessons from the data collection process and personal surveys conducted by our staff members, in cooperation with doctors and parents we formulated professional recommendations for the country’s public health leadership. This will ensure the formulated recommendations will be implemented at as many places as possible, and to the greatest extent possible, thereby serving the interests of children as much as they can.

On our related website we provide information on the patient visiting rules of certain hospitals, a downloadable version of our brochure titled “10 things you need to know if your child is hospitalized”, as well as our video reports made in hospitals: gyerekkelvagyok.tasz.hu

VIEWS FOR VIDEOS MADE FOR THE CAMPAIGN:

YOUTUBE

9800

FACEBOOK

3900

INDAVIDEO

4040

MONDO

FOR THE RIGHTS OF CHILDREN WITH DISABILITIES

At least 50 people with disabilities turn to us for help every year due to their rights being violated. Most of these people are under guardianship and live their lives locked up in one of many residential institutions in Hungary, in limitations that are, for most of us, next to impossible to imagine. After a person has been put under guardianship, it takes a very difficult and long, often fruitless, process involving lawyers and years of protracted litigation to regain their power of disposal. Guardianship is often the only feasible solution for families with children with disabilities, especially in the absence of information about other alternatives. Having recognized this problem, we started a special series of **HCLU Parents' Meetings**, in the framework of which parents and teachers are given tangible and useful knowledge about what sorts of emergencies children with disabilities may face during their adult lives, and what they can do in order to best deal with these situations.

Beyond these sessions, we considered it important to have the stakeholders themselves, that is, children with disabilities, understand their rights, and we wanted to provide them with useful assistance in a playful way. To this end, we developed the MONDO card game, which is designed to teach kids - in relation to specific situations - how to protect themselves, and what to do in an emergency situation. In the life of many disabled persons the school is the last place where they have the opportunity to learn different ways of self-defense in protected circumstances. With the help of Csillagház Elementary School and artist Viktória Hitka, MONDO is reaching hundreds of schools, teachers and children in order to minimize the number of disabled people placed under guardianship, or even institutional care. For more information on the cards and the parents' meetings visit: **szuloi.tasz.hu**

VIEWS FOR VIDEOS MADE FOR THE CAMPAIGN:

7582

POLITIKUSS! (POLITICIANS SHUT UP)

CAMPAIGN FOR A FREER PUBLIC DISCOURSE

“It takes courage to criticize politicians in today’s Hungary.” This was the slogan with which we launched our Politikuss (Politicians Shut Up) campaign for breaking down legal barriers against criticizing politicians. Perhaps the scariest thing that the campaign drew attention to was the degree of disadvantage facing those who wanted to stand up against injustices in the countryside. We presented this through the examples of four of our clients who had raised their voices against the abuse of power as experienced in their environment, and were subject to legal retaliation as a result. Among them, the case of Mária Somogyi is outstanding. The local council and mayor of Tata initiated both criminal and civil proceedings against her because of a single share on Facebook.

During the campaign we published videos about cases we were involved in on our Facebook page that received tens of thousands of views; got our followers to send hundreds of letters to Members of Parliament; organized a street action whereby passersby had the opportunity to state their views about politicians; and after five years we were back in the National Assembly, where the Committee of Justice discussed and rejected the bill we had drafted for the campaign. In addition, through a successful crowdfunding campaign we managed to reimburse the costs of Mária Somogyi’s legal procedure.

All relevant information about the campaign is available at **politikuss.tasz.hu**

We produced 9 videos for the campaign that documented the stories of HCLU’s clients, the street action related to the campaign, the crowdfunding campaign for Mária Somogyi, the call for the mailing action, and the meeting of the Committee of Justice.

VIEWS FOR VIDEOS MADE FOR THE CAMPAIGN:

108 841

MEDIA APPEARANCES

220

VIDEO PROGRAM

In 2015 HCLU made **36** video reports with a total of over **250.000** views.

HCLU Image Film 2015
No. of views:

YOUTUBE

949

FACEBOOK

7957

INDAVIDEO

347

RIGHT OF SELF-DETERMINATION
PROGRAM

"Jesus would attend the Budapest Pride march too" Video report on a Christian community that tries to go against the stereotypes and espouse the cause of LGBT people.

No. of Views:

YOUTUBE

1854

FACEBOOK

1082

DRUG POLICY PROGRAM

Synthetic Cannabis Has Conquered Mátraverebély Video report from Mátraverebély where a significant part of young people use so-called designer drugs, and where, according to the local teachers, the situation is becoming unmanageable.

No. of Views:

YOUTUBE

12200

INDAVIDEO

3848

ROMA PROGRAM

The Gyöngyöspata trial Video report on the hearings of the case known as the Gyöngyöspata Trial, edited from archive materials and the announcement of the sentence.

No. of views:

YOUTUBE

1876

FACEBOOK

2637

INDAVIDEO

1342

FREEDOM OF CONSCIENCE
PROGRAM

In the video the head of the HCLU's Freedom of Conscience Program explains why the draft amendment to the Church Law is discriminatory.

No. of views:

FACEBOOK

YOUTUBE

7281

FREEDOM OF EDUCATION PROGRAM

The head of HCLU's Freedom of Education Program invited people to protest against the unlawful Ethics Code for Teachers:

No. of views:

FACEBOOK

YOUTUBE

29040

Life After the Closing of the Needle Exchange The video report features the surroundings and clients of the needle exchange presented in our video titled "Room in the 8". In this report, drug users and experts talk about the impact of the closure of harm reduction programs.

No. of Views:

YOUTUBE

19498

INDAVIDEO

3043

Oslo, The Overdose Capital The film shot by the staff of HCLU's video program in an Oslo drug consumption room gives a comprehensive overview of the situation of harm reduction programs and drug users in Norway.

No. of Views:

YOUTUBE

37300

The familiar old quality in a new outfit

Thanks to the work of Viktória Hitka and Éva Katona, HCLU was given a new corporate image in 2015. The unified image and the consistent use of the new logo will help us ensure that the different programs of HCLU - which work in many different areas but ultimately point in the same direction - can easily be associated with the organization. Viktória Hitka was selected to create the new image because of the beautiful illustrations she had made for the MONDO cards. HCLU's new logo combines the letters of the organization's name with an easily identifiable graphic element - a megaphone. The megaphone is a strong metaphor: it symbolizes that HCLU makes heard what cannot be heard, gives voice to what has been left unsaid, and speaks for those who cannot do so and are in need of help. The logo was designed with the intention to make it readily recognizable and identifiable by our clients living with disabilities.

In the future, all creative materials will get a uniform design according to the exact instructions in the guidelines on HCLU's image.

The new corporate identity was first introduced at the Winter HCLU Party in Gödör Club on December 4. We also presented our new materials at the event, including banners, roll-ups, business cards, canvas bags and T-shirts for our supporters, as well as the skins of our online platform and our image film.



Our Finances

Individuals, businesses, and private foundations provide the finances needed for the effective functioning of the HCLU. They help our work with donations, support and services, as well as through indicating us as the recipients of 1 percent of their income tax.

It is extremely important for us that our finances are transparent to all. We do not accept support from the Hungarian State or Hungarian political parties, so our budget is exclusively covered by grants and donations by individuals.



**IN ORDER TO PRESERVE OUR INDEPENDENCE, WE DO NOT
ACCEPT FINANCIAL SUPPORT FROM THE HUNGARIAN STATE,
ONLY FROM PRIVATE INDIVIDUALS, COMPANIES AND PRIVATE
FOUNDATIONS.**

**HENCE, YOUR SUPPORT IS ESPECIALLY IMPORTANT
FOR US! IF YOU AGREE WITH OUR GOALS,
PLEASE DO SUPPORT OUR WORK!**

CIB Bank:
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16200216-00089166

Read more about how you can support our work: tasz.hu/tamogatás



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