

# ANNUAL REPORT

2020

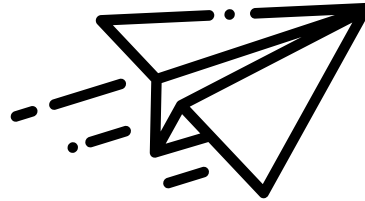


# THE HCLU

IN 2020, WE PROVIDED LEGAL AID  
OVER THE PHONE ON

# 1500

OCCASIONS.



WE ANSWERED OVER

# 30000

EMAILS RELATED TO THE  
PANDEMIC SITUATION.



REQUESTS FOR LEGAL AID ANSWERED  
VIA EMAIL BY NOVEMBER 2020:

## 497

**THE POLITICAL  
FREEDOMS PROJECT**

## 598

**THE EQUALITY PROJECT**

## 3394

**THE PRIVACY PROJECT**

BY THE END OF NOVEMBER,  
WE RECEIVED

# 44 083 155

FORINTS IN SUPPORT  
FROM NEARLY

# 1300

PRIVATE PERSONS  
DOMESTICALLY. THIS IS

# 50%

MORE THAN  
LAST YEAR.

# 2795

DONATED 1 PERCENT OF THEIR  
INCOME TAX TO OUR  
ORGANIZATION



WE RECEIVED A TOTAL OF  
**23 526 900**  
FORINTS. THIS IS

# 20%

MORE THAN IN 2019.

**CASES IN PROGRESS  
IN NOVEMBER OF 2020:**

<b>THE POLITICAL FREEDOMS PROJECT</b>	<b>79</b>
<b>THE EQUALITY PROJECT</b>	<b>44</b>
<b>THE PRIVACY PROJECT</b>	<b>36</b>

**NEW CASES THAT BEGAN IN 2020:**

<b>THE POLITICAL FREEDOMS PROJECT</b>	<b>40</b>
<b>THE EQUALITY PROJECT</b>	<b>13</b>
<b>THE PRIVACY PROJECT</b>	<b>11</b>

**CASES CLOSED IN 2020:**

<b>THE POLITICAL FREEDOMS PROJECT</b>	<b>12</b>
<b>THE EQUALITY PROJECT</b>	<b>25</b>
<b>THE PRIVACY PROJECT</b>	<b>12</b>



# IN 2020

*WE HAVE CLOSED OUT AN EXTRAORDINARY YEAR. EACH GENERATION GETS ITS OWN EXTRAORDINARY EVENT THAT SEEMS TO CHANGE EVERYTHING. THANKFULLY, THE PANDEMIC IS NOT A WAR, BUT IT IS WHAT SUBVERTED OUR LIVES, TOOK US OUT OF OUR COMFORT ZONES, AND MADE US ADAPT TO COMPLETELY NEW CIRCUMSTANCES. IN THE MEANTIME, MANY OF US ENDURED SIGNIFICANT LOSS AND HARDSHIP AND WE STILL DO NOT KNOW WHEN AND HOW THE PANDEMIC WILL END, BUT WE KNOW THAT ITS AFTERMATH WILL BE DETERMINED BY THE DECISIONS THAT WILL BE MADE IN THE NEAR FUTURE. THIS OUT-OF-THE-ORDINARY EVENT HAS AGAIN SHOWN US THAT SUCCESS LIES MAINLY IN THE ABILITY TO ADAPT, AND IF ADAPTATION WERE A TEST, WE HAVE ACED IT.*

In the spring we transitioned the organization to an online operation in practically the space of one day in the midst of an increasing influx of legal aid requests. We had to cancel many planned events and restructure many plans, but new activities replaced these, although the goals remained the same. We continued preparations towards opening our first regional HCLU office in 2021. To this aim, we have initiated legal aid services in two cities. In the interest of amplifying the voices of the most vulnerable and speaking out on the myriad of problems affecting human rights brought on by the restrictions, we had to figure out new forms of communication to replace our offline events.

All the while we kept our eyes on the goals we had set before the pandemic. As the coronavirus pandemic only brought the problems of rule of law, freedom of speech, poverty, and the questions of equality in regard to the Roma and people with disabilities into starker focus.

**WHAT IS THE STATE'S FOREMOST OBLIGATION? TO RESPECT AND PROTECT THE INVIOLEABLE AND UNALIENABLE BASIC RIGHTS OF THE PEOPLE. THAT WAS ALL WE EXPECTED OF THE STATE DURING THE YEAR OF THE PANDEMIC.**

However in 2020 it became clearer than ever to many of us what it is like when the state fails to meet its foremost obligation. When they do not respect personal freedom and do not treat their citizens like adult persons of equal dignity, and when they do not or are extremely late in carrying out the minimal measures toward the protection of human life and human dignity.

Such a crisis requires effective measures by the state based on cooperation of the individuals. However this is impossible if the citizens cannot trust the state not to abuse the reinforced power it has received due to the situation in the interests of those who are close to the powers that be, but that it will instead use it for the good of the whole community. But it is quite apparent that those in power did not see tasks and responsibility in 2020 but instead an opportunity to further secure their positions. In a difficult situation, citizens were left to their own devices. Healthcare and education institutions supposed to meet the most basic needs of citizens were

left to their own devices. All the while, this was the first time since the regime change that basic rights were suspended and a special legal order making it possible to implement restrictions beyond what was necessary and proportionate was in effect for the whole country. But this extraordinary authorization was used by our government not only to prevent danger, but for their own petty aims to obtain power. And this is a very grievous sin. Not only because abuse of power is generally wrong, but because it undermined the cooperation necessary in times of crisis. Who believes that the restrictive measures, grievous in many aspects on their own, are in our best interest when those implementing them have betrayed our confidence before?

We work so that citizens can exercise their rights and so that they can act in the interest of their communities. We believe that active citizens and their communities can achieve change – their brave steps take us all closer to a free and equal country. This is why, since 2018, we believe that one of our most important tasks is to support courageous, active citizens. An important lesson learned from this extraordinary year of 2020 is that even when they are left to their own devices in troubled times, citizens and institutions are highly capable of problem-solving and organization. We have done our part in this problem-solving and organization.

**AS THE STATE DID NOT BOTHER TO EXPLAIN THE EVER-CHANGING GOVERNMENTAL MEASURES AFFECTING THE EVERYDAY LIVES OF CITIZENS, WE EXPERIENCED A NEVER-BEFORE-SEEN INFUX OF MASS REQUESTS FOR INFORMATION, AND WE MASTERED NEW AREAS OF LAW. WE HAVE NEVER BEFORE HAD TO CARRY OUT PUBLIC INFORMATION ACTIVITIES ON SUCH A SCALE OR IN SUCH DEPTH. THE NUMBER OF ANSWERED LEGAL AID REQUESTS MULTIPLIED.**

And it seems that the citizens are grateful for our efforts as we have never received so many donations and one percent of taxes as in this year that has been extraordinary from all aspects.

Another important experience gained from 2020 is that those who the system has left with nothing to lose are the ones who are showing increasingly more courageous and tenacious resistance. It was uplifting to see this past summer the actions taken by staff members of [the former] Index, and in autumn the students and faculty of the University of Theatre and Film Arts. To stand beside those who are so determined to fight for the protection of autonomy, to help them, is self-evident for a civil liberties organization. In the meantime an increasing number of people recognize that these seemingly individual issues are all about the same thing, resistance against unjustified government interference.

These have again strengthened our resolve that it is our duty, apart from supporting active citizens, to promote the enforcement of basic rights through court proceedings.

*OUR ACTIONS WILL ONLY BRING ABOUT REAL CHANGE IF WE ARE ABLE TO REACH AN EVER-GROWING SCOPE OF PEOPLE AND AN INCREASING NUMBER OF THESE PEOPLE STAND BY THE FACT THAT HUMAN RIGHTS HAVE A DIRECT EFFECT ON THEIR LIVES. THIS IS WHY THE PROVISION OF ACCESSIBLE INFORMATION ABOUT OUR CASES AND VALUES IS INDISPENSABLE.*

Our 2020-2021 activities are determined by three main topics of focus. If our opportunities are narrowed down, we will seek out new ways to enforce human rights. In our legal awareness activities and lawsuits we seek to work with the full range of existing legal tools and also to broaden

the scope of legal tools. In our lawsuits this is reflected in the fact that for the purpose of legal development we also undertake cases in which there is no well-trodden path of enforcement. In 2020, the government once again sought to gain popularity by sowing discord against vulnerable social groups. Thus one of our main focuses is the protection of the rights of said vulnerable groups and combatting hate-speech carried out by the state. Another point of focus will be the healthcare system, as during the pandemic it has become all too apparent that the state of the system carries within it the violation of the rights to self-determination, equality, and many other basic rights. The pandemic has also shown that we must protect civil liberties in new legal areas, thus we are taking on an increasing number of labor law cases that affect civil freedoms. We are proud to have participated in the legal team supporting the University of Theatre and Film Arts' workers' strike.

*THE INCREASINGLY MORE COURAGEOUS AND PERSEVERING STANDS WE SEE BEING TAKEN AND THE FACT THAT THESE ARE IN SUPPORT OF ONE ANOTHER ALL GIVE US GREAT HOPE. WE STAND BY THE CITIZENS AT THE PROTESTS, IN COURT, BEFORE THE AUTHORITIES, AND IN EVERYDAY LIFE WHERE WE ARE NEEDED. IT WILL BE THE PROUD AND SELF-AWARE CITIZENS WHO WILL PUT AN END TO THE CURRENT GOVERNMENT POLICIES THAT DISREGARD HUMAN RIGHTS AND ALIENATE THE MASSES.*

STEFÁNIA KAPRONCZAY, MÁTÉ SZABÓ



# WE HELPED HUNDREDS OF THOUSANDS NAVIGATE THE CHAOS OF PANDEMIC MEASURES

*In the unexpected and scary situation that the coronavirus pandemic meant for all, many found themselves lost, desperate, sometimes angry, as they were not able to find official answers to their questions relating to the measures and events that fundamentally influenced their everyday lives. The interest in our legal aid service was over ten times higher than usual: we received more than 350 queries relating to the pandemic.*

It was not only the pandemic situation that was a cause for uncertainty for all, but also the constant legal changes – just think about the constantly changing regulations on entry, testing protocols, or curfew regulations. We recognized immediately that our task was to help citizens in this uncertain legal situation. After interpreting the quarantine regulations of March for the public at the time we were flooded with letters and phone calls.

*IN JUST A FEW DAYS WE CREATED OUR ONLINE CORONAVIRUS GUIDE, IN WHICH WE ANSWERED THE MOST FREQUENT QUESTIONS. THIS WEBSITE WAS EXTENDED WEEK BY WEEK, AND FOR MANY IT BECAME A REFERENCE POINT IN THE MAZE OF CORONAVIRUS-RELATED REGULATIONS: IT WAS VISITED 330 THOUSAND TIMES BY LATE NOVEMBER.*

In the special situation caused by the pandemic it was necessary to provide comprehensible information about questions that are not included among HCLU's areas usually but were not available elsewhere. Therefore we wrote about matters relating to family law, or those concerning general meetings of residential houses. An important part of the guide was the interpretation of the conditions for entering the country, as well as guidelines regarding the rules applicable for healthcare workers. The greatest challenge of all proved to be the many questions relating to labor law – so much so that labor law has become an important part of our strategy.

The interpretation of and compliance with regulations regarding the pandemic situation was challenging not only for those turning to us, but often for us too. The form, content, and speed of the regulations fell short of our expectations. It happened several times that we were forced to prepare explanatory materials from one day to the next, as several rules were introduced which citizens

had to abide by starting from the following day in the course of their everyday lives and work. We could rely on the Hungarian Gazette less and less; instead, we had to piece together the relevant regulations from individual orders leaked through the press, Facebook videos, and statements. These often contained contradictions, and the application of the law was not necessarily in accordance with the regulations either. On such occasions we also stood up for the safety of rights, in the form of applications to the ombudsman and as claims to the authorities.

Many requested our legal assistance due to chaotic, erroneous, or insufficient measures. It was a key task for us to protect patients' rights due to the emptying of hospitals, insufficient contact tracing, and shortages of protective gear. We also tried to help educators, parents, and students find solutions that are in compliance with the law yet reassuring for them and stand up against the unacceptable measures.

The 2020 plans of the Privacy Project were mostly overwritten by the coronavirus. We answered over 10 times more legal aid requests in the past year than we are used to, when necessary in addition to activists of the Privacy Project other members of the HCLU team helped out. We made extra efforts and were often exhausted, but we always broke deadlocks because we were motivated by knowing we managed to help several thousand Hungarian citizens directly and hundreds of thousands through our guides in this extraordinary situation.

*BORI FERNEZELYI*

# THE DISTANCE BETWEEN US HAS BECOME THE SAME FOR EVERYONE

*This year, quarantine has made many of our collaborations more difficult, but as regards maintaining contact with our volunteers, when we think of 2020, we will be more likely to remember the doors that social distancing opened for us.*

Our volunteers are a special and diverse bunch: we have translators, graphic designers, people working in creative fields, researchers, teachers, lawyers, economists, pensioners, adults, university students, and high-school students. Many of them live abroad or outside of Budapest, but this year when we were all forced to eschew traditional means of contact and lost the opportunity to meet up in person, we found that the distance has become the same for everyone.

Thus as regards community-building, taking to online spaces has not only been a challenge but a tremendous opportunity. When the world lost its footing, we were chatting about human rights in our Zoom meetings whilst tending to our balcony gardens. We were not allowed to attend protests together? We shared photos via social media. Unable to organize in-person team building? No problem, we had the chatroom: we had a peek into each other's lives and saw what our colleagues' homes looked like and whether they have any pets.

**THE JOINT PROFESSIONAL GRIND TOWARD A GIVEN ISSUE THAT WE GENERALLY DO, PRESSED FOR TIME ON THE WEEKENDS AND STAYING UP LATE AT NIGHT, HAS BECOME MORE PERSONAL.**

But what does an HCLU volunteer do? High-quality translations of legal texts, aiding the cooperation with international partner organizations and press, establishing connections with other NGOs, desktop publishing (for example, this publication), subtitling videos so that our contents are accessible, creating animation, planning, organizing, collecting data, and above all, giving a voice to the HCLU's issues and aims in their own environment. At present, we have nearly 50 active volunteers who have donated over two-thousand hours to our organization in 2020 alone. Their support, enthusiasm, expertise, and perseverance are what allows the work of the HCLU to become increasingly visible year after year to a wider scope of people.

PETRA JÚLIA NAGY

NEARLY

**50**

**VERY ACTIVE VOLUNTEERS**

OVER

**2500**

**VOLUNTEER HOURS PER YEAR**

**2 ONLINE MEETINGS**

**PER MONTH**

AT LEAST

**2000**

**WORDS TRANSLATED PER WEEK**

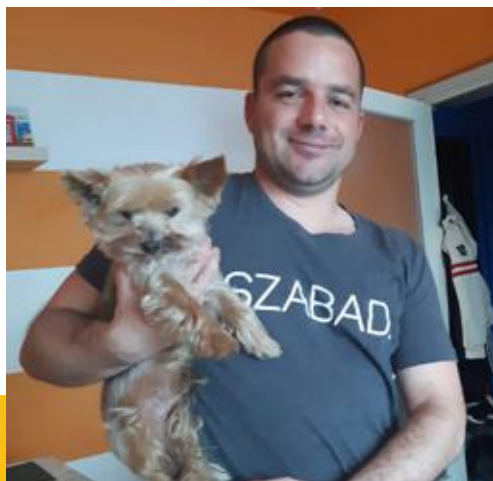
**AT LEAST 1**

**VIDEO SUBTITLED PER WEEK**

**SEVERAL HOURS**

**OF DISCUSSION, ASSISTANCE, AND EDUCATION DAILY**

”



*"I BELIEVE THAT THE ONLY WAY TOWARD A MORE LIVABLE SOCIETY IS IF EVERYONE TAKES ACTION TOWARD POSITIVE CHANGE; THIS IS WHY I AM AN HCLU VOLUNTEER. NOT ONLY AM I A PART OF A GREAT TEAM WITH MANY INTERESTING PEOPLE, I LEARN A LOT ABOUT SOCIETAL PROBLEMS WORKING WITH THIS ORGANIZATION AND HOW TO HELP THOSE WHO ARE IN NEED. TO ME THE HCLU IS A STABLE POINT BECAUSE THEY CONSISTENTLY REPRESENT THE SAME VALUES, AND I KNOW THIS WILL BE THE CASE IN THE FUTURE AS WELL.."*

**CSABA WOJUTECZKY**



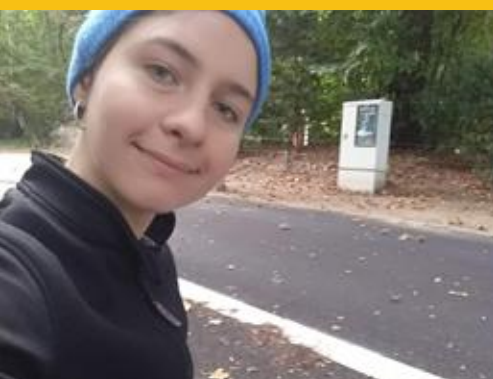
*"THE SZABAD. (FREE.) T-SHIRT IS THE HCLU T-SHIRT; ONE OF ITS MOST IMPORTANT FUNCTIONS IS TO PROVIDE VISIBILITY IN OUR CURRENT SOCIETAL SPACE TO THOSE WHO HAVE MADE IT POSSIBLE THROUGH THEIR DONATIONS TO THE HCLU TO PROVIDE LEGAL AID FREE OF CHARGE TO DISADVANTAGED AND VULNERABLE PEOPLE. MY SHIRT REPRESENTS THE WORK THAT THE LEGAL AID SERVICE DOES, IT REMINDS ME OF THE IMPORTANCE OF SOCIAL SOLIDARITY AND EMPHASIZES THE UNIQUE SIGNIFICANCE OF HUMAN RIGHTS ADVOCACY. THAT IS WHY I WEAR THE SHIRT, AND THAT IS WHY I AM AN HCLU VOLUNTEER."*

**MÁRTON RÁTZ**



*"I LOVE TO DO WHAT I CAN FOR A MORE LIVABLE AND HAPPIER COUNTRY, ONE WHERE EVERYONE TRULY IS EQUAL. AS A VOLUNTEER, I GET TO PARTICIPATE IN THIS PROCESS, AND I AM GLAD TO BE A MEMBER OF SUCH AN AWESOME TEAM AS THE HCLU."*

**TÜNDE MÁTÉ**



*"TO ME BEING AN HCLU VOLUNTEER MEANS THAT I GET TO SUPPORT THE WORK OF AN EXCELLENT TEAM OF EXPERTS. IT IS GOOD TO KNOW THAT I AM SUPPORTING CASES THAT REALLY TURN PEOPLE'S LIVES AROUND. AND WHAT IS EVEN BETTER IS THAT I CAN DO ALL THIS FROM ABROAD WITH A FLEXIBLE WORK SCHEDULE."*

**JANKA SZŐKE**

# THE WIND OF FREEDOM SHOULD BE BLOWING IN THE WHOLE COUNTRY



***Even though our activities have always covered the whole country, in 2020 we began to consciously strengthen our activities outside of Budapest. Our experiences are very encouraging.***

We have previously received hundreds or even thousands of legal aid queries annually from all around Hungary; however we have decided to be more proactive in also reaching those who have not heard about us yet or have not thought about turning to us for legal aid. We launched an in-person legal aid service in Debrecen and in Pécs, which will be extended to other cities to provide local support and help for those brave citizens who stand up for their own rights, as well as for the rights of others.

By mid-November over forty sessions were held in the framework of our Pécs and Debrecen legal aid services, either in person or due to the pandemic, online. We gave advice on exercising the rights of public service employees, for the protection of persons living in residential institutions, in relation to eviction, patients' rights, removal of children from their families, and for the support of other NGOs. In our experience if someone is even a little critical of the current government then they might miss out on benefits, might have problems exercising their rights, and might encounter difficulties.

**STILL THERE ARE BRAVE CITIZENS WHO STAND UP FOR THEIR CONVICTION AND IDEAS EVEN IN THIS HEADWIND – AND WE CAN HELP THEM EXERCISE THEIR RIGHTS EVEN IF THE STATE WANTS TO PREVENT THEM FROM DOING SO.**

For now we are providing in-person legal aid in Debrecen and in Pécs, and we are planning to establish ourselves elsewhere next year. We held workshops in many places in 2020 where participants could learn from each other about human rights protection and human rights protection and advocacy tools. Our goal is to provide knowledge and motivation for as many people as possible to act autonomously as citizens for themselves and for their communities.

We consider it especially important to support existing and new local free press outlets and bloggers – sources of independent publicity – with legal advice and legal representation if necessary. If we want the wind of freedom to be blowing through the whole country, we need independent sources of information, brave people, and community builders.

We can support initiator citizens with legal tools. The discussions and legal knowledge we provide are useful support. These are only a few steps, but they help to build courage so that more people dare to raise their voices. We would like to get closer to these people to show them that they are not alone.

ATTILA SZABÓ



# WE WILL DEFY AUTOCRACY – THE ANTI-NGO LAW HAS FAILED



*In 2020 many illustrated by example the same conclusion: there is a way for resistance.*

“The anti-NGO law will fail” – we stated this several times in the video made in 2017 after Parliament adopted the law, based on the Russian example, which required a registration obligation for NGOs. In addition to registration the law prescribed using a stamp saying “financed from abroad” on every public communication. This was after the government and the pro-government press had been suggesting for months that those receiving funding from abroad are agents of foreign interests.

Several hundreds of us said no to this law. Some joined declarations labelling the law as unnecessary and harmful. Almost a hundred organizations gathered for a demonstration at Heroes’ Square. Some used a tricky way to both register and not. Some deliberately “forgot” to register. There were also some like us, who declared they would not comply with this unlawful regulation. The strategy chosen by the organizations depended on many factors such as the activity of the organization or the significance of the risk borne.

**WHAT IS COMMON IN THOSE RESISTING IS THAT THEY DEFIED AUTOCRACY.**

Last summer the law fell: the European Commission declared it to be in violation of EU law. Even though the law has not been overruled by the government yet, and there are NGOs who lost eligibility for financing due to refusing to register, it has been proven since 2017 that it has been worth resisting.

The resistance against the law on NGOs has given much to its participants: acting together has built a community. Organizations with completely different activities and

strategies cooperated for the first time. The Civilization Coalition has been active since 2017. It differs from previous similar initiatives in its diversity: members work on various social issues and carry out various activities. The attack and the subsequent contact with each other have affected the operation of many of us: our communication has become more conscious, and we improved in strategic planning and impact analysis.

2020 will also be memorable for the fact that several groups showed exemplary resistance against autocracy in this year. In the summer employees of the news outlet Index resigned together and have started a new and successful online newspaper since then. In the autumn students and teachers of the University for Theatre and Film Arts (SZFE) began resistance by occupying the university building, organizing street carnivals and strikes against the restriction of the autonomy of their university. In early winter employees of the Petőfi Literary Museum (PIM) dissociated themselves from the director of the institution who had published an unacceptable piece of writing which relativized the Holocaust.

**THE CONCLUSION IS THE SAME: THERE IS A WAY FOR RESISTANCE AGAINST AUTOCRACY.**

The ways may differ, and they do not all necessarily have to be confrontational. The examples above show that many of us are in a situation where we can find our own way of resistance. The past three years of NGOs show that we are strengthened and able to keep working on our goals.

STEFÁNIA KAPRONCZAY

# WE STAND UP FOR NGOS STIGMATIZED BY PROPAGANDA

After two years the listing scandal of Figyelő is over: the propaganda paper has lost a case for listing employees of NGOs as “Soros’s mercenaries”. Together with the Hungarian Helsinki Committee we offered representation to those involved who had been labelled as serving “foreign, evil powers” in a discrediting article published in the spring of 2018. The court ruled that our clients, not

being public figures, did not have the chance to react to the false accusations, which also had an impact on their private lives. According to the ruling the publisher of the Figyelő had to pay grievance fees to the NGO employees labelled as mercenaries, and the infringement stated in the ruling had to be published in the paper.

# WE AWARDED THE FREEEST HUNGARIANS IN 2020 TOO



*For the second time, in December 2020 we celebrated the everyday heroes who stood up for a more free and more equal Hungary. Professional recognition was given to someone who drew strength from their own trauma to stand up for others. The winner of the public choice award is a team that has redefined public service in Hungary.*

WE CREATED THE FREE PRIZE LAST YEAR TO INTRODUCE THE EXEMPLARY STORIES TO AS MANY PEOPLE AS POSSIBLE OF HEROES AND HEROINES WHO STAND UP FOR FREEDOM AND DO NOT HESITATE TO ACT WHEN OTHERS MEET INJUSTICE. IN 2019, THE "STEP BY STEP!" ASSOCIATION AND ANETT CSORDÁS RECEIVED RECOGNITION FROM THE JURY FOR THE WORK THEY DO FOR FAMILIES RAISING CHRONICALLY ILL OR DISABLED CHILDREN, AND THE PUBLIC CHOICE AWARD WENT TO NORBERT FARKAS WHO GREW UP IN CHILD PROTECTION AND NOW WORKS AS A SOCIAL WORKER FOR HIS PEERS. LAST YEAR A SPECIAL AWARD WAS PRESENTED TO NOÁR, THE ACTOR-RAPPER, FOR STANDING UP FOR IMPORTANT SOCIAL ISSUES.

This year due to the coronavirus pandemic an online awards ceremony was led by Patrícia Kovács.

THE NOMINEES FOR THE FREE PRIZE CAN TEACH US THAT WE ARE ALL SHAPERS OF THE SOCIETY WE LIVE IN OR WANT TO LIVE IN

– she introduced the nominees. The winners were selected by the professional jury and the public from nine candidates. They were introduced by contemporary writers in our November publication which was a supplement in the Marie Claire magazine and on our blog on 444. The members of the jury were documentary film director Eszter Cseke, Dorka Horváth, founder of BOOKR Kids, Stefánia Kapronczay, managing director of HCLU, Kriszta László, editor-in-chief of Marie Claire and Gábor Miklósi, journalist of 444.



WE CREATED THE AWARD AGAINST CYNICAL DEFEATISM TO CELEBRATE SUCCESS INSTEAD OF DOUBT AND TO APPRECIATE THE PEOPLE WHO WORK FOR CHANGE IN EVERYDAY LIFE

– said Stefánia Kapronczay, who remembered Szilvia Nagy, the president of the Rainbow Mission Foundation, organizer of the Budapest Pride, who passed away in 2020, as such a hero.

## THE SPECIAL AWARD OF BOOKR KIDS WAS RECEIVED BY: EMESE KOVÁCSNÉ DR. NAGY

Under her leadership in the Hejőkeresztúr IV. Béla Primary School an integration program has been implemented so that disadvantaged children can successfully study together with their better-off peers. Emese Kovácsné dr. Nagy thanked the nomination and the special award for recognizing their work for the development of society in the name of the team of educators, parents and students.



## THE PUBLIC CHOICE AWARD WAS RECEIVED BY: MÁRTON GULYÁS AND THE PARTIZAN

According to Márton Gulyás the mission of their program is to strengthen the regime-critical public in Hungary, and his own personal goal is to strengthen a society in which everyone can be politically engaged. Along with his team they received the recognition of the public for the work of redefining public service – a recognition that the activist-host also considers a serious responsibility to which they seek to remain worthy.



## THE JURY AWARD WAS RECEIVED BY: BERNADETT OROSZ

Bernadett Orosz grew strength from a severe trauma: with tremendous courage she spoke out in public after being abused by her ex-boyfriend who had damaged her face beyond all recognition. She stood up not only for herself but also for others in the same situation, so that the violence against them could not remain invisible. According to Bernadett Orosz, with this award those women who gained hope and strength from her standing up were also recognized. “Now the chains that have held us in the bondage of shame have fallen” – she said.



## OTHER NOMINEES OF THE SZABAD AWARD THIS YEAR BESIDES THE WINNERS:

**ATTILA LAKATOS**, who stands up against citizens being identity checked groundlessly due to the color of their skin,

Arborist **ROLAND TASI**, who turned to the public after he was asked to cut down a Plane tree in the way of a construction site,

Physician **ZSOMBOR KUNETZ**, who is fighting for a fair healthcare system where neither patients nor doctors or nurses are losers,

**BALÁZS BENKŐ**, a member of the auxiliary police, who contributed to a homeless person getting help,

**JÁNOS L. LÁSZLÓ**, who helps disseminate real news via the “Print it Yourself!” (“Nyomtass te is!”) movement,

and the activists of **FRIDAYS FOR FUTURE HUNGARY** who are fighting to force action against the climate and ecological crisis.

**WE SIDED WITH THE  
DEMONSTRATING UNIVERSITY  
STUDENTS WHO SET AN  
EXAMPLE FOR RESPONSIBILITY  
AND SOLIDARITY**



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*Students and workers of the University for Theatre and Film Arts (SZFE) are showing an unprecedented perseverance in today's Hungary, protesting against the elimination of the autonomy of their university and against the efforts of making education impossible. We strive to support their stand by every means.*

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Universities in democracies should be autonomous communities at all times. They are the centers of accumulating and transmitting knowledge, only able to fulfil their duties if questions like who, what and how is teaching, studying and researching conducted at the university are not decided on political grounds by external forces. This autonomy can be realized as well as lost, both at state owned and at private universities. The autonomy of SZFE was destroyed by the privatization of the university as the institute was placed under the control of a foundation led by political appointees. The foundation and its newly appointed board, instead of performing their duties are inhibiting education and striving to break those protesting against the “change of the institutional model”. The protesters are demanding a model, either state owned or private, in which they are not exposed to political arbitrariness – a model every university in Europe has been deserving of for thousands of years.

The students of SZFE occupied the university buildings and they were able to find creative solutions to carry on their protest against the efforts of the politically appointed chancellor and the board appointed by the new management of the university, meanwhile the education was able to continue unabated. The students of the university made the board and the Hungarian public finally admit that the students are equal citizens of the universities who bear rights and responsibilities regarding the maintenance of their university and the standard of education as well. They have shown that by practicing this right on a high level they contribute to the shaping and building of their smaller community, their university, and their broader community in Hungary.

The students’ protest both within and outside the university reached many people, encouraging future action. It showed that there is a great variety of tools at the citizens disposal if they want to make a stand for values of great importance to them even in a strong political headwind. The demonstration on 23 October organized by the students was the biggest demonstration of recent years. They realized right at the beginning that the only way to get results was to show solidarity with other protests. Students and professors have shown mutual solidarity not only with each other, but they extended it to other communities in the country fighting to enforce their interests and opinions. Thus the representatives of health care workers too had the opportunity to participate in the demonstration on 23 October organized by the students.

*THE HCLU SUPPORTED THE PROTEST WITH CONTINUOUS LEGAL COUNSELLING AND A LAWYER’S HOTLINE – EVEN IN THE MIDDLE OF THE NIGHT. WE HELPED WITH THE LEGAL INTERPRETATION OF THE DAILY CHANGING SITUATION AND OF THE MEASURES OF THE CHANCELLOR AND THE BOARD, WE HELPED WITH THE ANNOUNCEMENT OF DEMONSTRATIONS, WITH THE LEGAL ISSUES OF PROPERTY PROTECTION AND EPIDEMIOLOGICAL CONTROL, AND WE WERE CONSTANTLY ADAPTING TO THE DYNAMICALLY CHANGING NEEDS OF THE STUDENTS.*

The protest of SZFE students against the “change of institutional model” also activated the workers of the university – not only the professors but other employees as well whose work is essential for the functioning of the university. As depriving the university of its autonomy means that the employees are no longer able to participate in the in the most crucial decision-making processes of the institution. The foundation embodying the autonomy of the university took over the most important legal powers, thus deprived the citizens of the university of the opportunity to have a say in the operation of the university. The university staff started a strike on the October 1 but revealing an outstanding solidarity by taking the best interest of the students into consideration, lecturers have still been holding classes at the same high professional standard ever since, although officially they are not working. The strike of the employees is sending the message that it is possible to stand up against political silencing with the means of employee’s advocacy as well.

We have been offering legal counselling since the beginning on the organization of the strike, providing legal aspects for the wording of the demands and we prepared a straightforward information sheet on the conditions of a legitimate strike. We have been striving to facilitate the informed decision-making of the strike committee by mapping out the legal possibilities and when it was necessary connecting them with attorneys-at-law. We participated in the preparation of the applications and the defenses in the lawsuit which challenged the legitimacy of the staff’s warning strike on September 24 and of their ongoing strike since October 1. In case of both strikes the court decided for the striking employees.

But our work is not over yet. The management is intending to invalidate the autumn semester, yet to this day has had no meaningful negotiations in this regard with the employees. There are pending proceedings against the management as the measures of the foundation are unlawful on several points.

The extensive, persistent protest of the citizens of SZFE has been going beyond the walls of the university since the beginning, and now owing to the epidemiological situation it is actually continuing outside the university buildings. It could not be caught between the walls of a single institution: the elimination of autonomy is a danger for an ever-growing group of Hungarian universities for whom resistance is not an abstract possibility anymore but reality. But their protest is also an example to anybody else who simply would like to preserve and enrich the values of their own profession, institution or community even if it got into the cross hairs of politics.

ATTILA MRÁZ, JUDIT ZELLER

# WHEN THE GOVERNMENT IS FIGHTING CRITICS NOT THE PANDEMIC

*Government measures that were claimed to be against the coronavirus pandemic imposed a lot of work on the co-workers of our political liberties project. The authorities put a lot of effort into suppressing any criticism revealing the deficiencies in the protecting measures.*

## THERE WERE PEOPLE TAKEN AWAY BY THE POLICE BECAUSE OF THEIR OPINION

In the name of epidemiological defense the Parliament significantly strengthened the rules regarding scaremongering. According to the official justification they intended to stop the spreading of fake news that would hinder the effectiveness of defense measures but soon their true aim became obvious: the government wanted to silence the opinions that would contradict them.

We all have been the eyewitnesses that the police were taking people to interrogations just because they did not agree with the epidemiological measures of the government. These criminal proceedings were terminated later on but, in our analyses, and several times in the media we drew attention to the fact that restrictions which result in such intimidating actions are seriously violating the freedom of expression – it can lead to self-censorship amongst social media users and amongst journalists as well.

*WE CONSISTENTLY STOOD FOR THOSE WHO EXPERIENCED ANY KIND OF RETALIATION BECAUSE OF THEIR POLITICAL OPINION, TO THEM WE OFFERED FREE LEGAL REPRESENTATION.*

We prepared a guide about what the citizens should keep in mind when expressing their opinion so that they cannot be accused of scaremongering. As always, we want to encourage everybody to not let yourselves be intimidated. When you are sharing your opinion regarding public matters it is not a crime, it is exercising your right to free speech.

## AUTHORITIES ARE THREATENING INSTEAD OF INFORMING

Informing the public is extremely important in an epidemiological situation as well because that is what ensures the monitoring of the government vested with special powers. The independent press plays a key role in this because if the media is not provided with credible

information the citizens are the ones being deprived of the opportunity to be well informed.

We conducted a research with the participation of 19 independent editorials on their experiences regarding public information about the coronavirus.

*THE RESPONSES CLEARLY INDICATED THAT THE OFFICIAL INFORMATION WAS COMPLETELY CENTRALIZED. ON THE PRESS CONFERENCES OF*



THE OPERATIONAL STAFF THEY WERE ARBITRARILY SELECTING FROM THE SUBMITTED QUESTIONS OF JOURNALISTS, OTHER PUBLIC AUTHORITIES LIKE MINISTRIES WERE HARDLY PROVIDING THE PRESS WITH ANY RELEVANT INFORMATION.

They constantly threatened with retaliation those health care workers, teachers and other professionals who were leaking information to the independent press. To this day in public media there is an ongoing smear campaign against any media which struck a critical tone. We have always considered it our duty to stand by the journalists, so we are providing them with legal aid to help them against the authorities which are making their work impossible.

### **THOSE WHO WERE PUNISHED FOR ASSEMBLING AND THOSE WHO WERE NOT**

With regard to the pandemic a general prohibition of assembly was introduced, it was not allowed to protest or to participate in demonstrations. So anybody who wanted to voice their opinion responsibly taking the epidemiological risks into consideration had to find creative ways to do it.

On Clark Adam square they organized car protests where the participants expressed their displeasure with regard to clearing hospital beds and other measures by honking.

They complied with the goals of the epidemiological measures in vain – sitting in their cars they could not possibly infect one another – but the police still started to prosecute them and imposed fines of several hundred thousand forints on the grounds of using unnecessary acoustic signals, participating in an assembly and breaking the curfew rules.

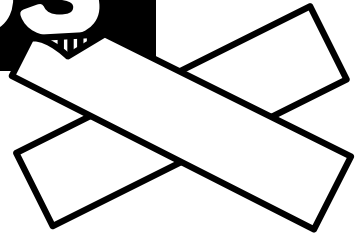
WE ARE CONVINCED THAT THESE DECISIONS CAN BE SUCCESSFULLY CHALLENGED IN COURT. WE OFFERED LEGAL ASSISTANCE TO THOSE WHO RECEIVED A FINE FROM THE POLICE AND WE ARE ISSUING SAMPLE APPLICATIONS TO GET THE COURT TO DROP THESE PROSECUTIONS.

The police's actions in the emergency situation were nowhere near consistent. For example, no procedure was started against any of the participants of the anti-Roma demonstration on Deák Square as the police labelled it a reverential remembrance and not an assembly. We turned to the Ombudsman and initiated an investigation into the discrepancies in police actions regarding different demonstrations and into the necessity of complete prohibition of assembly in the emergency situation.

JÚLIA KAPUTA



# THE WHOLE COUNTRY NEEDS FREE PRESS



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***“The priest and the innkeeper remain the only place for publicity” – a chief editor told us when we were collecting the experiences of editors and journalists for our research regarding the situation, the challenges and the obstruction of the independent press.***

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This sentence became the title of our research study published at the end of February. In this study we introduced personal stories, some of which seemed surreal, to identify the methods authorities are using to get in the way of the independent press.

In 2020 we managed to garner some victories in protecting journalists against such abuse of power: for example we represented the Stop online portal of Pécs in front of the Equal Treatment Authority because earlier the local government of Pécs did not invite them to its events – finally this was declared unlawful by the ordinance. We were also able to efficiently help the journalists who were banned from the Parliament or from refugee camps.

We repeated our press research in April in order to see what hardships editorials face in the times of the coronavirus pandemic. State agencies spectacularly ignored journalist inquiries, there was a smear campaign in the official propaganda against independent editorials and on the top of all this the tightening of the rules against scaremongering meant a further threat too.

**WE WERE STRIVING TO HELP THE JOURNALISTS TO BE ABLE TO PROVIDE CREDIBLE INFORMATION AT THE LOWEST RISK POSSIBLE.**

Since this autumn we have been concentrating on editorials outside Budapest including those who we only recently got to know in order to assess what kind of legal help they need and to be able to provide them with that.

We garnered an important victory protecting the Magyar Hang (Hungarian political-cultural weekly newspaper): a series of rectification and personality rights procedures were launched against them after they published an article series on abuses in social institutions. The organizations and their leaders concerned did not succeed in silencing the newspaper – half a dozen of the procedures they initiated have already been closed by final court judgement – in favor of the Magyar Hang.

As sad as it was to see the journalists of Index simultaneously handing in their notices, the final outcome is just as hopeful. We have been providing legal counselling to the journalists fighting for independence ever since the first thunderclouds appeared on the horizon of the news portal threatening that they are not going to be able to continue their work without interference. For an independent journalist this is incomprehensible, but the members of the editorial set an example with their mass resignations. They showed that they are not willing to let the basic values of their profession slip away, and they would rather leave for the unknown than stay in a community where they do not feel their autonomy is safe anymore. They needed this determination for the foundation of their new newspaper, and their bravery has inspired many since.

DÁNIEL DÖBRENTÉY



# SIX JOURNALISTS DEFEATED THE SPEAKER OF THE HOUSE WITH OUR HELP, IN STRASBOURG

László Kövér [Speaker of the House] violated the freedom of the press when banning journalists from the Hungarian Parliament building. This is how the European Court of Human Rights ruled in the case where Ferenc Bakró-Nagy, Tamás Fábrián, Norbert Fekete, Balázs Kaufmann, Klára Kovács and Iván Mándli were represented by HCLU. The Speaker of the House was asserting his power over the six journalists because they violated the order which impossibly narrowed down the area in which the press was permitted to film in Parliament. However the order itself is arbitrary and infringing: Kövér had no reason whatsoever to limit the watchdog function of the press.



## WE CANNOT LET HATRED TO TAKE OVER

***It is a conventional and central element of the politics of Viktor Orbán to generate tension between different social groups, to stigmatize and exclude the most vulnerable and to generate hatred based on the prejudices against them. In the last couple of years refugees were the main target of these policies, this year however we had to stand up for the victims of anti-Roma and homophobic incitement of hatred several times.***

The year 2020 started off with the anti-Gypsy governmental statements made on the pretext of the Gyöngyöspata segregation lawsuit. He wanted to make government supporters state in a national consultation that the compensation awarded to Roma people deprived of equal education was unfair. The pandemic intervened but nevertheless it was codified in June that in personality right lawsuits against educational institutions the court can only award educational services to compensate the infringement. At this point the Hungarian Helsinki Committee alongside with 22 other organizations turned to the Ombudsman with the request to object the state generated hatred and the planned law amendments and in case the Parliament accepts the amendment, to attack it in the Constitutional Court.

**EVEN THE PANDEMIC WAS USED BY THE GOVERNMENT TO GENERATE TENSION.**

They tried to blame the spread of the virus on Iranian students, two of whom were represented by us. They tried to hold our clients accountable, without any evidence, for allegedly breaking the quarantine rules and they intended to expel them from the country. The immigration authority revoked the legal and binding decision about the expulsion at last, but the two female students were so distraught after what happened that they are no longer planning on staying in Hungary after the completion of their exams. During the special legal order in spring they accepted a law amendment initiated by the government which basically makes the legal recognition of the sex-change of transgender people impossible. We, alongside 14 other organizations, protested against this openly discriminatory legislation.

During the second wave of the coronavirus the government initiated – obviously to pave the way for further discriminatory rules – to include in the Fundamental Law

of Hungary that the mother should be a female and the father a male at all times. This, at a stroke, would make adoption impossible for same-sex couples.

All this is a fulfilment of homophobic government rhetoric that has been going on for years. "Wonderland belongs to everyone" (original Hungarian title: "Meseország mindenkié"), a children's storybook positively depicting vulnerable social groups was used by the government to exacerbate the prejudices about sexual and gender minorities thus laying the foundations for their bill submitted later. We turned to the Ombudsman again with seven other organizations over the Prime Minister's homophobic statement, the police's inaction against extreme movements and the mayors banning storybooks in kindergartens.

It is related to the election campaign in 2018 but it is still the development of this year that there is a possibility of a substantive legal dispute concerning the anti-immigration poster-campaign of the government. Prior to the last parliamentary elections they filled the country with posters depicting migrants marching behind a 'STOP' sign. We initiated the Equal Treatment Authority's procedure against the government on the grounds that the posters were violating human dignity, the authority however was of the view that it had no jurisdiction to adjudicate on this case. We have been disputing this case in Court for two

and a half years in the course of two retrials – in October 2020, the Court finally decided in our favor.

The state propaganda generating hatred is extremely detrimental. It is not only violating the human dignity of those involved and exacerbating their exclusion but also breaking down moral barriers leading to violence. It would be the government's duty to condemn extremist and excluding deeds and to protect the dignity of those involved, both with words and with actions. However, the government has no intention whatsoever of complying with the rule of law. Making social peace impossible in order to keep their own power is a sacrifice they are willing to make.

*BUT IT IS OUR GOAL OF GROWING IMPORTANCE TO STAND UP AGAINST HATE SPEECHES WITH LEGAL AND EXTRA-JUDICIAL INSTRUMENTS AND TO ENCOURAGE OTHERS TO DO SO AS WELL.*

That is why we prepared our "anti-hatred speech kit", which is available on our website.

ESZTER JOVÁNOVICS



# OUR STAND FOR HOME CARE FAMILIES HAS WON A CIVIL AWARD

*"FREE DAY FOR ALL FAMILIES!"* With this title we launched a campaign in 2019 together with the "Step by Step!" Association and 18 other organizations in order to draw the attention of decision makers and society to the difficulties faced by families taking care of loved ones at home.

In 2020 we won the Civil Award for the best campaign - according to the jury's reasoning we showed the everyday struggles of home care families in a sensitive way. We brought the signatures of 13 thousand people to the relevant ministry alongside a detailed policy agenda, and before the municipal elections we discussed with mayoral candidates the possibility of expanding local services. We addressed the wider society through videos made with well-known persons.

Naturally, our work and advocacy for home caring families is not over: we continue to work, as more than half a million Hungarians need help with their daily lives due to their disability or old age. Together with the family members caring for them, one in ten people are affected by this problem in Hungary, which the state has left them completely alone to deal with.



# EVERYONE HAS A RIGHT TO USE THE RENOVATED TRAIN STATION

Despite the fact that there are six railway stations in Dunakeszi and Fót, those in wheelchairs or with prams are in a difficult situation as none of them are barrier-free. Therefore the hospital in Vác cannot be accessed by train by people with reduced mobility, and buses are also not accessible with certain types of wheelchairs.

The renovation of one of the stations in Dunakeszi could have brought relief to them, where a local public government office will also be established, but complete



accessibility has been left out of the plans. However according to the law in the case of the renovation of public buildings accessibility and safe use must be ensured for everyone.

The "For Each Other-Together Disabled People's Association" turned to the Equal Treatment Authority with our help. The authority condemned MÁV-Start and besides the 150 thousand HUF fine they obliged them to carry out the accessibility work.

# WE ARE FIGHTING ALONGSIDE VULNERABLE FAMILIES SO THAT THEIR CHILDREN CAN FINALLY COME HOME



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***We continued our fight against the unjustifiable splitting up of families this year and we achieved unexpectedly great success twice.***

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It has been almost 6 years since we started dealing with cases of children who had been unlawfully taken away from their families because of poverty and exclusion. We first started a lawsuit in a village in Borsod county for the return of our clients' children, and it took us years to achieve success.

By 2016, we had received so many complaints from parents – mostly living in deep poverty, vulnerable, of Roma origins – that in that year we dedicated our biggest campaign to the fight against unlawful child removal practices because of poverty, for which we later won a Civil Award. Since then, we have taken on more and more cases each year, built up two major strategic lawsuits to present the unlawful practices, held and continue to hold professional presentations and consultations for the social profession and organize trainings about the enforcement of rights for vulnerable parents in order for them to recognize unlawful practice and to act as effectively as possible to get their children back.

This year we provided legal representation to two families. One of them, a Roma family with seven children, lives in a small village in Borsod county, Korlát. Their children were taken away in early summer despite the parents begging and the whole village standing behind them from the mayor to the neighbors. The reason for taking the children away was that the family's old house had become uninhabitable. The village offered them another house, for which they had to wait a couple of months, but in the meantime, they settled the family's housing. It was also not convincing to the authorities that the kindergarten and the school both had good opinions of the children.

In early June, the children were taken to two different, distant foster parents. The parents were completely crushed. During the summer we left no stone unturned in order to return the children to their loving parents as soon as possible, as each day counts in the life of small children and this irresponsible and inhuman decision caused a lifelong trauma for seven children. We initiated

an extraordinary review at the local child protection services, challenged the decision in court and ended our fruitless dispute with the guardianship authority by turning to its superior professional body, the Ministry of Human Resources.

The legal proceedings all ended in success in October. First, we received professional confirmation from the child protection department of the ministry, then we achieved a clearer victory than ever before at the Miskolc Court.

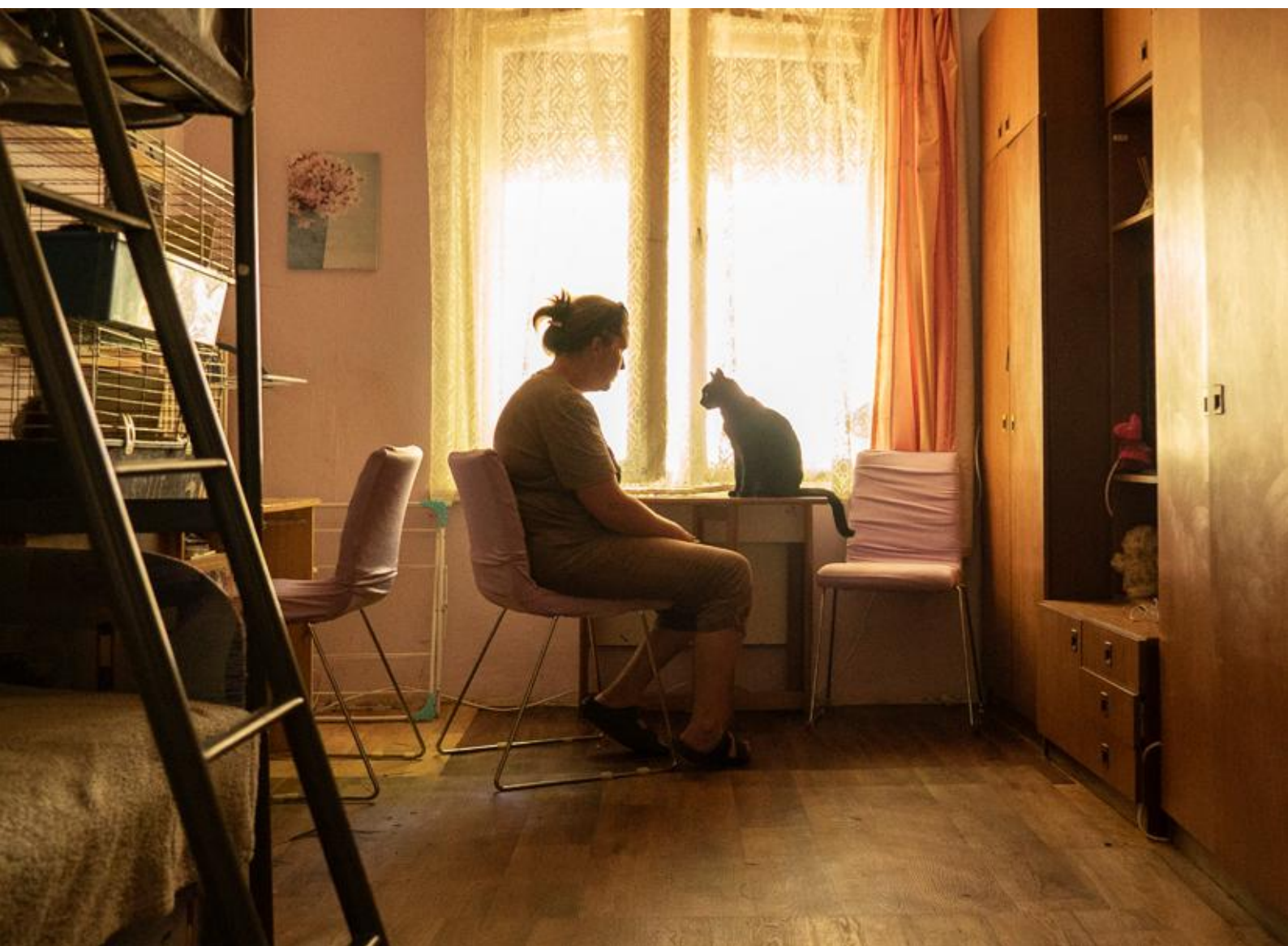
*FOR THE COURT HAS SAID WHAT WE HAVE BEEN TRYING TO MAKE COURTS STATE IN ALL OUR CASES FOR SIX YEARS: THAT THE CHILD'S BEST INTEREST IS TO GROW UP IN THEIR OWN FAMILY, AND FOR THIS THE CHILD PROTECTION AUTHORITIES MUST HELP THE FAMILIES IN DIFFICULT SITUATIONS.*

During the proceedings we also managed to stop the regular abuse by the guardianship authority against which we had also been fighting for years. The guardianship authorities regularly blackmail the vulnerable parents, stating that if they want to get their children back, they

may not seek redress against their separation – which means that they have to confirm the justification for the removal of the child despite their convictions. We consider it a great success that we made the ministry state the unlawfulness of the cruel practice and we warned tens of thousands of child protection professionals.

Our other child removal lawsuit is still in progress: we are representing Krisztina, a single mother from Budapest, from whom her only daughter was taken away by the guardianship authority because of her disadvantage and her poor living conditions. The reasoning for Pálma's separation was that she lived in a 19 square meter apartment with her mother, Krisztina, who had to work multiple shifts to be able to pay back her millions of debts, in addition to this she had to take care of her sick, elderly mother as well. We are hoping that Pálma can return to her mother this year, but we already consider it a great success that plenty of people became familiar with Krisztina's story who had never received this amount of support and encouragement.

ILONA BOROS



# WE ARE PROTECTING THE RIGHTS OF PEOPLE LIVING WITH DISABILITIES

*Tens of thousands of people are made invisible by residential institutions, the marks of shame on the social welfare system. Their operation is unlawful as it deprives its residents of their right to live independently – it subordinates the individual desires and needs of elderly people, people living with disabilities and psychiatric diagnoses to a routine that allows for the care of up to 100-200 people.*

The inhuman operations, the neglect and ill-treatment encoded in the system degrade the residents' capabilities, harm their personalities and crush their dreams. Hungary ratified the UN Convention on the Rights of Persons with Disabilities in 2007, therefore undertook responsibility to transform the unlawful institutional system. The role of the state is clear: the institutions must be closed, and instead community-based services should be created that are able to react to individual needs. This process, the so-called de-institutionalization, has been going on for ten years in Hungary – we wrote a detailed analysis of the situation in January.

The report of the UN Committee on the Rights of Persons with Disabilities was published in April, which pointed out the failure of the domestic disability policy: the Hungarian state is seriously violating the rights of citizens living with disabilities at a systemic level. We actively took part in the international proceedings, providing background information for the investigation. The report makes an important recommendation: the government should review the concept of de-institutionalization and instead of setting up small institutions they should spend money on developing support systems that respect human rights. In line with the proposals of the UN Committee we commented on the government's new call for tenders - the stakes are high; the unlawful segregation of thousands of disabled people could be cemented from the nearly 52 billion HUF. For the 2021-2027 EU budget we proposed measures that are needed to establish services that enable independent lifestyle, and in September we drew attention to the European Commission's role regarding the lawful usage of EU funds at an international conference.



The efficient implementation of de-institutionalization is also hindered by the systemic labor shortage in the social sector. Our analysis indicated that in the summer of 2019, 62% of state-maintained nursing-care facilities were understaffed. In connection with the psychiatric rehabilitation home in Bázakerettye we unveiled the state sneaking around the labor shortage in the social sector: the maintainer of the institute misinformed the ministry about the missing headcount data.

The residents of the institutes are substantially affected by the coronavirus pandemic and are almost completely separated from the outside world because of the national curfew and visit ban. The closed institutes are the focal points of the pandemic, therefore the residents living with health problems need priority protection. However this does not mean that the institutions can unreasonably restrict residents' rights - their task is to provide alternative ways of communication between residents and relatives. Over the summer we turned to the Ombudsman because of the unlawful practice of a disability home.

*IN THE PAST 10 YEARS THE GOVERNMENT HAS NOT TAKEN EFFECTIVE STEPS IN ORDER TO PROMOTE THE RIGHTS OF MORE THAN 24 THOUSAND PEOPLE WITH DISABILITIES LIVING IN INSTITUTIONAL CARE. THIS DOES NOT DETER US; WE CONTINUE TO WORK TO PROTECT THEM.*

KRISTÓF KÖRNYEI

# WITH REASON INSTEAD OF STRENGTH – EVIDENCE-BASED DRUG POLICY!

*While the UN is urging states to change their drug policy to address the issue of drug use from a public health and human rights perspective, Hungary, amongst the last in Europe, still expects results from persecution and deterrence. The National Anti-Drug Strategy adopted in 2013 and aiming for a drug-free Hungary by 2020 will expire this year. It was clear from the beginning that none of the aims will be fulfilled, and it was also clear that the zero-tolerance policy will worsen the situation.*

We drew attention to the erroneous Hungarian drug policy practice of recent years with an online thematic webpage presenting the scientific evidence-based way forward. We not only provided advice to decision-makers: we also compiled a knowledge base for parents, educators, and young people. We also held workshops in high school classes where we discussed the topic with the teachers and students.

It was important to us that not only our own reasoning, but different viewpoints are also present on our site, so we invited a police colonel, a parent, an educator, and a medical cannabis user to tell their personal history or professional opinion. We also organized a roundtable, where with an addictologist, a criminologist and a criminal judge we discussed the faults of the current Hungarian model and the necessary steps for the implementation of the desirable practice.

*THIS YEAR WE CONTINUED TO PROVIDE LEGAL ASSISTANCE TO THOSE WHO WERE PROSECUTED FOR POSSESSION OF SMALL QUANTITIES OF DRUGS OR FOR MEDICAL CANNABIS USE.*

To pick one case from this year, we highlight the one in which the police assumed that a Dutch retiree was a drug dealer and harassed him for years. The old, sick man was accused of setting up a gang, but all he did was order one pack of hemp seeds from a foreign seed bank.



The appointed forensic botanical expert was referring to a manual published in 1960 which failed to distinguish industrial hemp seeds from bred cannabis seeds. For four years the incompetence of the authorities prevented our client from treating his illness with a legal extract made from hemp. After the termination of the procedure our client was finally able to manufacture his medicine with the necessary permits.

The case also highlights that while a few years ago the government itself promoted hemp growing to farmers, it did not create a safe legal environment and did not update the authorities.

TAMÁS KARDOS

# WE TAKE ACTION TO PROTECT PERSONAL INFORMATION

*Worldwide the gap is increasing between states where respecting the privacy of their citizens is a worthwhile effort and those nations who wield overwhelming information power against their own citizens by continuous data collection and surveillance. In such an environment it is particularly important to take action when the government or actors close to the government are violating the right of autonomy over persona data.*

Our main goal is to ensure that the misuse of personal data cannot be used to intimidate someone for their political opinion. That is why we took on the cause of the two civilian activists whose names – and in one case, their union membership – were published in a defamatory article at the Origo news site since they were involved in organizing a demonstration. The court ruled that the newspaper violated the rights of our clients – confirming that it is possible and worthwhile to take action against intimidating listings.

Unlawful use of personal data by the politics was not only for intimidation. It is an old and unresolved problem that political parties build voter databases for mobilization and marketing purposes in a non-transparent and often unlawful manner. One of our other clients approached us because he received emails from Fidesz despite never giving his contact details to the party. During the lawsuit, the government party wanted to use a signature collection sheets to prove that our client had provided the data himself, but the signature on the sheets were not his and in one place even his name was misspelled. In the end Fidesz could not prove that it had legal access to the data and lost the lawsuit – clearly showing that it was the parties' responsibility to prove that their databases were being operated legally.

We will continue to do everything we can do to ensure that the secret services cannot continue their activities without independent supervision. Although national security requires them to be able to do their job smoothly this does not mean the complete lack of supervision, as that would lead to abuse.

*THAT IS WHY WE UNDERTAKE CASES WHERE WE CAN OBTAIN SUBSTANTIVE LEGAL PROTECTION FOR POTENTIAL OBSERVEES.*

In recent years the government, as part of the Dragonfly [Szitakötő] project, collected videos from 35 thousand surveillance cameras to a single central database, where the Special Service for National Security added face recognition techniques, allowing remote identification or even tracking of individuals. To the best of our knowledge the extensive camera network and facial recognition system is not yet connected, but the possibility is there at any time and in the absence of supervision of the secret services it poses a serious risk to citizens. To learn more about these systems we have successfully sued the Department of the Interior to publish the impact assessment of the risk of the Dragonfly project – it was so unconvincing that we turned to the data protection authority. At our initiative, the authority discovered that for the time being facial recognition is only used on a small scale, in connection with specific cases, and not in a comprehensive manner. We will continue to monitor the spread of technologies that allow mass surveillance and take action against all infringing usage.

ÁDÁM REMPORT



# “EQUAL AND MORE EQUAL”



*There was no national election in 2020, but our electoral rights program was still busy.*

In February, we organized a roundtable to discuss our report on the lessons learned from the European Parliament and municipal elections, which was attended by representatives of the legal profession and political parties, as well as the president and staff of the National Election Office. Thus we were able to present our final report enriched with their comments. The report is titled Equal and More Equal (Egyenlők és egyenlőbbek) – referring to the fact that in the 2019 elections, the ruling parties were able to compete with the help of significant governmental support, often with the approval of the executive power.

*THE CHAPTERS OF THE REPORT END WITH OUR RECOMMENDATIONS TO THE LEGISLATOR AND LAW ENFORCERS – IF THEY WERE ADOPTED HUNGARY COULD HOLD MORE DEMOCRATIC, FAIRER ELECTIONS WITH MORE EQUAL OPPORTUNITIES.*

In the autumn the by-election of the Borsod-Abaúj-Zemplén county created new tasks. We provided legal assistance and operated a hotline, and we drew attention to an important issue that reached all the way to the Curia. Candidates have the right to delegate members to the counting committees and they must take an oath

before the mayor of the place where the vote is counted. The Count Together Movement has drawn our attention to the fact that this is causing difficulties and poses a threat for many in the worsening pandemic situation as not all delegated members live in the place of the oath. We have filed an election objection to allow the oath before the mayor of residence, or electronic oath for those who come from more distant parts of the country to ensure the fairness of the election. The proposal has also been sent to all parliamentary bloc and independent members of parliament and we hope that it will be taken into account when amending the Act on Electoral Procedure.

In November we carried out a detailed analysis of the unexpected and unnegotiated electoral legislative amendment package submitted in the middle of the night to raise awareness: the government is taking advantage of the situation again. And as 2022 is approaching quickly we have started to prepare for the next parliamentary elections – and as such, we will continue to cooperate with the National Election Office and NGOs.

*DÁNIEL DÖBRENTÉY*

THE HCLU REPORTS (A TASZ JELENTI) BLOG HAS BEEN TRANSFERRED IN 2020. FIND US AT THE 444: **ATASZJELENTI.444.HU**

WE HAVE STARTED OUR PODCAST SERIES, THE **RIGHT TO BE FREE**. LISTEN TO THOUGHT-PROVOKING CONVERSATIONS ABOUT THE SOCIAL PROCESSES THAT AFFECT OUR EVERYDAY LIVES:

**TASZ.HU/PODCAST**

EVERYTHING THAT CONCERNS YOU AND US THE MOST – FIVE MINUTES, NO BALONEY – LOOK FOR OUR **SZABAD.INFO** VIDEOS ON OUR FACEBOOK PAGE AND YOUTUBE CHANNEL.

**MEGAFON**, EVEN DURING THE QUARANTINE – WE BRING OUR INFORMATION AND DEBATE NIGHTS TO YOUR LIVING ROOM, DISCUSSING CURRENT TOPICS WITH OUR INVITED EXPERTS.

MODEL: ZSOLT NAGY, HCLU AMBASSADOR

A man with a blue beanie and a grey t-shirt with the word 'SZABAD.' printed on it. He is looking off to the side with a serious expression. The background is blurred, suggesting an outdoor setting.

SZABAD.

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YOU WITH ONE OF OUR  
SZABAD. (FREE.) T-SHIRTS  
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# THEY WERE WITH US IN 2020

Márton Asbóth  
Eszter M. Balázs  
Levente Baltay  
Balázs Bartakovics  
Flóra Benkő  
Bea Bodrogi  
Zoltán Bognár  
Ilona Boros  
Balázs Csonka  
Beáta Dánielné Tóth  
Dalma Dojcsák  
Dániel Döbrentey  
Borbála Fernezelyi  
Gabriella Harmat  
Szabolcs Hegyi  
Tivadar Hüttl  
Eszter Jovánovics  
Stefánia Kapronczay  
Júlia Kaputa  
Tamás Kardos  
Anna Kertész  
Eszter Kovács  
Kristóf Környei  
Erna Landgraf  
Laura Lovász  
Anna Márffy  
Gábor Medvegy  
Milán Mészáros

Attila Mráz  
Petra Júlia Nagy  
Zsófia Nagyné Gere  
Kata Nehéz-Posony  
Emese Pásztor  
Márk Pető  
Balázs Pivarnyik  
Ádám Rempört  
Anna Rubi  
Attila Szabó  
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