



ANNUAL REPORT

AN EQUAL BRAVE FREE COUNTRY WE WORK FOR

2022

IF YOU ASK WHAT A RIGHTS' DEFENDER ACTUALLY DOES, THE ANSWER IS: ANYTHING TO PROMOTE PEOPLE'S RIGHTS. IF NEEDED, THEY WILL NEGOTIATE WITH MINISTRIES OR WRITE LEGAL SUBMISSIONS AND HELP ORGANISE DEMONSTRATIONS, BUT THEY ARE ALSO THERE FOR ADVICE WHEN A MAYOR REFUSES TO PUBLISH CONTRACTS. IN 2022, AFTER THE GENERAL ELECTIONS, WE EXAMINED OUR GOALS AND ACTIVITIES FOR SEVERAL MONTHS, SO THAT AFTER CREATING OUR NEW STRATEGY, WE COULD WORK EVEN MORE EFFECTIVELY TO ENSURE THAT PEOPLE KNOW THEIR RIGHTS AND EXERCISE THEM.

Looking back from 2022, it is hard to imagine that at the beginning of HCLU's history, those in power did not see human rights organisations as enemies but as partners. Due to the change in the political environment, however, convincing the decision-makers gradually took a back seat in our work. At some point, we had to realise that if we wanted to be effective, we had to find our way back to the roots of human rights movements; we had to turn to the people, who can use the power of the public to force change, and to the courts, who can do the same with the instrument of law. For this reason, the support of conscious citizen actions and litigation aimed at systemic problems came to the fore in our work. Our strategy, created in 2022, takes this forward and adapts it to current conditions.

Two convictions direct our work. The first conviction is that for a lasting democratic change, more and more people need to experience how practising their rights and living by fundamental democratic values impact their lives. Freedom will become crucial for the citizens through these experiences, making them increasingly devoted to defending it. The second conviction is that better decisions are made in the interest of citizens when we all participate in making them: we express our opinions and hold the decision-makers accountable.

We aim for as many people as possible to believe and experience our impact. To this end, we keep building our network consciously for every person in the country to have access to legal aid. In addition to our regional offices in Pécs and Debrecen, we want to open an office in a third regional centre in 2023, and we are operating personal legal aid in additional cities to bring legal assistance closer to citizens. In addition to providing legal advice, we also hold workshops aimed at helping citizens exercise their rights to contribute locally to strengthening communities committed to democratic values. Through local success stories, we want to show that citizens' conscious exercise of rights is stronger than the myth of the omnipotence of the government.

“*THE COUNTRY WE WORK FOR IS NOT ONLY FREE AND BRAVE, BUT IT IS ALSO EQUAL.*”

The state has a positive obligation to redress social inequalities, as it has a duty to ensure the dignity of every human being, and the conditions of a life worthy of human dignity. In a worsening economic situation, we are seeing the exact opposite. We see that the state is trying to avert this responsibility. We only need to reflect on the amendment of the social law and the health legislation, or how much

the government ignores the demands of teachers and students who stand up for the cause of education, to see this government abdicating its duties.

Living conditions and education are closely related to the ability to exercise rights. People who have problems feeding their children or who are ignorant of their rights rarely participate in demonstrations. This is why we interfere when the state takes steps that increase social inequalities and why we help those who are least able to stand up for themselves. In addition to providing free legal aid, we regularly represent the interests of people who are at a disadvantage due to their disability or Roma origins. We are gradually expanding the expertise of our legal aid service to include labour law and social security because we have found that citizens are particularly vulnerable in these areas.

Strengthening solidarity and joint action are also essential tools. We participate in various cooperations of several non-governmental organisations to work more effectively for our common goals. And by passing on our own experience, we are attempting to create strong organisations of local stakeholders across the country that stand up for local issues.

Although it is always a great pleasure to represent our clients successfully, we know that lasting democratic change requires solving systemic problems. We have, however, had to increasingly resort to litigation since 2010 because the courts have become less independent, and it has become increasingly difficult to enforce judgments. We thus realised that our legal instruments have their limits. Moving forward, we will initiate legal proceedings only when they will likely bring a solution. In other cases, however, instead of or in addition to legal instruments, we will use several different methods, including promoting citizen action, campaigning, supporting other organisations, or other activities aimed at persuading decision-makers.

Communication plays a crucial role in our work. Those in power can best be forced to act on topics that mobilise the public, and freedoms must be made tangible for lasting democratic change. The stories we showcase set an example for others, so the stories of action build a narrative of possibilities instead of hopelessness. For accountability, we also protect media freedom and regularly provide legal assistance to journalists who turn to us for help.

Our priority is to ensure that large numbers of citizens participate in public life based on their free and uninfluenced choice; that is why we support those who stand up for themselves and others. We operate a telephone hotline during demonstrations and are personally present at major rallies in Budapest, Pécs, and from now on, Debrecen. We are proud that more and more young people stand up for their rights; we also give advice directly to students organising demonstrations on how to exercise their rights, and we have launched a dedicated legal aid service for protesting teachers, available every Friday. We represent several of the teachers who have been fired, and we are also working with parents and students to build a case to prove that the state is failing its duty and violating students' right to education by not having enough teachers or suitably qualified teachers in schools. These examples of people bravely standing their ground will inspire others, and through our shared accomplishments, we can live the message heard ever more often at demonstrations: 'You have no power over me!'

*This chapter is the modified version of the article **Stefánia Kapronczay: "You Have No Power Over Me; What can a fundamental rights activist do today in Hungary?"** published on the website HVG360.*

**WE ARE WORKING TOWARDS A COUNTRY
WHERE ONE'S FATE IS NOT DECIDED AT
BIRTH, BUT THE RIGHTS OF THOSE WHO
CANNOT STAND UP ALONE AGAINST
INJUSTICE ARE ALSO RESPECTED**



**WE ARE WORKING TOWARDS A COUNTRY WHERE
OUR FATE IS NOT DECIDED AT BIRTH**

EVERYTHING WAS TAKEN FROM HIM, BUT AFTER THE END OF HIS GUARDIANSHIP, IMRE REBUILT HIS LIFE

After his mother's death, Imre found himself in a difficult situation. Five years ago, he was taken to a psychiatric facility from his home. The then 47-year-old man was not allowed to go home anymore. Since the court declared that he lacked capacity, he was no longer allowed to make decisions, including when and what to eat for dinner and what will happen with his house and dog. He was assigned a stranger as his guardian, who placed him in an institution comprising 130 people. Personal decisions were made for him by the assigned guardian who did not even ask for his opinion and did not visit him for a month.

In desperation, Imre started writing letters asking for help from his cousin, Gyöngyi, who lived abroad with her husband at the time. Due to an unexpected turn of fate, Gyöngyi found the letters in her post box and immediately reached out to her relative, who she had not seen for a long time. From then on, she could not rest for one minute, and started fighting for Imre's freedom. She and her husband applied to become Imre's guardians so that he could finally live with them, but the authorities repeatedly refused their requests. Imre then found out about the HCLU through the press and asked Gyöngyi to contact us.

In 2019, we filed a lawsuit to terminate Imre's guardianship, but the process was lengthy. At one of the hearings, his guardian reacted to Imre's complaints about the institution by saying, 'For people like him, the desire for freedom overrides common sense'. For Imre, who was indeed used to leading a free life, confinement and vulnerability became increasingly more difficult to tolerate. In the spring of 2020, social institutions were closed entirely due to the pandemic, so Imre became a prisoner in the institution and could not even visit Gyöngyi and her husband on weekends.

When they were all beginning to lose faith, the court delivered its decision in December 2020: there is no justification for Imre to be under guardianship; therefore he could make decisions about his domicile and lifestyle again. However, the guardianship authority could not accept the decision and appealed it. Because of the appeal, Imre had to wait four additional months for his freedom. In April 2021, we won the case on appeal, and Imre could finally move in with Gyöngyi and her husband. In the meantime, his and his mother's house was demolished without informing Imre.

In the past year, Imre started a new life and has lived independently since then. It was vital for him to depend on others' help as little as possible, so he got his driving licence and completed a security guard course too. Since then, he still spends a lot of time with Gyöngyi, and now he too can help in the fields in springtime when there is a lot of work. As he used to be a railway worker, he has once again obtained his railway licence to reconnect with his old passion.

Only one thing casts a shadow on his new life: losing his old home. Because of this, the first thing he wanted to do after becoming free again was to get back the documents, memories, and beloved objects that he had lost together with his house. It meant a lot to him that he found his matura exam certificate. He was fuelled by the same feeling of loss when he decided to find a new home to replace his demolished house. He looked at multiple houses near Gyöngyi's, and when stepping into one of them, he spotted a model fire engine on the windowsill that he used to have in his childhood, he turned to Gyöngyi and said, 'I found my new house, here I feel at home'.

GUARDIANSHIP AUTHORITIES ENTER INTO CONTRACTS OF HALF A MILLION HUNGARIAN FORINTS ON BEHALF OF DISABLED PEOPLE

In Hungary, approximately 57,000 people live under guardianship. They are adults living with a disability or mental illness who cannot make independent decisions about their own lives. Under guardianship, the right to self-determination is limited by the court or one's rights are completely taken away. Legal guardians act on behalf of the alleged incapacitated person, making those under guardianship vulnerable. It is this outdated system that our client fell victim to. Magdi will turn 52 this year. Since 2016, she has lived on a farm close to Jászberény with her partner, István, who she met in a refrigerator factory in the 90s. István still works in the factory while Magdi does the cleaning and other tasks around the house. She loves to care for animals: teach her dog not to steal the cats' food or to open the half-closed door. Her life sounds idyllic, but unfortunately, Magdi was not always surrounded by a supportive environment.

In 2009, diagnosed with schizophrenia, she was placed under plenary guardianship, which meant that in the legal sense, she was declared a child. She could not make any decisions about her life; her legal representative, a professional guardian, acted on her behalf. She lost her right to vote, to make decisions about her own money, and to have a say about her healthcare and her domicile. This is how she got to the Castle Home in Újszász against her will in 2011.

After hospital treatment, she was not taken home, instead, she was transported to a residential mass institution where close to 250 people with psychiatric illnesses or addictions live. This change came as a shock for Magdi: this new life situation practically paralysed her.

"IT IS LIKE BEING STRUCK BY LIGHTNING. I COULD NOT UNDERSTAND WHY I HAD TO BE THERE. I DID NOT WANT TO LIVE IN SUCH AN INSTITUTION. I COULD ONLY OPEN UP TO OTHER RESIDENTS AFTER A YEAR, BUT NOT EVEN THEN WAS I ABLE TO OPEN UP TO STAFF AND THE GUARDIAN. DUE TO BEING UNINFORMED, I WAS DISTANCED AND DISMISSIVE. I COULD NOT PROCESS HOW ALL THIS COULD HAPPEN.."

In the beginning, István frequently visited her, and he was the one who kept Magdi going. He tried to help her process the suffocating atmosphere in the institution, the fixed daily agenda, the factory-like operation, the crowdedness - since there were times that Magdi lived in a room with eight beds. Together with István, they tried to obtain the agreement that placed her in the institution, but all they got were empty promises about being able to see the document. Persuaded by her father, they also looked into Magdi's finances at the guardianship authority.

It turned out that in 2012, her guardian took out life insurance for Magdi's future funeral costs, and with the consent of the guardianship authority, they debited her account by HUF 440,000 to cover these costs. All this was done without informing Magdi and asking her whether she wanted the insurance in the first place! The guardianship authority's decision argued that this served Magdi's interests; she had enough money, and this way, they could arrange a dignified funeral for her. Her father was profoundly outraged and filed a complaint with the ombudsman regarding the guardian's actions.

The ombudsman did not find a breach of rights, even though he requested a detailed summary and an account of how the guardian managed Magdi's assets and why they took out life insurance.

Two years later, with our help, Magdi finally regained her decision rights relative to her domicile, and in turn, she could move in with István in 2016, where she still resides. Magdi is one of those few who could return to her life from the enclosed world of inhumane mass institutions. In 2016, the guardian submitted a final account, and because domestic laws did not provide a remedy for grievances, with our help, Magdi turned to the UN Committee on the Rights of Persons with Disabilities in 2017.

Through the ombudsman investigation, it transpired that guardianship authorities in Szolnok County regularly entered into contracts of half a million Hungarian Forints on behalf of those under their guardianship. Because of this, we submitted a request for information in the public interest and found out how frequent these cases were. Responses confirmed that taking out life insurance was done routinely by the other guardianship authorities in the county as well: there were 67 people under guardianship with life insurance in Szolnok, 78 in Kunhegyes, and 49 in Karcag, respectively. On top of this, everyone had the same life insurance as Magdi. We turned to the ombudsman another two times in this case;

however, they refused to conduct a substantive assessment of the case on both occasions. However, the UN Committee on the Rights of Persons with Disabilities ruled in our favour. In September 2021, they declared that the Hungarian state breached Magdi's rights by not asking her opinion about taking out insurance. The guardian defended their actions by saying they could not consult her in this case because "she was unable to express her opinion", but the Committee did not accept this defence. They established the obvious to which the ombudsman had turned a blind eye: it is unlawful for guardians to take out insurance without consulting those under plenary guardianship, even if the guardianship authorities consent. The Committee ruled that the state must reimburse the financial damages caused in this case, but this is not all. Not only did they provide justice in Magdi's case, but they also clearly set forth that the state needs to abolish guardianship and replace it with supported decision-making systems. This way, they do not strip disabled people of their rights; instead, they provide help so they can make their own decisions about their lives. The UN Committee's decision is a great human rights success, the consequences of which even the state cannot simply ignore.

ABUSE IN A SOCIAL CARE INSTITUTION: THE GUARDIANSHIP AUTHORITY DOES NOT WANT VICTIMS TO ACCESS LEGAL AID

2021 júliusában kaptunk anonim segélykérő levelet egy dél-alföldi bentlakásos szociális otthon dolgozóitól, amelyben leírták, hogy az egyik fogyatékossgal élő lakót az intézmény ápolója fizikailag és verbálisan is bántalmazta.

A dolgozók a nevüket nem vállalták, mert féltek attól, hogy azonnal elbocsátanák őket, de a levélhez csatoltak egy pendrive-ot négy videóval a bántalmazásokról.

In July 2021, we received an anonymous letter asking for help from staff members in a residential social care institution in southern Alföld. The letter stated that one of the institution's nurses had physically and verbally abused a resident with a disability. The staff members did not want their names to be known

because they feared they would be fired immediately. The staff members attached a pen drive to the letter with four videos documenting the abuse.

The first 15-second video shows how a resident sitting on a bed and trying to put on his pyjama shirt was slapped on the face four times with great force. The abuser is not seen on the recording, presumably, he was the one filming, but he is heard repeating the words: "Get on with it, get on with it." In the second recording, an intellectually disabled man standing in the corridor is asked by a male voice: "Do you want a slap in the face? Ask for a slap in the face already!" In the third, also 15-second recording,

the man living with a disability is sitting on his bed and is being pushed around and slapped in the face twice by the "carer". The man helplessly asks his abuser: "Stop messing around!" Another slap is given as a response to this and is continued by the abuser saying: "Are you finished?" In the fourth, 10-second video, the disabled man sitting on the bed is thrown twice in the head with a football. The shocking recordings reveal severe violations of the law.

For the abuse to stop as soon as possible, we turned to the social care rights representative, whose task is to protect the rights of those living in social institutions. The social care rights representative immediately launched an investigation in this case, after which the director of the institution interrogated the abuser, fired him with immediate effect, and also filed a police report.

DEINSTITUTIONALISATION FROM ABOVE - THERE IS A NEED FOR STRATEGIC RETHINKING

The UN Committee on the Rights of Persons with Disabilities published a devastating report in the spring of 2020 about the Hungarian guardianship and social institution system. We also contributed to creating the investigation report by sharing our experiences. Although the results of the report did not cause much of a stir among the public, it was nevertheless a human rights success because it paused the government's botched deinstitutionalisation process. As a result of the report, the government had to re-examine its concept of eliminating mass institutions nationally. In 2022, following our recommendations, the reform process was heading towards the right direction in two senses.

The government admitted that the projects of public mass institutions had been going in the wrong direction; therefore, the new invitations

to tender were already following a new logic. In accordance with the main conclusion of our analysis published this summer, the Prime Minister's Office handed over the leading role from the mass institutions to grassroots initiatives. In this round of tenders, NGOs, religious organisations, and municipalities can submit applications, but public institutions cannot.

Our other main criticism of the national project eliminating mass institutions was that instead of completely eliminating large institutions, the government supported the creation of similar smaller institutions. While those with disabilities living in large institutions could move to smaller institutions still remote from society, they could still not exercise their rights and live a dignified adult life.

As a result of the UN report, the European Commission was unwilling to continue funding the projects that were in breach of human rights, and it decided to freeze EU resources until they renegotiated conditions. However, the secretary of state for social affairs did not take any substantial steps for two and a half years. The autumn of 2022 brought a change when the new draft call for tenders was published. The deadline to use up EU financial resources was fast approaching; therefore, the secretary of state had to act.

We commented on the draft call for tenders, and thus we were able to incentivise the government to create actual communal housing services. Until then, the government had typically supported the creation of mini-institutions of 12 people still operating according to the logic of large institutions. Instead of these, services with no more than six people are the future of communal housing. This is because community-based housing services

can function optimally with a capacity close to the average Hungarian household of four people. The ministry agreed with our argument and, as a response to our proposal, increased the number of points given for small-capacity housing within the tender assessment criteria.

The proposal that instead of institutions, the future lies in community-based housing services has also been included in the guidance material made for members of parliament.

We even held a conference in November about the learnings of the past years and the future of deinstitutionalisation at the ELTE Bárczi Gusztáv Faculty of Special Needs Education. Special needs experts, activists, social policymakers, and our colleagues participated in the roundtable discussion. We will continue the dialogue with related professions about the transformation of the institutional system, so that real community-based services could be created in the future.

“SEE, THE PROBLEM IS WITH THE ROMA PEOPLE ONCE AGAIN, AS THE POLICE CHECK NO ONE BY ACCIDENT”

The court ruled that Attila, our Roma client, was unlawfully stopped and checked by the police when walking on the street. So far, he has been checked by the police more than 50 times. Attila had lived in a children’s home since he was two months old. He was considered disabled and went to a special education school, but he was always diligent, and loved studying and going to the library. Throughout his life, he has come across some carers and teachers who encouraged and helped him, and recently he graduated from the ELTE Department of Sociology with excellent results. He still regularly experiences discrimination due to his ethnic origin, but he is never willing to put up

with it. With our help, he has initiated several legal procedures to raise the public’s awareness of authorities’ discriminatory practices in checking people’s documents. In this recent case, we partially succeeded.

The court did not accept the heightened checks nationwide as justification and found that Attila had been unlawfully stopped and searched. Due to this case, the Commissioner of Fundamental Rights also looked into the frequency of police measures affecting Roma people. They concluded that the problem of ethnic profiling must be addressed, otherwise, Roma people’s rights to equal treatment could be breached.

WE ARE WORKING TOWARDS A COUNTRY WHERE THE RIGHTS OF THOSE WHO CANNOT STAND UP ALONE AGAINST INJUSTICE ARE ALSO RESPECTED

WE HAVE LAUNCHED A RENEWED LEGAL AWARENESS PROGRAMME FOR ROMA COMMUNITIES IN NORTHEASTERN HUNGARY

We aimed to ensure that it should not be us training Roma communities, but instead, their own community members should give them relevant legal and practical knowledge. With the background support of our lawyers, the three activists started preparing for their role in the autumn of 2021, with work commencing in January 2022. The courses were about child protection, enforcement, discrimination, and enforcing rights in education and patients' rights. The trainers developed a methodology through which their own community could start learning about complex areas of law as comfortably and efficiently as possible.

In the autumn of 2022, the project continued with renewed energy. The three trainers work in communities where their knowledge has been known and respected, and they have also been known for decades. As a result of the courses, the

community as a whole equipped themselves with legal and practical knowledge, and they could help each other in several matters. This is the most important achievement of this programme, since knowledge can multiply in the local communities.

After more than one year of the project, some participants have emerged who wished to become activists and trainers themselves, so that they can transfer their knowledge to others.

For this reason, we started a mentoring programme in autumn 2022 onwards: the three experienced trainers started training the community's most active members. We hope the mentoring programme can help communities and activists build connections with each other in the region.

THE STRASBOURG COURT CONDEMNED HUNGARY DUE TO ABUSE COMMITTED BY THE POLICE

The case happened back in 2014. Our client attended a house party at a family home in a village in Borsod-Abaúj-Zemplén county. The police were called there after a complaint about excess noise. They checked the identity of the owner of the house when our client challenged the police because of their rude and disrespectful behaviour towards the owner, who was a relative of his. After the altercation, our client was taken to the police station in Encs, along with the house's owner. According to his testimony, during the trip to the station, the officers assaulted him and commented on his Roma origins. For example, the police officer driving the vehicle said the following: "You don't work, you son of a bitch, you faggot gipsy prick!" When he said that the handcuffs were hurting him due to a previous injury, they tightened them even more on his recently operated wrist. After arriving at the police station, they sprayed him twice in the eyes using gas spray. He was then pulled towards the back entrance and hit on the chest and head multiple times.

Following this, our client was taken into an interrogation room, where he was held for about an hour and a half. At dawn, he was handed an arrest notice and sent out of the building. He had not been allowed to call his relatives from the station.

When our client's relatives finally arrived, he asked them to immediately take him to the doctor. He told the doctor that he had been a victim of abuse by the police, and even though his hands hurt and he asked for a medical opinion, he was not examined and was sent to the hospital in Miskolc instead, 40 kilometres away. However, since the car did not have enough fuel and they did not have cash on them, they returned home. Our client returned to the police station the same day and filed a police

report about the abuse. As a response to this, one of the police officers involved reported our client the same day, alleging that he had committed an act of disturbance by shouting and cursing on the street during the police intervention against the owner of the house.

It is characteristic of the unlawful practices of the Hungarian authorities that while our client was convicted for causing a disturbance, the investigation into the police officers' conduct had been terminated.

We did not give up. In 2016 we turned to the European Court of Human Rights, asking them to declare that the Hungarian state had breached our client's human rights.

According to the ECtHR's practice, when somebody is taken into police custody in a healthy condition but leaves with injuries, the state must credibly explain how these injuries happened. Because the Hungarian state failed to fulfil this obligation, the court ruled in favour of our client, awarding him compensation for damages.

After six years of waiting, our client will finally receive a just relief for the racist abuse he had suffered. This is the third HCLU case won in Strasbourg where the police have applied unlawful aggression against Roma victims.

We hope these judgments will deter the police from committing similar severe offences. If they do happen again, we hope the prosecution will be more efficient, securing the fundamental human rights of the victims.

A close-up photograph of a person's torso and neck. They are wearing a white t-shirt with the word "SZABAD." printed in a bold, black, sans-serif font. The person is holding a white, rectangular sign or piece of paper in front of their chest. The background is a warm, out-of-focus indoor setting with wooden paneling.

SZABAD.

*WE ARE WORKING FOR
A COUNTRY WHERE THE
AUTHORITIES' DECISIONS ARE
TRANSPARENT AND OPEN
TO CRITICISM, AND CITIZENS
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THEM.*

WE ARE WORKING FOR A COUNTRY WHERE THE DECISIONS OF THE AUTHORITIES ARE TRANSPARENT FOR ALL

There is nothing new about the fact that government agencies do not help journalists who ask them questions or make requests. However, not just the work of journalists but also solving everyday problems is made difficult by the secretiveness of the municipalities and the state.

Unrestricted access to data of public interest is not just a matter of principle; it is a prerequisite for liveable communities and a well-functioning state. If data of public interest are available on the internet and simple questions are readily answered by the press departments and customer services of government agencies, there is no need for data requests and legal disputes. If government agencies want to avoid the “burden” of working on public interest data requests, there is already a proven recipe: respectful and willing communication with citizens.

Publicity undoubtedly brings extra responsibilities for state and local municipalities. But this work would pay off more if more of us could feel a sense of ownership of the state we live in.

THE GOVERNMENT TRIED THEIR BEST TO HIDE THE VACCINATION PLAN - WE HAVE OBTAINED IT!

The access to vaccines at the end of 2020 and the launch of vaccination campaigns at the beginning of 2021 marked a turning point in the fight against the coronavirus pandemic. The Operative Staff developed a plan for administering vaccines, which Miklós Kásler compared to the WHO’s guideline in December 2020, and the Prime Minister also praised and called a “war plan”. We believed that the vaccination plan was a matter of public interest – however, though we requested it from several government agencies, we did not receive it. We tried to get the vaccination plan from six key state organisations: the Ministry for Human Capacities, the Ministry of the Interior, the National Public Health Centre, the Prime Minister, the Prime Minister’s Office and the Government Office of the Prime Minister - all in vain. As a result of the lawsuits against these institutions, the plans were quietly made public, and it turned out that the vaccination plan had been prepared long before our data requests. The turning point may have been that we had

even requested to hear Viktor Orbán as a witness in one of our trials.

The Budapest Court of Appeal dismissed our action for the public disclosure of the vaccination plan in three final rulings. Still, it acknowledged our claim as justified, and the vaccination plan became public due to these lawsuits.

It is shameful that the protagonists in fighting the pandemic should have preferred to engage in lengthy lawsuits, lies and spending public funds on lawyers. The cases against them made it no longer worthwhile for government agencies to keep up the secrecy.

We have raised the price of secretiveness and lying so high that they chose not to pay it. The reluctant disclosure of the vaccination plan ultimately resulted in the implementation of freedom of information and a victory for the public.

WE HAVE OBTAINED AND PUBLISHED THE ELIOS REPORT

For years, we read that wherever Elios Zrt., the former company of the ministers' son-in-law, modernised the street lighting, somehow the streets always ended up darker. The tender wins of Elios Zrt. have so far been referred to by somewhat cautious sources as "suspected corruption cases". Somehow, we all suspected that it was more than a hunch, but there was no legally obtained evidence to support the suspicion. But that has now changed.

As a result of more than two years of legal proceedings, this year, the European Commission sent us the report investigating Elios Zrt. by the European Anti-Fraud Office, OLAF. The

Commission has complied with the judgment of the General Court of the European Union, where we brought a case on behalf of the NGO Eleven Gyál against OLAF for refusing to disclose the report to the public.

The Hungarian authorities did not press charges due to lack of criminal offence, but Eleven Gyál and we were not satisfied. We worked to ensure that the Elios affair should not be swept under the carpet and that investigative journalists could finally start the work to shed light on the details of misconduct. The public has the right to see clearly.

In authoritarian regimes, one of the aims of intelligence misuse may be to discourage active citizenship. This is entirely at odds with the constitutional purpose of secret services, yet in softer authoritarian regimes, it may primarily affect those exercising civilian control over central power, press and civil society professionals, activists or lawyers. They are of vital importance to the democratic functioning of the state, and our clients in the Pegasus scandal are typically drawn from these groups.

The biggest problem with the current regulation and practice is that there is no independent control over the operation of the secret services. We want to achieve a regulation in Hungary that does not allow secret services to become political tools.

WE WON'T LET THE STATE COVER UP THE PEGASUS CASE

The secret services have essentially unlimited data collection powers in Hungary. There are no strict criteria for monitoring, and even these are not controlled by an independent body.

The Pegasus case has shown that this is not a theoretical problem: the phones of Hungarian citizens could be tapped without any national security reason whatsoever. Of course, the work

of national security can only be imagined with confidentiality. The problem is not the existence of secret data collection, but the fact that there is currently no independent body that can investigate the legality of such data collection, and no possibility of legal appeal. We have therefore initiated proceedings on behalf of six of our clients (Brigitta Csikász, Dávid Dercsényi, Adrien Beauduin, Dániel Németh, Szabolcs Panyi and a sixth person who requested anonymity). Our clients include investigative and crime journalists, photojournalists and activists.

We filed a complaint with the ministers in charge of the secret services, then initiated an investigation by the National Security Committee of the National Assembly and the Commissioner for Fundamental Rights. We asked the secret services for information about potential data processing, and based on their replies, we have taken the matter to court and the National Authority for Data Protection and Freedom of Information. If the procedures are unsuccessful and it is proven that in Hungary, no substantial results can be achieved against illegal surveillance, we will bring all cases before the European Court of Human Rights.

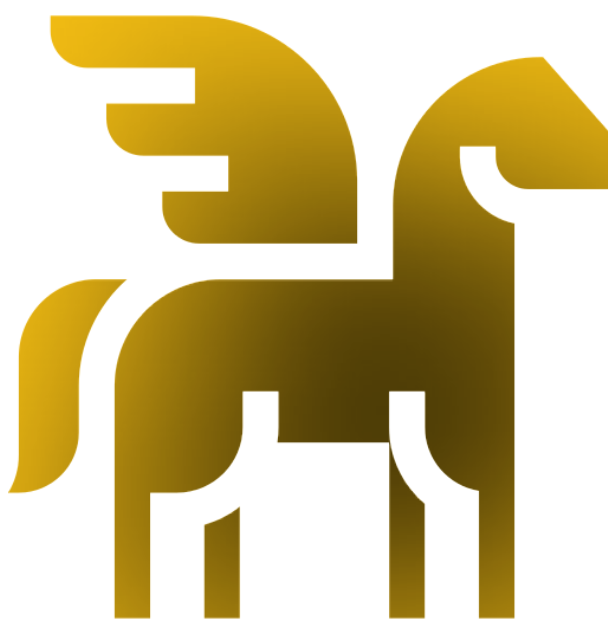
We have initiated an investigation by the Attorney General of Israel in cooperation with our Israeli partner, independent human rights lawyer Eitay Mack on behalf of Szabolcs Panyi, Adrien Beauduin and a third client. This procedure aims to investigate how surveillance spyware could have been granted an export licence to a country notorious for not properly regulating intelligence surveillance.

The uncontrolled surveillance of a Belgian student activist studying in Hungary also violates EU law, so we have taken his case to the European Commission.

We hope that the Pegasus scandal will lead to a change in surveillance practices to prevent similar abuses.

Another success in surveillance cases: our legal aid manager, Tivadar Hüttl, won a case this year at the European Court of Human Rights (ECtHR) after one of his phone conversations in 2015 was probably intercepted. Our colleague was not intimidated, and having received no explanation from the Hungarian authorities about his potential interception, appealed to the Strasbourg Court. On the one hand, the ECtHR confirmed that in Hungary, there is no independent, external control over ordering and executing secret surveillance and that there is no effective legal redress for violations. It also ruled that the Hungarian data protection authority (NAIH), although entitled to investigate the activities of the secret services, is not in a position to exercise independent control due to how it operates.

This is the umpteenth time Strasbourg has declared that there is no meaningful control over the secret services and their leaders. Yet the Hungarian government has done nothing to eliminate the illegal situation that has persisted since the 1989 regime change. But even so, such successes have practical consequences: the government can pretend less and less to its international partners that it respects fundamental human rights.



**WE ARE WORKING FOR A COUNTRY WHERE THE PUBLIC CAN
FREELY CRITICISE THE DECISIONS OF THE AUTHORITIES**

OPINIONS ARE FREE, EVEN IF THEY ARE POLARISING!


The Metropolitan Court of Budapest ruled that the Mayor's Office violated the right to equal treatment of our client, Gáspár Békés, when he was fired with immediate effect for his previous statements. Years before he was employed, our client had written an article on the connection between children's rights, religion, and the politics of war remembrance. His writings also attracted the attention of the government media, the defamatory articles of which drew public attention to the fact that our client was working

in the Mayor's Office, and he was subsequently fired. Representing Gáspár Békés, we brought an employment lawsuit on the grounds of violation of equal treatment, as everyone has the right to freely express their opinion on public affairs as a private individual. During the process, the Metropolitan General Court found that removing our client from his job was unlawful because of his political opinions. Since the Mayor's Office has appealed the ruling, the dispute continues - we will report on developments.

WE WON! THE IDENTITY OF THE RESPONSIBLE EDITOR OF THE HUNGARIAN PUBLIC TELEVISION IS NOT KEPT SECRET ANY MORE

Radio Free Europe submitted a public interest data request to Duna Media Service Provider in March 2021 to access the order forms of specific programmes, including news programmes, since these documents could reveal who is responsible for news programmes broadcast on public television that may violate the balance required by law.

The public media could not prove in court that their order forms contained business secrets or decision-supporting data, so they had to share them with the newspaper.



LEGALLY BINDING: FIRING SZFE'S LECTURER FOR HER CRITICISM ON THE MODEL CHANGE IS CONSIDERED RETALIATION

The SZFE, already working as a foundation, fired one of its lecturers, Anna Faur, in retaliation for her criticism of the new university model. Anna Faur had been working at the University of Theatre and Film Arts since 2017 as a researcher, and then as a lecturer. Faur's competence had not been questioned previously by the university, which is attested to by the fact that she was asked to participate in the research to reform drama and media education completely. Her contract ended in February 2020, when - considering her two-year-old twins and the coronavirus situation - she decided to stay at home for a while. In September 2020, the university made another contract with the lecturer, this time

within the new foundation framework. Despite her previous employment, this new contract contained a probation period, which the leadership of SZFE exploited, as no reasons for termination are required during this period. From the beginning, Anna Faur was convinced that she had not been dismissed due to her unsatisfactory professional performance, but because she had participated in the FreeSZFE movement, the university workers' strike, and because she also recorded a movie about the events of the occupation of the university. In February 2021, with the help of HCLU, the lecturer filed an employment tribunal claim. She asked the court, among other things, to declare that the SZFE had discriminated against her

when they terminated her contract. According to the court, the SZFE workers' strike had been a special form of expressing an opinion,

and Anna Faur had been removed from the university for her participation in this expression of opinion against her employer.

A COUNCILLOR'S SON, THRIVING ON PUBLIC FUNDS, CAN BE CALLED A GOOD-FOR- NOTHING KID, ACCORDING TO THE COURT

During the pandemic, in the autumn of 2020, the municipality of Kőszeg sponsored a three-day music festival at the town's main square. During this event - as usual at every other municipality event - the son of a councillor sold beer; moreover, his brewery was also the organiser of the Autumn Music Night [Őszi Zenés Est]. ugytudjuk.hu, when reporting on the event, detailed how András Kiss, the owner of Kőszegi Beer, gained business advantages using his political connections.

The journalist also stressed that the event had been held even though virtually all major public events had been cancelled in the region due to the pandemic. The article was shared by many on Facebook, and a lively debate emerged among commenters. Our client, Gábor, also commented. He wrote, among others, that "it is dodgy that we are financing councillor Kiss's good-for-nothing son from public funds". Brewery owner András Kiss did not like this. He hired a lawyer and started a private prosecution against the writer of the article and two other people who, according to him, had written defamatory comments on Facebook.

The Court of First Instance acquitted the journalist and one of the two commenters for lack of criminal offence. The journalist and the other commenter were acquitted on the grounds of freedom of expression as no defamatory statements had been found in their comments. However, Gábor was found guilty by the Court of First Instance on the grounds that the phrases "dodgy" and "financing a good-for-nothing son from public funds" were defamatory. The sentence was the mildest reprimand. Gábor could not accept the court's decision. He insisted that his opinion was not defamatory, so he contacted us.

The Court of Appeal, along with us, agreed that the events of the municipality of Kőszeg are public affairs, and those participating in these events as contractual partners are participating in public affairs.

The court also agreed that the expression "good-for-nothing" could not be a criminal offence against András Kiss' honour.

WE ARE WORKING FOR A COUNTRY WHERE CITIZENS HAVE A SAY IN IMPORTANT DECISIONS THAT AFFECT THEM

WE KEEP VIGIL OVER THE ELECTIONS

The election has finished, and the results are final, but the numbers alone would not reveal anything about the system and how elections are conducted. Regardless of what one would think about the results, we can dispel many of the myths surrounding the Hungarian elections that mislead laypersons and professionals. These myths can be grouped around three statements.

1. The high-profile, systemic abuses happen well before election day. The election results are more affected by the uneven playing field, which unlawfully influences competition during the campaign period, or even earlier.

2. Although mass frauds and abuses occur on election day, most do not happen at the polling station. The elections are not “stolen”

at the polling stations or during vote counting; it is more important to concentrate on the systemic dependencies of voters in the poorest municipalities.

3. Frauds and abuse cannot be challenged by legal means, neither at the polling station nor on a national level; therefore other means must be found to make elections cleaner.

The first and second statements can be found in many analyses, but what makes them a severe problem is that there is no practical way to address the abuses due to unequal competition or abuses on election day. The existence of an effective judicial remedy is a myth that even civil rights organisations had to give up in 2022. The elections were not rigged in the way and at the time that many had feared. But we



would also caution everyone against concluding that we have decided the future of the country in a clean and free election from the relative regularity of the conduct of the elections and the few infringements that have been found. We must emphasise that creating an extremely distorted systemic environment could also be regarded as electoral fraud, just not the kind that is enough to act against on election day. Also, the lack of effective judicial remedy is a condition we need to face, and with this knowledge, we should continue to work for a cleaner election.

This year too, we did everything we could to inform as many people as possible about the conditions of a democratic and clean election, where these can be violated, and what we can do as citizens to prevent or expose electoral abuses.

We have extended our legal aid service, and our legal experts provided almost 600 replies to election-related questions online and by phone. Most of these, nearly 300, were answered on the day of the election.

We have extended and continuously updated our page valasztasz.tasz.hu, providing up-to-date and important information for over 135 thousand individual visitors.

With 444, we have created the valasztasz.444.hu page, where the newspaper's articles on election were supplemented by legal information and timelines prepared by us.




CLEAN ELECTION CAMPAIGN



We have worked with the Civil College Foundation, Political Capital, the activists of aHang, and our other civilian partners, to raise awareness of the various forms of electoral abuses, the ways of avoiding these, and to reduce the social acceptance of these abuses. We visited and prepared local communities and activist groups to preserve the cleanliness of the election by street presence and observation. Between November 2021 and March 2022, more than 300 people participated in our online

courses, and our partners organised eleven discussion forums. On election day, activists worked in nine counties and three locations in Budapest, visiting 65 municipalities and 90 sites. Furthermore, fifteen lawyers worked directly with activist groups in the field, and seven lawyers received calls and e-mails on the central hotline available to anyone. We have filed eleven complaints due to election abuses. We filed police reports at six locations.

A person with dark hair, wearing a blue cape and a blue dress, is walking on a dirt path. The person is looking upwards and to the right. The background consists of green trees and a grassy area with yellow flowers.

**WE ARE WORKING
FOR A COUNTRY
WHERE WE CAN
FREELY MAKE
DECISIONS
CONCERNING
OUR LIVES, AND
THE STATE ONLY
INTERVENES WHEN
ABSOLUTELY
NECESSARY.**

**WE ARE WORKING FOR A COUNTRY WHERE WE CAN
FREELY MAKE DECISIONS ABOUT OUR LIVES**

YOU HAVE THE RIGHT TO FREEDOM! - EVEN IF YOU LIVE WITH A PSYCHIATRIC ILLNESS

A mother separated from her baby spent 29 days in a closed psychiatric ward, and a young man was kept there for 17 days while his assigned counsel could not exchange a single word with him. The court examined a teenage girl and ordered obligatory psychiatric treatment in humiliating conditions.

Treatment in a closed psychiatric ward is one of the gravest measures to constrain one's freedoms, yet it can be imposed erroneously. Imagine a place where you have no say whatsoever regarding what happens to you. You cannot even decide to get up from your bed and go for a walk, eat a sandwich, or meet your loved ones. These conditions probably evoke the picture of a prison in many of us. There is, however, a place where people may have even less personal freedom: the closed psychiatric ward of a hospital. Even though its function is not punishment but treatment, it is still a lot like prison: patients cannot meet whomever they want or move freely. They can even be restrained from getting out of bed, and all four limbs may be tied down simultaneously, which rarely happens even in prison.

We have long fought to protect the rights of patients treated at psychiatric institutions, especially in closed wards. These people are very vulnerable, and systemic problems often cause serious impairments of their rights. In many cases, even the ordainment of obligatory psychiatric treatment is unlawful: several of our clients have been kept in wards mistakenly, which was an infringement upon their rights

and freedoms. In these cases, we have taken legal action to protect their personality rights, and in one of our pending lawsuits, the court has stated that the unjustified treatment was unlawful, awarding our client compensation.

However, we have not only filed these suits to gain compensation for our clients, but to change experts' and courts' attitudes to these cases. There is an immense difference between voluntary and obligatory treatment; in many cases, the former would represent real help for these patients. Our goal is for sitting judges and experts to be aware that they are making a decision regarding a particularly grave disfranchisement when imposing obligatory treatment, and that there is no effective and real legal remedy to revise any error they make in this regard. For this reason, these decisions have to be preceded by careful and sensitive deliberation and be made only when truly necessary. We will continue to work for obligatory treatment only to be imposed in vital cases, and for only lawful restricting measures to be practised at closed psychiatric wards. It is our conviction that this serves the improvement of the condition of the people concerned the best.

A MOTHER FILED A LAWSUIT FOR INHUMANE TREATMENT BECAUSE HER SON WAS KEPT TIED DOWN FOR DAYS IN THE HOSPITAL



Sixty-year-old Irén and her son, Péter live at the edge of a village next to Kaposvár, where everyone knows them well. The family has lived in the same small house surrounded by a large garden for generations. Until a few years ago, when her elderly mother was still alive, Irén had been teaching at the local primary school. Since Christmas, she has been living alone with her 22-year-old son, whom she cares for alone. Movement is essential for

Péter, who walks around the vast plot whenever he can, often for kilometres each day. Irén's life follows her son's schedule closely. When Péter walks around the garden or sits outside, she has enough time to carry out tasks around the house or arrange administrative matters until lunchtime. Irén started to suspect that her son was autistic when he had not begun to speak by the age of four. Doctors tried to calm her, saying that boys

start speaking later, but she also noticed that he organised his toy cars equidistantly on the garden bench. Soon her suspicion proved correct: Péter was indeed autistic. He has never learned to speak. Until the age of 14, he attended a special school, but he fled home on the first day of eighth grade. Since then, his mother has been unable to send him back to school. As he does not speak, she has never found out why he fled that day. Lacking other forms of social care for an autistic young adult, Péter has been at home with his mother ever since, for eight years now. Until last winter, Péter's grandmother, Irén's mother, also lived with them. The two women meant security for Péter in a world to which it is hard for him to connect due to communicational hindrances and his sensory sensitivity. Until three years ago, Irén could pursue her profession besides caring for Péter. She was a well-regarded teacher in the local school. The death of her mother and Péter's worsening condition forced her to give up her work. Since then, she has spent her days with her nonverbal son.

In the spring of 2018, then 17-year-old Péter's yearning for emptiness strengthened. He had several seizures when he emptied the then-furnished home. He threw everything into the garden, including the objects on the shelves and the furniture. He does not have any aggression or rage towards others on these occasions; this is how he finds his environment and himself to be in order. During one of these seizures, he was not taken to his usual child psychiatrist in Pécs by the ambulance, but to the nearer hospital in Kaposvár. Even though Péter did not make any aggressive movements during the examination, just grasped his mother's hand to signal his wish to return home, the doctors decided to order emergency drug treatment. This type of treatment can only be imposed if someone poses an immediate risk of causing harm to himself or others. Although this was not the case, Péter was not allowed to leave the hospital for twelve days. Irén was sent home, and Péter was placed in the adult closed psychiatric ward (since there is no psychiatric hospital service for minors in Kaposvár), and the freedom-loving boy was tied

to the bed by his arms and legs. The day after, when Irén visited her son in the hospital, she saw him lying on a mattress without bedding, naked, tied up and humiliated in front of the entire ward. A few days later, the always calm, sweet-natured Irén lost her patience. She became upset and called the nurses to account for keeping her son tied to the bed. By this time, Péter was bruised by the ties and peed on the plastic mattress out of fear. However, the hospital workers had no other way of treating Péter. When Irén did not accept this, the hospital workers alerted the security guards, who threatened to throw her out unless she left the ward willingly. Ten days went by this way, which seemed like an eternity, since Péter spent most of it tied to the bed. As a last resort, Irén turned to the press to free her son from the ward. Amazingly, the next morning the hospital workers told her that she could take her son to the hospital in Pécs in a few hours. A few hours later, Péter was walking around the Department of Paediatrics of the University of Pécs, sitting down in the kids' corner from time to time and getting up, continuing his wandering. Here Péter was not tied down. A male nurse kept his eyes on the calm boy, and the staff tried to attend to his demands and sensitivities. They even removed the unneeded furniture from his room. By the time the doctors in Pécs had adjusted his medications and the carers had cured the bruises caused by the treatment in Kaposvár, Péter was in an appropriate state to leave the hospital with his mother. The mental bruises, however, could not be cured. Since then, Péter has been unable to sleep alone, due to the trauma caused by the ten days spent in Kaposvár.

For this reason, Irén filed a lawsuit in the summer of 2021 with our help against the hospital in Kaposvár for treating her son in an inhumane way. The court ruled that Péter's human dignity, personal freedom and right to physical integrity and freedom from torture were violated in the hospital, and awarded him compensation. Even though the judgement could not treat trauma, we are glad that the hospital's responsibility was recognised and the family was compensated for the damage they suffered.

MOTHER SEPARATED FROM HER NEWBORN FOR TWO DAYS WON LAWSUIT AGAINST HOSPITAL

A precedent-setting judgement was made for our client, Heni, who had been unlawfully separated from her newborn child in the hospital. One of the reasons we took the case was that - even though similar issues happen often in Hungarian hospitals - to our knowledge, this was the first time that the courts of appeal made a legally binding ruling that the mother's right to connect with her newborn child had been harmed. Moreover, they highlighted in the justification that physical contact is the foundation of communicating with a baby, and the mother had been unlawfully deprived of this.

Heni was expecting her third child five years ago when she unexpectedly went into labour on the 34th week. They immediately hurried to the hospital with her husband where her son, Benjámín was born after a few hours of labour, without any complications. However, a few minutes later, the baby was separated from Heni and put in an incubator, and the mother was only allowed to visit him for half an hour twice a day.

Heni found spending so little time with her newborn unacceptable and repeatedly asked the head of department to spend more time with Benjámín, but this was refused, citing hospital policy. The parents decided to transfer their son at their own cost and with help from the Cerny Foundation to a mother-baby-friendly hospital. At Semmelweis University's 1st Paediatric Clinic, they experienced a radically different approach: despite the baby having been premature, they could spend as much time with him as they wanted and keep him in constant physical contact. Heni spent 6-10 hours daily with her newborn child, and breastfed him as well.

Nevertheless, neither Heni nor Benjámín could get over this two-day-long early separation and the resulting trauma. Benjámín requires more attention than his siblings, and woke up up to eight times per night until he was three. He still finds it

difficult to fall asleep without psychical contact. Her mother thinks this may be related to the fact that over 48 hours passed until she could hold him as a newborn.

Heni's story is not unique; numerous women experience obstetric violence daily. Separation of newborns from their mothers is widely practised even today, especially in premature birth, even though this often has no medical or legal cause. Even though many people suffer from this approach, only a few can or want to take legal steps. But Heni did not want to accept what had happened to her, and by the end of her therapy aiming to help process the trauma, she had decided to take legal measures against the hospital.

We did not only take Heni's case because we believe that spending as much time as possible together during the newborn's first hours serves both babies' and their mothers' interests best, but also because this is a principle that Hungarian legislation states explicitly. Human dignity, the protection of family life and the private sphere and the child's right to protection and care are laid out in the Fundamental Law, whilst the current Health Act states the right to contact as well. In 2016, we turned to the ombudsman together with EMMA Association, who also stated that mothers and newborns should be able to spend as much time together as possible.

Our work did not end with winning this case. By taking on similar cases, increasing women's legal awareness and reaching out to hospitals that follow bad practices, we are trying to prevent as many expecting mothers from experiencing similar traumas as possible.

WE WORK FOR A COUNTRY WHERE MORE AND MORE OF US FEEL THAT THE STATE WE LIVE IN IS OUR OWN

STOP THREATENING OUR TEACHERS!



We are guided by the conviction that for a lasting democratic change, more and more people need to experience how practising their rights and fundamental democratic values impact their lives. Freedom becomes ever so crucial for the citizens through these experiences, making them increasingly devoted to their defence.

Therefore, we emphasise supporting those who stand up for themselves and others. We operate a telephone hotline during demonstrations and are personally present at major rallies in Budapest, Pécs and, from now on, Debrecen. We are proud that more and more young people participate in these occasions. We provide students who organise protests with direct legal advice, and we operate a dedicated legal helpline for the protesting teachers. We represent several of the teachers who have been fired, and we are also working with parents and students to build a case to prove that the state is failing its duty and violating students' right to education by not having enough teachers or suitably qualified teachers in schools.

We put together practical booklets on our homepage for teachers, parents, and students, about all there is to know about public education protests.

We will speak out against the state's retaliations; we will continue to stand up for teachers who draw attention to systemwide issues by going on strike or civil disobedience. During larger demonstrations, we set up helplines, allowing for immediate legal assistance, and we have on-site observers ready to take action in case of potential legal violations.

These examples of people bravely standing their ground will inspire others, and through our shared accomplishments, we can live the message heard ever more often at demonstrations: **'You have no power over me!'**

“I would like to ask for help because I was fined on Margaret Bridge. But I was not riding a bike. And I wasn't obstructing traffic. I left the protest with the first wave of people. A Wolt delivery worker.”



“I would like to ask for your help regarding the consequences I might expect. I was identity checked at the protest blocking Liberty Bridge, and further measures were foreshadowed that I would be notified of by mail. The identity check's justification was that following the call from the stage, I took a can of spray paint and sprayed it on the concrete. After this, I put the paint back in the box on the stage, and I no longer had it during the identity check. When asked, I admitted that I painted on concrete.”



“This Tuesday from 10 AM, I participated in the protest against the new KATA (flat-rate small taxpayers' tax) legislation. I am a full-time KATA taxpayer and a bicycle delivery worker at Wolt, so I was also unexpectedly and drastically affected by the change in legislation that excludes those eligible for KATA. That's why I went and joined the protest among many of my fellow delivery workers to take a stand against the new legislation and protect our rights. Yesterday I received the administrative penalty in which I was fined 75 thousand HUF for two counts of minor road safety violations. Paying the fine within the 30-day deadline means a grave difficulty for me, so I would like to ask for your help in my case, if possible.”



“I have a question regarding strikes. Last week, alongside several of my colleagues, we sent a written notice to the local education authority of our intention to strike yesterday. However, yesterday morning, some of us decided to practice civil disobedience instead. Yesterday we handed in our signature sheets this way. The local education authority answered that those who had applied to strike yesterday could only participate in a strike, not civil disobedience. Could you perhaps inform us regarding legislation that supports the education authority's statement?”





„Hello! I would like to get a legally supported answer regarding when the special needs teachers’ strike is lawful. In their case, the provision says that they must teach 100% of their classes. But can they go on strike if, for example, there are no children in class? Can they be held accountable for going on strike even if there was nobody to teach? Overall: regarding going on strike, how does a special needs teacher differ from a majority teacher? This ended up being more than one question, but thank you for your answer in advance; because Friday is approaching, special needs teachers are worried, and the local authorities are threatening us (not lightly). Thank you, a parent.”

“I am a teacher in a rural school. We are going on strike on the 27th, and not for the first time. I am quoting from a letter sent by the school’s principal: Please act according to the following: Only the principal communicates with the parents and students, I am foreseeably going to do this on Tuesday. Since the strike affects the first four hours, I strongly request that nobody informs the parents and students about this! I would like to know the legislation behind his letter. [Our otherwise loyal principal was likely instructed to write this.] My question is, can a principal write such a letter?”

There was a succession of protests this year. The meetings are methods of public expression and political protest, so when you protest, you practise your right to freedom of expression. And you can count on our help! We were there with those who lost their livelihoods from one day to the next, and with the protesting teachers, parents and students, too!





**WE ARE
THERE IN
THE ENTIRE
COUNTRY!**

WE ARE THERE IN THE ENTIRE COUNTRY!

WE OPENED OUR NEW DEBRECEN OFFICE!



We believe everyone deserves legal protection. This is why it fills us with great joy that, along with our Pécs office, we now have a permanent office in Debrecen as well. We have provided free legal assistance in the city since 2020; however, we managed to open an office with a permanent staff member this year. We celebrated its opening on December 2nd through a professional discussion and a party.

We chose Debrecen for our new regional office after Pécs as Debrecen is a university city, there

are NGOs there already, and there's free press, maintained by the local citizens. These are the fundamentals of freedom. Freedom is a value in Debrecen, and we work to reinforce that value. We would like to consciously contribute to the growth of democratic participation, namely, to increasing the number of legally conscious citizens who speak up in public matters. We consider this essential for everyone to be clear on their basic rights and to protect them against power. The change necessitated for achieving our goal is built on these grounds.

WE CONTINUE TO WELCOME EVERYONE SEEKING OUR HELP IN PÉCS

We have continued to provide personal legal aid in Pécs throughout 2022. During the past year, people sought our legal assistance in Pécs more than 80 times (via telephone, e-mail, or in person). They contacted us regarding various issues. There were citizens with infringement proceedings against them because they – using their freedom of expression – stencilled on the pavement to encourage people to cast an invalid vote in the homophobic referendum. Desperate relatives contacted us because their family members were assigned compulsory psychiatric treatment, and they wanted to know their rights in such a procedure. Several people contacted us with data protection questions, and we answered several questions about organising protests.

The 2022 parliamentary elections were a defining topic of the first part of the year. We organised an electoral rights workshop in Pécs, and on the invitation of partner organisations, we shared the most important pieces of information at roundtable discussions and in podcasts. We answered questions regarding the elections and the referendum via our legal aid service, and our volunteers monitored the fairness of the elections in Baranya County on the day of the parliamentary election.

We also supported the teachers' and students' protests actively. People have contacted our legal aid service with questions and issues related to strikes, civil disobedience, organising protests and flashmobs. We participated in multiple demonstrations, and our colleague gave a speech at the Pécs protest organised by the teachers' unions. During major local protests, we activated our hotline, so that we were able to answer any questions immediately. We've organised a workshop called Protest! for interested students, where they could learn how to organise protests lawfully, or whether their principal can forbid

attending the protest. We've also answered questions about whether they can leave any writings behind at protests, or what to do when the police request their IDs at a demonstration.

We participate in local civil initiatives and programmes and build active relationships with other organisations. Among others, we participated in a roundtable discussion at an event of the Budapest International Documentary Festival in Pécs; following participatory theatre performances in Szekszárd and Kaposvár, we discussed the options that disadvantaged families have, and we took part in the discussion about the rule of law in Hungary.

As part of the "Freedom of My Identity" human rights festival, we organised a roundtable discussion about using poverty as a justification for the removal of children from their families, during which we explored issues with experts like when a child can be removed from their family or whether being taken into foster care is a real solution. We also attended the second Pécs Pride march, the closing event of this festival, to support the rights of LMBTQ+ people.

Along with the election rights workshop and the Protest! workshop mentioned above, we organised several events during the past year. We held a communication workshop for non-governmental organisations regarding social media, and we talked to parents of children with disabilities about life path planning and guardianship. We organised a workshop for journalists about relevant legal matters, and in our "kindergarten or school" workshop, we answered questions from the parents of children in their last year of kindergarten about what to do if they want to delay going to school by a year.

WORKING FOR A CITY WHERE EVERYONE IS EQUAL

At HCLU, we've been working to protect the rights and promote the equal treatment of disabled people and children with special education needs. The primary objective of our Regional Programme is to make legal protection and advocacy available anywhere in the country, and we emphasise providing help and promoting societal collaboration outside of Budapest.

Therefore, our explicit aim is to work together with NGOs in Pécs and Baranya County for effective disability advocacy and citizen participation. We consider the power of community essential in advocacy; therefore one of the most critical elements of the process is to have an active conversation going and to create a platform for the affected organisations in the city.

For that to happen, we organised a meetup in June 2022, where we invited organisations and people active in the subject. The event's goal was to explore the problems prevalent in the city and select topics that we need to focus on more

and collaborate on in the long run to resolve them. We had a very productive and informative conversation at the first event: we discussed accessibility, education, and collaboration between various non-governmental organisations and the local government.

Four more occasions followed this successful first meeting in the second half of 2022. Several organisations got in touch with the managers and employees of the Pécs market hall together, where they discussed the essential perspectives of accessibility, recounted their positive and negative experiences, and showed the employees effective ways of practical help. The main topic of these meetings is improving the accessibility of local public transport; we are continuing to work on this with our collaborating organisations. We aim to make the existing public address system work effectively and properly for those with disabilities, keeping their perspectives in mind. Along with this, we will continue to work together in sensitisation and education..

WE OFFER NATIONWIDE ASSISTANCE SO THAT CITIZENS CAN DEFEND THEIR HUMAN RIGHTS

The HCLU holds workshops with a fundamental focus on legal awareness, so that the participants can acquire practical know-how and tools on specific topics that they can immediately use. Our workshops congregate issues that our organisation represents. We also organise non-

governmental organisation communication workshops based on our experience-based knowledge.

The workshops are an integral part of our Regional Programme (RP), and thus, are often

closely linked to the legal assistance provided by our regional offices, where in-person meetings are also available. If a specific legal-aid-based question arises in one of our workshops, it is often pursued by our local representative, and we also

organise workshops in the local offices. Currently, we have offices in Debrecen and Pécs, and a legal assistance service in Szeged. Our third RP office will open in late 2023.

INTERESTING FACTS FROM OUR WORKSHOPS

Our workshop “Kindergarten or school? - obligatory school attendance from the age of 6” is held together with a psychologist, as we are aware of the fact that the commencement of the school years is fundamentally not a legal matter, but rather, a parenting question with multiple dilemmas where an expert can provide the optimal assistance.

We support protesting students as we believe that in the current situation, the most important thing they can do is stand up for their opinions. In the Fall of 2022, we held a workshop for them on protest methods, demonstrations and school retaliations. Equal treatment: this workshop presents various scenarios to demonstrate, from a legal

standpoint, the types of discriminatory situations for which an investigation can or cannot be pursued. The fundamental question in every scenario is, what “would you do?”, “what can be done in such a situation?”, “was the given situation discriminatory?”. Our goal is for the participants to recognise discriminatory situations and know they can act against them in cases similar to the daily incidents listed in the workshop. Our workshops work with most protected groups: women, members of the LGBTQ community, homeless people, Roma people, disabled people, impoverished people, people discriminated against due to their political beliefs, etc.

“YOUR FEEDBACK

“The presentation awakened me to the fact that seemingly basic questions can ignite wide-ranging discussions, consequently, enabling the participants to broaden their horizons.”

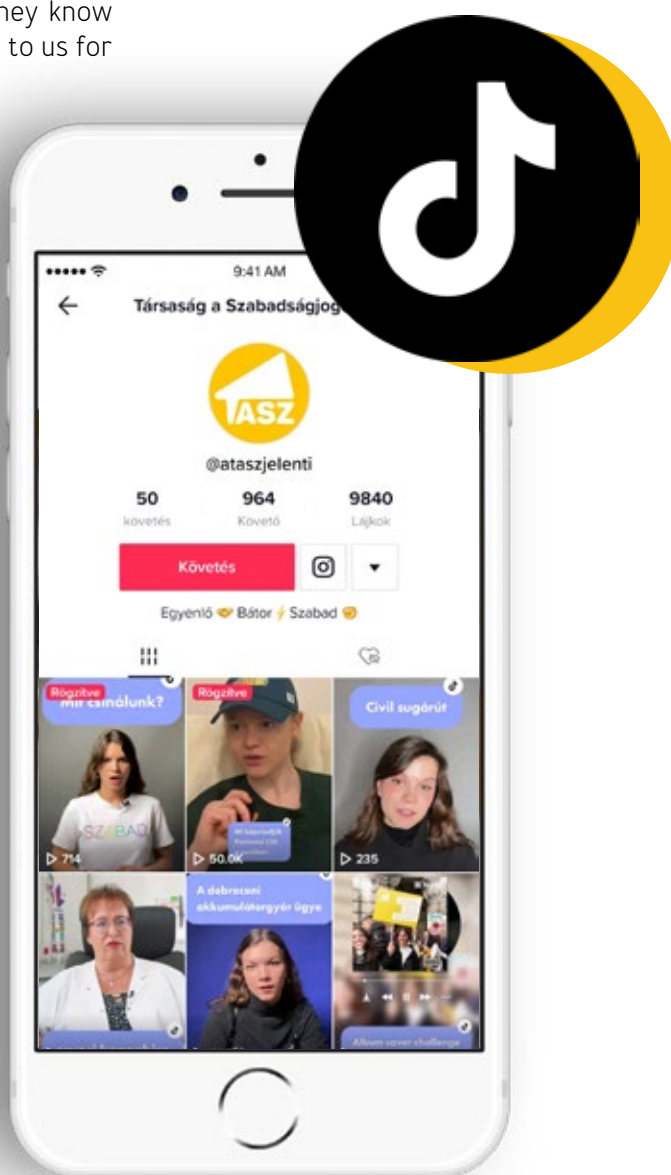
“a truly exciting and interactive presentation was created”

“Listening to and watching true stories were the most practical aspects of the presentation. I especially liked that the cases were also presented from a legal perspective”

“It was uplifting to hear that the problems endured by only a small percentage of the population are important for the NGOs, at least for the HCLU, so that they try to find a solution within a short timeframe. They try to create a better world where regardless of gender, age, skin colour, legal aid might not even be necessary, due to the creation of basic peace within society.”

HELLO, YOUNG PEOPLE!

We aim to increase young people's openness and engagement towards human rights by treating them as our partners. We launched our TikTok channel, where we have already reached more than 10,000 people, we provided legal aid to protesting students, and we are constantly developing our activities intended for young people. Our TikTok channel aims to familiarise young people with our activities, so they know when and in which issues they can turn to us for help.



LÁSZLÓ GLONCZI AND AHANG WON THE 2022 SZABAD AWARDS



Seven extraordinary people, seven extraordinary stories. They started from different places, fighting for different goals. They have one thing in common: they give us hope that it is worth fighting for noble causes in Hungary. Every year, there is a special day for us, when we celebrate the SZABAD Award nominees and present the awards to recognise the brave people working for a freer Hungary. On 21 September this year, we heard the stories of seven people who can serve as an example for all of us. Some of them fight for the chances of the poorest children, others protect our remaining

natural waters, and some define the fate of whole generations by showing a brave example. László Glonczi, widely considered an archetype of human rights advocates, won this year's SZABAD award. László has been fighting restlessly against Roma rights violations for fourteen years. aHang, who facilitated the first primary elections in Hungary's history and monitored the April elections' fairness, received the audience award. The SZABAD Award is always a cause for celebration for us - let's hope you'll celebrate with us next year, too.

Further SZABAD Award nominees in 2022:

Fruzsi Balogh - activist of the "Vaccinate to Live" campaign
Tibor Horányi and Ildikó Szalay from the Great Lakes Coalition
Attila Pető, who publicly opened up about being the victim of abuse by the church
Edit Simkó, participant of the educators' strike
Andrea Zámbó, co-coordinator of the volunteers helping Ukrainian refugees

SPRING AND WINTER PARTIES 2022

Once again, after three years, we organised our customary spring and winter parties. We are thankful that so many of you came to meet up with us this year!



SUCCESS IN UNITY!

Our joint campaign with 11 NGOs to overthrow the government's homophobic and transphobic propaganda-driven referendum was shortlisted for the Václav Havel prize. This is among the top-ranked international human-rights recognitions

NGOs can receive. This distinction is not solely our merit, but yours, of the ones who cast invalid ballots on April 3rd for the discriminatory referendum and thereby stood up for a safe and equal Hungary! Thank you!

EXTENSION OF OUR LEGAL AID SERVICE

In addition to working for systemic change, our free legal aid service remains the basis of our work. In 2022, we provided free legal assistance in over 4000 cases, over 2 million people turned to our website for information, and we currently provide legal representation in 164 cases. Our

legal aid service was further strengthened this year: new colleagues were hired, our telephone legal aid service is now available three times a week, and on Fridays, we provide labour law aid for educators.



By ordering SZABAD merchandise, you support HCLU's free legal aid service, and our work for a freer, more equal and braver Hungary.

Thank you for being with us!



2022 WAS A BUSY YEAR FOR US:



WE ANSWERED

4200 LEGAL AID QUERIES

BY E-MAIL AND PHONE



OUR LEGAL OBSERVERS WERE PRESENT AT

14 DEMONSTRATIONS



WE HELD

24 WORKSHOPS

ALL OVER HUNGARY



WE GAVE

170 INTERVIEWS

TO THE PRESS AND WE CURRENTLY HAVE



164 ONGOING CASES

THANK YOU FOR MAKING ALL THIS POSSIBLE BY SUPPORTING US! WE WILL CONTINUE ENTHUSIASTICALLY FIGHTING FOR WHAT WE BELIEVE IN IN 2023, BECAUSE **THERE IS NO FREEDOM WITHOUT BRAVERY.**

HCLU INTERNSHIP PROGRAMME - 2022

Interns play a vital role in the life of an organisation where several members of the management started their careers as volunteers or interns of the team. Over-application to the places advertised by the HCLU was already tenfold in the year the programme was launched; interest has been increasing in parallel with awareness, allowing us to select the perfect candidates with the highest professional and human standards.

In September 2022, the Privacy, Equality and Political Freedoms Projects began working with their fixed-term interns for the second time.

Our goal is to establish deeper cooperation than the internship required by the universities, to provide the graduating students with practical legal aid experience and to let them experience that they are capable of helping real-life people with their problems, of influencing their wider environment with their expertise, and of helping Hungarian citizens get to know and enforce their fundamental rights.

This year, we also started working with non-lawyer interns to strengthen our Regional Programme and video team.



photo: Zséeel photography (Linda Zsolnai)

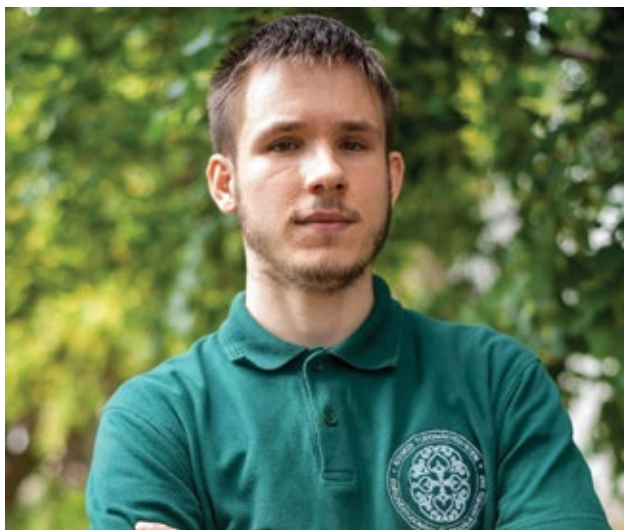
ADRIENN BÁRDOS

I am Adrienn Bárdos, a student at the ELTE Faculty of Law with my service dog, Mia. This is our 4th year at the university. We became trainees at the HCLU in September 2022. It is an honour to gather experience here, because it was always my goal to help people whose vulnerable situations prevent them from getting legal help. I am working in the Privacy Project, and I really like it. I have already learned a lot. I have learned a lot of things which were not possible at the university, and this programme already gave me a lot of practical experience.



ZORKA KESZTHELYI

My name is Zorka Keszthelyi, I am in my final year studying law. During my fourth year of studies, I worked as an intern at the Privacy Project of the HCLU. I mainly contributed to the project by answering legal aid queries, but I also carried out other exciting research tasks. I was happy to be treated as a partner during this time and that a mentor oversaw my professional development. During my internship, I gained a lot of valuable experience and skills, for which I am grateful.



DÁVID NAGY

My name is Dávid Nagy, I am a journalist and a social worker. I have always wanted to work with people, so I became a social worker. Journalism serves to complement my opportunities. I joined the HCLU Internship Programme on 1 November, 2022. Working in the Regional Programme, I monitor HCLU's advertisements and look for new opportunities. My tasks include promotion in the Southern Alföld region, making help available for as many people as possible. As a helping professional, I am glad to do my work because I know that many might need the opportunities the HCLU provides.



LILLA LANTAI

In the fourth year of my university studies, I worked as an intern at the HCLU Political Freedoms Project, where I mainly answered legal aid queries and prepared professional materials. The organisation's diversity had been evident to me even before the internship, but the time spent there was proof of this: among other topics, I dealt with environmental protection, the freedoms of assembly and speech, infringements, education, and many questions relating to election rights. I learned at least as much from the HCLU team personally as I did professionally. Spending time in such a well-functioning, intellectually inspiring community was an honour.



LÉNA PERCZEL

The highlight of my final year is my internship at TASZ. I have lived in several political systems worldwide, and the social problems in each made me sensitive to public policy and public administration. I aim to represent the fundamental rights of individuals against state power, while also working toward improving the system. TASZ is precisely such a place.

As an intern of the Political Freedoms Project, a large part of my work is legal aid, and I occasionally help with background research; most importantly, I am observing my colleagues' work and discussions. It's a huge privilege and an endless thrill to learn in such a vibrant intellectual environment, where my professional toolkit expands week by week.

(photo: Ágoston Horányi)



ZSÓFIA SALL

As an intern of the Equality project, I mainly answer legal aid queries in the areas of guardianship and discrimination. I also gained insight into the team's operation, projects, and joined different work processes. My knowledge has already improved a lot during these few months, especially regarding child removal, which is an issue close to my heart. In addition to professional motivation, the other greatest value of my work is that I think and work in a very human environment for social change to occur in systems underfunded by the state.



KATA ZSILLE

I am Kata Zsille, an intern at HCLU Equality Project from September 2021 to August 2022. In the project I was mainly involved in answering legal aid questions and creating a landing page related to one of our topics. I experienced my time here as a lifeline and a huge motivational boost. I learnt a lot in my last year of university, but most of the experience I gained was during my internship. I'm very grateful for my time here and glad that I've continued my journey as a staff member at HCLU.

HCLU VOLUNTEER PROGRAMME

The HCLU is working for everybody to be informed in Hungary about their fundamental human rights and to empower people to enforce these against undue interference or omissions by those in positions of public power.

For everybody to be informed about and be able to enforce these rights, we have to reach more people than we can with our own tools and network. Therefore, volunteers play a twofold role in the life of the HCLU: not only do they help our work by offering their professional expertise, their enthusiasm and their free time, but they are the most dedicated "HCLU people" in addition to our

colleagues: they promote our activities, they know and publicly authentically represent us.

Volunteers also help us out at events and festivals. They fill in to perform logistical tasks, subtitle our videos, or move furniture in the cellar, if needed. Others interpret for our guests, proofread, edit, and translate professional materials, and perform complex background research or legal observation tasks. Our goal is to spread information about the organisation's structure, communication, values, and for each volunteer to add to the HCLU's work that special thing they and only can.

OUR COLLEAGUES IN 2022:

Márton Asbóth, Nóra Ilona Aujeszky, M. Eszter Balázs, Flóra Benkő, Panna Bodor, Zoltán Bognár, Ilona Boros, Viktória Brumecz, Eszter Csillag, Beáta Dánielné Tóth, Dalma Dojcsák, Dániel Döbrentey, Anett Dublec, Anna Džunić, Borbála Fernezelyi, Anna Gesztesi, Szabolcs Hegyi, Barbara Jakkel, Eszter Jovánovics, Dóra Kapots, Stefánia Kapronczay, Júlia Kaputa, Tamás Kardos, Anna Kertész, Kristóf Környei, Zsuzsanna Kunos, Réka Dóra Lebedi, Erna Landgraf, Anna Márffy, Attila Mráz, Petra Júlia Nagy, Zsófia Nagyné Gere, Dóra Oprics, Balázs Pivarnyik, Ágoston Pallos, Emese Pásztor, Ádám Rempert, Anna Rubi, Gabriella Spányikné Harmat, Attila Szabó, Máté Szabó, Ádám Takács, Kata Tasnádi, Joli Tóth, Réka Várkonyi, Réka Velényi, Beatrix Vissy, Judit Zeller, Katalin Zsille, Virág Zsugyó



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Kati Igaz, Júlia Király, Márta Nagy

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