



Hungarian Helsinki Committee

DETERMINED TO MAKE A DIFFERENCE

THE HUNGARIAN HELSINKI COMMITTEE IN 2017

RESISTING ILL DEMOCRACIES IN EUROPE

Understanding the playbook of illiberal governments to better resist them:
A case-study of Croatia, Hungary, Poland and Serbia.



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INTRODUCTION

“The Hungarian Helsinki Committee has a fundamental role in securing the accountability of the state and also in providing immediate assistance to victims. At the same time, they are an indispensable source of information for their partners and international organisations.”

Nils Muižnieks,

Council of Europe Commissioner for Human Rights

a. Our work and methodology

As a leading Hungarian non-governmental human rights organisation with a globally recognized reputation, we work towards a world in which everyone receives protection against human rights abuses. We focus our efforts:

1. To defend the rule of law and a strong civil society in a shrinking democratic space;
2. To defend the right to asylum against inhuman government policies and increasing xenophobia;
3. To defend the rights of detainees and fairness in the criminal justice system.

Most issues we work on are not addressed by any other similar organisation in Hungary making the HHC's activities indispensable for a well-functioning democratic society. To achieve our goals, we apply a variety of methods that interact with, and mutually support each other:

Methods:

1. Free legal counselling
2. Strategic litigation
3. Human rights monitoring and research
4. Legislative advocacy
5. International advocacy

6. Awareness-raising and media work
7. International cooperation
8. Training and capacity-building

Through all these methods, we strive to achieve sustainable and systemic policy change. The HHC operates in Hungary, but many of our activities are implemented in larger regional or pan-European initiatives. Our training activities have an increasingly global scope.

b. Major international recognition of our work

Results in brief: Awarded with the prestigious Calouste Gulbenkian Prize and shortlisted for the Václav Havel Human Rights Prize of the Council of Europe, our work received unprecedented and outstanding international recognition in 2017.

In July, the HHC was awarded one of the world's most prestigious privately founded human rights prizes, the [Calouste Gulbenkian Prize](#), accompanied by EUR 50 000. The Jury recognized the HHC for its “unique and exemplary” work in support of asylum-seekers, refugees and stateless persons in Hungary. The HHC, according to the Prize jury, has served as the “voice of refugees”, as well as the “loudest critical voice against the illegal and inhuman policies” put into practice in Hungary. The Jury particularly praised the HHC for assisting refugees, detainees, and victims of police violence “in a profoundly adverse panorama”, as well as for representing an “incentive for resistance by the civil society of that country”. Márta Pardavi, co-chair of the HHC, accepted the prize at an official ceremony in Lisbon, in the presence of the current and two former presidents of Portugal. In October, the Embassy of Portugal in Budapest offered a [lunch in honour of the HHC](#). The HHC was also among the three finalists for the prestigious



2017 [Václav Havel Human Rights Prize](#) of the Council of Europe. The Parliamentary Assembly of the Council of Europe in Strasbourg handed over a diploma honouring our outstanding work “on access to justice and the rights of asylum-seekers and refugees” to Dávid Vig, director of the HHC Law Enforcement Programme.



The Hungarian Bar Association and the Public Interest Law Initiative awarded HHC attorney Tímea Kovács with the [public interest lawyer of the year](#) prize in 2017. The award committee emphasized that attorney Kovács “has long been an outstanding public interest law champion”, who “has bravely stood up for her values, for the public interest, and for the protection of basic human rights”.



I. WE DEFEND THE RULE OF LAW AND A STRONG CIVIL SOCIETY IN A SHRINKING DEMOCRATIC SPACE

1. We are a role model for other courageous NGOs

Results in brief: We successfully advocated internationally against the Lex NGO 2017, contributing to triggering actions such as the [infringement procedure](#) launched by the European Commission, and remained a leading voice among the NGOs opposing the Lex NGO and the further democratic backsliding of Hungary. The HHC strived to tackle the adoption of the Lex NGO from the outset through various means, and continued to criticize it after the law was adopted both domestically and internationally.

WE INFORMED THE INTERNATIONAL COMMUNITY AND RESISTED STIGMATIZATION

We provided independent information about the stigmatizing NGO law and managed to advocate internationally against it. Our advocacy efforts contributed to the European Commission launching an infringement procedure for the law on foreign-funded NGOs in November 2017, and on 7 December 2017 [referred](#) Hungary to the Court of Justice of the EU. The opinion of the Venice Commission and several international stakeholders also mirrored the concerns raised by the HHC. The HHC, together with other NGOs, prepared a range of background materials and analysis (such as a [short analysis](#) of the Bill and an analysis on the most important [legal concerns of the adopted Lex NGO 2017](#), an [analysis](#) of the Bill in light of EU rules on anti-money laundering and terrorist financing and free movement of capital, a [timeline of governmental attacks on NGOs in Hungary](#) along with translating both the Bill and the [adopted law](#) into English. We demonstrated that the Lex NGO infringes human rights standards and hampers the core functions of NGOs, and provided up-to-date, reliable and accessible information to the international community on

a continuous basis about the Lex NGO and the situation of Hungarian civil society organisations.

By proactively increasing our [presence in the media](#), seizing opportunities for public [appearances](#) and distributing our analyses we built up our reputation as a leading NGO on the situation in Hungary and on the shrinking civic space. In close cooperation with the Hungarian Civil Liberties Union (HCLU), we engaged in wide-ranging international advocacy activities that contributed to challenging the Lex NGO 2017, such as the following:

- approaching a variety of international stakeholders and raising their attention to the concerns emerging in relation to the Bill, and successfully asking them to publicly oppose the Bill, issue an opinion if appropriate, etc.;
- meeting with the representatives of the Venice Commission in the course of the preparation of their [opinion](#) on the Lex NGO;
- a [joint statement](#) issued, calling upon the European Commission to activate its framework on the rule of law with regard to Hungary, and the European Parliament to follow up on its resolution on the situation in Hungary with a view to triggering Article 7(1) of the TEU as expeditiously as possible;
- a [joint letter](#) to EC Vice-President Frans Timmermans, urging the European Commission to act to protect NGOs and the rule of law in Hungary;
- an [intervention](#) by the HHC's co-chair at the hearing on the situation in Hungary on 7 December 2017 in the EP Committee on Civil Liberties, Justice and Home Affairs.

We showed solidarity and stood up against the Lex NGO and the stigmatisation of NGOs at the European Court of Human Rights. In August 2017, joined by other NGOs, we submitted a [third-party intervention](#) to the European Court of Human

Rights (ECtHR) in the case [ECODEFENCE and others v. Russia](#). We argued that the Russian "Foreign Agents Act" in the focus of that case is strikingly similar to the Hungarian Lex NGO, and claiming that the Russian "Foreign Agents Act" shall be evaluated in the context of democratic backsliding and its spread all over the world. The relevance of the intervention is that the decision of the ECtHR, in this case, would be a clear message, which could strengthen civil society in Europe, and counter the trends mentioned.

DOMESTIC RESISTANCE AGAINST THE LEX NGO



After the adoption of the Lex NGO, we announced that we [would not comply](#) with the registration requirement, that we resist stigmatization.

We took a significant flagship role in forming the movement of NGOs opposing the law with several affected NGOs who declared they would not register as an "organization receiving foreign funding" either. Throughout 2017, we took an active role in the NGO campaign *Civilizáció* that was launched in January 2017 against the harassment of independent civil society organisations and the Lex NGO.

In August 2017 the HHC, together with the HCLU took a leading role, in preparing a constitutional complaint that was submitted to the Constitutional Court by 23 NGOs, requesting the annulment of the Lex NGO due to violating the right to freedom of association, the right to freedom of expression, and the right to a good reputation. We supported other NGOs filing their own complaints by preparing a sample constitutional complaint along with an FAQ aimed at helping other Hungarian NGOs.

CHALLENGING GOVERNMENTAL RHETORIC AND PROTECTING "EVERYDAY HEROES" WHO ARE SILENCED BY THE STATE

Using litigation we showed that governmental rhetoric violates Hungarian law and that it can be challenged successfully in the domestic court system.

- In April 2017, several media outlets published that the HHC refused to provide public interest data pertaining to the organization upon a freedom of information request submitted by a journalist. Since the statement was false and violated the HHC's good reputation, we requested two websites who published the news to issue a statement of remedy with the truth. Since the websites refused to comply with our request, we turned to the court. In November 2017 the final court ruling was in the HHC's favour.
- In October 2017, after the launch of the national consultation about the "Soros plan", stigmatizing the HHC and Amnesty International, the HHC [filed a lawsuit against the government](#). We claimed that the national consultation questionnaire (sent to every household in Hungary) violated the HHC's right to good reputation. In December, we reached a [partial success](#) in the lawsuit: the court ordered to suspend the dissemination of the statement referring to the HHC, until a substantive decision is made in the case. ([The HHC won the lawsuit in May 2018](#), and the Cabinet office had to apologize from the organization)
- We also launched actions for media remedy in several cases. Among others, we sued the public media, magyaridok.hu, pestisracok.hu and origo.hu. We won most of these cases; the court ordered the service providers to publish corrective statements. Some of the cases are still pending. In December 2017, we launched an important strategic case against the Hungarian National News Agency (NNA/MTI) which also published a press release of the ruling party containing false and defamatory facts about the HHC.



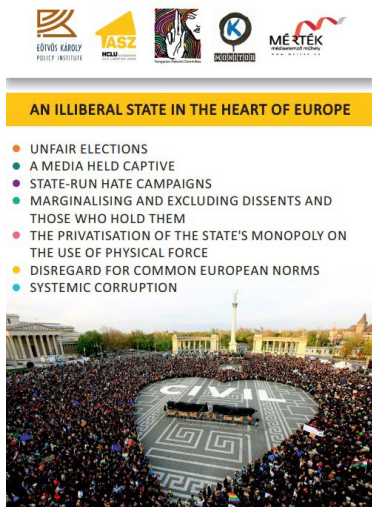
We continued to stand up against state injustice – with regard to the anti-NGO campaign on the one hand and by protecting others who challenge the illiberal state on the other. We provided legal assistance in several strategic cases and we demonstrated that it is possible to courageously stand up and hold the state to account for its unlawful and oppressive actions.

- The HHC represented a 19-year old student who participated in a spontaneous demonstration against a judicial decision convicting two activists who stood up against the Lex CEU. After leaving the demonstration, our client was followed by undercover police officers, was ID-checked in the middle of the night, and a procedure was launched against him for "unlawful organization of a protest". We argued that the student had not committed any offence and consequently the procedure was terminated in September 2017.
- Boglárka Szert was unlawfully dismissed from a foundation after she objected that the director prohibited all employees to publicly express opinions that were not in line with those of the government. With HHC's legal representation, she sued the foundation for discrimination. The case received widespread media coverage.
- In June 2017, the local government closed the Auróra community centre, a base to several government-critical NGOs (e.g. Budapest Pride, the Roma Press Centre). The HHC helped the Auróra community centre to step up against the arbitrary decision and challenged it at the court. In August 2017, the authorities and courts decided [in favour of Auróra](#), so the centre could re-open and continue to operate.
- We successfully represented two activists who were banned from demonstrating in front of Várkert Bazár in Budapest, where Prime Minister Viktor Orbán held his annual speech in 2015. After two and a half years of litigation in September 2017, the court established that the police violated the HHC's clients' rights when it impeded their demonstration and shall compensate HHC's client.

2. We stand up in defending democratic checks and balances

Results in brief: We successfully raised the attention of the general public and stakeholders at home and abroad to the fact that the Hungarian government continues to weaken democratic checks and balances, and remained a major source of information and an objective and reliable reference point for international organizations when assessing the human rights situation in Hungary.

In 2017, we continued to raise the attention of the general public and stakeholders at home and abroad to the fact that the government continues to weaken democratic checks and balances, and we continued to offer a perspective on how an actual, consolidated illiberal democracy operates. As part of these efforts, we, together with our partners published an analysis titled "[An Illiberal State in the Heart of Europe](#)", showing that even though Hungary remains part of the European Union, its actions contradict the fundamental principles of the EU. It is characterized by unfair elections, a media held captive, state-run hate campaigns, marginalising and excluding dissents, the privatisation of the state's monopoly, and systemic corruption. We presented the analysis in Washington D.C. and discussed it with senior stakeholders. 12 other Hungarian NGOs also endorsed the analysis.



Realizing the threats behind the spread of the illiberal concept in Europe we fostered stronger cooperation and joint advocacy efforts with our partners in Poland, Croatia, and Serbia. We successfully worked to become a resource organization in Europe on how illiberal states operate within the EU and a leading voice in challenging the concept of the illiberal state itself. We worked closely with the Helsinki Foundation of Human Rights in Poland, the Human Rights House in Croatia and in Serbia and [produced a guidebook](#) that analyses the playbook of illiberal governments and collects best practices on how to resist them. We presented the report in Warsaw and Brussels and successfully generated [significant media attention](#) for the guidebook.

We also remained a major source of information and an objective and reliable reference point for international organizations when assessing the human rights situation of Hungary. HHC staff members attended over 50 international advocacy events and meetings in 2017, including the following:

- a [hearing](#) in the European Parliament's LIBE Committee on 27 February, where the HHC's co-chair was one of the NGO panellists before MEPs discussed the fundamental rights situation in Hungary;
- a meeting with various representatives of the Parliamentary Assembly of the Council of Europe (PACE) on 22 March, including the PACE rapporteur on "Implementation of judgments of the European Court of Human Rights", discussing the major problems concerning implementation of European Court of Human Rights judgments against Hungary;
- a meeting with MP Duarte Marques, rapporteur of the PACE on migration on 15 May;
- a meeting on 6 June in Geneva with the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association on NGO issues worldwide;
- participation and statement at the OSCE Human Dimension Implementation Meeting on 10-11 September;
- meeting with the Secretary-General and the representatives of the Committee on Legal Affairs and Human Rights of CoE PACE on 7 October; and
- regular briefings for representatives of various embassies in Budapest on the situation of civil society and human rights.

3. We are one of the strongest public voices of civil society in Hungary

Results in brief: Both our online and offline visibility increased in 2017. We remained one of the strongest Hungarian NGO voices in the media, with over 750 registered appearances during the year. From 2016 to 2017, the visits to our website grew by 50%, the number of our Facebook followers by 25% and our offline outreach through events by 50%.

All of our social media channels showed significant growth in 2017.

- Our English language [Twitter account](#) doubled its followers in 2017 and remained a crucial communications channel to the international media, professional partners and other stakeholders.
- Our [Hungarian Facebook page](#) gathered 5000 new followers and is currently liked by over 24 000 individuals. Helsinki's [blog](#) (also in Hungarian) had close to 200 entries and over 360 000 visitors throughout the year. It featured our new Human Rights Calendar that depicts important developments and individuals related to particular days of history and celebrations.

Outside of social media, we also managed to increase our online outreach:

- Our [website](#) had over 323 000 visits, and the number of our newsletter recipients increased by 10% in 2017.

Since the turbulent year of 2015, our work has met increasing media attention. This trend continued in 2017

- We appeared on Hungarian media over 500 times.
- We were featured close to 200 times in the international media (on asylum and migration and other issues, mainly related to the rule of law), including news outlets, such as the EUObserver, Politico, BBC, the Guardian, Euronews, Aljazeera, Washington Post, Le Monde, France24, Libération, La Repubblica, Reuters, etc.

We completed our online constituency-building and awareness-raising work with direct and personal engagement with existing and potential supporters, donors, professional partners, and the general public. In 2017, more than 3 400 people participated in these events. The events in question included, among others:

- Panel discussions at cultural or human rights events, festivals or film screenings;
- Presentations about the human rights or asylum situation in Hungary at conferences or meetings;
- Consultation sessions with students or inhabitants of a particular region; and
- Speeches at public demonstrations.





II. WE DEFEND THE RIGHT TO ASYLUM AGAINST INHUMAN GOVERNMENT POLICIES AND INCREASING XENOPHOBIA

4. We are the only organisation that provides legal assistance to asylum-seekers, refugees and stateless persons in Hungary

Results in brief: We provided free-of-charge legal assistance to as many as **1 679** asylum-seekers and other forced migrants in 2017, remaining the only organization offering such crucial help in Hungary. **234** HHC-represented clients received international protection in 2017, despite a massively hostile political and legal context. Our clients had much higher statistical chance (50%) to be granted protection than the average (30%). **77%** of our asylum appeals were successful at court.



After two decades, the HHC is still the only independent provider of free-of-charge, professional legal assistance to foreigners in need of international protection in Hungary, and the only implementing partner of the UN Refugee Agency (UNHCR) in this respect. Without the HHC's dedicated services, in lack of a functioning state-funded legal aid scheme, applicants for refugee status, stateless status or family reunification, as well as irregular migrants in detention would be left without adequate legal guidance or support.

In 2017 both the asylum authority and the police terminated their cooperation agreement with HHC that had been in place

since 1998 and 2002 respectively. Despite growing challenges, the HHC continued to maintain a presence at most venues where asylum-seekers and foreigners were being detained under return proceedings, including immigration and asylum jails, and the two land-border transit zones (where, since March 2017, the vast majority of asylum-seekers are held). The HHC Refugee Programme continued to assist a particularly high number of forced migrants in 2017:

The total number of cases of persons assisted by the HHC Refugee Programme in 2017: 1 679

...among who assisted in an asylum procedure: **1 362**

...among who assisted in an expulsion/alien policing procedure: **237**

...among who assisted in family reunification: **80**

Most of our asylum-seeker and refugee clients came from war- and terror-torn countries (63% came from Afghanistan, Iraq, Syria and Somalia). Considering that, since March 2017, nearly all asylum-seekers are arbitrarily detained in often inhuman conditions in the transit zones of Röszke and Tompa, we decided to dedicate multiplied resources to these venues and we aimed to provide as many asylum-seekers with legal representation as possible. Our objective was to challenge unlawful and inhuman government policies through "mass litigation", as well as to collect a wide range of first-hand information about conditions at these crucial sites.

Our legal assistance continued to have a crucial impact on the quality and the outcome of the asylum procedure. 234 HHC-represented clients received international protection in the administrative asylum procedure in 2017. The "recognition rate" of HHC clients (50%) was much higher than the average (30% in 2017) – meaning that HHC-supported refugees had better possibilities to find protection in the faulty asylum system than refugees not benefiting from our legal services.

The HHC's strategic litigation efforts also continued to be particularly impactful in the field of asylum. As many as 77% of the HHC-represented asylum appeals that were decided upon in 2017 were successful. In addition, due to the HHC's intervention, two Hungarian judges decided to request the EU Court of Justice to clarify whether certain problematic aspects of Hungarian law are compatible or not with EU norms:

- The first case (June 2017) relates to exclusion from subsidiary protection, which, under Hungarian law, is mandatory if the asylum-seeker committed a crime punishable with over 5 years of imprisonment under Hungarian penal rules. We believe that this domestic legal interpretation is more restrictive than the parallel EU norm (and thus unlawful), as the latter only allows for exclusion if the applicant committed a serious non-political crime. The case is still pending, but several Western EU Member States, as well as the European Commission, have already intervened in the case, in support of the HHC's legal arguments.



- The second case (September 2017) concerns the effectiveness of legal remedy in asylum appeals. Since 2015, judges can no longer grant refugee status, they can only quash unlawful decisions on asylum claims and refer them back to the administrative authority for reconsideration. While HHC appeals are massively successful in such cases (see above), the asylum authority frequently disregards judicial guidance in re-opened cases and continues to make similar, and equally unlawful decisions for the second or even third time. Deprived of all means to effectively defend the rule of law in this scenario, a Hungarian judge – inspired by the HHC attorney’s arguments – turned for mandatory guidance to the EU Court of Justice (using the case of a Russian asylum-seeker whose claim had been rejected three times already despite the court clearly ruling that he should be recognized as a refugee).



5. We challenge the massive arbitrary detention of asylum-seekers

Results in brief: As a major strategic litigation success, we won the landmark case of [Ilias and Ahmed v. Hungary](#), in which the European Court of Human Rights ruled – for the first time – that confinement in transit zones in Hungary amounts to unlawful detention. By obtaining interim measures from the ECtHR, we saved several asylum-seeking children from being deported to and detained in the transit zones, in inadequate conditions. In lack of effective domestic remedies, we currently represent dozens of asylum-seekers before the ECtHR to find redress against arbitrary detention.

On 14 March 2017, the ECtHR issued a long-awaited judgement in the HHC-represented [Ilias and Ahmed v. Hungary case](#).

As a major strategic litigation success, the Court confirmed our position that confinement in the transit zones in Hungary amounts to unlawful detention – a fact constantly denied by the Hungarian government. The judgment established the violation of Article 5 (1) of the ECHR with regard to the unlawfulness of detention; a violation of Article 5 (4) due to the lack of possibilities to challenge the lawfulness of the detention; a violation of Article 13 in conjunction with Article 3 due to the lack of effective remedy to complain about the conditions of detention in the transit zone; and a violation of Article 3 of the ECHR in respect of the applicants’ return to Serbia because of the exposure to the risk of chain-refoulement, and thus to torture or inhuman or degrading treatment. The government’s appeal against the judgement is currently pending at the Grand Chamber of the ECtHR.

The [amendments](#) to the Asylum Act in March 2017 envisaged the [automatic transfer of all asylum-seekers staying in Hungary to the transit zones](#), without any individual assessment, formal administrative decision or appeal possibility. We successfully halted the deportation from open centres to the transit zones – and thus to arbitrary detention – of 9 vulnerable asylum-seekers (8 unaccompanied children and one pregnant woman) by obtaining 2 interim measures from the ECtHR. We obtained [7 other ECtHR interim measures](#) concerning 6 families with small children and one unaccompanied minor from Afghanistan who were all detained in the transit zones. The ECtHR requested the Hungarian government to immediately place the applicants in conditions that are in compliance with the prohibition of torture and inhuman or degrading treatment.

We currently represent numerous other asylum-seekers before the ECtHR to seek redress against detention-related human rights violations, including:

- 2 unaccompanied minor asylum-seekers who were detained despite the clear legal ban on detaining unaccompanied children;
- 7 adults who were unlawfully detained in immigration or asylum jails;
- 1 irregular migrant who was ill-treated in immigration detention.

These large-scale strategic litigation efforts (in lack of any effective domestic remedy) aim at shedding light on the systemic arbitrary detention of asylum-seekers in Hungary and the lack of effective judicial oversight in this respect, as well as to push other international actors – the European Union in particular – to take action.

6. We step up for special safeguards for particularly vulnerable refugees

Results in brief: In 2017, we assisted 269 unaccompanied minors and 78 torture survivors in their asylum procedures. We published reports on the treatment of asylum-seeking children in Hungary and the gaps in legal safeguards for torture victims and traumatized asylum-seekers in the Eastern EU Member States. Due to our efforts, a Hungarian judge turned for mandatory guidance to the EU Court of Justice to clarify whether or not psychological testing of sexual-emotional orientation is admissible in asylum procedures.

WE DEFEND THE RIGHTS OF ASYLUM-SEEKING CHILDREN SEPARATED FROM THEIR FAMILIES

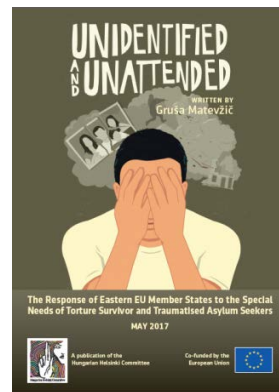
In 2017, we provided legal assistance to 269 unaccompanied minors accommodated at the Károlyi István Children's Home in Fót or detained at the transit zone in Röszke. In the transit zone, we worked to speed up the asylum procedure to minimize the length of arbitrary detention of unaccompanied minors. We addressed the arbitrary detention of minor asylum-seekers through strategic litigation before the ECtHR in several cases (see Chapter 5). In our work with unaccompanied minors, we closely cooperated with governmental, non-governmental and international partners, such as the Cordelia Foundation, the SOS Children's Villages Hungary, the Menedék Association, the UNHCR, the Children's Home in Fót and child protection guardians, to ensure that these particularly vulnerable children receive the best assistance with a multidisciplinary approach. We organized monthly roundtable discussions for all these actors, which remained the only professional forum where they can exchange information. The forum provides a model and substitution for a formal best interest determination procedure which is currently lacking from Hungarian asylum legislation.

Best Interest Out of Sight
- The Treatment of Asylum Seeking
Children in Hungary • 2017



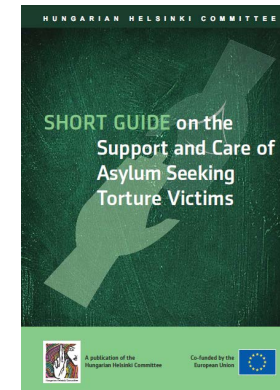
children, including those who are unaccompanied, live their everyday lives.

WE SUPPORT REFUGEES WITH HEALTH-RELATED VULNERABILITIES



EU-law transposition gaps, as well as identified good practices in the region, and made concrete recommendations for legal and policy reforms. This information will, among others, provide precious help for the European Commission in its efforts to monitor the proper transposition of EU law. In the same project, we also published the world's first ever [practical interdisciplinary guide](#) on how to assist torture survivor and traumatized asylum-seekers. The document, published in English, Hungarian, Croatian, Bulgarian and Greek offers hands-on advice to legal counsellors, psychologists, social workers and interpreters on how to work with this particularly vulnerable group.

In May 2017, in cooperation with UNICEF, we published the pioneering report "[Best Interest Out of Sight](#)", the first research piece focusing particularly on the situation of asylum-seeking children in Hungary. From the moment of lodging an asylum application to the early stages of integration, the report explains the legal and institutional context – and the gaps thereof – in which asylum-seeking



interim measures concerning two seriously traumatized asylum-seekers, ordering Hungary to suspend the return of the asylum-seekers to Bulgaria, where they had suffered ill-treatment. In [one of the cases](#), the government did not respect the granted interim measure and deported the applicant to Bulgaria.

Following the riot of 16 September 2015 at the Röszke border crossing point, ten migrants were charged with various criminal offences. Our attorneys represented three particularly vulnerable, disabled Syrian asylum-seekers who were charged with illegally crossing the border fence as participants of a riot. Of the three, one is partly paralyzed and uses a wheelchair, the second one is an elderly woman who is almost blind and has a very serious diabetic condition, while the third is an elderly man who can only walk with crutches. All of them spent 9 months under house arrest in the immigration jail in Kiskunhalas in inhuman conditions. Despite all efforts, our clients were convicted in 2016 to one year suspended imprisonment with 2-4 years of expulsion and a re-entry ban for the two men. After an unsuccessful appeal, we challenged the second-instance judgment before the Supreme Court (Kúria). We also submitted an application to the ECtHR arguing that the house arrest of the vulnerable asylum-seekers was executed, in practice, as pre-trial detention in a police jail, thereby violating their right to liberty and to private life.

We also submitted an application to the ECtHR in the case of a family with small children who were suffering in inhuman and degrading conditions in 2016, while awaiting admission to the transit zone.

WE ADVOCATE FOR PROPER TREATMENT OF REFUGEES WITH GENDER-RELATED VULNERABILITIES

We have been, for years, challenging the Hungarian practice of “testing” asylum-seekers’ sexual orientation (where this is the ground for seeking protection) through psychological tests carried out by an “expert psychologist”. The scientific validity of the methods applied is highly questionable, and they are based on the homophobic and unscientific concept of homo- or bisexual orientation being a psychological disorder, co-morbid with other characteristics such as narcissism. In an HHC-represented case, as a result of our intervention, a Hungarian judge submitted a request for preliminary reference to the EU Court of Justice, to clarify whether such methods are in line with relevant EU law. The [Advocate General’s Opinion](#) (published in October 2017), as well as the intervention of France and the Netherlands, supported the HHC’s arguments (The EU Court of Justice ruled in our favour in early 2018).

7. We help refugees to be reunited with their loved ones

Results in brief: With our help, 11 refugee families could be reunited in Hungary in 2017 (meaning the safe arrival of 30 family members). Thanks to our strategic litigation efforts, Hungarian jurisprudence started to gradually address unlawful policies - such as the non-acceptance of religious marriage or unduly restrictive approaches regarding evidence assessment - that prevent refugees from bringing their loved ones from danger to safety in Hungary.

In 2017, we helped with legal counselling and/or representation 80 beneficiaries of international protection to be reunited with their families, stranded either in the country of origin or in – usually unsafe – countries of temporary refuge. With our assistance, 11 refugees could bring their families to Hungary in 2017, meaning a chance to start a new life in safety for altogether 30 family members (in majority women and children).



We were engaged in strategic litigation before Hungarian courts regarding family reunification cases of refugees in order to address systemic gaps in law and practice that prevent refugees from lawfully reuniting with their beloved ones:

- In 2017, we made significant progress in challenging the immigration authority’s frequent practice of unduly questioning the validity of documents submitted to prove the existence of a family tie, and – on these grounds – automatically rejecting the family reunification claim, without allowing for any further possibility to substantiate the family link. In the case of a Bangladeshi refugee’s four children and wife, the first-instance court not only decided – adopting our legal arguments – that the automatic rejection of the family reunification claim was unlawful but also declared unlawful that the authority failed to take the children’s best interest into consideration. In another HHC-assisted case, an Iraqi refugee was given a new chance to prove with our help his family ties with his wife and two children. We also represented two similar cases before the Supreme Court (Kúria).

- We successfully litigated the case of a Syrian refugee who wanted to be reunited with his wife stranded in Aleppo. The immigration authority rejected the wife's application, arguing that their religious marriage did not qualify them for family reunification. The first-instance court, however, agreed with our legal arguments and ruled that based on the case law of the ECtHR, religious marriage also provides the right to family life.
- To be eligible for family reunification, Hungarian law requires the siblings of refugees to prove that they cannot provide for themselves due to health reasons. This is in breach of the EU family reunification directive, which only requires siblings to be dependent on the refugee sponsor, without having to prove any health issues. In 2017, we strived to address this long-standing problem by requesting a Hungarian judge to submit a request for preliminary reference to the EU Court of Justice, in order to declare this legal discrepancy in breach of EU law.



8. We publicly and continuously denounce human rights violations against forced migrants in

Results in brief: As the only source of first-hand public information on asylum in Hungary, we published 30 information updates and 12 statistical summaries, which were downloaded more than 15 000 times in 2017.



Our asylum-related advocacy efforts focused on two key issues in 2017: [the deteriorating conditions of asylum-seekers in Hungary](#), and the violence perpetrated against irregular migrants at the Hungarian-Serbian border.

We remained an indispensable source of information for the domestic and international media, as well as other international stakeholders, including the EU and its Member States, and partner NGOs. We continued to publish brief information updates (a total of 30) and statistical updates (a total of 12) in [English](#) and in [Hungarian](#). These publications proved not only popular – with more than 15 000 downloads in 2017 – but also particularly useful for joint advocacy efforts. Many of our findings are echoed by and referred to in numerous reports – such as [as the report](#) by the Special Representative of the Secretary General of the Council of Europe on migration and refugees – and in statements, such as [the UNHCR press release](#) on halting Dublin transfers to Hungary. They are also echoed in the [answer](#) by Commissioner Avramopoulos to an MEP's question stating that placement in the transit zone is, in fact, detention.

Once again, we were the [first to warn](#) the international public about the drastic consequences of the legal and policy changes in March 2017. Since then, key actors joined our [criticism](#), such as other [human rights NGOs](#), [UNHCR](#), [UNICEF](#), the Council of Europe's [Human Rights Commissioner](#) or the [Lanzarote Committee](#). As a major HHC advocacy success, on 17 May, the European Parliament adopted [a resolution](#) on the situation in Hungary that, among others, called for the repeal of these legal changes. In a similarly robust success, by the end of 2017, the European Commission decided to move forward on the infringement procedures initiated against Hungary [concerning its asylum law](#) and [for non-compliance with the EU relocation scheme](#).

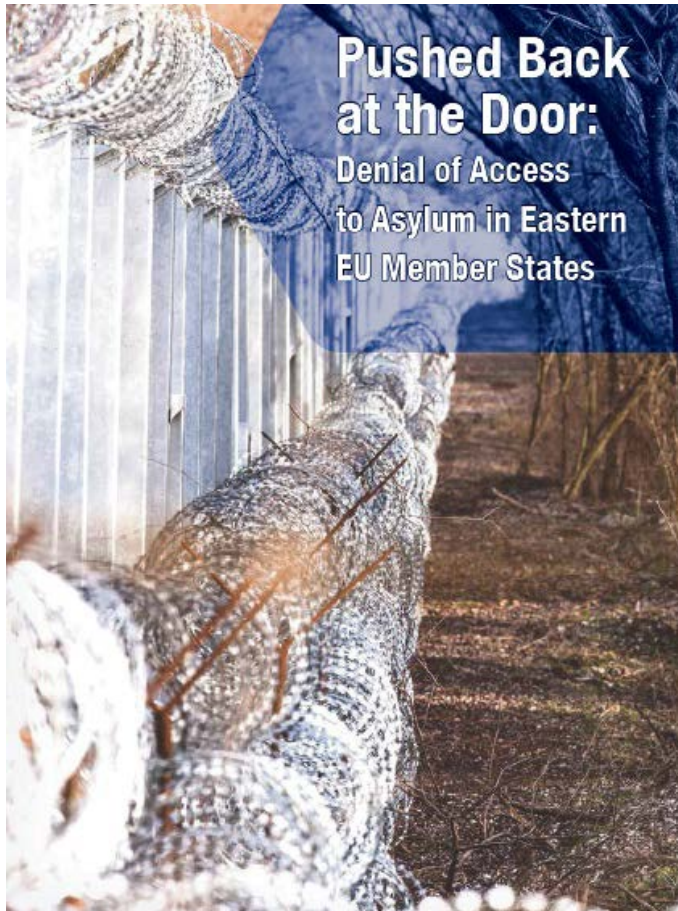
Our report, published jointly with regional partners, ["Pushed Back at the Door"](#) summarizes the experiences of violent push-backs, a worryingly common practice on the Serbian-Hungarian border since 2015. We also began regular monitoring visits to Serbia in 2017 in order to document push-back cases and violence. As a result, we currently represent over a dozen victims before the Hungarian authorities (concerning their ill-treatment) and the ECtHR (concerning their collective expulsion from Hungary in breach of Article 4 of Protocol 4 of the ECHR). Through these visits, we accumulated unique knowledge of the situation of asylum-seekers stranded in Serbia that resulted in our invitation to numerous international meetings focusing on ensuring respect for fundamental rights in border management activities. To ensure a wide outreach, we organized press conferences to launch some of our key publications in 2017, namely:

- ["Pushed Back at the Door"](#) in Prague on 25 January, with 15 international journalists present;
- ["The Future of Refugee Protection in Hungary"](#) in Budapest on 3 February, with 15 Hungarian journalists;
- ["Best Interest Out of Sight"](#), in Budapest on 17 May, with 12 Hungarian and foreign journalists.

The HHC undoubtedly remained the "Hungarian public voice of refugee rights" in 2017, both in domestic and international media. We were featured in asylum-related coverage in the leading Hungarian media outlets on 194 occasions, including

on national commercial TV channels' news programmes and discussions, some of the most popular online news portals, as well as in the few remaining independent dailies and weeklies, and government-critical radio channels. We appeared at least 86 times on international media in relation to asylum and migration, including in globally relevant news agencies and content providers.

Throughout 2017, we were invited to speak at almost 50 public lectures that attracted more than 1 700 participants, some outside Hungary, on the situation of asylum-seekers and refugees.



9. We are a globally reputed promoter of inclusive and innovative training in the field of forced migration

Results in brief: In 2017, the HHC Refugee Programme's staff trained over 760 asylum and migration professionals, in 5 languages from over 50 countries. We continued to bring sustainable refugee law education to Latin America and the Maghreb. We remained a global promoter of the rights of the stateless through training, as well as probably the only refugee-assisting European NGO whose innovative training services are often requested by state and judicial authorities.

In the past ten years, the HHC has reached a global reputation as an expert organization in training in the field of asylum and forced migration. We are recognized not only for our globally relevant leading expertise on particular issues (such as credibility assessment and multidisciplinary assessment in asylum procedures, strategic litigation on detention and access to territory, or nationality and statelessness), but also for our inclusive and innovative approach to teaching. In 2017, we remained probably the only refugee-assisting NGO in Europe, whose training services are regularly requested by state and judicial authorities. Throughout the year, we provided professional training to over 760 asylum and migration professionals, who came from over 50 countries. These training events included specialized and advanced-level training for state officers, judges, and lawyers, capacity-building sessions for partner NGOs, sensitization and awareness-raising activities with students, as well as longer, in-depth training courses for university professors and practitioners.

In 2017, we continued our successful [Refugee Law Reader](#) initiative in cooperation with the UNHCR Global Learning Centre. In this framework, we held a pioneering one-week training course in Algiers in April 2017, for over 40 law professors, judges, and prosecutors from Algeria, Morocco, Tunisia, and Mauritania. Following up on our particularly impactful capacity-building initiative in Latin America, in November 2017 we co-organized and led the 4th regional



academic course on refugee law in Bogotá, Colombia, with over 25 professors from around the continent. These courses and network-building initiatives bring sustainable refugee law education to regions where it is most needed, as well as strengthen the HHC's global reputation and outreach as a credible promoter of international protection. Besides English and Hungarian, the HHC also carried out training in French, Italian and Spanish. The HHC's 2013 ground-breaking publication "[Credibility Assessment in Asylum Procedures: A Multidisciplinary Training Manual](#)", reportedly used from Japan through Kenya to Latin America, was translated and published in 2017 in [Serbian](#) and [Brazilian Portuguese](#), testifying of a unique global outreach.



III. WE DEFEND THE RIGHTS OF DETAINEES AND FAIRNESS IN THE CRIMINAL JUSTICE SYSTEM

10. We advocate for everyone's right to a fair trial and equality before the law

Results in brief: We successfully promoted the use of plain language in criminal procedures across Europe; enhanced suspects' access to effective legal assistance by revealing practical deficiencies and training attorneys; and contributed to a better realization of suspects' right of accessing case materials in criminal procedures. The HHC remained the leading NGO in Hungary in terms of advocating for the enforcement of the procedural rights of defendants and for the adequate implementation of the related EU directives.

WE ENHANCE THE ACCESSIBILITY OF INFORMATION PROVIDED TO DEFENDANTS

Knowing one's rights is fundamental to a fair trial. We know from our practice that information provided to criminal suspects or petty offenders about their rights is often not comprehensive and not understandable. Information materials are written in a highly technical legal language, and are incomprehensible, which – combined with the legal aid system's deficiencies in Hungary – makes it close to impossible for indigent defendants in criminal and petty offence procedures to understand and exercise their rights.

To back our concerns with evidence, we developed a [unique methodology to test](#) the comprehensiveness of "Letters of Rights" and conducted [researches](#) in Hungary and in five other EU Member States. The research revealed that despite the requirements of EU law, the clarity and accessibility of the information provided to defendants about their rights is still very low in Hungary and across the EU. We successfully



promoted the use of plain language across Europe by developing and disseminating the methodology and criteria by which compliance with the requirement for "simple and accessible" language for a Letter of Rights can be assessed and achieved. We became a member of Clarity, an international network promoting the use of accessible legal language in order to build our reputation as an expert organization in this field in Europe. By rephrasing the Letter of Rights currently applied in Hungary we made information about procedural rights available to thousands of defendants in a clear and accessible manner.

Petty offenders may be detained unnecessarily and unjustifiably when not receiving accessible information. If, however, they are informed in a simple and comprehensive manner they can have their fine substituted with community work instead of confinement. We developed and disseminated 200 000 [accessible leaflets to petty offenders](#) on community work thus contributing to the more frequent application of sanctions not entailing the deprivation of liberty of the offenders. We advocated successfully at state institutions to use the leaflet and disseminate it to the clients.

WE ENHANCE ACCESS TO EFFECTIVE LEGAL ASSISTANCE IN THE EARLY STAGES OF CRIMINAL PROCEDURE

Access to effective legal assistance is crucial in the early stages of the criminal procedure. In 2017, we contributed to the enforcement of this right by creating evidence-based recommendations to improve the situation. We gathered first-hand information through case file reviews, focus group discussions, surveys and interviews with defence lawyers, police officers and interpreters. Throughout this work, we successfully maintained contacts with legal professionals and facilitated professional discourse. In particular, we prepared a gap-filling research on the implementation of Directive 2013/48/EU on access to a lawyer in Hungary and successfully raised the attention of domestic stakeholders to the problems and the desired solutions, but also served as an information source for the EU and a potential basis for further EU actions.



In 2017, we enhanced the capacity of over 25 defence attorneys by holding interactive, practice-oriented trainings on suspects' rights in police custody, and developed a [handbook](#) for future trainers. We also contributed to the practical

realization of the rights of defendants by preparing an easy-to-understand [animation](#) for potential suspects about their rights.

Our decade-long advocacy work paid-off as several of our recommendations were reflected in the new Code of Criminal Procedure, adopted in June 2017. Earlier we researched the deficiencies of the system of appointing ex-officio defence counsels and undertook targeted advocacy work to change the system so that counsels are appointed independently of the police. In the new system, the ex-officio defence counsels will be appointed by the bar associations decreasing the risk of the police's interference. We advocated successfully so that the new Code introduces legal guarantees, such as the requirement that the interrogation shall not start within two hours after the notification of the defence counsel. This provision increases the chance of the counsel being present at the interrogation and reduces the risk of procedural rights violations.

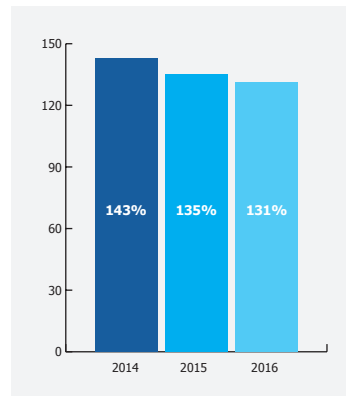
WE CONTRIBUTE TO ADEQUATE ACCESS TO CASE MATERIALS

Restricted access to case files in the investigation phase has been a long-standing problem in Hungary which negatively affects the principle of the equality of arms, a key guarantee of a fair trial, which we have successfully litigated at the European Court of Human Rights in several cases. The implementation of Directive 2012/13/EU in 2014-2015 was a major step in ensuring the right of access to case materials on a legal level, but little was known about the practical results. We designed and concluded another gap-filling research into the issue, triggering professional discourse with key stakeholders and formulating practical recommendations as for how to reform the practice. We submitted our legal opinion on the draft Criminal procedure Bill and the newly adopted Criminal Procedure Code.

11. We protect the right to liberty and we challenge the overuse of incarceration

Results in brief: By 2017, we became the primary independent source of information domestically and globally on Hungarian prison conditions. We successfully challenged prison overcrowding and unjustified pre-trial detention using strategic litigation, and a new complaint mechanism on the conditions of detention was introduced. We continued our advocacy to decriminalize petty offences and we successfully advocated at the Ombudsperson to suggest decriminalization and to uphold the rights of members of vulnerable groups in the procedure.

WE PUSH THE GOVERNMENT TO REDUCE PRISON OVERCROWDING



Our strategic litigation succeeded in a [pilot judgment](#) issued in the Varga and Others v. Hungary case in 2015 (in which three of the applicants were represented by the HHC) at the ECtHR, concluding that prison overcrowding is a structural problem and that Hungary should produce a plan to reduce overcrowding. We [followed up](#) the execution of the judgment closely and advocated for the reduction of the prison population which in fact decreased significantly over the last three years. Consequently, in October 2016 the Hungarian Parliament introduced a domestic complaint and compensation procedure for persons detained in overcrowded cells into the Hungarian law. Despite this success, the solution chosen by the Government remains [far from ideal](#), which we signalled in our opinions in the course of the legislative process. In June 2017, we compiled a detailed [assessment document](#) on how the new remedy and compensation system works in practice and found that while significant progress had been made, there still were

outstanding issues of concern. In August 2017, we submitted a communication to the Council of Europe providing a unique and evidence-based insight into how the new remedy and compensation system works in practice.

WE CHALLENGE THE OVERUSE OF UNJUSTIFIED PRE-TRIAL DETENTION



One of our strategic goals is to decrease unjustified pre-trial detention in Hungary and to ensure that the regulation and practice of ordering pre-trial detention complies with the standards set by

the ECtHR. In 2017, we continued to effectively use strategic litigation and brought several pre-trial detention cases before the ECtHR. The Court repeatedly established the violation of the European Convention on Human Rights.

In 2017, we managed to tackle the issue before the ECtHR by new means: in cooperation with the Brussels-based Human Rights Litigation Foundation, we submitted a third-party intervention to the ECtHR in the possible pilot judgment case [Lakatos v. Hungary](#), using the unique evidence-base that we had created via extensive research into the Hungarian practice. This case points to systemic problems concerning the practice of pre-trial detention in Hungary and pending on the Court's decision, this intervention has the potential to be the next significant step to decreasing unjustified pre-trial detention.

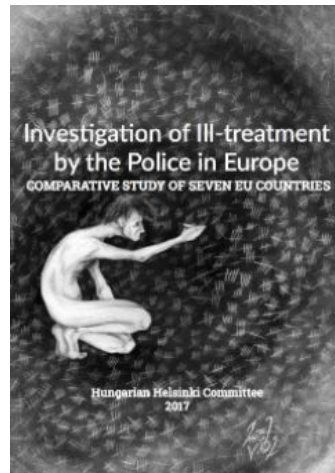
In addition to the successes in strategic cases, we continued to be the only organization systematically providing free of charge legal assistance and legal representation in Hungary concerning unjustified pre-trial detention. We provided assistance to 164 victims of human rights violations related to their pre-trial detention and to the detrimental, unlawful detention conditions caused by overcrowding.

12. We challenge impunity for torture and ill-treatment in Hungary

Results in brief: We continued to challenge impunity for torture and ill-treatment in Europe. We advocated domestic stakeholders to introduce safeguards against torture and ill-treatment and worked towards improving the efficiency of the national torture prevention mechanism. We litigated successfully at domestic and international courts for accountability of police brutality.

Despite two decades of cooperation with the prison authorities, our cooperation agreement was unilaterally terminated in October 2017. Before that, we managed to undertake three monitoring visits in 2017. As a result of our detention monitoring report about ill-treatment in the Márianosztra Prison, the national preventive mechanism conducted a [follow-up monitoring visit](#) in the penitentiary. Later, the governor of the Prison was dismissed. Additionally, we followed-up the visit of the national preventive mechanism and [found](#) that the Somogy County Prison made significant efforts to prevent ill-treatment and the degrading communication of staff members. Amidst shrinking space for civic advocacy, we managed to maintain reasonable cooperation with the national preventive mechanism and successfully applied to extend our membership in its' civil consultative board for another three years. This enables us to continue working to challenge torture and ill-treatment also in the future.

Throughout our monitoring visits, we found that the extremely high mobile fees prevent detainees from keeping in touch with the outside world. However, there was no information on how the public procurement procedure to select the provider was conducted and what are the technical conditions justifying the high fees. To challenge this, we submitted an information request, and after non-compliance, we sued the Prison Service. We won the case at both instances in 2017 and the Prison Service was obliged to [release all the documents](#). We will continue our strategic litigation work to achieve the reduction of the phone fees.



November, giving the report significant visibility. This innovative report was praised by key stakeholders, including the UNSPT Chair. It also inspired smaller domestic NGOs to undertake advocacy activities based on its findings, including the use of audio-visual recordings of police conduct, and the reversed burden of proof when there is reasonable suspicion that torture or ill-treatment has happened and the state fails to provide the recordings on the police actions. Despite continuous government attacks on HHC, we managed to raise the need for the wider use of visual recordings within prisons as well as to start a conversation about the medical documentation of torture allegations.

We successfully campaigned to demonstrate that investigations into torture complaints are inadequate, contributing to the climate of impunity. Following a questionable police stop and search measure in August 2017 during which a citizen died, we built up a public outreach campaign about the unacceptability of impunity. Although we did not represent the victim, we managed to raise [sufficient media interest](#) to disseminate widely the outcomes of our previous research reports on the ineffectiveness of torture investigation in Hungary. In one of our strategic cases, the [ECtHR ruled](#) that the investigation of torture and ill-treatment was inadequate. Furthermore, we managed to provide legal assistance for 54 prisoners who complained about abuse and ill-treatment in penitentiary institutions, 127 prisoners who complained about inhumane detention conditions and 67 complaints about police measures.

[We published a comparative study](#) in March 2017, with analysing, comparing and contrasting the prosecution's success rate in cases of ill-treatment committed by official persons in eight European countries. We presented the findings at a side-event of the UN Subcommittee on Prevention of Torture (UNSPT) February Session, and at a regional anti-torture conference in Yerevan, Armenia in

13. We push for a rights-respecting and fair petty offences procedure

Results in brief: In a number of cases the Ombudsperson found that the Hungarian petty offences procedure violated human rights and called on the government to amend the law. We managed to gain outstanding visibility with our media outreach campaign about petty offences procedures.

We successfully raised the issue with the Ombudsperson who reacted to our submissions and agreed in a [number of cases](#) that the petty offences procedure violated human rights and called on the government to amend the law on various points:

- The timeframe and manner for choosing community work need to be redesigned, and the fee for a mandatory doctoral examination should be abolished to help the poor.
- Alternative sanctions to imprisonment should be favoured especially for the youth. The timeframe for mediation in petty offences procedure should be extended to promote this alternative reconciliatory method over imprisonment.
- Procedural guarantees (e.g. legal representation) should be developed and plain language should be used in the petty offences procedure. Police officers and others working in petty offence procedures should be educated on communicating with people living with disabilities.
- The number of public toilets in cities should be increased to help homeless people and provide a solution instead of fining them.

Our local media campaign (e.g. in Népszava, Klubrádió, 24.hu, vs.hu, nyugat.hu) for a more human rights-friendly petty offences system reached more than 1 120 000 people according to Inmedia, a Hungarian media monitoring company. We continued to collaborate with the Hungarian Civil Liberties Union and the Street Lawyers Association in a working group that we fostered and coordinated. We successfully advocated at the Ministry of Interior to organize a meeting on our recommendations to the petty offences law. While no further legal changes were foreseen prior to the 2018 elections, the representatives of the Ministry considered our recommendations for the period after the elections.



We successfully continued to raise our profile as experts on the petty offences system. We created a dedicated website (szabalyserteres.hu) on the petty offences procedure with materials both for the professional and the general public: the website has [analyses and reports](#) and the [description of the problems with the petty offences system](#), as well as easy-to-understand [summaries](#) and [leaflets](#). Our presentations at the Office of the Ombudsperson, at the Society of Criminology and at other events reached [the professional audience](#). [University students and Roma activists](#) were trained on the petty offences system. Through the above activities, we successfully and significantly broadened the support base for changing the petty offences law.

The law on petty offences [changed](#) for the better on some points in 2017. The timeframe for mediation has been extended to make it easier for offenders and victims to reach an agreement. Petty offenders can now choose community work with the respective government agency over the phone (it is a great relief for offenders living in rural areas).

We also fostered the implementation of community work as an alternative sanction in practice by distributing 200 000 copies of a [leaflet](#) on community work among homeless and Roma people, and also among NGOs reaching relevant groups.

14. We challenge the impunity of hate crime perpetrators

Results in brief: We – together with other members of the Working Group against Hate Crimes – are the unique actors supporting hate crime victims before domestic and international courts. We provide professional input for criminal justice actors to enable them to protect victims of bias violence and condemning its perpetrators.

We are the coordinating members of the [Working Group Against Hate Crimes](#) which is a unique NGO-coalition working in close and successful collaboration with all stakeholders of the criminal justice system. We achieved that [the new Criminal Procedure Act further strengthens](#) the procedural position of the victim and the NGOs' status representing him or her. Together with the Working Group, we assembled a [list of bias indicators including practical examples](#) for the police in order to make them capable of effectively prosecuting hate crimes. The police fully agreed and adopted the indicators to their protocols and police officers are trained to apply the indicators in their daily practice.



We drafted a [manual](#) for police officers investigating hate crimes giving them practical advice on what kind of questions they may pose to victims and witnesses. Our aim was to give a useful tool to more easily assess whether a bias-motivated crime was committed, but also to protect the victim's privacy.

We managed to attract a hundred stakeholders from the criminal justice sphere (police officers, prosecutors, judges, academics and the civil sector) to an [academic conference](#) where we presented and led discussions about the current hate crime issues, such as the investigation standards set out by the ECtHR and the recommendations of the Universal Periodic Review of the UN.

We successfully litigated at the ECtHR which [found in the case of our clients](#), Mr Király and Mr Dömötör that the police had failed to protect them from racist abuse during a far-right demonstration and to properly investigate the incident. The Court was concerned that the inaction of the police and shortcomings of the investigation could be perceived by the public as the State's tolerance of organised intimidation of the Roma community and racial segregation. Our clients [supported Roma community groups](#) from the just satisfaction they received.

All the successful hate crime-related cases before ECtHR which found violations of the Convention have been litigated by Working Group members, which is an outstanding success. To support better implementation, we have collected all the Hungarian hate crime cases adjudicated by the ECtHR and [elaborated a practical collection of investigation standards](#) outlining from the court's practice. The handbook serves as a point of reference for the police and the prosecution investigating hate crimes. The Supreme Court appreciated the handbook and recommended it to criminal judges.

THE HUNGARIAN HELSINKI COMMITTEE IN 2017 - HIGHLIGHTS

1. WE REMAINED A ROLE MODEL FOR OTHER COURAGEOUS NGOS

We persistently protected those who challenged the illiberal state. We provided legal assistance in several strategic cases and we demonstrated that it was possible to courageously challenge the state and hold it accountable for its unlawful and oppressive actions. Examples:

- We successfully represented a 19-year old student who participated in a spontaneous demonstration and against whom a procedure was launched for "unlawful organization of a protest".
- In 2017, the court established that the police violated the rights of our clients when impeding their demonstration in front of the venue of the Prime Minister's annual speech.
- With our legal assistance the arbitrarily closed Auróra community centre (a base to several independent NGOs) could re-open.

2. WE STOOD UP IN DEFENDING DEMOCRATIC CHECKS AND BALANCES

The Hungarian Helsinki Committee successfully continued to raise the general public's and stakeholders' awareness at home and abroad to the fact that the Hungarian government continues to weaken democratic checks and balances. We remained a major source of information and an objective and reliable reference point for international organizations when assessing the human rights situation in Hungary.

3. WE REMAINED ONE OF THE STRONGEST PUBLIC VOICES OF CIVIL SOCIETY IN HUNGARY

We further increased both our online and offline visibility in 2017. We were one of the strongest Hungarian NGO voices in both the Hungarian and the international media.

4. WE STAYED THE ONLY ORGANIZATION PROVIDING LEGAL ASSISTANCE TO ASYLUM-SEEKERS, REFUGEES AND STATELESS PERSONS IN HUNGARY

As a partner of the UN Refugee Agency (UNHCR), we provided free-of-charge legal assistance in 1 679 cases to asylum-seekers and other forced migrants in 2017. 234 HHC-represented clients received refugee status or another form of international protection, despite a massively hostile political and legal environment. Our clients had much higher chance (50%) to be granted protection than the average (30%). 77% (!) of our asylum appeals were successful at court.

5. WE CHALLENGED THE MASSIVE ARBITRARY DETENTION OF ASYLUM-SEEKERS

As a major strategic litigation success, we won the landmark case of Ilias and Ahmed v. Hungary, in which the European Court of Human Rights (ECtHR) ruled for the first time that confinement in transit zones in Hungary amounts to unlawful detention. By obtaining interim measures from the ECtHR, we saved several asylum-seeking children from being deported to and detained in the transit zones, in inadequate conditions. In lack of effective domestic remedies, we took several cases of unlawfully detained asylum-seekers to the ECtHR.

6. WE STEPPED UP FOR SPECIAL SAFEGUARDS FOR PARTICULARLY VULNERABLE REFUGEES

We assisted 269 unaccompanied minors and 78 torture survivors in their asylum procedures. We published reports on the treatment of asylum-seeking children in Hungary and demonstrated the gaps in legal safeguards for torture victim and traumatized asylum-seekers in the Eastern EU Member States.

As a result of our decade-long advocacy and strategic litigation work in January 2018, the EU Court of Justice banned the psychological testing of sexual-emotional orientation in asylum procedures, representing a major HHC victory.

7. WE HELPED REFUGEES TO BE REUNITED WITH THEIR LOVED ONES

With our help, 11 refugee families were reunited in Hungary in 2017 (meaning the safe arrival of 30 family members). Thanks to our strategic litigation efforts, Hungarian jurisprudence started to gradually address unlawful policies that prevent refugees from bringing their loved ones from danger to safety in Hungary.

8. WE PUBLICLY AND CONTINUOUSLY DENOUNCED HUMAN RIGHTS VIOLATIONS AGAINST REFUGEES IN HUNGARY

As the main source of first-hand public information on asylum in Hungary, we published 30 information updates and 12 statistical summaries, which were downloaded more than 15 000 times in 2017.



Hungarian Helsinki Committee

9. WE CONTINUED TO BE A GLOBALLY REPUTED PROMOTER OF INCLUSIVE AND INNOVATIVE TRAINING IN THE FIELD OF FORCED MIGRATION

In 2017, the HHC Refugee Programme's staff trained over 760 asylum and migration professionals, in 5 languages from over 50 countries. We continued to bring sustainable refugee law education to Latin America and the Maghreb through dedicated training events and building regional academic networks. We remained a global promoter of the rights of the stateless through training, and we are proud to share that our innovative training services are often requested by state and judicial authorities.

10. WE ADVOCATED FOR EVERYONE'S RIGHT TO A FAIR TRIAL AND EQUALITY BEFORE THE LAW

We successfully promoted the use of plain language in criminal procedures across Europe; enhanced suspects' access to effective legal assistance by revealing practical deficiencies and training attorneys; and contributed to a better realization of suspects' right of accessing case materials in criminal procedures. The HHC remained the leading NGO in Hungary advocating for the enforcement of the procedural rights of defendants and for the adequate implementation of the related EU directives.

11. WE PROTECTED THE RIGHT TO LIBERTY AND CHALLENGED THE OVERUSE OF INCARCERATION

We became the primary independent source of information on Hungarian prison conditions both at home and abroad. We successfully challenged prison overcrowding and unjustified pre-trial detention using strategic litigation and, as a result, a new complaint mechanism on the conditions of detention was introduced.

We advocated suggesting the decriminalization of certain petty offences and to uphold the rights of members of vulnerable groups in the procedure.

12. WE CHALLENGED IMPUNITY FOR TORTURE AND ILL-TREATMENT IN HUNGARY

We continued to build our reputation as a leading voice on challenging impunity for torture and ill-treatment in Europe. We advocated with domestic stakeholders to introduce safeguards against torture and ill-treatment and worked towards improving the effectiveness of the national torture prevention mechanism. We litigated successfully before domestic and international courts for accountability for police brutality.

13. WE PUSHED FOR A RIGHTS-RESPECTING AND FAIR PETTY OFFENCES PROCEDURE

We continued to raise our concerns that the petty offences procedure violates human rights and the Ombudsperson called on the government to amend the law on various points. Our campaign for a more human rights-friendly petty offences system reached more than 1 120 000 people through Hungarian media.

14. WE CONTINUED TO CHALLENGE THE IMPUNITY OF HATE CRIME PERPETRATORS

We – together with other members of the Working Group against Hate Crimes – remained the unique actors supporting hate crime victims before domestic and international courts. We provided professional input for criminal justice actors to enable them to protect victims of bias violence and condemning its perpetrators. We successfully litigated before the ECtHR, which found in the case of our clients that the police had failed to protect them from racist abuse during a far-right demonstration and to properly investigate the incident.

15. OUR WORK RECEIVED OUTSTANDING INTERNATIONAL RECOGNITION IN 2017

In July 2017, the HHC was awarded one of the world's most prestigious privately founded human rights the Calouste Gulbenkian Prize. The HHC was also among the three finalists for the 2017 Václav Havel Human Rights Prize of the Council of Europe Parliamentary Assembly. The Hungarian Bar Association and the Public Interest Law Initiative honoured HHC attorney Tímea Kovács with the Public Interest Lawyer of the Year awarded in 2017.



Hungarian Helsinki Committee