

H.E. Mr Matteo Mecacci

Director of the OSCE Office for Democratic Institutions and Human Rights

Ul. Miodowa 10

00-251 Warsaw, Poland

Re: Election observation mission for Hungarian parliamentary elections

Budapest, 13 January 2022

Dear Director Mecacci,

As undersigned organisations, we wish to express our grave concern that the parliamentary elections in Hungary in spring 2022 will fail to adhere to OSCE commitments, other international obligations and standards for democratic elections as well as national legislation.

As you recall, ODIHR's Limited Election Observation Mission (LEOM) has - at the occasion of observing the previous parliamentary elections held in April 2018 - concluded that they *"were characterized by a pervasive overlap between state and ruling party resources, undermining contestants' ability to compete on an equal basis. Voters had a wide range of political options but intimidating and xenophobic rhetoric, media bias and opaque campaign financing constricted the space for genuine political debate, hindering voters' ability to make a fully-informed choice."*

This 2018 LEOM statement represented a damning verdict on what effectively constituted an entirely uneven playing field. The use of the term "pervasive" presaged developments to come. Since then, Hungary's political and legal framework that should ensure a pluralistic democracy and high standards for rule of law and election integrity has further deteriorated. Using its supermajority in the legislature, the government has weakened independent institutions and the rule of law and has further shaped the electoral context in its favour. The backsliding on democratic standards, also documented in the reporting of undersigned organisations, poses a serious and direct threat to the integrity of the parliamentary elections.

- Our concern is based on the following developments that have compromised OSCE standards for democratic elections:
- Changes to electoral and other laws since 2018 have further undermined the fairness of electoral processes, and significantly increase the risk of - mostly election-day - manipulation both in and outside the polling stations;
- In particular, our concerns relate to gerrymandered voting districts, discrimination in how Hungarian citizens living abroad can vote, voting rights for ethnic minorities, voter-tourism as well as vastly disparate campaign resources benefitting the ruling party;
- The ability of electoral contestants to compete on an equal basis - the "ubiquitous overlap between government information and ruling coalition campaigns, and other abuses of

administrative resources”, as captured by the 2018 LEOM report - continues to be severely compromised by the government’s excessive spending on public information advertisements and have further blurred the line between state and ruling party. Voters are effectively deprived of information on campaign finance key to making an informed choice;

- The combined effects of a politically controlled media regulatory authority and distortionary state intervention in the media market have eroded media pluralism and freedom of expression;
- Intimidating, xenophobic and anti-LGBTQ rhetoric has much increased since ODIHR’s 2018 LEOM report. Indeed, intimidating government rhetoric continues to exert a chilling effect over civil society’s involvement in election-related activities;
- Electoral bodies have not been strengthened, while courts mandated to uphold the rule of law and democratic standards in elections have been weakened and some key courts are under clear and direct political influence;
- Covid-19 emergency rules have been used to weaken political opponents’ resources and can be used to suppress freedom of peaceful assembly and freedom of expression;
- The potential of a close electoral race combined with a high degree of polarisation among the electorate and low public confidence in institutions;
- High levels of public support for protecting the rule of law as well as strong public mobilisation to ensure the integrity of elections.

The 2018 LEOM report noted that *“numerous concerns were voiced about irregularities on election day by political parties and calls for recounts in some constituencies were broadly featured in the media.”* Indeed, the most vocal allegations concerned transportation of dual citizens in constituencies close to the Ukrainian border, distribution of goods on election day in some closely contested constituencies as well as irregularities concerning the vote count. Additional evidence of anomalies [was presented in 2019](#), pointing to wide-scale fraud, including vote-buying, voter intimidation, tampering with postal votes, missing ballots and election software malfunctions. The fact that electoral clientelism - the provision of public benefits in exchange for votes and coercion through threatening withholding of benefits - has become pervasive in Hungary had at that point been documented by a [Yale University study](#) of the 2014 elections.

These issues could not have been addressed in the 2018 LEOM report since this type of mission does not systematically observe voting, counting and tabulation on and after election day. Given these developments and allegations since 2018, combined with a documented rapid deterioration of public trust in the impartial administration of elections, we urge ODIHR to deploy a full-scale election observation mission (EOM) to Hungary with a distinct focus on election-day observation. A significant number of ODIHR short-term election observers, in addition to the expertise assembled within core- and long-term observers, would bring significant value beyond documenting violations. It would enhance public confidence in the electoral process and play an essential role in deterring irregularities.

In this particularly worrisome context, we believe that ODIHR’s robust engagement in systematic and comprehensive observation of election day proceedings will significantly increase public confidence in the electoral process, deter irregularities during the final campaign days (and on election day itself)

and thus safeguard the fairness of the democratic process. Voters, political candidates as well as Hungarian authorities across all administrative levels stand to benefit from the deployment of a full EOM which will provide a fuller assessment of proceedings before, during and after election day.

We look forward to further engaging with ODIHR at the occasion of its deployment of a Needs Assessment Mission later this month,

Yours sincerely,

Amnesty International Hungary (Amnesty International Magyarország)

Autonomia Foundation (Autonómia Alapítvány)

Civil College Foundation (Civil Kollégium Alapítvány)

Clean Air Action Group (Levegő Munkacsoport)

Power of Humanity Foundation (Emberség Erejével Alapítvány)

Eötvös Károly Institute (Eötvös Károly Intézet)

Háttér Society (Háttér Társaság)

Hungarian Civil Liberties Union (Társaság a Szabadságjogokért)

Hungarian Europe Society (Magyarországi Európa Társaság)

Hungarian Helsinki Committee (Magyar Helsinki Bizottság)

Hungarian Women's Lobby (Magyar Női Érdekérvényesítő Szövetség)

K-Monitor Közhasznú Egyesület

MENŐK- Hungarian European Women's Forum Association

Mérték Media Monitor (Mérték Médiaelemző Műhely)

Ökotárs - Hungarian Environmental Partnership Foundation

Political Capital Institute

School of Public Life (Közélet Iskolája Alapítvány)

Transparency International Hungary (Transparency International Magyarország)

Unhack Democracy

Protect the Future Association (Védegylet Egyesület)

CC:

H.E. Ambassador Adam Hałaciński, Permanent Representative of the Republic of Poland to the OSCE, Chair of the Permanent Council

Ms Dunja Mijatovic, Council of Europe Commissioner for Human Rights