



HUNGARIAN
HELSINKI
COMMITTEE

Baseline Information Note – National Elections of Hungary 2022

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Introduction

Hungary will hold its national elections along with a national referendum on the 3rd of April 2022. The political campaign period lasts from 12 February 2022 until the end of the single round election day, for 50 days.

This baseline information note prepared by the Hungarian Helsinki Committee is about the most important rules and some background specifics to this year's elections. The Hungarian Helsinki Committee will publish regular updates in English on key developments related to the elections until after 3 April 2022.

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1. Electoral system

The ruling party coalition (Fidesz-KDNP) changed the electoral system after obtaining two-thirds majority following the 2010 elections by adopting the following legal instruments:

- The Fundamental Law of Hungary (25 April 2011)
- Act CCIII of 2011 on the Elections of Members of Parliament
- Act XXXVI of 2013 on Electoral Procedure
- Act LXXXVII of 2013 on the Transparency of Campaign Costs related to the Election of the Members of the National Assembly
- Act CCXXXVIII of 2013 on Initiating Referendums, the European Citizens' Initiative and Referendum Procedure (Referendum Act)

The electoral codex had introduced significant changes. The number of seats in the Parliament was almost halved (199 mandates instead of the previous 386 mandates), a one-round election system replaced the previous two-round system, and the possibility of voting by mail was introduced for voters without registered addresses in Hungary. The so-called 'winner compensation' was introduced in the proportional mandate allocation system (see below Section 1 Subsection b.). The single member constituency borders were redrawn. According to studies, many of the amendments favoured the ruling parties at the national elections to come.¹

(a) Allocation of mandates

The total of 199 mandates of the Parliament are allocated at the national elections. 106 seats in single member constituency mandates are elected by those Hungarian citizens who have registered addresses in Hungary, and 93 seats are allocated based on the votes of all Hungarian electors (and the surplus votes) between the party and minority lists using the d'Hondt method. The current Hungarian semi-proportional electoral system incorporates procedures based on both relative majority and proportional representation principals.

Single-member constituency candidates may register to be elected by collecting at least 500 signatures of eligible voters with an address in their single constituency from 12th February (starting date of the campaign period) until 25th February (37 days before the Election Day).

(b) Surplus votes

Votes cast for candidates of single constituencies that do not translate into a mandate are transferred to the national party list of the candidate's party if the list reaches the threshold to obtain seats from the national list (see below Section 1 Subsection d)). Votes between the winner of the single constituency and the candidate that came second are also transferred to the national party list of the party of the winning candidate (winner's compensation).

(c) Voting abroad

One of the most debated changes to the previous electoral system was the introduction of voting by mail. As of 2014 Hungarian citizens who do not have registered residence in Hungary are entitled to cast their votes by mail. Those Hungarians who fall within the scope of the regulation and intend to cast their votes in the general elections must apply to be registered in the electoral registry latest 25 days before Election Day. This electoral registry is updated only every 10 years therefore for example votes of deceased voters may be also cast if the relatives failed to cancel the registration. Registered voters without an address in Hungary are only entitled to vote for a national list. The postal votes have to arrive

¹ See, for instance, R. László, "[Két választási reform között?](#)" ('In between two electoral reforms?'), *Political Capital*, Friedrich Ebert Stiftung, 15 October 2015.

by post to the National Election Office by 7 p.m. on Election Day the latest. The postal votes may be submitted at the representations of Hungary from 19 March until 3 April as well.

The possibility to vote-by-mail is not available to Hungarians who reside abroad on a temporary or permanent basis still having their registered addresses in Hungary. These voters shall be eligible to cast their votes for constituency candidates and national lists as well, however only at Hungarian representations in countries of their choice on election day.

The election day voting will be held on 3 April from 6 a.m. until 7 p.m. The polling stations at Hungarian representations in other countries will be open similarly, except for Algeria, Angola, the United Kingdom, Ireland, Nigeria, Portugal, and Tunisia where votes may be casted from 6 a.m. until 6 p.m. local time. Electors may vote from 6 a.m. until 5 p.m. local time in Ghana, Morocco, and Senegal. On the American continent, the polling stations will be open on 2 April from 6 a.m. until 7 p.m. local time.

(d) National party lists

Political parties which nominate and successfully register (see Section 1 a)) at least 71 single-member constituency candidates in at least 14 counties and Budapest are entitled to register a national party list until the 26th of February 2022 (36 days before the Election Day). The threshold to receive mandates for national party lists is 5% of votes in case of individual party lists, 10% for joint lists of two parties, and 15% for joint lists of three or more parties.

At previous national elections, political parties had to nominate only 25 candidates in constituencies to be entitled to nominate a national list. According to the government, the increase in the minimum number of registered candidates was necessary to prevent 'sham parties' which used to run national party lists only for financial gain through state campaign support. At the time of the national elections in 2018, 23 parties nominated national party lists. Out of the 23 national lists, 16 did not reach 1 % of the votes,² requiring them to pay back the financial support they received from the central budget (see Section 3), but only two of them complied with this obligation.³

Recent updates:

Six parties are running as a united opposition (United for Hungary) at the general elections of 2022. The parties decided so due to a strong electoral demand and the analyses of a severely uneven playing field offered by the Hungarian electoral system that made it seem impossible to win over the ruling party coalition by running on six individual party list. Candidates of United for Hungary in single member constituencies were chosen through the first ever held primaries organised by the participating opposition parties and civil society organisations in 2021. The united opposition will be eligible for the campaign financial support as a sole national party list (see Section 3).

(e) National minority lists

Domestic law recognises 13 national minorities;⁴ among others, these minorities are able to elect local and national self-government bodies. Each minority national self-government may draw up a national minority list having recommendations of at least 1% (but not more than 1500) of voters registered as national minority voters. Those wishing to vote on one of the minority lists must register themselves in the minority registry. At least 3 candidates must be listed on the national minority list. Voters (self)registered on the relevant minority list may vote only for one list of their minority; in other words, voters do not have a chance to decide between lists of their minority. Those voters registered on the minority registry cannot vote on party lists.

² See detailed results [here](#)

³ M. Merényi, "[Következmények nélkül: A NAV egyetlen fillért sem hajtott be a 2018-as kamupártoktól](#)" ('Without any consequences: The tax authority have not collected a penny from the sham parties of 2018'), *K-Monitor*, 29 May 2020.

⁴ Armenian, Bulgarian, Croatian, German, Greek, Polish, Roma, Romanian, Ruthenian, Serbian, Slovak, Slovene and Ukrainian

Each minority may only gain one heavily compensated seats if it's list receives the significantly reduced threshold to obtain a seat compared to national party lists. The calculation of this reduced threshold is the following: (i) all votes cast on national party lists that reached the threshold to obtain a mandate, (ii) surplus votes of candidates whose nominating party reached the threshold to obtain a mandate from national lists, (iii) and all votes cast on all minority lists are added together. The sum is then divided by 93 (the number of seats allocated from lists) and then further divided by four.⁵ Any additional vote cast for a minority list can only translate to a mandate if it reaches the 5% threshold applicable to national party lists, a merely theoretically possible scenario. Each allocated minority seat reduces the 93 mandates potentially distributed to national lists, keeping the total number of seats in Parliament at 199 in any case.

In practice even having a reduced threshold, only the German and the Roma minority have a chance to obtain a seat through this scheme, as the rest of the 13 registered minorities simply do not have the necessary population in Hungary according to the latest census.

In case a minority list does not receive enough votes to reach the threshold to win a mandate, the person leading the minority list becomes a “nationality advocate” in Parliament. The nationality advocates are not entitled to propose a bill or to vote at plenary or permanent committee sessions, but they may participate at debates and represent the interests of their minority. The national advocates have voting rights in the Committee on Nationalities in Hungary.

Recent updates:

The Roma minority will not have a national minority list at the national elections of 2022 after scandalous events within its self-government. In 2021, the self-government decided on the national minority list. Surprisingly, the incumbent nationality advocate (representing Lungo Drom, an organisation in alliance with Fidesz) lost the vote and the current president of the self-government was nominated as the lead candidate on the minority list. The decision was submitted for judicial review by a representative of Lungo Drom. The court rejected the appeal. The Lungo Drom representative requested a constitutional review of the judgment at the Constitutional Court, which annulled the court judgment as well as the decision of the self-government in December 2021.⁶ At the session of the Roma national self-government following the Constitutional Court's decision, members could not reach an agreement on the voting procedure for 13 hours (!), thereby missing the deadline to nominate a list. Therefore the Roma minority is not eligible either for a national minority mandate or to have a nationality advocate in the Parliament after the elections.⁷

2. Referendum

For the first time in Hungary, a national referendum and the national parliamentary elections will be held on the same day. The Referendum Act was amended by the Parliament upon passing a bill of an opposition member of Parliament in 2021. Prior to the amendment, 41 days had to pass between the two types of democratic events.

There is a narrow list of topics which are exempted from referendums, for example a question may not be proposed when the result might require the amendment of the Fundamental Law. The Parliament is obliged to pass a law in compliance with the result of a valid and binding referendum within 180 days, and the results are binding for 3 years. The referendum to be held on 3 April 2022 was initiated by the

⁵ E.g. in 2018, the reduced threshold was 23 831 votes: 5 312 648 votes cast on national lists that reached the required threshold + 3 515 209 surplus votes (8 827 857) + 37 532 votes cast on minority lists (8 865 389) divided by 93 and by four: 23 831.

⁶ See the case file on the Constitutional Court's website, including an English summary of the decision: <http://public.mkab.hu/dev/dontesek.nsf/0/58DB4D7B195C6D50C12587A600602B83?OpenDocument>

⁷ E. Zgut, “[The Orbán Regime Intimidates Roma Community to Win the Elections](#)”, *Visegrad/Insight*, 2 February 2022.

government, and the divisive questions simply repeat provisions introduced through the infamous Homophobic Bill adopted in June 2021.⁸

A referendum is valid if more than half of the electorate casts a valid ballot, and it is binding if more than half of the voters casting a ballot give the same response. The active voting rights are the same in case of national elections and national referendums.

The procedure of the general elections and the referendum will be conducted in a newly introduced 'joint procedure'. The voter registry is valid for both the referendum and the elections, the National Election Office sent a joint notification of the two events to the registered voters. Voters will receive two or three different ballots (referendum ballot, national list ballot, and - if applicable - single member constituency ballot), although voters may also refuse to take any of the ballots. The ballots will be placed in one envelope, the counting will be conducted separately.

Recent updates:

The initiation of the referendum has been marred by events that are concerning from a rule of law perspective. The government lifted the ban on holding national referendums that was in place as a consequence of the special legal order⁹ in the morning of 21 July 2021. Merely 40 minutes after the decision was published, the government submitted its referendum questions to the National Election Commission. The decisions of the National Election Commission verifying the questions were challenged by several applicants at the Kúria (Hungary's Supreme Court), arguing, among others, that the proposed questions are in breach of the Fundamental Law. The Kúria annulled the decision to approve one of the questions. The government, using a loophole introduced in December 2019 that allows state/public authorities the right to submit constitutional complaints to the Constitutional Court, requested a review of this Kúria decision. The Constitutional Court annulled the Kúria decision, thus all the questions were approved.¹⁰

NGOs started a campaign¹¹ encouraging voters to cast invalid votes at the referendum. The participating NGOs (including the Hungarian Helsinki Committee) find that the best tool for expression of opinion is exercising the right to vote by casting invalid ballots.

3. Party and campaign finance

(a) General elections

Each registered single constituency candidate is entitled to receive 1,182,896 Forints (approx. 3,300 EUR) from the central budget. This may be spent on campaign related activities identified in the Electoral Procedure Act. Parties that register a national list and nominate candidates in each 106 constituencies are entitled to 706,188,000 Forints (approx. 2,000,000 EUR) per national party list (the support is less if a party does not have candidates in all constituencies). The support is 50% of this equally shared between the minority lists.

Single constituency candidates not receiving at least 2% of the votes cast must pay back the state support. The same stands for the parties in case their national party list does not reach at least 1% of the votes. Several irregularities took place during previous elections in connection with the financial

⁸ More on this: <https://helsinki.hu/en/even-though-it-has-no-public-support-hungarian-parliament-passed-the-putin-propaganda-law/>

⁹ See more on the special legal order: https://helsinki.hu/en/wp-content/uploads/sites/2/2022/01/HHC_Hungary_emergency_measures_overview_01012022.pdf

¹⁰ See more on the procedure approving the questions: <https://helsinkifigyelo.444.hu/2022/02/11/aprilisi-nepszavazas-matt-13-lepesben-a-jogallamnak>

¹¹ *Amnesty International Hungary*: "[Szavazzunk érvénytelenül a kormány kiközösítő népszavazásán!](#)" ('Let's cast invalid votes at the government's exclusionist referendum!'), 11 January 2022.

support, and the state support was often not paid back by parties or individual candidates not receiving meeting the above requirements ('sham parties').

Parties and candidates may accept additional support only from Hungarian citizens and from legal entities owned by the parties themselves. The maximum of the expenditure is 5,914,000 Forints (approx. 16,700 EUR) per candidate (the multiplier may not exceed 199 candidates) on the campaign. 15 days after the final results of the general elections are announced, financial reporting has to be submitted to the Hungarian State Treasury. The State Audit Office audits financial reports of campaign finances of parties obtaining mandates within 1 year of the elections.

(b) Referendum

There is neither state support, nor expenditure limit on the referendum campaign. In practice, the legal framework allows for unlimited spending for the initiator of a referendum, which, in the current case is formally the government. The rules are not clear regarding how the authorities (e.g. National Election Commission, State Audit Office, National Media and Info-communication Authority) will distinguish between the campaign activities related to the referendum and the parliamentary election.

Recent updates:

The OSCE/ODIHR has already noted in relation to the 2018 parliamentary elections that they "were characterised by a pervasive overlap between state and ruling party resources."¹² This pervasive overlap is again present between the government communication and the ruling coalition's campaign activity; the distinction between state and party messaging is blurring as three examples show below. The examples are even more striking taking into account that these occurred prior to the official launch of the campaign period:

- Parents who are eligible for family support will be reimbursed for taxes deducted from their salaries of 2021. This financial support was adopted by the Parliament¹³ with the argument to assist families who had to bear extra burdens during the pandemic, especially during the times of online education. The eligible taxpayers had to apply for the reimbursement at the National Tax and Customs Administration (Tax Authority) until the end of 2021, with reimbursements set to be transferred on 15 February 2022. A government decree adopted under the special legal order entrusted the Tax Authority to send government information letters to beneficiaries of the tax reimbursement.¹⁴ The decree declared that using the mailing addresses of the beneficiaries for the purpose of government information provision shall be considered well-established ground for usage of tax secrecy. The Tax Authority sent letters a week before the launch of the election campaign to all persons who applied for the reimbursement. The sender on the envelopes is the Government of Hungary / National Tax and Customs Administration, and it only contained a letter from the Prime Minister. The letter claims for example: 'the family support benefits were significantly cut in the Gyurcsány-area. In contrast, we believe that money should not be taken away from families in difficult times. Until Hungary has a national government, families raising children may count on the support of the government, because Hungary is going forward, not backwards.'
- Since 2013, condominiums are obliged to display savings due to the state reduction of utility price regularly in a common area in the buildings. The Government Office of the Capital City of Budapest, led by Botond Sára, former Fidesz mayor in the 8th District of Budapest, currently running as a candidate in a close race in a single-member constituency of the same district, sent notifications for the first time ever to the representatives in January 2022 drawing their attention to the fact that it is their personal responsibility to ensure compliance with this rule. The letter reminded the managers of condominiums, that the information note must be displayed for 45

¹² OSCE Office of Democratic Institutions and Human Rights (ODIHR), [Hungary, Parliamentary Elections, 8 April 2018: Final Report, 27 June 2018](#), p. 1. (hereafter 2018 ODIHR LEOM Report).

¹³ Subtitle 26 of the Act CXXX of 2021

¹⁴ Section 1 (2) of Government Decree 5/2022 (12 January)

days without interruption, and that the consumer authority (a department of the Government Office of the Capital City of Budapest) is going to carry out regular and strict checking.¹⁵

- People could register for COVID-19 vaccination via their general practitioner or at a government website.¹⁶ The latter option has been popular since it is a comfortable, online alternative. When registering for the vaccine, two data processing consent boxes can be ticked: consent to forwarding the data and consent for processing the data for future contact. Both consent options were understood by many as necessary for getting vaccine shots and consent to receive further information regarding the pandemic. The government regularly sends newsletters relating to the pandemic (such as epidemic rules on restrictions). However, occasionally, emails were sent on newly introduced benefits (tax reimbursement for families, 13th month's pension, tax exemption for people under 25), and the slogan of the government also used by candidates of the ruling coalition. Some reported to the media that despite unsubscribing they are still receiving the propaganda newsletters.¹⁷

4. Election campaign and media

(a) General elections

The official election campaign season began on 12 February. Special rules apply during the campaign period for the political campaigns, including advertising, of candidates and parties. Political advertising is advertisement by candidates and parties in print and online news outlets and in cinemas. Only those news outlets may publish political advertisements which registered in January their price lists with the State Audit Office. The advertisements must be sold according to the registered price list. The advertiser has to be indicated in each advertisement. It has to be obvious for the public that the material is a political advertisement. Political commercials are commercials broadcasted by media service providers (TV, radio) for free of charge. The Media Act regulates the time each party gets and time slots when the commercials should be aired. The regulation aims for equal publicity for parties and commercial time for the minority lists, too. Billboards, posters, leaflets etc. may be used in public spaces, and displayed on surfaces with the owner's written consent if there is one (for example consent of the company owning lampposts).

Social media activity is considered campaign activity therefore the maximum expenditure on the campaign should cover that as well, however social media advertisement does not fall under the definition of political advertisement. Non-partisan actors' advertisements supporting candidates or parties are also blind spots of the regulation.

There is no general campaign silence, however campaign activity is forbidden in the 150 metres radius of the polling stations, and political commercials may not be broadcasted on Election Day.

(b) Referendum

The public media broadcasters must provide 300 minutes equally shared between the parties who wish to broadcast their referendum related commercials. Only the initiator of the referendum (in the current case, the government) and parties of members of the Parliament may submit political commercials for free of charge broadcasting.

¹⁵ See the open letter to the Minister by the Condominium and Condominium Managers Association [here](#)

¹⁶ <https://vakcinainfo.gov.hu/registration>

¹⁷ D. Bolcsó, "Többen nem tudnak leiratkozni a kormány hírleveléről, hiába kérik, hogy töröljék a címüket" ('Several people are not able to unsubscribe from the government's newsletter, despite requesting to delete their addresses'), *Telex*, 13 January 2022.

The print and online news outlets had to register their price lists applicable for political advertisement separately for the elections and for the referendum. Key pro-government outlets registered price lists only for the referendum.

5. Complaints and appeals

Complaints of electoral procedure violation are reviewed by the election commissions. The polling station election commissions and the constituency election commissions are competent if the alleged violation was conducted only in the territory of their single member constituencies. The National Election Commission is competent in almost every other type of complaint, and for reviewing the appeals against the lower level election commission decisions. The judicial review is done by the Kúria, and the Kúria's decision may be appealed before the Constitutional Court. The deadlines are short for complaints, appeals, and decisions (except for the decision of the Constitutional Court). An appeal against the decision made on a complaint may be submitted only by the candidate or the party of the candidate, therefore the effectiveness of complaints lodged by voters is limited.

The government and its supermajority in Parliament has taken steps that undermine judicial independence over the past years.¹⁸

Recent updates:

In one of the actions brought against the National Election Commission in August 2021 with respect to one of the questions of the referendum initiated by the government,¹⁹ Mr. Barnabás Hajas was a member of the adjudicating panel. He had served as the State Secretary of the Ministry of Justice until March 2021. Mr. Hajas was a member of another chamber at the time the actions were submitted, his official relocation to the chamber that dealt with referendum cases followed only 2 weeks after. Rules did not allow his transfer as a substitute, and he became a member of the adjudicating chamber only after the case had already been allocated to that chamber.²⁰

6. Third party actors

(a) Pro-government NGOs

Persistent attacks against independent civil society organisations are a key characteristic of Hungary's illiberal regime.²¹ One of the consequences of these attacks was that no agreement was reached between the Hungarian and the Norwegian governments over the management of the civil society fund of the EEA/Norway Grants for the 2014-2021 cycle.²² To replace the financial support from the Norwegian fund to Hungarian civil society organisations, the Hungarian government set up its own fund (Urban Civic Fund) in 2021 with 4 billion HUF (110 million EUR). The Hungarian government has made great efforts over the years to establish its own clientele in civil society and this additional source is also furthering that end. The list of grantees shows that NGOs receiving the largest amount of funding are closely affiliated with the governing party coalition. Most of the successful applicant organisations to the Urban Civic Fund have received grants for communication purposes, which indicates a high possibility that these resources might be spent on campaigns of Fidesz-KDNP candidates.²³

¹⁸ See more on this: <https://helsinki.hu/en/an-illiberal-state-10-years-in-the-making/>

¹⁹ [Decision Knc.IV.40.648/2021/23. of Curia](#)

²⁰ See more on the procedure approving the referendum questions: <https://helsinkifigyelo.444.hu/2022/02/11/aprilisi-nepszavazas-matt-13-lepesben-a-jogallamnak>

²¹ See more on this, for instance: https://helsinki.hu/en/wp-content/uploads/sites/2/2021/03/UPR_submission_3rdcycle_civilspace.pdf

²² See the press release on this: <https://eeagrants.org/news/no-agreement-reached-funding-hungary>

²³ Z. Zubor, "[Organizations run by Fidesz politicians win Hungarian NGO grants set up to replace Norway NGO Grants](#)", *Átlátszó*, 11 August 2021.

The flagship of pro-Fidesz-KDNP civil society is CÖF (Civic Union Forum), which receives financial support from several state-owned companies.²⁴ CÖF is well involved in pro-government election campaigns, as ongoing billboard campaigns aiming to discredit political leaders of the opposition parties have been commissioned by CÖF since September 2021.²⁵ Campaign finance regulations are not applicable to its spending, as it is not a political party. This 'outsourcing' has been applied effectively already during the 2014 elections.²⁶

Pro-government influencers and their organisations have already spent enormous amounts on social media advertising. 'Megafon', a non-profit company, is on track to spend around 1 billion forints (2.7 million EUR) by the elections in April.²⁷ As a non-profit company, Megafon does not have to disclose its funding sources; however, media reports hint at possible public funds having been channelled to the company.²⁸

(b) Churches

For the past twelve years the government has provided unprecedented subsidies to certain churches, increasing the role and influence of religious organisations in the social, educational and cultural sectors.

Recent updates:

Fourteen Hungarian churches issued a joint statement, declaring that the sanctity of marriage is based on the relationship between a man and a woman.²⁹ On 22 December 2021, the Hungarian churches in Romania joined the proclamation as well.³⁰

(c) Pro-Fidesz-KDNP organisations abroad

An entire framework of governmental financial support has been established to fund Hungarian organisations and institutions in foreign countries. The financial resources allocated by the so-called *Bethlen Gábor Fund* provide a significant source of income for Hungarian cultural, social, economic and sports organisations beyond Hungary's borders.³¹

Recent updates:

With regards to the parliamentary elections the most significant foreign country is Romania, where 1.2 million Hungarians live. At the parliamentary elections in 2018, 65% of all postal votes (109,000) were posted by Hungarian voters living in Romania. On 22 December 2021, the Hungarian churches in Romania joined the proclamation issued by fourteen churches in Hungary on the sanctity of marriage (see above the Section's Subsection a.).

According to a recently published letter, eight Hungarian municipal leaders in Romania refused to meet with the opposition prime ministerial candidate, Mr. Péter Márki-Zay during his planned trip to Romania.

²⁴ K. Erdélyi, "[State-owned Hungarian energy group gave €1,7 million to NGO favored by Orban to 'improve public thinking'](#)", *Átlátszó*, 20 May 2018.

²⁵ E. Katus, "[A közpénzmilliókkal kitömött CÖF-CÖKA cége hirdeti a „STOP Gyurcsány” plakátokat](#)" ('The company CÖF-CÖKA stuffed with millions of public funds commissions the 'STOP Gyurcsány' posters'), *Átlátszó*, 30 September 2021.

²⁶ *Transparency International Hungary*, "[Campaign Spending in Hungary: Total Eclipse, The Monitoring of campaign Spending at the Parliamentary and Municipal Elections of 2014](#)", 2015.

²⁷ V. Makszimov, "[Orban's influencers shower cash, become largest social media spenders](#)", *Euractiv*, 4 January 2022.

²⁸ B. Bozzay, "[Újabb pert nyert a Telex a Megafon ellen](#)" ('Telex won again over Megafon in another lawsuit'), *Telex*, 1 February 2022.

²⁹ *Mandiner*, "[Közös nyilatkozatban állt ki több egyház amellett, hogy csak férfi és nő házasodhat össze](#)" ('Several churches stated in a joint proclamation that only men and women could marry'), 9 December 2021.

³⁰ *Mandiner*, "[Négy erdélyi magyar történelmi egyház támogatja a magyarországi egyházak házasságvédő nyilatkozatát](#)" ('Four Hungarian historical churches from Transylvania support the marriage defender proclamation of churches in Hungary'), 22 December 2021.

³¹ *Átlátszó*, "[Hungarian government pours money into football, churches and schools abroad](#)", 20 May 2018.

The Hungarian politicians in Romania emphasised that Hungarians in Transylvania still remember the controversial invalid referendum of 2004 on simplified naturalisation of Hungarians born in foreign countries.³² The bitterness is rooted in the position of Mr. Gyurcsány, currently the leader of an opposition party, who was prime minister during the 2004 referendum. He campaigned against the simplified naturalisation. The authors of the letter also voiced their dissatisfaction with the lack of political support provided by current opposition parties when Hungarian minority leaders were prosecuted by Romanian authorities in 2015.

7. Suppression of votes/unlawful campaign activity

In November 2021, the Parliament adopted an amendment legalising voter tourism. The amendment lifted the requirement to factually live at registered addresses which created a risk that multiple voters will re-register in single constituencies where a close race is expected, with the intention to tilt the election outcome. This legal change also creates the possibility that those Hungarian citizens who previously did not have a residence and factually never resided in Hungary can obtain a registered residence, thereby lawfully casting two ballots on single-member constituency candidates and national lists.

The most vocal allegations after the 2018 general election 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. Evidence of anomalies was presented in 2019³³, 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 elections³⁴.

Recent updates:

The National Election Office decided to publish weekly updated data on registered voters in each single constituency (as well as in each settlement).³⁵

Criminal court procedures were ongoing against 15 accused persons for forgery of administrative documents. The accusation was that the accused registered fictive addresses (and organised the fictive address registration) in a small village right before the municipality elections of 2019. Voter tourism did have a strong effect on the outcome of the elections, but the results became final after complaints were dismissed on formal grounds. Following the amendments described above, the acts are not criminal offences anymore and consequently the court terminated the ongoing procedures.

The prime ministerial candidate of the united opposition, Mr. Péter Márki-Zay met Hungarians living in the UK in January 2022, and in his speech, he encouraged the audience to register at addresses in closely contested constituencies.³⁶

A recent calculation suggests that based on various data, there is a risk of voter tourism in 32 settlements.³⁷

³² D. Sályi, "[Hungarians in Neighboring Countries Assured to be Part of Nation, 15 Years After Failed Dual Citizenship Referendum](#)", *Hungary today*, 10 December 2019.

³³ E. Goat and Zs. Banuta, "[Fresh evidence of Hungary vote-rigging raises concerns of fraud in European elections](#)", *openDemocracy*, 17 May 2019.

³⁴ I. Mares and L. Young, "Varieties of Clientelism in Hungarian Elections", 51:3 *Comparative Politics* 449-480, 2019 (summary available [here](#)).

³⁵ The excel sheets are available at <https://www.valasztas.hu/telepulesek-lakossag-es-valasztopolgarszama>

³⁶ [444.hu](#), "[Jelentkezzenek be billegő körzetekbe, ajánlotta támogatóinak Londonban Márki-Zay Péter](#)" ('Register in closely contested constituencies, advised Péter Márki-Zay to his supporters in London'), 27 January 2022.

³⁷ See: https://hvg.hu/itthon/20220215_kapitany_balazs_ksh_voksturizmus

8. Hostile environment

Intimidation of journalists and activists, media threats against civil society organisations is a key characteristic of Hungary's illiberal regime. These methods are also used during election campaigns, as documented by OSCE/ODIHR during the 2018 parliamentary elections.³⁸ The mixing of national elections with a divisive set of questions put on a referendum by the government further erodes the delimitation of state and ruling parties. The discourse of the referendum set by the governing party is already extremely hostile.³⁹

Recent updates:

As the Election Day approaches, another smear campaign has been launched to discredit civil society organisations dealing with rule of law and human rights issues as well as at least one journalist. The series of articles published in the pro-government media outlet Magyar Nemzet contain excerpts from video calls. Interviewees were approached by unknown individuals claiming to be representatives of organisation allegedly funded by an unnamed middle-eastern millionaire. The unknown individuals claimed to offer jobs or made requests to write a paper or give lecture. The online conversations were recorded and certain parts were published in a way to support hostile governmental narratives on human rights organisations.

The circumstances surrounding the interviews and their publications are strikingly similar to the sting operations conducted by the Israeli private intelligence company Black Cube during the 2018 Hungarian parliamentary election campaign.⁴⁰

9. Election observation

Domestic election observation is not possible under the current legislation. Those wishing to participate in the work of polling station election commissions may either apply to clerks of municipalities and then possibly be elected by local municipalities, or sign up to become party delegates in the polling station election commissions. Parties/candidates running in a given single constituency may delegate two members to polling station commissions and one member per lists to the higher level election commissions. Journalists may be present at the polling stations during the elections without disturbing the process of election. Hungarian citizens may not be election observers at Hungarian elections. International organisations and other countries may deploy observers in Hungary upon an official invitation.

Recent updates:

The OSCE/ODIHR was invited by the government to observe the elections. The Needs Assessment Mission recommended the deployment of a full-scale election observation mission (in addition to the core team of analysts, 18 long-term observers, and 200 short-term observers).⁴¹

The campaign to recruit 2 delegates to each of the over 10,000 polling station election commissions to represent the united opposition parties reported that almost 20,000 volunteers have already signed up by the end of January 2022.⁴²

For more details see:

[Hungarian Helsinki Committee: A Threat Assessment of the 2022 Hungarian Parliamentary Elections.](#)

³⁸ 2018 ODIHR [LEOM Report](#), pp. 2 and 14.

³⁹ See e.g.: [PM Orbán's comments on whether homosexuality leads to pedophilia](#), 14 January 2022.

⁴⁰ See e.g. *Politico*, ["Israeli intelligence firm targeted NGOs during Hungary's election campaign"](#), 6 July 2018.

⁴¹ OSCE – *Office for Democratic Institutions and Human Rights*: Hungary. Parliamentary Elections. 3 April 2022. [ODIHR Needs Assessment Mission Report. 17-21 January 2022](#), 4 February 2022. p. 4 and 14.

⁴² Website of the main facilitator of the campaign [here](#)

www.helsinki.hu

