



Inhumane treatment persists in Hungarian prisons

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The Hungarian Helsinki Committee (HHC), founded in 1989, is an independent human rights watchdog dedicated to protecting human dignity through legal and public activities. The HHC wishes to draw the attention of the Organisation for Security and Co-operation in Europe (OSCE) to systemic deficiencies within Hungary's criminal justice system, which continue to enable torture and other cruel, inhuman or degrading treatment or punishment.

Despite repeated judgments by the European Court of Human Rights (ECtHR), the Hungarian Government has failed to undertake meaningful reforms. Chronic prison overcrowding, substandard detention conditions, the absence of effective safeguards against ill-treatment, and the systemic neglect of detainees' rights remain unaddressed. Hungary's continued tolerance of inhuman treatment in prisons is both a symptom and a driver of the ongoing erosion of the rule of law.

In 2025, the Global Torture Index classified Hungary as facing a "considerable risk" of torture and ill-treatment,¹ underlining critical gaps in enforcement and accountability despite the presence of a formal legal framework. Oversight mechanisms remain structurally weak, lacking both independence and adequate resources. Consequently, large-scale rights violations persist, affecting nearly 40,000 detainees and an estimated 100,000 family members each year.

Prison overcrowding and detention conditions

Despite the rulings of the ECtHR and repeated calls by the Committee of Ministers of the Council of Europe over the past 13 years,² Hungary has failed to effectively resolve prison overcrowding and inhumane detention conditions.

As of 31 May 2025, there were 19,341 prisoners held in facilities designed for 17,524, resulting in an occupancy rate of 110%. Of the 30 penitentiary institutions, 18 operated above capacity, including 13

¹ World Organisation Against Torture (OMCT), *Global Torture Index 2025: Hungary Factsheet*. Available at: <https://www.omct.org/en/global-torture-index?country=hungary>.

² For more information, see the HHC's latest Rule 9.2 communication in the *István Gábor Kovács and Varga and Others v. Hungary* group of cases (Application nos. [15707/10](#), [14097/12](#)): [DH-DD\(2025\)114](#), 29 January 2025. See also the Interim Resolution of the Committee of Ministers, [CM/ResDH\(2025\)32](#), 6 March 2025.

at over 110%, of which 5 exceeded 120%.³ In addition, inadequate material conditions, including pest infestations, inadequate temperature control and ventilation, the absence of proper yards, and restricted access to showers and natural light, persist.

III-treatment

The humane treatment of detainees remains compromised by the government's enduring reluctance to address the systemic deficiencies in the prevention, investigation, and sanctioning of ill-treatment committed by police officers and prison staff.⁴ The insufficient and inconsistent use of video recordings, independent medical examinations, and comprehensive witness statements continues to undermine accountability for ill-treatment in Hungarian prisons. These shortcomings rest primarily with the responsible authorities, who must guarantee the implementation of effective safeguards and robust oversight. The Council of Europe's Committee for the Prevention of Torture (CPT) also highlighted this issue in its most recent report on Hungary,⁵ citing numerous allegations of physical abuse and inadequate investigations into such claims.

Detainees alleging ill-treatment are not guaranteed independent and adequate medical examinations and **police officers and prison staff are typically present during medical examinations**. Numerous documented cases indicate that detainees have reported being pressured by staff members to remain silent or to misrepresent the causes of their injuries. Their presence has reportedly deterred detainees who have been ill-treated from voicing their complaints, as they fear retaliation and see no hope of achieving accountability. Furthermore, doctors employed by the police do not receive any training in the Istanbul Protocol⁶ and do not automatically photograph injuries, despite the crucial role such evidence would play.

The HHC's experience and several ECtHR concerning ill-treatment by law enforcement officials cases⁷ indicate that prosecution offices often fail to investigate cases of ill-treatment in a fair manner, as they frequently neglect to gather all relevant evidence, unduly delay procedural action, and fail to undertake a thorough and independent examination of the available information. Moreover, even when convictions occur, offenders typically remain eligible for service – signalling systemic tolerance of abuse.

Means of restraint and searches

It is still **routine practice for prisoners to be transported to court hearings and healthcare facilities in handcuffs and other means of restraint**, and to be held there in restraint without an individual

³ Response no. 30500/2878/2025 issued by the National Prison Administration to the HHC's FOI request on 8 July 2025.

⁴ For more information, see the HHC's latest Rule 9.2 communication in the *Gubacsi v. Hungary* group of cases (Application no. [44686/07](#)): [DH-DD\(2024\)1177](#), 16 October 2024; Addendum: [DH-DD\(2024\)1245](#), 21 October 2024. See also the HHC's Rule 9.2 communication in the case of *Shahzad v. Hungary (No. 2)* (Application no. [37967/18](#)): [DH-DD\(2024\)1449](#), 12 December 2024.

⁵ Report to the Hungarian Government on the visit to Hungary carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 16 to 26 May 2023, [CPT/Inf \(2024\) 36](#).

⁶ UN Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

⁷ See the *Gubacsi v. Hungary* group of cases (Application no. [44686/07](#)).

assessment being conducted. The HHC has had numerous cases indicating that this practice is applied uniformly, even in the case of seriously ill detainees and those with disabilities.⁸ Moreover, the practice of fastening detainees to fixed objects, such as medical beds and radiators, has likewise been repeatedly observed.⁹

Additionally, **strip and body cavity searches form part of the daily custodial routine**, yet without proper risk assessments and adherence to strict criteria, this practice violates the human dignity of detainees. The CPT has expressly criticised the high frequency and extensive use of strip searches, deeming them completely disproportionate. While this practice has also been condemned by the Commissioner for Fundamental Rights, it persists today.

Whole life imprisonment

Hungarian law continues to permit life imprisonment *without* eligibility for release on parole (whole life sentences). The ECtHR has found violations of the prohibition of torture and inhuman or degrading treatment or punishment in a number of cases concerning life imprisonment in Hungary, including both life sentences *with* the possibility of parole (simple life sentence) and whole life sentences. The minimum term before eligibility for release may be set at up to 40 years, which contravenes ECtHR standards. The government's approach demonstrates a clear lack of political will to abandon the concept of whole life sentences and to implement the relevant judgments of the ECtHR regarding both types of life sentences. This also means that Hungary is disregarding an interim resolution issued by the Committee of Ministers of the Council of Europe,¹⁰ leaving those affected without hope of release or remedy for their situation.

Lack of adequate rights protection

Democratic backsliding in Hungary has resulted in the deliberate weakening of institutions tasked with protecting fundamental rights, a trend exemplified by the country's National Human Rights Institution, the Commissioner for Fundamental Rights. Appointed through a non-transparent process by the ruling parties, without any consultation with opposition parties or expert organisations, the Commissioner has consistently failed to act in politically sensitive cases.¹¹

As the Commissioner also acts as the country's National Preventive Mechanism (NPM) under the OPCAT, the **independent and effective monitoring of places of detention is severely compromised**.¹² In addition, underfunding further undermines the NPM's effectiveness. Since the government unilaterally terminated cooperation agreements with civil society organisations in 2017, the NPM has remained the only external actor monitoring places of detention. Consequently, the protection of

⁸ See, for example, Viktor Bányai, "Dying prisoner's hands were shackled to the bed," *RTL*, 13 September 2025. Available in Hungarian at: <https://rtl.hu/hirado/2025/09/13/haldoklo-rab-agyhoz-bilincseles>.

⁹ Report to the Hungarian Government on the visit to Hungary carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 16 to 26 May 2023, *CPT/Inf (2024) 36*.

¹⁰ Interim Resolution of the Committee of Ministers, *CM/ResDH(2024)202*, 19 September 2024.

¹¹ GANHRI Sub-Committee on Accreditation, *Report and Recommendations of the Virtual Session of the Sub-Committee on Accreditation*, 14–24 June 2021. Available at: <https://ganhri.org/wp-content/uploads/2021/08/EN-SCA-Report-June-2021.pdf>.

¹² For more information, see the report *The last piece of the puzzle? Assessing the performance of Hungary's national human rights institution* by Háttér Society and the Hungarian Helsinki Committee, 2024.

detainees' rights has been substantially weakened, and the identification of systemic abuses has been obstructed.

RECOMMENDATIONS

The HHC calls on the OSCE and OSCE Participating States to urge the Hungarian Government to:

1. Engage in a coherent and comprehensive penal reform that provides a **sustainable** solution to prison overcrowding and inhumane detention conditions. **Increase the use of alternatives** to detention;
2. Take immediate and decisive measures to **address systemic deficiencies in the prevention, investigation, and sanctioning of ill-treatment**, and convey a clear "**zero-tolerance**" message regarding such conduct by police and prison staff;
3. **Ensure the functional independence of the NPM** and **allocate sufficient resources** for the regular monitoring of places of detention. **Ensure access for civil society organisations** to monitor places of detention and foster a cooperative relationship with them;
4. Ensure by law that **police officers and prison staff should not, as a general rule, be present during medical examinations** of detainees. Establish an independent medical examination body and provide training on the Istanbul Protocol to medical practitioners and criminal justice actors;
5. **Improve the efficiency of investigations into cases of ill-treatment** and **provide systematic training** on this issue for law enforcement officials, criminal justice actors, and judges. Ensure by law that officers convicted of ill-treatment are not allowed to continue in service;
6. **Restrict the use of means of restraint** without individual assessment **and routine strip and body cavity searches**. Ensure that the fundamental rights of vulnerable detainees are fully upheld;
7. Align legislation on **life sentences** with ECtHR standards.