



HUNGARIAN HELSINKI COMMITTEE

2022 ANNUAL REPORT

THE HUNGARIAN HELSINKI COMMITTEE IN BRIEF



The Hungarian Helsinki Committee (HHC) is a leading human rights watchdog based in Budapest, Hungary, founded in 1989. We defend and promote democratic values, the rule of law and a robust civil society; the right to asylum and international protection for refugees and stateless persons; and the right to be free from torture and to be tried in a fair criminal justice system. We work with a full-spectrum approach, combining several methods:

- **direct legal assistance**
- **strategic litigation**
- **field monitoring**
- **international advocacy**
- **research & reporting**
- **communication**
- **training**
- **legal empowerment**

Our high-quality work has been recognised by many prestigious human rights prizes and awards, including the Calouste Gulbenkian Human Rights Prize (Portugal) in 2017, the 2019 Andrei Sakharov Freedom Award (Norway), and the honour of being a shortlisted nominee for the Nobel Peace Prize in 2021, as well as recognition of our leadership (e.g., the 2018 William D. Zabel Human Rights Award by Human Rights First, the 2019 Civil Rights Defender of the Year in Sweden, the 2019 list of Politico28).



TEN EXAMPLES OF OUR IMPACT IN 2022



1.

A central role in triggering the most significant EU challenge to Hungary's authoritarian transformation since 2010

Since the start of systematic government attacks on the rule of law in 2010, the HHC has been a leading voice in the efforts to halt this process. Our numerous legal analyses, submissions, advocacy briefings and communication efforts significantly contributed to the developments in April 2022, when the European Commission finally decided to [activate](#) the rule of law conditionality regulation, which attaches serious financial consequences to rule of law deficiencies. Threatened by losing several billion euros of EU funding, the government entered into lengthy negotiations with the Commission and rushed through Parliament six bills to demonstrate its commitment to remedy the situation. The HHC gave essential input to the European Commission and EU member states by providing reliable, first-hand data that are prerequisites for such an extraordinary measure. Together with our partners, including Transparency International Hungary, Amnesty International Hungary and K-Monitor, we demonstrated that the half-hearted legislative response by the government failed to meet the agreed-upon commitments. We [published](#) a list of recommended milestones for restoring the rule of law in Hungary and critically [assessed](#) the government's remedial measures.

The [ten analyses](#) we published constituted crucial independent resource materials and played a decisive role in the outcome of the process. In November, the European Commission decided that Hungary had not made the necessary progress in meeting the requirements and proposed suspending 55 per cent of several large EU funding instruments, [withholding](#) 6.3 billion euros until Hungary fulfils

seventeen anti-corruption and rule of law conditions. Moreover, Hungary's access to the EU Recovery and Resilience Fund was tied to the above seventeen milestones and ten further ones, including four 'super-milestones' on ensuring judicial independence. In December, the European Commission found that by breaching certain rights protected under the EU Charter of Fundamental Rights, Hungary failed to fulfil the so-called horizontal enabling conditions that are preconditions for access to EU funds. Consequently, the Commission decided that unless Hungary re-establishes safeguards for judicial independence and repeals LGBTIQ-phobic legislation, recently imposed limitations on academic freedom and the entire legal framework that denies access to asylum, the government will not be able to access funds in these areas.

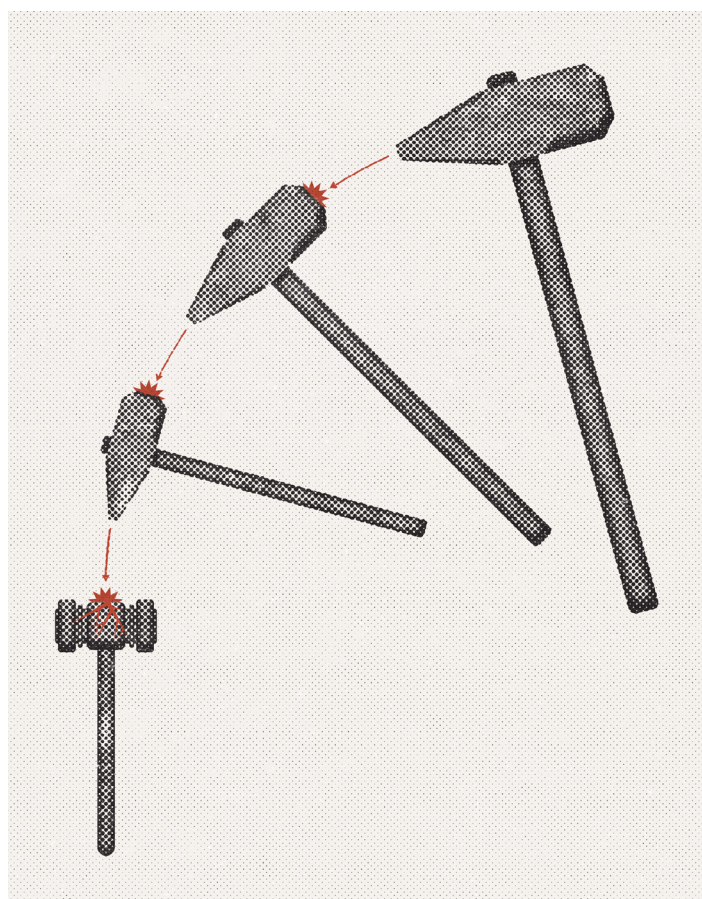
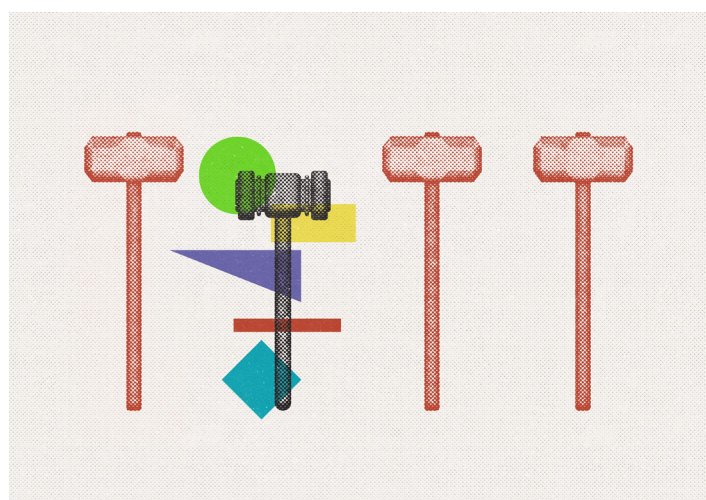
Suspending nearly 30 billion euros of EU funds finally moved the government to make the most relevant rule of law concessions since the start of the country's democratic backsliding in 2010. Moreover, the conditionality mechanism gave us a unique opportunity to explain the importance of the rule of law to the Hungarian public. One of our animations that briefly explained the suspension of EU funding became viral, reaching 689 071 people on Facebook and generating as many as 1 645 comments and 5 234 likes without any advertisement spending. We contributed to information sessions on the process in various locations nationwide, attracting considerable public attention.



2.

A unique contribution to defending judicial independence in Hungary

As we have [emphasised](#) for years, the judiciary represents the last line of defence of the rule of law in Hungary. As a particularly momentous achievement related to the rule of law conditionality mechanism in 2022, we managed to ensure that judicial independence was included in the thematic scope of the process despite not being part of it at the outset. Our gap-filling analysis about [unlawful judicial appointments](#) at the Supreme Court (*Kúria*) and the systemic deficiencies in the [secondment](#) of judges, published in September, played a decisive role in triggering this outcome. In the following months, we published an influential report on the [Hungarian recipe](#) for getting a grip on the judiciary, a paper advocating for the end of [manipulated judicial](#)



[appointments](#) as a baseline for the country's rule of law recovery, and an analysis that showed that [effective fight against corruption](#) is impossible without an independent judiciary.

As a result, four 'super milestones' related to judicial independence were integrated into Hungary's list of obligations that set preconditions for accessing some of the suspended EU funds. These include, for instance, the reinforcement of the National Judicial Council, the self-governing body of the Hungarian judiciary, for which we have been advocating for a decade. Another milestone is intended to end one of the most peculiar illiberal innovations: the legal possibility for state organs to channel politically sensitive cases out of the ordinary court system to the fully captured Constitutional Court by submitting a constitutional complaint under the pretext of protecting their fundamental rights.

3.

Filling a gap in the humanitarian and human rights response to Hungary's largest refugee crisis in decades

When Russia invaded Ukraine, war refugees arrived in Hungary's wholly demolished asylum system that lacked the institutional capacity to cater for their needs. The HHC reacted quickly and effectively to this unexpected challenge: our monitoring team was on the Ukrainian-Hungarian border collecting first-hand information on the war's second day. We immediately created an email hotline and a [landing page](#), which quickly became an information hub for refugees and helpers (with nearly 13 000 individual visits by the end of the year).

Throughout 2022, we conducted 598 monitoring and legal assistance visits to the border area and diverse locations where Ukrainian refugees were accommodated all around the country.

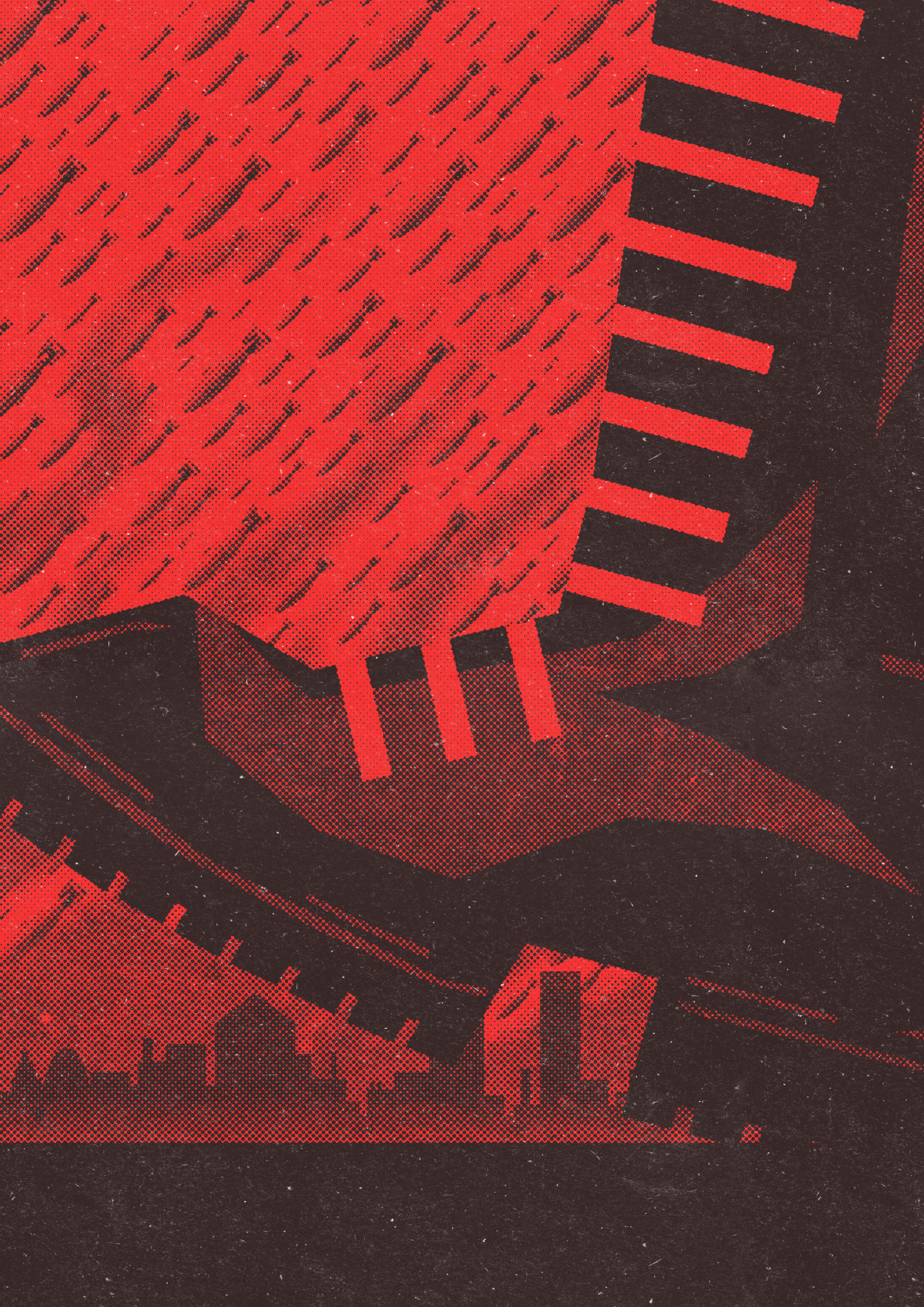
We set up a telephone hotline for giving information in Russian and even maintained a weekend duty system during the first months of the refugee crisis. We helped 9 305 refugees from Ukraine altogether with legal assistance:

- 182 in our office
- 4 379 during monitoring visits
- 1 084 on the phone
- 785 on Facebook
- 2 875 in email

We produced several information leaflets in various languages tailored to the different needs of different target groups (Ukrainian nationals, non-Ukrainians fleeing from the war, Ukrainian-Hungarian dual nationals, Hungarian lawyers, etc.). As the sole actor monitoring legal changes in real-time, we analysed and reported these developments to various entities, including the EU, the UN, the international community, the media, and Hungarian civil society. We held 39 specific gap-filling training sessions on legal issues related to the protection of Ukrainian refugees and answered 106 press queries and 128 legal information requests by other aid organisations and volunteers. An entire sector relied on the HHC's niche legal expertise, and without it, hundreds of thousands of Ukrainian refugees would have faced even more hardship in exile in Hungary. The Ukrainian crisis response in 2022 represented the most extensive legal support operation in the HHC's history.

'I would like to thank your organisation sincerely! Thanks to your guide on obtaining temporary protection, we made the difficult decision to leave Ukraine. Meeting you was like meeting real superheroes for me!'

(Elena, Ukrainian refugee)



4.

Supporting the protest movement of teachers

The potentially most impactful novel partnership we built in 2022 was with the unfolding teachers' protest movement, for which we quickly became a key source of legal assistance and information through a wide array of actions:

- In the context of the ongoing teachers' strike, we filled an information gap by producing a plain-language [information note](#) for students' parents on what this meant in practice and a one-page [illustrated guide](#) on how to protest without breaching the law.
- We immediately [offered](#) free legal assistance to teachers on strike. We [represent](#) five teachers fired for participating in civil disobedience in a highly mediatised employment lawsuit aimed at finding redress against this disproportionate reprisal.
- Together with the Hungarian Civil Liberties Union, we [helped](#) the principal teachers' trade unions seek legal remedies before the European Court of Human Rights for being denied the right to strike by the government's legislative measures.
- We published template documents with ready-made legal arguments that anyone can freely adapt to use in their own procedures, namely a [sample complaint](#) to the Ombudsperson for parents who believe that the dramatic situation of public education violates their children's fundamental rights and a [sample court submission](#) for unlawfully dismissed teachers who wish to seek redress through an employment lawsuit.
- We explained to Hungarian society why the strike was necessary and a legally justifiable means of protest through an [article](#) and a [quiz](#).
- In a record-fast fundraising campaign, we collected 2 million forints (≈5 000 euros) for eventual court fees of the dismissed teachers in case they lose the labour lawsuit.



5.

Demonstrating to Hungarians the value of civil courage through impactful litigation victories

In 2022, we achieved several major domestic litigation victories, which showed the power of civil courage and sent a message of ‘it is worth standing up for your rights’ to an increasingly apathetic Hungarian public. These cases strengthen our social embeddedness and support network by reassuring ‘everyday heroes’ who are not ready to give in to rampant authoritarianism that they can count on the HHC.

- We [won the lawsuit](#) against a former government propaganda outlet *Figyelő*, which published in 2018 the infamous ‘list of Soros mercenaries’, smearing 200 civil society employees and academics, including the entire HHC staff. The second-instance court emphasised that the ‘Soros list’ caused damages to private and public figures alike, as not even public figures are obliged to endure such personal attacks. Beyond apologising, the publisher was obliged to pay 14 million HUF (≈35 000 EUR) in total as compensation to the victims.
- As a major victory against the government’s LGBTIQ-phobic propaganda, we [successfully challenged](#) the discriminatory practice of a District Child Welfare Authority in court, which unlawfully

tried to prevent a man living with his registered same-sex partner from adopting a new-born child who had been relinquished by his mother specifically to them. After nine months of waiting, the parenthood of our client was finally officially recognised.

- We represented several persons living with disabilities who were unlawfully detained for committing a petty offence despite the express prohibition of such detention in Hungarian law. Our intervention was instrumental in releasing four unlawfully detained persons with mental disabilities living under guardianship in 2022. Furthermore, we achieved that two victims of such unlawful detention received compensation, including [Zoltán Horváth](#), a man with a prosthetic leg, who had been unlawfully detained for a traffic-related petty offence in a cell that was unsuitable for persons of reduced mobility.
- We continued to represent Attila Pető, who had suffered repeated sexual abuse as a child by a Catholic priest, who has remained unpunished to date and was even allowed to continue to organise children’s camps for several years. When, as an adult, Pető [filed a complaint](#) to the Catholic Church, he was the one against whom prosecution was launched for ‘harassment’ on count of the text messages and phone calls he made to inquire about the progress of the investigation into his complaint. Notwithstanding the [adverse decision](#) of the second-instance court, the process generated visibility for the long-overlooked tragedy of child abuse and triggered remarkable social sympathy for its victims. Despite its deplorable counter-reaction, the Catholic Church felt obliged to take concrete measures to tackle this problem by, for example, establishing an internal child protection alert system and awareness-raising activities. The empathetic public attention generated by our case was among the circumstances that triggered the second such mediatised [denunciation](#) in early 2023 by another victim, András Hodász.

6.

Triggering comprehensive international observations of the April general elections

The HHC was the leading force in the [NGO coalition](#) that successfully advocated for a full election observation mission by the Organisation for Security and Cooperation in Europe (OSCE). [Before](#) and [after](#) the elections, our analyses helped international actors to understand key election integrity threats. The OSCE election monitoring mission's [final report](#) reflected several of our concerns.

Closely related to the elections, we actively participated in the [NGO campaign](#) that defeated the government's LGBTIQ-phobic propaganda referendum, held together with the general elections in April. Following the coalition's call, over [1.7 million](#) voters cast an invalid vote, thus invalidating the entire referendum. This was an outstanding triumph for a handful of NGOs steered by Amnesty International Hungary and the Háttér Society against the omnipresent hatepropaganda of the government that had virtually infinite resources. As retaliation, the National Electoral Commission [fined](#) all the participating organisations. We successfully challenged this intimidating measure, and in the case of all the fifteen NGOs represented by HHC attorneys, the Supreme Court (*Kúria*) [quashed](#) the decision and confirmed that the NGOs involved had only exercised their freedom of expression. In September, the NGO coalition was honoured with [being shortlisted](#) for the prestigious Václav Havel Prize of the Council of Europe.



7.

Accomplishing positive legislative change in Hungary

Since the democratic backsliding of Hungary commenced, avenues for legislative advocacy have rapidly disappeared. With public consultations in the legislative process ignored, independent civil society has had little to no opportunity to meaningfully engage with such processes. Nevertheless, we managed to achieve positive legislative change in two aspects in 2022.

- Our numerous litigation victories and advocacy efforts triggered the amendment of the Petty Offence Act, which finally made it possible to request compensation for non-pecuniary damage (such as pain, suffering or distress) related to unlawful detention for petty offences. The amendment also enacted rules that facilitate victims' practical access to compensation, so far hindered by numerous procedural obstacles, thus contributing to our efforts to end impunity in this respect.
- In March, we were the only refugee response actor that [publicly denounced](#) that potentially tens of thousands of Ukrainian refugees holding dual Hungarian-Ukrainian nationality had been excluded from support services due to a legislative gap. This moved the government to immediately amend the legislation to remedy this situation.



8.

Impactfully promoting a Europe of rights, refugee protection, transparency, and civic participation

Our impact went far beyond the borders of Hungary as many of our activities contributed to shaping a rights-based Europe. For example:

- We have been tackling for several years the Hungarian law and practice of withdrawing refugee status and expelling long-term residents on the grounds of obscure national security concerns based entirely on classified data that are neither disclosed to the persons concerned nor to their legal representative. This Kafkaesque practice has been targeting even long-term residents with no link that could be considered, even remotely, a security-related issue (such as the [absurd story](#) of a Russian woman with a Hungarian family). In September, the EU Court of Justice finally [ruled](#) in an HHC-represented case that this practice is against EU law. The judgment was the thirteenth victory for the HHC at the EU Court of Justice, directly affecting other EU member states who follow the same unlawful practice (such as Cyprus, Poland, and Slovakia).
- We won six cases before the European Court of Human Rights in 2022. After its first such ruling in 2021, the Court further confirmed in four judgments in 2022 that the detention of asylum-seekers in Hungary's infamous transit zones had been arbitrary and, thus, unlawful in 2017. In addition, the Court ruled that the detention conditions in the transit zone amounted to inhuman treatment in the case of children and pregnant women. Two [Afghan families](#) and two [Iraqi families](#), all with several children, received 60 000 euros as compensation for several months of unlawful and inhuman detention. These judgments should discourage Hungary and other countries from resorting to similar practices in the future.
- Another victory at the European Court of Human Rights condemned Hungary's indiscriminate and [violent](#) migrant push-back policy at the Serbian-Hungarian border, based on a legal provision stipulating that any irregularly staying foreigner apprehended in Hungary must be automatically pushed back/out to the Serbian border zone, without the possibility of asking for asylum or lodging an appeal. The Court found this policy to violate the prohibition of collective expulsions and the right to an effective remedy in the case of an [Iranian](#) asylum-seeker. The sixth successful [HHC case](#) before the European Court of Human Rights in 2022 confirmed the importance of examining all asylum claims properly instead of blanket rejections based on unspecified safe third-country arguments. In times when extrajudicial push-back policies are on the rise at several EU borders, our European court victories offer valuable tools for advocates all around the continent.



- Our rule of law work also contributed to strengthening civic participation in the entire EU, as we found innovative avenues to make our voice heard in the rule of law conditionality mechanism despite civil society not having any official role in this process.
- Our Recharging Advocacy for Rights in Europe (RARE) project, organised in cooperation with the Hertie School in Berlin, the Netherlands Helsinki Committee, the Helsinki Foundation for Human Rights in Poland, and Oxfam Novib, offered ten high-quality skills- and knowledge-building events to 27 leading staff members of civic organisations from all over the EU. Through learning, forging diverse partnerships and developing joint projects, participants become better equipped to build a resilient alliance working towards a common agenda on fundamental rights and the rule of law in the EU.

9.

Pioneering narrative change through an innovative campaign focusing on detainees' family members

The HHC's FECSKE Support Network for Detainees and Their Families delivered a successful campaign in 2022, which marked a milestone in our efforts to change the narrative about toxified human rights topics in Hungarian society. Our struggle since the 1990s to prioritise the reintegration role of prisons and the prevention of reoffending instead of further alienating prisoners by systematically violating their human dignity has generated little solidarity in Hungarian society. To overcome the predominantly pro-punishment social attitudes, also fuelled by the government's penal populism, we changed our communication strategy in 2022 and switched entirely to the viewpoint of detainees' family members. Our [innovative campaign](#) *Otthon várunk!* ('We are waiting for you at home') featured personal testimonies of female partners, parents, grandparents, and children of detainees. The campaign showed the human impact of unreasonably restricting detainees' contact with their families for several years, including an irrationally prolonged [complete visitation ban](#) under the pretext of the pandemic, the equally [illogical limits on family visits](#) after the ban was lifted, and [absurdly high telephone fees](#) in prisons.



The campaign was a resounding success: several thousand people saw the video testimonies. The [most popular one](#) was watched by 39 472 viewers until the end of the year and reached over 648 350 persons on Facebook without any paid advertisement. This new perspective inspired more family members to share their stories in public and triggered increased interest and a more positive attitude by several journalists. As a prestigious recognition for such innovative approaches, the FECSKE Support Network for Detainees and Their Families [received](#) a SozialMarie Prize for Social Innovation in May 2022.

10.

Vast outreach to beneficiaries and the public, especially compared to the size of the organisation

The positive impact of our work reached a large population in 2022. As many as 10 406 persons benefitted from our direct legal assistance:

- **9 305 as part of our Ukraine refugee crisis response**
- **386 other beneficiaries assisted by the HHC Refugee Programme**
- **715 assisted by our Human Rights Legal Counselling Office**

Our training activities also had record outreach, with 2 268 persons benefitting from lectures, seminars, and social engagement sessions held by our expert colleagues. A significant proportion of these activities was related to the Ukrainian refugee crisis, where our activities filled a dramatic legal information gap. Among others, our colleagues also delivered professional training to 100 decision-making officers of the Spanish asylum authority and 118 officers of the Canadian Immigration and Refugee Board, as well as holding two seminars in Tunis addressing national human rights institutions, NGOs, UN representatives and academics from various North

African countries. Our experts played a pivotal role in various prestigious global courses, and the Office of the UN High Commissioner for Human Rights engaged our colleague as a consultant to develop a training curriculum on protecting and monitoring human rights in the context of migration.

We reached over 3 800 persons through our own events or through participating in other public and professional events. These HHC interventions typically strived to raise awareness of human rights or a specific area thereof and highlight central features of the rule of law, criminal justice, or the refugee situation in Hungary. Outstanding examples include our co-chair giving an [expert testimony](#) to the Foreign Affairs Committee of the US House of Representatives, a keynote speech at the 'Democracy under Threat' [conference](#) in the Hague and addressing the 2022 Samuel Dash [Conference](#) on Human Rights at the Georgetown University in Washington.

Despite an ever-shrinking free media space, our outreach also broke a record, as we registered 1 200 positive or neutral appearances in Hungarian media. Our international communication outreach also remained strong, with 166 quotes in the foreign press, including leading European and global outlets, such as Euronews, EUObserver, The Guardian, BBC, Deutsche Welle, Le Monde, Libération, Newsweek or El País. (The actual number may be higher due to the difficulty of tracking all media appearances globally, in all languages.)

The number of our social media followers/subscribers also continued to grow steadily, by 15 per cent on Facebook, 35 per cent on Instagram, 10 per cent on Twitter and 38 per cent on YouTube. Our website registered 477 033 visits in 2022, 56 per cent more than the previous year. The seven editions of our online debate programme *Helsinki Hangadó* attracted an average audience of 300 people in 2022.

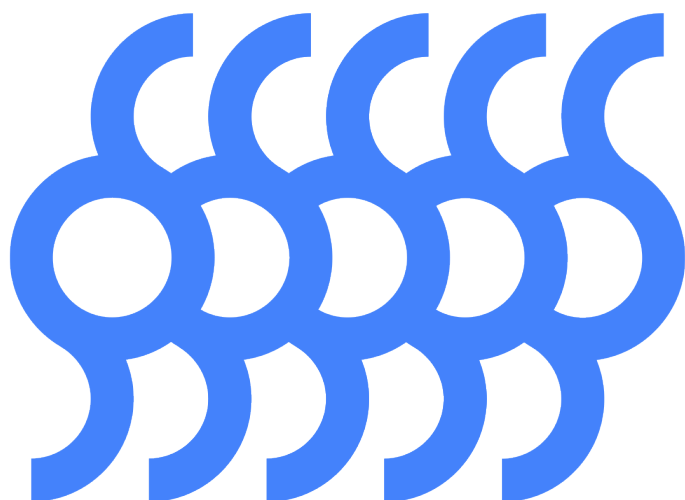


OTHER EXAMPLES OF MOMENTOUS ACTIVITIES & ACHIEVEMENTS IN 2022



RULE OF LAW

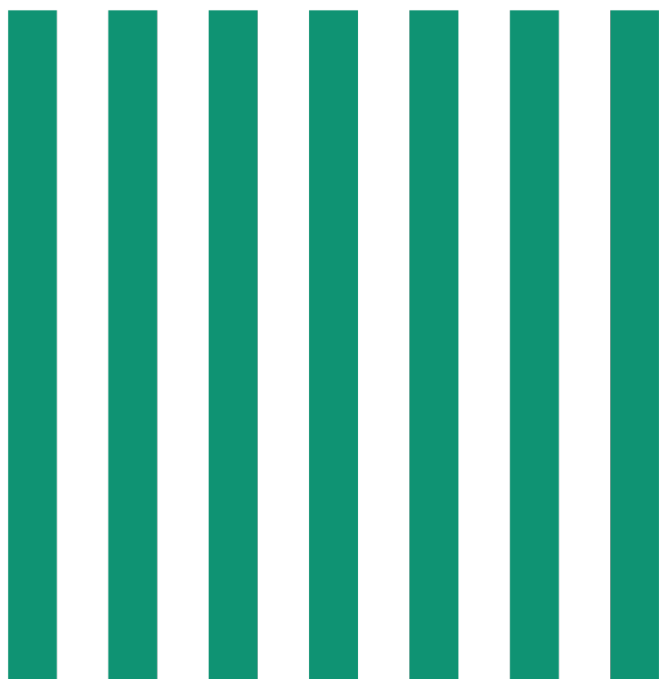
- Following our 2019 [assessment paper](#) and 2021 [shadow report](#), the international network of national human rights institutions echoed our criticism and [downgraded](#) the Hungarian Ombudsperson's status due to his failure to effectively carry out a national human rights institution's mandate regarding vulnerable groups (such as the Roma, migrants or LGBTIQ people) and for his lack of functional independence from the government.
- In significant part due to our reporting efforts, the Committee of Ministers of the Council of Europe (in charge of monitoring the implementation of the judgments of the European Court of Human Rights) [issued](#) an interim resolution in the case of *Baka v Hungary*. The Committee used this robust tool to urge the government to take concrete measures to implement this crucial 2016 judgment that concerned judicial independence and judges' freedom of expression in particular.
- Our consistent reporting and advocacy efforts for several years contributed to the [decision](#) by the Parliamentary Assembly of the Council of Europe to subject Hungary to its so-called 'full monitoring procedure', which foreshadows a complex, multiannual human rights screening as of 2023. We successfully uncovered the cumulative negative impact of numerous seemingly isolated governmental measures and rights violations on the rule of law. Hungary and Poland are the only EU member states that have been placed under this close scrutiny, which will be crucial for maintaining international and EU pressure pointing in the same direction in upcoming years.





JUSTICE

- Our [client](#) received a compensation of one million forints (≈2 500 euros) for having suffered severe ill-treatment by prison guards, highlighting the persistence of this long-standing, systematic form of human rights violation in Hungary.
- Three high school students initiated a lawsuit for the violation of their right to freedom with our help. As a result, they [received](#) compensation and official apologies from the police for having been unlawfully detained for three days without adequate information about the arrest for a robbery which they evidently did not commit.



ASYLUM AND INTERNATIONAL PROTECTION

- Despite the quasi-impossibility of even submitting an asylum claim in Hungary, we still managed to help 18 persons obtain international protection. We won 58 per cent of the HHC-represented asylum appeals in Hungary in 2022. One of our gay asylum-seeker clients was granted refugee status on the first day of the Pride month.
- As a first success of this nature, we obtained an interim measure from the European Court of Human Rights, preventing the push-back of a father to Serbia, who had been treated in a hospital in Szeged while his daughter was placed in a children's home at a different location.
- Our litigation efforts prompted the Supreme Court (*Kúria*) to clarify that statelessness emanating from factual (not purely legal) factors also entitles a stateless person to protection. As Hungary is one of the few countries in the world 'producing' statelessness determination jurisprudence, this judgment has a significant international effect.
- After four years of legal struggle, deportation, an entry ban and two years of forcible separation, an Iraqi man could finally join his Hungarian wife, thanks to our help and the fact that neither they nor the HHC gave up during all these years.
- We launched a campaign aimed at re-framing the public discourse on asylum, benefitting from the overwhelmingly positive attitude of Hungarians towards Ukrainian refugees. The *Faces from Ukraine* campaign featured [individual stories](#) of a diverse group of Ukrainians who found refuge in Hungary. We [held](#) our first artists' exhibition in Szeged in close cooperation with She4She – Hungarian Migrant Women's Association, and the Municipality of Szeged. The exhibition *Breaking Point – Exhibition of paintings created by freedom-loving Ukrainian, Iranian and Afghan people* [attracted](#) over 2 000 visitors in three months.

