



HUNGARIAN
HELSINKI
COMMITTEE

Civil Courage and Professional Integrity

The 2023 Annual Impact Report of the Hungarian Helsinki Committee

I. The Hungarian Helsinki Committee in brief



Our team



The Hungarian Helsinki Committee (HHC) is a leading human rights watchdog NGO based in Budapest, Hungary, founded in 1989. We defend and promote democratic values, the **rule of law**, and a vibrant civil society; the right to **asylum** and international protection for refugees and others in need; and the right to be **free from torture** or inhuman treatment and punishment and to be tried in a **fair criminal justice** system. Many of the issues the HHC works on are not addressed by other non-governmental organisations in Hungary. We work with a **full-spectrum approach**, combining several methods:

- direct legal assistance
- strategic litigation
- field monitoring
- advocacy research & reporting
- communication
- training & capacity-building
- empowerment & social participation

Our high-quality work has been recognised by **many prestigious human rights prizes and awards**, including the Calouste Gulbenkian Human Rights Prize (Portugal), the 2019 Andrei Sakharov Freedom Award (Norway), 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 class of Politico28).

At the end of the year, the HHC had **a staff of 45** including employees and staff attorneys.

II. Eight outstanding examples of our impact in 2023



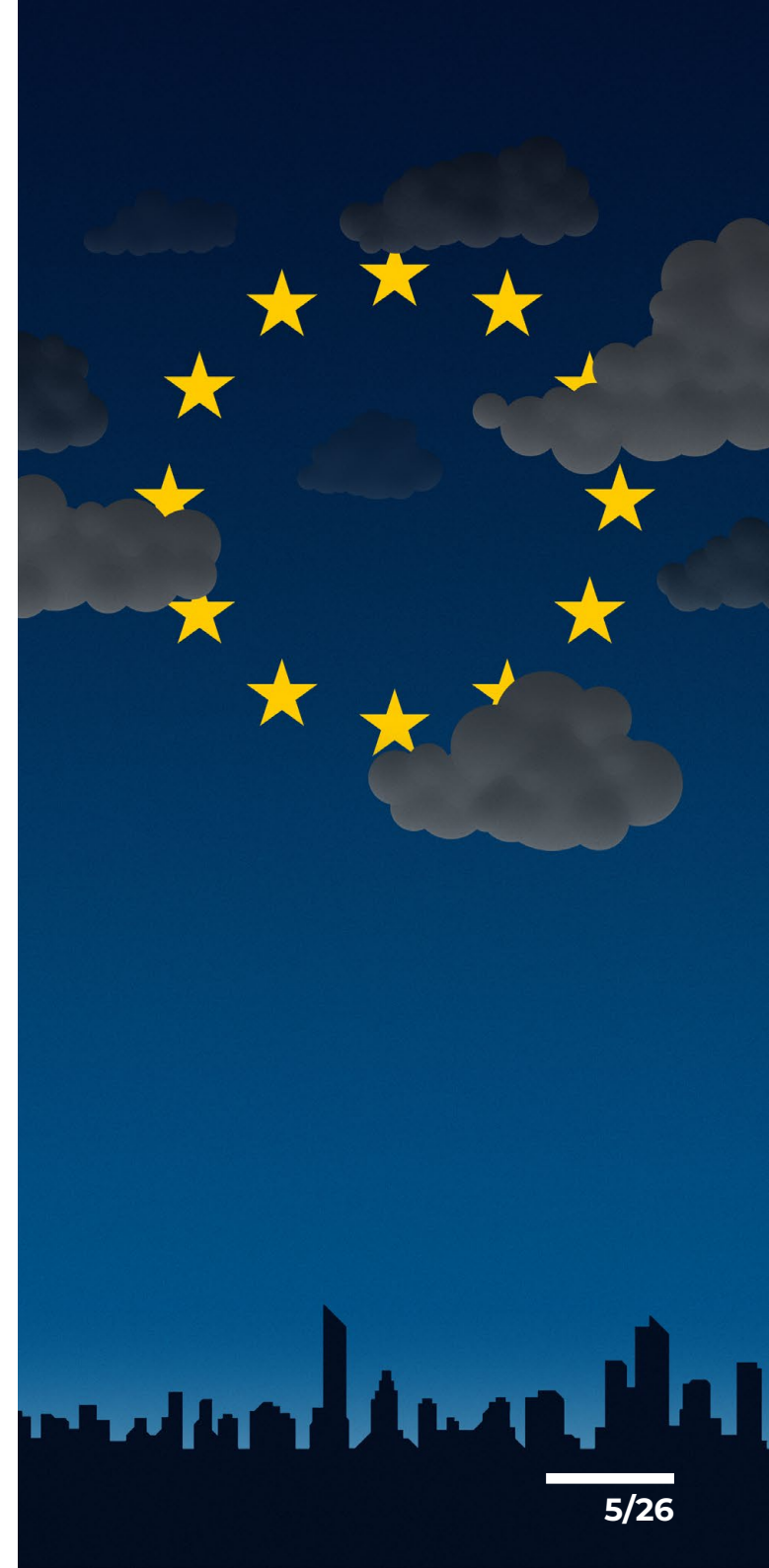
1. Shaping regional human rights standards through litigation victories in European courts

In 2023, we **won 15 cases before the European Court of Human Rights (ECtHR)**, the highest annual record in the HHC's history. These legal victories before European courts have manifold effects beyond offering a remedy to individual victims. They contribute **to keeping the European spotlight on the grave deterioration of Hungary's human rights records**, stimulating international response. They demonstrate to the Hungarian public that seeking remedies against human rights violations is a worthwhile effort and that European human rights mechanisms can be relied upon. They also contribute to **advancing European human rights and refugee protection standards**, thus dissuading other states from copying unlawful practices from Hungary.

In 9 cases, the ECtHR ruled that the detention of asylum-seekers, including families with children and unaccompanied minors, had been unlawful in the previously existing transit zones on the Serbian-Hungarian border.

In 2 judgments, the ECtHR found that the push-back at the border of asylum-seeking families and an unaccompanied child to Serbia had been unlawful.

In *Alhowais v. Hungary*, the ECtHR established that Hungarian authorities had been responsible for the death of a young Syrian man who drowned in the Tisza River at the Serbian-Hungarian border after police assaulted and pushed him back towards Serbia in 2016.



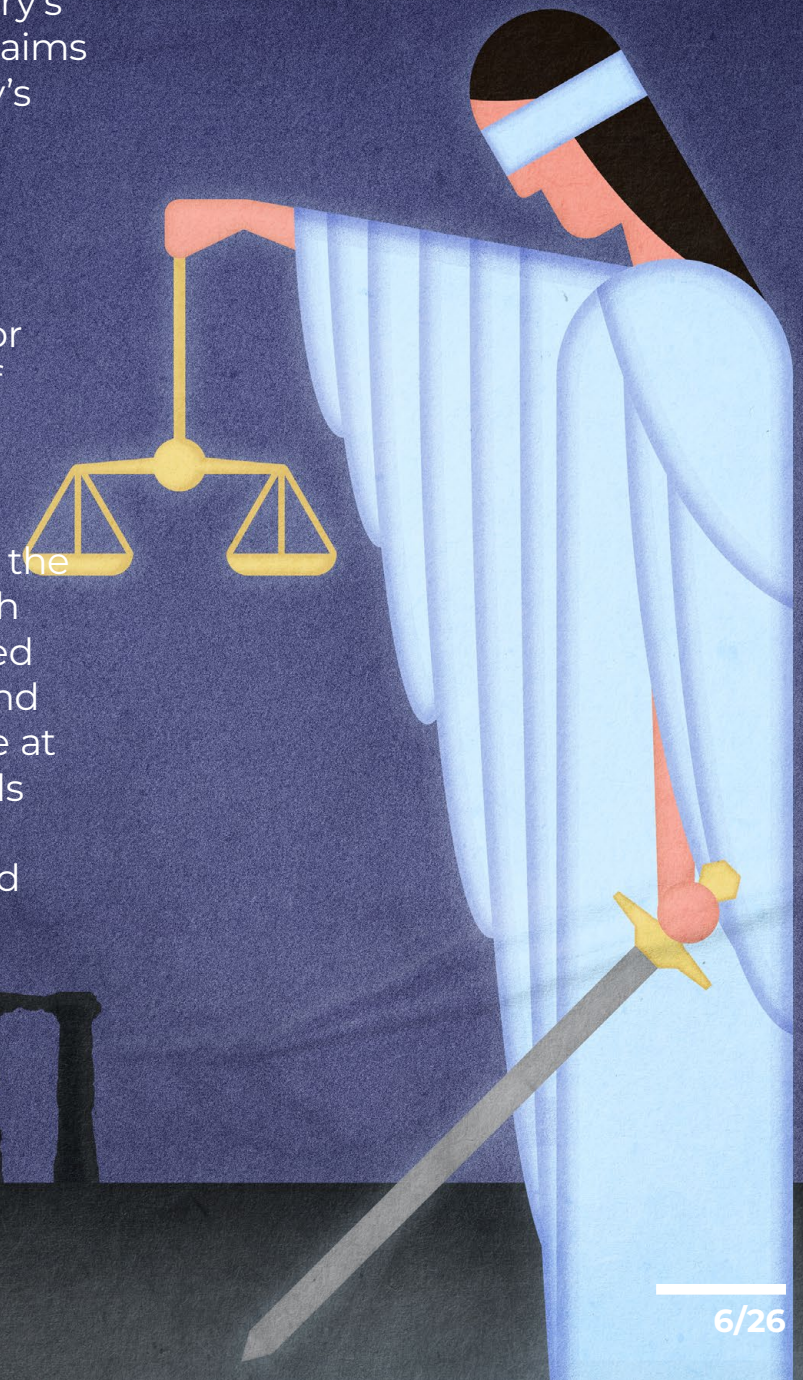
In *Shahzad v. Hungary*, the ECtHR confirmed that Hungarian police officers had ill-treated a Pakistani asylum-seeker during his push-back and, despite the clear evidence submitted, the prosecutor's office had failed to investigate the ill-treatment appropriately.

In *RB v. Hungary*, the ECtHR established that the Hungarian police had committed inhuman treatment by using excessive force against a woman, resulting in grave injuries, and the prosecutor had failed to conduct an effective investigation against the police officers involved.

In *Takó and Visztné v. Hungary*, the ECtHR confirmed the primacy of the right to respect for private and family life in the context of detainees' family visits (see in Part 3).

In June, the EU Court of Justice confirmed our long-standing concerns and ruled that Hungary's policy of not allowing asylum claims to be submitted on the country's territory violates EU law.

Our litigation efforts to end the abusive practice of using unspecified 'national security concerns' as blanket grounds for expulsion and the revocation of refugee status started bearing results. After we successfully challenged this practice before the EU Court of Justice in 2022, the Budapest Court began to quash refugee status revocations based on unrevealed classified data and ordered the authorities to make at least the essence of the grounds known to those concerned to respect the right to defence and the equality of arms.



2. Supporting Hungarians who suffered reprisals for standing up against injustice and human rights violations

Our legal counselling activity service showed the Hungarian public **the value of civil courage and public participation**. Providing legal assistance to ‘everyday heroes’ brought several tangible results in 2023. For example:

A court judgment confirmed in an HHC-represented case that blocking journalists from interviewing government officials arriving at a government meeting by fencing off the Prime Minister’s Office with a police barrier violated the right to **freedom of expression**.

A second-instance court terminated the petty offence procedure initiated against our activist client who had coloured a cracked sidewalk with water-based paint, to denounce the lack of proper maintenance by local authorities.



Tamás Fábán, our journalist client, whom the Police unlawfully prevented from doing his job

HHC attorney Balázs Tóth with our teacher clients who were dismissed for participating in a lawful civil disobedience action



The court confirmed that this act of protest, which did not cause any damage, falls under the protected scope of **freedom of expression**.

We successfully represented a man whom the local notary wanted to place under guardianship, claiming that he had severe mental disorders simply because he had submitted multiple information requests to his local municipality prior to the 2019 local elections. The 2023 second-instance judgment confirmed

that this process had violated our client's **right to human dignity and good reputation** and awarded him damages.

The HHC's farthest-reaching recent intervention to support 'everyday heroes' concerned **the teachers' and students' protest movement**, which started to unfold in 2022 to denounce severely deteriorating conditions in the public education system. (The related legal procedures are still ongoing at the

time of writing.) After establishing a novel partnership with the teachers' trade unions and various interest groups in the previous year, in 2023, we commented on draft legislation and published an advocacy paper to inform international stakeholders about how the government has used legal tools, including its excessive emergency powers, to crack down on protesting teachers. We provided legal representation to the five teachers who had been the first to be dismissed



HHC attorney Borbála Ivány with our clients Eve Rogers and Viktor Mák

for participating in a lawful civil disobedience action in a highly mediatised employment lawsuit aimed at finding redress against this disproportionate reprisal.

When protests took to the streets, we supported demonstrators with an updated [leaflet](#) and [Q&A](#) on protesters' rights and potential police measures, a [video](#) on how

to protest lawfully and an [online legal consultation](#) on Reddit, which **reached over 54,000 users**. After the police used tear gas against (mainly student) protesters, we issued a [statement](#) demanding an independent investigation into the events and publicly [offered](#) free legal representation to demonstrators who had suffered abuse by the police. We [demanded](#) procedural pardons for protesters subjected to criminal procedures for trying to dismantle barriers fencing off the area around the Prime Minister's Office. We prepared a [sample clemency request](#) for the affected protesters.

Supporting 'everyday heroes' helps Hungarian civil society and the wider public **understand the practical value of the rule of law and civil courage**. It enhances dialogue with a broad range of social actors (trade unions, interest groups, etc.) and contributes to a **more robust and diverse alliance of pro-democracy actors in Hungary**.

3. Visitation Barriers Reduced in Prisons in Hungary

19,000 detainees are held on a given day in Hungarian prisons who have roughly 60,000 family members, including approximately 30,000 children. Since 2017, the Hungarian Prison Administration has only allowed **detainees to meet their family members while being supervised and separated by a plexiglass wall without an individual risk assessment**. The permanent, indiscriminate prohibition of any physical contact between detainees and their loved ones is not only blatantly unreasonable but may also jeopardise their reintegration prospects. We used our entire methodological arsenal to tackle this restrictive practice. We continuously monitored the situation by interviewing detainees' family members and provided free legal advice to those concerned, including by developing an adaptable request template. We

published a research report documenting the problem as well as a factsheet detailing problems with personal contact policies within Hungarian prisons. We prominently addressed this issue in our public communication and advocated for positive change both domestically and at international fora. As a result, the Council of Europe Committee of Ministers repeatedly echoed

our concerns to the Hungarian government. With the signature of 2,100 family members, we submitted a petition to the National Prison Administration. In October 2023, the European Court of Human Rights found in an HHC-represented case that this indiscriminate practice **violates the right to respect for private and family life** as enshrined in Article 8 of the European Convention on Human Rights.



All these efforts brought tangible positive change by the end of the year. In several prisons, **the once ceiling-high partition elements have been removed or replaced** by 20-50-cm-high partitions. The adjustment allows for physical contact at the beginning and end of the visits, offering a more humane approach to prison visitations and fostering connection and support for both prisoners and their families. While this change does not automatically ensure the unhindered exercise of this right in all prisons, for which continued advocacy efforts are needed, it profoundly affects the human rights of tens of thousands of detainees and their family members. This shows a remarkable example of how **the HHC's persistent multi-methodological approach can**

induce systemic change even in an adverse context. This success was also a result of **civic activism**, as thousands of detainee family members could recognise the potential in standing up together against rights violations. The HHC's Support Network for Detainees and Their Families (FECsKE) played a pivotal role in this process, demonstrating the growing impact of such legal empowerment-focused methodological innovations on our work.



4. Reducing the unjustified detention of people with psycho-social disabilities

In the past decade, we have repeatedly expressed concerns at various fora over the significant surge in the number of people detained in the Forensic Observation and Mental Institute, a closed institution where people with intellectual and psycho-social disabilities are detained indefinitely. We criticised that several inmates with no suitable family background where they could return to had to remain in prison psychiatry solely because their placement in an adequate social care home was impossible due to systemic social cutbacks. We alerted the European Committee for the Prevention of

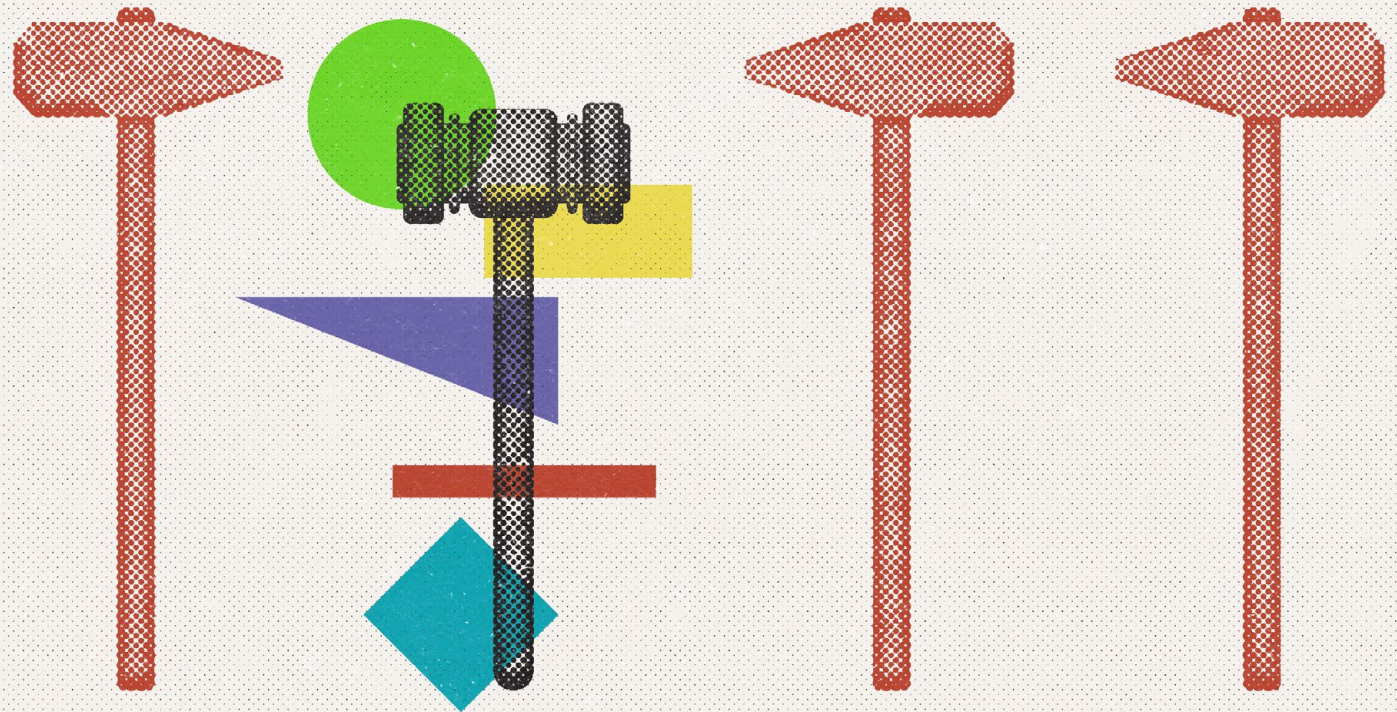
Torture and Inhuman or Degrading Treatment or Punishment (CPT) about this problem before its periodic visit to Hungary in May 2023. Consequently, the CPT chose this institution as one of the places it visited. After the CPT's visit, the Institute started an extraordinary review process to reduce the number of detainees by finding placements in social care homes for them. Thus, by the end of 2023, **nearly 10 per cent of the previously held detainees were placed in social care homes, hence outside the penitentiary psychiatric institute.**



5. Defending judicial independence through advocacy

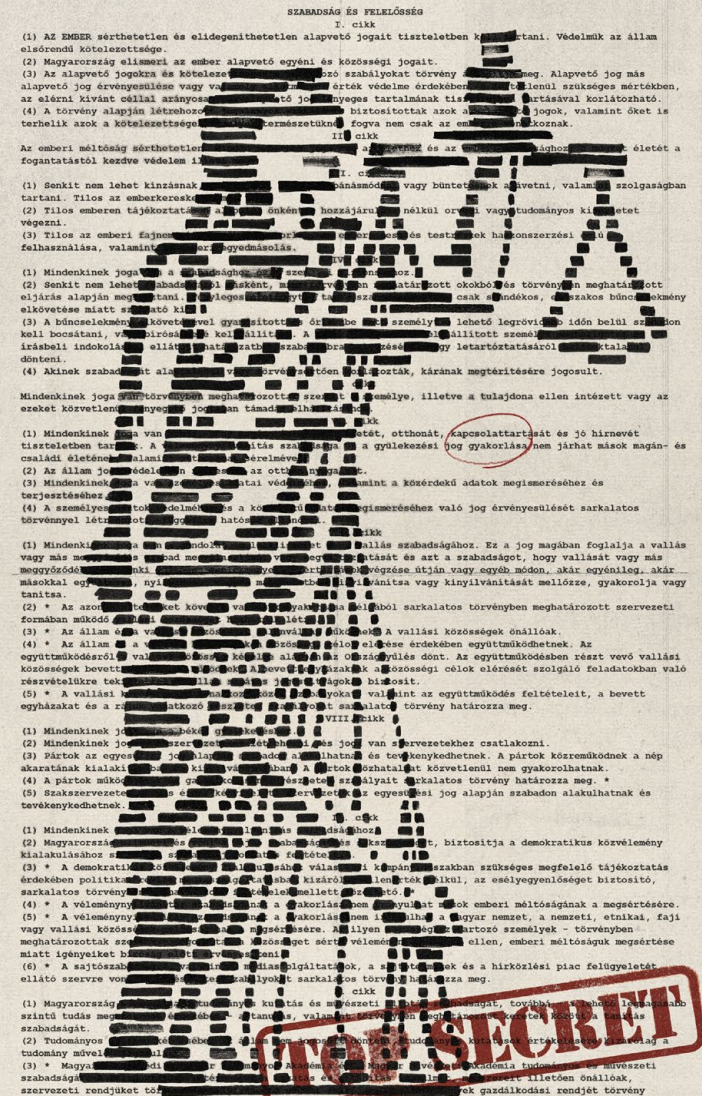
With the dismantling of democratic checks and balances in the past decade, the judiciary has become the last line of defence for the rule of law in Hungary. Protecting its independence against increasingly aggressive governmental influence has, consequently, turned into a strategic priority for the HHC. In 2022, our expertise contributed to reinforcing certain aspects of judicial independence as part of the conditionalities for accessing various EU funds by Hungary.

In January 2023, the Hungarian government published the first draft of the judicial reform required by the European Commission and the Council as a condition to access frozen EU funds. In the framework of the related public consultation, we produced, together with other civil society organisations, a detailed assessment of the draft proposal and participated in an in-person consultation with government representatives to discuss the



most pressing deficiencies of the judicial reform. The government took on board and addressed several concerns we had raised together with our civil society partners. For example, in line with our suggestions, the final text of the law provided for an incubation period to support the transition of the National Judicial Council (NJC) into a separate budgetary entity. It also guaranteed that the NJC could give a detailed opinion on candidates for the presidency of the Supreme Court (*Kúria*) and the National Judicial Office. In addition, the government also accepted our proposal to comply with the EU condition to eliminate public authorities' right to submit constitutional complaints. We assessed the adopted final text of the judicial reform, highlighting the remaining fundamental deficiencies, followed by an analysis of the last-minute amendments adopted before the European

Commission decided on the reform in December 2023. Together with our NGO partners, we produced detailed Q&A explanations of two particularly complex aspects of judicial independence: obstacles to submitting references for preliminary rulings to the EU Court of Justice and public authorities' possibility to challenge final judicial decisions before the Constitutional Court. We also clarified to the broader public the essential importance of judicial independence for preserving democracy and the rule of law. In sum, we were successful in ensuring that judicial independence was integrated into core rule-of-law-focused EU activities with regard to Hungary and also managed to contribute to reducing the harm caused by some of the most problematic aspects of the government's judicial reforms in recent years.



6. A leading role in achieving coordinated civil society action and concrete outcomes in EU funds monitoring committees

The European Commission warned Hungary in 2023 that the lack of independent members in the monitoring committees attached to thematic EU funds for the 2021-2027 EU budget means a failure to comply with EU rules. Consequently, the government dissolved all monitoring committees and published a call for prospective members. We successfully applied to become the civil society member in charge of fundamental rights in the Internal Security and Border Funds Monitoring Committee. We took on a **leading role in a cooperation effort, bringing together several independent human rights and anti-corruption organisations** selected as members of various monitoring committees to facilitate coordination ahead of committee sessions. Our membership in the monitoring committee led to the **suspension of EU funding for border protection at the Hungarian-Serbian border**, as we pointed out concerns about potential EU law and fundamental rights violations.

7. Vast outreach to beneficiaries and the public

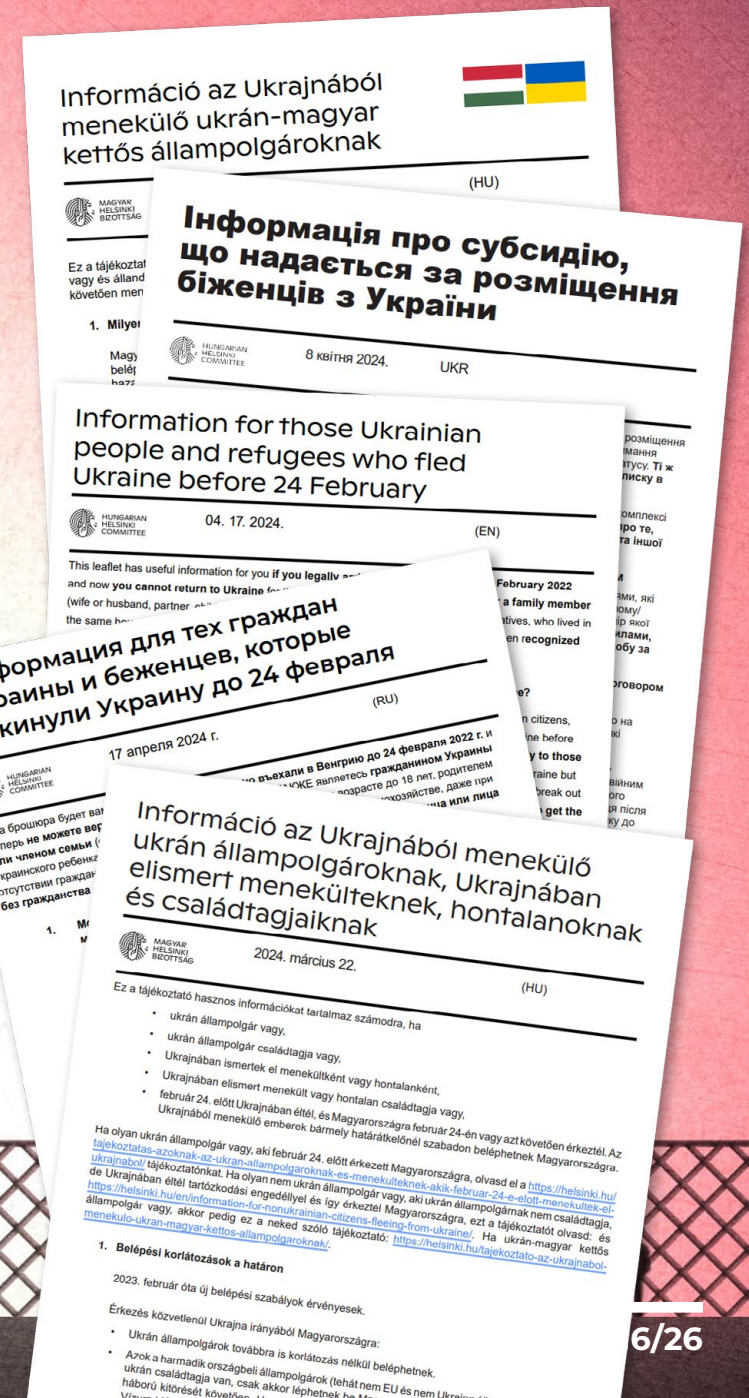
We provided **free legal advice to 4,649 persons** in 2023.

- 3,240 persons as part of our Ukraine refugee crisis response
- 506 other people assisted by the HHC Refugee Programme
- 903 persons assisted by our Human Rights Counselling Office

Detainees and refugees are among the most vulnerable groups in Hungarian society, particularly exposed to the risk of human rights violations, with little societal solidarity to count on. **Without our legal assistance, these groups would hardly have any legal support to rely on.**

The HHC **Human Rights Counselling Office** assisted **altogether 903 people:**

- 468 persons in connection with human rights complaints related to criminal procedures or detention;
- 32 persons in connection with ill-treatment committed by law enforcement agencies;
- 54 persons in connection with unlawful police measures;
- 42 persons in connection with rule-of-law-related issues (see next point);
- 307 persons with general legal information and/or referral to other organisations.



For decades, the HHC's free-of-charge legal support activities in asylum procedures have had no alternative in Hungary, as no other NGO – let alone a state-funded service provider – is ready and able to provide this service. The dismantling of the Hungarian asylum system, accompanied

by xenophobic campaigns and the indiscriminate, often violent push-back of tens of thousands of asylum-seekers, is one of the most egregious manifestations of the country's authoritarian turn since 2010. The HHC Refugee Programme provided **gap-filling legal assistance to 3,746 asylum-seekers, refugees, stateless persons and vulnerable migrants at risk** in 2023. 3,240 of them were refugees displaced by Russia's **war on Ukraine**.

Our legal assistance continues to make a genuine difference in the lives of the most vulnerable people. 80 per cent of the HHC-represented court appeals were successful in asylum procedures. Despite the dysfunctional Hungarian asylum system due to its systematic governmental dismantling, **12 asylum-seekers obtained international protection** in 2023 as a result of HHC's legal representation work. With our help, 7 refugees who had been forcibly separated from their families could safely reunite with them in 2023 in Hungary.



We directly monitor in Serbia the consequences of violent push-backs from Hungary





Balázs Gaál,
HHC junior
advocacy officer

Despite a shrinking free media space, our outreach continued to be firm, with **793 positive or neutral appearances registered in Hungarian media outlets.**

Our international communication outreach also remained strong, with **at least 200 quotes in the foreign press**, including leading European and global outlets, such as Euronews, Politico, The New York Times, The Guardian, BBC, Deutsche Welle, France24 or La Vanguardia. (The actual number may be higher due to the difficulty of tracking all media appearances globally in all languages.)

Our social media outreach also continued to grow steadily.

	Followers/subscribers beginning of 2023	Followers/subscribers end of 2023	Change
Facebook	51,744	54,479	+5.3 per cent
Instagram	5,911	6,539	+10.6 per cent
X (former Twitter)	7,314	7,771	+6.2 per cent
Youtube	799	1,180	+47.7 per cent

Our training activities benefited 1,584 persons who participated in lectures, seminars, courses, and knowledge-transfer sessions held by our expert colleagues. We reached over 1,300 persons through our public and professional events that raise awareness of human rights themes and highlight key developments related to the rule of law, criminal justice, or the refugee situation in Hungary.



We started a **TikTok channel** in early 2023, which attracted 2,078 followers by the end of the year. Our three most popular TikTok videos **reached between 74,000 and 137,000 users.**

In 2023, we made substantial progress in securing taxpayer donations, as a record number of **849 Hungarian taxpayers decided to support our work**, which is 300 per cent growth since 2015.

8. Innovation in organisational development: launching the HHC's advisory youth council



The HHC's youth council: 'Young Voices for the Voiceless'

For years, we have been working on **renewing our communication style and finding avenues towards young Hungarians** as a group with great potential for supporting human rights causes and fostering durable social change in Hungary. In 2023, we could finally realise one of the most significant and long-planned innovations in our organisational development: the establishment of our youth advisory council. The diverse team of the **'Young Voices for the Voiceless'** consists of seven young persons aged between 16 and 20 years (two of them of refugee background). Throughout the year, they supported our work in many different areas, from communication through capacity-building and outreach activities to technical assistance. For instance, our youth council members' contribution was instrumental in the success of our **innovative human rights summer camp**, where 14 Hungarian and refugee youth learned about human rights together, for the first time in such a setting, with

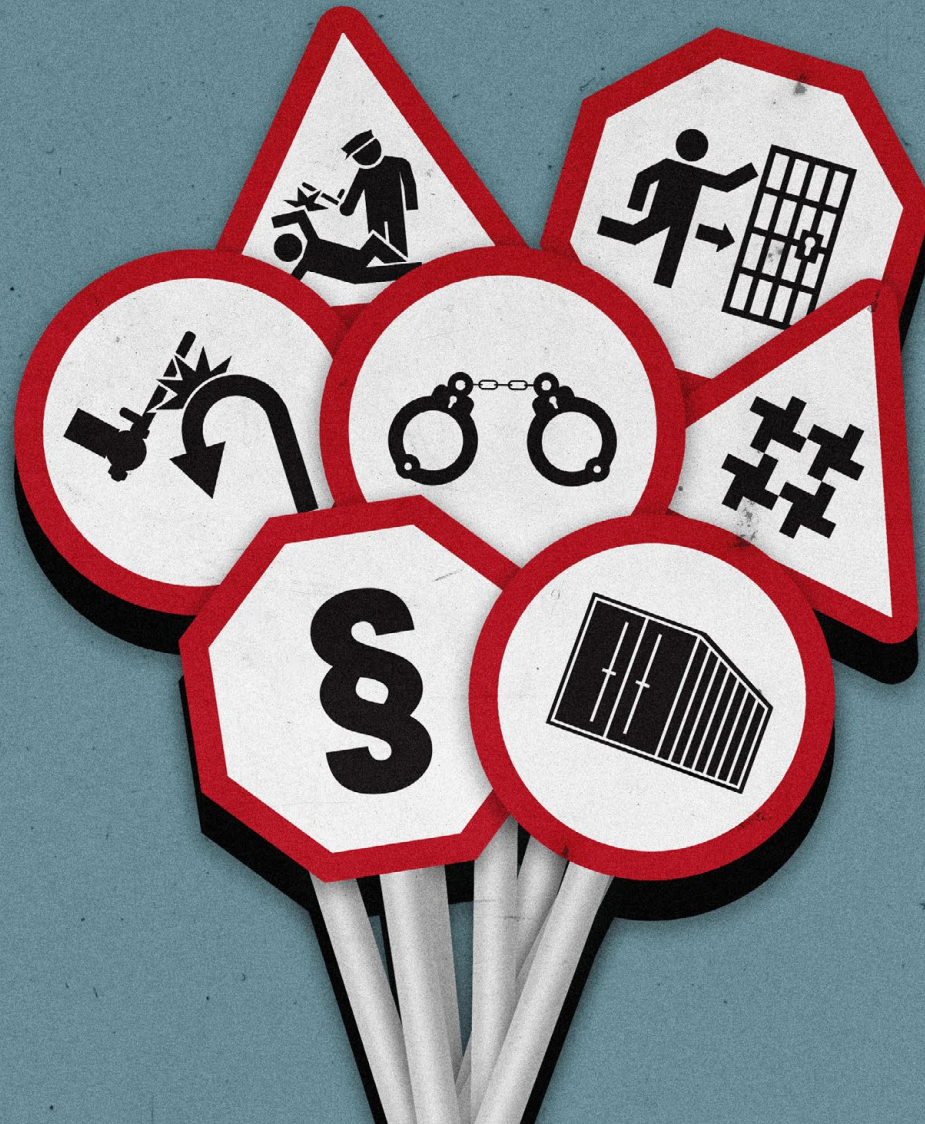


The 'rule of law bench' in the making

participatory educational methods. They produced a variety of social media content for our channels (such as a TikTok video for International Human Rights Day), helped us with their feedback on draft communication materials, designed visual materials targeting their age group and participated in our events and public actions (such as painting the 'rule of law bench' in a public area in Budapest, a mediatised awareness-raising action). We offered our youth council members specific

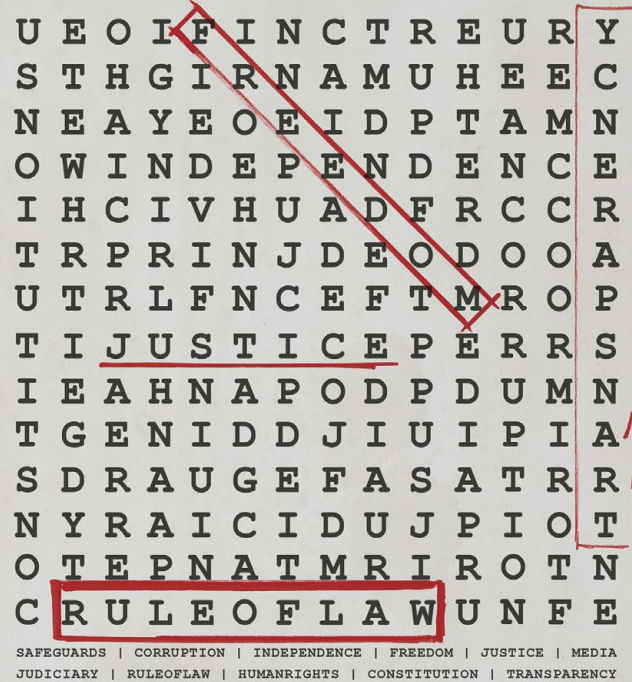
training sessions with participatory pedagogical methods, covering various areas of human rights, social participation, and activism. We also took significant steps towards ensuring the sustainability of this initiative in the coming years, including elaborating a **standard curriculum for onboarding** future youth council members. We expect that the innovation of directly involving youth in our work will set the foundations for **educating a new generation of human rights activists**.

III. Further examples of HHC activities and achievements in 2023



Rule of law

Our contribution remained crucial to **keeping the international spotlight** on the deterioration of the rule of law in Hungary. In 2023, we continued to intensively monitor Hungary's **compliance with the conditions to access EU funds**, producing an overarching assessment of compliance with rule of law milestones in April and November. We contributed to the **European Commission's 2023 Rule of Law Report** in collaboration with other CSOs; the Commission's 2023 report echoed several of our concerns. Ahead of the Council hearing concerning Hungary in the framework of the **Article 7 procedure**, we spearheaded joint recommendations by 8 CSOs related to 14 rule of law, democracy and fundamental rights issues. We gave evidence about the **effects of rule of law backsliding** in specific areas, such as criminal justice and law enforcement and the curtailing of the rights of teachers.



We continued to denounce the government's excessive 'rule-by-decree' powers and attacks on civil society. When the government revealed plans to adopt the **Sovereignty Protection Act**, aimed at intimidating independent voices and stifling any public dissent, we promptly denounced the bill in coalition with civil society partners, pointing out its incompatibility with Hungary's constitutional,

international, and EU commitments and alerted key international stakeholders about this worrisome development. Furthermore, our extensive domestic and international advocacy resulted in fast reactions by international organisations to the law's adoption in December 2023.

We defended **judges' freedom of expression** in the Council of Europe and showed the Hungarian public how smear campaigns against judges had been manufactured. It is also due to our continuous reporting efforts resulted in the Council of Europe Committee of Ministers continuing, even after seven years, to consider the ECtHR's *Baka v. Hungary* judgement improperly implemented, partly because Hungary had failed to ensure that judges could freely express their professional opinion on the independence of the judiciary, without having to fear detrimental consequences.

Building on positive results from the previous years, we continued to **boost cooperation with trade unions and other interest groups** to support those striving for change and create a more extensive and diverse alliance to support democratic actors in Hungary. Besides our already presented support to the teachers' protest movement, we engaged in dialogue with the **Hungarian Alliance of Trade Unions** and prepared a sample application to the ECtHR at the request of the **Customs and Finance Workers' Union**, challenging certain discriminatory practices. An HHC staff member attended the retreat of the **Trade Union of Hungarian Railway Employees** and gave a practice-oriented presentation on fundamental rights and their relation to the work of trade unions.

A remarkable segment of our capacity-building efforts is aimed at strengthening European civil society actors committed to standing up for democratic and rule of law values. For instance, the HHC continued to be a leading partner for the **Recharging Advocacy for Rights in Europe (RARE) initiative**, organising high-quality capacity-building workshops in 2023, equipping a diverse, pan-European cohort of 26 human rights defenders to cooperate in a resilient alliance towards a common agenda on civic space and the rule of law in the EU. The EU-funded **STARLIGHT – Strategic Litigation for Rights in Europe project** provided 60 experienced legal practitioners from around the EU with comprehensive legal and skills training, including online thematic modules on the rule of law, asylum and migration, and criminal justice, complemented by legal clinics led by HHC mentors.



András Léderer,
HHC head of advocacy

Criminal justice

We continued our efforts to **reshape the public discourse about detainees' rights**, focusing on the perspectives and voices of detainees' family members and the consequences they suffer when their loved ones are detained. As a result, detainees' family members and former convicts appeared more frequently in a positive narrative focusing on family in the mainstream media during

the year. Consequently, hostile comments on related content on our social media channels visibly diminished. An HHC video about a former detainee client **reached over 170,000 people** and generated unusually significant neutral-positive public attention towards this issue.

We also renewed our empowerment activities in this thematic area. The pilot Family

Members Support Group of the HHC's Support Network for Detainees and Their Families (FECSKE) was developed into three specialised thematic support groups: one for mothers and their children, one 'free interaction' group open for anyone concerned and an online group. Our joint with the Roots and Wings Foundation raised over 1.2 million HUF for this cause. We launched a criminal procedure and penitentiary law clinic programme at the prominent ELTE Law Faculty in Budapest with very positive feedback, building on the success of a similar initiative launched in Szeged in the previous academic year.

In March, the Hungarian Society of Criminology awarded HHC co-chair András Kádár with its prestigious Vámbéry Rusztem Prize in recognition of his outstanding research and human rights work in the area of criminal justice.



Asylum & international protection

Besides playing a pivotal role in the country's response to the Ukrainian refugee crisis, we assisted a growing number of Russian political dissidents, including conscientious objectors and LGBTIQ people, seeking protection in Hungary. We also developed novel legal strategies to utilise remaining

legal avenues for protection such as non-expulsion provisions in Hungarian immigration rules, even in the absence of a functioning asylum system.

Our Ukraine refugee crisis response provided a unique opportunity to meet and support a diverse range of actors in rural areas, such as local municipalities, doctors, nurses, schools, social service providers, etc. These refugee response actors, often abandoned by central state authorities and large charities,

regularly approach us for legal advice or simply practical information they are unable to obtain from any other source. As the frequent positive feedback reflects, such ad hoc assistance can effectively alter the negative picture government propaganda has painted about independent civil society in recent years.



The European Union Agency for Asylum, recognising our expertise, contracted the HHC to produce an online training module on statelessness in the context of refugee protection. The material prepared in 2023 in cooperation with the European Network on Statelessness will reach hundreds of asylum officers across the EU in the forthcoming years. Our training activities continued to have a global impact in this thematic area. Besides acting as key trainers at several prestigious global and regional online courses on asylum and statelessness, our experts trained academics from Southern Africa and Latin America, as well as the state authorities of Benin.

