In general:

In the past few years, the rule of law, democracy, pluralism, human rights and the role of independent institutions as checks and balances on political power have been systematically undermined in Hungary. Particularly troublesome from the perspective of the UN are the government’s actions to reduce the space for nongovernmental organizations to work independently, voice critiques and receive funding from international sources.

Freedom of information:

- The government prematurely terminated the mandate of the informational rights ombudsman in 2011 and replaced it with an authority that infringes the independence of the institution and is therefore illegal.

- The government introduced an amendment to the Act on Freedom of Information in a “special urgent procedure” in 2013 tailored to the ongoing corruption scandal in connection with the tobacco retail license tender. The aim of the bill was to prevent any data from being subject to successful Freedom of Information (FoI) requests in connection with the controversial tender. Nonetheless, the harm that the adopted amendments have caused to freedom of information has extended well beyond the tobacco tender.

- The technique of ad hoc legislation in reaction to specific cases is often applied by the government in cases beyond the tobacco tender. This is the case with the recent amendments to the current freedom of information legislation. One of the most serious concerns is that according to the new provisions, if someone files a FOI request he or she has to pay a fee not only for copying or scanning but also for the salary of public servants working on the answer to the request. The amount of fee is absolutely arbitrary and set by the data processor.

- The systematic attacks against civil society and the severe restrictions on access to information aim to undermine freedom of expression and institutes further barriers to civil society and independent journalists fulfilling their watchdog role.

Roma Rights:

- Stigmatisation and criminalisation of poverty.

- Discrimination of Roma in child welfare services and housing.

- Discrimination of Roma by police (ethnic profiling).

- Failure to effectively investigate hate crimes against minorities.

Participatory rights:

- Unequal suffrage resulting from vast differences in the enfranchised population of electoral districts (municipal elections, Budapest).

- The right to vote of those under guardianship may be restricted based on arbitrary judicial decisions.

Freedom in education:

- Equal right to education is threatened by the state outsourcing the provision of public education to churches.

Freedom of speech

- Amend the rules of protection of sources so they will not only cover professional journalists, but everyone publishing stories in the public interest.

- Protection of sources is guaranteed in Act CIV of 2010 on the Freedom of the Press and the Fundamental Rules on Media Content (hereinafter the Press Act). According to section 6 (1) of the Press Act, journalist have the right not to disclose their sources of information during legal procedures. The problem is that this protection only covers “media content providers and the persons they employ under contract of employment or some other form of employment relationship”. Therefore, freelance journalists and citizen journalists, who are not formally employed by a media content provider will not enjoy the right of protection of sources. The right of source protection shall be expanded to everyone who covers stories of the public interest and who participate public debates. Without this, freedom of speech becomes the privilege for a few and not the right of the informed and active citizens.

- Initiate the amendment of the Fundamental Law of Hungary so media outlets could charge for airing political advertisement during the electoral campaign.

- An election campaign should fulfill two functions: first it enables political parties to communicate their views and to convince the voters, at the same time, it enables citizens to gain information needed for making a decision on the day of the election. The Fourth Amendment of the Fundamental Law would have entitled only the public media to broadcast political advertisements. This amendment was overridden by the Fifth Amendment as a response to of international pressure, hence, the right to air political advertisements was extended to the commercial media. However, according to the Fifth Amendment they can only be broadcasted free of charge. Due to the fact that commercial media generally are for-profit entities, it was not surprising to find that none of the commercial media service providers airs campaign spots in the 2014 general elections campaign. Therefore, campaign messages only reached the citizens via the public television and radio stations, which do not reach a large percentage of the population.

Right to protest:

- While the regulation of the freedom of assembly is quite liberal, the jurisprudence and mostly the application of the law by the authorities are insufficient. In Hungary the most frequent constraint on the right to peaceful assembly is not the dispersal a gathering by using excessive force but prior ban (administrative constraints). Authorities ban notified assemblies many times in unpredictable ways and they find new ways to limit protests again. Though courts in most cases set aside illegitimate police bans, the police regards court-decisions selectively. At the same time even the Court accepts illegitimate reasons, disregards stringent measuring and limits the extent of the right to peaceful protest.

- The usual types of reasons the police applies and the HCLU challenges are the followings: the possible endangering of the rights and liberties of others (by-standers and outsiders); the impossibility of rerouting the traffic; closure an area by an authority as a legal obstacle of holding an assembly there; endangering the operation of the Court. Also, the police regularly disregards its duty to negotiate with the organizer in order to avoid banning.

- The main current issue is the reasoning with the possible violation of the rights and freedoms of others in case of holding the planned assembly. While the actual right-violation in the course of a demonstration is a lawful cause of dispersing the gathering under the Hungarian assembly law, it is excluded from the justification of a prior ban. This kind of contra legem reasoning became widespread recently, and sometimes courts accept that.

- There is a particular portion of assemblies, organized by right-wing extremists, mainly against the so-called „roma-criminality” and the Pride March, and recently against immigrants, which assemblies sometimes reach the level of incitment to hatred or involve captured audience. Though these latter ones should required police actions, it is often proved to be impotent.