

**ORDO IURIS INSTITUTE FOR LEGAL CULTURE
COLLEGIUM INTERMARIUM UNIVERSITY**

**INTERNATIONAL OBSERVATION MISSION IN HUNGARY
FOR PARLIAMENTARY ELECTIONS AND REFERENDUM**

ON 3RD OF APRIL 2022

Final Report Executive Summary

Election administration

- A. After full inquiry of election administration regulations, their practical implementation on all levels of electoral administration, followed by observation in 60 Election Commissions on 3rd of April, Election and Referendum Observation Mission states that parliamentary elections and referendum complied with all national and international standards and principles, effectively providing for universal, direct, secret, free and equal voting.
- B. On election day no circumstances were encountered that would violate the principles of fair and free expression of the vote.
- C. No changes to the law concerning the electoral system had been introduced over the course of one year that may undermine stability of the system or undermine compliance with the principle of equality in its aspect of equality of opportunities. Election system provisions were found to fulfill principles of pluralism, stability, free expression, neutrality, and provide for free election protest procedure.
- D. In order to increase the transparency of elections, it is recommended to unify the ballot boxes by using closed transparent boxes made of solid material (e.g. plastic).

Election funding

- E. International Election Observation Mission has concluded that there are no material deviations from European standards and Hungarian law defining the legality, fairness and transparency and relevance of the electoral process, that it has been entrusted to observe.
- F. Considering the regulations, interviews and documents studied for the preparation of this report, the International Elections Observation Mission concludes that the Hungarian electoral financing system is fully embedded in the general European framework without substantive deviations.
- G. Hungarian legal system implements to a similar degree as the rest of the European national systems the international recommendations and standards concerning: (i) equal suffrage assured by equality of opportunities; (ii) transparency of political parties, candidates and campaign funding of the Venice Commission.
- H. Hungarian regulations for the financing of parties and electoral processes have transparent, fair and equal rules for all contenders, establish proper system of administrative control bodies and provides for adequate procedures and sanctions for

the case of non-compliance. The number of complaints filed with these control bodies is low as compared to other European countries (e.g., Spain).

- I. Hungarian system provides for limited control of third parties founding (e.g., NGOs, foundations, individual citizens) from national or international sources. Which seems to be a compromise between regulative requirements for transparency of third sector involvement in elections campaign and protection of basic freedoms of civic society participation and freedom of speech.

Media Landscape

- A. Depending on the sources invoked, television channels or online sources tend to be most important source for news, while importance of printed sources steadily decline with many titles in deep financial crisis.
- B. Strong private sector, with mostly viewed television channels (RTL Group, ATV), is popularly perceived as highly supportive towards opposition parties and their narratives. Public media are popularly perceived as highly supportive towards government views and opinions (Duna Media). Presence of private commercial television group also perceived as lining towards governmental perspective (TV2 Group) provides for more balanced media landscape. As a result of wide offer of television channels and market fragmentation, Hungarian voters have a wide range of media from which they can draw information about the political, economic and social reality surrounding them.
- C. While all sides of political scene claim inequality in media coverage, analysis led to conclusions, that wide range of leading privately owned media supporting opposition parties is counterbalanced by emerging private media sector more supportive to governmental perspective and public media unquestionably leaning towards governing parties and political perspective of the government.
- D. According to a survey conducted in the third quarter of 2021, 81.6% of the Hungarian audience consume pro-government media and 80.6% consume anti-government media. The proportion of those who consume exclusively progovernment media products was 5.7%, a third smaller than those who consume exclusively anti-government media (9.2%).
- E. It is clear, then, that since 2010 media pluralism in Hungary has not decreased but increased, and that the potential reach of pro-government and antigovernment media content is well balanced and roughly the same size.
- F. Due to biased interference in the election process by practice of shadow banning and selective banning of political figures and political parties' profiles by leading social media providers, observers express concern over lack of proper legal guarantees providing for equality of opportunities in cases of abuse of dominant position by some social media providers.

Referendum issues

- A. The Hungarian checks and balances system with regard to the referendum procedure is still efficient and functioning independently of the executive power (government). This

is evidenced by the fact that the Hungarian Supreme Court refused to approve one of the five referendum questions originally proposed by the government, and that the amendment to the law allowing a referendum to be held on the same day as the parliamentary elections was voted unanimously with the opposition, at the request of one of the MPs from a party opposing the government.

- B. The referendum was conducted in the legal framework defined by the regulations of Hungarian Constitution, by the Hungarian Referendum Act of 2013 and – respectively – by the Hungarian Election Act of 2013. It also met the standards recommended to nation states by the Council of Europe and the Venice Commission.
- C. Hungarian non-governmental organizations participated in the referendum campaign on the side of voting „four times no” (according to interlocutors from pro-family organizations – as many as 22 organizations) and on the side of invalid voting (18 different organizations, including 12 financed by George Soros and Open Society Foundations for the amount \$6.734.409).
- D. The government campaigned by paying for billboards and publishing videos urging citizens to vote in the referendum. However, government officials did not disclose how much money was allocated to these activities.
- E. The referendum campaign lost relevance in the eyes of the public due to Russia's invasion of Ukraine. Were it not for the war, the public debate would certainly have focused more on this topic. On the other hand, the experiment showed that holding a referendum on election day works correctly.

Civil society

- A. NGOs play a significant role in the functioning and development of Hungarian society. They remain very active in almost every sphere of social life, and this activity does not differ from other European countries. It should also be emphasized that the nation has a large and diverse range of different NGOs, which creates a balanced environment also for the appropriate development of political life.
- B. NGOs have the freedom and public space to express their positions and to be involved in dialogue with civil society in order to pursue their legitimate objectives. NGOs are free and have access to the information they need to carry out their activities.
- C. The observation mission draws attention to the need for changes in access to public information and the shortening of the waiting time for access to information, especially during the election campaign, when transparency in the functioning of public authorities is particularly necessary.
- D. The observation mission encourages the local authorities to maintain and improve watchfulness over entities with foreign capital to avoid any possible interference in electoral processes.