

2024

# HUNGARIAN CITIZEN ELECTION REPORT



## EUROPEAN PARLIAMENT AND LOCAL ELECTIONS



HUNGARY  
June 2024

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## **SUMMARY**

On 9 June 2024, nearly 8 million voters went to the polls to elect the Hungarian members of the European Parliament, mayors of Hungarian municipalities, and local and national minority representatives. There have been significant changes in electoral legislation since the last elections. The most significant of these were the merging of the three types of elections – which used to be on different dates – into a common procedure, and the amendment of the electoral system for Budapest Capital at the end of 2023, the timing of which raises constitutional concerns. Social consultation before legislation remains ineffective. As in the past, several important amendments to election laws were adopted without social consultation.

Campaigning at the national level was characterised by the overwhelming visibility of the ruling parties and the involvement of public resources and third parties in the campaign. There is no legal limit on campaign spending for local, national, and EP elections and campaign financing remains opaque. At the local level, the involvement of municipal resources in the campaign in favour of the incumbent leadership was observed in several municipalities, as well as the encouragement of voters to participate in the electoral process in some municipalities through financial contributions or promises thereof. Campaigning by candidates in public schools and using children remains a common practice. The intertwining of the state and the governing parties gave the ruling parties a particularly strong financial advantage, which significantly distorted the balanced information of voters and tilted the playing field.

The National Election Office duly fulfilled its statutory duties during the elections. The elected members of election and polling station commissions are chosen by political bodies and the criteria for their selection and election are not transparent. Equal conditions for the exercise of the right to vote by voters residing abroad remain unensured: voters with legal residence in Hungary can only vote at Hungarian diplomatic representations abroad, while those residing abroad can vote by post. In several municipalities, courts found that the constituencies for municipal voters were recently redrawn in violation of the law, and there were several cases of suspected gerrymandering.

The appeals system is not inclusive, as in appealing the rejection of a complaint and in the case of judicial review, the status of being a voter in itself is not sufficient to establish involvement in the case. In addition, the appeals procedures are highly formalised, making them difficult for voters to access. The consequence of the three-day time limit for the examination of electoral appeals is that all evidence and facts must be available when the objection is lodged, and there is no possibility of supplementing the submission or making any corrections.

The Sovereignty Protection Office set up by the Protection of National Sovereignty Act and the election-related amendment to the Criminal Code may have a chilling effect on citizens, civil society organisations, and the media wishing to exercise their fundamental rights. This could lead to a distortion of democratic public life and discourse. Women and Roma citizens continue to be heavily under-represented in the political space.

The governing parties' messaging was very prominent, almost exclusive in the pro-government media. In the independent media, pro-government narratives were accompanied by voices critical of the government. On social media, pro-government advertisers outspent the total of opposition parties combined by a huge margin, spending an outstanding amount even by European standards. Megafon's high-reach videos, which frame current Hungarian political events according to the Fidesz narrative, played a key role in this. These propaganda videos are presumably indistinguishable from other media content, such as genuine news.

Election day passed without any major incidents. The issues of vote buying, organised transport of voters, and 'electoral tourism' remain unsolved. Abuses, in particular, voter interference during mobile voting in nursing homes and at polling stations among young people, remain systemic.

## **INTRODUCTION**

The 2024 Hungarian Citizen Election Report is a joint initiative of the most prominent Hungarian election-related organisations: 20k, Hungarian Civil Liberties Union (HCLU), Hungarian Helsinki Committee, Mérték Media Monitor, Political Capital, and Unhack Democracy. It aims to provide a credible picture of the European Parliament and local government election process through the eyes and experience of Hungarians, based on the analyses of experts with decades of experience and the personal observations of nearly a thousand poll workers who followed the voting process this year.

Despite the regular presence of international election observers over the past decades and their recommendations based on international democratic standards and treaty obligations, the Hungarian elections fall short of the requirements for free and transparent elections in many respects. Out of a total of close to 100 recommendations made by three different OSCE/ODIHR election observation missions over the past ten years, less than ten, and none of the priority recommendations, have been implemented. Therefore, the observation and analysis of the electoral process is of particular importance for Hungarian experts and for the general public.

## **POLITICAL BACKGROUND**

The 2024 elections took place in the context of the sharply polarised environment of recent years. By continuously extending the state of emergency since March 2020, the government has had extraordinary powers to issue decrees restricting certain fundamental freedoms, effectively allowing it to rule by decree for over four years. Although this is formally legal in the Hungarian legal system, the long-term maintenance of such government overreach is not common in modern democracies and is contrary to international democratic standards. Moreover, the ruling party has consistently used its control over state bodies to improve its position for the elections. For example, in February 2024, the State Audit Office imposed a fine of a total of EUR 1.3 million on opposition parties, making it significantly more difficult for them to campaign, thus distorting the competition. The use of state bodies for party political purposes are also contrary to fundamental democratic principles.

Until the scandal that led to the resignation of the President and the Minister of Justice in February<sup>1</sup>, events had followed the usual pre-election pattern: the ruling Fidesz-KDNP parties used their power to gauge public opinion to identify suitable candidates and campaign themes, while the opposition parties tried to negotiate with each other on the extent and form of cooperation, while also seeking their own campaign themes. Demokratikus Koalíció (*Democratic Coalition, DK*) and Momentum tried to establish themselves as the dominant opposition forces after these elections, while Mi Hazánk (*Our Homeland*) and Magyar Kétfarkú Kutya Párt (*Hungarian Two-Tailed Dog Party, MKKP*) tried to consolidate their position as strong minor parties. LMP (*Politics Can Be Different*), Jobbik, its splinter party Második Reformkor (*Second Reform Age, 2RK*) and 2022 prime ministerial candidate Péter Márki-Zay's Mindenki Magyarországa Néppárt (*Hungarian People's Party, MMN*) fought for political survival.

It was in this environment that Péter Magyar, ex-husband of the recently resigned previous Minister of Justice and member of the ruling party's circles, stepped onto the scene. Taking advantage of the faltering of Fidesz after the child abuse pardon scandal and the general disapproval of the opposition parties, he shook up their voters from the apathy reigning since the last elections, and in just a few months created the most significant new political force of the past decades. Running in the elections as Tisza Party, the formation, which refused cooperation with any of the existing parties, came a strong second, winning votes largely from other opposition parties and to a lesser extent from Fidesz. In doing so, it fundamentally upset the party balance, becoming a new challenger not only to the opposition parties but also to Fidesz.

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<sup>1</sup> <https://www.bbc.com/news/world-middle-east-68264363>

### Two elections on the same day

In December 2023, the supermajority of the ruling party in the National Assembly amended the way the Budapest Assembly is elected. In 2014 and 2019, the residents of the capital did not directly elect the members of the Budapest Assembly: the mayors of 23 districts of Budapest automatically became members of the Assembly, and the remaining 9 were compensation list seats. According to the new election rules, Budapest residents directly elected the Assembly on 9 June this year through lists of nominating organizations. Back in 2014, Fidesz unilaterally introduced the change four months before the election. In 2023, Fidesz changed the electoral procedure in the same way: the rules were amended only a few (6) months ahead of the election and were supported only by the ruling party MPs (see also *LEGAL BACKGROUND*). Although this procedure differs in some details, it is essentially a return to the pure party list system that had been used until 2010, which is undoubtedly more straightforward and reflects the will of the constituents more accurately.

The purpose of the rapid amendment was probably to break Budapest Mayor Gergely Karácsony's majority in the Assembly, even if he could not be defeated. The unforeseen political developments have made this plan highly successful: there is a high probability that the Assembly will be rendered dysfunctional. There could be several reasons why Fidesz decided to hold the two elections on the same day, the following two being the most likely:

- In 2019, the opposition parties utilized the European elections to assess their strength, from which they learned key lessons to achieve relative success in the local elections four months later. Fidesz wanted to deprive the opposition of this opportunity.
- Since the decade-long economic boom ended in 2022, the government did not want to prolong the election campaign until October 2024, thus it may introduce austerity measures as early as this summer.

A less important aspect may have been the possibility that the two elections, with different logic and mechanics, could confuse the voters or even make the opposition's campaign more difficult. These fears did not materialise; the opposition was preoccupied with other issues that had nothing to do with holding the two elections on the same day.

### Sovereignty protection

The Protection of National Sovereignty Act entered into force on 23 December 2023.<sup>2</sup> The Act consists of two distinct elements: the setting up of the new Sovereignty Protection Office (SPO) as of 1 February 2024, and an amendment to the Hungarian Criminal Code prescribing a prison sentence for using funding from abroad (overtly or “in disguise to circumvent the prohibition”) for political campaign purposes. **The chilling effect the SPO exerts on the exercise of a wide range of fundamental rights (such as freedom of expression, peaceful assembly and association, and right to access to information) leads to a distortion of public discourse and democratic life.** The SPO issued its first ‘*ad hoc*’ report on 22 May 2024, in the second half of the campaign period.<sup>3</sup> The amendment was not adopted in sufficient time<sup>4</sup> (only six months before election day) to allow the nominating organisations to prepare for elections according to the significant changes.

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<sup>2</sup> Act LXXXVIII of 2023 on the Protection of National Sovereignty, <https://njt.hu/jogszabaly/en/2023-88-00-00>, for a detailed assessment of the Act in English, see Hungarian Helsinki Committee and Amnesty International, Hungary's Act on the Protection of National Sovereignty in Breach of EU Law, 8 February 2024, [https://helsinki.hu/en/wp-content/uploads/sites/2/2024/02/Sovereignty\\_Protection\\_Act\\_breaches\\_EU\\_law\\_2024.pdf](https://helsinki.hu/en/wp-content/uploads/sites/2/2024/02/Sovereignty_Protection_Act_breaches_EU_law_2024.pdf).

<sup>3</sup> <https://szuverenitasvedelmihivatal.hu/dokumentumok/SZH-0162-2024.pdf>

<sup>4</sup> According to the Venice Commission's guidelines, fundamental elements of the electoral system should not be changed within one year before the elections, [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2002\)023rev2-cor-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2002)023rev2-cor-e).

Civil society organisations,<sup>5</sup> citizens,<sup>6</sup> and independent media outlets<sup>7</sup> heavily criticised the new law. The Council of Europe Commissioner for Human Rights called for the abandonment of the proposal;<sup>8</sup> the UN Special Rapporteur on Freedom of Expression and the Special Rapporteur on Human Rights Defenders noted the imminent negative implications of the adoption of the proposal in their joint communication.<sup>9</sup> The Venice Commission concluded in its opinion on the Act that the sections pertaining to the SPO shall be repealed and that rules pertaining to election financing, including the amendment to the Criminal Code are to be significantly amended.<sup>10</sup> The European Commission sent a formal notice to Hungary on 7 February opening an infringement procedure.<sup>11</sup> On 23 May, the Commission announced that it sent a reasoned opinion to the Hungarian government as the next and final step before taking Hungary to Court.<sup>12</sup>

## **ELECTION CAMPAIGN**

The dominance of the ruling party in public advertising, media, and social media was striking. Detailed spending data are available for the latter (*see the subsection on Social Media Spending*). Fidesz set the bar incredibly high, raising the stakes of the elections to "war or peace," even "life or death." Prime Minister Viktor Orbán did his share of campaigning but only appeared before selected audiences, and the general public learned of his whereabouts only after he turned up. The election's climax was the rally known as the Peace March on 1 June. Fidesz relied heavily on direct mobilization: they claimed that 50,000 activists contributed to their campaign and that they had one million direct contacts with their voters on the last day. Although these figures seem exaggerated, they may be close to reality considering their public activities and the final results.

As a new political force, Tisza took a completely different path. Only in the last week of the campaign did the party spend on social media advertising (even then, only HUF 6 million [EUR 15,000]) and did not put up a single campaign poster. Péter Magyar's social media activity had a huge organic reach, through which he offered more and more topics throughout the campaign to keep public interest high. The other key aspect was his campaign tour, during which he visited every county in the country, organizing rallies in almost 200 settlements. He organized several mass demonstrations in the capital, the last of which took place on the day before the election day.

The rest of the opposition outside of Tisza campaigned with traditional means. Their public presence was scattered based on where they had stronger municipal candidates.

As in 2022 and previous elections, the line between state, government, and governing party has been completely blurred. The most striking examples were the emails sent by the Government Information Centre on 10 May 2024 and again on 6 June 2024 to email addresses provided by citizens when

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<sup>5</sup> Civilisation Coalition, Over 100 CSOs protest against the Defense of Sovereignty Law, 1 December 2023, <https://civilizacio.net/en/news-blog/over-100-ngos-protest-against-the-defense-of-sovereignty-law>.

<sup>6</sup> aHang petition, A demokrácia nem veszélyezteti Magyarország szuverenitását! ("Democracy is not a threat to Hungary's sovereignty!"), <https://szabad.ahang.hu/petitions/a-demokracia-nem-veszelyezteti-magyarorszag-szuverenitasat>.

<sup>7</sup> InsightHungary, "The 'Sovereignty Protection Authority' is harmful and against the rule of law, yet it cannot intimidate independent media", 13 December 2023, <https://insighthungary.444.hu/2023/12/13/the-sovereignty-protection-authority-is-harmful-and-against-the-rule-of-law-yet-it-cannot-intimidate-independent-media>.

<sup>8</sup> See the statement of Council of Europe Commissioner for Human Rights, Hungary: The proposal for a "defence of national sovereignty" package should be abandoned, 27 November 2023, <https://www.coe.int/ca/web/commissioner/-/hungary-the-proposal-for-a-defence-of-national-sovereignty-package-should-be-abandoned>.

<sup>9</sup> See the joint communication of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the situation of human rights defenders, 8 December 2023: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=28661>.

<sup>10</sup> Hungary – Opinion on Act LXXXVIII of 2023 on the Protection of National Sovereignty, adopted by the Venice Commission at its 138th Plenary Session (Venice, 15-16 March 2024), CDL-AD(2024)001-e, [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2024\)001-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2024)001-e).

<sup>11</sup> European Commission press release of 7 February 2024, [https://ec.europa.eu/commission/presscorner/detail/en/inf\\_24\\_301](https://ec.europa.eu/commission/presscorner/detail/en/inf_24_301).

<sup>12</sup> European Commission press release of 23 May 2024, [https://ec.europa.eu/commission/presscorner/detail/en/inf\\_24\\_2422](https://ec.europa.eu/commission/presscorner/detail/en/inf_24_2422).

registering for the COVID-19 vaccination. In these letters, the government body continued the messaging already started by the governing parties in the previous days, explaining the government's position on the planned NATO action in connection with the war in Ukraine. Considering that nearly 6.5 million people have been vaccinated in Hungary against the COVID-19 virus, the two emails reached millions of voters. The complaint against the first letter was rejected by the National Election Commission, which found no violation of the GDPR or the four basic principles<sup>13</sup> of electoral procedure, even though the letter was a clear attempt to influence the will of the electorate, i.e. it was a campaign tool. The appeal against the NEC's decision was rejected by the Curia (Hungary's Supreme Court). The decisions argued that the government body acted within the scope of its statutory duties and powers and as such its activities did not constitute campaign activities by law.

**The decision of the Curia also reversed the previous (2022) case law, as it did not consider the status of being a voter in itself sufficient to establish locus standi, i.e. 'being affected' by the case.** Furthermore, the Curia did not initiate the preliminary ruling procedure requested in the appeal, arguing that the three-day time limit for a decision in the electoral procedure would make it impossible to turn to the EU Court of Justice – thereby **effectively removing domestic electoral remedies from the scope of EU law, despite the fact that the European Parliament was also elected in the election procedure.**

Campaigning with children was a widespread phenomenon, taking place on several occasions in public schools during school hours, and politicians were also frequently involved in Children's Day events. Election bodies found violations of the law because of campaigning in public schools in many cases throughout the country – the decisions referred to the violation of the basic principles of the Electoral Procedure Act (equal opportunities between candidates and nominating organisations, good faith, and proper exercise of rights) and of the provisions of the National Public Education Act.

There were also examples of illegal or highly immoral campaigning at the local and national level. In Göd, a candidate offered a gift of HUF 50,000 value to voters attending his election rally. In this case, the local election commission found several violations of the law.<sup>14</sup> The case of a candidate in Hajdúnánás, who campaigned by throwing a HUF 10,000 coupon – redeemable if elected – into mailboxes, was also found to be unlawful.<sup>15</sup> On Election Day, the Megoldás Mozgalom (*Solution Movement*, one of the nominating organizations) published a call on its Facebook page encouraging voters to take a photo of their ballot paper, share it on social media, tag it and in this way enter a draw for HUF 2.5 million (EUR 6,300). Although the call also stated that the recipient of the vote was irrelevant, the party was campaigning because it was mobilising people to vote in the elections and because it included a reference to the *Solution Movement* at the end of the post. In its decision 393/2024, the NEC found a violation of the law.

**In connection with the local elections, the involvement of local public authorities in the campaign and the use of municipal resources for campaign purposes were widespread, violating the principle under Section 2(1)e) of the Electoral Procedure Act** (equal opportunities between candidates and nominating organisations). Typical examples of this were the use of municipal resources and employees in campaign activities, the transformation of municipal events into campaign events, and the organisation of events specifically for campaign purposes using municipal resources. Municipal publications presenting candidates in a discriminatory (selective) way and campaigning through municipal social media pages in favour of incumbent candidates were also very common.

Some examples of the above, brought to the attention of the legal aid service of the HCLU, include a town where posters of the incumbent mayoral candidate were displayed by employees of the local municipal management company using the local government's vehicle. In another settlement, one of

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<sup>13</sup> Safeguarding the fairness of elections, voluntary participation in the electoral process, equal opportunities between candidates and nominating organisations, good faith and proper exercise of rights.

<sup>14</sup> [https://god.hu/wp-content/uploads/2024/06/71\\_2024.-VI.-3.-HVB-hatarozat\\_kifogas\\_h.pdf](https://god.hu/wp-content/uploads/2024/06/71_2024.-VI.-3.-HVB-hatarozat_kifogas_h.pdf)

<sup>15</sup> [https://hajdunanas.hu/downloads/hvb/55\\_2024.%20\(VI.8.\).pdf](https://hajdunanas.hu/downloads/hvb/55_2024.%20(VI.8.).pdf)

the candidates standing for election was not introduced in the municipality's publication, while all the others were. In the third example, the assembly of the local government organised a so-called 'term evaluation' event the week before election day, where only sitting members of the assembly had the opportunity to present and speak, other candidates did not.

The "Stop War" billboard campaign of the ruling parties faced considerable public outrage. The billboards were displayed throughout the country, in some places in such a way that no other billboards with any other content were placed around them. The poster was graphically misleading, as the word 'Stop' in the 'Stop War' phrase was smaller and less prominent than the word 'War'. We are aware of several cases where the content of the poster caused strong fear and anxiety in minors.

### Social media spending and hostile narratives

From the beginning of 2024 until election day, Fidesz and the two government-organized non-governmental organizations ([GO]NGOs), Megafon and Civil Solidarity Forum (CÖF), spent HUF 2.1 billion (EUR 5.3 million) on Facebook and Google ads. This amount is about four times as much as the HUF 507 million (EUR 1.3 million) spent by all the opposition parties and their associated media combined. Considering political parties only, Fidesz and KDNP spent HUF 1.05 billion (EUR 2.7 million), while the 14 opposition parties together spent a total of HUF 462 million (EUR 1.2 million).

The spending of the Budapest mayoral candidates also shows considerable asymmetry: from mid-March to the day before the election, Alexandra Szentkirályi (Fidesz) spent HUF 112 million (EUR 284,000), Dávid Vitézy (LMP) spent HUF 54 million (EUR 137,000), while incumbent Gergely Karácsony (DK-MSZP-Párbeszéd), the eventual winner, spent HUF 19 million (EUR 48,000) on political ads on their respective Facebook pages.

The tone of the campaign was highly polarising. Of the HUF 3.3 billion (EUR 8.4 million) spent on Facebook advertising, HUF 791 million (EUR 2 million) was spent on content containing some degree of hostile narrative. Fidesz and its proxies were responsible for promoting 98.6 % of hostile narratives, while all the opposition parties and their partisan media shared the remaining 1.4%. The two most prominent hostile narratives (on which about HUF 632 million [EUR 1.6 million] were spent out of a total of HUF 791 million [EUR 2 million]) were:

- The war in Ukraine – the narrative suggests that the 'pro-war left' and most of the Western countries want to drag Europe into the Russian-Ukrainian war, while the right, led by Fidesz, is pro-peace, and it alone wants to end the military conflict.
- Discrediting Péter Magyar – Since his emergence in February, the new politician has been constantly attacked with varying intensity and branded as an "abuser," a "psychopath," a "pro-war," person and a "dollar leftist."

The level of spending on political advertising by the pro-government camp was extremely high even by European standards. From the beginning of the year until election day, Fidesz's campaign videos took the top three places in the ranking of advertised political videos on YouTube across the entire European Union at a time when election campaigns were taking place in all 27 member states.

### Campaign finance

The provisions of the Political Party Financing Act<sup>16</sup> and the Electoral Procedure Act<sup>17</sup> applied to the elections on 9 June. Political parties must not accept donations from anyone other than Hungarian natural persons, according to the Political Party Financing Act.<sup>18</sup> According to the amendment of the

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<sup>16</sup> Act XXXIII of 1989 on the Operation and Financial Management of Political Parties (hereafter: Political Party Financing Act), <https://njt.hu/jogszabaly/en/1989-33-00-00>.

<sup>17</sup> Act XXXVI of 2013 on Election Procedure (hereafter Electoral Procedure Act), <https://njt.hu/jogszabaly/en/2013-36-00-00>.

<sup>18</sup> Section 4(2)-(3) of the Political Party Financing Act. The provisions were reaffirmed by Section 307/D(4) of the Electoral Procedure Act introduced by the Act LXXXVIII of 2023 on the Protection of National Sovereignty.



Electoral Procedure Act of 22 December 2023,<sup>19</sup> non-partisan associations fielding candidates at the local elections must also not use other funds than those received from Hungarian natural persons for their campaign activities.<sup>20</sup> Candidates running for the elections are also barred from accepting financial contributions from abroad.<sup>21</sup>

Candidates and parties do not receive campaign funding from the state for the campaign in the local, minority self-government, and European Parliament elections, in contrast to the general parliamentary election campaigns. **There is no legal limit on campaign spending, which leads to enormous amounts spent by wealthier parties or candidates, and therefore, fewer opportunities for independent candidates and smaller nominating organisations** (including parties) competing for the support of the electorate. These regulations further tilt the already unequal playing field.

It should be highlighted that no amendments have been introduced in the past two years which would have enhanced the transparency and oversight of campaign finance.<sup>22</sup> There have been no efforts made at all to ensure oversight of the funding schemes of the government, other state organs, GONGOs, and state-owned companies, all providing for advantages of the governing parties in the electoral contest.

### Third party campaigning

A number of so-called third parties not running in the elections helped the governing parties to spread their messages, organise events, and thus improve their electoral chances. In the Hungarian legal framework there is no general ban on CSOs, or organisations appearing as such, campaigning for a political camp. However, their activities must be evaluated on a case-by-case basis to determine whether they are protected by the freedom of expression or constitute a disguised campaign. The ruling party has exploited this gap – without any consequences so far – by actively campaigning mainly through Megafon and the Civil Solidarity Forum (CÖF) in coordination with government messages, both during and outside the campaign period. These organisations have received indirect budgetary funding, so the campaigns of the governing parties have also been indirectly supported by public funds. There are opposition players that also exploit this loophole, but their resources are negligible compared to those of the government side (*see the subsection on Social Media Spending*).

As an impact of the Sovereignty Protection Act, many CSOs have expressed their doubts about the extent to which they could conduct their usual activities, including expressing their views on public issues. This doubt is based on the fact that legal entities cannot provide support to nominating organisations. Opinions, positions, and policy proposals expressed by these organisations are more favourable to some political actors and less favourable to others. Many organisations have interpreted this as meaning that exercising their right to the freedom of speech independently from candidates or nominating organisations, may also be considered as support and thus falls within the scope of the restrictive legal provisions.

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<sup>19</sup> Introduced by the Act LXXXVIII of 2023 on the Protection of National Sovereignty

<sup>20</sup> Section 307/D(4) of the Electoral Procedure Act: *An association that requests its registration as nominating organisation and a registered association shall not use, regarding the election concerned [...] for the purpose of performing any activity aimed at influencing or attempting to influence the will of voters. [...]*

The amendment was introduced within the framework of the Act LXXXVIII of 2023 on the Protection of National Sovereignty.

<sup>21</sup> Section 124(1b) of the Electoral Procedure Act. The provision also entered into force on 22 December 2023 with Act LXXXVIII of 2023 on the Protection of National Sovereignty.

<sup>22</sup> OSCE Office of Democratic Institutions and Human Rights, Hungary: Parliamentary Elections, 3 April 2022, ODIHR Election Observation Mission, Final Report, Warsaw, 29 July 2022 (hereafter 2022 ODIHR EOM Final report), other recommendations no. 21, 22, <https://www.osce.org/files/f/documents/2/6/523568.pdf>.

## **ELECTION ADMINISTRATION**

The election administration is conducted by the National Election Office (NEO), as well as regional and local election offices. The NEO carried out its statutory tasks adequately, including the up-to-date and stable operation of the official website of the elections. The NEO informed about the upcoming important deadlines on this site, and helped to inform voters, candidates, and nominating organisations by issuing regular press releases. It also produced new types of more accessible information and educational materials. The body has adequately handled the IT and logistical tasks related to voting.

The results of the elections are established by the election commissions<sup>23</sup>, which are responsible for ensuring the fairness and lawfulness of the elections, registration of candidates and nominating organisations, and making decisions on election-related complaints and appeals. The election commissions are composed of both elected and delegated members who make decisions by voting. **Election commissions as well as polling station commissions are characterised by the fact that their elected members are chosen by political bodies and the criteria for the selection and election of members are not transparent.**

Seven members of the NEC are elected by the Parliament for nine years. In the NEC, each party may delegate one member. Delegated members are appointed by party groups in the Parliament between two general elections and by parties running for the EP elections without a party group in Parliament during the election campaign (until the results of the EP elections become final and binding). This causes an imbalance within the NEC, as seven members are elected by the supermajority of the governing parties who can delegate two further members (one each). Before amendments entered into force on 26 July 2022<sup>24</sup>, there was a gap of approximately six weeks between the date of announcing the elections and the date of registering the party lists standing for the elections, when the NEC was composed solely of government-elected members, with no delegated members. During this period, the NEC made decisions on registering parties for the upcoming general elections without any opposition members. The welcomed amendment now allows delegated members of parties with a party group in Parliament in the NEC at all times, including before the party lists standing for elections are registered. This amendment could result in a somewhat more balanced power structure within the NEC during the registration of nominations; however, the elected members with the members delegated by the governing parties still form a majority. After the party list registrations, those parties nominating a list to the EP elections but not having a party group in Parliament were also able to delegate members to the NEC. However, these delegated members do not have voting rights in the NEC according to the same amendment.<sup>25</sup> This **differentiation between the rights of delegated members is unjustified. It weakens the chances of a fair procedure for parties that do not have a group in the Parliament** but are running for elections. It also makes it impossible to overrule the governing parties' elected and delegated members during voting.

### Voter registration

*Circa* 7,800,000 people had the right to vote in the election of the Hungarian Members of the European Parliament on 9 June, including 127,000 voters without a Hungarian address with the right to vote by mail, and 4,680 EU citizens who reside in Hungary. In the local elections, 7,850,000 voters were registered, with 137,000 EU citizens residing in Hungary, and 35,000 third-country nationals

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<sup>23</sup> These are the National Election Commission, regional election commissions, local elections commission, and polling station commissions in the local, minority self-government, and European Parliamentary elections.

<sup>24</sup> Sections 17(3), 27, 45(5) of Electoral Procedure Act.

<sup>25</sup> Section 45(5) of Electoral Procedure Act.

with the right to vote.<sup>26,27</sup> Altogether, there were 340,000 voters registered to one of the 13 official minorities. The largest minority was the Roma with 230,000 registered voters.<sup>28</sup>

In the local elections, voters could exercise their right to vote at a polling station designated to their permanent address (or temporary address if they requested their transfer). In the EP elections, absentee voting was possible in any settlement (if requested before the deadline), voters residing abroad having a registered address in Hungary could vote at the Hungarian diplomatic representations (upon request submitted in time), while voters without a registered residence in Hungary or in another EU Member State could vote by post. **The Hungarian electorate abroad still lacks a uniform scheme to exercise their right to vote.** We are aware of several voters who registered to vote at the polling station at an embassy of Hungary but were unable to cast their ballot because they were no longer on the voter register on election day. In several cases, the reason for this remains unknown, and in other cases, they had been removed from the register in an untimely and non-transparent manner due to their residence in another EU Member State. The HCLU's legal aid service received reports of a number of cases where a technical error in the so-called automatic decision-making process occurred during the administration of voters' applications for the voter roll, and the error could not be corrected by human intervention, thus preventing the voter from exercising his/her right to vote.

Those whom a criminal court excluded from participating in public affairs do not have the right to vote during their imprisonment and for an additional one to ten years following their release, depending on their individual sentencing.<sup>29</sup> Those with limited mental capacity who were disenfranchised by a court also do not have the right to vote.<sup>30</sup> The exclusion of convicted persons is of concern for not counting the time served, and because of the practice of criminal courts too often using the maximum of ten years of exclusion. The exclusion of persons with limited mental capacity is too broad and does not differentiate according to the scale of the mental capacity.

### Candidate registration

According to the NEO, 7,666 candidates for mayor, 33,465 candidates of single lists, 6,761 single-mandate candidates, 6,047 candidates of compensatory lists, 1,612 candidates of county lists, and 319 candidates of Budapest-Capital lists were registered in the local elections, totalling 55,474 candidacies. In the European Parliamentary elections, 11 parties were registered.<sup>31</sup>

The NEO made available its online tool to self-check the falsification of supporting signatures given to candidates.<sup>32</sup> The data subject may submit a complaint against the abuse of their personal data within three days at the election commission, which would disqualify only the falsified supporting signature (not the candidate). Other legal remedies are usually insufficient to find and sanction perpetrators.<sup>33</sup> This year, the authors of this report did not receive any reports of cases of significant abuse of the supporting signatures.

**There is a continued underrepresentation of women in the political sphere. There is no comprehensive public discussion on quotas or other ways to enhance female participation in political leadership** (see also *ELECTION DAY*). Representation of Roma among candidates other than those running in the Roma minority self-government elections is also negligible despite 210,000 people declaring themselves Roma in the census of 2022, and 230,000 registered Roma voters. This

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<sup>26</sup> According to Article XXIII(3) of the Fundamental Law of Hungary, persons recognised as refugees or enjoying the right of continuous (permanent) residence have the right to vote in the local elections.

<sup>27</sup> <https://www.valasztas.hu/valasztopolgarok-szama-valasztastipusonkent>.

<sup>28</sup> <https://vtr.valasztas.hu/nemz2024/valasztopolgaroknak/valasztasok-nemzetisegenkent>.

<sup>29</sup> Article XXIII(6) of the Fundamental Law of Hungary, and Sections 61-62 of the Criminal Code.

<sup>30</sup> Article XXIII(6) of the Fundamental Law of Hungary.

<sup>31</sup> <https://www.valasztas.hu/>

<sup>32</sup> Online tool to self-check supporting signatures, [https://www.magyarorszag.hu/szuf\\_ugyleiras?id=ef7d053e-eea5-41a4-8d18-8535e252277b&n=tajekoztatas\\_ajanlasrol-kit\\_ajanlottam%3F](https://www.magyarorszag.hu/szuf_ugyleiras?id=ef7d053e-eea5-41a4-8d18-8535e252277b&n=tajekoztatas_ajanlasrol-kit_ajanlottam%3F).

<sup>33</sup> 2022 ODIHR EOM Final report, other recommendation no. 19.

translates to at least 2-3 percent of the population, while the real proportion of the population of Roma origin is probably much higher.

As the result of an amendment in 2020<sup>34</sup> banning the legal recognition of transgender persons, transgender politicians could only use their name corresponding to their birth sex. They are allowed to use only this name to conduct official business, to campaign, and to be a politician. **The state-fuelled hostility and this provision which violates human dignity, entail that, among other obstacles, openly transgender people do not participate in politics as public figures.** Even as voters, they may be exposed to humiliating situations as they are enrolled in the voter register by a name corresponding to their birth sex different from their gender identity.

## **LEGAL BACKGROUND**

Following the national elections in April 2022, the Parliament adopted the eleventh amendment of the Constitution in July 2022, changing from the previous practice of holding local elections every five years in the autumn to holding European Parliamentary and local and minority elections on the same day.<sup>35</sup> By amending and creating the necessary procedural rules, the legislator made it possible for the election bodies to conduct the different types of elections on the same day without disruption.

A significant change – apart from the changes to the rules of the joint elections – was the amendment affecting a wide range of voters, which changed the way complaints are submitted and made electronic administration the main rule, a change that served the fairness of elections.

Another amendment to the Electoral Procedure Act was made in July 2022 in response to the scandals concerning postal voting in the 2022 general elections.<sup>36</sup> The territorial scope of the Electoral Procedure Act was expanded by the amendment beyond the borders of Hungary. This amendment was necessary as both the NEC and domestic courts concluded during the 2022 electoral campaign that they did not have the competence to decide on complaints concerning breaches of electoral laws committed abroad because of the limited territorial scope of the Act. **The amendment can be considered a positive change, however, merely deciding on complaints concerning issues that occur beyond the borders of Hungary will not prevent the abuses of postal voting.** In another positive development, following the amendment, postal voters may request an additional postal voting package at any foreign representation or election office if they did not receive the package by mail until seven days before election day. This was necessary because there were several complaints that voters did not receive the packages by mail and could not exercise their right to vote in the 2022 general elections. Some embassies had provided supplementary packages for such voters, but this was a more practical, *de facto*, solution without a proper legal basis.<sup>37</sup> Besides these positive changes, the issue that several voters could not access the embassies due to distance remains. In the event of the abuse of a voter's data and the breach of confidentiality of correspondence, whereby another individual cast a vote in the name of the voter, the voter could still collect a postal voting package at a designated location (typically an embassy). However, only the vote received first by the NEO is counted.

The Local Elections Act<sup>38</sup> was amended in May 2023, increasing the threshold for registering a compensation list in the elections of local government representatives in towns and cities with more

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<sup>34</sup> Act XXX of 2020 amending the Act I of 2010 on the civil registration procedure.

<sup>35</sup> Article 35(2) of the Fundamental Law, Chapter XVI of the Electoral Procedure Act.

<sup>36</sup> Several violations of law (some of them particularly severe) were reported in connection to postal voting, e.g. Fidesz-KDNP ally NGO delivered the voting packages instead of the Post Office in Serbia. For more details and examples see e.g. Hungarian Helsinki Committee, Lessons learned from legal remedies: general elections and referendum in Hungary, 2022, pp. 9-10, [https://helsinki.hu/en/wp-content/uploads/sites/2/2022/08/Legal\\_remedy\\_elections.pdf](https://helsinki.hu/en/wp-content/uploads/sites/2/2022/08/Legal_remedy_elections.pdf).

<sup>37</sup> Hungarian Helsinki Committee, Amendments to the electoral law after the Hungarian elections in 2022, 2022 (hereafter Omnibus amendments on electoral law, 2022), [https://helsinki.hu/en/wp-content/uploads/sites/2/2022/08/Omnibus-amending-the-electoral-laws\\_2022.pdf](https://helsinki.hu/en/wp-content/uploads/sites/2/2022/08/Omnibus-amending-the-electoral-laws_2022.pdf).

<sup>38</sup> Section 10 of Act L of 2010 on the Election of Local Government Representatives and mayors (hereafter Local Elections Act), <https://njt.hu/jogszabaly/en/2010-50-00-00>.

than 10,000 residents. Before the amendment, nominating organisations were required to nominate candidates in at least half of the single-member constituencies in the given settlement to be able to nominate a compensatory list. The amendment increased this threshold to two-thirds of the single-member constituencies.

The recommendation for meaningful public consultation<sup>39</sup> has been implemented only to a limited extent. While there has been a notable increase in the number of draft legislations open for public consultation in 2023, as this is required by one of the conditions for access to EU funding, **public consultation remains inadequate. The submitted opinions are often disregarded, and the published impact assessment sheets and the summaries concluding the results of public consultations contain minimal or no information.** Furthermore, an amendment banning by-elections of single-mandate constituency representatives, mayors, local government representatives, and minority self-government representatives in the period between the elections and 1 April of the preceding year, which entered into force on 27 May 2023,<sup>40</sup> was introduced to an unrelated draft bill by the Parliament's Legislation Committee after the public consultation period had closed, thereby rendering the consultation meaningless.

In December 2023, the Local Elections Act was again amended, this time changing the rules of the elections of the local government of Budapest.<sup>41</sup> The amendment was adopted only six months before election day which is contrary to the Venice Commission's good practices.<sup>42</sup> Furthermore, the amendment also raises suspicions of an infringement of the Constitution – despite the fact that the changes are not objectionable from a substantive point of view. The draft bill was initiated by a representative of the opposition *Mi Hazánk* party, but the party's parliamentary group did not vote in favour of its own bill, which was thus passed by the vote of the governing parties only.

As regards substantive legislation, the practice of creating single-member constituencies in towns with more than 10,000 inhabitants should be mentioned. This task is carried out by the clerks of the local governments, acting as the head of the local election office. Their task is to create constituencies which are continuous, homogeneous in character, and have approximately the same number of voters. **In autumn 2023, the electoral maps of many settlements were redrawn, in multiple cases raising suspicions of illegality or political motivation.** Court judgments have ruled that some of the decisions modifying the constituency divisions were unlawful, usually because they did not provide sufficient reasoning for the modification of certain constituencies. In June 2024, an earlier audio recording was released in which pro-government politicians linked to the city of Eger discussed how they could persuade the municipal clerk to draw up a constituency map favourable to their candidates. The constituency division finally established used the very solution mentioned in the recording. **Gerrymandering, i.e. the manipulation of constituency division for political interests is a clear violation of the Constitution.**

### Legal remedies

There have been no legislative changes to the system of election-related legal remedies since the last general election of 2022. The procedures for legal remedies are characterised by strict formal requirements, which make it advisable to seek professional legal advice before lodging a complaint. **The legal remedy system is not inclusive, as in the case of an appeal against the decision rejecting a complaint and in the case of judicial review, the status of being a voter in itself is no longer sufficient to establish locus standi, i.e. 'being affected' in the case.** This means that primarily candidates or nominating organisations, and not voters, can appeal successfully or seek judicial review, which clearly limits the right to a legal remedy.

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<sup>39</sup> 2022 ODIHR EOM Final report, priority recommendation no. 1.

<sup>40</sup> Section 8(2) of Electoral Procedure Act

<sup>41</sup> Section 6 of the Local Elections Act

<sup>42</sup> Venice Commission's guidelines

A consequence of the three-day time limit for deciding on electoral complaints is that all evidence and facts must be available when a complaint (or appeal against a decision of an electoral body) is lodged, and there is no possibility of completing or supplementing a complaint after submission. Therefore, violations for which not all evidence is available within three days of their commission will remain without legal remedy. This is true for minor administrative irregularities as well as for deliberate abuse or negligence which may affect the result of the vote. New facts and evidence may be presented in appeals and judicial review applications, which also have a short deadline of three days, but there is no possibility of supplementing the submissions in these procedures either.

As regards legal remedies, especially the role of the **National Election Commission should be mentioned, which, during the 2024 elections period, rarely ruled against the governing parties in high-profile cases of national importance in complaints against campaign rule violations**: the NEC rejected complaints in its decisions No. 222/2024, 309/2024, 313/2024, and 338/2024. These decisions concerned the visual and textual content of the Government of Hungary's official Facebook page which likely influenced the will of the electorate, the participation of the public service media in the campaign, and the emails sent by the Government Information Centre, which were described above and likely to have influenced the will of the electorate. One exception was the decision on the unlawful campaigning activities of public service media, which was later upheld by the Curia (NEC decision 252/2024) – the constitutional complaint against the Curia's decision was rejected by the Constitutional Court.

The NEC received 161 complaints and appeals during the campaign period (from 20 April to 9 June 2024). Eight cases were challenged at the Curia, which exercises judicial review over NEC decisions, two of which were appeals against the same NEC decision. Of these cases, the Curia dismissed three without examining them on the merits and it upheld the NEC decision in the other five cases. One case was referred to the Constitutional Court, which rejected the constitutional complaint. Overall, the Curia and the Constitutional Court did not overturn any NEC decisions.

## **MEDIA ANALYSIS**

Mérték Media Monitor conducted a narrative analysis between 13 May and 9 June, covering a total of eight media. Some preliminary qualitative results are already available.

**The communication of the governing parties appeared very prominently, almost exclusively, in the analysed pro-government media** (M1, Kossuth, TV2, Magyar Nemzet, and origo.hu). The messages about current events were related to well-established narratives that had been built up over the years and clearly portrayed the individuals or events from the perspective of the governing parties.

In line with the main message of the government's election campaign, the issue of war or peace was also reflected in the pro-government media: the usually pro-government speakers in the news items studied often referred to other political actors as opponents or allies of war or peace. Narratives in which the government fights for the interests of Hungarians and the sovereignty of the country in the international political arena were prominent. Within this framework, only the current "pro-peace, conservative, Christian values" government can protect Hungarians from threatening economic, social, and political trends and events.

A common narrative element in the joint European Parliament and local election campaign was the conflation of the global, EU, and domestic left. These politicians have been linked by pro-government actors to the "pro-war, pro-liberal Western deep state powers", controlled by George Soros, "in a state of war psychosis", supporting LGBTQ propaganda and migration. Hungarian opposition MEPs were often branded as working against their country. Leading opposition politicians became the targets of smears.

In sharp contrast to the negative messages of foreign and domestic policy, narratives that conveyed the government's propaganda of success, such as "protecting families", "developing the economy" or emphasising the government's good relations with various Eastern countries, appeared.

**The analysed independent media** (RTL, Népszava, 24.hu) differed thematically and in terms of narratives. For example, they **gave space to topics that were not on the agenda of the governing parties, such as the state of the rule of law or the shortcomings of the social welfare system. These media also portrayed pro-government narratives but also voices critical of the government**, whether they were opposition politicians, representatives of professional and civil society organisations, or independent experts. The mistakes of the government's economic policy, crisis management, corruption, or abuse of power were often discussed. In the context of foreign policy, the government's relations with Russia and its isolation from Western allies, Eastern investment in the country, and criticism of battery factories in particular were frequently mentioned.

### Megafon

Megafon Center is a pro-government organization in Hungary that focuses on disseminating political content and narratives supporting the ruling Fidesz party on social media platforms such as Facebook and YouTube. Megafon trains and coordinates a network of social media influencers who create and promote pro-government content and attack the opposition. These influencers produce a large number of short videos, memes, and posts, which are amplified through paid advertising on platforms such as Facebook. Megafon has held several trainings for social media influencers in recent years, 68 of whom ran as candidates in the 2024 municipal elections.

Mérték analysed nearly 100 Megafon videos (February-June 2024) for the 2024 elections, and the research results available in this case are also preliminary. The general methodology of the Megafon videos is to frame Hungarian current events according to the Fidesz narrative. Typically, domestic politicians, journalists, civilians, or anyone targeted by the video are presented as henchmen of the deep state enemy images already constructed by the ruling parties, such as "pro-war globalist forces", "pro-war Brussels", "Ferenc Gyurcsány" (incumbent opposition figure) or "George Soros".

From February 2024 onwards, the theme of Megafon videos changed depending on political events and scandals. At the beginning of the research, the main enemies were "pro-war Brussels" and "pro-war Hungarian opposition". This changed with the growing popularity of the new opposition politician Péter Magyar. In April and May, 69% of the videos analysed were aimed at discrediting Péter Magyar and only two videos dealt directly with the war.

### The impact of propaganda

In the weeks leading up to the elections (13-24 May), a representative national survey was conducted on the visibility of Megafon and the effectiveness of pro-government propaganda messages.

Megafon's content cannot be avoided if one uses social media. However, Megafon is only an advertiser, with content appearing under the names of political influencers. Unsurprisingly, only 20% of respondents know the name Megafon, and 75% of this group know that it is an organisation close to the governing party. Of those who knew the name of Megafon or at least one political influencer and had seen such a video, only 30% were aware that they were seeing promoted content. The awareness of users is therefore relatively low, and **it is reasonable to assume that many people cannot distinguish these propaganda videos from other media content, such as news.**

In the research, we also looked at how each message impacted pro-government and opposition voters and found that it was not just their own voter bubble that was going through the narrative. Among the pro-government propaganda messages we examined, the most successful was that "The European Union is pro-war, the Hungarian government is pro-peace", which was believed by 37% of the total population (65% of pro-government voters and 22% of opposition voters believed this narrative). Among the pro-government messages tested, the least successful was "NATO's actions

forced Russia to attack Ukraine", believed by 17% of the total population (26% of pro-government voters and 15% of opposition voters believed this message).

## **ELECTION DAY**

Election day was peaceful and without serious incidents. No reports in connection with any violence were made by 20k24 polling station commission members during the day, nor was the HCLU legal aid service contacted in such cases.

The reports received by HCLU's legal aid service confirmed the tendencies of previous years in that **the phenomena of vote-buying and the transport of voters to polling stations** remained unchanged. Many reported that an unrealistic number of people had set up new addresses in the run-up to election day, mainly in smaller settlements, in the interests of one candidate, i.e. 'electoral tourism'. In one district in Budapest, it was also noted that the mobile ballot boxes did not get to certain voters in time who were therefore unable to exercise their right to vote.

There were isolated reports of polling station commission members trying to influence mainly young voters. Unfortunately, there appears to be a systemic problem of undue voter interference in nursing homes, and there is a common misunderstanding of the nature of exclusion from voting. This common misconception is that citizens in poor mental health who are not under guardianship are excluded from voting rights. Experience has also shown that there are misconceptions about the detailed rules of the limited campaign silence.

Unhack Democracy conducted a detailed post-election survey of 193 polling station commission members (PSCs) between 10 and 12 June 2024. The total number of PSCs delegated by all nominating organisations (including parties and associations) and candidates was 31,029. Of these, the governing parties had nearly 14,000 delegates, while the opposition parties had only 6,500. The research revealed several elements that suggest the improper conduct of the elections, which could jeopardise the democratic process in Hungary. For example, a significant number of PSC members had insufficient knowledge of how many copies of the protocols they needed to sign and 8% did not record the irregularities detected at the polling stations. 15% reported that they were not allowed to carry out certain phases of the commission's work, contrary to the law. The secrecy of the vote was repeatedly violated with many respondents reporting multiple adults in the polling booths during without the voter asking for assistance. 8% of respondents reported undue pressure on mobile ballot box voters during the vote and 10% said they had had no confidence in the fairness of the conduct of the elections, despite working at the polling stations.

**These figures and findings underscore the importance of proper training of PSC members, which remains essential to ensure the fair and transparent conduct of the elections.**

The complete findings of the research can be found in the annex.

## **Election results**

The big winners in the European Parliament elections were Péter Magyar and his Tisza Party: 11 MEPs from Fidesz-KDNP, 7 from Tisza, 2 from DK-MSZP-Párbeszéd and 1 from Mi Hazánk will make up the Hungarian delegation in the EU's legislature. The record-high turnout in the EP elections did neither Fidesz nor the opposition parties any favours; Fidesz-KDNP and the left-wing coalition DK both saw their parliamentary groups significantly reduced, while Momentum and Jobbik completely lost their EP representation.

Fidesz kept its candidate for mayor of Budapest in the race until the last minute, then, two days before the election it decided to back Dávid Vitézy, who was running as an independent with the support of LMP but was also seen by the public as a Fidesz candidate. In an extremely tight race, the incumbent mayor, Gergely Karácsony, beat him by only 324 votes. With the withdrawal of Alexandra Szentkirályi and the resignation of the President of the Republic at the beginning of the year, not only did Hungary



become the only EU country without a woman member of government, but Fidesz has also cast aside all of its frontline female politicians, reflecting its macho worldview in the composition of the party.

Overall, Fidesz-KDNP won a similar amount of votes as in 2019. 60% of the mayorships of large cities were won by the governing party and 40% by opposition candidates, and also similarly to the last municipal elections, the governing parties won majorities in all county assemblies except Pest County. Fidesz and Tisza won 10-10 seats in the Budapest General Assembly, DK-MSZP-Párbeszéd 7, while LMP-Vitézy Dávid Association and MKKP both won 3. Momentum, the loser of the recent changes to the electoral rules in the capital, finished just below the 5% threshold and thus could not send a representative to the Assembly. The Tisza Party achieved an outstanding result of over 30% nationally without running any candidates in most counties. It received most of its votes from former voters of the opposition parties, resulting in all of them far underperforming their expectations.

Following election day, appeals were lodged against the results in several settlements, including Budapest, which led to a recount of votes. In the capital, mayoral candidate Dávid Vitézy challenged the decision of the Budapest Election Commission on the election results, and the NEC decided on the appeal. The body convened its members unexpectedly on the evening of 12 June after the appeal had been received, and a few hours later, decided to recount the invalid votes. Several of the opposition delegates to the NEC complained that the speed with which the NEC meeting was convened meant that no written submission was made available and they did not have the opportunity to study the information available on the case in depth, so they voted against the decision (*see also ELECTION ADMINISTRATION*). According to some NEC members and public criticism, the way the recount was ordered and carried out violated the Electoral Procedures Act in several points, thus compromising the integrity of the election.

Subsequently, on 14 June, a recount of the votes took place, which all NEC members described as legally compliant, but expressed reservations about the regulatory shortcomings and the insufficiently intact state of some ballot paper packs, and referred back to the speedy decision. After the recount, the gap between Gergely Karácsony and Dávid Vitézy narrowed, but the former was still declared the winner of the election by 41 votes. At the time of publication of the report, the final result of the Budapest mayoral election is not yet binding, as both candidates have initiated legal remedy procedures at the Curia citing alleged irregularities and violations of the law. In addition, in some smaller settlements, the regional election commissions have ordered a re-run of the polls due to various irregularities.

### **CLOSING REMARKS**

Our analysis shows that the Hungarian electoral system, despite or because of a series of recent legislative changes, is burdened with serious shortcomings. Unfortunately, the Hungarian legal system does not allow for citizen election observation, which can only be carried out by international organisations. For Hungarian citizens, the only way to be actively present at polling stations is to participate in the polling station commissions as a delegate of a political party or as an elected member appointed by the state administration. Banning citizens from observing elections is unjustified and can undermine public confidence in the elections. The authors of this report express their hope that the legislator will remedy this major shortcoming in the short term and allow independent citizen observation of Hungarian elections.

## ANNEX

### **EXPERIENCES OF POLLING STATION COMMISSION MEMBERS REGARDING 2024 LOCAL, MINORITY AND EUROPEAN PARLIAMENT ELECTIONS**

#### UNHACK DEMOCRACY'S KEY FINDINGS ON POLLING STATION COMMISSION MEMBERS

## **RESULTS**

This study presents the key findings of the research conducted by Unhack Democracy examining the experiences of polling station commission (PSC) members at the 2024 local, minority municipal and European Parliament elections. Our summary is **based on the experience of 193 polling station commission (PSC) members**, who completed a questionnaire comprising 43 questions<sup>43</sup> between 10 and 12 June 2024.

This is the sixth election that Unhack Democracy has scrutinised since 2018. **Thanks to the organisation's research into election-day irregularities and fraud, EU advocacy and citizen engagement campaign, Count for Democracy Unhack Democracy has been successfully drawing attention to the trends jeopardising democratic processes in Hungary.**

A total of 10,119 precincts were established in Hungary in 2024 for the municipal and European Parliament elections.<sup>44</sup> Number of polling station commission members entrusted by nominating organisations (party, association) and candidates: 31,029. The governing parties had almost 14,000 delegates, while all the opposition parties together had only 6500.

### **Number of polling station commission members by nominating organisation<sup>45</sup>**

| <b>Nominating organisations</b>                       | <b>Number of polling station commission members</b> |
|---|---|
| FIDESZ-KDNP   | 13,968  |
| Left-wing opposition + Jobbik (DK, MOMENTUM, MSZP, P) | 2,060   |
| Mi Hazánk   | 539   |
| Mindenki Magyarországá Néppárt (MMN)                  | 79  |
| Magyar Kétfarkú Kutypárt (MKKP)                       | 831   |
| Tisztelet és Szabadság Pártja (TISZA)                 | 3,027   |
| Other (association, candidate)                        | 10,525  |
| <b>TOTAL</b>  | <b>31,029</b>                                       |

<sup>43</sup> 2024 EP and municipal elections – Experiences of PSC members, <https://www.surveymonkey.com/r/5NB95SD>

<sup>44</sup> NEO 2024, [https://www.valasztas.hu/letoltheto-es-feldolgozhato-adatok\\_onk2024](https://www.valasztas.hu/letoltheto-es-feldolgozhato-adatok_onk2024)

<sup>45</sup> Based on information sent by NEO on 14 June 2024 as part of a freedom of information request

## Results in figures:

- **Although confidence in the elections improved compared to previous years, 10% of the PSC members still do not trust the fairness of the elections.**
- Although the training of PSC members improved, the majority of respondents did not know how many **copies of the protocols should be signed**. Only 40% (78 people) of the respondents **answered correctly**.
- The number of administrative anomalies has increased significantly compared to 2022. Several polling stations reported that some voters received more ballot papers than they were entitled to, while others received fewer. However, the most significant administrative error concerned the validity of ballot papers.
- According to the election booklets issued by the National Election Office, a stamped ballot paper with an x or + symbol next to the name of the eliminated candidate is considered an invalid ballot paper. The wording caused a problem because it did not take into account the possibility that an eliminated candidate might be accompanied by the name of another (non-eliminated) candidate with an x or + sign, which would then count as a valid vote in favour of the latter. This led in the first place to the appeals procedure which resulted in the recount of the invalid ballot papers for the mayoral candidates and largely restored integrity to the counting of the votes.
- The electoral procedure **does not provide for a uniform way of crossing out the names of eliminated candidates**. This resulted in the **name of the withdrawn candidate being crossed out in different ways in Budapest, thereby potentially, if not intentionally, misleading voters**.<sup>46</sup>
- **5% of the respondents (28 people) reported that they were not able to carry out certain phases of the commission's work**. 12% (24 people) of the respondents were not allowed to manage the voter registry.
- **4% of the respondents (8 people) suspected vote-buying**.
- **3.5% (7 people) suspected illegal mobilisation and 6% reported voters being pressured in and outside of the polling station**.
- **The principle of secrecy of the ballot was repeatedly violated**. 22% of the PSC members surveyed **reported between 5 to 10 instances when more than one adult was present in the polling booth without the voter asking for assistance**.
- We noted an exceptionally high number of irregularities with mobile ballot box voting. **More than 8% (14 people) of the surveyed delegates said they had noticed pressure exerted on voters during mobile ballot box voting**.
- **8% (16 persons) of the surveyed PSC members did not record irregularities detected at the polling station**. These irregularities included suspected illegal mobilisation, breaches of ballot secrecy, and administrative errors.
- **17% (34 people) of the PSC members surveyed reported disagreements or conflicts occurring within the PSC during the day**. Nearly 5% (9 people) described the atmosphere within the PSC as tense.
- **The average age of the Polling Station Commission members (PSC members) participating in the 2024 municipal and European Parliament elections increased compared to the 2022 parliamentary elections**. The **highest proportion of respondents (30%) were aged 65 and over**, followed by the 45-54 year olds (28%). **The 18-34 age group was under-represented at 7%**.
- A significant proportion of the respondents took part in **counting the votes** out of a sense of civic responsibility to prevent **electoral irregularities and fraud**, and to **increase confidence in the elections**.

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<sup>46</sup> Commenting on Alexandra Szentkirályi's withdrawal, the European Network of Election Monitoring Organisations (ENEMO) said in its preliminary report: "It is noteworthy that Fidesz's candidate for Budapest mayor withdrew 48 hours before election day, and immediately afterwards encouraged voters to vote for an independent candidate, which raises the question of further attempts to deceive voters."

<https://enemo.org/storage/uploads/6ZxjujhFQzdedcYu8q9ZoFbCO7450jkMYGsG81C6.pdf>, p. 14

## PSC SURVEY 2024 – Summary table

| Category   | Data and Cases   | Ratio (%)        |
|--|--|------------------|
| <b>Demographic characteristics</b>   |  |                  |
| Most common age group  | over 65 years  | 30%              |
| Second most common age group   | 45-54 years  | 28%              |
| Under-represented age group  | 18-34 years  | 7%               |
| <b>Motivation</b>  |  |                  |
| Prevention of irregularities and fraud   | Motivation for counting votes                              | 58%              |
| Civic responsibility   | Motivation for counting votes                              | 54%              |
| Increasing confidence in elections   | Motivation for counting votes                              | 31%              |
| <b>Confidence</b>  |  |                  |
| Confidence in fairness of the elections  | Confidence of PSC members                                  | 10%              |
| <b>Irregularities</b>  |  |                  |
| Suspicion of vote buying   | Suspicion raised   | 4%               |
| Suspicion of illegal mobilisation  | No. of cases   | 3.5%             |
| Pressure on voters   | Inside and outside of polling-station                      | 6%               |
| More than one adult in the booth (>10 cases)   | Breach of secrecy  | 6%               |
| More than one adult in the booth (5-10 cases)  | Breach of secrecy  | 22%              |
| Pressure exerted during voting with mobile ballot box                                | No. of cases   | 8.5%             |
| Observed irregularities not recorded   | Unreported cases   | 8%               |
| <b>Administrative and other irregularities</b>                                       |  |                  |
| Incorrect NEO guidelines   | Invalidation of valid ballot-papers                        | 560              |
| Management of eliminated candidate   | Different methods used for crossing out name               | Several thousand |
| Incorrect NEO guidelines; name of eliminated candidate crossed out in different ways | (Unintentional) misleading of voters                       | Several thousand |
| <b>Shortcomings with training</b>  |  |                  |
| Number of result reports to be signed  | Knew the right answer                                      | 40%              |
| Information on scopes of authority   | Was not allowed to and didn't manage the register of names | 12%              |
| Information on scopes of authority   | Certain work processes not carried out                     | 15%              |
| <b>Atmosphere within PSC</b>   |  |                  |
| Atmosphere   | Disagreements or conflicts within the PSC                  | 17%              |