

## Hungary

Last update: 15/03/2021

Membership to the Council of Europe	6 November 1990
Entry into force of the European Convention on Human Rights	5 November 1992
First case under supervision of execution	<b>Sárközy</b> (21967/93) Judgment final on 6 March 1997
Total number of cases transmitted for supervision since the entry into force of the Convention	1078
Total number of cases closed by final resolution	795

### MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS - ONGOING SUPERVISION\*

#### > Actions of security forces – specific issues related to Roma

**Inhuman and degrading treatment, violations of the right to life by police officers and/or lack of adequate investigations**, including in one case into possible racist motives of assaults against Roma.

**Gubacsi** group (44686/07+)  
Judgment final on 28/09/2011

**Status of execution**  
Enhanced supervision

#### > Right to life

**Failure by the authorities to protect the right to life on account of exclusion from witness protection programme** without satisfying themselves that there was no risk of life-threatening vengeance from criminal circles and without taking any protective measures.

**R.R. and Others** (19400/11)  
Judgment final on 29/04/2013

**Status of execution**  
Standard supervision

#### > Conditions of detention

**Inhuman and/or degrading conditions of detention** in pre-trial and post-conviction facilities resulting mainly from a structural problem of overcrowding; lack of effective preventive and compensatory remedies.

**István Gábor Kovács** group  
(15707/10)  
Judgment final on 17/04/2012

**Status of execution**  
Enhanced supervision

**Varga and Others** (14097/12+)  
Pilot judgment final on 10/06/2015

**Status of execution**  
Enhanced supervision

#### > Detention and other rights

\* Detailed information concerning the Committee of Ministers' supervision of the execution of judgments and decisions of the European Court of Human Rights, notably the distinction between enhanced and standard supervision, are available on [the website of the Department for the Execution of Judgments](#).

## MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS - ONGOING SUPERVISION\*

**Irreducible life sentences without eligibility for parole** in combination with the lack of an adequate review mechanism of such sentences.

**Laszlo Magyar** group (73593/10)  
Judgment final on 13/10/2014

**Status of execution**  
Enhanced supervision

> **Length of judicial proceedings**

**Excessive length of civil and criminal proceedings** and absence of effective remedies.

**Gazsó** group (48322/12)  
Pilot judgment final on 16/10/2015

**Status of execution**  
Enhanced supervision

> **Domestic violence**

**The authorities' failure to their duty to protect women against domestic violence from their ex-partners:** rejection by the domestic courts of requests for protection, by restraining orders, against the violent conduct of former partners on the ground that both parties were involved in the assaults.

**Kalucza** (57693/10)  
Judgment final on 24/07/2012

**Status of execution**  
Standard supervision

> **Acquisition, use, disclosure or retention of private information**

**Shortcomings in legislation on secret surveillance:** absence of safeguards sufficiently precise, effective and comprehensive on the ordering, execution and potential redressing of surveillance measures.

**Szabo and Vissy** (37138/14)  
Judgment final on 06/06/2016

**Status of execution**  
Enhanced supervision

> **Freedom of expression**

**Premature termination of the mandate of the President of the Hungarian Supreme Court prompted by the views and criticisms he had expressed on a constitutional and legislative reform** affecting the independence of the judiciary, including notably the replacement of the Supreme Court with a new Court (Kúria); introduction, shortly before the entry into force of the above-mentioned reforms, of a new eligibility criterion for the post of President of the Kúria leading to his ineligibility; lack of any form of judicial review to challenge the premature termination of his mandate.

**Baka** group (20261/12)  
Judgment final on 23/06/2016

**Status of execution**  
Enhanced supervision

> **Discrimination - special issues related to Roma**

**Overrepresentation of Roma children in special schools due to the systematic misdiagnosis of mental disability.**

**Horváth and Kiss** (11146/11)  
Judgment final on 29/04/2013

**Status of execution**  
Enhanced supervision

## SUPERVISION CLOSED - MAIN REFORMS ADOPTED \*\*

## &gt; Protection against ill-treatment and effective investigations

**Introduction of the obligation for the domestic courts to give factual reasons when upholding prosecution decisions** to close investigations or dismissing private bills of indictment; introduction of a possibility for victims to refer their cases to court if the prosecutor refuses to do so.

**Kmetty and Barta** (57967/00 and 26137/04)  
Judgments final on 16/03/2004 and on 10/07/2007

**Final Resolution**  
**CM/ResDH(2011)297**

## &gt; Lawfulness of detention

**Decisions to place defendants in detention on remand to be held with the participation of the parties** and the same obligation introduced for the extension of detention on remand if new facts adduced; prosecution's motions to this end shall be transmitted to the defendants and their defence counsel before the hearing.

**Osváth** (20723/02)  
Judgment final on 05/10/2005

**Final Resolution**  
**CM/ResDH(2008)74**

**Obligation for courts to order detention on remand only as a last resort**, to give detailed reasons for their decisions and to evaluate more attentively the facts on which decisions prolonging detention on remand are based; the risk that an accused might abscond shall no longer be deduced from the seriousness of the alleged crime alone.

**Imre, Maglódi, Csáky and Bárkányi** (53129/99+)  
Judgments final on 02/03/2004, 09/02/2005, 28/06/2006 and 30/09/2009

**Final Resolution**  
**CM/ResDH(2011)222**

## &gt; Right to a fair trial

**Obligation introduced to hold a public hearing** with the presence of the accused and his defence counsel in cases where an appeal is lodged to have the sentence increased.

**Csikós** (37251/04)  
Judgment final on 05/03/2007

**Final Resolution**  
**CM/ResDH(2008)72**

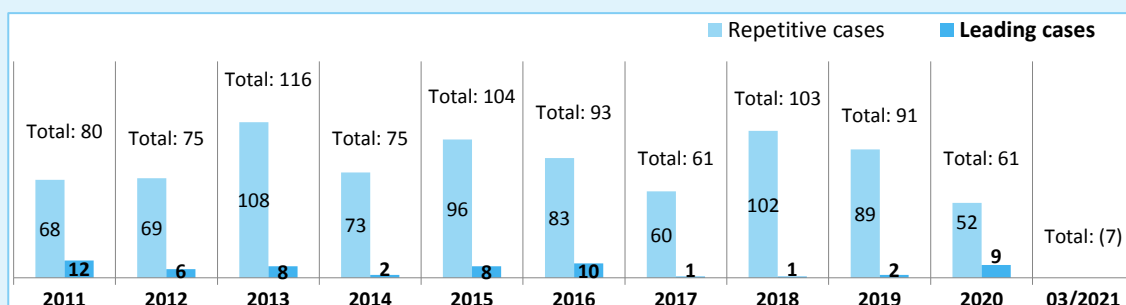
\*\* This section may also include certain major reforms already implemented in the context of cases still pending.

For a thorough overview of reforms adopted since the entry into force of Protocol No. 11 in 1998 see the [Annual Report 2015](#), Part IV "Main achievements". As regards the period 1959-1998, see the overview provided by the European Court in its special publication "Survey : 40 years of activity", section IV "Effects of judgments and decisions" – both documents, together with a number of additional ones, are available also on the website of the [Department for the Execution of Judgments of the European Court of Human Rights](#).

## STATISTICS\*\*\*

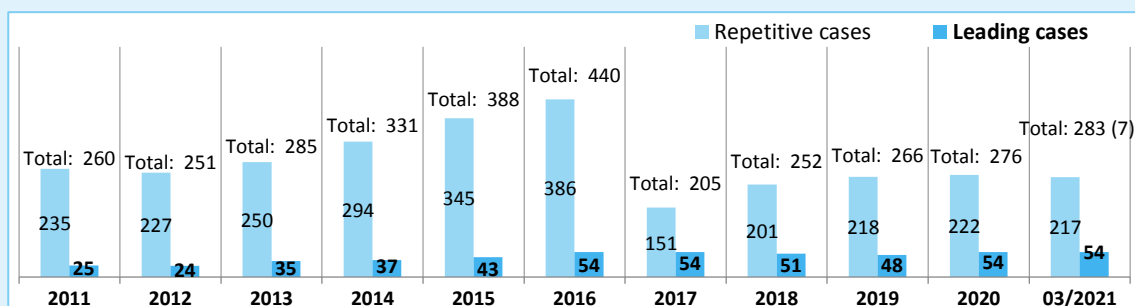
## New cases

(judgments transmitted for supervision of their execution during the year)



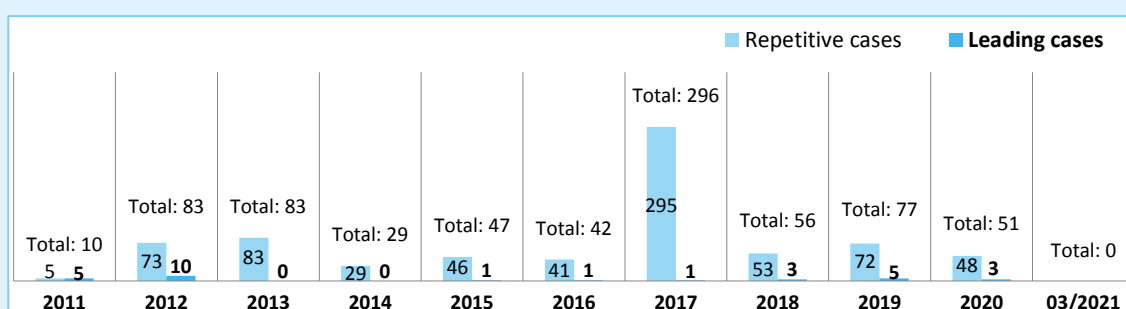
Figures bracketed correspond to the number of cases not yet classified as leading or repetitive, but they are taken into account in the total number of new cases.

## Pending cases

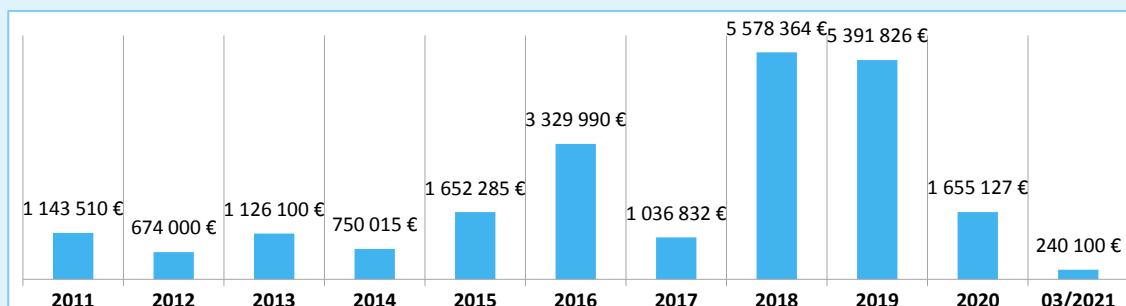


Figures bracketed correspond to the number of cases not yet classified as leading or repetitive, but they are taken into account in the total number of pending cases.

## Cases closed by final resolution



## Just satisfaction awarded by the European Court

\*\*\* Detailed statistics are available in the [annual reports](#) of the Committee of Ministers. Figures are reported as they appear in the annual report for each year.