

These questions refer to the different functions of an NHRI. They aim at identifying how the different NHRIs exercise their protection function. Thank you for providing this information, which will help the German Institute for Human Rights in its review of its own exercise of the protection function.

Name of your institution:

**Commissioner for Fundamental Rights, Hungary (NHRI since 1 January, 2012)**

1. What type of National Human Rights Institution does your organization represent?

- Institute
- Ombudsperson
- Commission (UK type)
- Consultative Commission (French type)
- Equality Body
- Other, as...

2. How does your institution in general define the protection function by dissociating it from the promotion function?

**The protection function of the Ombudsman is enshrined in the Fundamental Law of Hungary. According to Article 30 paragraph (1): „The Commissioner for Fundamental Rights shall undertake activities aimed at protecting fundamental rights. The Commissioner’s proceedings may be requested by anyone.**

**(2) The Commissioner for Fundamental Rights shall himself or herself investigate - or have investigated by others - any wrong related to fundamental rights that have come to his or her knowledge, and shall initiate general or specific measures for their remedy.”**

The promotion function is a useful and efficient way for awareness raising therefore the Ombudsman issues press releases informing on his inquiries, projects and appears regularly in the media.

**“There was an increase of almost 10 per cent in the number of communications issued by the Commissioner, the number of his media appearances grew by approximately 20 per cent and the presentation in the media of the phenomena and events forming the background of his inquiries rose by more than 15 per cent. It was quite apparent that the online media was gaining ground: in each month of the year it led by far the statistics of coverage of the activity of the Commissioner and of the phenomena inquired into (1881 in 2011 compared to 1315 in 2010).”(2011 Annual Report of the Commissioner)**

3. What kind of concrete activities does your institution undertake in order to exercise your protection mandate? Please, tick the boxes for the activities you already undertook in the past.

a) **Case-related activities, such as:**

(X) Providing advice (human rights argumentation) in individual and /or group complaints

X Investigation and examination of individual and / or group complaints

Providing mediation between private parties or between the government and a private party

• Taking cases to court as the legal representative of the alleged victim

Domestic courts, about \_\_ cases within the last 3 years

Domestic quasi-judicial complaint mechanisms, about \_\_ cases within the last 3 years

European Court of Human Rights, about \_\_ cases within the last 5 years

European Court of Justice, about \_\_ cases within the last 5 years

Other courts, such as \_\_\_\_\_, about \_\_ cases within the last 5 years

- Funding cases of strategic importance
  - Domestic courts, about \_\_ cases within the last 3 years
  - European Courts, about \_\_ cases within the last 5 years
  - International Courts, about \_\_ cases within the last 5 years
  
- Submissions to UN Treaty Bodies
  - Individual Complaints as legal representative of the alleged victim, about \_\_ cases within the last 5 years
  - Request for inquiries
  
- Submissions to UN Special Rapporteurs
  - Individual complaints, about \_\_ cases within the last 5 years
  - Request for investigation procedures
  
- Submissions of third party interventions (“amicus curiae briefs”) to
  - Domestic courts, about \_\_ cases within the last 3 years
  - European courts, about \_\_ cases within the last 5 years
  - International Criminal Court, about \_\_ cases within the last 5 years
  - Other courts, such as \_\_\_\_\_, about \_\_ cases within the last 5 years
  - UN Treaty Bodies, about \_\_ cases within the last 5 years
  
- Collection of the complaints filed by alleged victims before courts or quasi-judicial complaints mechanisms
  - Domestic
  - European
  - International
  - Others, such as....

X Publishing expert opinions on individual cases in legal or other journals in order to stress the human rights dimension

X Other activities, such as **giving lectures, organizing round table discussions mainly connected to actual projects, “Sprechtage” in the country, on-site inspections, etc.**

**b) Activities beyond individual cases, such as:**

Please, mark the activities *red* if you do **not** consider them as belonging to the protection function.

- Production of Guidelines on legal protection / advise in human rights cases

- National procedures
- International procedures

- Training of legal practitioners

- Judges
- Lawyers
- Prosecutors
- Police
- Others, as...

Training of intermediaries (NGOs etc.)

Training of other stakeholders, such as...

Setting up networks of human rights lawyers

Other activities you consider belonging to the protection function, such as

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4. How high do you estimate the percentage of the workload related to the protection function compared to the overall work of your institution?

**As there is no such statistics, it can only be a rough estimation, 80-90% of the workload goes to protection function.**

5. What are the three main activities your organization undertakes in order to exercise your protection function?

**a) conducting inquiries either upon complaints or ex officio**

**b) address a recommendation to the supervisory organ of the authority subject to inquiry; turn to the Constitutional Court; initiate criminal proceedings with the organ authorised to**

**start such proceedings; propose that the organ authorised to make law or to issue a public law instrument for the regulation of organisations modify, repeal or issue the rule of law  
c) submit the case to Parliament within the framework of his or her annual report**

Thank you for your cooperation!

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