

Transparency International says draft Hungarian law is a tax on transparency

Hungary set to severely restrict access to information with vague new law

Berlin, 3 July 2015 – Transparency International said a proposed law in Hungary could sharply restrict the public’s access to information about government dealings, creating a serious risk corruption by public officials will go unchecked. The law must not be passed.

The draft law, which could be voted on as early as 6 July, appears to be a misguided response by the Hungarian government to civil society’s earlier successful use of freedom of information tools to publicly expose government malpractice and questionable public spending.

The proposed law creates uncertainty about how much a member of the public would be charged when making a freedom of information request, leaving open the possibility that filing the request would be very expensive. It follows a 2013 amendment that gave officials excessive scope to reject requests for public information.

“You cannot charge more than a nominal fee to people who want to find out how their taxes are being spent. This law opens the door to massive costs related to public information requests and is nothing less than an unfair tax on transparency,” said Anne Koch, Director of Europe and Central Asia at Transparency International.

After accessing public information, TI Hungary and Direkt36 were able to reveal the Minister of the Prime Minister’s Office was spending lavish amounts on foreign trips, including 1000 EUR per night on hotel rooms, similar amounts for car rentals and 1500 EUR on “incidentals”.

Attempting to further restrict access to public data would add to Hungary’s much criticized track record of freedom of information. On January 2012, the country’s former Data Protection and Freedom of Information Parliamentary Ombudsman’s tasks were transferred to a newly established National Authority for Data Protection and Freedom of Information, which is an administrative body and does not comply with the requirement of full independence, as enshrined in European Union data protection rules.

In April 2012, the European Commission referred an infringement procedure against Hungary to the Court of Justice of the European Union for failure to correct the early termination of the former data commissioner’s term. On April 8, 2014 the Court of Justice of the European Union ruled that Hungary’s early termination of the former parliamentary data commissioner’s term was a violation of the law.

“The government is quickly pushing Hungary toward full state control of public information. The right of citizens to access information is a fundamental democratic value and Hungary must uphold it to the fullest. Transparency International calls on the Hungarian Parliament to say no to limiting this basic human right,” Koch said.

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Transparency International is the global civil society organisation leading the fight against corruption.

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