

Year 2012 in the Office of the Commissioner for Fundamental Rights – Changes, Trends and Numbers

The number of complaints filed to the Office increased by 25% during the first year of the transformed, reorganized ombudsman system. The Office managed to accomplish its legally defined, partly new tasks in 2012 with a uniform approach, flexible organization of work and considerable surplus labor.

As of January 1, 2012, instead of the four independent ombudsman offices a new, one ombudsman system headed by Máté Szabó, Commissioner for Fundamental Rights, was established, where the interests of national minorities and future generations are protected by deputy commissioners. As opposed to 5,046 in 2011, the Office registered 6,667 requests to investigate in 2012, and its information service was accessed by almost 13 thousand people, against nine and a half thousand a year earlier. On the basis of the complaints and the – partly on-the-spot – investigations initiated *ex officio*, there were 231 Ombudsman's Reports prepared, containing 331 dispositions and recommendations. The statistics of the year 2012 also show that 61% of the Ombudsman's recommendations were accepted and 14% were refused or ignored; in the case of the remaining 25% the 30 or 60 days deadline to respond has not expired yet.

With 225 acts passed in 2012, the correction of legislative mistakes, decrees and laws, adopted in the process of the democratic system's speedy transformation, obtained special significance. Last year, the commissioner for fundamental rights and his co-workers gave their opinions on almost 250 draft regulations, commenting in some form or other on every third of them. As a result, drafts were significantly amended on several occasions. (There were two occasions when the drafts' authors did not agree with the commissioner's opinion – in those cases the ombudsman appealed to the Constitutional Court on the grounds of the drafts' anti-constitutionality.)

As of January 1, 2012, citizens may directly request legal remedy from the Constitutional Court only in case their individual rights have been encroached by the implementation of an anti-constitutional legal regulation or ruling of the court. In all other cases they can submit a proposal to the commissioner for fundamental rights to file an appeal; however, the commissioner shall decide within his discretion, on the basis of his own investigation, and appeal to the Constitutional Court on his own behalf. The Office received 758 such proposals in 2012. The commissioner for fundamental rights decided to uphold twelve of his motions submitted during the previous years, and he appealed to the Constitutional Court 19 times on the basis of the complaints received and 4 times *ex officio*. The Constitutional Court has already made its ruling in 11 cases, including the family protection act.

The international recognition of the Hungarian ombudsman institution is well illustrated by the fact that during last year the commissioner for fundamental rights was invited to eight venues on three continents to give lectures and share his experience. Among them were the conference of the International Ombudsman Association where he was one of the keynote speakers and the European Group of National Human Rights Institutions, a body operating under the auspices of the UN. In 2012, the ombudsman received 27 foreign visitors and delegations, including rapporteurs of the Council of Europe and the UN, the High Commissioner on National Minorities of the OSCE and several ambassadors accredited to our country. In 2012, the co-workers of the commissioner for fundamental rights were invited to

47 international conferences and consultations, mainly in the fields of children's rights, equal opportunity and the right of assembly.

Just as in previous years, the activities of the commissioner for fundamental rights in 2012, as well, were conducted before the eyes of the public. He gave account of his work, investigations, reports and recommendations in 248 statements altogether, published several booklets summarizing his projects, gave interviews on and analyzed the state of fundamental rights in Hungary and the ombudsman's activities in both the domestic and foreign press.

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