



ODIHR NEEDS ASSESSMENT MISSION BRIEFING

Summary

Hungary faces a once-in-a-generation election in spring 2022, with a unified opposition for the first time presenting a genuine challenge to the ruling Fidesz-KDNP and Prime Minister Viktor Orban. This document sets out why a systematic and comprehensive observation of election day proceedings through a full-scale ODIHR Election Observation Mission (EOM) is necessary to safeguard the legitimacy of the democratic process in what looks set to be a knife-edge vote. Election watchdog NGO Unhack Democracy has detailed extensive evidence of **clearly persistent and concerning trends of voter fraud and irregularities on election day** spanning four consecutive elections since 2018 (2018 parliamentary, 2019 European Parliament and municipal, 2020 Borsod by-election). This document will also highlight serious training and knowledge gaps amongst poll workers, low levels of confidence among election officials *and* the public over election-day activities, the implications of how, contrary to OSCE commitments and recommendations, Hungarian legislation does not allow for citizen election observation either prior to or on election day, and demonstrate the small but decisive impact a failure to deploy short-term international observers could have at the upcoming election. It will make the case that a Limited Election Observer Mission (LEOM) is insufficient, and show how previous ODIHR recommendations have been in most cases ignored and in others even reversed.

Election Observation Mission vs Limited Election Observation Mission: The case for short-term election day observers amid low levels of public confidence in election-day activities

According to the [ODIHR Election Observation Handbook](#), “a limited election observation mission (LEOM), without STOs on election day, may be deployed where the Needs Assessment Missions (NAM) determines that serious and widespread problems on election day at the polling-station level are unlikely, but that observation of the entire long-term process throughout the country might still produce useful recommendations”.

While the [2018 ODIHR Limited Election Observation Mission Final Report](#) found that “in the limited number of polling stations visited by the ODIHR LEOM, election day procedures were generally conducted efficiently and in accordance with the law”, quantitative and qualitative research by Unhack Democracy drawn from testimonies from over 1,000 Polling Station Commission (PSC) members conducted over four consecutive elections in Hungary (2018

parliamentary , 2019 European Parliament and municipal, 2020 by-election), identify **clearly persistent and concerning trends of voter fraud and irregularities on election day**.

These include: intimidating Polling Station Commission (PSC) members and voters by the ruling party and local government officials, threatening elderly voters in care-homes, questions around the credibility of protocols, suspicious 'ticket-splitting' rates in precincts where there were no opposition delegates. There is also widespread evidence of forged electoral registers through the illegal transportation of phantom voters from Ukraine, Serbia and Romania, a practice which was made legal in November 2022 ahead of the next election. These form part of a wider trend of electoral manipulation that include large scale electoral clientelism, the specific and widespread targeting of Roma, and concerns around the registering, collecting and posting of ballots for diaspora voters by an [extensive network of ethnic 'agent' groups](#) who receive Hungarian public money.

Election Day irregularities: trends from 2018 parliamentary election, 2019 European Parliament and municipal elections, 2020 Borsod-Abaúj-Zemplén parliamentary by-election

The [year-long investigation](#) into the 2018 parliamentary election ([HU](#)) was compiled using mathematical analysis of publicly available data, [170 first-hand testimonies](#)¹ from PSC members along with a compilation of press reports from Hungary, Serbia, Ukraine and Romania. The findings were presented to the European Parliament in December 2019 and received widespread international coverage across 5 continents and 8 languages including on the BBC, France 24 and [Euronews](#) where it ranked in the top 10 most read news stories on its website in 2019.

Unhack Democracy's [investigation into the May 2019 European Parliament and October 2019 municipal elections](#) was based on over 850 testimonies from PSC members.²

¹ Research into the 8th April 2018 parliamentary elections in Hungary was completed in two phases: The first series of interviews were conducted between 14th to 27th August 2018. During this period we interviewed 124 people across Hungary in person, on the phone and with the help of online survey platform SurveyMonkey. We reached the biggest group of ballot counting officers online, with 111 people responding to our questionnaire about their role on 8 April 2018. We also interviewed a further 13 officers in person. The second phase of in-person interviews were conducted between February and April 2019, involving 41 people, who were working in precincts whose results showed some anomalies, including high rate of void votes, missing and extra ballots as well as unusually high rate of ticket-splitting.

² Unhack Democracy's qualitative research into the 2019 European Parliamentary elections held on 26th May and local elections on 13th October in Hungary, is based on 851 ballot counters' testimonies gathered via a 42-question online survey, and 50 subsequent face-to-face interviews across 15 counties. In the first phase we reached members of the ballot counting committees via SurveyMonkey then interviewed those face to face who reported irregularities. Following the 26th May 2019 European Parliamentary elections, 609 people filled out the 42 question survey and after the 13th October municipal elections 242 respondents sent their observations. In the second phase we conducted 50 face-to-face interviews between June 2019 and January 2020 with those ballot counters who reported on anomalies.

Protocol Irregularities: The most serious issues on election day across all elections surveyed centred on protocols. In 2018, 11% of PSC members surveyed reported not receiving a copy of the protocol, which they are entitled to by law [[Link](#) p.9]. In many cases, despite repeated attempts, opposition party delegates were refused requests for protocols.

Of those surveyed, 8% of the EP and 9% of the local election PSC members experienced irregularities while the results were being processed [[Link](#) p.21]. **Unhack Democracy's team has found three precincts where PSC members were asked to sign blank protocols in advance of the count.** Party delegates surveyed after the EP and local elections reported that 6% and 8% of them respectively did not receive an official copy of their precinct result protocol or that there was no official copy of these documents produced at all.

[Testimonies from 48 members of the PSC members at the 2020 Borsod by-election](#), revealed 2 cases where delegates were asked to **sign multiple copies of the protocols in blank before the count**, raising suspicions of abuse [[Link](#) p.4]. Despite the strict prohibition on pre-signing a blank protocol in advance to certify the results, nearly 12% said that they could not remember signing a blank protocol. This calls into question not only the preparedness of delegates but also the credibility of the results.

Precinct anomalies: 8% of the EP and 14% of the local elections' PSC members surveyed experienced anomalies in their precinct [[Link](#) p.9]. However, this likely underestimates the total rate of anomalies because in many cases the party delegates do not have adequate information and/or a routine about how to deal with irregularities arising during the counting process. This is also reflected in the answers to our question on the irregularities that were NOT officially reported. 11% of the EP and 18% of the local elections' respondents acknowledged that they did not record irregularities in their precinct: including vote-buying, intimidation of ballot counters, influencing voters and officials using mobile phones inside the polling station.

At the 2020 by-election, 15% of respondents said they did not record any irregularities they observed (e.g. influencing elderly voters with a mobile ballot box; stigmatizing, or limiting the powers of committee members) [[Link](#) p.6].

Influencing mobile votes: 13% of testimonies in 2018 reported some irregularity with the mobile ballot box votes' processing and handling [[Link](#) p.16], while 9% of EP and 8% of PSC respondents reported mobile ballot box irregularities [[Link](#) p.28]. Recurring complaints were that local government PSC members did not allow PSC party delegates to accompany the mobile ballot box and that the elderly, often inert patients, were influenced, pressured and registered for mobile ballot voting without their consent to vote for Fidesz, especially in care homes.

10% of the PSC members surveyed following the 2020 Borsod by-election reported that they had noticed an **anomaly in the handling and processing of mobile ballot box votes**. **Four witnessed deliberate manipulation** of older people [\[Link p.18\]](#). One PSC member said the organiser, who registered 60 mobile ballot voting requests in the village of 1,600 received 5000 forint (€14) per registered voter.

Illegal voter mobilisation by Fidesz: At the local elections 12% of respondents reported that they had witnessed or suspected illegal transportation of voters by car or bus [\[Link p.23\]](#). At the 2020 Borsod by-election this figure stood at 30% [\[Link p.18\]](#). Interviews reveal that unlawful mobilisation of voters took place also on the phone, which was often conducted directly from the polling station by Fidesz members of the PSC or by local government members of the PSCs. The National Election Office's [official guide](#) clearly states that "The goal of the phone ban is that the members of the commission could not record and note who went to vote and who did not. The violation of the ban, in other words obtaining this data (for example: copying the electoral rolls or registering it with the purpose that it can be transmitted to someone) and sending the data outside of the polling station is a serious violation of the law!"

Vote buying (and impact on public confidence in elections): Over 10% of the party delegates of PSC commissions during the EP elections and 12% of the local election's reported that they were suspicious of or witnessed vote buying in exchange of cash or public benefits happening in their precinct [\[Link p.25\]](#). These testimonies from PSC members of the EP and local elections underline our concerns about the expanding networks of voter-clientelism in Hungary, which impacts the most vulnerable in the society and has **significantly affected public confidence in election-related activities**. In a quasi-feudal system built around the labour intensive public workfare programme, predominantly romas, who depend on the local mayor responsible for allocating the jobs and benefits in the town, are coerced. In 2018, in Nógrád county, Roma people were trained to cross the last box, which was for the Fidesz candidate and on the party list they were instructed to vote in the box with a certain number next to it, which again was Fidesz. In return they were promised that they could keep their benefits and public workfare jobs [\[Link p.22\]](#). In the 2020 Borsod by-election more than 30% of the party delegates interviewed suspected carousel voting and vote-buying [\[Link p.4\]](#). 62% of respondents witnessed **voters being pressured** during the campaign or on election day, reflecting a strong system of codependency where voters' free will is violated.

Irregularities in handling minority votes: At the 2018 parliamentary elections more than 10% of respondents experienced irregularities during handling and processing minority votes [\[Link p.18\]](#). It was a common administrative mistake to hand out the wrong ballots and due to insufficient public information, minority voters were often unaware that they were registered as minority voters and what ballots they should receive. **This caused public uproar in 2018,**

seriously eroding trust in election management bodies and is an issue that requires specific attention in 2022.

Vote tallying irregularities: In 2018, 12% of respondents reported that the National Election Software system went down on election day [[Link](#) p.11]. This meant many PSC members had to wait for hours when the results were being uploaded into the system. 20% of face-to-face interviewees reiterated that the software system went down, which resulted in unusually long waiting times often until 1:30 am when the chair of the PSC reported the results and the delegates were able to receive their official copies. Unhack examined the time codes of 10,285 precinct entries but did not find any inconsistencies. Despite widespread concern over election software failure in 2018, at the 2019 local elections, **four** PSC members reported they had been informed about the failure of the National Election Software when waiting for confirmation from the Local Election Office after the count [[Link](#) p.19]. **The integrity of election software remains a major concern among voters ahead of the 2022 election.**

National Election Office website: inconsistencies over number of eligible voters: Widespread inconsistencies exist between screenshots of the officially updated election website with the number of eligible voters taken in the months leading up to the election, copies of the numbers of eligible voters taken from the official online archive (Wayback machine), and [monitoring data from ODIHR](#). Reports of what this total is varied, with the National Election Office (NEO) announcing one number at a press conference one day before the election (footage of which has been obtained by Unhack Democracy), but publishing a different number on its website, and the state news agency, MTI reporting a different number again. The figure reported on the National Election Office website increased by around 60,000 one day before the vote, and the total reported on the site was greater than the sum of the total number of in-country voters and out-of-country voters reported on the same site. Likewise, the total of in-country domiciled voters – the biggest part of the electorate – varied widely between these announcements, and, along with the other numbers, didn't always add up to the relevant total figure declared by NEO. **The apparent inconsistency of the numbers from NEO on valasztas.hu undermines the credibility of elections and undermines trust in the democratic process.**

Illegal transportation of 'phantom voters': Following the 2018 election, Hungary's Supreme Court, the Kúria, as well as the chief prosecutor's office condemned what happened on the Ukrainian-Hungarian border as ['organised fraud'](#) where voters were bussed across the border. Our investigation has revealed new evidence that voters were also bussed in other parts of the country. Opposition Party delegates also reported that in Tolna and Bács-Kiskun Counties, where people were voting who did not reside there and were illegally transported to the polling stations. Local press has uncovered huge irregularities in the registration of voters in border precincts. In Szabolcs-Szatmár-Bereg county, one hundred and ten people were registered living in a single two-bed family home, while another single-story house registered

200 people. When the opposition candidate in that county, [Jobbik's Béla Adorján](#), purchased the electoral roll for his constituency he found a staggering increase in the number of eligible voters. In one border precinct, the number of eligible voters increased by 5,000 over a period when other data suggests the population of the area fell by 5,000. He believes this was aided by the massive influx of Ukrainian voters. There are settlements whose number of inhabitants tripled on paper, but the average shows an increase between 20% to 30%.

Suspicious ticket splitting rates: At parliamentary elections, Hungarian voters typically cast both of their ballots in one direction. Ticket splitting occurs when someone votes for two different parties with their candidate vote and their party list vote. The average ticket splitting rate (eg. how much more Fidesz single member candidates received vs. party list votes in the precincts) is 1%. In our analysis, we set a ticket splitting threshold of 4%, meaning that if the Fidesz candidate exceeded the Fidesz party list by more than 4% in a given polling station, we would label that as “suspicious”. There were a total of 579 polling stations (about 5.6%) where ticket splitting exceeded this 4% threshold [[Link](#) p.2]. **The suspicious ticket splitting level was more than twice as likely in polling stations where there were no opposition delegates present than in areas where both opposition and Fidesz delegates were part of the PSCs.**

Absentee ballot tallying irregularities: In 2018, The number of registered absentee voters who showed up to cast their ballots, as recorded on the official website, is 2,918 higher than the number of envelopes recorded as being counted – implying that 1% of the total votes went missing [[Link](#) p.14]. While some of this can be explained by errors in how precinct committees filled out the protocols, there is still a large number of ballots that remain unaccounted for – **enough to influence the outcome in one or more single-member constituencies.** Asked about this discrepancy, the Hungarian National Election office said “all absentee and embassy votes were counted”.

Impact of election irregularities

In 2018 Fidesz secured its crucial two-thirds majority in parliament by a single seat - as little as 425 votes spread across two swing constituencies - allowing it to change the constitution at will.

Ahead of the last parliamentary election in 2018, TASZ (Hungarian Civil Liberties Union) assessed which of the [36 previous ODIHR recommendations](#) relating to elections had been implemented by the government. It found 4 had been partially implemented, 27 had NOT been implemented at all, and in regards to 5 of the recommendations the situation had got worse. Since 2018 and in the run up to the upcoming election, Fidesz has sought to impose [extra barriers to election transparency and fairness](#), further contravening ODIHR recommendations.

Given current polling suggesting a neck-and-neck race, Hungary's majoritarian electoral system and the impact aggregated election day irregularities resulting in relatively minor but

nevertheless significant vote swings can have on the result of marginal constituencies, the need for polling station/precinct oversight is more crucial than ever.

Unpreparedness and intimidation of election staff

PSC member testimonies reveal that a majority of PSC party delegates are not fully aware of their rights and obligations, which makes it difficult to know how to stand up when pressured illegally [[Link](#) p.11]. 18% of respondents at the European Parliamentary and municipal elections report being constrained and not allowed to take part in every stage of the commission's work. Most commonly party delegates reported that they had not been allowed to handle the electoral rolls. 9% of EP and 15% of local election ballot counters surveyed said they had a negative view of the work done by the Committee chair. Respondents highlighted their hostile attitude, a lack of impartiality and poor knowledge of the rules by municipal designates (chair, deputy), which in some cases also involved stigmatisation and threatening of opposition PSC members.

This follows a similar pattern from 2018, where PSC members repeatedly reported the committee chair and note taker were often deliberately uncooperative and at times openly hostile and, as a consequence, in many cases there were no official protocols filled out on irregularities witnessed by opposition party delegates [[Link](#) p.6].

At the 2020 Borsod by-election, more than 20% of PSC members surveyed reported that they were not allowed to carry out certain tasks, including 9% of respondents who were not allowed to manage the register. A further 6% did not know that they had the right to do so [[Link](#) p.8].

Despite the provisions of the law granting equal powers to both municipality designated and party delegated PSC members, the chairman, vice-chairman, and the note taker often treat opposition party delegates as observers and are hostile to them. **This is particularly the case in polling stations where only one opposition delegate is present or where the delegate(s) are at the mercy of the local co-dependency system.** Personal interviews reveal a pattern of behaviour practiced by municipal elected commission members, which in many cases stigmatizes and intimidates party-delegated commission members. At the 2019 municipal election, one PSC member withdrew on election day after being blackmailed.

This body of evidence contradicts the 2018 ODIHR report which concluded that "election staff were knowledgeable and operated transparently".

The unpreparedness of PSC members and administrators is compounded by the fact the majority are aged 65 and over and many have been volunteering since the democratic transition in the early 1990s. Because of this they do their job with confidence that is based mostly on habituated routine rather than high training standards. The interviews also show that because many follow outdated routines the steps that ensure the safe mechanism of the election process are not followed properly. As one of interviewee reported:

“Community practice as a priority toolbar becomes superior to election law.”

Low levels of public confidence in election-related activities

The ODIHR Election Observers Handbook states that “a high level of public confidence in election-day activities and a lack of systematic election-day concerns will have been expressed to the NAM” for it to recommend a Limited Election Observer Missions over a full Election Observation Mission.

[Polls](#) and research conducted by Unhack Democracy show there is a significant lack of trust in the electoral system and in election day activities from both the general public and election officials.

40% of European Parliament (EP) and 36% of local election PSC members surveyed by Unhack Democracy reported that they **did not have trust in the fairness of the election process** [[Link](#) p.9]. In the Borsod by-election of 2020, **71% of party delegates did not trust in the fairness of the conduct of the election** [[Link](#) p.4].

The growing frequency and [semi-normalisation of clientelism since 2010](#) has led to a huge decline in public trust around election-related activities.

As stated in the ODIHR observers handbook the deployment of a full-scale election observation mission (including LTOs and STOs) might be recommended where “there is limited confidence among election stakeholders in the election administration, the long-term process and election-day proceedings, and that the presence of observers could enhance public trust in the process.” This is very much the case in Hungary now ahead of the elections.

No domestic observation: why international observers must step in

Contrary to OSCE commitments and recommendations, **citizen election observation is not permitted in Hungary**. However, legislation provides for international election observation at all stages of the process.

In 2018 the lack of domestic observers *and* short-term international observers was compounded by a failure of opposition parties to delegate volunteers to all PSCs. According to the official National Election Office website there were no opposition party delegates in 1100 precincts out of a total 10285. On average there were 700 eligible voters per precinct and given the national turnout rate (70,22%) this means that approximately **540,000 voters’ ballots were tallied without opposition or external (domestic/international observer) presence**. As we have shown, in the case of suspicious ticket splitting rates and intimidation of PSC members, a lack of opposition PSC members combined with no independent observation can have a significant impact on the integrity of the election.

At present, there is a plan for street observers through the Clear Vote programme, which aims, through a communication campaign and series of trainings for civic society organizations and

active citizens, “to raise awareness in Hungarian society of the threats of unethical influence or fraud at the upcoming parliamentary elections”.

While welcome, the fact that civil society does not have access to polling stations means **this is nowhere near enough to counter the scope, scale and complexity of election day irregularities expected in April 2022.**

Despite growing [calls from MEPs](#) for the EU to re-think election monitoring within its own borders and a [comprehensive input paper on the European Democracy Action Plan](#) from 48 civil society organisations recommending that “in line with the EU’s external election observation activities, the EU should establish and promote enabling mechanisms for citizen election observation of European and Member States’ elections in line with international principles and regional commitments”, the only body presently with the resources and authority to conduct an international Election Observation Mission is the OSCE/ODIHR.

Conclusion

Extensive analysis, surveys and interviews conducted by Unhack Democracy, as well as reports by other NGOs, have shown that there is:

- Evidence of election day fraud in a wide range of polling stations, ranging from widespread and repeated protocol irregularities to illegal transportation of voters;
- A lack of understanding and training among Polling Station Commissions;
- Evidence of manipulation of vulnerable voters, especially among elderly voter through mobile voting and Roma through a co-dependent system;
- Evidence of voter coercion and vote buying;
- Vote tallying irregularities;
- Irregularities in handling minority votes;
- Suspicious ticket-splitting rates, particularly in polling stations without opposition party observers;
- Low levels of public confidence in election officials and the election process.

Hungary is the only EU member state not considered worthy of being invited to US President Joe Biden’s ‘Summit for Democracy’. Whilst previous electoral malpractice is not an automatic indicator of what will happen in future elections, when the above factors are combined with the likely closeness of the coming election and the denial of the right of neutral domestic observer groups to enter polling stations, the case for ODIHR to conduct a full Election Observation Mission is overwhelming.

About UNHACK DEMOCRACY

Composed of data analysts, international and Hungarian political scientists and communication experts, [Unhack Democracy](https://www.unhackdemocracy.eu/hu/home) aims to support citizens by providing tools and knowledge to monitor elections and protect democratic institutions.

Unhack Democracy is part of the **Europe for Citizens Program**. Led by European Platform for Democratic Elections, the project, financed by the European Commission, brings together citizen election observation organizations from seven EU member states (with Unhack representing Hungary) united in the effort to contribute to fair and transparent elections both on a national and European level by strengthening active citizenship through domestic observation.

We are a non-profit organization registered in Belgium, founded after the 2018 parliamentary elections of Hungary. Our independent studies have been set up without external financial support, thanks to the hard work and financial contributions of volunteers.

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