



Grand Chamber hearing concerning non-governmental organisation's complaint of being refused access to information

The European Court of Human Rights is holding a **Grand Chamber**¹ hearing today **Wednesday 4 November 2015** at **9.15 a.m.** in the case of **Magyar Helsinki Bizottság v. Hungary** (application no. 18030/11)

The case concerns the authorities' refusal to provide an NGO with information related to the work of court-appointed defenders.

The hearing will be broadcast from 2.30 p.m. on the Court's Internet site (www.echr.coe.int). After the hearing the Court will begin its deliberations, which will be held in private. Its ruling in the case will, however, be made at a later stage.

The applicant, Magyar Helsinki Bizottság (Hungarian Helsinki Committee), is a non-governmental organisation (NGO) based in Budapest. It is active in the field of monitoring the implementation of international human rights instruments in Hungary and in related advocacy. In pursuit of a survey on the quality of defence provided by public defenders, the organisation requested from a number of police departments the names of the public defenders selected by them in 2008 and the number of appointments per lawyer involved. The organisation referred to the 1992 Data Act, arguing that the data requested constituted public information.

In 2009 the organisation brought court proceedings against two police departments which had rejected the request for information. After a first-instance judgment in favour of the organisation the claim was rejected by the appeal court, holding that public defenders did not carry out a task of public interest and that therefore the release of information concerning those defenders could not be successfully demanded under the 1992 Data Act. That decision was upheld by the Supreme Court in 2010, which found that while the implementation, by defence counsels, of the constitutional right of defence was a task of the State, the public defenders' subsequent activity was a private one and therefore their names did not constitute public information.

The applicant NGO relies on Article 10 of the European Convention on Human Rights, complaining that the Hungarian courts' refusal to order the surrender of the information in question amounted to a breach of its right to access to information.

Procedure

The application was lodged with the European Court of Human Rights on 14 March 2011. On 26 May 2015 the Chamber to which the case had been allocated relinquished jurisdiction in favour of the Grand Chamber. The Government of the United Kingdom was granted leave to intervene as a third-party in the hearing.

¹ Under Article 30 of the European Convention on Human Rights, "Where a case pending before a Chamber raises a serious question affecting the interpretation of the Convention or the Protocols thereto, or where the resolution of a question before the Chamber might have a result inconsistent with a judgment previously delivered by the Court, the Chamber may, at any time before it has rendered its judgment, relinquish jurisdiction in favour of the Grand Chamber, unless one of the parties to the case objects."

Composition of the Court

The case will be heard by a Grand Chamber, composed as follows:

Guido Raimondi (Italy), *President*,
András Sajó (Hungary),
Işıl Karakaş (Turkey),
Luis López Guerra (Spain),
Mirjana Lazarova Trajkovska (“The former Yugoslav Republic of Macedonia”),
Angelika Nußberger (Germany),
Nebojša Vučinić (Montenegro)
Kristina Pardalos (San Marino),
Ganna Yudkivska (Ukraine),
Linos-Alexandre Sicilianos (Greece),
Helen Keller (Switzerland),
André Potocki (France),
Aleš Pejchal (the Czech Republic),
Egidijus Kūris (Lithuania),
Robert Spano (Iceland),
Iulia Antoanella Motoc (Romania),
Jon Fridrik Kjølbro (Denmark), *judges*,
Ksenija Turković (Croatia),
Boštjan M. Zupančič (Slovenia),
Mārtiņš Mits (Latvia)
Síofra O’Leary (Ireland), *substitute judges*,

and also Lawrence Early, *Jurisconsult*.

Representatives of the parties

Government of Hungary

Zoltán Tallódi, *Agent*,
Mónika Weller, *Co-Agent*,

Applicant

Tamas Fazekas, *Counsel*, Tibor Lajos Seps, *Counsel*, Csaba Tordai and Nóra Novoszádek, *Advisers*

Third party

Government of the United Kingdom

Jason Coppel QC, *Counsel*,
Anna McLeod, *Agent*,
Asma Mahmood, *Adviser*.

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.