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Press Release

Dr. Péter Polt, Prosecutor General's Parliamentary Report on the Activities of the Prosecution Service in 2018

Dr. Péter Polt, Prosecutor General's parliamentary report on the last year's activities of the Prosecution Service, which was presented today, indicates that prosecutors' work still shows stable and great achievements and is still fast enough in spite of substantial changes in legal regulations. The Prosecution Service carries out its tasks in compliance with law, and in the course of its activities the Prosecution Service effectively applies the new legal tools introduced by the newly adopted Criminal Procedure Code. The Hungarian Prosecution Service pays special attention to the cooperation with EU institutions and agencies in criminal matters.

The newly adopted Criminal Procedure Code (new CPC), which introduced several novel legal tools, entered into force on 1st July 2018. Prosecutors assigned to work temporarily for the Ministry of Justice played a key role in the codification of the new CPC. The CPC had a substantial impact on prosecutors' activity in the field of criminal law in 2018. Major objectives and conceptual novelties of the new CPC include finishing criminal procedures in time while a higher level of procedural guarantees and procedural efficiency prevail, shifting emphasis from the "traditional" mode of indictment to diversion and tools aimed at compensating victims as well as rationalizing procedures that follow indictments.

The new CPC attributes great significance to cooperation with defendants making voluntary confessions, which can determine the form and the content of the indictment. In the second semester of 2018 there were 37 cases where prosecutors filed indictments on the basis of agreements concluded during investigations, and there were 880 cases where prosecutors filed motions in bills of indictment about the term of the sentence to be imposed provided that at the preliminary session the defendant confesses to committing the crime and waives his right to trial. In 2018 more than 1,700 defendants confessing to committing crimes were convicted at preliminary sessions in court.

The decreasing trend experienced since 2013 in the number of registered crimes (in 2017: 226,452; in 2018: 199,830) and in the number of registered perpetrators (in 2017: 92,896; in 2018: 87,733) continued last year as well.

In 2018 the number of intentional completed homicide cases still remained small (in 2018: 84).

Out of the crimes against property, which represent a significant proportion in the total number of crimes, the number of thefts and frauds further declined. The number of human smugglings, however, increased by one-fifth compared to the previous year.

The number of crimes committed against public officials decreased compared to the previous year, and the number of public nuisances also continued to decline. The number of drug-related crimes, on the other hand, significantly grew.

Budget fraud, the detection of which is laborious and time consuming and whose typical modus operandi is still fictitious invoicing, has remained the most important economic crime. In the area of money laundering, due to the international recommendations of Moneyval (The Committee of Experts on the Evaluation Anti-Money Laundering Measures and the Financing of Terrorism, which consists of experts from Council of Europe Member States) practice has become more uniform, leading to a significant increase in the low and stagnating number of cases of the earlier years.

The number of corruption offenses increased compared to the previous year; the number of bribes of public officials and bribes in business transactions both rose within the category of corruption offenses. This rise is predominantly caused by several crimes of serial nature.

Certain crimes are investigated exclusively by the Prosecution Service. The new CPC referred corruption offenses committed in connection with public officials to this circle of crimes. In 2018, prosecutorial investigations were conducted by the Central Chief Prosecution Office of Investigation, its regional units, as well as by local and investigative prosecution offices. In the fight against corruption the Central Chief Prosecution Office of Investigation cooperates effectively with various investigating authorities and intelligence agencies. The working relationship with the National Defence Service is particularly effective.

In 2018, with regard to 64.3% of the indictments cases were closed quickly and efficiently through measures accelerating the procedure. Such accelerating measures primarily included procedures aimed at making penal orders and arraignments. This rate is even higher than the very good results achieved in the previous years.

The efficiency rate of indictments has been permanently increasing since 2013. In 2018 it was 98.1%, which is the highest figure in the past 10 years. In case of 83.1% of the defendants the courts established their criminal liability for the very same offences as stated in the indictments.

Regarding the tasks outside of criminal law, in the changed regulatory environment prosecutors lodged 96 actions, and in addition to this they initiated other court proceedings – including 1,539 non-contentious proceedings for legality review – against civil organisations and political parties. Prosecutors continue to pay special attention to promoting consumers' rights, and when deemed necessary, they take actions to protect consumers' interests. Moreover, prosecutors supervise the legality of decisions of authorities in minor offence- and administrative cases, and they supervise the legality of integrity screenings.

The prosecutorial tasks relating to the supervision of legality of the enforcement of punishments and the protection of human rights have steadily increased in recent years. According to a national survey conducted in 2018, similarly to previous years, the treatment

of detainees in Hungary, although not free from some occasional mistakes and deficiencies, generally met the requirements set forth in international legal norms and recommendations and complied with law in force.

Last year, the Hungarian Prosecution Service paid special attention to further develop the relations with the neighbouring countries and the EU Member States, and the meeting of Prosecutors General of the Visegrad Group Member States (V4) organized in Visegrád was an important part of this activity.

The importance of the cooperation between the Hungarian Prosecution Service and OLAF (European Anti-Fraud Office) should be highlighted. OLAF as the control body – and not as an investigating authority – of the European Commission, carries out administrative investigations relating to the correct use of funds from the European Union budget, and as a result of these investigations it may make recommendations to the judicial authorities of the Member States.

The number of OLAF recommendations made to the Hungarian Prosecution Service (in 2016: 10; in 2017: 6; in 2018: 4) is decreasing year by year. With regard to the 4 recommendations received in 2018, the Hungarian Prosecution Service ordered one investigation, and in three cases the recommendations were evaluated by the Hungarian authorities in the course of ongoing investigations. The Hungarian Prosecution Service files indictments well above the EU average (36%), in 45% of the cases initiated by OLAF.

The continuous increase in the number of Hungarian cases opened at EUROJUST (the agency seated in The Hague, dealing with judicial cooperation in criminal matters between the Member States of the European Union) (in 2016: 102; in 2017: 117; in 2018: 127) is also noteworthy. The successful working relationship between this EU agency and the Hungarian Prosecution Service is well illustrated by the arrest of a Syrian man in Hungary who was involved in the execution of several people as a member of the international terrorist organization Islamic State. Eurojust also coordinates the activities of joint investigation teams (JITs), which have intensified their cooperation compared to previous years. In 2018, the Hungarian authorities participated in 16 investigations initiated earlier and in 7 newly set up joint investigation teams.

In 2018, by participating in and using press backroom talks, brief thematic videos and written publications, diagrams, TV interviews and press releases the Office of the Prosecutor General and the chief prosecution offices helped the general public to understand the new, changing role prosecutors take according to the newly adopted Criminal Procedure Code.

http://ugyeszseg.hu/pdf/ogy_besz/ogy_beszamolo_2018_eng.pdf

Done in Budapest, on 14 October 2019

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