

# atlatszo.hu – watchdog NGO and online news portal for investigative journalism in Hungary

In July 2011 a Hungarian group of pro-transparency and anti-corruption journalists, lawyers, IT-specialists, academics and other independent experts founded Átlátszó Center for Investigative Journalism and launched the atlatszo.hu (atlatszo means transparent in Hungarian) online portal for investigative journalism to promote transparency and freedom of information in Hungary. Atlatszo.hu produces investigative reports, accepts information from whistleblowers, files freedom of information requests, and commences freedom of information lawsuits in cases where its requests are refused.

Atlatszo.hu is published by Atlatszo.hu Nonprofit Ltd., a Hungarian watchdog NGO founded in June 2011, based in Budapest. The aim of the founders was to launch the first Hungarian watchdog NGO, which produces investigative journalism financed by civil, nonprofit sources. Atlatszo.hu Nonprofit Ltd. is owned by Tamás Bodoky (journalist, editor-in-chief) and Ákos Maróy (IT-specialist, chief technology advisor), managed by Dr. Ágnes Urbán (economist, Corvinus University of Budapest), and supervised by a board of three well-known Hungarian lawyers: Dr. Csaba Tordai (attorney, constitutional lawyer), Dr. Gábor Polyák (lawyer, Pécs University) and Dr. András Jóri (lawyer, former ombudsman for data protection). In 2012 multiple award-winning investigative journalist, Attila Mong joined the organisation. After the site went online, dozens of volunteers joined the team, who are organizing themselves on Facebook and taking part in atlatszo.hu's efforts. Within a year, atlatszo.hu won the prestigious Breaking Borders Award of Global Voices Online and Google for advancing the cause of online free expression.

# The need for investigative journalism in Hungary

Mainstream media in Hungary has become a tool of political and economic interest groups, and it is often not the journalists, but the owners of the media and the circles behind them who decide what can be published, and what can become an issue in a publication. The government handles mass media as a propaganda tool, public service media is controlled by the appointees of political parties, and the new media law gives almost unlimited power to the politically controlled National Media and Communications Authority to silence dissenting voices. Commercial media companies become more and more cautious, including print and online publishers. There are signs of self-censorship; journalists are forced to avoid sensitive topics. The result is a very limited freedom of the press in Hungary. There are many taboos and forbidden themes, meanwhile many important stories remain untold, and numerous corruption cases go undisclosed, even if there are whistleblowers and they have evidence. 2010 media laws made the situation even worse.

#### Case study: Balatonring

When the Hungarian government awarded €75 million in aid and a €55 million loan from the Hungarian Development Bank to finance a race track at Lake Balaton in 2009, journalist Tamás Bodoky requested a copy of KPMG's feasibility study under the Freedom of Information Act. The Bank rejected this, and so with the legal support of the Hungarian Civil Liberties Union (HCLU), Bodoky filed a court application and HCLU mobilized citizens who sent thousands of letters to the Prime Minister requesting the study be made public. Finally, the study was released online, but significant information was redacted. Bodoky and HCLU went back to court. Meanwhile, a leak from the Ministry of Finance – confirmed by the Minister himself – described the investment as "risky, uneconomic and unlawful". The courts ordered virtually the entire feasibility study to be released to the public. The deal was grossly disadvantageous to the State, and the Hungarian Development Bank finally pulled out. At the same time Bodoky had to quit his job, because his employer started to censor his articles.



# Nonprofit investigative news organisation

The problem is not unique. Investigative journalism is facing similar problems worldwide, including in the United States, where some claim that the role journalism plays in a functioning democracy – informing the public and holding the powerful accountable – is at serious risk. At the same time, innovative new nonprofit models – like the Center for Investigative Reporting (Berkeley, California), Pro Publica (New York, NY) or The Bureau of Investigative Journalism (London, UK) - have emerged, which rely on in-depth collaboration with other news organizations, journalists, public policy organizations and universities, and fully exploit new communication technologies, to provide citizens – local and global – with critical, actionable information that impacts their lives. The aim of atlatszo.hu is to implement this model in Hungary, and to search for new revenue streams that can help sustain high-quality journalism in a digital age. Atlatszo.hu was partly inspired by the achievements of the famous Wikileaks whistleblowing website; therefore we advise our sources how to leak stories and documents of public interest to us in a secure way on the internet - this function is called "MagyarLeaks". However, the scope of our work – contrary to Wikileaks – is the transparent expenditure of public resources in Hungary. Our staff has experience in handling stories of this nature, dealing with whistleblowers and insider sources without hurting their interests.





# The portal in operation

Atlatszo.hu was launched in July 2011, and the first experiences are encouraging. In the first year more than 350 posts have been published in Hungarian; the important are also available in English. Atlatszo.hu had already applied for access to public data from state organizations and public bodies in more than 100 cases, and filed more than 20 court applications of this nature. We intend to commence all legal proceedings necessary to bring light to the relevant information in cases where access to public documents is essential for the transparency of the exercise of public power and the transparent use of public funds. Almost all of the important Hungarian mainstream newspapers, news portals, radio stations and television channels have reported our activities, and we have received significant foreign coverage as well: the "press coverage" section of our site counts more than hundred articles, both Hungarian and foreign.

The site had 395,000 unique visitors in the first year, we have a regular readership between 2,000 - 10,000 unique visitors daily, the record was 22,000 visitors on a single day. Our Facebook page has more than 6,000 fans, and more than 250 volunteers have expressed their wish to join. Our organisational partners include Radio Tilos community radio, Védegylet, a well-known Hungarian NGO, Mandiner.hu news portal site, Standards Media Monitor, a Hungarian media regulatory think-tank, Organized Crime and Corruption Reporting Project, a Sarajevo-based international consortium of investigative journalists, LegalLeaks public watchdog organisation, Global Voices Advocacy, an international network of citizen journalists, International Consortium of Investigative Journalists, an international network of professional investigative journalists, and 100reporters.com, a New York based international anti-corrpution website. We pledged not to reveal the identity of our sources, and got into trouble immediately: after reporting on a hacker attack on a financial institution, the Organised Crime unit of the Hungarian Police ordered us to reveal our sources, and when we refused, they seized a hard disk at our headquarters. We turned to Constitutional Court of Hungary, which decided that the protection of journalists' sources is not sufficiently guaranteed by the 2010 media law.

Our most read stories included discovering creative accounting at state owned electricity provider MVM Group; looking after how the state owned lottery company is funding private companies close to prominent political parties; making the spending of the Hungarian Parliament more transparent; taking the Budapest Fifth Disctrict municipality to court for refusing freedom of information requests about suspicious real estate transactions; publishing secret contracts of the state owned Media Service and Asset Management Fund; leaking the secret application for theatre directorship of an actor close to the far right parties; linking a government comissioner to tax avoiding offshore companies; investigating Hungarian government's secret plan to liquidate national air transport company Malév; discovering a black market of academic degrees in Hungary; and discovering that state owned development bank handed mammoth, 34 billion HUF credit to a company close to the governing party.





# Legal strategy of atlatszo.hu

Our legal strategy is based on the perception that public data is often withheld by state institutions in Hungary, therefore freedom of information requests are not sufficient alone, court procedures must be initiated to obtain documents of sensitive nature. Therefore we filed more than 20 applications of this nature in the first year - in some cases the fact of the court application was enough to obtain the public information in question, for instance Fifth District Municipality released data on privatized real estate only after we turned to the court. In some cases respondents are keeping their secrets until the court verdict, state owned energy giant Magyar Villamos Művek Zrt. was fighting us in court almost for a year, and they released documents on internal investigation of a billion HUF corruption case only after the court ordered them to do so. It was worth to litigate in this case, because after more than 2 years of inactivity hungarian police and prosecution re-opened the case. In an other case when Metropolitan Court turned our freedom of information request down, we filed an application to the Constitutional Court to obtain a secret report on corruption at the Budapest Opera. Atlatszo.hu's legal strategy is unique in Hungary because we turn to the courts in cases when corruption and large amounts of missing public money is involved, with the aim to compel investigative authorities, eg. police and prosecution, to do their jobs more properly based on the documents obtained and published by us. Other non governmental organisations use freedom of information lawsuits mostly for strategic litigation purposes in principled cases, our aim is to impact discrete cases, to force authorities to react, to have maximum impact.

## Achievements and future plans of the project

The greatest achievment of the first year was to get reporters privilege, the journalists right to withhold the identity of confidential sources recognized by the 2010 media law of Hungary. Acknowledging that atlatszo.hu's claims were right, Constitutional Court dismissed the paragraph allowing the police to force journalists to reveal their sources, and a few months later Hungarian Parliament approved an amendment - based on our proposal - of the so called 'media constitution' which provides higher protection for journalist's sources. According to the new law, sources must be indentified only if they could provide irreplaceable evidence in a crime investigation. In the future it will be up to judges to measure the importance of the information depending on the importance of source protection. The international community recognised this achievment by the prestigious *Breaking Borders Award* of Global Voices Online and Google for advancing the cause of online free expression. Our next goal is to lobby for more legal protection for whistleblowers in the same way, because whistleblowing does not enjoy the high profile in Hungary that is has in the US, the UK or elsewhere in Europe, and the perception is that reporting corrupt activity could end very badly for the citizens concerned in Hungary.

On the investigative journalism side, we succeeded to generate attention on the "oligarch" issue in Hungary, a phenomenon that the very rich often abuse state and EU funds and manipulate democratic political institutions to preserve and extend their wealth and power. Our series of articles on corrupt practices in the construction industry, land lease tenders, the distribution of EU funds etc. proved that a handful of politically well connected "untouchables" are responsible for pretty much trouble in Hungary. Therefore we intend to investigate further and in more detail the wrongdoings of the emerging class of Hungarian oligarchs, and strengthen civil control through promoting accountability by means of en masse freedom of information requests via our FOI website which allows anyone to send freedom of information requests to any institutions responsible for spending public funds.



# Funding atlatszo.hu

In the first few months, everyone at atlatszo.hu has worked on a voluntary basis. Since November 2011 we are able to pay to the core participants of the project. In long term, *atlatszo.hu* is intended to be financed by civil sources; we will not accept money from political parties and affiliates. Individual donors – more than 180 private citizens – have already contributed approximately 3,300,000 HUF (approximately 15,000 USD) to *atlatszo.hu*, including the owners of *Atlatszo.hu Nonprofit Ltd.* and the volunteers of the project. Institutional donations include *Open Society Institute, Institutional Support:* 25.000 USD (November 1, 2011 – May 31, 2012); *Open Society Institute, Technology Support:* 21.023 USD (November 15, 2011 – May 15, 2012); *Open Society Institute, Media Program:* 45.000 USD (December 31, 2011 – July 31, 2012); *Norwegian Embassy: 400.000 HUF* one-time support (December 9, 2011). For the coming year of 2012-2013 we signed a contract with CEE Trust: *90,000 USD*, and are looking for further donors to co-finance the project.

As the first donation-based portal of this nature, it is difficult to estimate the level of future donations. Our aim is to turn to organisational donors and raise sufficient funds to pay three full-time journalists with support staff and infrastructure. We intend to pay some modest compensation to our legal and IT volunteers as well. Our longer term goals include starting a "legal clinic" to assist the general public with filing freedom of information requests and lawsuits, and inviting university students in the legal and communication fields to participate in our operations. In order to raise funds to fulfil our vision, we are looking for commitments from charitable organisations, institutional donors, companies, and private individuals. These will include companies fed up with corruption, having been at the wrong end of rigged tenders, unlawful decisions and administrative incompetence; organisations fighting for justice, human rights or protection of the environment; and individuals who are longing for more transparency and more democracy in Hungary.

### Our vision: the future of atlatszo.hu

Atlatszo.hu will evolve into a respected online portal with high readership and a significant impact on the Hungarian public sphere. The magazine will cover corruption cases, political party financing, financial abuses in infrastructure projects and EU funding, abuses in the health care system, in the police, etc. It will profile individuals in public life, politicians and businessmen. It will investigate cases of environmental abuse. Once fully funded, atlatszo.hu will hire experienced investigative journalists and bring in freelancers to lend support in marketing, media and technology. The content will include longer-term investigations which last for several months with frequent updates; regular features on high-profile individuals. Our aim is not just to bring to the public eye cases of scandalous misuse of political and economic power and influence; we want something to happen as a result. Follow-up is at the core of our strategy. We will make public participation very easy by linking to online social networks and creating tools to help the public express their views to the authorities and to politicians, and to support anonymous whistle-blowing. Cases will be pursued with fresh materials as they develop into official investigations and court cases. We target a direct, regular readership of at least 100,000 individuals, representing about 1% of the Hungarian population. The typical reader is an educated middle class citizen who would like to see a higher standard of public life in Hungary. We aim to provide high quality and thoroughly researched content which can then be syndicated free of charge to the rest of the Hungarian media, including television and radio stations, and daily and weekly journals. We hope the media will see atlatszo.hu not as a competitor, but as a partner and reliable source of content.



# Being Digital: IT-related projects

Atlatszo.hu has become not only a respected online magazine for investigative journalism, but – similarly to MySociety.org's WhatDoTheyKnow project – an easy to handle online tool for average citizens to obtain information from government departments, agencies, and state owned companies. It is everyone's right under the freedom of information laws of Hungary to request information from any public body, and they have to respond. Therefore, we localised Alaveteli.org's freedom of information request generator. It's a simple concept: citizens use Alaveteli to request information, and the replies are recorded for all to see on the website. Historic requests, along with any resulting correspondence, are archived publicly online. This increases the availability of the requested information, and encourages transparency. After a couple of FOI websites around the world, we launched the Hungarian site (kimittud.org) in May 2012, generating more than 100 freedom of information requests in the first month.

On the long run, anonymous sources and the protection of sources is very important to us; therefore we intend to operate a secure anonymous submission platform for whistleblowers (such as wikileaks.org), and to co-operate with other similar platforms to protect our anonymous sources and journalists. Other IT-related development plans include creating and maintaining a social network map of the Hungarian economic and political elite (such as theyrule.net or littlesis.org), to let people review and comment on proposed bills before they are introduced in parliament (such as Sunlight Foundation's PublicMarkup project), to build crowd sourcing tools for investigative journalists to gather information from readers on a specific topic, to implement various data visualisation tools, and to scrape public databases to make them easier to search (such as datatracker.org).

# Your support matters: contact us

Atlatszo.hu can be reached at <a href="www.atlatszo.hu">www.atlatszo.hu</a> on the web, <a href="www.facebook.com/atlatszo.hu">www.facebook.com/atlatszo.hu</a> on Facebook. Our email address is <a href="mailto:info@atlatszo.hu">info@atlatszo.hu</a>, and our postal address is Atlatszo.hu Közhasznú Kft., Déri Miksa u. 10., Budapest 1084, Hungary. Your support is kindly accepted.

Beneficiary: atlatszo.hu Közhasznú Nonprofit Kft. Bank name: Magnet Magyar Közösségi Bank

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# Key people of the atlatszo.hu project

**Dr. Tamás Bodoky** (40) is freelance investigative journalist based in Budapest, Hungary. He covers science and technology, environmental and human rights issues, corruption and organized crime cases, misuse of power and police brutality, and green politics. Bodoky has been a journalist since 1996. Before joining Index.hu, where he worked for 9 years in different journalistic and editorial positions, he was a science and technology journalist at the Magyar Narancs weekly. Bodoky won the Gőbölyös Soma Prize for investigative journalism in 2008, and the Szabadság Prize in 2009 for his articles on Hungary's 2006 unrest and police brutality. His first book (Tresspasses, 2009) covers the issue of riot police brutality in 2006. Bodoky has won the Iustitia Regnorum Fundamentum and the Hungarian Pulitzer Memorial Prize for his investigative articles on corruption cases. Bodoky holds an MSc degree in Agricultural Sciences and a PhD degree in Language Sciences. He is an editor of the Hungarian media studies quarterly, Médiakutató, and teaches journalism at Károli Gáspár University, Budapest. Bodoky is a Marshall Memorial Fellowship alumnus, and a member of the international investigative journalism network "Organized Crime and Corruption Reporting Project".

Attila Mong (42) investigative journalist, reporter based in Budapest, Hungary. Until April 2012 he was editor at Origo.hu, the biggest Hungarian newssite. Before that he worked for the Hungarian Public Radio as host of the daily 3-hour morning show (180 minutes). Between 2000-2009 he was the host of a daily evening political talkshow at a private newsradio Inforadio. Previously he was editor-in-chief of Manager Magazin, a Spiegel-owned business monthly (2005-2007), and also worked for various broadcast and print outlets in Hungary. He was senior editor at Figyelo, business weekly (1999-2004), co-founder of Figyelonet.hu, a business portal (2000-2001), editor-reporter at Hungarian Public Radio (1995-98) and Hungarian Public TV (1997-2000). Attila Mong is the author of a prize-winning book on one of Hungary's greatest banking scandals, and beholder of various investigative journalism prizes (Pulitzer Memorial Prize 2004, Gőbölyös Soma prize 2003).

**Ákos Maróy** (38) is a member and founder of several non-profit and commercial initiatives, spread between commercial-grade and open source software engineering, artificial life and emergent systems research, media- and bio-art projects and community radio stations. He is a founder and former member of Nextlab, an open lab for new media in Budapest, Hungary, Tilos Radio, a community radio station in Budapest, Hungary, and the Emergent Systems Research Institute in Budapest, Hungary. Maróy is a founder and CTO of EU Edge LLC, an outsourced software development company catering mainly to US customers from Budapest, Hungary, and Scarab Research, a company working with Artificial Intelligence methods to provide smart, personalized product recommendations for e-commerce sites. He is a member of the doubleNegatives Architecture (dNA) group, Tokyo, Japan, working on the generative architecture project called Corpora. Maróy is a founder and former organizer of the Budapest New Technology Meetup, a monthly gathering of new-tech enthusiasts in Budapest, Hungary, and founder and vice president of the Open Standards Alliance, an organization that aims to promote interoperability in the IT industry.

**Dr. Agnes Urbán** (38) is an Assistant Professor at the Corvinus University of Budapest (CUB). She has a Master's degree in Business Administration, and she received her Ph.D. degree (summa cum laude) at the Corvinus University in 2006. The title of her PhD thesis was 'The market of new media services'. She is a lecturer at the CUB in Media Economics



and Media and Audience Research. Her primary research interests are the diffusion of new media, the reshaping of business models and changes in media consumption habits. In the past few years, she has conducted research in the restructuring of the Hungarian television market, changes in media consumption of teenagers and the impact of new technologies on media markets. She participated in two pan-European COST projects (COST A20: Impact of Internet on the Mass Media, COST298: Participation in the Broadband Society). She is the author of approximately 30 Hungarian and English publications, including academic papers, book chapters, and conference proceedings.

András Jóri, JD, PhD (40), attorney-at-law, data protection consultant, served as Parliamentary Commissioner for Data Protection and Freedom of Information of Hungary from 2008 to 2011. Nominated by the President of the Republic, elected by a qualified majority of the MPs, heading a staff of 50, he was responsible for enforcing data protection and freedom of information legislation in the country; giving opinions to the Government and Parliament on draft legislation regarding data protection and freedom of information; advocating information rights; and representing Hungary in the joint data protection supervisory bodies of the EU. During his term, Dr. Jóri was a fierce advocate for the case of freedom of information and for the rights of investigative journalists. Previously, Dr. Jóri worked as an attorney, advising his clients on data privacy and IT law; he also did extensive regulatory work, advising the state and industry groups on many fields of IT and data protection law, as well as e-commerce, e-signatures, e-archiving, and e-procurement. He wrote the first commentary on data protection law in Hungary. Dr. Jóri has published widely about data privacy in Hungary and abroad, and is a frequent speaker at international conferences about data protection and freedom of information. He is also a certified system administrator.

**Dr. Csaba Tordai** (34) is a constitutional lawyer. After graduating from the ELTE Law School in 2003, he worked at the Ministry of Justice, becoming head of Department on Constitutional Law in 2005. He drafted the new Hungarian anti-discrimination law (2003), the act on electronic freedom of expression (2005), the amendment on establishing the Independent Police Complaints Board (2006) and the act establishing the Parliamentary Commissioner for Future Generations (2007). Between 2007 and 2010, he was state secretary, and then senior state secretary, on legal and administrative affairs at the Prime Minister's Office. Since October 2010, he has been a practising attorney-at-law.

**György Peng** (43) is engineer and IT-professional, hardware developer. He graduated in 1991 from Kecskemét College of Mechanical Engineering and Automation, his specialties are information engineering and system programming. He is running his own company creating software, designing electronic devices and automatised systems. Peng is devoted to participatory democracy, therefore in his leisure time he is running patyicivil.hu, an edemocracy site for the village of Páty, where Peng is living.