



Selected questions and recommendations for Hungary in the Article 7(1) TEU procedure

October 2025

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Budapest, October 2025.

Introduction

The procedure pursuant to Article 7(1) of the Treaty on European Union was initiated by the European Parliament in 2018 in respect of Hungary, to determine whether there is a clear risk of a serious breach by Hungary of the values on which the Union is founded. Since then, the Hungarian government has continued to dismantle checks and balances, consolidate power, and undermine fundamental rights and the rule of law. While hearings have taken place, the Council has not adopted recommendations to address these developments.

In parallel, the EU has activated additional instruments to protect its legal order and budget. These include the conditionality mechanism, the initiation of infringement procedures, the assessment of compliance with horizontal enabling conditions, and defining milestones under the Recovery and Resilience Facility. These have led to a set of requirements concerning anti-corruption safeguards, judicial independence, and the protection of fundamental rights, the fulfillment of which constitute a precondition for Hungary's access to EU funds. Although these milestones have prompted certain legislative changes, implementation remains incomplete and, in many instances, merely formal. Numerous Commission recommendations set out in previous Rule of Law Reports also remain unaddressed and Hungary continues to ignore an increasing number of judgments of the Court of Justice of the European Union and the European Court of Human Rights.

These developments occur in a context marked by the erosion of independent institutions, the capture of the media landscape, the non-execution of domestic and international court judgments, and increasing restrictions on civil society and fundamental rights. Since 2020, the prolonged state of danger has enabled the government to rule-by-decree, entrenching exceptional powers in ordinary law and further weakening democratic oversight. Recent amendments to electoral legislation and appointments to key institutions have aggravated existing structural imbalances rather than rectified them.

This paper, prepared by independent Hungarian civil society organisations, focuses on key developments over the past year in areas of particular relevance to the protection of EU values. It sets out priority concerns and recommendations that the Council should raise with the Hungarian authorities within the framework of the Article 7(1) TEU procedure. It does not purport to provide an exhaustive list of all concerns or of all measures required. Rather, it highlights the most urgent steps that the government and parliamentary majority should undertake in order to begin reversing democratic backsliding and to restore mutual trust between Hungary and other Member States.

1. The system of checks and balances and the independence of institutions of human rights protection

The system of checks and balances has been dismantled in Hungary by weakening independent institutions. The government and the ruling majority gained control over state institutions via legislative steps and/or by appointing or electing new, loyal leaders. As a result, these institutions have been deprived, by law or in practice, of their capacity to effectively exercise control over the executive. In 2025, two of these institutions saw new appointments as a result of selection procedures that do not even attempt to provide a façade of independence.

1.1. The Constitutional Court

Points of inquiry:

- How does the government justify abandoning the long-standing consensus-based system for nominating Constitutional Court justices, and how does it ensure judicial independence when all recent appointments have been made unilaterally by the governing majority?
- What concrete safeguards remain to prevent political capture of the Constitutional Court when the governing coalition can fill all vacancies without opposition support?
- Why was the requirement of 20 years of legal professional experience for Constitutional Court justices removed in December 2024, and how does this align with the objective of ensuring a highly qualified and independent constitutional judiciary?

Background: The governing coalition changed the long-established consensus-based process for nominating justices to the Constitutional Court (CC) to ensure that the governing parties, having a two-thirds majority in the Parliament, could fill vacancies on the bench on their own, without support from the opposition parties. The size of the CC was also increased. As a result, the governing parties were able to [pack the CC with loyal justices](#), including their former MPs, and have transformed it into a body that is supportive of the Government's agenda. As a result, the CC has been repeatedly ruling in favour of the incumbent parties in politically sensitive cases. In December 2024, the ruling majority [amended the eligibility criteria for CC justices](#), removing the requirement of 20 years of legal professional experience, only to nominate and elect three new justices unilaterally: the previous Prosecutor General (also elected as the new CC President), a previous Minister of Defense and president of the Parliament's Legislative Committee where last-minute amendments further undermining the rule of law and fundamental rights have been introduced and adopted, and the previous Commissioner for Fundamental Rights (ombudsperson) under whose tenure Hungary's national human rights institution lost its A-status (see below).

Recommendations:

- The rules for nominating and electing CC justices should be changed to a primarily consensus-based process between governing and opposition parties. CC justices should be nominated e.g. either by a parliamentary committee composed on the basis of the principle of parity, to which governing and opposition parties can delegate an equal number of members; or by an expert committee established by said parliamentary committee. The parliamentary majority requirement for electing CC justices should be raised to a four-fifth supermajority from the current two-thirds majority requirement.

- The president of the CC should be elected by the justices themselves instead of the Parliament.
- In addition to existing conflict of interest rules, the law should prescribe a four-year cooling-off period also for former Members of Parliament before being eligible as CC justices.

1.2. The Commissioner for Fundamental Rights (CFR)

Points of inquiry:

- Why was the appointment of the new Commissioner carried out in a procedure that again failed to meet the Paris Principles, despite explicit recommendations from GANHRI and repeated calls from civil society for a transparent and participatory process?
- How does the Government ensure the independence and credibility of the NHRI when the previous Commissioner was appointed to the Constitutional Court and the new Commissioner is the former president of that same Court?
- When does the Government intend to re-establish an independent equality body, in line with Venice Commission recommendations?

Background: In 2022, the (CFR) was [downgraded](#) by GANHRI from an A to a B status as Hungary's national human rights institution (NHRI), since it [failed to effectively carry out its mandate](#) in relation to vulnerable groups such as ethnic minorities, LGBTQI people, human rights defenders, refugees and migrants, or human rights issues such as media pluralism, civic space and judicial independence, evidencing a lack of independence. In addition, the CFR's selection and appointment process was considered not sufficiently broad and transparent.

[The systematic undermining of the CFR's independence and effectiveness](#), the merger of multiple specialised bodies under its control, and its failure to comply with the Paris Principles have led to weakened protection against discrimination, police abuse, and ill-treatment, while [the CFR fails to fulfil its mandate in relation to politicised issues and several vulnerable groups](#).

Despite these developments and [a request from civil society to have a transparent and open selection procedure](#) in line with the Paris Principles and to address the shortcomings that led to GANHRI's downgrading decision, the appointment of the new Commissioner was carried out again in breach of the Paris Principles. The new Commissioner is the previous president of the Constitutional Court (and the previous Commissioner was appointed as a Constitutional Court justice).

Recommendations:

- Establish a sufficiently broad and transparent selection process for the CFR, in line with the recommendations of GANHRI, and include civil society organisations in the selection process.
- Re-establish the Equal Treatment Authority and include civil society organisations in the selection of the president of the Equal Treatment Authority.

2. The functioning of the electoral system

Points of inquiry:

- What steps is the government taking to ensure that amendments to the electoral law are made inclusively, following genuine societal consultation?
- What measures has the Government taken, and what further steps will it take, to replace the national minority electoral system found by the ECtHR to violate the Convention with one that complies?
- When and how will the government implement the recommendations made by the ODIHR and the Venice Commission?
- What guarantees that the separation of the state, the government and the governing parties will be implemented more effectively during the 2026 elections than before?

Background: The Hungarian elections and electoral system are fundamentally influenced by the extreme overlap between the state, state institutions, the government and the governing parties, meaning that the electoral environment does not provide a level playing field and gives an unfair advantage to the governing parties. Public service media are [openly biased](#). The governing parties systematically misuse state resources for their own benefit in manners [ODIHR described as “pervasive overlap”](#) between the ruling coalition parties and the government (including funds, labour, databases and communication channels). Electoral legislation and other relevant laws are regularly amended by the governing majority for its benefit, without public consultation (except for purely technical amendments drafted by the National Election Office).

Electoral clientelism and discrimination between voters with and without a Hungarian residency are also present (in the context of voting from abroad), as is a notable difference in the number of voters in several constituencies (malapportionment). These issues infringe the principle of equal suffrage. Access to electoral remedies is limited, as second-instance remedies and court revision are only available to those directly affected by the case, and the burden of proof relating to abuses is extremely high. Despite the ECtHR [finding](#) that the minority voting system violates the Convention, the government has remained passive and has not changed the regulation, citing that further consultation is necessary with the relevant stakeholders.

At the end of 2024, Parliament adopted electoral law amendments redrawing single-member constituency boundaries without public consultation or opposition involvement, despite an [alternative expert proposal](#). While some overdue adjustments were made, others were unnecessary or omitted. The number of constituencies in the capital was reduced by two, triggering a full redrawing in Budapest and the surrounding region. Overall, the changes—and the lack of changes in some areas—favour the governing party, with several constituencies showing [clear signs of gerrymandering](#). The Venice Commission in its June 2025 [opinion](#) of the adopted changes raised serious concerns about the weakening of checks and balances, minority rights, and compliance with European human rights standards, and set out several recommendations.

On 28 May 2025, the Minister of the Prime Minister’s Office Gulyás responded to a journalist’s question by stating that the government had no intention of amending the electoral laws prior to the 2026 general elections. Eight days later, three MPs from the governing parties submitted a bill to remove campaign costs limits during general elections. The bill was passed in June. Prior to the amendment, candidates and parties were required to keep their campaign expenditure within a

certain limit. This limit was set too low, it was not strictly adhered to and state authorities did not enforce it consistently. While the limit itself was due to be increased, abolishing it does not serve the electoral competition, since it clearly benefits the governing parties.

Recommendations:

- Following public consultation, implement the recommendations included in the OSCE ODIHR final report of the 2022 election observation mission.
- Following the 2026 Parliamentary Election, in line with recommendations of the Venice Commission, the Parliamentary Assembly of the Council of Europe, and relevant judgments of the European Court of Human Rights in relation to Hungary, initiate a reform of the election system based on inclusive and meaningful public debate and consultation and advice from the Venice Commission and ODIHR.

3. The independence of the judiciary and the rights of judges

3.1. Remuneration of judges, prosecutors, and judicial and prosecutorial staff

Point of inquiry:

- What guarantees will the Government provide to ensure the continued increase and real value of judicial and prosecutorial salaries, given that the current salary base for judges is HUF 651,660 (ca. EUR 1,600); an increase determined with reference to a legal basis and meet the criteria of objectivity, foreseeability, stability and transparency?

Background: The Hungarian legislation (i) fails to ensure that judicial salaries are commensurate with the status, dignity and responsibility of the judicial office; (ii) it does not include a corrective mechanism to guarantee the preservation of the real value of judicial salaries; (iii) it does not ensure the separation of powers, as it makes the determination of judicial salaries entirely dependent on the political will of the executive and legislative authorities; and (iv) it is contrary to the requirement of the balance between the branches of powers, as it establishes significantly lower remuneration for judges than for the staff of both the executive and the legislative branch.

It is important to note that the last raise took place in 2021. As of 1 January 2025, neither the structural deficiencies were tackled, nor the 35% raise of the salary base having been requested previously by the main representatives of the judiciary was granted. There was only a 15% increase of the salary base to HUF 651,660 (€ 1,600) which falls far of the required level of adjustment and, by the end of 2025, will hardly cover one-third of the relevant inflation ratio since the last raise. At the same time, the salary of the judges of the Kúria was tied to the remuneration of the President of the Kúria, which has made the income differences between the Kúria and the lower-level courts drastic, disproportionately widening the gap between them. The salary base raise came after the conclusion of the "Agreement" signed with the Ministry of Justice, the Kúria President and the NOJ President that linked the promise of the salary raise for judges and judicial staff to prior consent to undefined overall judiciary reforms that may undermine judicial independence. The "Agreement" did not provide effective guarantees as to the urgently necessary salary raise.

Recommendation:

- Ensure that the ongoing increase in the remuneration of judges, prosecutors and judicial and prosecutorial staff is carried out in a structured manner (including annual indexation of salaries), taking into account European standards on remuneration for the justice system, in line with the European Commission's recommendation in its 2025 Rule of Law report.

3.2. The possibility of Hungary's apex court to block the binding direct effect of CJEU judgments

Points of inquiry:

- How does the Government intend to fulfil its obligation to guarantee the direct effect of EU law as interpreted by the Court of Justice of the European Union?
- How does the government intend to address challenges faced by Hungarian judges in setting aside the application of domestic provisions and jurisprudence that contradict EU law given the binding nature of interpretation provided by the Kuria despite such interpretation being contrary to EU law?

Background: As explained in detail in HHC's [paper](#) prepared ahead of the General Affairs Council's 19 November 2024 meeting, one of the issues that are crucial for judicial independence but not addressed by the milestones prescribed as a precondition of Hungary's access to frozen EU funding is the new uniformity complaint system, which was introduced in 2020 and consolidated in several steps in subsequent years. Uniformity decisions delivered by the Kúria (Hungary's apex court) with a view to safeguarding the uniformity of jurisprudence shall be deemed as quasi laws with judges and courts subordinated to them to the same extent as to legal norms. [According to the Kúria's interpretation](#), if a new interpretation of EU law by the CJEU conflicts with the obligatory interpretation adopted by the Kúria in a previous uniformity decision, Kúria judges must – instead of putting aside on their own accord the apex court's interpretation violating the EU acquis – request the Kúria to cancel the binding force of its previous uniformity decision, which is a clear breach of the fundamental principles of EU law.

This problematic interpretation was confirmed by the Kúria in its [Uniformity Decision no. 3/2025. JEH](#), concerning the withdrawal of a residence permit of an EU family member and the duty to inform them of the grounds. The procedure arose from conflicting case law with the CJEU's [NW-PQ judgment](#). The Kúria held that adjudicating panels cannot set aside domestic law solely on the basis of a CJEU judgment, and may only deviate from previous interpretations if authorised by the Uniformity Complaint Panel.

There are at least two preliminary references from Hungarian judges before the CJEU ([C-26/25](#) and [C-285/25](#)) regarding the compatibility of the Hungarian law and practice of uniformity decisions with the acquis, including Article 267 TFEU. While the authorities in Hungary would obviously have an obligation to abide by Article 4 of the TEU and ensure sincere cooperation with the CJEU, in its current form and under the current judicial practice, the uniformity complaint system is applied by the Kúria to block the direct effect of EU law,, which requires appropriate action by the legislature and government to ensure compliance with its obligations under the TEU.

Recommendations:

- Abolish the possibility of the Kúria to counter the direct effect of EU law through uniformity decisions.
- Modify the legislation so that it explicitly allows judges to deviate from uniformity decisions with a view to ensuring compliance with the EU acquis, including the jurisprudence of the CJEU.

3.3. Governmental practice of undermining the National Judicial Council's prerogative to be consulted on legislation concerning the justice system

Point of inquiry:

- How does the Government intend to guarantee the effective and practical implementation of the prerogatives of the NJC that were introduced with a view to complying with the milestones ensuring judicial independence?

Background: The Council of the European Union set "super milestones" regarding the independence of the judiciary for Hungary to access funds under the Recovery and Resilience Facility, and identical preconditions were set for accessing cohesion funds. In May 2023, the Hungarian Parliament adopted a judicial reform to meet these requirements, however, as it was pointed out by several actors, including civil society representatives, the effectiveness and sustainability of the adopted changes could only be assessed after seeing their application in practice.

The validity of this argument is illustrated by the deficient implementation of the requirement to "[establish an obligation to consult the NJC \[National Judicial Council, the highest level self-governing body of the Hungarian judiciary\] on legislative proposals affecting the justice system](#)". In order to comply with this milestone, the Act on the Organisation of Courts was amended to prescribe that the NJC must be provided with the opportunity to comment on such legislative proposals, and to introduce a provision under which the Constitutional Court – acting on the NJC's complaint – must abolish any law that is adopted through a breach of this prerogative.

However, practice shows that the Government only formally complies with this requirement disregarding the fact that the NJC is a collective body with specific rules regarding the time frame of convening meetings and voting on positions to be adopted on the issues coming before it. The Government practically always sends the NJC draft laws for commenting with deadlines so short that it becomes impossible for the NJC to discuss them in accordance with its rules of procedure, so while the obligation to consult the NJC is met formally, in practice, the procedure does not guarantee the body's effective and meaningful participation in the legislative process.

The latest example was the adoption of an extensive omnibus law on different aspects of the justice system, including the prolongation of the service relationship of judges reaching the mandatory retirement age; compensation paid to parties ex officio in case of delays of adjudicating cases; a reform of the extraordinary review system in civil cases; and creating the online publicity of hearings. The draft bill (124 pages with the explanatory memorandum) was sent to the NJC for commenting on 4 April 2025 (a Friday) just before the end of office hours with a deadline of just seven days (11 April). Upon the NJC's request the deadline was prolonged until 17 April, but notification about this was only communicated to the body on 10 April after the end of office hours. Although even under these circumstances, the NJC managed to draft (and submit on 11 April) a comment on the bill in an

irregular procedure based on e-mail communication among the members, they were of the view that this procedure made their right to be consulted illusory. Therefore, the body submitted a complaint to the Constitutional Court arguing that this had been a de facto violation of the pertaining laws. In its decision no. IX/1726/2025. of 9 September 2025, the Constitutional Court rejected the complaint claiming that since the NJC had actually prepared comments on the draft law, the provisions of the Act on the Organisation of Courts had not been breached, and that it was not in the position to address the Government's practice of regularly sending draft bills for commenting with deadlines that did not enable the NJC to formulate opinions in accordance with its rules of procedure as a collective body. While this is a debatable argument (since the Constitutional Court has the right and obligation to call on the legislator to amend legislative gaps and omissions, and the lack of setting a realistic and reasonable deadline to ensure meaningful consultation is certainly such a gap), the instance provides an illustrative example of how provisions of the 2023 judicial reform that look on paper to comply with the milestones fail to effectively provide the envisaged result in the actual practice.

Recommendation:

- Create guarantees ensuring that the prerogatives of the National Judicial Council that were introduced with a view to complying with the milestones on judicial independence are effective, including (i) a minimum deadline that the Government must provide to the NJC for commenting on legislative proposals, or (ii) the introduction of a provision requiring that the deadline given for this purpose is commensurate with the length and complexity of the legislative proposal, or (iii) the introduction of a provision guaranteeing a reasonable prolongation of the deadline upon the NJC's request.

3.4. Smear Campaigns

Points of inquiry:

- How does the Government intend to guarantee judges' freedom of expression in line with Article 10 of the ECHR and Article 11 of the Charter of Fundamental Rights of the European Union, given that the only current norm is a non-binding Code of Judicial Ethics?
- In order to ensure that judges are entitled to freedom of expression to speak out when it comes to protecting the independence of the judiciary and the fair administration of the justice system, what concrete steps will the Government take to guarantee that disciplinary and integrity proceedings against judges are conducted with effective legal safeguards and in full respect of judicial independence?

Background: Judges in Hungary continue to face undue pressure, particularly when engaging in debates on judicial independence. The 2023 "Four-Party Agreement" [triggered unprecedented protest](#), with over 800 judges, several retired judges and nearly 1,000 judicial staff publicly opposing it. Yet a chilling effect [persists: a survey](#) (2023) by the Hungarian Association of Judges found that 73% of respondents were aware of colleagues facing retaliation, pressure or discrimination in the past five years for expressing views on judicial independence or court administration.

The pressure on judges speaking out publicly in defence of judicial independence is both external and internal. External pressure most often takes the form of smear campaigns in government-affiliated media, recent examples offered by the [accusation](#) that the judges protesting against the Four-Party

Agreement are all part of an anti-government political action financed by the “Soros network and Brussels” or a [series of defamatory articles](#) (written in relation to one of his adjudicative decisions) on Tamás Matusik, former President of the National Judicial Council and vocal defender of judicial independence.

Besides defamatory publications and statements, retaliation for engaging in debates concerning the justice system and the independence of the judiciary [also occurs from within the judicial administration](#) through disciplinary proceedings or integrity procedures. While there are [serious problems](#) regarding the regulation of disciplinary proceedings (for instance, it is possible to apply interim measures such as suspension, salary withholding, and restrictions on promotions or bonuses before a final decision is taken, which undermines the presumption of innocence; and hearings are not public, even upon request), integrity procedures (procedures aimed at the protection of the integrity of courts, which are not regulated in a law, but only in an [instruction](#) of the National Office for the Judiciary), which may similarly damage a judge’s career or reputation, lack even the most fundamental basic safeguards: for example, it is not mandatory to provide the concerned judges with an opportunity to present their stance on the subject matter of the integrity investigation, and it may also happen that they are only informed of the existence of the procedure and its outcome once a conclusion is reached.

The lack of safeguards in these procedures is all the more problematic, because there are no clear norms safeguarding judges’ freedom of expression on matters regarding which, according to the ECtHR’s *Baka v Hungary* judgment, they should be free to publicly take a stance and communicate an opinion. The only instrument offering some space for judicial free expression is the [Code of Judicial Ethics](#), adopted by the National Judicial Council in July 2022, but this soft-law text lacks legal enforceability. The Kúria President has even [challenged](#) the Code before the Constitutional Court, further discouraging reliance on it. His [long record](#) of interpreting the freedom of judicial expression narrowly has consistently reinforced a restrictive climate that deters judges from speaking publicly about laws, the legal system or judicial administration.

Recommendations:

- Judges’ freedom of expression should be guaranteed not in soft law but in an Act of Parliament, explicitly affirming the Code of Judicial Ethics, according to which “Judges are free to express their opinion on laws, the legal system, and the administration of justice.
- Disciplinary proceedings and integrity procedures must be subject to clear legal safeguards, including respect for the presumption of innocence, fair trial requirements, and effective remedies against arbitrary or retaliatory measures.

4. Law-making

Points of inquiry:

- How does the Hungarian Government intend to ensure meaningful public participation and parliamentary scrutiny in law-making, in line with EU and international standards?
- What steps will be taken to limit the excessive use of emergency powers and restore democratic checks and balances in the legislative process?

Background: Hungary's law-making process has become increasingly closed, unpredictable, and dominated by the executive. [Identified systemic deficiencies](#) undermine transparency, inclusiveness, effectiveness, and democratic legitimacy. Public consultation on draft legislation remains largely ineffective despite 2022 legal amendments tied to the Recovery and Resilience Plan milestones. Broad exemptions, short consultation periods, weak oversight by the Government Control Office, and the lack of consequences for non-compliance allow the Government and its parliamentary majority to bypass meaningful engagement. Ministries often provide only formal compliance, while significant bills, including constitutional amendments and measures transposing EU law, are adopted without consultation. Consultation rules are frequently circumvented by introducing government bills through parliamentary committees or ruling party MPs (including the 15th Amendment to the Fundamental Law or the amendments to the Assembly Act that banned LGBTQI-themed demonstrations) which are exempt from consultation obligations.

Even the requirement to consult the National Judicial Council (NJC) on legislative proposals affecting the justice system (which was one of the super milestones regarding the independence of the judiciary for Hungary to access funds under the Recovery and Resilience Facility and which was codified by the Hungarian parliament as part of the 2023 judicial reform) has been implemented only formally, in a way that does not allow the NJC to participate in such consultations effectively (see Section 3.3.).

Inside Parliament, procedural tools are routinely used to fast-track bills and avoid debate. Legislative "hyperinflation," last-minute committee amendments, and agenda control by the ruling majority prevent scrutiny and marginalise opposition voices.

Emergency powers compound these problems, as also established by the Commission's annual [Rule of Law Reports](#): the continuous state of danger since 2020 has enabled the Government to legislate by decree, on many occasions on matters unrelated to the stated cause. Many of these emergency decrees were later entrenched in ordinary law. This has normalised exceptional and ad hominem law-making and weakened parliamentary control.

The combined effect of these practices is the hollowing out of democratic law-making in Hungary. Public participation is nominal, parliamentary deliberation is curtailed, and legal certainty is undermined, in violation of standards set by the EU, the [OSCE/ODIHR Guidelines on Democratic Lawmaking](#), and the [Venice Commission's Rule of Law Checklist](#).

Recommendations:

- Strengthen transparency and participation by narrowing the exemptions in consultation rules, introducing meaningful sanctions for non-compliance, and ensuring adequate time and reasoning for consultations. Parliamentary committees should not be used to bypass consultation obligations.
- Restore parliamentary checks and limit emergency powers by reinstating effective oversight of decree-making, limiting the use and scope of special legal orders, and reforming parliamentary procedures to allow for genuine debate and opposition input.

5. Corruption and conflicts of interest

5.1 Weaknesses of the Integrity Authority and Anti-Corruption Task Force (ACTF)

Point of inquiry:

- What legislative changes will the Government introduce to give the Integrity Authority full access to key state databases and ensure its recommendations are effectively implemented?

Background: Within the framework of the EU conditionality mechanism, Hungary established two key institutions in late 2022 to enhance its anti-corruption efforts: the Integrity Authority (IA) and the Anti-Corruption Task Force (ACTF). In the past years it has become clear, that their ability to effectively combat corruption is significantly hindered by inadequate legal provisions, operational challenges, and a perceived lack of genuine political commitment to their full empowerment.

The Integrity Authority (IA) was conceived as an independent entity, endowed with a sufficient budget and a sizable, competent staff of approximately 100 professionals, as required by Milestone 160 (Q4 2022). However, its mandate is hobbled by critical shortcomings in its legal framework. The IA's ability to act as a frontline deterrent is severely hampered by inadequate legal powers to comprehensively verify asset declarations of senior political executives and high-risk officials, which was a core expectation. This is compounded by persistent, reported difficulties in gaining direct, unimpeded access to vital state databases, including banking records, tax information, insurance records, and beneficial ownership registries. The IA itself, in its [2023](#) and [2024](#) annual reports to Parliament, and an ad hoc [report](#) on asset declarations in December 2023, has highlighted these obstacles. Without this access, the IA's statutory tasks are reduced to largely superficial examinations, preventing it from fulfilling its intended role as a robust and proactive oversight body.

The Anti-Corruption Task Force (ACTF), also established under Act XXVII of 2022, was intended to be a collaborative body with balanced representation from state and civil society. However, its potential for joint action is constrained. Non-governmental members frequently report a lack of proactive engagement from their governmental counterparts. This imbalance tends to sideline progressive proposals from civil society. This tension culminated in May 2025, when non-governmental members [rejected the draft ACTF annual report](#), choosing instead to publish [their own "report" for 2024](#), signalling a clear breakdown of consensus. The first ACTF report for 2022, adopted in March 2023, [was already criticized](#) for being premature and incomplete. While the government did review these reports, it largely accepted only those proposals that had already achieved full consensus.

Operational challenges further compound these issues; the tight deadline for annual reports (March 15th each year) provides insufficient time for thorough data analysis, and non-governmental members frequently face difficulties in accessing vital data and studies. Adding to this climate of distrust, two civil society organizations ([Átlátszó](#) and [Transparency International Hungary](#)) on the ACTF were investigated by the Sovereignty Protection Office in 2024, an action widely seen as an attempt to pressure and silence independent voices.

Recommendations:

- Ensure that the IA has direct, unimpeded access to all relevant state databases (e.g., banking, tax, insurance, beneficial ownership) and the explicit power to verify asset declarations of all

high-risk public officials and senior political executives. Ensure that sectoral laws mirror the IA's investigative powers to facilitate cooperation with other public bodies.

- Allow substitution for non-governmental ACTF members, provide fair compensation for their time commitment, and extend the deadline for the annual report to allow for comprehensive data analysis. Implement mechanisms to ensure the ACTF's reports genuinely reflect the diverse perspectives of all members, fostering a more inclusive and impactful dialogue.
- Introduce binding mechanisms that require governmental bodies to formally respond to and implement recommendations made by the IA with clear timelines and public reporting on progress.

5.2. Asset declarations

Points of inquiry:

- What specific legislative changes will be introduced to fully implement recommendations of the Integrity Authority, GRECO, the European Commission with regard to asset declarations, particularly concerning the creation of an electronic submission system, an effective sanctions regime, and the expansion of the material scope of declarations?
- How will the government ensure that all forms of assets and financial interests, including private equity funds, fiduciary asset management arrangements, non-taxable revenues (like insurance royalties), and optional agreements, are mandatorily and comprehensively included in asset declarations to prevent asset concealment, and when will the current practice of declaring income in broad bands instead of exact figures be abolished?
- What concrete steps will be taken to establish a robust and independent oversight mechanism for asset declarations of all public officials, including MPs, ensuring regular and proactive monitoring, verification against external databases, and the imposition of effective, proportionate, and dissuasive administrative and criminal sanctions for violations, as repeatedly recommended by GRECO and the European Commission?

Background: Hungary's asset declaration system remains a critical vulnerability in its anti-corruption framework, marked by persistent issues of insufficient transparency, limited scope, and ineffective oversight. Despite annual media scrutiny, repeated [warnings](#) from international bodies like [GRECO](#) and the European Commission, and formal commitments within the [National Anti-Corruption Strategy](#) and the relevant [milestones](#) set out in Hungary's Recovery and Resilience Plan (RRP), substantive reforms have been lacking, with some aspects even deteriorating.

The system is fragmented, with different rules applying to various categories of public officials, hindering unified verification. Declarations have regressed in scope, no longer requiring the full declaration of all real estate properties or precise income figures, opting instead for broad income bands. Crucially, assets such as private equity funds, fiduciary arrangements, and non-taxable revenues are not comprehensively covered, creating significant loopholes for wealth concealment that have been repeatedly flagged since at least 2023 and earlier.

Oversight beyond media investigations is minimal, with no official body proactively verifying wealth accumulation, and genuine sanctions for submission errors or omissions remain largely absent.

The government's commitment to establish an electronic, searchable database for declarations (RRP Milestone 172, Q1 2023) has not been fulfilled; current disclosure of MPs are confined to a single pdf

file. The Integrity Authority (IA), tasked with verification (RRP Milestone 162, Q1 2023), faces critical limitations, notably the lack of direct access to essential state databases such as property registries and tax records, significantly hindering its investigative capabilities. The IA's comprehensive reform proposals, detailed in its December 2023 report, have seen no government adoption.

The most significant and persistent failure is the absence of an effective and dissuasive sanctions regime for violations of asset declaration obligations, a core recommendation from GRECO and the European Commission, and an intended RRP milestone (Milestone 173, Q3 2023). Without robust verification and meaningful penalties, the asset declaration system fails to ensure accountability and prevent officials from leveraging their positions for illicit enrichment.

Recommendations:

- Fully implement the Integrity Authority's detailed recommendations.
- Create a centralized, searchable asset declaration database and ensure mandatory electronic submission, with the Integrity Authority granted full access to relevant state databases for cross-checks.
- Introduce effective sanctions and proactive verification of asset declarations by an independent body, rather than relying on external notifications.
- Reinstate the requirement for public disclosure of family members' asset declarations to enhance traceability and public oversight.

5.3. Lack of Transparency in Political Party and Campaign Financing

Points of inquiry:

- What specific legislative steps will be taken to ensure that political party and campaign financing—including that of third-party entities and state-funded organizations—become genuinely transparent and accountable, moving beyond merely formal compliance?
- Considering the government's extensive use of state resources and the outsourcing of campaign activities to third-party organizations, how does the government intend to prevent the politicization of state funding and ensure that organizations receiving public funds are subject to stringent transparency requirements and independent oversight, preventing their use for disguised political campaigning?
- How does the government intend to ensure full respect of the principle of separation of duties and powers and fulfil the requirement to depoliticise the functions of state institutions?

Background: Hungary's political and campaign financing system is characterized by a deep-seated lack of transparency, a situation that has persisted since 1990. While reform efforts have been undertaken, in recent years, they have largely focused on the narrow issue of foreign funding. However, crucial domestic transparency measures and spending limit regulations have been neglected or actively weakened. No steps have been taken to address long-standing recommendations for strengthening the transparency of political party and campaign financing. Deficiencies persist regarding the supervision of accounts held by foundations or third-party entities directly or indirectly linked to, or controlled by, political parties.

The applicable legislation lacks fundamental requirements: it does not mandate the disclosure of domestic campaign donations, nor does it prohibit the use of state resources for campaigning during pre-election periods. The ruling party, in particular, [has been observed to utilize state resources](#)

[extensively](#), rebranding them as "national consultations," "social awareness campaigns," or "COVID newsletters," effectively providing unlimited campaign funds. Furthermore, the possibility for circumventing campaign spending limits through the use of third parties and intermediaries, a practice notably reported during the 2022 elections, also remains unaddressed by legislative action. The situation was further complicated with the adoption of amendments that removed the cap on political campaign expenses in 2025. This decision, made without addressing the underlying issues of donation disclosure and state resource misuse, significantly weakens safeguards for fair electoral competition. According to [critics](#), this amendment aims to legitimize and facilitate unlimited spending rather than genuinely cleaning up the system, effectively "white-washing" the process. This risks escalating a "quasi arms race" in political spending, potentially making politics prohibitively expensive for grassroots movements and solidifying the dominance of established, well-funded players.

Recommendations:

- Implement legislation requiring the full, transparent disclosure of all domestic campaign donations and expenditures, including those from foundations and third-party entities.
- Reintroduce realistic campaign spending limits and establish clear prohibitions on the use of state resources for campaigning during pre-election periods.
- Strengthen the powers and independence of the State Audit Office (SAO) to effectively monitor and audit all political and campaign finances, including those of third-party entities and state-linked organizations. Ensure timely, public reporting of audit findings, including for entities receiving public funds or state-linked contracts, and establish clear legal consequences for non-compliance, including judicial review of SAO decisions.

5.4. Limited Effectiveness of Anti-Corruption Enforcement and Sanctions

Point of inquiry:

- How will the Government ensure adequate and sustainable funding for asset recovery offices, as required by Directive (EU) 2024/1260??

Background: According to the autumn legislative programme, the Minister of Justice will submit amendments to the Criminal Code and Criminal Procedure Code in October 2025 to transpose Directive (EU) 2024/1260 on asset recovery and confiscation. A draft was published for consultation on [2 October 2025](#). The Asset Recovery Office, already under-resourced and lacking the necessary capacities, will face additional responsibilities under the Directive without signs of increased support. Combined with the Government's lack of commitment to tackling high-level corruption, this raises serious doubts about effective implementation.

Recommendation:

- Beyond implementing Directive (EU) 2024/1260, establish the legal foundation for the continuous and effective operation of asset recovery procedures.

5.5. Institutional performance of the Anti-Corruption framework

Points of inquiry:

- When will the government take necessary action to ensure fair and intransigent enforcement of anti-corruption regulations in high-level incidents of mismanagement and government malpractice?
- What does the government intend to do in order to depoliticise the functioning of institutions belonging to the Anti-Corruption Framework?

Background: Besides the Integrity Authority and the Anti-Corruption Task Force, the most important pillars of Hungary's Anti-Corruption Framework include the State Audit Office, the Public Procurement Authority, the Competition Authority, the prosecution service and the National Protective Service. This framework remains fragmented with no lead tasked to oversee or coordinate the anti-corruption policies. The National Protective Service, a policing agency under the auspices of the Ministry of Interior ought to carry out these coordinating duties, however, since 2022, it has lost significant parts of its jurisdiction, and, parallel to this, its ability to step up as a lead anti-corruption agency. Due to their ill-designed jurisdiction and flawed implementation, the new elements of the anti-corruption framework, such as the Integrity Authority, the Directorate for Internal Audit and Integrity, the ACTF and the redesigned Directorate General for Audit of European Funds failed to contain high-level government corruption.

The appointment of the new Prosecutor General in June 2025 has not changed the long-standing practice of law enforcement authorities, whereby [complaints in politically sensitive corruption cases are dismissed on false grounds](#) (e.g., no crime occurred, or it cannot be proven). Even when [investigations](#) are launched, [no substantive procedural steps follow](#), or appeal rights are excluded through [unjustified dismissals](#) citing, for example, the statute of limitations. This entrenched situation is closely linked to the broader political capture of key components of the Anti-Corruption Framework, whose pervasive impact prevents the institutions concerned from carrying out their duties. It is best exemplified in the case of the prosecution service, a strictly hierarchical state institution with a top-down leadership structure headed by the Prosecutor General. The Prosecutor General – who holds the power to direct and oversee investigating authorities – is currently unaccountable: they may not be dismissed except by a two-thirds majority in Parliament, may only be stripped of immunity upon their own initiative, and cannot be interpellated in Parliament. Their mandate automatically prolongs beyond expiration if a replacement is not elected in Parliament by a two-thirds majority vote, a widely criticised model that overly politicises the selection and appointment process. As a result, there is no effective control over investigating authorities, and the prosecution service intentionally fails to bring cases of high-level corruption before justice.

Recommendations:

- Ensure the professional autonomy of state institutions belonging to the Anti-Corruption Framework and depoliticise the selection and appointment of their leadership.
- Establish a reliable track record of investigating and prosecuting high level corruption cases. Ensure reliable oversight by the Competition Office, Public Procurement Authority, and State Audit Office, and apply non-criminal sanctions to address past abuses and deter future misconduct.

6. Privacy and data protection; freedom of information

6.1. Privacy and data protection

Point of inquiry:

- When will the Government finally implement the ECtHR's *Szabó and Vissy* judgment, pending for nine years, despite repeatedly citing "preparatory work" while amending the National Security Act over 30 times without addressing the required measures?

Background: In the 1990s, Hungary was at the forefront of ensuring informational rights, notably data protection and freedom of information. At present, however, these two fundamental rights are exercised with far more limitations, their guarantees and enforceability are far below the expected level, and therefore they are not respected as they should be. Under the rules of secret state surveillance, almost anyone can be surveilled in a way that complies with the law, and there is [no effective control](#) over national security services. [Mass facial recognition](#) was introduced to deter potential participants from banned Pride demonstrations. There was no public consultation before the instalment of the facial recognition system, and its use is not transparent to this day. The Government systematically [abuses citizens' personal data](#) for campaigning in violation of the GDPR.

Recommendations:

- Implement without delay the ECtHR's Szabó and Vissy and Hüttl decisions and establish the necessary safeguards over secret surveillance for national security purposes.
- The legislator should immediately implement the CJEU's Digital Rights Ireland ruling and end the mandatory retention of telecommunications metadata.
- Repeal regulations that allow the use of facial recognition in petty offence cases. Make transparent other uses of facial recognition and enforce the obligation to carry out data protection impact assessments, in compliance with the GDPR.
- All political actors, including the Government, must put an immediate end to the widespread abuse of voters' data during election campaigns; the handling of voters' data must be made transparent.

6.2. Freedom of information

Points of inquiry:

- Will the Government refrain from further restricting access to public interest information by legislatively overruling court precedents and introducing new grounds for denial?
- When will the Government comply with the [Decision of the Constitutional Court](#) to provide judicial remedy against companies receiving public funds who deny properly servicing freedom of information requests?

Background: Although the 2022 amendment of the Freedom of Information Act, adopted in an attempt to meet requirements set out in the rule of law conditionality process, allegedly served to widen accessibility of public interest information, the reform mainly focused on access to information litigations, and deliberately failed to address issues stemming from the reluctance on behalf of government agencies and users of public funds to disclose information on request. Concentrating on the provisions that govern freedom of information court cases while almost entirely ignoring the fact that rules on access to data are often and systematically disregarded by institutions that possess the

information sought was a premeditated move by the government. As an obvious consequence, this reform has not changed the government's predominantly dismissive approach to freedom of information.

While undeniably speeding up court processes by halving the length of freedom of information litigations, more expeditious litigations put in many cases disproportionate burden on data requesters, who are less equipped and resourced to fulfil the court's order to bring evidence and provide legal argumentations within short deadlines. Moreover, the 2022 reform did not promote equality of arms by condoning preexisting court practices that enable data possessors to change the legal basis of their defence in court while denying new arguments brought by data requesters.

Besides, the government is in contempt for failing to comply with Decision 7/2020. (V. 13.) of the Constitutional Court to provide judicial remedy against companies receiving public funds who deny properly servicing freedom of information requests.

In addition to failing to adopt meaningful and forward looking reforms to ease the accessibility of public interest information, the government made a U-turn in 2023 by introducing new obstacles in the freedom of information regulatory framework. Among other things, public bodies were exempted from the obligation to collect data from entities in their subordination in order to properly respond to a freedom of information request, and the period while government resolutions are inaccessible were doubled from ten years to twenty years. The amendments further widened the recourse to foreign policy considerations to deny public interest information requests by practically preventing courts from overruling the invocation of this argument as a ground of rejection. Legal obstacles introduced in 2023 served to overlegislate preexisting and more permissive court precedents.

Another worrying trend is the gradual capture of the Kúria, reflected in shifting court standards that increasingly favour government arguments in freedom of information cases. The Constitutional Court [upheld](#) the Kúria's [ruling](#) which found that overturning the government's denial of access to information on the Belgrade–Budapest railway investment on foreign policy grounds would breach the separation of powers.

Recommendations:

- Repeal legal amendments that aim to or result in the curtailing of access to public interest information, both in case of the Freedom of Information Act and other, sectoral regulations.
- Comply with Decision 7/2020. (V. 13.) of the Constitutional Court.
- The rules governing freedom of information lawsuits should be amended to prevent defendants from changing their arguments, ensure identification of the competent data holder, allow limited procedural flexibility by mutual consent, and apply proportionality to third-party legal costs.

7. Media freedom

Points of inquiry:

- When and through what legislative and institutional mechanisms will the Hungarian legislator guarantee the independence of the public service media and ensure transparency in its funding structure?
- When and through what institutional reforms will the Hungarian legislator guarantee the independence of the Hungarian regulatory authorities, including those that implement EU law?
- When and through what legislative instruments will the Hungarian legislator ensure compliance with "transparent, objective, proportionate and non-discriminatory" allocation of state advertising as mandated by the European Media Freedom Act?
- When and through what legislative mechanisms will the Hungarian legislator afford journalists, on one hand, a conducive environment for obtaining information, and on the other hand, adequate safeguards to mitigate their professional risks?
- When and how will Hungary transpose the Anti-SLAPP Directive?

Background: Notwithstanding the manifest and substantiated abuses of media freedom in Hungary, no external mechanisms have proven efficacious, nor have any internal ameliorative measures been undertaken. The erosion persists unabated; the public service media ecosystem suffers from state capture, and [state advertisers favour pro-government media outlets](#) and avoid independent media. In April 2025 [two Hungarian media outlets submitted a new complaint](#) to the Commission because of illegal state aid, challenging the state advertising practices in Hungary. As the state funds these outlets with significant budgets, their editorial practices must serve the interests of the ruling parties if they are to preserve their most important revenue source. The resources to independent sources of information are [shrinking](#).

The Media Council does not serve as an effective check, as it is composed exclusively of pro-government members. The establishment of the Sovereignty Protection Office (see also Section 8.) constitutes a novel regression, designating independent [investigative media outlets](#) as targets, characterized as threats to Hungary's sovereignty. Independent media face substantial [barriers](#) in [obtaining](#) information (see also Section 6.2.), with journalists subject to the [threat of state surveillance](#) (see also Section 6.1.) and subjected to strategic lawsuits against public participation (SLAPPs). A recent freedom of information request submitted to the Ministry of Justice reveals that the sole measure undertaken towards transposition of the Anti-SLAPP Directive consists of a workshop organized by the European Commission, with no domestic legislative action initiated.

According to the EU's Digital Services Act, the Digital Service Coordinator is appointed by the Member States, without any formal approval by the European Commission. However, the regulation requires national digital service coordinators to carry out their tasks impartially and transparently, and to be politically and economically independent and free from external influence. The [Hungarian legislation](#) appointed the National Media and Infocommunications Authority (NMHH) and the President of the Media Council as the Digital Services Coordinator in Hungary. The political influence of the Media Council is treated as a fact in several [relevant EU documents](#). In the light of this, it is surprising that the President of the Media Council, who is also the President of the NMHH, can be given such a significant European mandate.

Political interference at public service media is still well documented. It is still [biased in its news programs](#) and its funding still lacks transparency. The [state aid complaint to the Commission](#) related to public service media funding and the opaque organizational structure was resultless.

Recommendations:

- Restructure the Media Council by allowing opposition delegations, shortening mandates to four years, limiting discretionary powers, and ensuring transparent decision-making.
- Restructure public service media in line with the European Media Freedom Act by eliminating the current organisational split, ensuring transparent funding and accountability, and aligning executive appointments with EMFA rules to guarantee impartial and diverse information.
- Ensure transparency and non-discrimination in state advertising by making spending data fully public, closing procurement loopholes, and introducing rules to prevent state dominance of media revenues.
- Implement the Anti-SLAPP Directive, extending it to domestic cases and equipping judges to identify SLAPPs and apply effective remedies.

8. Freedom of association and shrinking civic space

Points of inquiry:

- What steps does the Hungarian government envisage to comply with the recurring recommendation by the European Commission's [2025 Rule of Law Report](#) that Hungary should "[e]nsure that there are no obstacles hindering the work of civil society organisations, including by repealing legislation that hampers their capacity of working, and foster a safe and enabling civic space", especially in light of the of the Sovereignty Protection Act and the pending Bill T/11923, which would allow authorities to blacklist and defund independent organisations?
- What measures does the Government take to ensure that civil society members of EU funds monitoring committees monitoring and of the Anti-Corruption Task Force can carry out their work unhampered and free from external pressures, such as investigations by the Sovereignty Protection Office?

Background: After a decade of constant smear campaigns and harassment of targeted civic actors and recurring legal restrictions of civil space, a further escalation has been observed with the adoption of the Sovereignty Protection Act in December 2023, and the creation of its implementing body, the Sovereignty Protection Office (SPO) in 2024 tasked with collecting information and publishing 'reports' on actors viewed as exerting foreign influence on public life. Accordingly, the SPO publicised investigations against leading watchdogs and media (e.g., TI Hungary, Átlátszó) with sweeping access to state and intelligence data and is [regularly portraying](#) EU-funded [programmes](#) and organisations as a threat to Hungary's sovereignty. Not even the [CJEU is spared](#). The European Commission referred the Act to the CJEU for breaching EU law; the Court placed the case on an expedited procedure in [February 2025](#). The Venice Commission [had already found](#) that the law's scope and the SPO's powers unduly restrict rights and risk arbitrary interference with the freedoms of association and expression.

Building on this architecture, [in May 2025 the Government tabled the Bill on the Transparency of Public Life](#), that would allow the Government to blacklist CSOs, independent media, and even for-profit companies deemed “sovereignty risks,” block or hinder to the extent of practical impossibility their funding from outside of Hungary, while imposing administrative limitations on receiving domestic funding that in practice make that impossible, too, monitor bank accounts, fine, suspend or dissolve targeted entities. The SPO would be tasked to propose which entities would be blacklisted, without appropriate legal remedies.

The adoption of the proposal was postponed in June to the autumn parliamentary session and is currently pending.

Recommendations:

- Repeal the Sovereignty Protection Act and all other previously adopted laws hampering civil society organisations’ capacity to carry out their mandate, in line with the recommendation of the European Commission’s 2024 Rule of Law Report.
- Abandon Operation Starve and Strangle (Bill No. T/11923 pending in front of the Hungarian Parliament).

9. The rights of women

Points of inquiry:

- What steps has Hungary taken so far to eliminate violence against women? How is it preparing the necessary measures for the proper implementation of the Directive on combating violence against women and domestic violence?
- When does Hungary plan to implement the Women on Boards Directive?
- How does Hungary plan to involve civil society organizations and experts in the preparatory processes for the proper implementation of the Pay Transparency Directive?
- What specific measures does the state intend to adopt in order to enhance the active involvement of fathers in childcare and caregiving responsibilities, in accordance with the original objectives of the Work-Life Balance Directive?

Background: Women continue to face disadvantages across multiple areas in Hungary. The level of agreement with gender stereotypes remains significant in Hungary. According to the 2024 [Eurobarometer](#) survey on gender stereotypes, approximately 70% of the Hungarian participants in the research agree that women’s primary role is to care for their home and family, while men’s role is to earn money. This is linked to the fact that Hungary has the second lowest scores on the [Gender Equality Index](#) among EU member states.

In the European Union, Hungary is among the countries where women [experience](#) one of the highest rates of physical and/or sexual violence during their lifetime (49.1%). In the European Union, Hungary is the country where the highest proportion of women have experienced physical violence or threats, sexual violence, and/or psychological violence by an intimate partner in their lifetime (54.6%).

As regards reproductive rights, medical abortion remains unavailable, while the cost of surgical abortion [increased](#) in 2025. Access to abortion is further [hindered](#) by the discrimination and lack of information during mandatory consultations, as well as by the compulsory waiting period.

Discrimination is also strongly present in the labour market. More than 40% of Hungarian women have [experienced](#) sexual harassment at work. The gender pay gap has gradually [increased](#) in recent years (17.8%), and Hungary has one of the [lowest proportions](#) of women in leadership positions in the EU. These disadvantages intensify with childbearing: women's employment rates [decrease](#) with 17% after the birth of the third child compared to those who have no children. Intersectional discrimination further amplifies these inequalities, as only 35.8% of Roma women are [employed](#). As a result, women are [at greater risk](#) of social exclusion and poverty.

Inequalities are continuously reproduced through education and political communication, which emphasize stereotypical gender roles.

Recommendations:

- Implement the Women on Boards Directive without delay.
- Review the implementation of the Work-Life Balance Directive and ensure that fathers and second parents are entitled to the same financial benefit as the 10 days of parental leave.
- In line with the European Parliament Resolution on including the right to abortion in the EU Charter, withdraw the decree making it mandatory for pregnant women to be shown factors indicating life functions of the foetus.
- In accordance with the European Union Gender Equality Strategy 2020–2025, take measures to eliminate violence against women.

10. The rights of LGBTQI persons

Points of inquiry:

- When will Hungary create a prompt, accessible and transparent procedure for legal gender recognition?
- When will Hungary take steps to fully implement the *Deldits* judgment of the CJEU and the 2018 ruling of the Constitutional Court on the same issue?
- When will Hungary repeal the discriminatory restriction on the right to freedom of assembly?
- Until then, how will the Hungarian authorities ensure that no one is discriminated against in exercising their freedom of assembly on the basis of their sexual orientation or gender identity, and / or on the basis of the information they wish to impart in the assembly?

Background: In his 22 February 2025 State of the Nation address, Prime Minister Orbán signalled further restrictions on LGBTQI rights, which were later enshrined in the Fifteenth Amendment to the Fundamental Law, submitted without public consultation by government MPs on 11 March and in force since 15 April 2025.

The Fifteenth Amendment added to the [Fundamental Law](#): “*The person is a man or a woman.*” The Explanatory Memorandum unequivocally explains the practical implications of the text and dispels doubts that it was a harmless symbolic addition: “*a person is born biologically male or female and that the sex at birth cannot be legally changed.*” The ban on legal gender recognition introduced in May 2020 is now constitutionally entrenched. This continues to violate decades-long consistent jurisprudence of the ECtHR, and also runs counter to the holding of the CJEU rendered in the [Deldits case](#) on 13 March 2025. The CJEU ruled that authorities must rectify gender data under Article 16

GDPR and cannot invoke the absence of national gender recognition procedures to restrict this right. The CJEU emphasized that “a Member State cannot rely on the absence, in its national law, of a procedure for the legal recognition of transgender identity in order to limit the right to rectification”. The Hungarian Constitutional Court in 2018 already [found](#) an unconstitutional omission for not providing access for refugees in a similar situation to legal gender recognition. The Hungarian legislator has not yet complied with the ruling of the CC. This amendment not only denies trans persons the right to have their gender marker and name changed, but also rejects the existence of intersex people. An omnibus bill on amending laws in connection with the Fifteenth Amendment further weakened the protection afforded for gender minorities by eliminating ‘gender identity’ as an explicitly prohibited ground for discrimination and harassment in the Act on Equal Treatment. The list of protected characteristics is open, so in principle gender identity may be subsumed under ‘other status’, however, no case-law is available on this interpretation yet.

According to the Fifteenth Amendment, the child’s right to protection and care “shall prevail over any other fundamental right other than the right to life.” The latter created a constitutional underpinning to the ban in the Assembly Act (see below) that prohibits exposing minors to content about LGBTQI identities.

On 18 March 2025, [another omnibus bill](#) was submitted by government MPs amending – among others – the Assembly Act. The bill was forced through the Parliament within a day and entered into force together with the amendments to the Fundamental Law. The newly added Section 13/A of the Assembly Act bans assemblies that violate or substantially display content prohibited by Section 6/A of the Child Protection Act, which – [under the anti-LGBTQI Propaganda Law](#), a piece of legislation at the heart of an infringement procedure [pending with the CJEU](#) in which 16 Member States have intervened on the Commission’s side – restricts minors’ access to material “depicting” or “promoting” gender diversity or homosexuality.

Organisers of assemblies banned under Section 13/A (including the Pride, or any other LGBTQI-related gathering) may face up to one year imprisonment, while participants risk fines of up to EUR 500 under the amended petty offence rules extending liability to those who organise, lead, or knowingly attend prohibited assemblies.

Throughout the spring and summer of 2025, [Hungarian human rights organisations attempted to organise assemblies](#) related to LGBTQI issues, or that would have featured LGBTQI speakers that were, with one exception, all banned by the Police. The bans were upheld by the Kúria.

Recommendations:

- Implement without delay the outstanding civil society [recommendations](#) made for Hungary in the Article 7(1) TEU procedure in May 2023.
- Repeal Section 13/A of the Assembly Act and related provisions that enable banning assemblies on grounds linked to the so-called “Child Protection” Act.
- Repeal the provisions in the Fifteenth Amendment to the Fundamental Law that violate Hungary’s obligations under the European Convention on Human Rights, EU law, and the case-law of the CJEU and the ECtHR.

11. The rights of persons belonging to the Roma minority

Points of inquiry:

- How will the Government ensure that recently introduced legal changes permitting municipalities to adopt restrictive domicile or property regulations are not applied in a discriminatory manner toward Roma, in compliance with EU law?
- How does the Government plan to address the increasing degree of segregation in the Hungarian educational system?

Background: While the systemic and deep-rooted fundamental rights violations faced by persons belonging to the Roma minority in Hungary are many and complex – including segregation in housing, education, employment, policing and health care – these have been made more hazardous by the [Fifteenth Amendment to the Fundamental Law](#) and the ensuing adoption of the *Law on the Protection of Local Identity* that is based on it. Under this new framework, municipalities are empowered to adopt local decrees that impose eligibility criteria for establishing domicile or purchasing property in their territory. In practice, such decrees are being used to exclude Roma families from settling in certain areas, exacerbating residential segregation and undermining access to services. These measures [breach EU law](#) and the Race Equality Directive (with special regard to the ban on indirect discrimination), and perpetuate spatial exclusion of Roma communities according to the European Roma Rights Centre.

A typical example of how municipalities abuse their power to set settlement conditions is the requirement of completed secondary education, which disproportionately excludes Roma, who are overrepresented among those lacking such qualifications due to entrenched socioeconomic inequalities and educational segregation. The Minorities Deputy of the Commissioner for Fundamental Rights noted in her 2024 [annual report](#) that the segregation of Roma children is a “constantly deteriorating violation,” citing practices such as unequal treatment in kindergarten transfers, the termination of school bus services, and the role of denominational schools in intensifying segregation.

Recommendations:

- Revoke or amend the legal provisions that empower municipalities to adopt discriminatory domicile or property rules, ensure that such powers are explicitly restricted by equality safeguards, and restore an independent equality body with capacity to enforce anti-discrimination rights.
- Carry out in cooperation with independent Roma CSOs a comprehensive assessment of what legislative changes and policy measures would be required to decrease the extent of segregation of Roma children in the Hungarian educational system.

12. The fundamental rights of migrants, asylum seekers and refugees

Point of inquiry

- How will the Hungarian Government bring its asylum, migration and temporary protection policies into line with EU law and fundamental rights, ensuring effective access to protection,

compliance with CJEU and ECtHR judgments, and adequate support for beneficiaries of temporary protection?

Background: Hungary continues to systematically violate the fundamental rights of migrants, asylum seekers and refugees. Since 2015, legislative and policy changes have dismantled the asylum system and normalised violent pushbacks at the Serbian border. After the transit zones were closed in 2020 following the CJEU's judgment in [preliminary ruling references](#), Hungary introduced an [embassy system](#) that makes access to the asylum procedure conditional on filing a "declaration of intent" at Hungary's embassy in Belgrade or Kyiv, effectively barring most people from applying for asylum on its territory in [breach of EU law according to the CJEU](#). The CJEU has also found already in December 2020 that Hungary's legalisation of pushbacks [are in breach of EU law](#); non-compliance with this judgment led the Commission to seek financial sanctions in 2024 under Article 260(2) TFEU, resulting the unprecedented [decision](#) of an EUR 200 million lump-sum and daily EUR 1 million fine of the Court. For these reasons, Hungary is also [unable to access](#) certain EU funds.

For the ca. [40 000](#) beneficiaries of temporary protection from Ukraine, the Government provides only minimal assistance: state-funded accommodation (mass shelter) is limited to certain groups of vulnerable beneficiaries who also arrived from areas of Ukraine the Hungarian government designates as war affected territories. Those beneficiaries who do not meet the extremely narrow criterion and cannot fully cater for themselves face homelessness or rely on overstretched municipalities and CSOs, without any state support. This falls short of Hungary's obligations under the Temporary Protection Directive and undermines the right to adequate housing and dignity.

The Government has repeatedly stated that it will not implement any element of the new Migration Pact either.

Recommendation

- Ensure full compliance with EU and international law by restoring access to asylum procedures on Hungarian territory, ending pushbacks, and guaranteeing adequate emergency housing for beneficiaries of temporary protection in line with EU law.

13. Economic and social rights

13.1. Workers' unions

Point of inquiry:

- In what ways has the government strengthened the rights of workers' and their unions under the Charter of Fundamental Rights of the European Union? How have the effects of banning the check-off system been counterbalanced in the public sector?

Background: The space for workers' unions has also been shrinking. For example, from 1 January 2024, an amendment banned the union check-off system for public administration workers. Prior to this, almost all employers were required, at the employee's request, to deduct the union membership fee from the employee's salary and transfer it to the union free of charge. This amendment weakens the unions and hinders their right to organise their activities, as it naturally causes an increase in financial and time costs, a loss of membership fees, and even loss of union members. The amendment

may also be intended to discourage public sector workers from joining unions or exercising their right to association. On 9 June 2025, the ILO's Committee on the Application of Standards [noted with concern](#) the restrictions in law and practice regarding the right of workers' organisations in Hungary to organise their activities and defend the interests of their members.

Recommendation:

- Restore the check-off system in the public sector.
- Strengthen the rights of workers' unions via legislative amendments and appropriate measures.

13.2. Subsistence level

Point of inquiry:

- What steps has the Hungarian government taken under the European Social Charter of the Council of Europe and the Article 34 of the Charter of Fundamental Rights of the European Union to combat social exclusion and poverty in Hungary?

Background: State benefits, in particular family support in the taxation, are expressly directed at households with employment, high income, heterosexual married couples, and minor children. Individuals and households falling outside this target group are entitled solely to diminished, low-value benefits as demonstrated below.

For those who are unable to secure their subsistence through employment, unemployment benefit is provided for a maximum of 90 days. However, entitlement arises only for persons who have worked at least 360 days during the preceding three years. Thereafter, those who remain unemployed are eligible for a social allowance, the conditions of which are particularly strict. Eligibility requires that the person and his or her family are unable to secure their subsistence by other means, that they do not engage in any income-generating activity, that they have no assets, and that their monthly income per consumption unit does not exceed 90% of a current statutory minimum amount (HUF 25,650, ca. EUR 66). Until employment is offered, the amount of the allowance is HUF 22,800 per month (ca. EUR 59), which does not cover the minimum subsistence costs. Illness in itself does not give rise to entitlement; eligibility depends on the degree of health impairment established in a separate assessment.

Family allowance, granted unconditionally for children, amounts to HUF 12,200 (ca. EUR 31.42) per month in the case of a family with one child, and HUF 13,700 (ca. EUR 35,28) per month in the case of a single parent with one child.

The amount on which these allowances are calculated has not been increased by the government since 2008, despite a significant loss of purchasing power due to inflation.

In August 2025, basic living costs in Hungary remained high. [According to the Central Statistical Office](#), a kilo of bread cost around HUF 878 (EUR 2.26), ten eggs HUF 624 (EUR 1.61), and a two-course daily menu HUF 2,310 (EUR 5.95), while a monthly public transport pass was HUF 5,590 (EUR 14.39). In Budapest, monthly rent for a 50 m² flat ranged between HUF 150,000 and 300,000 (EUR 386–772). Allowance is available solely to individuals experiencing extreme poverty, and the amount of the benefit is insufficient to secure subsistence.

Recommendations:

- State social allowances ought to be indexed to reflect prevailing inflation rates.
- State support should be utilized to mitigate socioeconomic disparities, rather than to provide subsidies to higher-income cohorts.

13.3. Criminalisation of poverty

Point of inquiry:

- How can the provisions that criminalise acts predominantly committed by individuals living in poverty (e.g. rough sleeping) be reconciled with the European Convention on Human Rights and the Charter of Fundamental Rights of the European Union?

Background: Since 2018, under the Fundamental Law of Hungary the using a public space as a habitual dwelling shall be prohibited countrywide. Squatting, scavenging, rough sleeping and begging is criminalised as infraction. These are acts that, on their face, are of general application; however, in practice, these offences are predominantly committed by individuals living in poverty, as they penalize conduct intrinsically linked to socioeconomic deprivation, and, more specifically, to homelessness. The commission of such an offence may result in a fine or community service. Should the convicted person fail to comply with these measures, they are subject to imprisonment, which must be carried out in a correctional facility.

A comparison of the meagre level of state-provided allowances demonstrated above with these criminal sanctions shows that individuals unable to sustain themselves through employment are exposed to a significant risk of encountering the criminal justice system.

Recommendation:

- Decriminalize those acts that punish poverty as a state of deprivation rather than a voluntary conduct.