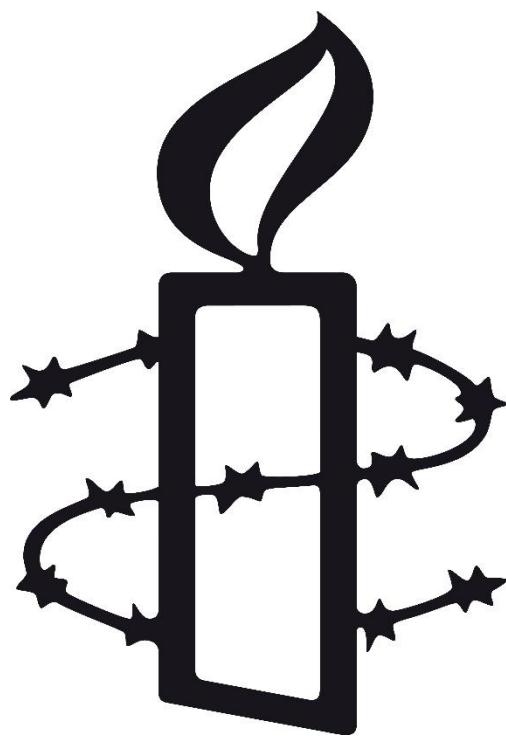


HUNGARY

SUBMISSION TO THE UN HUMAN RIGHTS COMMITTEE
145TH SESSION, 2 -19 MARCH 2026, LIST OF ISSUES PRIOR
TO REPORTING



CONTENTS

1. INTRODUCTION	3
2. DISCRIMINATION OF PREGNANT WOMEN AND MOTHERS WITH YOUNG CHILDREN IN THE WORKPLACE AND IN THE LABOUR MARKET (ARTICLE 3 AND 26)	3
3. SUSPENSION OF HUNGARIAN CITIZENSHIP OF DOUBLE CITIZENS (ARTICLES 12 AND 13)	4
4. PROLONGED STATE OF EMERGENCY (ARTICLE 4)	5
5. LEGISLATIVE PROCESS AND INSUFFICIENT CONSULTATION (ARTICLES 2, 19 AND 25)	6
6. JUSTICE SYSTEM (ARTICLE 14 AND 19)	7
6.1 DEFICIENCIES IN THE CASE ALLOCATION SYSTEM AT THE COURTS	7
6.2 LIMITED ACCESS TO JUSTICE	8
6.3 LIMITATION ON JUDGES' FREEDOM OF EXPRESSION AND "CHILLING EFFECT" AMONGST JUDGES	9
7. "PROPAGANDA LAW" (ARTICLES 2, 17, 19 AND 26)	11
8. BANS ON LGBTQI+ RIGHTS-RELATED ASSEMBLIES AND EXTENDING THE USE OF FACIAL RECOGNITION TECHNOLOGIES (ARTICLES 2, 17, 21 AND 26)	13
9. BILL ON THE TRANSPARENCY OF PUBLIC LIFE (ARTICLES 2, 19 AND 22)	15

This submission outlines Amnesty International's key concerns for Hungary's seventh periodic report to the UN Human Rights Committee. The non-exhaustive list of concerns addresses rights under the International Covenant on Civil and Political Rights, including freedom of expression, association, and assembly; women's rights; equality and non-discrimination; access to an effective remedy; and the right to privacy.

1. INTRODUCTION

Amnesty International submits this information to the UN Human Rights Committee ahead of the adoption of the list of issues prior to reporting for Hungary. The submission focuses on the rights to freedom of expression, freedom of association and peaceful assembly, women's rights, equality and non-discrimination, access to an effective remedy, and the right to privacy. It highlights Amnesty International's recent work on women's rights, LGBTQI+ rights, judicial independence, and shrinking civic space. Most issues cover the period between 2021 and 2025. The issues outlined in this submission and this Committee's previous recommendations remain unaddressed by concrete reforms.

2. DISCRIMINATION OF PREGNANT WOMEN AND MOTHERS WITH YOUNG CHILDREN IN THE WORKPLACE AND IN THE LABOUR MARKET (ARTICLE 3 AND 26)

Pregnant women and mothers with young children often face various forms of discrimination in the workplace and in the labour market in Hungary. An Amnesty International survey from 2020 confirmed these patterns, with 21.4% of the total 266 respondents reporting unfair treatment linked to pregnancy or parental leave. Amnesty International's report from 2020, based on the survey and other sources, found common experiences among women, including the misuse of probationary periods for dismissing pregnant employees without justification, and the frequent use of fixed-term or project-based contracts to justify termination. Employers also often choose not to renew contracts after a project ends, especially in the case of pregnant workers. Women with high-risk pregnancies are particularly vulnerable to such forms of discrimination: For instance, as it is uncertain for the employer how long the employee will remain incapable of working before her maternity leave, many resort to terminating the employment with the pregnant employee.¹ In addition, other forms of gender-based discrimination persist.

Many women experience gender-based discrimination when they intend to return to their previous positions after taking maternity or parental leave. In many cases documented by Amnesty International, their jobs were terminated, and they were either dismissed or their employment was ended by mutual agreement. In addition, under current regulations, employers are legally entitled to terminate an employee's contract with immediate effect even during parental leave.² Both parents can take parental leave, but women tend to take much more due to cultural norms, economic incentives, and employer expectations.

In the Concluding Observations on the sixth periodic report of Hungary, this Committee highlighted that "women are underrepresented in decision-making positions in the public sector, particularly in government ministries and the parliament," that "stereotyped patriarchal attitudes still prevail in the State party with respect to the position of women in society," and that there are "discriminatory comments against women by political figures."³ The Committee also called for various measures from Hungary to tackle gender discrimination, including taking "practical steps, including awareness-raising campaigns, to eradicate negative stereotypes regarding the position of women in society, in law

¹ Amnesty International, *No Working Around It – Gender-based Discrimination in Hungarian Workplaces* (Index: EUR 27/2378/2020), 3 June 2020, <https://www.amnesty.org/en/documents/eur27/2378/2020/en/>, p. 32.

² Amnesty International, *No Working Around It – Gender-based Discrimination in Hungarian Workplaces* (Index: EUR 27/2378/2020) (previously cited) pp. 26-38.

³ UN Human Rights Committee (HRC), Concluding observations: Hungary, 9 May 2018, UN Doc. CCPR/C/HUN/CO/6, para. 23.

and in practice, and review legislation and constitutional provisions that may reinforce such stereotypes.”⁴

Amnesty International recommends that the State take effective measures to address and prevent gender discrimination against pregnant women and mothers with young children in the labour market. This includes enforcing anti-discrimination laws, promoting inclusive workplace policies, and ensuring access to parental leave and flexible working arrangements.

3. SUSPENSION OF HUNGARIAN CITIZENSHIP OF DOUBLE CITIZENS (ARTICLES 12 AND 13)

Act LXIV of 2025,⁵ which entered into force in June 2025, introduces the “suspension of citizenship” of Hungarian nationals with double citizenship in certain circumstances. It applies to persons with Hungarian citizenship and a non-EU/non-EEA citizenship, except for EU candidate countries. The Hungarian citizenship could be “suspended” for the maximum period of 10 years, provided that the existence of their Hungarian citizenship is found to “threaten either the public order, or the public or national security of Hungary.”⁶ Although examples of such threats are given in the law, the list is non-exhaustive, creating uncertainty regarding its scope and application. The decision on suspension would be made by a minister appointed by a government decree. The person whose Hungarian citizenship is suspended would be able to challenge the decision, filing a claim with the Kúria (the Supreme Court of Hungary).⁷

Amnesty International is concerned that the law may lead to forcible removals and deportations from Hungary to other countries. Furthermore, although a necessity/proportionality element was introduced in the law in the provision that covers the minister’s authority over issuing a suspension decision, the non-exhaustive enumeration of reasons for suspension creates legal uncertainty and paves the way for potentially arbitrary and discriminatory ministerial decisions. The right to judicial review is also very limited and may not be considered effective under international human rights law⁸, potentially violating the right to an effective remedy. Moreover, the wording of section 9/B(2)(b) of the law suggests⁹ that the law could be directed against people and organisations critical of the Government,¹⁰ potentially enabling the targeting of those with dissenting voices. Thus, the law can

⁴ UN Human Rights Committee (HRC), Concluding observations: Hungary (previously cited), para. 24.

⁵ 2025. évi LXIV. törvény a magyar állampolgárság felfüggesztésével kapcsolatos törvények módosításáról, [Act LXIV of 2025 amending the laws related to the suspension of Hungarian citizenship], 2025, <https://njt.hu/jogsabaly/2025-64-00-00> (in Hungarian).

⁶ 2025. évi LXIV. törvény a magyar állampolgárság felfüggesztésével kapcsolatos törvények módosításáról, [Act LXIV of 2025 amending the laws related to the suspension of Hungarian citizenship], (previously cited)

⁷ 2025. évi LXIV. törvény a magyar állampolgárság felfüggesztésével kapcsolatos törvények módosításáról, [Act LXIV of 2025 amending the laws related to the suspension of Hungarian citizenship], (previously cited)

⁸ European Commission for Democracy through Law (Venice Commission), Hungary: Opinion on the Compatibility with International Human Rights Standards of the Fifteenth Amendment to the Fundamental Law of Hungary, CDL-AD(2025)043, Strasbourg, 13 October 2025, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2025\)043-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2025)043-e), para 71.

⁹ “The Hungarian citizenship may be suspended for a Hungarian citizen who also holds the citizenship of a third country, a) who engages in conduct that poses a threat to Hungary’s public order, public security, or national security, and [...] (2) The danger defined in point a) of paragraph (1) can especially be established if the person concerned [...] b) engages in activities that harm the sovereignty, constitutional order, or national security of Hungary on behalf of, under the commission of, or in the interest of a foreign power or organisation.” (2025. évi LXIV. törvény a magyar állampolgárság felfüggesztésével kapcsolatos törvények módosításáról, [Act LXIV of 2025 amending the laws related to the suspension of Hungarian citizenship], (previously cited), Preamble (2))

¹⁰ The wording of the preamble of Act LXXXVIII of 2023 on the protection of national sovereignty, which created the Sovereignty Protection Office (SPO), clearly outlines which entities may be targeted by the authority: „Illegal attacks on the sovereignty of Hungary are becoming more and more frequent. For years, there have been manifest attempts — in many cases known even to the public — at exerting influence by foreign organisations and individuals seeking to assert their own interests in our country, as opposed to Hungarian interests and rules. [...] the united opposition circumvented this rule in spring 2022 by using funds from abroad through their civil society organisations and companies engaged in political activities. To prevent similar cases, it is appropriate to tighten the applicable rules. Political power falling into the hands of persons and organisations who are dependent on a foreign power, organisation or person damages Hungary’s sovereignty and, at the same time, poses a major national security risk” (2023. évi LXXXVIII. törvény a nemzeti szuverenitás védelméről [Act LXXXVIII of 2023 on the protection of national sovereignty], 2023, <https://njt.hu/jogsabaly/en/2023-88-00-00>, Preamble). Reports of the SPO also depict various NGOs as potential threats to Hungary’s sovereignty (Sovereignty Protection Office, Éves jelentés [Annual Report], 30 June 2025, <https://szuverenitasvedelmihivatal.hu/dokumentumok/eves-jelentes-2025.pdf> (in Hungarian); Sovereignty Protection Office, 2025

have a “chilling effect” on individuals and groups, and its implementation could constitute an arbitrary exercise of power and limit the right to freedom of expression.

Amnesty International recommends that the Hungarian Parliament repeal Act LXIV of 2025 amending the laws related to the suspension of Hungarian citizenship and bring it in line with international human rights law.

4. PROLONGED STATE OF EMERGENCY (ARTICLE 4)

The Hungarian Government first invoked excessive emergency powers during the Covid-19 pandemic in the spring of 2020, when it declared the “state of danger” through a special legal order regime included in the Fundamental Law (Hungary’s constitution).¹¹

In 2022, the Tenth Amendment of the Fundamental Law¹² widened the scope of the reasons for the declaration of the “state of danger.” The Government has been maintaining a “rule by decree” system ever since – only with a few months of intermission – by extending the “state of danger” multiple times, with the statutory maximum of 180 days upon the authorisation of the governing majority, using Russia’s aggression in Ukraine as a pretext for keeping the excessive regulatory powers. The “state of danger” is currently extended until 13 May 2026.¹³

Thus, the Government continues to have a *carte blanche* mandate for these emergency powers; there is no automatic and regular parliamentary oversight of individual emergency decrees; and the effective constitutional review of emergency decrees is not ensured. According to the current regulations, nothing would prevent the Government, backed by its parliamentary majority, from sustaining the “state of danger” throughout an entire parliamentary term.¹⁴ Furthermore, the draft law aiming to authorise the Government to extend the “state of danger” was put to public consultation with a one-sentence reasoning. Civil society organisations shared their concerns regarding the legal rules and the practice in the form of opinions submitted in the framework of the public consultations, however, the Government did not take these recommendations into account.¹⁵

Throughout the time of special legal order regimes, problematic practices have been cemented. The Government has adopted numerous state-of-danger decrees that are, in fact, unrelated to the grounds for declaring the state of danger.¹⁶ For instance, in 2023, the Hungarian Government used emergency legislation to facilitate the immediate dismissal of teachers involved in civil disobedience.¹⁷

októberétől az Európai Bizottság újból eurómilliókkal támogatja a politikai nyomásgyakorló szervezeteket Magyarországon [From October 2025, the European Commission will once again support political advocacy organizations in Hungary with millions of euros], 10 October 2025, <https://szuverenitasvedelmihivatal.hu/dokumentumok/Ujabb-brusszeli-euromillioek-a-hazai-politikai-nyomasgyakorlo-szervezeteknek.pdf> (in Hungarian)

¹¹ Magyarország Alaptörvénye [Fundamental Law of Hungary], 2011, <https://net.jogtar.hu/jogszabaly?docid=a1100425.atv>, Section 51

¹² Magyarország Alaptörvényének tizedik módosítása [Tenth Amendment to the Fundamental Law], 2022, <https://mkogy.jogtar.hu/jogszabaly?docid=A2200524.ATV>, Article 53(1) (in Hungarian)

¹³ 2025. évi LXXVII. törvény a szomszédos országban fennálló fegyveres konfliktus, illetve humanitárius katasztrófa magyarországi következményeinek elhárításáról és kezeléséről szóló 2022. évi XLII. törvény módosításáról [Act LXXVII of 2025 on the Amendment of Act XLII of 2022 on the Prevention and Management of the Consequences in Hungary of an Armed Conflict or Humanitarian Disaster in a Neighbouring Country], 2025, <https://njt.hu/jogszabaly/2025-77-00-00> (in Hungarian)

¹⁴ Amnesty International et al. Az Amnesty International Magyarország, a Magyar Helsinki Bizottság és a Társaság a Szabadságjogokért véleménye a szomszédos országban fennálló fegyveres konfliktus, illetve humanitárius katasztrófa magyarországi következményeinek elhárításáról és kezeléséről szóló 2022. évi XLII. törvény módosításáról szóló törvény tervezetéről, [The opinion of Amnesty International Hungary, the Hungarian Helsinki Committee, and the Hungarian Civil Liberties Union on the draft law amending Act XLII of 2022 on the prevention and management of the consequences in Hungary of an armed conflict or humanitarian disaster in a neighbouring country], 2 April 2025, https://helsinki.hu/wp-content/uploads/2025/04/AI-MHB-TASZ_velemeny_veszelyhelyzet_20250402.pdf (in Hungarian), p. 11.

¹⁵ Amnesty International et al., Contributions of Hungarian CSOs to the European Commission’s Rule of Law Report (previously cited), p. 75.

¹⁶ Council of the European Union, Council Recommendation on the economic, social, employment, structural and budgetary policies of Hungary, 9 July 2024, <https://data.consilium.europa.eu/doc/document/ST-11709-2024-INIT/en/pdf>

¹⁷ 4/2023. (I. 12.) Korm. Rendelet a köznevelési intézmények működését érintő egyes veszélyhelyzeti szabályokról [Government Decree 4/2023. (I. 12.) on certain emergency rules affecting the operation of public education institutions], 2023, <https://njt.hu/jogszabaly/2023-4-20-22> (in Hungarian); Hungarian Helsinki Committee, *Curtailing the rights of teachers in Hungary*, 23 March 2023, https://helsinki.hu/en/wp-content/uploads/sites/2/2023/03/HHC_Hungary_teachers_23032023.pdf, pp. 6-7.

Amnesty International is concerned about the continued extensions of the “state of danger” provisions without a valid justification, resulting in the possibility of the suspension or restriction of human rights beyond the extent permissible under ordinary circumstances.

Amnesty International recommends that the Hungarian Parliament rejects any unjustified prolongation of states of emergency and only renews the “state of danger” regime if the preconditions laid down in Article 4 of the ICCPR are met.

5. LEGISLATIVE PROCESS AND INSUFFICIENT CONSULTATION (ARTICLES 2, 19 AND 25)

The transparency and quality of the legislative process, as well as the efficiency of public consultation remain a source of concern. Firstly, effective public consultation has been insufficient, for example, laws adopted in breach of public consultation rules can still become/remain part of the legal system, and the range of exceptions when draft laws do not have to or must not be subject to public consultation remains wide. Secondly, the impact of the amended rules¹⁸ is limited, and the practice of public consultation remains deeply flawed.¹⁹

Amnesty International has documented instances where significant laws are not published for public consultation, for example, the 2024 case of the 13th Amendment to the Fundamental Law.²⁰

In cases where public consultations are enabled, ministries almost never provide a longer consultation period than the statutory minimum, irrespective of the length and complexity of the draft law. It is also a recurring practice that draft laws are published for consultation with a one-sentence reasoning. The majority of opinions submitted by various stakeholders, including individuals, trade unions, NGOs, etc., are rejected by the Government.²¹ Furthermore, the quality of the impact assessments of the draft laws and the summaries published about them in the course of the public consultation is often inadequate.²²

Using the legal opportunity created by the Government in 2023, public hearings without the public, i.e. held through electronic means (whereby opinions may be submitted via e-mail or left on an answering machine) are becoming widespread, especially in cases of planned investments likely to generate local protest due to their potential environmental impacts.²³ This further weakens meaningful participation in decision-making.

In its latest Concluding Observations on Hungary, the Committee expressed its concern about “the process by which legislation has been adopted and about the negative impact of some of the resulting legislative provisions on the promotion and protection of human rights in Hungary. In particular, the Committee notes with concern reports of insufficient consultation with opposition politicians, the speed at which the legislative process is often conducted, especially when initiated by committees and individual lawmakers, and the failure to ensure the transparency of draft legislation or to allow sufficient time for deliberation, public consultation and impact assessment. It is also concerned about the practice of introducing substantive legislative amendments after the end of parliamentary

¹⁸ 2022. évi XXX. törvény az Európai Bizottsággal való megegyezés érdekében a jogalkotásról szóló 2010. évi CXXX. törvény és a jogszabályok előkészítésében való társadalmi részvételről szóló 2010. évi CXXXI. törvény módosításáról [Act XXX of 2022 on the amendment of Act CXXX of 2010 on legislation and Act CXXXI of 2010 on public participation in the preparation of legislation, in agreement with the European Commission], 2022, <https://njt.hu/jogszabaly/2022-30-00-00.1> (in Hungarian)

¹⁹ Amnesty International et al., Contributions of Hungarian CSOs to the European Commission's Rule of Law Report, (previously cited), pp. 70-71.

²⁰ Magyarország Alaptörvényének tizenharmadik módosítása (2024. április 22.) [Thirteenth Amendment to the Fundamental Law of Hungary], 2024, <https://njt.hu/jogszabaly/2024-13-04-00> (in Hungarian)

²¹ Amnesty International et al., Contributions of Hungarian CSOs to the European Commission's Rule of Law Report, (previously cited), pp. 71-72.

²² Amnesty International et al., Contributions of Hungarian CSOs to the European Commission's Rule of Law Report, (previously cited), p. 72.

²³ Amnesty International et al., Contributions of Hungarian CSOs to the European Commission's Rule of Law Report, (previously cited), pp. 72-73.

deliberation, making use of a special measure that is intended only for the review of technical or inconsistent provisions.”²⁴

According to the Committee, “the State party should strengthen its legislative process, especially in relation to laws affecting the enjoyment of human rights, by ensuring that mechanisms are in place to guarantee a transparent, inclusive and participatory process that involves opposition politicians, civil society, other relevant stakeholders and the general public, and provides adequate opportunity and time for the meaningful review and proper debate of legislative proposals and amendments.”²⁵

Amnesty International recommends that Hungary strengthen the framework governing the drafting and adoption of legislation to ensure a transparent, evidence-based, consultative and participatory process in both the preparatory and parliamentary phases.

6. JUSTICE SYSTEM (ARTICLE 14 AND 19)

6.1 DEFICIENCIES IN THE CASE ALLOCATION SYSTEM AT THE COURTS

Amnesty International has found serious deficiencies in the case allocation system both at lower-tier courts and at the Kúria, Hungary’s Supreme Court, including a lack of transparency, oversight, and clear safeguards.

Several concerns exist with respect to the case allocation system of lower-tier courts, regulated by Act CLXI of 2011 on the organisation and administration of the courts (AOAC).²⁶ The possibility of modifying the case allocation scheme is unlimited in time. Modifications of the case allocation schemes are carried out regularly, even on a day-to-day basis. Court presidents have an exclusive and unlimited right to establish the case allocation scheme, and judicial self-governing bodies are not entitled to exert meaningful control over the process of adopting case allocation schemes. The process of case allocation is not automated, but is reliant on direct human intervention. The AOAC provides for a wide range of exceptional rules without establishing guarantees against their inappropriate application. Parties in a court proceeding cannot verify the proper application of the scheme and whether any of the wide range of exceptional rules were applied in allocating their case.²⁷

The case allocation system of the Kúria also raises numerous concerns, as the law provides several vaguely defined grounds for deviating from the general rules for case allocation in this case as well.²⁸ Furthermore, the existence of an electronic system guaranteeing the automated case allocation without human intervention is questionable. Based on the answers provided to freedom of information requests,²⁹ neither the Kúria nor the National Office for the Judiciary could provide proof that a proper IT system guarantees the due application of the new rules on case allocation at the Kúria. Electoral cases at the Kúria also raise special concerns: as electoral submissions can be filed on paper or electronically, and the automated allocation system only applies to electronic filings, leaving paper-filed cases outside its scope.³⁰

²⁴ UN Human Rights Committee (HRC), Concluding observations: Hungary (previously cited), para. 7

²⁵ UN Human Rights Committee (HRC), Concluding observations: Hungary (previously cited), para. 8

²⁶ 2011. évi CLXI. törvény a bíróságok szervezetéről és igazgatásáról [Act CLXI of 2011 on the Organisation and Administration of Courts], 2011, <https://net.jogtar.hu/jogsabaly?docid=a1100161> (in Hungarian)

²⁷ Amnesty International et al., *Hungarian CSOs contribute to the European Commission’s 2024 Rule of Law Report*, 2024, <https://www.amnesty.hu/hungarian-csos-contribute-to-the-european-commissions-2024-rule-of-law-report/>, p. 11.

²⁸ 2011. évi CLXI. törvény a bíróságok szervezetéről és igazgatásáról [Act CLXI of 2011 on the Organisation and Administration of Courts] (previously cited), Section 10.

²⁹ Hungarian Helsinki Committee, A brief assessment of the case allocation scheme and system of the Kúria based on the experiences of the period since the entry into force of the judicial reform, 26 September 2023, https://helsinki.hu/en/wp-content/uploads/sites/2/2023/09/case_allocation_system_of_Kuria_20230926.pdf

³⁰ 2011. évi CLXI. törvény a bíróságok szervezetéről és igazgatásáról [Act CLXI of 2011 on the Organisation and Administration of Courts], 2011, <https://net.jogtar.hu/jogsabaly?docid=a1100161> (in Hungarian), Section 10. Amnesty International et al., *Hungarian CSOs contribute to the European Commission’s 2024 Rule of Law Report* (previously cited) pp. 10-11.

The deviations may not be monitored and explained without further background information, however, such background information is not available to the public.³¹ Amnesty International expresses its concerns about the deficiencies of the case allocation system that could violate the right to a fair and public hearing by a competent, independent and impartial tribunal established by law, as required under Article 14 (1).³²

Amnesty International recommends that Hungarian authorities reform the case allocation system and introduce new and effective measures to ensure that courts have case allocation policies for allocating and reallocating cases in a way that is transparent for both judges and all parties concerned.

6.2 LIMITED ACCESS TO JUSTICE

The Hungarian legal aid³³ system is regulated by Act LXXX of 2003 on Legal Aid.³⁴ In this system, one may apply for legal aid in their civil, administrative or criminal proceedings or even for legal assistance out of court. Legal aid services include 1. provision of legal advice, preparing a pleading or other document, having access to the party's case files including representation in administrative procedures (in case of out-of-court legal assistance); 2. provision of a legal aid lawyer in a civil and administrative court procedure; 3. advancement or payment of the costs of a defence counsel who represents a defendant, or advancement of the costs of a legal aid lawyer who represents a victim or other participant in a criminal court procedure. However, in Hungary, access to legal aid is often hindered by financial barriers, leaving those who cannot afford court fees or legal representation with limited access to justice.

Access to a court is part of the right to a fair trial under international standards in both civil and criminal cases. If people cannot afford court fees or legal representation, that may amount to a violation of the right to access to justice.³⁵

LIMITED ACCESS TO JUSTICE IN CIVIL AND ADMINISTRATIVE CASES

Hungary provides free legal aid (legal counsel) in civil and administrative matters for people with a maximum monthly income of HUF 28,500 (approx. EUR 74) as a general rule.³⁶ This income threshold for legal aid in Hungary is the lowest in all European Union countries.³⁷

It is of utmost importance for the right to access to justice that people in need are represented by a lawyer in their legal cases. In Hungary, people who cannot afford a lawyer have three main avenues to tread: 1. represent themselves, which effectively prevents them from exercising their rights in many cases – and in some cases they cannot even do so as legal representation is required by law (for example in front of the Supreme Court, the Kúria); or 2. turn to a pro bono lawyer or a human rights defender civil society organisation; these organisations' capacities are very limited and they cannot possibly fulfil the needs of all law-seeking people; or 3. seek legal help from the state in the legal aid system.

Having a very high income threshold for free state legal aid means that the Hungarian state severely limits the number of people in need to access free legal aid and thus access to justice.

Amnesty International recommends that the Hungarian Parliament amends the law to the effect of significantly raising the threshold for free legal aid in civil and administrative as well as out-of-court cases, and introducing a quality assurance system for legal aid lawyers.

³¹ Amnesty International et al., Contributions of Hungarian CSOs to the European Commission's Rule of Law Report, (previously cited), p. 11.

³² Amnesty International, *Fearing the unknown – How rising control is undermining judicial independence in Hungary* (Index: EUR 27/2051/2020), 2020, <https://www.amnesty.org/fr/wp-content/uploads/2021/05/EUR2720512020ENGLISH.pdf>, p. 24.

³³ Legal aid (i.e. payment of the costs of the legal aid lawyer) is either only advanced by the state (in which case it is eventually paid by the legal aid applicant or by the opposing party, depending on who wins the lawsuit) or paid by the state (in which case the legal aid is free). For the purposes of the present report, we refer to "legal aid" to cases where the state fully and unconditionally reimburses the legal aid assistance.

³⁴ 2003. évi LXXX. törvény a jogi segítségnyújtásról [Act LXXX of 2003 on Legal Aid], 2003, <https://net.jogtar.hu/jogsabaly?docid=a0300080.tv>

³⁵ European Convention on Human Rights, Article 6.

LIMITED ACCESS TO JUSTICE IN CRIMINAL CASES

In criminal cases, if a defendant cannot afford the costs of the proceedings (including the costs of their legal representation, court fees), or any part of them, authorities may grant a cost reduction, under which the state, among other costs, advances and covers the fees and expenses of the court-appointed defence counsel.³⁸ However, the above-mentioned extremely low income threshold applies here as well, and only those who live below the minimum subsistence level would qualify. In addition, administrative requirements are rigid and difficult to comply with.³⁹ As a result, many defendants living in poverty are not granted a cost reduction, meaning that the state does not advance or cover the fees and expenses of their court-appointed defence counsel. Even though the fees for defence lawyers under the legal aid scheme were raised to HUF 7,000 (approximately EUR 17) per hour as of 2024, they are still regarded as critically low, compared to private sector fees for similar work.⁴⁰

Furthermore, there is still no quality assurance system in place for legal aid defence counsels.⁴¹

Amnesty International remains concerned about the fair trial rights and access to justice for people living in poverty. Access to equal justice and the right to a fair trial for all are hindered by the fact that not everyone can afford legal representation and bring their case to court, defend themselves or challenge their case in court because of their financial situation.

In its Concluding Observations on the sixth periodic report of Hungary, the Committee expressed its concerns “about the discretion reportedly exercised by the authorities over whom to appoint as State-funded lawyers for detainees, the practice of appointing the same lawyers for the majority of cases and information suggesting that indigent defendants receive a lower quality of legal representation,”⁴² among other issues related to the right to a fair trial and access to a lawyer. The Committee also called on Hungary to “ensure that all persons deprived of their liberty are guaranteed all fundamental legal safeguards from the very outset of detention” and that “the State party should ensure that State-appointed defence lawyers provide adequate and effective legal representation.”⁴³

Amnesty International recommends that the Hungarian Parliament amends the law to the effect of significantly raising the threshold for free legal in the case of criminal cases, and that a quality assurance system for legal aid lawyers be introduced, and also to address the Committee’s above concerns.

6.3 LIMITATION ON JUDGES’ FREEDOM OF EXPRESSION AND “CHILLING EFFECT” AMONGST JUDGES

In 2011, the then-President of the Supreme Court of Hungary, András Baka publicly criticised bills affecting the judiciary in the framework of a judicial reform initiated by the Hungarian Government. A legal amendment terminated his mandate shortly after.⁴⁴ In 2016, the European Court of Human Rights found, in *Baka v. Hungary*, that the rights of the dismissed Chief Justice to a fair trial and to freedom of expression had been violated. The judgment specifically warned of the “chilling effect” of the *Baka* case, referring to the fear of similar sanctions among judges who wish to participate in public debate on issues concerning the administration of justice and the judiciary.⁴⁵

In the most recent review held in early March 2025, the Committee of Ministers of the Council of Europe, the body overseeing the implementation of the European Court of Human Rights’ judgments, strongly urged the Government to carry out a thorough analysis of how the Hungarian legal framework

³⁸ 2017. évi XC. törvény a büntetőeljárásról [Act XC of 2017 on the Code of Criminal Procedure], 2017, <https://net.jogtar.hu/jogszabaly?docid=a1700090.tv>, Sections 75, 76 and 77 (in Hungarian)

³⁹ Amnesty International et al., Contributions of Hungarian CSOs to the European Commission’s Rule of Law Report, (previously cited), p. 22.

⁴⁰ Amnesty International et al., Contributions of Hungarian CSOs to the European Commission’s Rule of Law Report, (previously cited), p. 22.

⁴¹ UN Human Rights Committee (HRC), Concluding observations: Hungary (previously cited), para. 31

⁴² UN Human Rights Committee (HRC), Concluding observations: Hungary (previously cited), para. 32

⁴³ 2011. évi CLIX. törvény a Magyar Köztársaság Alkotmányáról szóló 1949. évi XX. törvény módosításáról [Act CLIX of 2011 on the amendment to Act XX of 1949 on the Constitution of the Republic of Hungary], 2011, <https://njt.hu/jogszabaly/2011-159-00-00> (in Hungarian)

⁴⁴ European Court of Human Rights (ECtHR), *Baka v. Hungary*, Application 20261/12, Grand Chamber judgment, 23 June 2016, [https://hudoc.echr.coe.int/eng#/%22itemid%22:\[%22001-163113%22\]](https://hudoc.echr.coe.int/eng#/%22itemid%22:[%22001-163113%22]), para. 125

contributes to the “chilling effect” among judges. It also called on the Hungarian authorities to take concrete measures to ensure that the right to freedom of expression is clearly guaranteed for all judges, particularly in matters concerning the administration of justice. In its decision, the Committee of Ministers again expressed that it explicitly expects the Government to lift the “chilling effect” imposed on the right to freedom of expression of Hungarian judges.⁴⁵ The decision reflects concerns raised by Amnesty International in its January 2025 communication to the Committee of Ministers and earlier Rule 9(2) submissions.⁴⁶

The “chilling effect” has been further exacerbated by public statements and actions of the current Kúria President, discouraging judges from engaging in civic expression, as well as by disciplinary measures at the Kúria against its judicial staff for attempting to publish critical academic work.

The Kúria President challenged the Code of Ethics for judges – a Code stating that judges “may participate in public events organised within the framework of the law”, and that they “are also free to express their opinions on the law, the legal system and the administration of justice”⁴⁷, adopted by the National Judicial Council (NJC) in 2022 – in front of the Hungarian Constitutional Court, seeking a declaration of unconstitutionality and its annulment.⁴⁸ In another instance, prior to a protest against the ongoing judicial reform and to call for a prompt, universal and unconditional salary increase at all levels of the court system,⁴⁹ the Kúria President expressed disapproval of the participation of judges in the protest.⁵⁰

In 2024, the Kúria President suspended a Kúria judge from his position as a head of panel and launched several parallel proceedings against him because of a study he intended to publish on the adoption and application of the case allocation rules of the Kúria. In the same year, the Kúria President dismissed a senior advisor at the Kúria, also because of an unpublished study, briefly criticising the President of the Kúria.⁵¹

A 2020 Amnesty International research report also showed how rising control by the central court administration, and, indirectly, the executive branch has been undermining judicial independence in Hungary.⁵²

In the Concluding Observations on the sixth periodic report of Hungary, the Committee expressed concerns about the premature termination of the mandate of Judge Baka.”⁵³

The Committee stated that the State party “should take measures to ensure the full independence and impartiality of the judiciary, including protection from executive or external interference, objective appointment and promotion based on merit, and dismissal only for serious misconduct or incompetence in accordance with fair legal procedures.”⁵⁴

⁴⁵ European Court of Human Rights (ECtHR), *Baka v. Hungary*, Application 20261/12, Committee of Ministers, 1521st meeting (DH), 4–6 March 2025, [https://hudoc.exec.coe.int/eng#\({%22display%22:\[2\],%22execidentifier%22:\[%22CM/Def/Dec\(2025\)1521/H46-15E%22\]}\)](https://hudoc.exec.coe.int/eng#({%22display%22:[2],%22execidentifier%22:[%22CM/Def/Dec(2025)1521/H46-15E%22]}))

⁴⁶ Communication from an NGO (Amnesty International Hungary) (20 January 2025) in the case of *Baka v. Hungary* (Application No. 20261/12), submitted to the Committee of Ministers of the Council of Europe, <https://rm.coe.int/0900001680b3c8df>

⁴⁷ National Judicial Council, Code of Ethics for Judges, Decision 16/2022 (III.2.) of the National Judicial Council on the Code of Conduct for Judges and its adoption, 2 March 2022, <https://obt-jud.hu/en/birak-etikai-kodexe>

⁴⁸ Constitutional Court of Hungary, A 16/2022. (III. 02.) OBT határozattal elfogadott Bírák Etikai Kódexe és a bíróságok szervezetéről és igazgatásáról szóló 2011. évi CLXI. törvény 103. § (1) bekezdés e) pontja elleni utólagos normakontroll indítvány (Bírák Etikai Kódexe) [Post-legislative judicial review motion against the Code of Ethics for Judges adopted by OBT Decision 16/2022 (III. 02.) and against point e) of paragraph (1) of § 103 of Act CLXI of 2011 on the Organization and Administration of Courts (Code of Ethics for Judges)], 2022, <https://alkotmanybirosag.hu/ugyadatlap/?id=B1E83AFC8B10B1D2C125885B005B3B7E>

⁴⁹ Anita Komuves and Krisztina Fenyő, “Hungarian judges, court staff rally for judicial independence”, 22 February 2025, <https://www.reuters.com/world/europe/hungarian-judges-court-staff-rally-judicial-independence-2025-02-22/>

⁵⁰ 24.hu, “Kúria-elnök: A bíróknak a tárgyalóteremben a helyük”, [“Kúria President: Judges belong in the courtroom”], 3 February 2025, (in Hungarian), <https://24.hu/belfold/2025/02/03/kuria-varga-zs-andras-birok-tuntelez/>

⁵¹ Hungarian Helsinki Committee, *Presidential retaliation against critical opinions at the Kúria*, 20 December 2024, <https://helsinki.hu/en/presidential-retaliation-critical-opinions-kuria-supreme-court-hungary>

⁵² Amnesty International, *Fearing the Unknown – How Rising Control is undermining Judicial Independence in Hungary* (previously cited)

⁵³ UN Human Rights Committee (HRC), *Concluding observations: Hungary* (previously cited), para. 11

Amnesty International expresses its concerns about the inaction of the state regarding the implementation of the European Court of Human Rights *Baka* judgment, as well as the other developments at the Kúria described above, resulting in the undermining of the right to freedom of expression of judges, and eroding both the perception and substance of judicial independence.

Amnesty International recommends that Hungarian authorities as well as the Parliament promptly address the issue of judicial independence by amending the laws on the judiciary that may compromise judicial independence and judges' right to freedom of expression, taking into account the concerns raised by the Committee, and other international and regional monitoring bodies.⁵⁵

Amnesty International urges the Hungarian authorities to ensure effective protection of judges against intimidation, attacks on their reputation, as well as retaliatory administrative and other measures. It also recommends that Hungarian authorities refrain from and condemn any harassment, intimidation or retaliation against judges, and communicate clearly that while criticism of jurisprudence as part of public debate is necessary in a pluralistic society, personal attacks against judges are unacceptable. Amnesty International also urges the Hungarian authorities to abstain from public communications regarding court decisions that constitute direct or indirect influence on pending court proceedings or otherwise undermine the independence of individual judges in their decision-making.

Amnesty International urges Hungary to comply with the judgment of the ECtHR in the case of *Baka v. Hungary*.

7. “PROPAGANDA LAW” (ARTICLES 2, 17, 19 AND 26)

Act LXXIX of 2021⁵⁶ and Government Decree 473/2021 (VIII.6.),⁵⁷ commonly known as the “Propaganda Law,” aims to limit access to content for children that depicts or discusses issues concerning gender identity and sexual orientation. This includes any content that “propagates or portrays divergence from self-identity corresponding to sex at birth, sex change or homosexuality” to individuals under 18 years of age.⁵⁸ The bill for this law was originally intended to improve the prevention, detection, and prosecution of child sexual abuse offences, but a last-minute amendment by governing party MPs added anti-LGBTQI+ provisions.⁵⁹

The “Propaganda Law” consists of 11 amendments to different Acts, including the Child Protection Act, the Family Protection Act, the National Public Education Act, the Advertisement Act, and the Media Act. Thus, the Propaganda Law limits various forms of public communications, including in public education, media, advertisements and some commercial activities. For instance, regulations under this law instruct retailers to sell children's products featuring LGBTQI+ related themes and characters only in “sealed packaging” and prohibit the sale of these, and any product that has content

⁵⁵ Amnesty International, *Fearing the Unknown – How Rising Control is undermining Judicial Independence in Hungary* (previously cited); European Commission, Commission Staff Working Document 2025 Rule of Law Report – Country Chapter on the rule of law situation in Hungary, 8 July 2025, https://commission.europa.eu/document/download/524bd8d4-33ba-4802-891f-d8959831ed5a_en?filename=2025%20Rule%20of%20Law%20Report%20-%20Country%20Chapter%20Hungary.pdf; European Commission for Democracy through Law (Venice Commission), Hungary: Provisions of Act XVII of 2024 on the Amendment of Laws Related to Justice Matters, CDL-REF(2025)005, Strasbourg, 17 January 2025, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-REF\(2025\)005](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-REF(2025)005)

⁵⁶ 2021. évi LXXIX. törvény a pedofil bűnelkövetőkkel szembeni szigorúbb fellépésről, valamint a gyermekek védelme érdekében egyes törvények módosításáról [Act LXXIX of 2021 on taking more severe action against paedophile offenders and amending certain Acts for the protection of children] (Propaganda Law), 23 June 2021, <https://njt.hu/jogszabaly/2021-79-00-00-0>

⁵⁷ 473/2021. (VIII. 6.) Korm. Rendelet a kereskedelmi tevékenységek végzésének feltételeiről szóló 210/2009. (IX. 29.) Korm. rendelet módosításáról [Government Decree 473/2021 (VIII.6.) amending Government Decree No 210/2009 (IX.29.) on the conditions for carrying out commercial activities.] 5 September 2021, (in Hungarian), <https://njt.hu/jogszabaly/2021-473-20-22.0> Section 6

⁵⁸ 2021. évi LXXIX. törvény a pedofil bűnelkövetőkkel szembeni szigorúbb fellépésről, valamint a gyermekek védelme érdekében egyes törvények módosításáról [Act LXXIX of 2021 on taking more severe action against paedophile offenders and amending certain Acts for the protection of children] (Propaganda Law) (previously cited), Section 6/A

⁵⁹ Hattér Society, *One year after: Implementation of Act LXXIX of 2021 Amending Certain Acts for the Protection of Children*, 5 July 2022, <https://en.hatter.hu/sites/default/files/dokumentum/kiadvany/hatter-proplaw-implementation1year.pdf>

that "propagates or portrays divergence from self-identity corresponding to sex at birth, sex change or homosexuality" within 200 meters of any school or church.⁶⁰

The amended Advertisement Act forbids making content accessible to children that "propagates or portrays divergence from self-identity corresponding to sex at birth, sex change or homosexuality."⁶¹ The amended Media Act, in combination with the "Propaganda Law", imposes an obligation on media outlets to classify programmes under category V ("not appropriate for audiences under the age of eighteen") if "they are capable of exerting a negative influence on the physical, mental or moral development of minors, in particular as a result of having as their central element violence, propagation or portrayal of divergence from self-identity corresponding to sex at birth, sex change or homosexuality."⁶² The amended Media Act also excludes advertisements from qualifying as public service announcements and community facility advertisements where the advertisement falls under the same prohibition of the Propaganda Law.

The "Propaganda Law" does not clarify how the "propagation" or "portrayal" of homosexuality or gender reassignment (which it terms "sex change") and the other related issues is to be interpreted, leaving the interpretation and implementation solely to executive authorities, including the Media Council of Hungary's public broadcaster regulator, the National Media and Infocommunications Authority (NMHH) that only consist of members appointed by the governing party.⁶³ The "Propaganda Law" has no legitimate aim, and results in significant restrictions on people's right to access information, which is a key part of the right to freedom of expression. The legislation is not only discriminatory against LGBTQI+ people, it also reinforces the stigma and discrimination that they face. Furthermore, the "Propaganda Law" adds a new paragraph to Act XLVII of 2009 on the Registry of Criminal Convictions, including the establishment of a register of individuals convicted of sexual crimes against children, which conveys the message that these issues are interrelated.⁶⁴ The opinion of Tamara Ćapeta, Advocate General at the Court of Justice of the European Union argues that the aforementioned amendments interfere with several rights protected by the Charter of Fundamental Rights of the European Union: the prohibition of discrimination on grounds of sex and sexual orientation, the respect for private and family life, the right to freedom of expression and information, as well as the right to human dignity. According to the Advocate General, Hungary's justifications – protecting children's development and parents' ability to raise their children according to personal convictions – do not justify these interferences and breach human rights protected by the Charter.⁶⁵

The Fifteenth Amendment of the Fundamental Law – that amended the constitution to state that "human beings shall be male or female" – and the related legislation has also changed the scope of legal protections for individuals: "gender identity" was eliminated from the list of grounds protected from discrimination in the Act on Equal Treatment, and the term "sex" was replaced with the term "sex and corresponding identity" in the list.⁶⁶ This means that the gender identity of transgender people is no longer explicitly legally protected. Thus, the scope of non-discrimination is limited, and legal safeguards are reduced for certain LGBTQI+ individuals.

⁶⁰ 473/2021. (VIII. 6.) Korm. Rendelet a kereskedelmi tevékenységek végzésének feltételeiről szóló 210/2009. (IX. 29.) Korm. rendelet módosításáról [Government Decree 473/2021 (6 August) amending Government Decree 210/2009 (29 September) on the Conditions for Conducting Commercial Activities], 2021, <https://njt.hu/jogsabaly/2021-473-20-22.0> (in Hungarian)

⁶¹ 2021. évi LXXIX. törvény a pedofil bűnelkövetőkkel szembeni szigorúbb fellépésről, valamint a gyermekek védelme érdekében egyes törvények módosításáról [Act LXXIX of 2021 on taking more severe action against paedophile offenders and amending certain Acts for the protection of children] (Propaganda Law) (previously cited) Section 3

⁶² 2021. évi LXXIX. törvény a pedofil bűnelkövetőkkel szembeni szigorúbb fellépésről, valamint a gyermekek védelme érdekében egyes törvények módosításáról [Act LXXIX of 2021 on taking more severe action against paedophile offenders and amending certain Acts for the protection of children] (Propaganda Law) (previously cited), Section 9(6)

⁶³ 2010. évi CLXXXV. törvény a médiászolgáltatásokról és a tömegkommunikációról [Act CLXXXV of 2010 on media services and mass communication], 2010, <https://net.jogtar.hu/jogsabaly?docid=a1000185.tv> Section 9. See also: Amnesty International, *From Freedom to Censorship – The Consequences of the Hungarian Propaganda Law* (previously cited), p. 20.

⁶⁴ Amnesty International, *From Freedom to Censorship – The Consequences of the Hungarian Propaganda Law*, (previously cited), p. 19.

⁶⁵ Court of Justice of the European Union, "EU values: Advocate General Ćapeta considers that, by prohibiting or restricting access to LGBTI content, Hungary infringed EU law", PRESS RELEASE No 64/25, 5 June 2025, <https://curia.europa.eu/jcms/upload/docs/application/pdf/2025-06/cp250064en.pdf>

⁶⁶ 2025. évi V. törvény az Alaptörvény tizenötödik módosításával összefüggő egyes törvénymódosításokról [Act V of 2025 on certain amendments to laws related to the fifteenth amendment to the Fundamental Law], 2025, <https://njt.hu/jogsabaly/2025-5-00-00>, Section 5

In its Concluding Observations on the sixth periodic report of Hungary, the Committee expressed its concern about the discrimination against LGBTQI+ people, namely that “the ban on discrimination in the Fundamental Law does not explicitly list sexual orientation and gender identity among the grounds of discrimination and that its restrictive definition of family may give rise to discrimination, since it does not cover certain types of family arrangements, including same-sex couples.” The Committee was also concerned “about the acts of violence and the prevalence of negative stereotypes and prejudice against lesbian, gay, bisexual and transgender persons, particularly in employment and education.”⁶⁷

The Committee called for steps by Hungary to tackle discrimination against lesbian, gay, bisexual and transgender persons: “(a) Prohibit discrimination on all grounds, including sexual orientation and gender identity, and in all spheres and sectors, including education, employment, marriage and family arrangements; (b) Ensure access to effective remedies for any act of discrimination and ensure that courts interpret discrimination laws in accordance with the Covenant; (c) Take the necessary measures to curb discrimination against lesbian, gay, bisexual and transgender persons with regard to family arrangements; (d) Ensure the effective identification, recording, investigation, prosecution and punishment of acts of violence motivated by the sexual orientation or gender identity of the victims, and intensify efforts to combat negative stereotypes and prejudice against lesbian, gay, bisexual and transgender persons, including through the provision of training for law enforcement officials.”⁶⁸

Amnesty International recommends that the Hungarian Parliament repeal the “Propaganda Law” and introduce amendments to the Fundamental Law to protect the rights of all LGBTQI+ people, including children, and explicitly make sexual orientation and gender identity protected categories against discrimination.

8. BANS ON LGBTQI+ RIGHTS-RELATED ASSEMBLIES AND EXTENDING THE USE OF FACIAL RECOGNITION TECHNOLOGIES (ARTICLES 2, 17, 21 AND 26)

On 11 March 2025, following the Prime Minister’s statement concerning the banning of the annual Pride March in Budapest, MPs of the governing majority submitted a set of amendments to the Fundamental Law (Hungary’s constitution), to create a constitutional-level basis for banning LGBTQI+ rights-related assemblies, including the annual Pride marches.⁶⁹ On 17 March, another bill was submitted by MPs of the governing majority to amend existing laws on assemblies, in order to ban assemblies that might breach the “substantial element of the prohibition” prescribed in the previously mentioned anti-LGBTQI+ “Propaganda Law.”⁷⁰ The bill was fast-tracked through Parliament within a day, without public consultation and promulgated as Act III of 2025.⁷¹ It entered into force on the following day, except for provisions for which the amendment of the Fundamental Law was necessary (those entered into force on 15 April 2025).

⁶⁷ UN Human Rights Committee (HRC), Concluding observations: Hungary (previously cited), para. 19

⁶⁸ UN Human Rights Committee (HRC), Concluding observations: Hungary (previously cited), para. 20

⁶⁹ Magyarország Alaptörvényének tizenötödik módosítása [Fifteenth Amendment to the Fundamental Law of Hungary], 2025, <https://njt.hu/jogszabaly/2025-15-04-00> (in Hungarian)

Amnesty International, “Hungary: Pride ban is full-frontal attack on LGBTI people and must not be signed into law”, 18 March 2025, <https://www.amnesty.org/en/latest/news/2025/03/hungary-pride-ban-is-full-frontal-attack-on-lgbti-people-and-must-not-be-signed-into-law/>; Amnesty International, “A Fidesz szerint az ember férfi vagy nő, ebben a sorrendben” [“According to Fidesz, a person is either a man or a woman, in that order”], 12 March 2025, <https://www.amnesty.hu/a-fidesz-szerint-az-ember-ferfi-vagy-no-ebben-a-sorrendben/>

⁷⁰ 2021. évi LXXIX. törvény a pedofil bűnelkövetőkkel szembeni szigorúbb fellépésről, valamint a gyermekek védelme érdekében egyes törvények módosításáról [Act LXXIX of 2021 on taking more severe action against paedophile offenders and amending certain Acts for the protection of children] (Propaganda Law) (previously cited)

⁷¹ 2025. évi III. törvény a gyülekezési jogról szóló 2018. évi LV. törvénynek a gyermekek védelmével összefüggő, valamint az ehhez kapcsolódó törvények módosításáról [Act III of 2025 amending Act LV of 2018 on the right of assembly with regard to the protection of children, and amending related Acts], 2025, <https://njt.hu/jogszabaly/en/2025-3-00-00>

The new law (Act III of 2025), containing the amendment to the Assembly Act, restricts the right to freedom of peaceful assembly and also contains provisions that indirectly curtail this right. It contains vague language which permits authorities to ban any assemblies advocating for LGBTQI+ rights and depicting LGBTQI+ themes. It introduces a new Section 13/A to the Assembly Act that prohibits holding an assembly that violates the prohibition outlined in the anti-LGBTQI+ “Propaganda Law”⁷² and/or that displays a “substantial element” of the content prohibited in it. It makes it a crime to hold or organise and a petty offence to attend events that violate Hungary’s “Propaganda Law” legislation, which prohibits the “depiction or promotion” of homosexuality and diverse gender identities to children.

If the police ban a Pride march or another LGBTQI+ rights-related event based on the new law, those who hold or organise such banned assembly may face, according to the Criminal Code⁷³ already in effect, criminal charges and risk up to one year of imprisonment. Furthermore, it is a petty offence (misdemeanour) to attend such an assembly, which is punishable with a fine ranging from HUF 6 500 to 200 000 (approx. EUR 16 to 500).⁷⁴ Importantly, attending an assembly that had been banned by the authorities was already a petty offence before this legislation. However, a fine for this particular petty offence cannot be converted to community service or to a custodial sentence (like other petty offence fines).⁷⁵

The new law also widens the scope where the police may disperse a notified assembly since any “deviation from the notification” may be used as a basis for dispersal. Furthermore, the new law maintains that publicly promoting any assembly before the notification is provided and accepted by the police constitutes, in itself, a petty offence. The time frame for the notification of an assembly was amended, whereby organisers must give notice no later than one month before the planned assembly, instead of the previous three-month window.

The new legislation also widens the scope for the possible use of facial recognition technology (FRT) to any petty offences, including petty offences related to assemblies. The new law provides a carte blanche authorisation power to police and other authorities to identify anyone's face on the streets and in public spaces, if the authority deems it necessary to „prevent, deter, detect and disrupt offences and to bring offenders to justice” in relation to any petty offence, regardless of their gravity.⁷⁶ This development is of particular concern in relation to potential use of FRT to identify individuals suspected of attending assemblies which might be banned by authorities, such as the Prides. Prior to the enactment of the new legislation, the use of evidence gathered through FRT in petty offence proceedings was only permissible in relation to a narrow group of petty offences punishable by a custodial sentence. The law allows the police to use FRT on the basis of state databases (e.g. databases of ID documents or passports).⁷⁷ The police or the court may request facial image analysis from the Hungarian Institute for Forensic Sciences in any petty offence proceedings from these databases, provided that the offender is unknown.⁷⁸ Data processed through FRT is biometric, thus sensitive data.⁷⁹

⁷² 2021. évi LXXIX. törvény a pedofil bűnelkövetőkkel szembeni szigorúbb fellépésről, valamint a gyermekek védelme érdekében egyes törvények módosításáról [Act LXXIX of 2021 on taking more severe action against paedophile offenders and amending certain Acts for the protection of children] (Propaganda Law) (previously cited)

⁷³ Amnesty International et al., Legislating Fear: Banning Pride is the latest assault on fundamental rights in Hungary, previously cited), p. 6.

⁷⁴ 2012. évi II. törvény a szabálysértésekéről, a szabálysértési eljárásról és a szabálysértési nyilvántartási rendszerről [Act II of 2012 on Infractions, Infraction Procedure and the Infraction Register System], 2012, <https://njt.hu/jogszabaly/2012-2-00-00> Section 11 (in Hungarian)

⁷⁵ 2012. évi II. törvény a szabálysértésekéről, a szabálysértési eljárásról és a szabálysértési nyilvántartási rendszerről [Act II of 2012 on Infractions, Infraction Procedure and the Infraction Register System] (previously cited)

⁷⁶ 2025. évi III. törvény a gyülekezési jogról szóló 2018. évi LV. törvénynek a gyermekek védelmével összefüggő, valamint az ehhez kapcsolódó törvények módosításáról [Act III of 2025 amending Act LV of 2018 on the right of assembly with regard to the protection of children, and amending related Acts] (previously cited), Section 3

⁷⁷ 2015. évi CLXXXVIII. törvény az arcképelemzési nyilvántartásról és az arcképelemző rendszerről, [Act CLXXXVIII of 2015 on the Facial Image Analysis Registry and the Facial Image Analysis System], 2015, <https://net.jogtar.hu/jogszabaly?docid=a1500188.tv> (in Hungarian)

⁷⁸ Amnesty International et al., Legislating Fear: Banning Pride is the latest assault on fundamental rights in Hungary, previously cited), p. 5.

⁷⁹ Amnesty International et al., Legislating Fear: Banning Pride is the latest assault on fundamental rights in Hungary, previously cited), p. 5.

This new, discriminatory legislation seeks to create an atmosphere of fear and silence for those who dare to express dissent. Such measures threaten the right to privacy and the very essence of freedom of expression and the right to peaceful assembly.

Moreover, the legislation does not pursue a legitimate aim, and its broad expansion of the power to use FRT is not necessary or proportionate to achieving its stated aim of “protecting the rights of children.”

Amnesty International recommends that the Hungarian Parliament repeal the amendments to the Fundamental Law, as well as the relevant sections of the omnibus Act containing the amendment to the Assembly Act.

9. BILL ON THE TRANSPARENCY OF PUBLIC LIFE (ARTICLES 2, 19 AND 22)

In May 2025, the bill on the Transparency of Public Life⁸⁰ was introduced in Parliament by an MP of the governing party, targeting private and independent media outlets and civil society organisations, and potentially any other legal entity that receives funding or obtains revenue from abroad.⁸¹ The bill comes amidst a wider effort to stigmatise and threaten organisations critical of Hungary's authorities. If the bill is passed, the new legislation would enable the Government and authorities to silence arbitrarily chosen organisations, through severely limiting their ability to operate. This, and further punitive measures could lead to the eventual dissolution of the targeted organisations.⁸²

Under the proposed bill, the Government would be able to decide by decree on a list of any legal entity registered inside or outside of Hungary, upon the proposal of the recently established Sovereignty Protection Office (SPO), which would gain broader authority through this bill, as organisations “whose activities aimed at influencing public life threaten Hungary's sovereignty.”⁸³ Activities funded from foreign resources could be deemed as constituting “a threat to Hungary's sovereignty,” if they “violate, or portray in a negative manner, or support action against the values defined” in selected sections of Hungary's Fundamental Law.⁸⁴ These sections include provisions such as “Hungary shall be an independent, democratic rule-of-law State”⁸⁵ and “Hungary shall protect the institution of marriage as the union of one man and one woman established by voluntary decision, and protect the family as the basis of the nation's survival. Family ties shall rest on marriage or the parent-child relationship. The mother shall be a woman; the father shall be a man.”⁸⁶

As made clear by the statements of government officials and the actions and publications of the SPO, the bill's main targets are watchdog organisations and investigative journalists, alongside independent media, and civil society organisations.⁸⁷ “Foreign resources,” as defined in the bill, cover any type, and any amount of revenue received from a foreign natural or legal person or foreign state, including

⁸⁰ 2025. évi törvény a közélet átláthatóságáról, [Bill on the Transparency of Public Life], 13 May 2025, (in Hungarian), <https://www.parlament.hu/irom42/11923/11923.pdf>

⁸¹ Amnesty International et al., Operation Starve and Strangle - How the Hungarian Government Decided to Put Companies, Independent Media and Civil Society in a Choehold, 20 May 2025, <https://www.amnesty.hu/wp-content/uploads/2025/05/Operation-Starve-and-Strangle-2025-1.pdf> pp. 1-2.

⁸² Amnesty International et al., Operation Starve and Strangle - How the Hungarian Government Decided to Put Companies, Independent Media and Civil Society in a Choehold (previously cited), p. 1.

⁸³ 2025. évi ... törvény a közélet átláthatóságáról [Act ... of 2025 on the Transparency of Public Life] 13 May 2025, <https://www.parlament.hu/irom42/11923/11923.pdf> (in Hungarian), Sections 4 and 5

⁸⁴ 2025. évi ... törvény a közélet átláthatóságáról [Act ... of 2025 on the Transparency of Public Life] (previously cited), Section 3(2)

⁸⁵ The Fundamental Law of Hungary, <https://www.parlament.hu/documents/125505/138409/Fundamental+law/> Article B

⁸⁶ The Fundamental Law of Hungary, (previously cited), Article L

⁸⁷ Sovereignty Protection Office, “Újabb brüsszel eurómilliók a politikai nyomásnak szervezeteknek” [“More Brussels euro-millions for political advocacy organizations”], 10 October 2025, <https://szuverenitasvedelmihivatal.hu/hirek/ujabb-brusszeli-euromillio-k-a-politikai-nyomasnak-szervezeteknek>; Sovereignty Protection Office, “Információkat vár a Szuverenitásvédelmi Hivatal az Európai Bizottságtól a külföldről finanszírozott NGO-k Magyarország elleni jogállamisági eljárásban betöltött szerepével kapcsolatban” [“The Sovereignty Protection Office is expecting information from the European Commission regarding the role of foreign-funded NGOs in the rule-of-law procedure against Hungary”], 5 September 2024, <https://szuverenitasvedelmihivatal.hu/hirek/informaciokat-var-a-szuverenitasvedelmi-hivatal-az-europai-bizottsagtol>

commercial revenues, fees for services, grants or other payments received from within the European Union or from its institutions or other international organisations, private donations and gifts, loans, etc.⁸⁸ Furthermore, the bill does not list an effective legal remedy against the Government's decision to include an entity on the list.

Organisations designated on the basis of the above criteria would suffer immediate and serious consequences, most importantly:

- All their current contracts involving foreign funding would become null and void – their related activities would have to be stopped, and the received funds returned;
- They would be prohibited from accepting foreign funds, unless the Hungarian tax authority approves the transaction in a currently unknown and unregulated procedure – if they accept funding without said permission, a 25-fold fine could be imposed;
- They would be excluded from the 1% personal income tax designation scheme, which is the main source of income of many Hungarian civil society organisations;
- They could only accept any type of funding from Hungarian citizens or entities if the donor claims in a statement with full evidentiary power (e.g. handwritten, or signed, typed, and countersigned by two witnesses, or certified by a lawyer) that the funds are not from a foreign entity.⁸⁹
- Executives, founders and members of the supervisory boards of listed entities would be required to submit annual asset declarations; Anti-Money Laundering provisions, including extensive 'know your customer' screenings applicable to politically exposed persons would apply to them, to their immediate relatives and business partners.⁹⁰

Failure to comply with the obligations defined in the bill, including those on receiving prohibited funds and submitting asset declarations, could eventually result in the dissolution of the listed entity.⁹¹

The final vote on the bill was expected to be scheduled during the autumn Parliament session.⁹² As of the submission of this written input, the final vote has not yet taken place. Nevertheless, if the bill is passed and enters into law, 72 hours after the law takes effect, listed entities could effectively lose access to almost all of their resources.⁹³

The right to freedom of association protects the right to seek, receive and use resources, including financial resources, from domestic, foreign, or international sources, as essential to the existence and effective operation of organisations. The UN Human Rights Committee and the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association have stressed the importance of safeguarding the capacity of NGOs to engage in fundraising activities, and have clarified that funding restrictions that impede the ability of associations to pursue their statutory activities constitute an interference with Article 22 of the ICCPR.⁹⁴

Amnesty International continues to be concerned about the draft bill as it violates the right to freedom of association, the freedom of expression, and the right to an effective remedy. Imposing restrictions with the purported objective of enhancing transparency and accountability in relation to foreign funding received by NGOs on the basis that this protects national security or public order, without also requiring that the state demonstrates the existence of a real threat and on the basis of an

⁸⁸ 2025. évi ... törvény a közélet átláthatóságáról [Act ... of 2025 on the Transparency of Public Life] (previously cited), Section 2b

⁸⁹ 2025. évi ... törvény a közélet átláthatóságáról [Act ... of 2025 on the Transparency of Public Life] (previously cited), Section 7(3)

⁹⁰ 2025. évi ... törvény a közélet átláthatóságáról [Act ... of 2025 on the Transparency of Public Life] (previously cited) Sections 7(1)a, 7(2) and 48

⁹¹ 2025. évi ... törvény a közélet átláthatóságáról [Act ... of 2025 on the Transparency of Public Life] (previously cited), Section 44(2)

⁹² Ashifa Kassam, "Hungary postpones vote on law to curb foreign-funded organisations", 4 June 2025, The Guardian, https://www.theguardian.com/world/2025/jun/04/hungary-postpones-vote-law-curb-foreign-funded-organisations?CMP=Share_iOSApp_Other

⁹³ 2025. évi ... törvény a közélet átláthatóságáról [Act ... of 2025 on the Transparency of Public Life] (previously cited), Section 34

⁹⁴ UN Human Rights Committee (HRC), *Viktor Korneenko et al v. Belarus*, Communication no. 1274/2004, 10 November 2006, U.N. Doc. CCPR/C/88/D/1274/2004, para 7.2; UN Special Rapporteur on the right to freedom of peaceful assembly and of association, Report, 24 April 2013, UN Doc. A/HRC/23/39, para. 16

indiscriminate presumption against NGOs, carries risks of indiscriminately hindering the ability of civil society organisations to operate freely and safely. The robust interpretation of legitimate aims when it comes to restricting the right to freedom of association, and in particular the right of NGOs to access funding, is crucial to protecting civic space and countering both the stigmatisation of NGOs and the “chilling effect” on the exercise of related rights, such as the rights to freedom of expression, peaceful assembly and to defend human rights.

Amnesty International recommends that the Hungarian Parliament abandon the bill.

Amnesty International is a movement of 10 million people which mobilizes the humanity in everyone and campaigns for change so we can all enjoy our human rights. Our vision is of a world where those in power keep their promises, respect international law and are held to account. We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and individual donations. We believe that acting in solidarity and compassion with people everywhere can change our societies for the better.

Contact



Amnesty International
Peter Benenson House
1 Easton Street
London WC1X 0DW, UK

Except where otherwise noted, content in this document is licensed under a Creative Commons (attribution, non-commercial, no derivatives, international 4.0) licence (see creativecommons.org/licenses/by-nc-nd/4.0/legalcode).

Where material is attributed to a copyright owner other than Amnesty International, this material is not covered by the Creative Commons licence.

For more information, visit the [permissions page](#) on Amnesty International's website.

